# Summary of the grounds of representations/representers' proposals and comments on representations and PlanD's responses With regards to the Draft Tai Ho Outline Zoning Plan No. S/I-TH/1 (the draft OZP)

Rep. No. (TPB/R/S/I-TH/1-) <sup>1</sup>	Gist of Representation	Responses
R1	Grounds of Representation  (a) Welcomes the general planning intention of the draft OZP. It protects the ecological environment of Tai Ho, which is ranked the 3rd among the 12 Priority Sites for Enhanced Conservation listed under the New Nature Conservation Policy (NNCP).	Grounds of Representation  (a) Noted.
	<ul> <li>(b) Concerns about the location, demand, extent and land ownership of "Village Type Development" ("V") zone:</li> <li>(i) designation of "V" zone which is located immediately adjacent to Tai Ho Stream and its tributaries will adversely affect the ecological value of Tai Ho Stream as leakage of septic tank and soakaway (STS) system and improper connection of sewers to rivers are commonly seen in rural area;</li> <li>(ii) area of "V" zone increases significantly comparing to the area designated in Development Permission Area (DPA) Plan while the 10-year Small House (SH) demand forecast for the local villages in Tai Ho decreases. The demand of SHs in Tai Ho is 58% fulfilled while in other country park enclaves it is about 15% - 38% fulfilled. Planning Department (PlanD) should explain the differences and whether it is against the incremental approach adopted by the Town Planning Board (the Board) in regard to SH policy; and</li> <li>(iii) PlanD should indicate whether the land covered by "V" zone is private land or land owned by private developers for the Board members'</li> </ul>	(b) Please refer to paragraphs 6.29 to 6.33, 6.40 to 6.44 of the Paper.

<sup>&</sup>lt;sup>1</sup> For locations of representation sites, please see **Plan H-2**.

	consideration. There is a latent development threat covering the private lots purchased from the villagers by the property developers for low to medium-density residential development within the Area.	
	(c) Confines the "V" zone to the existing village clusters.	(c) Please refer to paragraphs 6.29 to 6.33, 6.40 to 6.44 of the Paper.
	(d) Concerns about 'destroy first, build later' activities which destroy the natural environment in the name of agricultural rehabilitation and SH development.	(d) Please refer to paragraph 6.52 of the Paper.
	Representer's Proposal (1) Nil.	
R2	Grounds of Representation  (a) Supports the general planning intention of the draft OZP to protect the important habitats and species of conservation interest of Tai Ho enclave.	Grounds of Representation  (a) Noted.
	(b) Welcomes the designation of "Site of Special Scientific Interest" ("SSSI") zone for Tai Ho Stream and its estuary area to provide statutory protection to the Ecologically Important Stream (EIS) and the mudflat and mangrove at the estuary.	(b) Noted.
	(c) Supports the provision of 30m wide "Conservation Area" ("CA") zone along Tai Ho Stream to act as buffer zone protecting the riparian area of Tai Ho Stream SSSI, and the designation of "Coastal Protection Area" ("CPA") zone along the coast of Tai Ho Wan.	(c) Noted.

	tributaries, in particular illegal discharge of domestic sewage and untreated surface runoff.  Representer's Proposal	(d) Please refer to paragraphs 6.29 to 6.33 of the Paper.  Representer's Proposal (1) Please refer to paragraphs 6.29 to 6.34 of the Paper.
R3	•	Grounds of Representation (a) Noted.
	(b) Supports the provision of "SSSI" zone to protect Tai Ho Stream.	(b) Noted.
	(c) Supports the provision of 30m wide "CA" zone as buffers on the two sides of Tai Ho Stream SSSI, and the designation of "Coastal Protection Area" ("CPA") zone to protect the coastal areas of Tai Ho Wan.	(c) Noted.
	(d) Concerns about the close proximity of "V" zones to Tai Ho Stream and its tributaries which flow into the SSSI or Tai Ho Wan, in particular illegal discharge of domestic sewage and untreated surface runoff.	(d) Please refer to paragraphs 6.29 to 6.33 of the Paper.
	(e) To adjust the location (i.e. away from streams) and size (i.e. smaller) of the proposed "V" zones such that the development right of villagers are respected without compromising the sensitive habitats in Tai Ho.	(e) Please refer to paragraphs 6.29 to 6.33 and 6.41 of the Paper.

	<ul> <li>Representer's Proposals <ol> <li>"GB" zone in the Area should be rezoned to "GB(1)" or "CA" to enhance the protection of natural habitats by alleviating the development pressure while the redevelopment rights of the villagers are respected.</li> <li>To designate all streams/tributaries and their 30m wide riparian zones along both sides of the river banks with restrictive conservation zonings such as "GB(1)" or "CA" zone to prevent any water quality and ecological impacts from future developments to the important Tai Ho Stream and Tai Ho Wan. In particular, the northern part of the "V" zone of Ngau Kwu Long and the western part of the "V" zone of Pak Mong should be reviewed.</li> </ol> </li></ul>	6.26 to 6.27 of the Paper.  (2) Please refer to paragraphs 6.29 to 6.34 of the Paper
R4	<ul> <li>Grounds of Representation <ul> <li>(a) Supports the general planning intention of the draft OZP.</li> <li>(b) Welcomes the designation of "SSSI" zone on Tai Ho Stream to protect the high diversity of freshwater and brackish-water fishes in Hong Kong.</li> <li>(c) No "V" zone should be allocated next to the watercourse as discharge of</li> </ul> </li> </ul>	
	sewage and greywater within the "V" zone next to the stream would pose threats to the water quality of Tai Ho Stream and Tai Ho Wan.  (d) To adjust the location of "V" zone.	(d) Please refer to paragraphs 6.29 to 6.33 and 6.41 of the Paper.
	(e) To confine the "V" zone to the existing village clusters as the existing transportation and infrastructure cannot support the proposed "V" zone extension.	(e) Please refer to paragraph 6.41 of the Paper.

	Representer's Proposal (1) Nil.
R5	Grounds of Representation  (a) Supports the general planning intention of the draft OZP and the planning intention of "SSSI" zone.  Grounds of Representation  (a) Noted.
	(b) Supports the general presumption against development in the "SSSI", "CA", "CPA" and "GB" zones and not permitting new residential development in "CPA" and "CA" zones.
	(c) Agrees to the Remarks to "V", "SSSI", "CA", "CPA" and "GB" zones to control of 'any diversion of streams, filling of land/pond or excavation of land'.
	(d) Welcomes the designations of the shore of Tai Ho Wan as "CPA" zone and the mature woodland behind Pak Mong Village as "CA" zone.
	(e) Concerns that remaining courses in the upper reach of "SSSI" and all stream banks of natural stream in the Area receive inadequate land use zoning protection.  (e) Please refer to paragraphs 6.29 to 6.33 of the Paper.
	(f) Concerns about preservation of Tai Ho Stream Basin and Tai Ho Wan. A significant portion of the land use in the stream basin of Tai Ho Stream, which is largely zoned "GB", should be non-polluting and unpaved to prevent pollution to the stream and maintain natural hydrology.  (f) Please refer to paragraph 6.34 of the Paper.

- The Board should cautiously consider the extent of "V" zone as without sewage infrastructure in Tai Ho area, any additional residential developments, village houses, commercial use (especially restaurants) that generate large amount of wastewater will pollute the river/stream courses and the bay.
- (h) Not to accept and process applications of temporary uses or developments if (h) Please refer to paragraph relevant uses or developments have commenced before the Board grants permission. The Board should not accept destroy first, build later cases.

#### Representer's Proposals

- (1) To remove 'House' from Column 2 in the Notes for "GB" zone in order to manifest the planning intention of "GB" zone for 'defining the limits of development areas by natural features and to preserve the existing natural landscape'.
- To extend the boundary of "SSSI" zone to cover larger area of the intertidal mudflat. To extend the "SSSI" zone and/or "CA" zone to cover the whole stream courses and river banks of all tributaries in the Area to provide a hydrologically complete preservation of Tai Ho Stream against disturbance and/or destruction by future works and developments, and to connect with the existing country parks to secure a terrestrial and aquatic wildlife corridor and ecological linkage between country parks and the existing natural landscape in the Area.
- (3) To clearly prohibit reclamation of coastal areas, whatever above or below high tide mark, in "CPA", "CA", and "SSSI" zones and waters in Tai Ho Wan.

- (g) Please refer to paragraphs 6.29 to 6.33 and 6.41 of the Paper.
- 6.52 of the Paper.

#### Representer's Proposals

- (1) Please refer to paragraphs 6.26 and 6.50 of the Paper.
- (2) Please refer to paragraphs 6.22 to 6.23 and 6.27 to 6.28 of the Paper.

(3) Please refer to paragraph 6.28 of the Paper.

	(4) Not to designate "V" zone for area in the vicinity of the existing stream courses and estuary to avoid water pollution to the streams and "SSSI" zone.  (4) Please refer to paragraphs 6.29 to 6.33 and 6.41 of the Paper.
	(5) Permission from relevant government departments should be required for 'road works', 'sewerage works', 'drainage works', other public works as well as temporary uses/developments specified in paragraph 11(a) of covering Notes that will impose adverse environmental impacts on the "CPA", "CA" and "SSSI" zones.
	(6) To prohibit building structures for (i) 'Agricultural Use' in "CPA", "CA" and "GB" zones; and (ii) 'plant nursery' and 'amenity planting' in "SSSI", "CPA" and "CA" zones. To prohibit 'Agricultural Use' that involves excavation of top soil, paving with concrete/asphalt or non-arable materials/debris in "SSSI", "CPA", "CA" and "GB" zones or ground paving, whatever of concrete, metals or other materials.
R6, R7 & R8	Grounds of Representations  (a) Concern about the potential environmental impacts caused by SHs, in particular within certain part of "V" zones located immediately next to streams and tributaries.  Grounds of Representations  (a) Please refer to paragraphs 6.29 to 6.33 and 6.41 of the Paper.
	(b) "V" zones should be confined to existing village clusters.  (b) Please refer to paragraphs 6.29 to 6.33 and 6.41 of the Paper.
	(c) To provide buffer zones between watercourses and development zones.  (c) Please refer to paragraphs 6.29 to 6.33 of the Paper.

	Representers' Proposal (1) To rezone "GB" zone to "CA" zone.	Representers' Proposal (1) Please refer to paragraph 6.26 of the Paper.
R9	Grounds of Representation  (a) Provides view and information on the importance of Tai Ho Wan for the conservation of the Mangrove Horseshoe Crab (Carcinoscorpius rotundicauda) in Hong Kong.	Grounds of Representation (a) Noted.
	<ul> <li>(b) Should provide suitable protection for all inter-tidal areas in Tai Ho Wan, including the lower reaches of Tai Ho Stream, the Mangrove stands and the mudflats, to ensure the future viability of this area as a Mangrove Horseshoe Crab spawning ground and nursery area.</li> <li>Representer's Proposal         <ul> <li>(1) Nil.</li> </ul> </li> </ul>	(b) Noted.
R10 – R1061	Grounds of Representations  (a) Oppose the overall planning intention stated in the Explanatory Statement and the Schedule of Uses in the Notes of the draft OZP which are biased towards environmental conservation. The conservation zonings are excessive. Government should balance conservation and development.	Grounds of Representations  (a) Please refer to paragraphs 6.20 to 6.21 of the Paper.
	(b) There is opportunity to provide public housing in the Area.	(b) Please refer to paragraphs 6.20 to 6.21 and 6.27 of the Paper.

(c)	Consider '	"CA"	of 30m	in w	ridth	for	buffer	of 7	Гаі	Ho	Stre	am	SSSI	is 1	too
	excessive,	and	contrave	nes t	the c	omn	nitment	ma	ade	by	the	Go	vernm	ent	in
	1999.														

- (c) Please refer to paragraphs 6.22 to 6.24 of the Paper.
- (d) Oppose the conservation zonings imposed on private land without compensation as they infringe the private land rights/interests and adversely affect their development potential. It is injustice, unacceptable and contravening the Basic Law in protecting the right of private property.
- (d) Please refer to paragraphs 6.35 to 6.36 of the Paper.
- (e) Oppose the designation of "SSSI" zone on the private agricultural lots. Agriculture use is permitted under lease, however the repair and maintenance of farmland embankment within the "SSSI" zone require planning permission. It deprives the rights of the concerned land owners.
- (e) Please refer to paragraphs 6.35 to 6.36 of the Paper.
- (f) Government should establish a Conservation Fund for compensation and land resumption (**R11** only).
- f) Please refer to paragraph 6.37 of the Paper.
- (g) Opposes the size of the "V" zone which is too small and some old house lots are not included in the "V" zone. The actual demand of the villagers could not be reflected/satisfied. There is insufficient land to meet the long-term SH demand of indigenous villagers.
- (g) Please refer to paragraphs 6.40 to 6.44 of the Paper.
- (h) Concerns that some areas within "V" zone are steep slope which do not suitable for SH development (R11 only).
- (h) Please refer to paragraph 6.41 of the Paper.
- (i) Development potential of a large area of land within the village environ of Pak Mong Village is restricted. Mature woodland is covered by conservation zoning. No "V" zone on the western part and the northern part, where active agricultural activities are taking place, and they are zoned "GB".
- (i) Please refer to paragraphs 6.40 to 6.44 of the Paper.

- (j) Tin Liu should be considered as an independent recognised village due to its complicated historical background. Besides the area covering the existing village clusters in Tin Liu, sufficient land should be reserved for the village's own SH demand, separated from the forecast for Tai Ho and Ngau Kwu Long.
- (j) Please refer to paragraph 6.45 of the Paper.
- (k) Oppose the designation of "CPA" and "CA" zones as the uses/activities permitted in the zones are not clear, e.g. whether backhoe or other machine is allowed for farming activities within these zones and whether fishing and shellfish harvesting are prohibited within these zones.
- (k) Please refer to paragraph 6.46 of the Paper.
- (l) Concern about how the villagers could prove the uses of land (e.g. mooring boats along the shoreline of Tai Ho Wan) were in existence before the first publication of DPA Plan. They have also concerns on the redevelopment of house within conservation zonings. Although there are provisions for application to the Board for redevelopment of house in a scale not exceeding the plot ratio, site coverage and height of the existing house within "CPA" and "CA" zones, how the villagers would prove that the house and its building height were in existence before the first publication of DPA Plan for redevelopment application.
- (1) Please refer to paragraph 6.47 of the Paper.

- (m) A piece of private land within "SSSI" zone is not reflected and indicated correctly on the draft OZP.
- (m) The relevant information has been updated in the Statutory Planning Portal according to the latest land survey findings.
- (n) Government departments should coordinate and repair the farmland embankment within the "SSSI" zone.
- (n) Please refer to paragraph 6.54 of the Paper.

(o) Government should provide sewerage and drainage systems in Tai Ho area and take a proactive approach to conserve the area by allocating resource instead of just limiting the activities of local villagers.		Please refer to paragraphs 6.53 to 6.54 of the Paper.
(p) Government should resolve the traffic problem in the Area.	(p)	Please refer to paragraphs 6.53 to 6.54 of the Paper.
Representer's Proposals  (1) To reserve two pieces of land within "GB" zone for public housing development.		Please refer to paragraphs 6.21 to 6.22, 6.25 and 6.27 of the Paper.
(2) To reduce the width of "CA" zone along Tai Ho Stream Site of SSSI from 30m to 20m with compensation proposal.	(2)	Please refer to paragraphs 6.22 to 6.23 and 6.27 of the Paper.
(3) To confine the extent of "GB" zone to areas adjoining the Lantau North (Extension) Country Park.	(3)	Please refer to paragraphs 6.22, 6.25 and 6.27 of the Paper.
(4) To exclude private farmland from "SSSI" zone or provide compensation/land exchange to the land owners.	(4)	Please refer to paragraphs 6.22 to 6.23, 6.27 and 6.35 to 6.36 of the Paper.
(5) To rezone 'tso tong' farmland from "SSSI" zone to "Agriculture" ("AGR") zone (R11 only).	(5)	Please refer to paragraphs 6.22 to 6.23, 6.27, 6.35 to 6.36 and 6.38 of the Paper.

- (6) To zone farmland "AGR" instead of "SSSI", "CA", "CPA" or "GB" in order to reflect the existing condition and avoid dispute; or to offer compensation/land exchange to the land owners.
- (7) To designate land covering a total area of 6 ha in different locations as "V" zone for addressing the 10 year forecast of SH demand of indigenous villagers. In the long term, to designate land covering further 300 feet from the boundaries of the 'Village Environs' ('VE') as "V" zone.
- (8) To provide/extend "V" zones for local villages to reflect the developable land, the living area of villagers and meet the SH demand:
  - (i) to designate a piece of land near Tin Liu Village and away from Tai Ho Stream as "V" for its individual SH demand;
  - (ii) to expand the "V" zone in Tai Ho San Tsuen to cover the private lots with building entitlement in Tai Ho;
  - (iii) to designate the areas in the southernwest, southerneast and northern parts of 'VE' at Ngau Kwu Long Village considered suitable for SH development as "V" zone; and
  - (iv) to designate the area within the 'VE' of Pak Mong covering the mature woodland, active farmland to the north and area to the west of Pak Mong as "V" zone.
- (9) To provide an access and to carry out improvement works of the existing subway located to the northeast edge of the Area to enhance the overall pedestrian connection from Tai Ho to Tung Chung New Town Extension (TCNTE).

- (6) Please refer to paragraphs 6.22 to 6.23, 6.27 and 6.35 to 6.38 of the Paper.
- (7) Please refer to paragraphs 6.40 to 6.44 of the Paper.
- (8) Please refer to paragraph 6.45 of the Paper.

(9) Please refer to paragraphs 6.53 to 6.54 of the Paper.

	(10) To zone the Leung Ma Temple at the coastal area of Tai Ho Wan "Government, Institution or Community" ("G/IC") to reflect the existing structure and facilitate its future repair, maintenance and potential redevelopment.	_ ` '
R1062	Ground of Representation  (a) Oppose the entire draft OZP.  Representer's Proposals  (1) Nil.	Ground of Representation  (a) Please refer to paragraphs 6.20 to 6.21 of the Paper.
R1063	Grounds of Representation  (a) Object to the draft OZP on the grounds that it does not meet its conservation objectives and precludes any opportunities for compatible forms of development.	
	(b) Object largely to the "GB" zone and inadequacies of the "V" zones in various areas.	(b) Please refer to paragraphs 6.22, 6.25, 6.27 and 6.40 to 6.44 of the Paper.
	(c) The conservation zonings on the draft OZP prohibit any form of new development within the entire Tai Ho, even those ecologically less sensitive areas, and deprive private development rights.	(c) Please refer to paragraphs 6.20 to 6.27 of the Paper.
	(d) The zoning on the draft OZP does not provide sufficient conservation mechanism at ecologically sensitive areas at Tai Ho Catchment.	(d) Please refer to paragraphs 6.22 to 6.27 of the Paper.

- (e) The current "V" zone has not optimised the land potential for SH development. The 'incremental approach' undermines the need to meet the long-term SH demand.
- (f) Concern on ownership of the land within the "V" zone.
- (g) The draft OZP has not considered the need for a public road access and infrastructure facilities for the additional village house developments.

### Representer's Proposals

- (1) To adopt a Management Agreement approach in conjunction with development that would enable a win-win solution for all the stakeholders for implementing an effective long-term conservation strategy for Tai Ho.
- (2) An alternative land use framework (Proposed Scheme) is proposed which consists of:
  - (i) four development sites (three sites around the already built-up area of Pak Mong and Ngau Kwu Long and a site at the uphill to the southwest of Ngau Kwu Long) are proposed for public and private housing development. The site to the west of Pak Mong is proposed to be rezoned from "GB" to "Residential (Group A)" ("R(A)") for public housing with plot ratio of 4.0 and maximum building height of 139mPD (39 storeys). The remaining three sites are proposed to be rezoned from "GB" to "Residential (Group B)" ("R(B)") for private housing with plot ratio ranging from 2.1 to 3.5 and maximum building height ranging from 61mPD to 87mPD (10 to 20 storeys). According to the representer's indicative scheme, the proposed medium-density housing developments

- (e) Please refer to paragraphs 6.40 to 6.44 of the Paper.
- (f) Please refer to paragraph 6.44 of the Paper.
- (g) Please refer to paragraphs 6.53 to 6.54 of the Paper.

## Representer's Proposals

- (1) Please refer to paragraphs 6.55 to 6.56 of the Paper.
- (2) Please refer to paragraphs 6.57 and 6.58 of the Paper.

- of 24 residential blocks providing over 10,000 flats. The representer proposes that an 'Eco-heritage Education Centre' could be provided at the development site to support the proposed eco-heritage tourism and education in Tai Ho as suggested by the Sustainable Lantau Blueprint;

  (ii) three village expansion areas for Pak Mong, Ngau Kwu Long and Tai Ho San Tsuen to cater for the SH demand;

  (iii) two conservation areas including a more extensive "CA" zone to cover
- (iii) two conservation areas including a more extensive "CA" zone to cover the catchment of Tai Ho Stream for conservation. Another site to the north of Pak Mong is proposed to be rezoned from "GB" to "Open Space" ("O") in order to conserve the natural environment and protect the archaeological site, with a view to managing it as a public open space for leisure and nature appreciation in the long run; and
- (iv) a new public road connecting the development sites and Village Expansion Areas to Cheung Tung Road, which would also enable the provision of sewerage and drainage facilities in addressing the concerns on adverse ecological impact of the additional developments.

Comment No. (TPB/R/S/I-TH/1-) <sup>2</sup>	Gist of Comment	Responses
C1	Provides a revised figure showing the proposal in relation to representations <b>R12</b> to <b>R1061</b> for clarification.	Noted.
C2	Support <b>R1063</b> 's proposal on the grounds that the alternative zoning proposal and implementation approach could address most of the conservation and development concerns raised by the representations.	Please refer to our responses to R1063.

<sup>&</sup>lt;sup>2</sup> For locations of comment sites, please see **Plan H-2**.