

LEGISLATIVE COUNCIL BRIEF

Town Planning Ordinance (Chapter 131)

APPROVED NORTH-EAST LANTAU OUTLINE ZONING PLAN NO. S/I-NEL/6

INTRODUCTION

At the meeting of the Executive Council on 28 March 2000, the Council ADVISED and the Chief Executive ORDERED that the draft North-East Lantau Outline Zoning Plan (OZP) No. S/I-NEL/5A should be approved under section 9(1)(a) of the Town Planning Ordinance (the Ordinance) and re-numbered as S/I-NEL/6.

BACKGROUND AND ARGUMENT

General Background

2. On 21 October 1997, the Chief Executive in Council referred the approved North-East Lantau Port OZP No. S/I-NELP/3 to the Town Planning Board (the Board) for amendment under section 12(1)(b)(ii) of the Ordinance.

3. On 6 February 1998, the draft North-East Lantau Port OZP No. S/I-NELP/4, incorporating amendments to the approved North-East Lantau Port OZP No. S/I-NELP/3, was exhibited under section 5 of the Ordinance.

4. On 16 July 1999, the Chief Executive, under section 3(1)(a) of the Ordinance, gave directive to the Board to extend the Planning Scheme Area of the draft OZP. On 13 August 1999, the draft North-East Lantau OZP No. S/I-NEL/5, incorporating amendments to the draft North-East Lantau Port OZP No. S/I-NELP/4, was exhibited under section 7 of the Ordinance.

5. The major amendments incorporated in the draft OZPs are -

- (a) **Draft North-East Lantau Port OZP No. S/I-NELP/4**
(gazetted on 6 February 1998)

- (i) rezoning of a site at Ngong Shuen Au, Yam O from “Green Belt” (“GB”) to “Other Specified Uses” (“OU”) annotated “Prison”;
- (ii) rezoning of two sites to the west of Tai Chuen from “Road” to “OU” annotated “Ventilation Building and Traction Substation” and from “OU” annotated “Ventilation Building and Traction Substation” to “Road” respectively;

(b) **Draft North-East Lantau OZP No. S/I-NEL/5**

(gazetted on 13 August 1999)

The amendments to the draft OZP related mainly to the Hong Kong Disneyland project in Penny’s Bay and the OZP was renamed from “North-East Lantau Port OZP” to “North-East Lantau OZP”. The major amendments are:

- (i) re-planning of the land uses in the proposed Penny’s Bay Reclamation by:
 - zoning the southern part as “OU” annotated “Theme Park”, “OU” annotated “Hotel”, “Government, Institution or Community” (“G/IC”), “OU” annotated “Amenity Area”, “OU” annotated “Pier” and “Road”;
 - zoning the north-western part as “OU” annotated “Water Recreation Centre” and “OU” annotated “Amenity Area”;
 - zoning the western fringe as “OU” annotated “Amenity Area” and “Drainage Channel”;
 - zoning the eastern part as “U”;
- (ii) zoning the central, southern and eastern parts of Tsing Chau Tsai Peninsula as “Green Belt” (“GB”) and inclusion of an area to the north of Sz Pak Tsui and zoning it as “GB”;

- (iii) inclusion of the coastal waters at To Kau Wan, Tsing Chau Wan, Yam O Wan and Ngam Hau Shek into the Planning Scheme Area and zoning the proposed reclamation areas at Yam O and Ngam Hau Shek as “U”;
- (iv) incorporation of proposed road and rail links in the Planning Scheme Area and designating them as “Road”:
 - Tung Chung Line Mass Transit Railway (MTR) extension from Yam O to Penny’s Bay;
 - Chok Ko Wan Link Road from Yam O Interchange to Pa Tau Kwu; and
 - Route 10 extending from Kwai Shek to Tsing Chau Tsai Peninsula.

A 6. The approved North-East Lantau OZP No. S/I-NEL/6 is at Annex A for Members’ reference. A set of Notes, at Enclosure I to Annex A, lists out the uses which are always permitted and those which may be permitted on application to the Board. An Explanatory Statement in respect of the approved OZP is at Enclosure II to Annex A.

The Planning Scheme Area

7. The Planning Scheme Area (the Area), covers the whole of Tsing Chau Tsai Peninsula including Penny’s Bay, To Kau Wan, Tsing Chau Wan, Ta Shui Wan, part of Yam O Wan, Cheung Sok Island and the future reclamation areas along the southern, northern and eastern coasts in North-East Lantau. Its boundary is shown in a heavy broken line on the approved OZP. The Area covers an area of about 1,665 hectares, including 932 hectares of land to be reclaimed and about 40 hectares of waters in Yam O Wan inlet.

Land Use Zonings

8. A majority of the Area (571.18 hectares) is zoned “OU” and is reserved for specific tourism and recreation uses. The area (118.11 hectares) in Penny’s Bay is intended to be

developed as a world-class international theme park - the Hong Kong Disneyland, forming a core tourist attraction in the Area. The coastal area to the south of the theme park is designated for hotel uses and a water recreation centre (31.79 hectares), with a large artificial lake, amenities and recreational facilities, is proposed to the north-west serving the irrigation purposes for the theme park and provide for public recreation uses. The proposed reclamation areas to the east of the theme park, in Yam O and in Ngam Hau Shek east of Tsing Chau Tsai Peninsula are zoned “U” (217.67 hectares) pending further detailed studies to determine future uses compatible to the tourism and recreation theme of the area. Other specific uses under the “OU” zoning include amenity areas, piers, power station and ventilation building and traction substation. The container terminals and container back-up areas are long term reservation pending detailed study on alternative location of port facilities.

9. To serve developments within the Area, about 25.53 hectares is zoned “Government, Institution or Community” (“G/IC”). It covers the existing radar station at the hilltop of Kau Yi Chau. Sites have also been reserved for a police post, a fire station cum ambulance depot, a telephone exchange, public car and coach parks, public transport interchange facilities and utilities and other service areas. About 1.31 hectares of land at Kau Yi Chau is zoned “Open Space” (“O”) and reserved for the development of an open space to serve future workers in the container terminals. To conserve existing natural landscape features, scenic areas, ecological character and the visual backdrop to the theme park in Penny’s Bay, about 560.73 hectares of land is zoned “GB”. About 21.06 hectares of land is zoned “Conservation Area” (“CA”) to conserve the existing landscape and character of Kau Yi Chau.

Objections

10. During the exhibition of the draft North-East Lantau Port OZP No. S/I-NELP/4, nine objections were received, all against the “OU” annotated “Prison” site at Yam O. After giving consideration to the objections, the Board decided mainly to propose an amendment to the draft OZP by rezoning the site to “GB” to meet them. The objections were subsequently withdrawn. Upon notification of the proposed amendment in the Gazette, no further objection was received. The Board later confirmed under section 6(9) of the Ordinance that the amendment formed part of the draft OZP.

11. During the exhibition of the draft North-East Lantau OZP No. S/I-NEL/5, six valid objections were received. After giving considerations to the objections, the Board/Objection Hearing Committee (OHC) decided not to propose any amendment to the draft OZP to meet the objections. All the objections remain unwithdrawn.

FINANCIAL AND STAFFING IMPLICATIONS

12. Approval of the draft OZP itself has no financial or staffing implications.

ENVIRONMENTAL IMPLICATIONS

13. The Environmental Impact Assessment (EIA) previously completed under the Lantau Port and Western Harbour Development Study had confirmed the environmental feasibility of the reclamations and port-related uses in the North-East Lantau area. The EIA study was endorsed by the then Environmental Pollution Committee on 7 June 1993.

14. As a result of the changes in land uses, another EIA study was commissioned in 1998 as part of the Northshore Lantau Development Feasibility Study under the EIA Ordinance to address the cumulative environmental impacts of all the proposed developments in North-East Lantau. The current approved OZP provides a planning framework to guide future development and redevelopment within the Area. Appropriate development intensities and planning controls have been adopted in the light of the environmental constraints in the Area. The EIA report was submitted for approval under the EIA Ordinance on 1 March 2000.

15. For individual designated projects in Schedule 2 of the EIA Ordinance within the North-East Lantau area, the project proponents shall have to obtain relevant environmental permits from the Director of Environmental Protection before construction works commence. The project proponents shall comply with all conditions in the environmental permits and implement all recommendations in the relevant EIA studies.

PUBLIC CONSULTATION

16. The Environmental Affairs Committee (EAC) of the then Tsuen Wan Provisional District Board (TWPDB) and the then Islands Provisional District Board (IsPDB) were consulted

on the amendments to the approved North-East Lantau Port OZP No. S/I-NELP/3 on 25 November 1997 and 15 December 1997 respectively. The Members of the TWPDB and IsPDB were mainly concerned about the proposed prison site. The site was subsequently reverted back to "GB" to meet the objections as noted in paragraph 10 above.

17. The then IsPDB and TWPDB were consulted on the amendments to the draft North-East Lantau Port OZP No. S/I-NELP/4 on 4 August 1999 and 5 August 1999 respectively. The Ma Wan Rural Committee (RC) was consulted on 25 August 1999. Members of the TWPDB, the IsPDB and the RC raised no objection to the proposed amendments.

PUBLICITY

18. The approved North-East Lantau OZP will be printed and exhibited in accordance with section 9(5) of the Ordinance. A press release will be issued on the date of exhibition. A spokesman will be available for answering media enquiries.

PLANNING DEPARTMENT

APRIL 2000

