

**Minutes of the 1083rd Meeting of the
Town Planning Board held on 14.4.2015**

Present

Permanent Secretary for Development
(Planning and Lands)

Chairman

Mr Thomas T.M. Chow

Mr Stanley Y.F. Wong

Vice-chairman

Mr Roger K.H. Luk

Professor P.P. Ho

Professor Eddie C.M. Hui

Dr C.P. Lau

Mr Clarence W.C. Leung

Professor K.C. Chau

Mr Ivan C.S. Fu

Mr Sunny L.K. Ho

Ms Janice W.M. Lai

Mr Dominic K.K. Lam

Mr Patrick H.T. Lau

Mr H.F. Leung

Mr F.C. Chan

Mr Philip S.L. Kan

Dr Lawrence W.C. Poon

Principle Environmental Protection Officer (Metro
Assessment), Environmental Protection Department
Mr Ken Y.K. Wong

Director of Lands
Ms Bernadette H.H. Linn

Chief Engineer (Works), Home Affairs Department
Mr Martin W.C. Kwan

Principal Assistant Secretary (Transport) 3
Transport and Housing Bureau
Miss Winnie M.W. Wong

Director of Planning
Mr K.K. Ling

Deputy Director of Planning/District
Mr Raymond K.W. Lee

Secretary

Absent with Apologies

Professor S.C. Wong

Ms Julia M.K. Lau

Mr Laurence L.J. Li

Ms Anita W.T. Ma

Dr W.K. Yau

Ms Bonnie J.Y. Chan

Mr H.W. Cheung

Dr Wilton W.T. Fok

Mr Lincoln L.H. Huang

Ms Christina M. Lee

Mr Stephen H.B. Yau

Mr David Y.T. Lui

Mr Frankie W.C. Yeung

Mr Peter K.T. Yuen

In Attendance

Assistant Director of Planning/Board

Ms Lily Y.M. Yam

Chief Town Planner/Town Planning Board

Mr Louis K.H. Kau

Senior Town Planner/Town Planning Board

Mr T.C. Cheng

Agenda Item 1

[Open meeting]

Matters Arising

[The meeting was conducted in Cantonese]

1. There was no matter arising to report.

Sha Tin, Tai Po & North District

Agenda Item 2

[Open Meeting (Presentation and Question Sessions only)]

Consideration of Further Representations on Proposed Amendments to the Draft To Kwa Ping and Pak Tam Au Outline Zoning Plan (OZP) No. S/NE-TKP/1 Arising from Consideration of Representations and Comments on the Draft To Kwa Ping and Pak Tam Au OZP No. S/NE-TKP/1
(TPB Paper No. 9875)

[The meeting was conducted in Cantonese and English]

Presentation and Question Sessions

2. The following representatives of the Planning Department (PlanD) and Agriculture, Fisheries and Conservation Department (AFCD), the further representers, original representers and commenters, and their representatives were invited to the meeting at this point:

- | | |
|------------------|--|
| Mr C.K. Soh | - District Planning Officer/Shu Tin, Tai Po and North (DPO/STN), PlanD |
| Mr David Y.M. Ng | - Senior Town Planner/Country Park Enclaves 1 (STP/CPE1), PlanD |

Mr Cary P.H. Ho - Senior Nature Conservation Officer
(South) (SNC/S), AFCD

Further Representations

F166 – Tong Nip

R4099 – Gary Ades

Mr Tony Nip - Further Representer and Representer's
Representative

F167 – Dr Chiu Sein Tuck

Dr Chiu Sein Tuck - Further Representer

Representations

R56, C568 – Yung Yuk Ming

Mr Poon Key Yuen) Representer/Commenter's

Mr Kong Chee Cheung) Representatives

Mr Ho Kam Wah)

R337 – Cheng Mo Fat

R361 – Cheng Kwok Fai

C694 – To John Lamb

C702 – Cheng Chi Ching, Tony

C774 – To Kam Yin

C782 – Chan Kwan San

C787 – Cheng But Cheung

C835 – To Ken Lamb

C852 – 鄭偉倫

C865 – 鄭某發

C871 – 陳鴻堅

C892 – Chan Jin Wun

C964 – Cheng Kwok Sun

Mr Lam Kwok Chun)

Ms Lau Fung Yee)

Mr Lo Man Chi)

Ms Tang Long Ying) Representers/Commenters'

Ms Yam Yin Ping) Representatives

Ms Chung Wai Ling)
Mr Cheng Kwok Fai)
Ms Kwong Sum Yee)

R4239 – Designing Hong Kong

Mr Paul Zimmerman)
Ms Debbie Chan) Representers' Representatives
Ms Miffy Ng)

R4695 – Helen Yip

R4751 – Kurt Verkest

R4785 – Paul

R5000 – World Wide Fund for Nature

R5041 – Tammy Lam

Hong Kong (WWF)

R6489 – Cindy Fong

R7684 – Andrew Chan

Mr Andrew Chan - Representers and Representers'
Representative

R7688 – The Hong Kong Bird Watching Society

Ms Woo Ming Chuan - Representers' Representative

Comments

C979 – Poon Key Yuen

Mr Poon Key Yuen) Commenter and Commenters'
Mr Kong Chee Cheung) Representative

3. The Chairman extended a welcome and briefly explained the procedure of the meeting that the representative of PlanD would first be invited to make a presentation on the proposed amendments to the draft To Kwa Ping and Pak Tam Au Outline Zoning Plan (OZP). After that, the further representers, followed by the representers and then commenters or their authorised representative(s) would be invited to make oral submissions in turn. Each presentation should be within the 10-minute time slot allocated to the further representer, representer or commenter and there was a timer device to alert the speaker 2 minutes before the allotted time was to expire and when the allotted time

limit was up. After the oral submissions, there would be a Question and Answer (Q&A) session in which Members could direct enquiries to any attendee(s) of the meeting.

4. The Chairman further said that the oral submission should only be related to the further representations (FRs). To ensure a smooth and efficient conduct of the meeting, he reminded speakers not to repeat unnecessarily the same points of arguments which had already been presented by the others at the meeting. He then invited DPO/STN to brief Members on the proposed amendments and FRs in respect of the draft OZP.

5. With the aid of a PowerPoint presentation, Mr. David Y.M. Ng (STP/CPE1), PlanD made the following main points as detailed in the Paper :

Background

- (a) on 3.1.2014, the draft To Kwa Peng and Pak Tam Au OZP No. S/NE-TKP/1 (the draft OZP) was exhibited for public inspection under section 5 of the Town Planning Ordinance (the Ordinance). A total of 7,689 representations and 980 comments were received;
- (b) after giving consideration to the representations and comments in respect of the draft OZP, the Board decided on 6.10.2014 to partially uphold 7,327 representations by rezoning an area to the south of the channelised stream in Pak Tam Au (the Site) from “Village Type Development (“V”) to “Agriculture” (“AGR”), i.e. proposed Amendment Item A, and correspondingly amending the Notes of the OZP by adding a user schedule for the “AGR” zone in the Notes;
- (c) on 7.11.2014, the proposed amendments to the draft OZP were exhibited for public inspection under section 6C(2) of the Ordinance. Upon expiry of the three-week exhibition period, a total of 34 valid FRs were received (i.e. F1 to F30, F166 to F168 and F170);

The FRs

- (d) 30 FRs (F1 to F30) opposed the proposed amendments mainly for the reason of insufficient “V” zone, while 3 FRs (F166 to F168) opposed the proposed amendments mainly for the reason of excessive “V” zone. The remaining FR (F170) provided comments on the OZP but did not indicate clearly whether it supported or opposed the proposed amendments;

FRs concerning insufficient “V” zone

- (e) F1 to F30 considered that the “V” zone was inadequate and proposed to retain the original “V” zoning of the Site in Pak Tam Au. The grounds of the FRs were set out in paragraph 2.2 of the Paper and were summarised below :
- (i) there was a shortage in housing supply. The reduction of the “V” zone would reduce the area of land available for Small House (SH) development, and the reduced area was unable to meet the villagers’ demand for SH and would result in lengthy waiting time for SH grants;
 - (ii) the reduction of the “V” zone would limit the chances of cross-village application from villages located within the water gathering ground (WGG) permitted under the SH Policy;
 - (iii) turning the Site in Pak Tam Au into agricultural use would require the demolition of existing SHs and the villagers currently living there would be displaced;

[Mr Patrick H.T. Lau and Miss Winnie M.W. Wong arrived to join the meeting at this point.]

- (iv) the proposed reduction in the area of the “V” zone would reduce the number of villagers, which would in turn adversely affect the preservation of the “Hakka” village culture; and
- (v) as fewer SHs could be accommodated in the area, the average implementation cost of the proposed communal sewage treatment facilities per SH would be significantly increased. The villagers might have to revert to the traditional on-site septic tanks and soakaway (STS) systems;

FRs concerning excessive “V” zone

- (f) F166 to F168 considered that the “V” zone was excessive and proposed to confine the “V” zone of Pak Tam Au to the existing village settlement and sites of approved SH applications. The watercourses and the adjoining areas (up to 30m in width) in Pak Tam Au should be designated as “Conservation Area” (“CA”). The grounds of the FRs were set out in paragraph 2.4 of the Paper and were summarised below :
 - (i) the current “V” zone, which was based on the unjustified large number of SH demand, was considered excessive; and
 - (ii) the Pak Tam Au area had high ecological value, which provided habitats for wildlife and species of conservation concern. Excessive village development with the use of on-site STS systems would have adverse environmental impacts on the surrounding areas;

FRs expressing views not directly related to the proposed amendments

- (g) some FRs also expressed views not related to the proposed amendments. Their views were summarised in paragraph 2.7 of the Paper. They included opposing views to the Board’s decision not to expand the “V”

zone of To Kwa Peng; the proposal to expand the “V” zone of To Kwa Peng to the previous shrimp breeding ground or the orchard and to rezone the orchard from “CA” to “AGR” to revitalize agricultural activities at To Kwa Peng, and to confine the “V” zone of To Kwa Peng; adverse environmental impacts regarding the use of on-site STS systems in To Kwa Peng; land ownership issues in To Kwa Peng and Pak Tam Au; proposed amendments to the Notes of the draft OZP mainly to prevent “destroy first, build later” activities or adverse environmental impacts; and proposed incorporation of To Kwa Peng and Pak Tam Au into the Country Park, etc. These views had been considered by the Board in considering the representations;

Planning Considerations and Assessments

The FR Site and its Surrounding Areas

- (h) the Pak Tam Au area, including the Site, fell within the upper indirect WGG. The Site (about 0.88ha) was located to the south of the existing village cluster of Pak Tam Au and fell outside the ‘village environs’ (‘VE’). It comprised a channelized stream and the adjoining southern area mainly occupied by shrubby grassland and young woodland developed from abandoned agricultural land. The ecological value of the Site was not significant;

Responses to Grounds of FRs and their Proposals

Designation of “V” and “AGR” zones

- (i) special attention had been given to protect the ecological and landscape significance of Pak Tam Au Area, including the natural stream, ponds and mature woodland, etc, which had been zoned “CA” and “GB”. The residual areas mainly covering the existing village cluster and the

adjoining shrubby grassland were considered suitable for village type development and thus were zoned “V”;

- (j) the Board had previously considered that the size of the “V” zone of Pak Tam Au that could meet 188% of SH demand was too large and agreed to follow the incremental approach which had been consistently adopted in other OZPs for the enclaves. The “V” zone of Pak Tam Au should be reduced from about 3.4ha to 2.52ha by maintaining the “V” zone for the area north of the channelized stream whilst rezoning the area to the south to “AGR”. The land available to meet new SH demand would be reduced from about 1.65ha to 1.16ha. Accordingly, the percentage of SH demand of Pak Tam Au met by the available land within the reduced “V” zone was lowered to 132%. The surplus “V” zone could help meet the SH demand generated from cross-village applications from other villages within the Country Park enclaves in Sai Kung North (e.g. Pak Sha O and Pak Sha O Ha Yeung);
- (k) the area to the south of the channelized stream in Pak Tam Au was mainly covered by shrubby grassland and bare ground with some scattered trees. As there was no existing SH, no villagers would be displaced by rezoning the area from “V” to “AGR”;
- (l) the existing village cluster of Pak Tam Au and the surrounding areas were zoned “V” with a view to consolidating future SH developments within and around the existing village. The Site was located away (about 100m) from the existing village and there was no strong justification that the proposed “AGR” zone of the Site would have any adverse impacts on the existing “Hakka” village culture;
- (m) there were no details in the FRs to substantiate the potential increase in implementation cost of the communal sewage facilities as a result of the reduction in the number of SHs within the reduced “V” zone. Besides,

the implementation cost was subject to change over time, pending market prices, construction cost, advancement of technology, etc;

- (n) the natural stream sections had already been zoned “CA”. AFCD advised that there might not be strong ecological grounds to substantiate the proposed “CA” zoning for the channelized stream section. The same proposal had been considered but was not accepted by the Board during the hearing of the original representations and comments;
- (o) the draft OZP had struck a balance between enhancing the nature conservation of the Pak Tam Au area and meeting the needs of villagers for SH development;

Adverse impacts of SH developments on surrounding environment

- (p) the Lands Department (LandsD) would consult concerned government departments including the Environmental Protection Department (EPD), AFCD and PlanD when processing SH grant applications. There was sufficient control in the current administrative system to ensure that individual SH development within the “V” zone would not entail unacceptable impacts on the surrounding environment;
- (q) the Pak Tam Au area fell entirely within the upper indirect WGG. It had been stated in the Explanatory Statement (ES) of the draft OZP that for any village type development within the “V” zone, it should be demonstrated that the water quality within WGG would not be affected by the proposals. In general, the use of on-site STS systems for sewage treatment and disposal was considered as an unacceptable means for new village developments located in WGGs. The means of waste water treatment should be acceptable to the concerned government departments;

Other views not directly related to the proposed amendments

- (r) those views were not directly related to the proposed amendments and were similar to those made in the original representations/comments, which had already been considered by the Board during the hearing and deliberation of the original representations and comments; and

PlanD's Views

- (s) all the FRs (F1 to F30, F166 to F168 and F170) were not supported and the draft OZP should be amended by the proposed amendments.

6. The Chairman then invited the further representers, representers, commenters and their representatives to elaborate on their further representations and comments on the further representations.

F166 – Tong Nip

R4099 – Gary Ades

7. As the Site was at Pak Tam Au, Mr Tony Nip asked whether his presentation could also cover To Kwa Peng mentioned in his FR. The Chairman said that the meeting was to consider FRs in respect of Amendment Item A at Pak Tam Au. The Secretary supplemented that the Board had previously considered the representations on the draft To Kwa Ping and Pak Tam Au OZP No. S/NE-TKP/1 and decided to propose amendment to the OZP by rezoning the Site from “V” to “AGR”. The Board was to consider FRs regarding the Site. Hence, the presentation of FRs should be related to the Site.

8. With the aid of a PowerPoint presentation, Mr Tony Nip made the following main points :

- (a) the “V” zone would have adverse ecological impact and problematic land issues;

- (b) there would be a permanent loss of natural habitats, e.g. secondary woodland and seasonal freshwater marsh, and the SH development would have adverse impacts on water sensitive receivers within the Country Park enclaves and the surrounding Sai Kung East Country Park. The village development represented a “destroy first, build later” approach and the “V” zone was not for genuine indigenous villagers, but would benefit developers;
- (c) a small piece of land within the “V” zone was now covered by shrubs and trees and merged with the adjacent secondary woodland. All well wooded area should be excluded from the “V” zone. Given sufficient time, those trees would become mature and grow bigger;
- (d) a piece of wetland to the east of the “V” zone in Pak Tam Au had been zoned “CA”. The “V” zone and the “CA” zone were adjoining each other on level ground. With the development of SHs within the “V” zone, the construction activities and construction waste would inevitably affect the ecology of the adjacent “CA” zone. As illustrated by SH developments in Lantau at which the wetland adjoining the “V” zone would be adversely affected by the site formation works of the SH developments, the land adjoining wetland should not be zoned “V”;
- (e) the south-western portion of the “V” zone in To Kwa Peng was densely vegetated, which was considered an established secondary woodland. That secondary woodland shared the same characteristics with the wooded area within the Country Park as well as the fung shui woodland in the surrounding area and should be excluded from the “V” zone, as in the case of Hoi Ha and Pak Lap OZP;
- (f) it was stated in the Explanatory Statement of the OZP that the general planning intention was to protect the high conservation and landscape value of To Kwa Peng and Pak Tam Au, and it was intended to consolidate village development so as to avoid undesirable disturbance

to the natural environment. However, it was very common that village development would result in disturbance to the natural environment, e.g. clearance of vegetation for construction, transportation of construction material and illegal occupation of government land; and

- (g) as seen from aerial photos taken in 2008 and 2010, the vegetation at the core area of the village development at To Kwa Peng was disturbed. There was doubt that the development of To Kwa Peng village might have taken a “destroy first, build later” approach. The inclusion of the densely vegetated woodland in the “V” zone would further encourage such an approach, which was not desirable. The densely wooded area in To Kwa Peng should be rezoned from “V” to “Green Belt” (“GB”), “GB(1)”, or “CA”.

[Actual speaking time : 10 minutes]

[Mr Dominic K.K. Lam arrived to join the meeting at this point.]

9. The Chairman reminded attendees at the meeting that their presentations should concentrate on the FRs in respect of the proposed amendment in Pak Tam Au as the meeting was not to consider the representations from afresh.

R56, C568 – Yung Yuk Ming

10. With the aid of the visualiser, Mr Kong Chee Cheung showed a reply from LandsD in 2010 regarding the processing of cross-village SH applications in Lam Tsuen. He made the following main point :

- (a) clarification had been sought from LandsD regarding cross-village SH applications within WGGs. LandsD advised that New Territories District Lands Offices would only process new SH applications from the locals and native villagers within unsewered WGGs. In the case of the WGG covering Pak Tam Au Village where communal sewage

treatment facilities would be provided, the WGG would not be considered as unsewered and cross-village SH application could be processed.

[Ms Bernadette H.H. Linn arrived to join the meeting at this point.]

11. Mr Ho Kam Wah, the Village Representative (VR) of Pak Tam Au, made the following main points :

- (a) he agreed with the arrangement of cross-village SH applications from villages falling within WGGs to Pak Tam Au Village. He had accepted cross-village SH applications from the ex-VR and the current VR of Pak Sha O Village;
- (b) the implementation cost of a septic tank was about \$50,000 to \$60,000 whereas the cost of a communal sewage treatment facility would be about \$100,000 per SH. The villagers of Pak Tam Au had agreed to the communal sewage treatment facility proposal; and
- (c) the 'VE' of Pak Tam Au covered all the area within 300ft from the existing village structures and had included a vegetated hill slope. In view of the dense vegetation, the villagers agreed not to build SH on the hill slope, but on the abandoned fields. Hence, it was necessary to extend the "V" zone southward.

12. Mr Poon Key Yuen made the following main points :

- (a) Mr Ho Kam Wah had clarified that Pak Tam Au Village would accept cross-village SH applications, and the village had so far accepted at least 5 cross-village SH applications from Pak Sha O Village. It was a misunderstanding that the "V" zone of Pak Tam Au Village should be reduced by rezoning a portion of the "V" zone to "AGR" on the assumption that Pak Tam Au Village would not accept cross-village SH

application. As land was not available within the “V” zone in Pak Sha O Village, the “V” zone in Pak Tam Au should not be reduced so that any surplus land could be made available for cross-village SH applications;

- (b) the photos shown in Mr Tony Nip (F166)’s presentation did not reflect the real situation as the construction waste was generated from renovation works at a SH near the entrance of the village occupied by a foreigner not affiliated with the village. The pile of bricks in another photo was for the refurbishment of another SH which was also occupied by a foreigner. The owners of those SHs had been advised to remove the construction waste, and the Pak Tam Au villagers, who were always law-abiding, should not be blamed for such an incident;
- (c) all SH developments in Pak Tam Au Village complied with Government requirements in terms of their environmental impacts and the provision of sewage treatment facilities. No tree felling had been carried out for SH development;
- (d) the villagers had agreed not to build SHs on the vegetated hill slope (about 170,000 sq.ft.) within the ‘VE’, which could accommodate about 200 SHs. To compensate the loss, the villagers had requested to extend the “V” zone southward for accommodating only an addition of about 22 SHs;
- (e) the original boundary of the “V” zone for Pak Tam Au was acceptable to relevant government departments. The original “V” zone on the OZP had statutory effect and it should not be changed suddenly. An incremental approach in designating “V” zone should not be adopted as villagers’ rights in SH development should not be taken away;

[Mr Patrick H.T. Lau left the meeting temporarily at this point.]

- (f) there were incidents of tree felling in Tai Ho, Tung Ping Chau and So Lo Pun, as an expression of dissatisfaction of the Government in restricting SH development. The villagers of Pak Tam Au were law-abiding and did not participate in the tree-felling protest. The villagers had made sacrifice in giving up SH development on the vegetated hill slope within the 'VE' to minimise tree felling. They had even agreed to the rezoning of a piece of wetland on the north-eastern side of Pak Tam Au from "V" to "CA" for conservation of some orchids although those orchids had been transplanted there. The villagers of Pak Tam Au were now accused of destroying the environment in developing SHs. The environmentalist's proposal of restricting SH development in Pak Tam Au Village should not be adopted. Otherwise, the incidents of tree felling in protesting against the Government in restricting SH development might also happen in Pak Tam Au;
- (g) although there were cases where SH development would result in tree felling and adverse environmental impacts, this was not the case in Pak Tam Au Village as they had not done anything that would adversely affect the environment, e.g. the villagers had agreed to implement a more expensive communal sewage treatment facility for a better environment. The villagers' request for extending the "V" zone should be acceded to, as a show case to others that village development would be allowed if appropriate steps were taken to protect the environment. This would be a win-win situation for all the concerned parties.

[Mr Patrick H.T. Lau returned to join the meeting at this point.]

13. Mr Kong Chee Cheung supplemented that a percolation test report on the septic tank and soakaway system associated with SH development in Country Park enclaves would cost about \$12,000 to \$15,000. Taking such a cost into account, the Pak

Tam Au villagers had agreed to implement the communal sewage treatment facility, which would strike a balance between development and conservation.

[Actual speaking time : 13 minutes]

14. In response to the Chairman's request, Mr Tong Nip (F166) clarified that the orchids found in the piece of wetland zoned "CA" was not transplanted there by the Kadoorie Farm. In fact, that orchid species would grow in wetland that met its specific requirements. The orchids were found at the site in a survey carried out by an independent consultancy firm. It should be made clear that the orchids were found and not transplanted there.

15. The Chairman reminded attendees that their oral submissions should concentrate on the proposed amendment item in Pak Tam Au.

[Mr Clarence W.C. Leung arrived to join the meeting at this point.]

R337 – Cheng Mo Fat

R361 – Cheng Kwok Fai

C694 – To John Lamb

C702 – Cheng Chi Ching, Tony

C774 – To Kam Yin

C782 – Chan Kwan San

C787 – Cheng But Cheung

C835 – To Ken Lamb

C852 – 鄭偉倫

C865 – 鄭某發

C871 – 陳鴻堅

C892 – Chan Jin Wun

C964 – Cheng Kwok Sun

16. Mr Greg Lam Kwok Chun said that while some of his points had already been covered by the previous representatives of the representers/commenters, he would shorten his presentation and any surplus time could be used by the representatives of Pak Tam Au Village to make further submission. With the aid of a PowerPoint presentation, Mr Greg Lam made the following main points :

- (a) he represented villagers of To Kwa Peng Village, who would particularly like to clarify that To Kwa Peng villagers also objected to

the reduction of “V” zone in Pak Tam Au and they should not be blamed for the reduction in the “V” zone in Pak Tam Au due to PlanD’s consideration regarding the cross-village SH application issue;

- (b) there was a pressing need for SH developments in Sai Kung. In areas covered by new OZPs for the Country Park enclaves, the supply and demand of SH was seriously imbalanced and there would be about 6 to 12 villagers competing for one SH site. The further reduction of the area of the “V” zone in Pak Tam Au would aggravate the SH shortage problem in Sai Kung. As the proposed rezoning of the Site from “V” to “AGR” zone was not to address any ecological or environmental issues, the original “V” zone should be retained;
- (c) in preparing new OZPs for Country Park enclaves in Sai Kung and Tai Po where existing villages fell within WGG, the administrative measure of permitting cross-village SH applications were taken into account. It was noted that cross-village SH application from Pak Sha O and Pak Sha O Ha Yeung to Pak Tam Au was acceptable. The policy on cross-village SH application should be respected and implemented consistently and the “AGR” zone in Pak Tam Au should be reverted to “V” as originally planned; and
- (d) the minutes of the 1068th Town Planning Board meeting stated that the “V” zone in Pak Tam Au was excessive and needed to be reduced as cross-village SH application from To Kwa Peng was not acceptable. The reduction of “V” zone in Pak Tam Au would reduce the land available for cross-village SH application from Pak Sha O and Pak Sha O Ha Yeung. As a result, the villagers in To Kwa Peng were blamed for affecting the chances of cross-village SH applications from Pak Sha O and Pak Sha O Ha Yeung. This misunderstanding should be clarified.

[Mr Ivan C.S. Fu arrived to join the meeting at this point.]

17. Mr Greg Lam Kwok Chun said that some of the points raised in the Q&A session in the 1068th Town Planning Board meeting were not reflected in the minutes. Those points would be presented by his colleagues. With the aid of a PowerPoint presentation, Ms Gigi Lo Man Chi made the following main points :

- (a) the “V” zone in Pak Tam Au was reduced from 3.4ha to 2.52ha. The loss of 0.88ha of land for village development was equivalent to about 35 SHs, assuming a site area of 250m² for each SH;
- (b) there was already a shortage of “V” land for SH development. While there was an overall demand of 2,527 SHs, only 471 SHs could be developed in villages in Sai Kung covered by new OZPs for the Country Park enclaves, representing about 18.6% of the overall demand. The further loss of “V” zone for 35 SHs would further reduce the percentage of SH demand that could be met. The situation would be much worse if the supply and demand were based on estimates provided by villagers; and
- (c) the rezoning of a portion of “V” in Pak Tam Au to “AGR”, which would reduce the chance of SH development, was therefore objected to.

18. Ms Simone Tang Long Ying then made the following main points regarding the administrative measure of cross-village SH application :

- (a) PlanD and the Board should respect the policy of cross-village SH application and the rights of villagers in WGG on this aspect. In the last hearing session of representations/comments, PlanD had pointed out to Members that although cross-village SH application from To Kwa Peng to Pak Tam Au was not acceptable, the “V” zone in Pak Tam Au would provide land for cross-village SH application from Pak Sha O and Pak Sha O Ha Yeung. Both PlanD and Members were aware that Pak Tam Au Village could accept cross-village SH applications from

other villages in Sai Kung North. However, the Board decided to reduce the “V” zone in Pak Tam Au on the assumption that the “V” zone in Pak Tam Au would be excessive if cross-village SH application from Pak Sha O and Pak Sha O Ha Yeung was also not accepted. The villagers were puzzled by the contradictory approach in making assumptions on cross-village SH applications;

- (b) it was recorded in the minutes of 1068th Town Planning Board meeting that the “V” zone in the Development Permission Area (DPA) Plan for Pak Sha O could only accommodate 5% of SH demand in Pak Sha O and 4% in Pak Sha O Ha Yeung. The relatively ample “V” zone in Pak Tam Au was planned to cater for cross-village SH applications from these villages. It was not fair to the villagers of Pak Tam Au, Pak Sha O and Pak Sha O Ha Yeung if the “V” zone in Pak Tam Au was reduced on PlanD’s assumption that cross-village SH development from those villages were not accepted in Pak Tam Au; and
- (c) the villagers relied on the Board to work out a solution to meet their SH demand. The “AGR” zone under Amendment Item A should be reverted to the original “V” zone.

19. Mr Greg Lam Kwok Chun concluded that :

- (a) although To Kwa Peng Village and Pak Tam Au Village were covered by the same OZP, the situation of the two villages was different and they should be considered separately. It was not appropriate to reduce the “V” zone of Pak Tam Au Village on the consideration that cross-village SH application from To Kwa Peng was not acceptable to Pak Tam Au;
- (b) as clarified by Mr Ho Kam Wah, the VR of Pak Tam Au Village, they would accept cross-village SH application from Pak Sha O and Pak Sha O Ha Yeung. Members should reconsider whether the assumption of

not accepting cross-village SH application from those villages was a valid reason for reducing the “V” zone in Pak Tam Au;

- (c) Members should also clarify the misunderstanding that villagers of To Kwa Peng Village should not be taken as the scapegoat for reducing the “V” zone in Pak Tam Au. The policy of cross-village SH application should be respected and the “V” zone in Pak Tam Au should be reinstated; and
- (d) at the last meeting to consider the representations/comments, Members said that the buffer value of the “GB” zone covering the previous shrimp breeding ground and the flexibility of orchard plantation in the “CA” zone in To Kwa Peng would be further discussed in the deliberation session. However, there was no record of such discussion in the minutes. It was requested that the Board should take the buffer value of the area into consideration. The Board should also maintain flexibility of permitting SH applications within “AGR” and “GB” zone should all land within the “V” zone was exhausted.

[Mr K.K. Ling arrived to join the meeting and Mr H.F. Leung left the meeting temporarily at this point.]

20. Mr Poon Key Yuen, a representative of R56 and C568, reiterated that :

- (a) the villagers had indicated that they would give up developing SHs on about 170,000sq.ft. on the vegetated hill slope which fell within the ‘VE’ of Pak Tam Au. Instead, they requested the Board to revert the “AGR” zone to the original “V” zone for accommodating about 22 SHs;
- (b) the implementation of the proposed communal sewage treatment facility would adequately address the sewage treatment issue and

additional SH development would not pose any environmental problem;
and

- (c) the VR of Pak Tam Au Village had clarified that some land held by Cho Tong of To Kwa Peng was owned by villagers of Chek Keng and Ko Tong, or vice versa and the villages had a close relationship. They would accept cross-village SH application from Pak Sha O, Pak Sha O Ha Yeung and even To Kwa Peng. The zoning of all villages in Sai Kung should be considered in a broad sense.

[Mr H.F. Leung returned to join the meeting at this point.]

21. Mr Greg Lam Kwok Chun said that paragraphs 82 to 93 of the minutes of the 1068th Town Planning Board meeting had recorded the considerations, including the issue on cross-village SH application, given by the Board in deciding on the rezoning of the “V” zone in Pak Tam Au to “AGR”. He said that the VR of Pak Tam Au Village had re-iterated that cross-village SH applications from other villages would be acceptable. As the original “V” zone in Pak Tam Au was considered acceptable by PlanD and relevant government departments before, it should be re-instated.

[Actual speaking time : 32 minutes]

[Miss Winnie M.W. Wong left the meeting temporarily at this point.]

R4239 – Designing Hong Kong

22. With the aid of a PowerPoint presentation, Mr Paul Zimmerman made the following main points :

- (a) he supported the reduction of “V” zone and those FRs who supported the reduction of “V” zone, but did not support the proposals to revert the “AGR” zone back to “V”;

- (b) as recorded in paragraph 92 of the minutes of 1068th Town Planning Board meeting to consider the representations/comments, there were 12 SH applications from indigenous villagers of To Kwa Peng who were mostly residing overseas. The SH demand forecast was irrational and the demand did not exist;

[Miss Winnie M.W. Wong returned to join the meeting at this point.]

- (c) land within the “V” zone were sold to developers for building SHs that would be sold in the market at a high price. If there was demand for SH from the indigenous villagers, they could buy the land back from developers;
- (d) there was a lack of rationality in deciding on the zoning for To Kwa Peng and Pak Tam Au. There was no obligation for the Government to provide land for the villagers and the Government had refused to do so in the case of Tai Long Wan. There was no over-riding need for building SH in Pak Tam Au and To Kwa Peng;
- (e) Pak Tam Au and To Kwa Peng were surrounded by the Sai Kung Country Park and the environment there should be protected. The Government had not carried out any study to determine the carrying capacity of the environment if additional SHs were allowed in those villages, nor had it done any impact assessments on visual, traffic and environmental impacts to assess the level of potential impacts that would be generated. Without examining the implications of increasing the number of SHs and people living in the area, there was no basis for determining how many more SHs should be permitted without affecting the environment;
- (f) car parking provision had not been taken into consideration and such provision was not shown on the OZP. Private cars belonging to

villagers were parked illegally on roadside or there was unauthorised use of land for car parking;

- (g) it was irrational to permit SH development by extending the “V” zone while requiring the carrying out of assessments, e.g. the sewage percolation test, at the SH application stage to demonstrate the feasibility of SH development as this would give the villagers false hope. The test should be done at the planning stage.

[Actual speaking time : 10 minutes]

R4695 – Helen Yip

R4751 – Kurt Verkest

R4785 – Paul

R5000 – World Wide Fund for Nature Hong Kong

R5041 – Tammy Lam

(WWF)

R6489 – Cindy Fong

R7684 – Andrew Chan

23. With the aid of a PowerPoint presentation, Mr Andrew Chan made the following main points :

- (a) the rezoning of “V” to “AGR” under Amendment Item A was supported as it would further protect the countryside and reduce the impact of village development. However, there was still concern on the adequacy of the “AGR” zone in protecting the environment;
- (b) since the gazette of the To Kwa Peng and Pak Tam Au DPA Plan in 2011, 22 applications for SH development had been considered by the Board. Among them, only one application for three SHs was approved while the remaining applications were either rejected or withdrawn. The reasons for rejecting these applications were mainly on compatibility of SH with the natural environment, adverse cumulative impact on the natural environment and the ecology of the area, degradation of the surrounding environment, unacceptable sewage disposal arrangement by septic tanks, and setting undesirable precedent.

The reasons adequately demonstrated that To Kwa Peng and Pak Tam Au area were not suitable for SH developments. Notwithstanding this, in considering the representations and comments in the 1068th Town Planning Board meeting, Members had raised the question of whether it was suitable for village development in To Kwa Peng and Pak Tam Au and PlanD responded at the meeting that the area currently zoned as “V” was considered acceptable for SH development. The application sites of those rejected applications mentioned above were now mostly covered by “V” zone in To Kwa Peng and Pak Tam Au and SH development was always permitted. He requested the Board to consider whether the “V” zoning in these areas was contradictory to the previous decisions in rejecting the planning applications for SH developments; and

- (c) since SH development may be permitted within the “AGR” zone on application to the Board and SH developments were considered not suitable in To Kwa Peng and Pak Tam Au, the proposed “AGR” zone under Amendment Item A should be rezoned to “GB(1)”.

[Actual speaking time : 7 minutes]

[Dr C.P. Lau left the meeting temporarily at this point.]

R7688 – The Hong Kong Bird Watching Society (the Society)

24. With the aid of a PowerPoint presentation, Ms Woo Ming Chuan made the following main points :

- (a) the zonings proposed in the draft OZP could not provide sufficient protection to the natural environment of the area. The reduction of the “V” zone was supported. The Society considered that the “V” zone should be further reduced to cover the existing village structures only;

- (b) the Policy Address 2015 stated that the Government would continue to assess the suitability of incorporating enclaves into Country Parks, and would step up conservation efforts and support the sustainable development of Hong Kong;
- (c) some local residents spotted a Japanese Night-heron (*Gorsachius goisagi* – 栗頭虎班鵞) in Pak Tam Au in December 2014, which was widely covered by the media. The number of Japanese Night-heron was around 1,000 – 2,500 and decreasing. The record of such a rare and endangered species within a Country Park enclave indicated that the area was of ecological value;

[Dr C.P. Lau returned to join the meeting at this point.]

- (d) the Pak Tam Au area was vegetated with a variety of habitats, including well-vegetated abandoned farmlands serving as foraging grounds, buffer zones and wildlife corridors. The integrated mosaic of habitats, rather than one single type of habitat, should be protected as a whole by taking an ecosystem approach;
- (e) it was stated in Chapter 10 of the Hong Kong Planning Standards and Guidelines that one of the principles of conservation was to control adjoining uses to minimise adverse impact on conservation zones and optimise their conservation value. The “V” zone on the OZP was not in line with the above principle;
- (f) extensive landscape changes and land filing at Pak Tam Au were observed in 1996 while excavation of land and site formation at To Kwa Peng was observed in 2008/2009 before the gazetting of the To Kwa Peng and Pak Tam Au DPA Plan to control the development in the area. The Board announced in July 2011 that it would not tolerate any deliberate action to destroy the rural and natural environment in the hope that the Board would give sympathetic consideration to

subsequent development on the site concerned. As it was clear that both To Kwa Peng and Pak Tam Au were deliberately disturbed, the Board should not approve any further development in the areas by rezoning them to “V”; and

- (g) the Board was requested to note the ecological importance of the Country Park enclaves and accord conservation zonings such as “CA” to protect the natural habitat. The Board should not encourage the ‘destroy first, build later’ approach by designating further “V” zoning. Instead, the “V” zone should be further reduced.

[Actual speaking time : 10 minutes]

25. As all further representers, representers and their representatives that had registered to make presentations in the meeting had given their oral submission, the Chairman invited the following commenter to give his oral submission.

C979 – Poon Key Yuen

26. Mr Poon Key Yuen made the following main points :

- (a) he doubted the credibility of the allegation on illegal parking by Pak Tam Au villagers made by Mr Paul Zimmerman (the representative of R4239) as the location and timing of the photos taken were not known. He also queried Mr Zimmerman’s rationale of stopping SH development in Pak Tam Au while he himself was living in a SH in Sai Kung with similar situation;
- (b) regarding Mr Andrew Chan (R7684)’s presentation that only one planning application for SH development had been approved, he clarified that the number of applications was low because of the prohibitive nature of the designation of “Unspecified Use” on the To Kwa Peng and Pak Tam Au DPA Plan at that time. While a “V” zone

was provided on the OZP, the extent of the “V” zone had varied in response to the environmentalists’ concerns on the natural habitat of various species, e.g. orchid and bird. It was difficult for the villagers to keep up with those abrupt changes;

- (c) the villagers had no intention to develop a large number of SHs in Pak Tam Au all at once. Only a few SHs would be developed at a time and trees would be transplanted to maintain a balanced environment. Such a change would not adversely affect the habit of the Japanese Night-heron (*Gorsachius goisagi* – 栗頭虎班鵝) found in Pak Tam Au as it would adapt to the environment. Moreover, SH development had to comply with the requirements of Government departments, e.g. LandsD. Illegal dumping of construction waste would not be permitted;
- (d) the villagers of Pak Tam Au were law-abiding and should not be treated the same as those who did not care about the natural environment. It would be very discouraging to the villagers if their efforts in conserving the environment were not recognised;
- (e) although plots of land in Pak Tam Au had been sold many years ago, the villagers would like to develop the remaining portion of the village that were held by villagers. The development proposal of the villagers was technically feasible and the SH development in the village could co-exist with the natural environment. The environmentalist’s proposal to reduce the “V” zone to the existing village structures was not practical.

27. Regarding the issue of illegal parking, Mr Kong Chee Cheung, the commenter’s representative, supplemented that there were only a few private vehicles in Pak Tam Au on weekdays. However, Pak Tam Road and Wong Shek Pier was packed with vehicles during weekends and public holidays. As the photos shown by Mr Paul

Zimmerman were not dated, it could not be determined whether the alleged illegal parking problem was genuine.

[Actual speaking time : 5 minutes]

28. As the representatives of PlanD, the further representers, the representers, commenters and their representatives had finished their presentations, the Chairman invited questions from Members.

29. Ms Debbie Chan asked whether she could respond to the points raised by Mr Poon Key Yuen on the credibility of Mr Paul Zimmerman. The Chairman explained that the meeting was not meant for further representers/representers/commenters to exchange views with one another. However, she could make a response if she was invited to do so by the Board.

30. In response to the Chairman's request, Ms Debbie Chan said that as Mr Paul Zimmerman had already left the meeting, she would clarify on his behalf that the photos showing illegal parking were taken by her at Hoi Ha Road near Pak Sha O on a weekday during the summer of 2014. Some private vehicles were even covered by protective cover as they were not used during weekdays. Villagers living in the Country Park enclave needed to park their vehicles and there was no such facility in the village. Since illegal parking was observed in Hoi Ha where the scale of village development was small, it was anticipated that the parking problem would be worsened if the "V" zone in Pak Tam Au was extended.

31. Ms Debbie Chan continued to say that as Mr Zimmerman was an elected District Councillor, any accusation on his credibility was a very serious matter. Mr Zimmerman lived in Clear Water Bay where the environment was totally different from that of Pak Tam Au, which was a Country Park enclave. Further "V" zone extension within the Country Park enclave should not be allowed.

32. The Vice-chairman noted that Mr Ho Kam Wah, the VR of Pak Tam Au Village, had indicated earlier that cross-village SH applications from villagers in Pak Sha

O and Pak Sha O Ha Yeung were acceptable to him. He asked Mr Ho whether the 10-year SH demand forecast had taken into account the number of cross-village SH applications, including those from Pak Sha O and Pak Sha O Ha Yeung, the estimated number of such applications, and the basis of the forecast. In response, Mr Ho Kam Wah said that many villagers were currently living overseas and could not be contacted. He obtained the information on the number of male descendents from those villagers through their relatives. As the information might not be accurate, he would make an estimate in order that the rights of the male villagers for SH development could be protected. The Ho's clan from villages in Pak Sha O, Pak Sha O Ha Yeung, Kei Ling Ha and Ko Tong were from the same ancestor and he would not refuse any cross-village SH applications from those villagers. The number of such cross-village SH applications could not be estimated.

33. The Chairman asked whether the acceptability of cross-village SH applications was decided by the VR. Mr Ho Kam Wah said that the VR had reached his stance after discussing with the elders in the village and confirming the status of the applicants based on the records of the family tree. The elders were normally senior members of the village who knew the clan well.

34. A Member asked whether the cross-village SH applications should be considered on a case-by-case basis, and should not be included as a factor in estimating the 10-year SH demand forecast. In response, Mr Greg Lam Kwok Chun said that he had consulted the District Lands Offices of Tai Po and Sai Kung on the policy of cross-village SH application and was given the understanding that such applications would be considered on a case-by-case basis. There were about 4 to 5 villages within WGG in Sai Kung and an agreement was reached in the 1980s that those villages within WGG would consider cross-village SH applications amongst themselves. Villagers from villages within WGG, particularly Pak Sha O and Pak Sha O Ha Yeung, would welcome the surplus "V" zone in Pak Tam Au under the OZP to accommodate cross-village SH applications, but were disappointed to learn about the proposed rezoning of "V" to "AGR" zone.

35. In response to a Member's query on whether cross-village SH application was a planning consideration in determining the size of the "V" zone, as in the case of Pak Tam Au, Mr C.K. Soh said that PlanD had taken a consistent approach in drawing up the "V" zone on all OZPs for Country Park enclaves, including the To Kwa Peng and Pak Tam Au OZP. For the preparation of OZPs for Country Park enclaves, priority would be given to conservation. Any residual area suitable for development would be considered for village development, taking into consideration the outstanding SH applications and the 10-year SH demand forecast supplied by the VR to LandsD. As for Pak Tam Au, there were 10 outstanding SH applications and five of them were from local villagers and five from cross-village SH applications. The relevant figures would be used as a reference. An incremental approach was adopted in designating the "V" zone in Pak Tam Au. The "V" zone in Pak Tam Au was relatively spacious and could accommodate about 46 SHs. The "V" zone had also taken into consideration the need to accommodate cross-village SH applications from villages falling within other WGGs, e.g. Pak Sha O and Pak Sha O Ha Yeung where the "V" zone was not sufficient to accommodate the outstanding number of SH applications.

36. In response to a Member's query on whether there was any special ecological value for a small patch of well wooded government land in Pak Tam Au and the channelised stream, Ms Woo Ming Chuan said that Japanese Night-heron was found in the dense woodland in Pak Tam Au and foraging on the open grassland in the area. As the bird was active in the two vegetated habitats, the area was considered to have conservation value ecologically. In conserving the Country Parks, the enclave area should also be protected.

37. Mr Tony Nip supplemented that the need to protect the Country Park enclaves should not be overlooked. The Country Park and the enclave area should be protected as a whole since developments within the enclaves would have adverse environmental impact on the surrounding Country Park and its wildlife. A rare fish species (香港鬥魚 – *Macropodus hongkongensis*) was found in the channelised stream and the natural stream in Pak Tam Au. The water from those streams would flow into Pak Tam Chung, an Ecologically Important Stream identified by the Agriculture, Fisheries and Conservation

Department. Any potential adverse impact on those streams would affect a much wider area, including the surrounding Country Park.

38. The same Member further asked whether there was any special plant species in that particular wooded area in Pak Tam Au that might have conservation value. Mr Tony Nip said that the trees found in the woodland were mainly *Acacia confusa* (台灣相思). However, some native trees had grown in the area and merged with the secondary woodland. He reiterated that there were mixed types of habitats in the area, e.g. dense woodland providing roosting place and open grassland providing a foraging area that attracted the Japanese Night-heron to stay in the area. In conservation term, the conservation value of a particular species should not be considered on its own, but a wider area had to be considered as a whole.

39. As Members did not have any further questions and the further representers, representer and commenters and their representatives had nothing to add, the Chairman said that the hearing procedure had been completed and that the Board would deliberate on the FRs in their absence and would inform them of the Board's decision in due course. The Chairman thanked the further representers, representers, commenters and their representatives and the government representatives for attending the hearing. They left the meeting at this point.

40. The meeting was adjourned for a short break of 10 minutes.

[Professor Eddie E.M. Hui left the meeting temporarily at this point.]

Deliberation

41. The Chairman recapitulated the two opposing views of the further representers that some considered that the "V" zone was not sufficient to cater for SH developments while the others considered that the Country Park enclave had ecological value and should be protected by further reducing the "V" zone. In considering the original representations, Members agreed that part of the "V" zone in Pak Tam Au was proposed to be rezoned to "AGR" zone (Amendment Item A) to partially meet 7,327 representations. Regarding the

villagers' proposal to revert the "AGR" zone to the original "V" zone on the grounds that there was not sufficient "V" zone to meet the needs of the villagers for SH development and to cater for cross-village SH applications from nearby villages within WGGs in Sai Kung, the original "V" zone designated on the OZP could meet about 188% of the SH demand. Upon the rezoning of part of the "V" zone to "AGR" zone, the "V" zone was reduced to meet about 132% of the SH demand. Yet, there was still surplus land within the "V" zone to meet the SH demand of Pak Tam Au as well as that generated from cross-village SH applications. A Member said that the "V" zone was already larger than what was required to meet the SH demand of Pak Tam Au and should not be reverted to its original size as before. Another Member concurred and said that the "V" zone should not be extended.

[Professor Eddie E.M. Hui returned to join the meeting at this point.]

42. A Member said that according to the further representers, the designation of the "V" zone should take into consideration the demand arising from cross-village SH applications. The same Member considered that although the "V" zone in Pak Tam Au had catered for cross-village SH application, such a demand should not be taken as of right in designating the "V" zone if cross-village SH application was only an administrative measure to be considered on a case-by case basis. The Chairman said that cross-village SH application was not applicable to all indigenous villages. In designating the "V" zone in Pak Tam Au, consideration had been given to the number of outstanding SH applications, the 10-year SH demand forecast and justifications provided by the villagers on cross-village SH applications. The designation of "V" zone would take into account the situation of the villages concerned, and cross-village SH applications would be considered on a case-by-case basis provided there were strong justifications. In this regard, the demand arising from cross-village SH applications, which could not be estimated, would not be a consideration in designating "V" zone on every OZP.

43. Regarding the further representers' views that rezoning part of the "V" zone to "AGR" zone would necessitate the demolition of some existing SHs, displace some villagers and adversely affect the "Hakka" culture of the village, the Chairman said that there was no existing SH within the "AGR" zone and hence no SH would need to be

demolished and no villagers would be displaced as a result of that. The existing village cluster of Pak Tam Au and its surrounding areas were zoned “V” with a view to consolidating future SH developments within and around the existing village. Members agreed that there was no strong justification to demonstrate that the proposed “AGR” zone of the Site would have any adverse impacts on the existing “Hakka” village culture.

44. Members noted that in considering applications for SH development within WGG, LandsD would consult concerned government departments including Water Supplies Department and EPD regarding the water quality and the sewage treatment measures. There was sufficient control in the current administrative system to ensure that individual SH development within the “V” zone would not entail unacceptable impacts on the surrounding environment.

45. Regarding the ecological value of the area, a Member said that according to AFCD, the Japanese Night-heron was a rare and endangered bird species. Whilst Pak Tam Au provided a roosting and foraging ground for the bird, AFCD considered that SH developments in Pak Tam Au would not have a significant impact on the bird as it would adapt to the changes in environment and might move to other suitable places. Members generally agreed that there was no special ecological value of the area surrounding the channelised stream that should warrant the imposition of a more restrictive zoning, such as “CA” zone in that area or to further reduce the “V” zone in Pak Tam Au. Moreover, the natural stream section had already been zoned “CA” on the OZP to conserve the natural environment.

46. After further deliberation, the Board decided not to uphold FRs F1 to F30, F166 to F168 and F170 and that the draft To Kwa Peng and Pak Tam Au OZP No. S/NE-TKP/1 should be amended by the proposed Amendment Item A. In accordance with section 6H of the Ordinance, the draft To Kwa Peng and Pak Tam Au OZP No. S/NE-TKP/1 should thereafter be read as including the proposed amendments. The amendments would be made available for public inspection until the Chief Executive in Council had made a decision in respect of the draft To Kwa Peng and Pak Tam Au OZP under section 9 of the Ordinance.

47. Members then went through the reasons for not upholding the FRs and not to amend the draft To Kwa Peng and Pak Tam Au OZP to meet the FRs as detailed in paragraph 5 of the Paper and considered that they were appropriate. The reasons were :

“Designation of “V” and “AGR” zones

(F1 to F30, F166 to F168 and F170)

- (a) An incremental approach is consistently adopted in designating “Village Type Development” (“V”) zone on Outline Zoning Plans (OZPs) for the enclaves with an aim to confining Small House development at suitable locations and to minimise the adverse impact on the natural environment. The current “V” zone would meet some Small House demand of indigenous villagers of Pak Tam Au and some of the cross-village applications from villages within the Water Gathering Ground (WGG) in Sai Kung North.
- (b) The representation site comprises the channelized stream and the adjoining southern area mainly occupied by shrubby grassland and bare ground with some scattered trees developed from abandoned agricultural land. The proposed “Agriculture” (“AGR”) zone is considered appropriate.
- (c) The natural stream sections of the stream course have already been zoned “Conservation Area” (“CA”) on the Plan. There are no strong ecological grounds to substantiate rezoning the channelized stream section to “CA”.
- (d) The draft OZP incorporating the proposed amendments could strike a balance between enhancing nature conservation of the Pak Tam Au area and meeting the needs of villagers for Small House development.

Adverse impacts of Small House development on surrounding environment

(F166 to F168 and F170)

- (e) There is sufficient control in the current administrative system to ensure that individual Small House development within the “V” zone would not entail unacceptable impacts on the surrounding environment.

Other views not directly related to the proposed amendments

(F1 to F27, F29 and F30, F166 to F168 and F170)

- (f) These views are not related to the proposed amendments and are similar to those views made in the original representations/comments, which have already been considered by the Town Planning Board.”

Agenda Item 3

[Open Meeting]

Any Other Business

[The meeting was conducted in Cantonese.]

- 48. There being no other business, the meeting closed at 11:37 a.m.