

**Minutes of the 1153<sup>rd</sup> Meeting of the  
Town Planning Board held on 20.10.2017**

**Present**

Permanent Secretary for Development  
(Planning and Lands)

Chairperson

Ms Bernadette H.H. Linn

Professor S.C. Wong

Vice-chairperson

Mr Lincoln L.H. Huang

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

Ms Christina M. Lee

Mr Stephen H.B. Yau

Dr F.C. Chan

Mr David Y.T. Lui

Dr Frankie W.C. Yeung

Mr Peter K.T. Yuen

Mr Philip S.L. Kan

Dr Lawrence W.C. Poon

Mr Wilson Y.W. Fung

Mr Thomas O.S. Ho

Mr Alex T.H. Lai

Dr Lawrence K.C. Li

Mr Stephen L.H. Liu

Professor T.S. Liu

Ms Sandy H.Y. Wong

Mr Franklin Yu

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

Deputy Director of Environmental Protection (1)  
Mr Elvis W.K. Au (am session)

Senior Environmental Protection Officer (Strategic  
Assessment) 3  
Environmental Protection Department  
Mr Stanley C.F. Lau (p.m. session)

Assistant Director of Lands (Regional 1)  
Mr Simon S.W. Wang

Director of Planning  
Mr Raymond K.W. Lee

Deputy Director of Planning/District  
Ms Jacinta K.C. Woo

Secretary

**Absent with Apologies**

Mr H.W. Cheung

Professor K.C. Chau

Dr Wilton W.T. Fok

Mr H.F. Leung

Mr K.K. Cheung

Dr C.H. Hau

Miss Winnie W.M. Ng

Principal Assistant Secretary (Transport) 3

Transport and Housing Bureau

Mr Andy S.H. Lam

**In Attendance**

Assistant Director of Planning/Board

Miss Fiona S.Y. Lung

Chief Town Planner/Town Planning Board

Mr Kevin C.P. Ng (a.m.)

Mr Kepler S.Y. Yuen (p.m.)

Senior Town Planner/Town Planning Board

Mr T.C. Cheng (a.m.)

Mr Alex C.Y. Kiu (p.m.)

### **Agenda Item 1**

[Open meeting]

#### **Confirmation of Minutes of the 1152<sup>nd</sup> Meeting held on 6.10.2017**

[The item was conducted in Cantonese.]

1. The minutes of the 1152<sup>nd</sup> meeting held on 6.10.2017 were confirmed without amendments.

### **Agenda Item 2**

#### **Matters Arising**

[Open Meeting] [The item was conducted in Cantonese.]

2. There were no matters arising to be reported.

#### **Fanling, Sheung Shui & Yuen Long East District**

### **Agenda Item 3**

[Open Meeting]

#### Review of Application No. A/NE-KTS/454

Proposed 2 Houses (New Territories Exempted House – Small House) in “Agriculture” Zone, Lots 493 S.A and 493 RP in D.D. 94, Hang Tau Tsuen, Kwu Tung South, Sheung Shui, New Territories (request for Deferment)  
(TPB Paper No. 10342)

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[The item was conducted in Cantonese.]

3. The Secretary reported that the following Members had declared interests on the item for being members of the Hong Kong Golf Club (Golf Club), the club facilities of which were in the vicinity of the application site :

Mr Thomas O.S. Ho	] being members of the Golf Club
Dr Lawrence K.C. Li	]

4. Members noted that Dr Lawrence K.C. Li had not yet arrived to join the meeting. As the interest of Mr Thomas O.S. Ho was indirect, Members agreed that Mr Ho should be allowed to stay in the meeting.

5. The Secretary said that on 17.10.2017, after issuance of the TPB Paper, the applicant wrote to the Secretary of the Town Planning Board (the Board) and requested the Board to defer making a decision on the review application for two months to allow sufficient time for the applicant to address government departments' comments. It was the first time that the applicant requested deferment of the review hearing.

6. Members noted that the justifications for deferment met the criteria for deferment as set out in the Town Planning Board Guidelines on Deferment of Decision on Representations, Comments, Further Representations and Applications made under the Town Planning Ordinance (TPB PG-No. 33) in that the applicant needed more time to prepare further information to address the government departments' comments, the deferment period was not indefinite and the deferment would not affect the interests of other relevant parties.

7. After deliberation, the Board agreed to defer a decision on the review application, and that the review application would be submitted to the Board for consideration within three months upon receipt of the further submission from the applicant. The Board also agreed that if the written submission of the applicant was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Board's consideration. The Board agreed to advise the applicant that the Board had allowed two months for the preparation and submission of further information and no further deferment would be granted unless under very special circumstances.

## **Sha Tin, Tai Po & North District**

### **Agenda Item 4**

[Open meeting]

Review of Application No. A/NE-LT/609

Proposed House (New Territories Exempted House – Small House) in “Agriculture” and “Village Type Development” Zones, Lot 1308 S.A in D.D. 19, San Tong, Tai Po, New Territories

(TPB Paper No. 10343)

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[The item was conducted in Cantonese.]

8. The Chairperson said that the applicant had indicated not attending the meeting. The following representative from the Planning Department (PlanD) was invited to the meeting at this point :

Ms Jessica H.F. Chu - District Planning Officer/Sha Tin, Tai Po and North (DPO/STN), PlanD

9. The Chairperson extended a welcome and explained the procedures of the review hearing. She then invited DPO/STN to brief Members on the review application.

10. With the aid of a PowerPoint presentation, Ms Jessica H.F. Chu, DPO/STN, briefed Members on the background of the review application including the consideration of the application by the Rural and New Town Planning Committee (RNTPC) of the Town Planning Board (the Board), departmental and public comments, and planning considerations and assessments as detailed in the TPB Paper No. 10343.

[Ms Janice W.M. Lai, Mr Dominic K.K. Lam, Ms Christina M. Lee, Mr David Y.T. Lui and Ms Sandy H.Y. Wong arrived to join the meeting during the presentation.]

11. As the presentation from DPO/STN had been completed, the Chairperson invited questions from Members. The Chairperson asked and Ms Jessica H.F. Chu

confirmed that the applicant submitted the review application without providing any justification to support the review.

12. As Members had no other questions, the Chairperson said that the hearing procedure for the review application had been completed. The Board would further deliberate on the review application. The Chairperson thanked DPO/STN for attending the meeting. Ms Jessica H.F. Chu left the meeting at this point.

#### Deliberation Session

13. The Chairperson said and Members agreed that as the applicant had not provided any justification to support his review application and there was no change in the planning circumstances, there was no ground for the Board to change the decision of the RNTPC.

14. After deliberation, the Board decided to reject the application on review based on the following reasons :

- “(a) the proposed development is not in line with the planning intention of the “Agriculture” (“AGR”) zone which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes and also to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There is no planning justification provided in the submission for a departure from the planning intention;
- “(b) the proposed development does not comply with the Interim Criteria for Consideration of Application for New Territories Exempted House/Small House in New Territories in that there is no general shortage of land in meeting the demand for Small House development in the “Village Type Development” (“V”) zone of San Tong; and

(c) land is still available within the “V” zone of San Tong which is primarily intended for Small House development. It is considered more appropriate to concentrate the proposed Small House development within the “V” zone for more orderly development pattern, efficient use of land and provision of infrastructure and services.”

15. The Chairperson said that as the meeting was ahead of schedule and the representers of the draft Ping Chau Outline Zoning Plan under Agenda Item 5 had yet to arrive, she suggested and Members agreed to proceed with the procedural matters under Agenda Items 6 to 8 first.

### **Procedural Matters**

#### **Agenda Item 6**

[Open Meeting]

Information Note and Hearing Arrangement for Consideration of Representations and Comments on the Draft Kai Tak Outline Zoning Plan No. S/K22/5

(TPB Paper No. 10345)

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[The item was conducted in Cantonese.]

16. The Secretary reported that the following Members had declared interests on the item for having affiliation/business dealings with the Hong Kong Housing Department (HD), which was the executive arm of the Hong Kong Housing Authority (HKHA), the consultants of the Review of Kai Tak Development including AECOM Asia Co. Limited (AECOM), Urbis Limited (Urbis) and Leigh & Orange Limited (L&O) :

Mr Raymond K.W. Lee <i>(as Director of Planning)</i>	- being a member of the Strategic Planning Committee (SPC) and Building Committee of HKHA
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- Mr Martin W.C. Kwan  
*(as Chief Engineer (Works),  
Home Affairs Department)* - being a representative of the Director of Home Affairs who was a member of SPC and the Subsidised Housing Committee of HKHA
- Mr H.F. Leung - being a member of the Tender Committee of HKHA
- Mr Stephen L.H. Liu - having past business dealings with HKHA
- Mr Ivan C.S. Fu - having past business dealings with HKHA and current business with AECOM and Urbis
- Dr C.H. Hau ] having current business dealings with
- Mr Patrick H.T. Lau ] HKHA and AECOM
- Ms Janice W.M. Lai - having current business dealings with HKHA, AECOM and Urbis
- Mr K.K. Cheung ] their firm having current business
- Mr Alex T.H. Lai ] dealings with HKHA, AECOM and Urbis
- Mr Thomas O.S. Ho - having current business dealings with HKHA and past business dealings with AECOM, and his company having current business dealings with Urbis
- Professor S.C. Wong - having current business dealings with AECOM  
(Vice-chairperson)
- Mr Franklin Yu - having past business dealings with HKHA, AECOM and Urbis

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|-----------------------|---|
| Mr Dominic K.K. Lam   | - having past business dealings with L&O                                  |
| Dr Lawrence W.C. Poon | - his spouse being an employee of HD but<br>not involved in planning work |

17. Members noted that Mr H.F. Leung, Dr C.H. Hau and Mr K.K. Cheung had tendered apologies for being not able to attend the meeting and Mr Franklin Yu had yet to arrive to join the meeting. As the item was procedural in nature, the meeting agreed that Members who had declared interests could stay in the meeting.

18. The Secretary briefly introduced the Paper. On 17.2.2017, the draft Kai Tak Outline Zoning Plan (OZP) No. S/K22/5 was exhibited for public inspection under section 5 of the Town Planning Ordinance (the Ordinance). A total of 12,158 representations and 1,428 comments were received. Confirmation was later received from two members of the public indicating that they had not submitted any representation to the Board. The two representations (i.e. R4427 and R9344) could be disregarded. As the amendments on the OZP had arouse wide public interest, the representations and comments should be considered by the full Board. Due to the large number of representations and comments received, the hearing could not be accommodated in the Board's regular meeting and separate hearing sessions should be arranged.

[Dr Frankie W.C. Yeung arrived to join the meeting at this point.]

19. While the majority of representations and comments were related to Items W1 to W7 in relation to the rezoning of the Cha Kwo Ling (CKL) waterfront and the proposed Vocational Training Council (VTC) campus development with similar grounds, there were considerable amount of representations and comments on other items with different nature and grounds, including general concerns on the impact of the increase in plot ratio and building height, rezoning of sites for residential/commercial uses, reduction of open space, and provision of infrastructure and government, institution or community (GIC) facilities in the district. Based on the subject of representations and comments, it was suggested to structure the hearing of the representations and comments into two groups as follows :

- (a) Group 1 : collective hearing of 343 representations (R3 to R11, R12(Part), R13, R14(Part) to R39(Part), R40 to R270 and R12084 to R12158) and 264 comments (C1 to C257, C258(Part), C259, C260(Part) to C262(Part), C1427 and C1428) which were related to items other than Items W1 to W7 (CKL waterfront); and
- (b) Group 2 : collective hearing of 11,840 representations (R1, R2, R12(Part), R14(Part) to R39(Part) and R271 to R12083 (excluding R4427 and R9344)) and 1,168 comments (C258(Part), C260(Part) to C262(Part) and C263 to C1426) which were related to Items W1 to W7.

20. To ensure efficiency of the hearing, it was recommended that each representer/commenter be allotted a maximum 10 minutes for presentation in the hearing session. Consideration of the representations/comments by the full Board was tentatively scheduled for December 2017/January 2018.

21. After deliberation, the Board agreed that :

- (a) the two representations (i.e. R4427 and R9344) should be disregarded;
- (b) the representations and comments should be considered collectively in two groups by the Board itself; and
- (c) a 10-minute presentation time would be allotted to each representer/commenter.

### **Agenda Item 7**

[Open meeting]

Application to the Chief Executive Under Section 8(2) of the Town Planning Ordinance for Extension of Time Limit for Submission of the Draft Kai Tak Outline Zoning Plan No. S/K22/5 to the Chief Executive in Council for Approval

(TPB Paper No. 10347)

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[The item was conducted in Cantonese.]

22. The Secretary reported that Members' declaration of interests were the same as recorded under Agenda Item 6.

23. The Secretary briefly introduced the Paper. Due to the large number of representations and comments received in relation to the draft Kai Tak Outline Zoning Plan (OZP) No. S/K22/5 (i.e. 12,156 valid representations and 1,428 comments), and the consideration of the representations and comments to the Kai Tak OZP by the Board was scheduled for December 2017/January 2018, it was anticipated that the draft OZP could not be submitted to the Chief Executive in Council (CE in C) for approval within the 9-month statutory time limit on or before 18.1.2018.

24. It was necessary to seek the Chief Executive (CE)'s agreement for an extension of the statutory time limit for six months to 18.7.2018 to allow sufficient time to complete the plan-making process of the draft OZP prior to its submission to the CE in C for approval.

25. After deliberation, the Board agreed that the CE's agreement should be sought under section 8(2) of the Town Planning Ordinance to extend the time limit for submission of the draft OZP to the CE in C for a period of six months from 18.1.2018 to 18.7.2018.

## **Agenda Item 8**

[Open Meeting]

Information Note and Hearing Arrangement for Consideration of Representations and Comments on the Draft Lok Ma Chau Loop Outline Zoning Plan No. S/LMCL/1

(TPB Paper No. 10346)

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[The item was conducted in Cantonese.]

26. The Secretary reported that the following Members had declared interests on the item for having business dealings with the Hong Kong Science and Technology Parks Corporation (HKSTPC), the developer and manager of the proposed Hong Kong-Shenzhen Innovation and Technology Park (I&T Park) at Lok Ma Chau Loop (LMCL) :

Mr K.K. Cheung	] their firm having current business
Mr Alex T.H. Lai	] dealings with HKSTPC
Mr Stephen L.H. Liu	- having past business dealings with HKSTPC

27. Members noted that Mr K.K. Cheung had tendered apologies for being not able to attend the meeting. As the item was procedural in nature, the meeting agreed that Mr Alex T.H. Lai and Mr Stephen L.H. Liu could stay in the meeting.

28. The Secretary briefly introduced the Paper. On 9.6.2017, the draft Lok Ma Chau Loop Outline Zoning Plan (OZP) No. S/LMCL/1 was exhibited for public inspection under section 5 of the Town Planning Ordinance (the Ordinance). A total of eight representations and three comments were received.

29. Since the representations and comments were of similar nature, it was more efficient and appropriate for the full Board to hear the representations and comments collectively in one group. The hearing could be accommodated in the Board's regular meeting.

30. To ensure efficiency of the hearing, it was recommended that each representer/commenter be allotted a maximum 10 minutes for presentation in the hearing session. Consideration of the representations/comments by the full Board was tentatively scheduled for November/December 2017.

31. After deliberation, the Board agreed that :

- (a) the representations and comments should be considered collectively in one group by the Board itself; and
- (b) a 10-minute presentation time would be allotted to each representer/commenter.

[As the meeting was ahead of schedule, it was adjourned for a short break of 30 minutes.]

[Mr David Y.T. Lui left the meeting and Mr Franklin Yu arrived to join the meeting at this point.]

### **Agenda Item 5**

[Open meeting]

Consideration of Representations in respect of the Draft Ping Chau Outline Zoning Plan

No. S/NE-PC/1

(TPB Paper No. 10344)

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[The item was conducted in Cantonese.]

32. The Secretary reported that the following Members have declared interests on the item for having affiliation with The Hong Kong Bird Watching Society (HKBWS) (R1), World Wide Fund for Nature Hong Kong (WWF-HK) (R2) and Designing Hong Kong Limited (DHKL) (R6) :

- |                   |  |
|-------------------|--|
| Dr C.H. Hau       | - being a member of the HKBWS and a past member of the Conservation Advisory Committee of WWF-HK |
| Mr Thomas O.S. Ho | - personally knowing the co-founder and Chief Executive Officer of DHKL                          |

33. Members noted that Dr C.H. Hau had tendered apologies for being unable to attend the meeting. Members agreed that Mr Thomas O.S. Ho could stay in the meeting as he had no discussion with the representer.

34. The Chairperson said that reasonable notice had been given to the representers inviting them to attend the hearing, but other than those who were present or had indicated that they would attend the hearing, the rest had either indicated not to attend or made no reply. As reasonable notice had been given to the representers, the Town Planning Board (the Board) should proceed with the hearing of the representations in their absence.

#### Presentation and Question Sessions

35. The following government representatives, representers and their representatives were invited to the meeting :

##### *Planning Department (PlanD)'s representative*

Ms Jessica H.F. Chu - District Planning Officer/Sha Tin, Tai Po & North (DPO/STN)

Ms Channy C. Yang - Senior Town Planner/Country Park Enclaves (STP/CPE)

##### *Agriculture, Fisheries and Conservation Department (AFCD)'s representatives*

Ms Ngar Yuen Ngor - Senior Country Park Officer (North-west) (SCP/NW)

Dr Leung Ngo Hei, June - Nature Conservation Officer (Tai Po) (NC/TP)

##### *Representers and their representatives*

###### R1 – The Hong Kong Bird Watching Society

Ms Woo Ming Chuan - Representer's representative

R2 – World Wide Fund for Nature Hong Kong

Mr Lau Shiu Keung, Tobi ] Representer's representatives  
Ms Lam Yin Ha ]

R3 – Kadoorie Farm and Botanic Garden

R4 – Tony Nip

Mr Nip Hin Ming, Tony - Representer and Representer's representative

R6 – Designing Hong Kong Limited

Ms Tang Yuen Ting, Kitty - Representer's representative

R7 – 西貢北約鄉事委員會

R603 – 鄧啟光

R606 – 李秋月

R2567 – 鄧永耀

Mr Li Yiu Ban - Representer and Representers' representative

R9 – 沙頭村村代表蔡明忠

R159 – 蔡明忠

Mr Choi Ming Chung - Representer and Representer's representative

R10 – 洲頭村村代表袁小英

R131 – 袁談妹

R194 – 袁球

R195 – 袁小英

R196 – 陳子忠

R197 – 陳保君

R200 – 郭強祥

Ms Yuen Siu Ying - Representer and Representers' representative

R12 – 大塘村村代表鄧聖洪

R123 – 鄧慧敏

R124 – 鄧慧珠

R125 – 鄧福全

R126 – 鄧福興

R188 – 余鳳媚

R541 – 鄧聖洪

R605 – 鄧啟明

R611 – 鄧木榮

R658 – 鄧啟來

R680 – 鄧賜富

R689 – 鄧聖基

R2560 – 鄧才

Mr Derek Tang Fuk Chuen - Representer and Representers' representative

R13 – 洲尾村村代表李雲開

R2447 – 李雲開

Mr Lee Wan Hoi - Representer and Representer's representative

R14 – 巫家誌

R21 – 巫錦坪

R22 – 巫鎮宜

R24 – 巫鎮泉

Mr Mo Kar Chi, Erwin - Representer and Representers' representative

R20 – 巫梅雪

R23 – 巫錦昌

Mr Mo Shu Loi

- Representers' representative

R27 – 李遠堂

Mr Lee Yuen Tong

] Representer and Representer's

Mr Lee Chiu Chai

] representatives

R198 – 陳俊宇

R659 – 黃曉雯

R1547 – 巫家雄

Mr Mo Kar Hung

- Representer and Representers'  
representative

R394 – 黎東喜

R406 – 黎東榮

Mr Lai Tung Wing

- Representer and Representer's  
representative

R465 – 袁敏恆

R484 – 蔡琼先

R479 – 袁照昌

Mr Yuen Chiu Chong

- Representer and Representers'  
representative

R1946 – 洲尾關帝會

Mr Yan Po Keung

] Representer's representatives

Ms Yan Lai Har

]

36. The Chairperson extended a welcome and briefly explained the procedures of the hearing. She said that PlanD's representatives would brief Members on the representations. The representers or their representatives would then be invited to make

oral submission in turn. To ensure efficient operation of the hearing, each representer or their representative would be allotted 10 minutes for oral submission. There was a timer device to alert the representers or their representatives two minutes before the allotted 10-minute time was to expire and when the allotted 10-minute time limit was up. A Question and Answer (Q&A) session would be held after all attending representers or their representatives had completed their oral submissions. Members could direct their questions to government representatives, representers or their representatives. After the Q&A session, government representatives, representers or their representatives would be invited to leave the meeting, and the Board would deliberate on the representations in their absence and inform the representers of the Board's decision in due course.

37. The Chairperson then invited DPO/STN to brief Members on the representations.

38. With the aid of a PowerPoint presentation, Ms Channy C. Yang, STP/CPE, briefed Members on the representations, including the background of the amendments, the grounds/views/proposals of the representers, planning assessments and PlanD's views on the representations as detailed in TPB Paper No. 10344 (the Paper).

39. The Chairperson then invited the representers and their representatives to elaborate on their representations.

#### R1 – The Hong Kong Bird Watching Society (HKBWS)

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

- (a) Ping Chau was well known for its geological features and its diverse marine life. The island provided important terrestrial and coastal habitats for foraging and roosting of birds;
- (b) during the period from 1993 to 2015, about 163 species of birds were spotted in Ping Chau, which accounted for about 30% of total species

recorded in Hong Kong. Of these, 53 species were of conservation concern. The natural habitat, the vegetation and the roosting place for these birds should be protected. HKBWS proposed that all woodland, shrubland, streams and coastal areas should be protected by “Green Belt (1)” (“GB(1)”) or “Conservation Area” (“CA”) to preserve these habitats while respecting the redevelopment right of the villagers;

- (c) there were woodlands and mature trees in and around the “Village Type Development” (“V”) zones in Ping Chau. Small house (SH) development within these areas might lead to felling of mature trees/clearance of vegetation, increase in human disturbance to the woodland habitats and the roosting places for birds. Hence, the “V” zones should not encroach into the woodland habitat and mature trees should be protected;
- (d) there was no public sewer in Ping Chau. The Drainage Services Department (DSD)’s leaflet had identified SH development as a potential pollution source in view of the possible spill-over from the septic tank onto the natural stream and coastal area. There was no vehicular access in Ping Chau and the septic tank could not be periodically emptied;
- (e) the Government should promote ecotourism in Ping Chau by providing support, and manage and coordinate interests of various stakeholders. Appropriate conservation zonings were required for protection of the natural resources on the island for sustainable use and avoid undesirable development; and
- (f) HKBWS supported the “Site of Special Scientific Interest” (“SSSI”) zoning for the west coast of Ping Chau to protect the geological features and the natural habitats. Villagers should be compensated if the development rights was affected by the conservation zones.

R2 – World Wide Fund for Nature Hong Kong (WWF-HK)

41. With the aid of a PowerPoint presentation, Ms Lam Yin Ha made the following main points:

- (a) Ping Chau was designated SSSI in 1979. However, the zonings on the OZP had not provided the level of protection commensurate with SSSI, which would degrade the ecological value of Ping Chau;
- (b) WWF-HK did not agree with PlanD's observation that the east coast comprised mainly sandy beaches intersected by discontinuous sections of flat sedimentary rock stacks. Apart from the sandy beach at Cheung Sha Wan, sedimentary rock stacks, rock pools and shale/pebble beaches with rocks formations could be found in many places along the east coast, including the well-known geological feature 'Kang Lau Shek';
- (c) Ping Chau was surrounded by the Tung Ping Chau Marine Park (TPCMP). A total of 65 species of hard coral were found in the east coast of Ping Chau, which was also rich in marine life. A recent study of two core coral areas in TPCM by the Chinese University of Hong Kong revealed that the coral recruitment success rate was extremely low at  $0.19\text{m}^2$  per year, i.e. it took a long time for the coral communities to recover. The coral communities in Hoi Ha Wan and Port Island were under threats of being attacked by sea urchins and calcified due to 'red tides'. The coral communities in the east coast of Ping Chau, which were not yet affected by such disturbances, should be better protected;
- (d) as agricultural use was always permitted within the "Coastal Protection Area" ("CPA") zone along the east coast, fertilizers washed down to the coastal area would affect the water quality and threaten

the marine ecology and the coral. The planning intention of the “SSSI” zone was to protect features of special scientific interest, species of fauna and flora and their habitats, corals, and area of geological, ecological or botanical/biological interest. The “SSSI” zoning was considered more appropriate for the protection of the east coast, which was of high geological and ecological value; and

- (e) there was no sewerage and drainage systems in Ping Chau. The septic tanks and soakaway system associated in SH development would have the risk of polluting the coastal area, if not properly sited and maintained. The “V” zones in Ping Chau should be confined to areas occupied by existing buildings and building lots to avoid the cumulative impact of SH development with significant increase in population.

R3 – Kadoorie Farm and Botanic Garden (KFBG)

R4 – Tony Nip

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

- (a) KFBG considered that the “CPA” zone could not reflect the geological, conservation and educational importance of the east coast, and the potential impact of the “V” zone on the pristine marine area, the Marine Park, the Country Park and the UNESCO Global Geopark were not adequately addressed. The “CPA” and “V” zones in the east coast should be rezoned to “SSSI” and “V(1)” respectively;
- (b) Ping Chau was designated SSSI in 1979 due to its unique geological characteristics with rock features formed at a dipped angle along the coastline. Both the east and west coasts were equally important;

- (c) contrary to the description in the TPB Paper, geological features including extensive rock stack formation, rock cliffs and pebble beaches could be found along the east coast, both to the north and south of the public pier. The only sandy beach was Cheung Sha Wan to the north. These easily accessible geological features formed the unique landscape of Ping Chau. In comparison, the geological features on the west coast of Ping Chau were not easily accessible or observable as they were behind thick vegetation and cliffs. As such, the east coast had a higher geological and educational value;
- (d) there were also coral communities with high diversity in coral species on the east coast of Ping Chau, which had a higher ecological value than those in Hoi Ha Wan, Double Haven and Cape D’Aguilar. In view of the diverse geological/landscape features and the ecological value of the coral communities, the east coast should be protected by the “SSSI” zoning;
- (e) other designated SSSIs would usually be zoned as “SSSI” on the respective OZPs with other conservation zonings such as “Conservation Area” (“CA”) and “Green Belt (1)” (“GB(1)”) in the surrounding areas for better protection. The SSSI site in Ma Shi Chau was zoned “Country Park” (“CP”) for more stringent protection. In view that the entire Ping Chau was designated as SSSI in 1979, there was no private land/building lots and the geological value of the east coast had remained unchanged, it was not reasonable that the east coast was zoned “CPA”. There was limited amount of private land in the east coast; if any, they could be excluded from the “SSSI” zone;
- (f) according to KFBG’s observation, there were very few villagers resided on the island. As there was no water/electricity supply, telephone, drainage and sewerage, and with only limited ferry service, the need to designate “V” to support a planned population of 380 was questionable;

- (g) the cost effectiveness of the water desalination and solar photovoltaic system as pilot projects for the provision of water and electricity to the villagers was doubtful. It also appeared not feasible to power the water desalination plant by solar energy;
- (h) as there was no drainage and sewerage system in Ping Chau, SH developments within “V” zones and increase in population would rely solely on septic tanks and soakaway system, which would have potential pollution problems. In addition, construction waste spilled over to the water bodies around the “V” zones would have adverse impact on the water quality in the coastal area and affect the coral communities;
- (i) as ‘House (New Territories Exempted House only)’ was always permitted within the “V” zone, there would not be any control on the new SH development, which would affect the character of the existing villages comprising mainly houses built with sedimentary rock slates; and
- (j) in addition to the SSSI designation, Ping Chau was also an UNESCO Global Geopark. The natural beauty of Ping Chau and its wider area should be conserved as a whole by zoning the east coast to “SSSI” and to rezone the “V” to “V(1)” for better control of SH development.

#### R6 – Designing Hong Kong Limited (DHKL)

43. With the aid of a PowerPoint presentation, Ms Tang Yuen Ting Kitty made the following main points:

- (a) DHKL supported the “SSSI” zoning for the west coast, objected to the expansion of “V” zones and had concerns on the possible pollution associated with SH development within the “V” zone;

- (b) the 10-year SH demand forecast of 8,300 was dubious. A total of 207.5 ha of land would be required for providing 8,300 SHs, which would be almost twice the total land area of Ping Chau. The projected figure might have been inflated with the intention to convert the SHs into hostels for tourism development, which would not be in line with the intention of the SH Policy;
- (c) there was no justification for expanding the “V” zone as there was only a total population of 70. Most of the houses on Ping Chau were abandoned and villagers only returned to Ping Chau to serve the visitors during weekends or holidays;
- (d) the village environ ('VE') fell within the country park and she worried that SH development would proceed in a ‘destroy first, build later’ manner which had frequently occurred in other parts of the New Territories. It would be difficult for the Government to monitor such activities in a remote area as Ping Chau; and
- (e) improper siting of septic tanks and soakaway system and their poor maintenance were prone to causing environmental pollution. In addition, an increase in population would lead to an increase in solid waste, which would cause environmental and hygiene problems in Ping Chau.

44. As Mr Li Yiu Ban (R7) indicated that he would like to give his oral submission later and Mr Choi Ming Chung, the representative of R9 was not in the meeting room, the Chairperson invited Ms Yuen Siu Ying (R10/R195) to give her oral submission.

R10 – 洲頭村村代表袁小英

R131 – 袁談妹

R194 – 袁球

R195 – 袁小英

R196 – 陳子忠

R197 – 陳保君

R200 – 郭強祥

45. Ms Yuen Siu Ying made the following main points :

- (a) Ping Chau was beautiful and it fell within country park, marine park and geopark. There were thousands of visitors during weekends and the Government should consider providing better supporting facilities for the island;
- (b) the residents of Ping Chau used to rely on farming and fishing for a living. Some of them had left the island as they could no longer make a living on the island, but they wanted to return to the island after retirement. The “SSSI” zoning and the limited area of the “V” zone would pose constraints on SH developments for them;
- (c) local residents also cared about the environment of Ping Chau and helped to conserve the natural beauty of the island. Without their efforts, Ping Chau would not be as beautiful as it was. Designating conservation zoning for the island would not help enhance conservation of the island, but would only deprive the rights of the local residents;
- (d) while the Government had provided a public toilet with water tanks near the pier to serve the visitors, there was no provision of supporting facilities for the local residents in Ping Chau. The Government was also unwilling to repair the water house and the footpaths on the island; and
- (e) the residents were not allowed to build SHs for concern on potential pollution from the septic tanks. Yet, it was the responsibility of the Government to provide public sewer to address the problem.

R9 – 沙頭村村代表蔡明忠

R159 – 蔡明忠

46. Mr Choi Ming Chung made the following main points :

- (a) he represented Sha Tau Village to object to the OZP. Moreover, Heung Yee Kuk New Territories (HYKNT), Tai Po District Council (TPDC), Sai Kung North Rural Committee (SKNRC) and Sai Kung Affairs Committee Tung Ping Chau (SKTPCAC) also objected to the OZP. He could not understand why the OZP was still being gazetted;
- (b) for decades, there was no water and electricity supplies in Ping Chau and thus many residents had to leave the island; and
- (c) the Government should provide those facilities to improve the living conditions of the villagers.

R12 – 大塘村村代表鄧聖洪

R123 – 鄧慧敏

R124 – 鄧慧珠

R125 – 鄧福全

R126 – 鄧福興

R188 – 余鳳媚

R541 – 鄧聖洪

R605 – 鄧啟明

R611 – 鄧木榮

R658 – 鄧啟來

R680 – 鄧賜富

R689 – 鄧聖基

R2560 – 鄧才

47. With the aid of a PowerPoint presentation, Mr Derek Tang Fuk Chuen made the following main points:

- (a) he represented the village representative of Tai Tong Village and the Chairman of SKTPCAC to provide comment on the OZP;
- (b) most of Ping Chau was included in the Plover Cove (Extension) Country Park (PCECP), which covered a significant part of the VEs of various villages, e.g. Chau Mei Village, Tai Tong Village and Sha Tau

Village. Only about half to one-third of the land area of these villages were now included in the OZP. The “V” zone only covered the built area in the village proper, while some isolated SHs and building lots were not included in the “V” zone. They should be covered by the “V” zone for the same village for better integrity;

- (c) some of the land zoned “V” was not developable as they were left-over space in between houses or on slopes. The building lots in Tsoi Uk Village should be zoned “V” and the “V” zone of Lam Uk Village should be expanded to provide space for village activities. A larger “V” zone should be designated for Chan Uk Village and Lei Uk Village as part of the “V” zone of Tai Tong Village was on a steep slope, which was undevelopable. There used to be about 300 houses and a population of 2,000 in Ping Chau and the local villagers had been taking good care of Ping Chau. Comparing with the “V” zones of Sha Lo Tung and To Kwa Ping, the “V” zones in Ping Chau were inadequate to support the SH demand of the local villagers;
- (d) a larger “V” zone should be designated for Tai Tong Village, Sha Tau Village and Chau Tau Village as a large part of their ‘VE’ had been sacrificed for inclusion in the PCECP. These villages had not caused any environmental problems in the past and villagers should be entitled to build SHs with proper infrastructure services. Ping Chau was a popular place for star-gazing and visitors also stayed overnight to enjoy the scenic views of sunset and sunrise. ‘Hostel’ should be permitted in SHs to serve these visitors;
- (e) the “CPA” zone on the east coast abutting the SHs in Chau Mei Village, Tai Tong Village and Sha Tau Village should be rezoned to “V” as some buffer was needed for villagers to build boundary walls to fend off the tidal wave during typhoons. The beaches should also be suitably zoned for recreational uses to reflect their present function;

- (f) there were no water and electricity supplies in Ping Chau. The small reservoir near Tsoi Uk Village should be rezoned from “GB” to “Government, Institution or Community” (“G/IC”) and the reservoir should be repaired for the provision of fresh water to the residents;
- (g) although there was an electricity generator provided by the Government on the island, local residents did not enjoy the benefit of having electricity supply as it was only serving the East Ping Chau Police Post, Ping Chau (East) Ex-military Training Camp and the Marine Department Vessel Traffic Services System East Ping Chau Radar Station;
- (h) the water pumping stations were not well maintained and the footpaths should be repaired and widened to cope with the visitors and emergencies. A first-aid station should also be provided to serve the visitors;

[Mr Stephen H.B. Yau left the meeting at this point.]

- (i) a public toilet was built near the pier to serve visitors to Ping Chau, and regular services were provided by the Government to remove the sewage of the public toilet. A drainage and sewerage system should also be provided by the Government for the villages, which might be connected to the public toilet for central processing;
- (j) while residents agreed that sections of the east coast with rock stack formations should be zoned “CPA” for protection, a small coastal area at Chau Mei Kok should be rezoned “Undetermined” to cater for the future provision of water/electricity supplies and sewerage/drainage connections; and

(k) Cheung Sha Wan should be zoned "Open Space" ("O") for recreational use as the beach had been used for such purpose for decades.

48. With photos and illustrations, Mr Derek Tang Fuk Chuen (R125) went on to brief Members on the history of Ping Chau, the composition of the villages, places of interest and geological features, the dilapidated conditions of the water house, footpaths, collapsed electricity poles and water pipes, pumping facilities and electricity generator. He said that these facilities should be restored to improve the living condition of villagers.

[Professor S.C. Wong, Mr Franklin Yu and Dr Lawrence W.C. Poon left the meeting temporarily, while Ms Janice W.M. Lai, Dr Frankie W.C. Yeung, Mr Patrick H.T. Lau, Mr Thomas O.S. Ho, Ms Christina M. Lee, Mr Ivan C.S. Fu and Mr Alex T.H. Lai left the meeting during Mr Tang's presentation.]

[The meeting was adjourned for lunch break at 12:55 p.m.]

49. The meeting was resumed at 2:10 p.m. on 20.10.2017.
50. The following Members and the Secretary were present at the resumed meeting:

Permanent Secretary for Development (Planning and Lands)	Chairperson
Ms Bernadette H.H. Linn	
Professor S.C. Wong	Vice-Chairperson
Mr Lincoln L.H. Huang	
Mr Dominic K.K. Lam	
Dr F.C. Chan	
Mr Peter K.T. Yuen	
Mr Philip S.L. Kan	
Dr Lawrence W.C. Poon	
Mr Wilson Y.W. Fung	
Dr Lawrence K.C. Li	
Mr Stephen L.H. Liu	
Professor T.S. Liu	
Ms Sandy H.Y. Wong	
Mr Franklin Yu	
Chief Engineer (Works), Home Affairs Department	
Mr Martin W.C. Kwan	
Principal Environmental Protection Officer (Strategic Assessment), Environmental Protection Department	
Mr Stanley C.F. Lau	
Director of Planning	
Mr Raymond K.W. Lee	

## Agenda Item 5

### Presentation and Question Sessions (Continued)

[Open Meeting]

51. The following Government representatives, the representers and their representatives were invited to the meeting at this point:

#### *PlanD's representatives*

Ms Jessica H.F. Chu - District Planning Officer/Sha Tin, Tai Po & North District Planning Office (DPO/STN)

Ms Channy C. Yang - Senior Town Planner/Country Park Enclave (STP/CPE)

#### *AFCD's representatives*

Ms Ngar Yuen Ngor - Senior Country Park Officer (North-west) (SCP/NW)

Dr Leung Ngo Hei June - Nature Conservation Officer (Tai Po) (NC/TP)

#### *Representers and their Representatives*

##### R1 – HKBWS

Ms Woo Ming Chuan - Representer's representative

##### R2 – WWF-HK

Mr Lau Shiu Keung Tobi - Representer's representative

R3 – KFBG

R4 – Mr Tony Nip

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| Mr Nip Hin Ming Tony | - Representer and Representer's<br>representatives |
| Dr Chiu Sein Tuck    | - Representer's representatives                    |

R7 – 西貢北約鄉事委員會李耀斌

R603 – 鄧光

R606 – 李秋月

R2567 – 鄧永耀

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| Mr Li Yiu Ban | - Representer and Representer's<br>representatives |
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R9 – 沙頭村村代表蔡明忠

R159 – Mr Choi Ming Chung

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| Mr Choi Ming Chung | - Representer |
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R10 – 洲頭村村代表袁小英

R195 – Ms Yuen Siu Ying

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| Ms Yuen Siu Ying | - Representer |
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R11 – 奶頭村村代表袁照昌

R465 – 袁敏恆

R484 – 蔡先

R479 – 袁照昌

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| Mr Yuen Chiu Cheong | - Representer and Representer's<br>representatives |
|---------------------|--|

R12 – 大塘村村代表鄧聖洪

R123 – 鄧慧敏

R124 – 鄧慧珠

R125 – 鄧福全

R126 – 鄧福興

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R658 – 鄧啟來

R680 – 鄧賜富

R689 – 鄧聖基

R2560 – 鄧才

Mr Derek Tang Fuk Chuen

- Representer and Representers' representative

R13 – 洲尾村村代表李雲開

R2447 – Mr Lee Wan Hoi

Mr Lee Wan Hoi

- Representer and Representer's representative

R14 – 巫家誌

R21 – 巫錦坪

R22 – 巫錦宜

R24 – 巫鎮泉

Mr Mo Kar Chi Erwin

- Representer and Representers' representative

R20 – 巫梅雪

R23 – 巫錦昌

Mr Mo Shu Loi

- Representer's representative

R27 – 李遠堂

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| Mr Lee Yuen Tong | - Representer                  |
| Mr Lee Chiu Chai | - Representer's representative |

R198 – 陳俊宇

R659 – 黃曉雯

R1547 – 巫家雄

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| Mr Mo Ka Hung | - Representer and Representers' representative |
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R394 – 黎東喜

R406 – 黎東榮

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| Mr Lai Tung Wing | - Representer and Representers' representative |
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R1946 – 洲尾關帝會

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| Mr Yan Po Keung | ] Representer's representatives |
| Ms Yan Lai Har  | ]                               |

52. The Chairperson extended a welcome to the Government representatives, representers and their representatives. He then invited the representers and their representatives to give their oral submissions.

R13 – 洲尾村村代表李雲開

R2447 – Mr Lee Wan Hoi

53. Mr Lee Wan Hoi made the following main points:

- (a) at its peak during the 1950s, Ping Chau had a population of about 2,000 to 3,000, and each village on the island had some 40 to 50 stone houses. Over the years, people were driven out of Ping Chau by the poor living conditions as the island lacked basic facilities like water and electricity supplies, and the only

means of living were fishing and farming. His family also moved out of the island for a better life and his schooling when he was 13;

- (b) Ping Chau was subsequently designated as a Country Park by the Government in 1979. The then village representatives were not knowledgeable, and so did not object to the designation. The Government talked about conservation of Ping Chau, but invested nothing in the provision of facilities for the Country Park over the years. It was the villagers of Ping Chau who conserved the island on a daily basis, while visitors to the Country Park left garbage behind to damage the environment; and
- (c) it was time for the Government to help the villagers to improve the living environment. The villagers were only asking for basic provisions like water, electricity and telecommunication to facilitate revitalization of their old stone houses. The Government had the responsibility to help in this regard.

R14 – 巫家誌

R21 – 巫錦坪

R22 – 巫錦宜

R24 – 巫鎮泉

54. With the aid of a PowerPoint presentation, Mr Mo Kar Chi Erwin made the following main points:

- (a) he lived on the island over the past 3 years to repair his father's house. There were only 2 scheduled ferry services to/from Ping Chau during the weekend, and villagers were unable to commute in/out of the island on weekdays. When the northerly wind was blowing, ferry service could not be operated;
- (b) due to the Marine Park designation, there was no typhoon shelter off Ping Chau, and hence, Ping Chau villagers had to tow their ships/boats ashore and secure them on the beaches during windy weather. Now that the beaches were zoned “CPA”, villagers were concerned that they could no longer do so like in the past;

- (c) Ping Chau lacked basic infrastructures, including water, electricity and sewerage facilities. There were only 3 public toilets on the island, but 2 of them were of aqua privy type, while the remaining flushing toilet was insufficient to meet the demand. Visitors to the Country Park had to borrow the villagers' toilets. Sewerage provision was badly needed on Ping Chau to address the poor hygiene conditions; and
- (d) most Ping Chau villagers didn't want to leave the island because they enjoyed the environment. Also, they were not against the green group's views since both parties were concerned about the protection and preservation of the area, which would provide a better living environment.

R198 – 陳俊宇

R659 – 黃曉雯

R1547 – 巫家雄

55. Mr Mo Ka Hung made the following main points:

- (a) he was a member of Heung Yee Kuk (HYK). At Ping Chau villagers' request, the draft OZP was discussed at a meeting between HYK, DPO/STN and the villagers on 6.3.2017. HYK generally agreed to the representations of R7, R8 and R13 at the meeting. The lack of provision of water, electricity and sewerage facilities to Ping Chau were also discussed at the meeting;
- (b) HYK wrote to the Board on 8.3.2017 requesting it to withhold the gazetting of the draft OZP pending the new Administration's formulation of a revised policy on rural matters. HYK was disappointed that the request was not agreed by the Board. However, the CE had recently announced in her Policy Address the establishment of a Countryside Conservation Office (CCO) to co-ordinate conservation projects that promote sustainable development of remote countryside, and had earmarked \$1 billion for such conservation effort and revitalisation works. HYK welcomed the new policy initiative, and expected the Board to plan the rural land with a people-oriented approach like that adopted in the United Kingdom;

- (c) HYK was concerned about the insufficient and fragmented provision of “V” zone on the OZP, with conservation zones adjoining village houses, fearing that it would affect the harmonious traditional social interaction among villagers; and
- (d) HYK would liaise with the future CCO to incorporate the provision of water, electricity and a communal sewerage system into the planning for Ping Chau, so that Ping Chau villagers could live on the beautiful island. HYK requested the Board to shelve the consideration of representations to the draft OZP pending action by the CCO on infrastructural facilities provision for Ping Chau.

R394 – 黎東喜

R406 – 黎東榮

56. Mr Lai Tung Wing made the following main points:

- (a) responding to the representations by a green group and KFBG, red tides were largely a natural phenomenon rather than created by villagers, and since the sedimentary rock stacks were far away from the villages, they would not be polluted by discharges from the villages; and
- (b) villagers' daily activities were mainly carried out along the east coast, and so he had no objection to the planning for the west coast and the mountain area of Ping Chau. However, the stringent planning control for the beaches on the east coast would be a nuisance, causing inconvenience to villagers.

R11 – 奶頭村村代表袁照昌

R465 – 袁敏恆

R484 – 蔡先

R479 – 袁照昌

57. Mr Yuen Chiu Cheong made the following main points:

- (a) Nai Tau Village was entirely designated as Country Park in 1979 at the time when the village representative had passed away. He had later written to the

Sai Kung North Rural Committee and HYK for assistance to excise Nai Tau Village from the Country Park;

- (b) he accused the Government of imposing more and more controls to Ping Chau, first by designating most of the area as Country Park, then the waters around the island as Marine Park, and recently the wider area as a Geopark, whereas green groups considered the OZP a step backwards in conservation. The designation of the 3 parks had attracted many visitors to Ping Chau but restricted the Ping Chau villagers' livelihood. Conservation should not affect the villagers' rights. Back in the 1950s, there was no Government intervention on Ping Chau and villagers enjoyed a lot of freedom. Now, they couldn't even fish with nets near the island;
- (c) to his knowledge, the stone houses in Ping Chau were very unique and were only found in 2 locations in the World. Quoting Lijiang (麗江) and a village in southern Germany as examples, he considered that stone houses in Ping Chau could be revitalized through repair, modernization of their interior, and proper management while maintaining their outlook; and
- (d) Ping Chau lacked provision of basic infrastructure like water and electricity. Sanitary conditions of the public toilets were very poor, and due to private land ownership, many broken tracks were only partially repaired. The Government should invest into infrastructural facilities to serve both the villagers' basic needs and to attract tourists to achieve a win-win situation.

R7 – 西貢北約鄉事委員會李耀斌

R603 – 鄧光

R606 – 李秋月

R2567 – 鄧永耀

58. Mr Li Yiu Ban made the following main points:

- (a) there were over 300 houses/ruins in Ping Chau, and if the villagers had really been keen in selling houses for profit, they could have simply renovated/re-built the houses/ruins, which was always permitted under the OZP.

In other words, he could not agree with a suggestion made by a green group in its oral submission that the villagers might devote time and money **to build** 8,000 new Small Houses for sale;

- (b) conservation and villagers' needs were not as opposite to each other as it seemed. He saw conservation as a means to achieve sustainable development, and the villagers and green groups shared this common goal;
- (c) Ping Chau villagers were only requesting provision of basic infrastructure and respect of the rights that a citizen deserved e.g. transportation, water and electricity supplies, etc. Back in the 1960s when fishing and farming were permitted and there was a rural school on the island, there was little need for Ping Chau villagers to commute to the urban areas, and weekly ferry service was sufficient. Now that the society had changed substantially, it was no longer possible for any person to live on the island on a long-term basis. It was ironic that whilst the Hong Kong 2030+ Study strived to plan Hong Kong as a livable city, Ping Chau and most other remote villages were unlivable. The society should help improve Ping Chau villagers' living conditions;
- (d) the CE had recently announced in her Policy Address the establishment of a CCO. He opined that countryside conservation should also include conservation of the rural culture and way of living. It was meaningless to conserve the environment without regard to people; and
- (e) citing railway development and a giant (500m diameter) telescope development inside a geopark in the Guizhou (貴州) province as examples, he emphasized the importance of balancing development and conservation to benefit the people. He appealed to green groups' re-consideration of their future direction of conservation so as to achieve a win-win situation with villagers. He also appealed to an increase in Government investment in local facilities that would benefit villagers in order to solicit their support for conservation. He said that Hong Kong could also consider resettlement for villagers affected by Country Park/Marine Park/Geopark designation.

59. As the presentations from the presenters and their representatives were completed, the Chairperson invited questions from Members. The Chairperson explained that Members would raise questions and invite the presenters/their representatives and/or the government's representatives to answer. The question-and-answer session should not be taken as an occasion for the attendees to direct questions to the Board, or for cross-examination between parties. The Chairperson then invited questions from Members.

*“CPA” and “SSSI” Zonings of Ping Chau*

60. The Chairperson, Vice-chairperson and some Members raised the following questions on the “CPA” and “SSSI” zonings of Ping Chau:

- (a) the rationale of designating the east coast of Ping Chau as “CPA” on the OZP noting that the area formed part of the SSSI designation in 1979;
- (b) the criteria for the Ping Chau SSSI designation, specifically whether it was geological features or landform or a combination of both that the SSSI designation was based upon;
- (c) the protection mechanism under the “CPA” and “SSSI” zonings, particularly whether agricultural activities would be compatible with the “CPA” zone given that “Agricultural Use (other than Plant Nursery)” and “On-Farm Domestic Structure” were always permitted in “CPA” zone;
- (d) activities/developments that Ping Chau villagers would like to carry out within the “CPA” zone but not permitted under the zoning;
- (e) from the green groups' perspective, the risks/concerns involved by putting the east coast of Ping Chau under the “CPA” zoning instead of the “SSSI” zoning given that both zonings were intended to conserve and protect the natural environment; and
- (f) noting the planning intention of the “SSSI” zone was to deter human activities in the SSSI, what specific measures were there to achieve this planning intention.

61. In response, Ms Jessica H.F. Chu made the following main points:

- (a) the SSSI designation in 1979 was for the whole Ping Chau Island for its spectacular rock formations and geological features. It was an administrative measure without any statutory protection;
- (b) in light of the latest geological information provided by the Civil Engineering Development Department (CEDD), AFCD advised that it had reviewed the SSSI designation for Ping Chau, and considered it worthwhile to maintain the SSSI designation for the west coast of Ping Chau, but not the east coast. AFCD had consulted green groups, including KFBG (R3), in its review of the SSSI designation for Ping Chau. Notwithstanding that, PlanD considered it prudent to protect the coastal features along the east coast of Ping Chau, and hence proposed a “CPA” zoning. It should be emphasized that both “SSSI” and “CPA” were conservation zonings serving different planning intentions. In this regard, the Association for Geoconservation, Hong Kong expressed support for the zoning on the OZP;
- (c) the majority of the land in the “CPA” zone of Ping Chau was government land and there were only several private agricultural lots. Although “Agricultural Use (other than Plant Nursery)” and “On-Farm Domestic Structure” were always permitted in the “CPA” zone, diversion of streams, filling of land/pond or excavation of land in the “CPA” zone, including that to effect agricultural use or on-farm domestic structure development, required planning permission. It was noted that the 4 agricultural lots under private ownership were not currently being put into agricultural use;
- (d) normal beach activities within the “CPA” zone, including towing of boats up and down beaches for berthing did not constitute a use/development under the Ordinance. Any landuse that existed within the “CPA” zone before the gazetting of the draft Ping Chau Development Permission Area Plan in 2014 would also be regarded as an “Existing Use” tolerated under the Ordinance; and

- (e) unlike the “SSSI” zoning which had no provision for redevelopment of house, redevelopment of house in the “CPA” zone could be permitted on application to the Board. According to the record, there was no house within the “CPA” zone.

62. In response, Ms Ngar Yuen Ngor and Dr Leung Ngo Hei June, representatives of AFCD, made the following main points:

- (a) AFCD had reviewed the SSSI designation for Ping Chau in 2016. According to the professional advice tendered by CEDD, the entire island was of sedimentary rock landform. Due to crustal movements, the sedimentary rocks were elevated and inclining gently from the west to the east. The western side of the island experienced more uplift, and exposed the cliffs and the cherty layer which were very prominent geological features and of very high geological values;
- (b) there were many geological features along the west coast of Ping Chau e.g. Cham Keng Chau (a sea stack), Lung Lok Shui (an outcrop of the cherty layer), Lan Kwo Shui (a continuous sea cliff) and Kang Lau Shek (2 sea stacks and the extensive wave-cut platforms) which were accessible by and attractive to visitors;
- (c) the east coast of Ping Chau comprised mainly sandy/rocky beaches with isolated occurrence of sedimentary rocks dipping into the sea, and overall, there were fewer geological features for visitors to appreciate. The cherty layer was not visible along the east coast as it was under the sea. Accordingly, AFCD decided to retain the SSSI designation for the west coast of Ping Chau, but not that for the east coast;
- (d) the SSSI designation for the west coast of Ping Chau was therefore based upon both considerations on individual geological features and the overall landform; and
- (e) it was not practical to completely prohibit entry to SSSI noting the overlapping between the Country Park and SSSI, and “no entry” sign would not be erected.

For fragile SSSI features, AFCD would discourage visitors from entering the area through path diversion and dense planting.

63. Mr Nip Hin Ming Tony, R4, remarked that the sedimentary rock geological landform (e.g. the pebble beach at A Ma Wan) was a crucial part contributing to the SSSI designation for Ping Chau because its occurrence was rare in Hong Kong. That was reflected on AFCD's information boards around Ping Chau, in AFCD's publication and in the 1979 SSSI designation document. He emphasized that the 1979 SSSI designation was based on overall geological considerations without mentioning the geological significance of specific rock type. He added that accessibility should also be an important consideration in SSSI designation. Whilst geological features of the west coast of Ping Chau were prominent, they were difficult to access. On the other hand, the east coast of Ping Chau was easily accessible, and hence of higher educational significance and worth the SSSI designation. In the past, PlanD would follow the boundary of designated SSSI in preparing the zoning on the OZP. He was upset that the east coast of Ping Chau was not given a "SSSI" zoning this time. He was worried that the protection to the SSSI through the statutory planning system would be compromised by the Ping Chau OZP where part of an SSSI so designated by AFCD in the past was downzoned to "CPA".

64. Dr Chiu Sein Tuck, representative of R3, supplemented that the criteria for SSSI designation were the same in the past and at present – basically, one would look at the landform including its nature, its representativeness, its rarity and distribution. Exposure of sedimentary rocks could only be seen in Ping Chau. The rocky beaches on the east coast of Ping Chau were small but typical. The east coast of Ping Chau was also easily accessible for research and educational purposes. Hence, the entire Ping Chau was geologically important and the SSSI designation should be for the island as a whole, not only its west coast.

65. Mr Lau Shiu Keung Tobi, representative of R2, said that the "SSSI" zoning would ensure, through the planning application system, that agricultural use along the east coast of Ping Chau would not have any adverse marine impacts.

66. Mr Mo Kar Chi Erwin, R14, advised that villagers would have no objection to the "CPA" zoning if berthing of boats on beaches were permitted.

67. Mr Li Yiu Ban, R7, advised that Country Park and SSSI designations were alternative forms of statutory/administrative controls before the Ordinance was extended to the rural New

Territories in 1991. Now that the function of SSSI designation had largely been replaced by statutory planning control, the current “SSSI” and “CPA” zonings in Ping Chau represented merely a revisit of the current needs, rather than an upgrade or downgrade.

*Country Park, Marine Park and Geopark*

68. Some Members had the following questions:

- (a) the difference between Country Park, Marine Park and Geopark in conservation, and the role of Ping Chau in the Country Park, the Marine Park and the Geopark designations; and
- (b) the standards for provision of public facilities in Country Parks, if any.

69. In response, Ms Ngar Yuen Ngor, representative of AFCD, made the following main points:

- (a) Country Park, Marine Park and Geopark were all about conservation but aimed at different targets – Country Park to protect the terrestrial environment, Marine Park to protect the marine environment and Geopark to conserve a wider area with a wider scope involving conservation of geological features, geo-science popularization and improvement of the living quality of locals. Such designations were major commitments of the Government in nature conservation, recreation, education and tourism;
- (b) the Hong Kong UNESCO Global Geopark was divided into 2 regions – Northeast New Territories Sedimentary Rock Region and the Sai Kung Volcanic Rock Region. The designation encouraged not only the conservation of geological landform and features, but an enhancement of the quality of living of the locals through geological conservation. Ping Chau was an integral part of the sedimentary rock region but not the only place where sedimentary rocks could be seen, though it was relatively easily accessible. Different types of sedimentary rocks could be seen in other parts of the sedimentary rock region. Ap Chau, for example, had a type of sedimentary rocks formed by rivers where pebbles were embedded in sandstone;

- (c) she said that basic infrastructures and recreational facilities like walking trails, toilets, pavilions, lookout points, and picnic sites would be provided according to the individual circumstances/characteristics of the Country Park, and there was no fixed standard per unit area for provision of public facilities. In the case of Ping Chau, the walking trail was intended to encourage visitors to appreciate the beautiful scenery and enhance their knowledge about geology, plants and culture etc., and therefore more information boards were provided. The basic principle of provision of public facilities was to encourage the public to enjoy the parks without damaging its environment; and
- (d) facilities provided by AFCD were intended to serve visitors to the Country Park. Facilities serving the villagers of Ping Chau (e.g. water tanks, tracks connecting villages and solar-powered street lamps etc.) were looked after by the Home Affairs Department (HAD).

*Provision of Facilities to Ping Chau*

70. The Chairperson and some Members raised the following questions on the provision of facilities for Ping Chau:

- (a) the department(s) responsible for the provision of facilities to the villagers, if any;
- (b) when the existing pier was built, and whether access to Ping Chau required any permit; and
- (c) current population and number of visitors in Ping Chau on weekly and annual cycles, and the villagers' means of living and living conditions.

71. In response, Ms Jessica H.F. Chu made the following main points:

- (a) the Water Supplies Department (WSD) was providing 99.9% of the Hong Kong population with treated water supply network. For remote villages with sparse population, they had access to systems that supply stream or well water for domestic consumption, most of which were under the maintenance of the HAD. The Food and Environmental Hygiene Department (FEHD) also

regularly monitored and tested the stream or well water quality of these villages to ascertain their suitability for potable consumption. There were at present 18 villages without communal treated water supply from WSD. The per capita capital cost for the construction of treated water supply systems for these villages was very high. Moreover, low water consumption might lead to stagnant water in water mains and hence resulting in the deterioration of water quality. WSD would continue to monitor and review the water supply situation of these remote villages;

- (b) desalination of sea water and solar power generation were under planning as an option to improve the living quality of Ping Chau;
- (c) the walking trail in Ping Chau was mainly maintained by AFCD and HAD. Since public works co-ordinated or implemented by the Government such as repair of footpaths due to damages caused by the recent typhoon was always permitted according to the covering Notes of the OZP, future provision of basic facilities to Ping Chau would not be impeded by the OZP;
- (d) the pier was built before 1979 to serve the early settlements. Now, the pier also served visitors to the Country Park, Marine Park and geopark. Access to Ping Chau did not require any permit; and
- (e) the general planning intention of the Ping Chau OZP was to conserve areas of high geological, conservation and landscape value but a balance between conservation and villagers' needs had been struck. It provided certainty to villagers as to which areas were suitable for Small House development and which areas were not. Future provision of public facilities by the Government could also be centralized to maximize the cost-effectiveness. There was flexibility in the planning system to allow planning applications for say, Small House developments in the "GB" zone. This was the first OZP for Ping Chau, which would be amended in future when the need arose or when there were new revitalization policy initiatives.

72. Mr Lee Wan Hoi, R13, said that the walking trail on Ping Chau was a mud track with broken handrails. As the trail led to the highest point of the mountain on Ping Chau, this could be

dangerous for visitors. There was also no toilet, no lookout point, no pavilion, no emergency phone along the trail.

73. Mr Li Yiu Ban, R7, advised that the pier was one of a series of piers built by the Government in the 50s for remote villages. There were ferry services to Tai Po Kau.

74. In response, Mr Mo Kar Chi Erwin, R14, made the following main points:

- (a) due to the poor living conditions, there were less than 10 villagers living in Ping Chau on weekdays, but rising to 80-100 villagers and about 300 campers on normal weekends. On festive days like the last Mid-Autumn Festival, the beaches were completely filled with tents and campers;
- (b) Ping Chau residents operated stores in the villages and sold food and beverages to campers for a living;
- (c) Ping Chau had no electricity supply and villagers relied on power generators, which needed to be shut down for cooling after 2-3 hours' operation; and
- (d) Ping Chau had no water supply and villagers drank stream/well water which was not good for health if consumed for a long period of time.

75. Ms Yuen Siu Ying, R10, supplemented that most visitors (about 80%) were mainlanders who just threw garbage along the walking trail and on the beaches where they camped. There was no garbage bin along the Ping Chau walking trail. She appealed to AFCD, HAD and FEHD to regularly clean the garbage on the island.

#### *Sewage Discharge and Water Pollution*

76. Two Members raised the following questions:

- (a) noting that there were thousands of people living in Ping Chau in the past, how sewage was discharged in the past;
- (b) whether there was any information on water pollution arising from sewage discharge; and

- (c) whether there was any mechanism under the Marine Park framework to deal with water pollution arising from activities on land.

77. In response, Mr Li Yiu Ban, R7, made the following main points:

- (a) Ping Chau did not have any pollution problem in the past as there were farming activities, and human wastes were important fertilizers and would be stored rather than discharged into the sea;
- (b) human wastes occasionally washed down to the sea by rain would also become food for some marine life; and
- (c) now that there was no farming activity in Ping Chau, the very good ecological balance no longer existed and sewage required treatment. According to EPD's advice, septic tanks were sufficient in treating sewage in Ping Chau to meet the current water pollution control standards.

78. In response, Ms Jessica H.F. Chu said that Marine Parks were governed by the Marine Parks Ordinance and discharges into water control zones were governed by the Water Pollution Control Ordinance.

79. Dr Chiu Sein Tuck, representative of R3, supplemented that the Marine Parks Ordinance had no control on activities above the high water mark. Like most other Ordinances, law enforcement under the Marine Parks Ordinance required the offender being caught red handed.

#### *Designation of "V" Zones*

80. In response to the Chairperson's enquiry, Ms Jessica H.F. Chu shown the location of individual building lots not included in "V" zones on a powerpoint slide. She emphasized that the plan had a small scale of 1:5,000 and the "V" zones were drawn up around the sizable clusters of private building lots. Unless otherwise specified, the rebuilding of a New Territories Exempted House (NTEH) or replacement of an existing domestic building by a NTEH were in general always permitted in the "GB" zone according to the covering Notes of the OZP, and proposed house development on a building lot in the "GB" zone could also be considered on application to the Board. She remarked that the "GB" zones were currently covered by vegetation,

and the planning intention was to preserve them, while providing an avenue for landowners of those building lots to apply for house development.

*House under Construction*

81. The Chairperson enquired about the location and details of a house under construction shown in R3's photos during presentation. Mr Nip Hin Ming Tony supplemented that it was located at Tai Tong Wan near the church. Scaffolding was erected, but he had no idea what was going on.

82. Mr Mo Kar Chi Erwin clarified that the lot (Lot No. 2448 S.B) belonged to him. He was repairing his father's house thereon but part of it suddenly collapsed, and so he had to erect scaffolding around it for protection. Ms Jessica H.F. Chu advised that the site fell within the "V" zone where development of "House (New Territories Exempted House only)" was always permitted.

*Others*

83. A Member noted from the representations that there were asbestos roof tiles in a water storage facility in Ping Chau and would like to know how such substance would be treated. Ms Jessica H.F. Chu responded that she had no information on this aspect, but would refer the matter, if any, to the relevant department for follow-up action.

84. In response to a Member's enquiry about the location of the unofficial camp sites, Mr Mo Kar Chi Erwin, R14, advised that due to the presence of snakes and graves, and the poor sanitary conditions of the dry toilet, the official camp site was seldom used by campers. Most campers would set up tents at Cheung Sha Wan and Tai Tong Wan.

85. As Members had no further question to raise, the Chairperson said that the hearing procedures had been completed. The Board would deliberate on the representations in the absence of the representers and would inform them of the Board's decision in due course. The Chairperson thanked the representers, their representatives, and PlanD's and AFCD's representatives for attending the hearing. They all left the meeting at this point.

[Mr. Stanley C.F. Lau joined the meeting and Mr Stephen Liu left the meeting during the question-and-answer session. Mr. Philip S.L. Kan and Dr. F.C. Chan left the meeting after the question-and-answer session.]

[The meeting was adjourned for a 5-minute break.]

### Deliberation Session

86. The Chairperson noted with appreciation the rational presentations made by the villagers and the green groups. She suggested and Members agreed to focus the discussion on several main issues.

#### *“CPA” Zoning for the East Coast of Ping Chau*

87. Members generally agreed to retain the “CPA” zoning for the east coast of Ping Chau on the following considerations:

- (a) there was a need to balance between conservation and the actual situation. There were historical village settlements in Ping Chau and the east coast was more accessible with a pier;
- (b) as far as nature conservation was concerned, there was no other authoritative and contrary evidence to doubt AFCD’s expert advice. It was noted that the whole island, rather than specific areas, was placed under the SSSI designation in 1979. It was appropriate for AFCD to review, after some 30 years, whether every part of Ping Chau was indeed of special scientific interests and worthy of the highest standard of protection;
- (c) both “SSSI” and “CPA” were conservation zonings. The major difference between the two were the respective planning intentions – while “SSSI” aimed at deterring human activities to protect certain fragile species/features, “CPA” aimed at conservation of the coastline with the flexibility of allowing minimal development with overriding public interests. Since there were and would continue to be human activities not of a development nature along the east coast of Ping Chau and there was no intention to deter those human activities in that area, the “CPA” zoning was considered more suitable; and

- (d) it was noted that there were only isolated occurrence of interesting geological features along the east coast of Ping Chau. It would not be appropriate to designate the entire strip of coastline as an “SSSI” zone. It would also not be pragmatic to designate isolated “SSSI” zones surrounded by a “CPA” zone.

*“V” Zones*

88. Members generally agreed not to amend the “V” zones to meet the representations on the following considerations:

- (a) there was land within the “V” zone of Tai Tong for new Small House developments, and the “V” zone was intended for orderly development of Small Houses;
- (b) it would be very fragmented to rezone the isolated private building lots within the “GB” zone to “V”. In any case, unless otherwise specified, rebuilding of New Territories Exempted House or replacement of an existing domestic building by New Territories Exempted House was always permitted under the covering Notes of the OZP; and
- (c) new Small House developments within the “GB” zone could be considered on application to the Board.

*Provision of Facilities for Ping Chau*

89. Members were generally sympathetic with Ping Chau villagers on the lack of basic infrastructures to support respectable living conditions on the island. Some Members considered that with the provision of basic infrastructures, the villagers could take action on good keeping and protection of the environment, which might in turn encourage eco-tourism in the island. Some Members considered that while providing basic infrastructures, the Government should strike the right balance so as not to attract unwanted developments into Ping Chau which could threaten the current situation of the Country Park, Marine Park and Geopark, as well as upset the environmental carrying capacity of Ping Chau.

90. The Chairperson suggested and Member agreed to relay to HAD for consideration what they regarded as humble requests of the Ping Chau villagers for provision of basic infrastructural facilities, including water and electricity supplies, communal sewage treatment, and enhancement in accesses, etc.. Mr Martin W.C. Kwan, CE(W), HAD, mentioned that HAD

would carry out the maintenance of access road in Ping Chau soon. Although the provision of other basic infrastructures might be outside HAD's works purview, the Chairperson considered that HAD might co-ordinate with concerned departments on addressing the villagers' needs. The Meeting also agreed to convey Members' views to the soon-to-be established CCO for consideration of improving the living conditions in Ping Chau as appropriate.

#### *Others*

91. On a general note, a Member suggested that in due course the Planning Department might wish to review the arrangement of allowing "Tent Camping Ground" in Column 2 of a "SSSI" zone given that the planning intention of that zoning was to deter human activities. Another Member suggested to consider reviewing the general planning intention of a "SSSI" zone, rather than amending the Notes to remove certain uses, bearing in mind that there were many types of SSSIs, some very fragile, others not.

92. Mr Raymond K.W. Lee, Director of Planning, advised that Column 2 of the Notes of the "SSSI" zone aimed at allowing flexibility to introduce specific type of facilities/uses to match the characteristics of individual SSSIs.

#### *Conclusion*

93. After deliberation, the Board noted the supportive views of **R5 (part)** on the draft Outline Zoning Plan (OZP), and **R1 (part)** and **R6 (part)** on designation of the "Site of Special Scientific Interest" ("SSSI") zone and **R6 (part)** on designation of the "Coastal Protection Area" ("CPA") zone.

94. The Board also decided not to uphold R2 to R4, R7 to R2626 and the remaining part of R1, R5 and R6 and considered that no amendment should be made to the draft OZP to meet these representations for the considerations set out above (relevant paragraphs under "Deliberation Session" ) and further elaborated below :

***Ecological Importance of the Planning Scheme Area (R1 to R4), the Draft OZP (R7 and R9 to R2624) and Designation of Conservation Zones (R1 to R4, R6 and R8 to R2625)***

(a) conservation zones, including "SSSI", "CPA" and "Green Belt" ("GB") under which there was a general presumption against development, had been

designated to cover areas having high conservation, landscape and geological value to protect the natural environment of the Planning Scheme Area (the Area) and the ecologically linked Plover Cove (Extension) Country Park under the statutory planning framework. They were considered appropriate in protecting the natural environment of the Area;

- (b) given that the Area was a Country Park enclave in the Ping Chau Island with various conservation designations, the draft OZP and its general planning intention had already strived to strike a balance between nature conservation and rights/needs of the villagers;
- (c) the private land in the “CPA” and “GB” zones was primarily demised for agricultural purpose under the Block Government Lease and ‘Agricultural Use (other than Plant Nursery)’ and ‘Agricultural Use’ were in general always permitted in these two zones respectively on the draft OZP. There were provisions to allow for Small House development in the “GB” zone and redevelopment in the “CPA” zone on application to the Board;
- (d) the objective of the draft OZP was to indicate the broad land-use zonings for the Area so that development and redevelopment therein could be put under statutory planning control. The planning control of the covering Notes of the draft OZP was in line with the planning intention of the conservation zones while providing flexibility for temporary uses (**R8, R2622 and R2623**);

***Designation of “Village Type Development” (“V”) Zones (R1 to R2623 and R2626)***

- (e) the “V” zones had been designated at suitable locations to meet Small House demand of indigenous villagers in the Area. The boundaries of the “V” zones had been drawn up having regard to the village ‘environs’, Small House demand, settlement pattern, local topography, areas of ecological importance as well as other site-specific characteristics. There were provisions to allow for application to the Board for development or redevelopment of Small House outside the “V” zone under the OZP;
- (f) there was sufficient control in the current administrative and statutory systems to ensure that individual Small House development and ‘Eating Place’ within

the “V” zones would not entail unacceptable impacts on the surrounding environment;

***No Designation of “Agriculture” (“AGR”) Zone (R8 to R10, R12 to R2621)***

(g) ‘Agricultural Use’ and ‘Agricultural Use (other than Plant Nursery)’ were in general always permitted in the “V”/“GB” and “CPA” zones respectively, covering about 89% of the Area on the draft OZP. As such, farming activities would not be affected despite no designation of “AGR” zone;

***Designation of “Government, Institution or Community” (“G/IC”) or “Other Specified Uses” (“OU”) Zones and Provision of Infrastructural Facilities (R5, R6, R8 to R2623 and R2626)***

(h) according to the covering Notes of the draft OZP, public works coordinated or implemented by the Government were in general always permitted on land falling within the boundaries of the OZP. There were provisions to allow for ‘Public Utility Installation’ (which was always permitted in the “G/IC” zone) and ‘Utility Installation for Private Project’ uses in all zones on the draft OZP on application to the Board;

***Other Aspects of the Draft OZP (R8 to R2621 and R2626)***

(i) the Notes for “V”, “G/IC”, “OU” and “GB” zones had allowed flexibility for planning application for certain recreational and tourism related facilities;

(j) the existing graves would not be affected by the draft OZP and there were also provisions to allow for application for ‘Burial Ground’ in “V” and “GB” zones. There was no strong justification to designate ‘Burial Ground’ as an always permitted use in the Area;

***Basic Law and Other Statutes (R8 to R2621)***

(k) the draft OZP would not affect any landowner’s right to transfer or assign his/her interest in land, nor would it leave the land concerned without any meaningful use or economically viable use. Insofar as the zoning restrictions pursue the legitimate aim of conserving the existing areas of high landscape, scenic and geological values and the land concerned could be put to “always permitted uses” and uses that might be permitted with or without conditions on

application to the Board, it was not inconsistent with the protection of property rights under the Basic Law;

- (l) the draft OZP was not inconsistent with Articles 29, 36, 39 and 40 of the Basic Law and the zoning of land in question by the draft OZP was not a violation of Article 120 of the Basic Law;

***Local Consultation (R7 to R2621)***

- (m) the Board had considered the views of villagers and other stakeholders in formulating the draft OZP and would take into account the relevant planning considerations and the representations received in respect of the draft OZP before making a decision; and

***Village Houses in the Country Park (R8 to R13)***

- (n) the village houses and facilities near Chau Mei, in Tsau Uk and Ping Chau Nai Tau Village fell outside the boundary of the draft OZP and within the Plover Cove(Extension) Country Park, where all uses and developments required consent from the Country and Marine Parks Authority. To avoid duplication of statutory authority, the draft OZP only covered the area outside the Country Park.

**Agenda Item 9**

[Open Meeting]

**Any Other Business**

[The item was conducted in Cantonese.]

95. There being no other business, the meeting was closed at 6:40 p.m.