

CONFIDENTIAL

(Downgraded on 15.10.2010)

**Minutes of 426th Meeting of the
Rural and New Town Planning Committee held on 24.9.2010**

Sai Kung and Islands District

Agenda Item 33

[Closed Meeting]

Consideration of the

Draft Pak Lap Development Permission Area Plan No. DPA/SK-PL/A

(RNTPC Paper No. 11/10)

1. The Secretary reported that Mr. Stephen M.W. Yip and Ms. Anna S.Y. Kwong had declared interest in this item. The Secretary invited Mr. Stephen M.W. Yip and Ms. Anna S.Y. Kwong to inform the Committee whether their interest was direct and pecuniary according to the Town Planning Board (TPB)'s Procedure and Practice. In response, Mr. Stephen M.W. Yip clarified that he was previously the Consultant of the Executive Committee under the Sai Kung Rural Committee (SKRC) but had then resigned from the post three months ago. He also clarified that the house he owned in Sai Kung was not located in Pak Lap. The Committee agreed that Mr. Stephen M.W. Yip could be allowed to stay in the meeting as his role to the SKRC was advisory in nature, he was no longer the Consultant to the SKRC and the subject matter was for the plan making and consideration of the draft Pak Lap Development Permission Area (DPA) Plan, which did not involve any representation or proposal submitted by the SKRC. Ms. Anna S.Y. Kwong informed the Committee that she was the Consultant of a proposal for the development of an international boarding school within the planning scheme area of Pak Lap. As the interest was considered direct according to the TPB's Procedure and Practice, the Committee agreed that Ms. Anna S.Y. Kwong should leave the meeting during the discussion and determination on this item.

[Ms. Anna S.Y. Kwong left the meeting temporarily at this point.]

2. Mr. Wilfred C.H. Cheng, District Planning Officer/Sai Kung and Islands (DPO/SKIs), and Mr. Charles C.F. Yum, Senior Town Planner/Sai Kung and Islands (STP/SKIs), were invited to the meeting at this point.

[Professor Paul K.S. Lam left the meeting at this point.]

3. With the aid of a Powerpoint presentation, Mr. Charles C.F. Yum, STP/SKIs, briefed Members on the details of the draft Pak Lap Development Permission Area (DPA) Plan No. DPA/SK-PL/A as detailed in the Paper and covered the following main points :

Location and Physical Characteristics

(a) Pak Lap area (the Area) (about 6.8 ha.) was located on the southern coast of Sai Kung peninsula, about 9.5 km to the south-east of Sai Kung Town. The Area was completely enclosed by the Sai Kung East Country Park (SKECP) but fell outside the boundary of SKECP. There were mountain ranges to the north, east and west. To the south of the Area was the scenic coastline, including the beach of Pak Lap Wan, which was part of the SKECP. It was rural in character comprising mainly village houses, shrubland, woodland, grassland, fallow agricultural land and streamcourses. There was no vehicular or marine access to the Area and it could only be accessible by a footpath leading from Sai Kung Man Yee Road;

Existing Land Uses

Recognized Village

(b) Pak Lap Village was the only recognized village in the Area. Village houses were two to three-storey in height. Most of them were left vacant or converted to holiday house while some of them were still being used for habitation. The main cluster of village houses was located in the middle part of the Area. According to the District Lands Officer/Sai Kung, Lands Department (DLO/SK, LandsD), the Indigenous Inhabitant Representative had not provided the DLO/SK with any figure regarding the forecast for the 10-year Small House demand for Pak Lap Village. According to the record

available to the DLO/SK, LandsD since 2008, the estimated Small House demand for the Village had been 15 and there were seven outstanding Small House applications in the Area;

Agricultural Land

- (c) the eastern and northern parts of the Area were previously used for agricultural use. Excavation works had been detected in those areas. A pond had also been formed in the northern part of the Area;

Woodland / Shrubland / Grassland

- (d) most of the flora and fauna in the Area were common and widespread species. Though the Area was not exceptional in terms of biodiversity or ecological importance, the wooded areas at the periphery of the Area formed a continuous stretch of well-established vegetation with those located at the adjacent SKECP and were ecologically-linked to the natural habitats therein;

Land Ownership

- (e) the majority of land in the Area (about 56%) was Government land, and the remaining 44% were private land comprising mainly agricultural land and building lots in the middle part of the Area;

Need for Statutory Plan

- (f) to protect the countryside character of the SKECP, DPA plans were prepared for Tai Long Wan and Tai Long Sai Wan in 1997 and 2010 respectively to cover these two country park enclaves. Apart from the area covered by the statutory plans, protection and conservation of the majority of the areas within Sai Kung peninsula which fell within the SKECP were carried out through the Country Parks Ordinance (Cap. 208). Though being remote without vehicular or marine access, the Area had been subject to development pressure in the past few years. The eastern and northern parts of the Area, which were previously used for agricultural activities, had been the subject of excavation works and an artificial pond had also been formed in the northern part. With the subsequent cessation of excavation works, the eastern and northern parts had now been overgrown with grass and shrubs.

Recently, some excavation activities were spotted again in the northern part of the Area. Given the current lack of statutory planning control and the imminent development pressure which might affect the natural and landscape character of the Area, there was an urgency to prepare a DPA plan for the Area. The Plan would provide an interim planning guidance and statutory development control for future development pending the preparation of an Outline Zoning Plan (OZP) within three years upon notification of the draft DPA Plan in the Gazette; and would enable enforcement action to be taken against any unauthorized developments to safeguard the natural and landscape character of the Area;

Land Use Proposals

General Planning Intention

- (g) the general planning intention of the Area was to protect its high landscape value which complemented the overall naturalness and the landscape beauty of the surrounding SKECP;

Unspecified Use

- (h) all the land covered by the Area was designated as 'Unspecified Use' area pending further and additional studies to establish the appropriate uses for the Area. The prime intention was to give statutory protection to the Area subject to further studies. Under this land use designation, apart from the 'Agricultural Use' and some uses which were permitted in the covering Notes of the Plan, all uses and developments would require planning permission from the Town Planning Board (TPB). Besides, if diversion of stream, land filling/ excavation and pond filling were required for the always permitted uses (except the public works implemented and coordinated by the Government), permission from the TPB would also be required. This would help properly regulate and control any development which would pose a threat to the existing topography and natural vegetation;
- (i) the draft DPA Plan for the Area, its Notes and Explanatory Statement (ES) were in the Appendices I, II and III of the Paper; and

Consultation

- (j) the draft DPA Plan together with the Notes and ES had been circulated to the relevant Government bureaux and departments for comments. Comments had been incorporated into the draft DPA Plan, its Notes or ES as appropriate. The Sai Kung District Council (SKDC) and the SKRC had not been consulted due to the confidential nature of the plan. The SKDC and SKRC would be consulted separately on the draft DPA Plan after its publication under section 5 of the Town Planning Ordinance (the Ordinance).

4. In response to a Member's enquiry, the Chairman said that similar to the draft Tai Long Sai Wan DPA Plan, aerial photos would be taken and on-site detailed land use surveys would be carried out on the day when the draft DPA Plan for Pak Lap was published to establish the "existing" land uses of the Area. Unless the artificial pond in the northern part of the Area, which was on private land, was reinstated prior to the date of the publication of the draft DPA Plan, the pond would become an "existing" use on the site. The Town Planning Board (TPB) was not empowered under the Ordinance to require the owner of the site to reinstate the pond to the state before the excavation works. This Member opined, and other Members shared the same view that, similar to the situation of Tai Long Sai Wan, the current excavation works detected within the Area might be considered by the Buildings Department (BD) as unauthorised building works under the Buildings Ordinance (BO), and BD might require the landowner to reinstate the pond on the subject site to their former land use. Members also noted that following the publication of the draft DPA Plan, the pond would become an "existing" use and changing it to other uses needed planning permission from the TPB. Hence, the BD's requirement for reinstating the pond might require the landowner to obtain planning permission from the TPB and the necessary statutory procedures had to be followed. In this regard, the Chairman informed Members that subsequent to the consideration of the draft Tai Long Sai Wan DPA Plan, BD's views on whether enforcement action could be undertaken against the excavation works under the provisions of the BO had been sought. The Chairman also informed Members that the land in Tai Long Sai Wan which were subject to excavation works had gradually been turfed.

[Post-meeting Note: BD's reply dated 31.8.2010 was received by the Secretary, TPB on 6.9.2010. BD informed that their Department had not received any development proposal in

respect of the subject area in Tai Long Sai Wan. According to the site inspection conducted by BD on 22.7.2010, there were signs of removal of vegetation and top soil on both the private agricultural land and the adjoining Government land. However, the excavation works was not associated with any building construction, and as such the excavation works was not subject to the control of the Building Authority and no enforcement action would be taken by BD.]

5. In response to the Chairman's enquiry, Mr. Wilfred C.H. Cheng informed Members that it was intended that the subject DPA Plan would be exhibited for public inspection under section 5 of the Ordinance on 30.9.2010.

6. After further deliberation, the Committee decided to agree that :

- (a) the draft Pak Lap Development Permission Area (DPA) Plan No. DPA/SK-PL/A (to be renumbered to DPA/SK-PL/1 upon exhibition) (Appendix I of the Paper) and its Notes (Appendix II of the Paper) were suitable for exhibition on 30.9.2010 for public inspection under section 5 of the Town Planning Ordinance (the Ordinance);
- (b) the Explanatory Statement (ES) (Appendix III of the Paper) was suitable to serve as an expression of the planning intention and objectives of the Town Planning Board (TPB) for the draft Pak Lap DPA Plan and that the ES would be published together with the DPA Plan and issued under the name of the TPB; and
- (c) briefings on the draft DPA Plan would be conducted for the Sai Kung District Council and the Sai Kung Rural Committee after its publication under section 5 of the Ordinance.

7. The Chairman thanked Mr. Wilfred C.H. Cheng, DPO/SKIs, and Mr. Charles C.F. Yum, STP/SKIs, for their attendance to answer Members' enquires. Messrs. Cheng and Yum left the meeting at this point.

[Ms. Anna S.Y. Kwong returned to join the meeting at this point.]

Sha Tin, Tai Po and North District

Agenda Item 34

[Closed Meeting]

Consideration of the Draft So Lo Pun Development Permission Area Plan No.

DPA/NE-SLP/A

(RNTPC Paper No. 13/10)

8. Mr. W.K. Hui, District Planning Officer/Shan Tin, Tai Po and North (DPO/STN), Ms. Doris S.Y. Ting and Ms. Lisa L.S. Cheng, Senior Town Planners/Shan Tin, Tai Po and North (STPs/STN), were invited to the meeting at this point.

9. With the aid of a Powerpoint presentation, Ms. Doris S.Y. Ting, STP/ STN, briefed Members on the details of the draft So Lo Pun Development Permission Area (DPA) Plan No. DPA/NE-SLP/A as detailed in the Paper and covered the following main points :

Location and Physical Characteristics

- (a) the So Lo Pun area (the Area) (about 27.68 ha) was located in the coastal area of Sha Tau Kok East and was surrounded by the Plover Cove Country Park (PCCP) facing Kat O Hoi, but fell outside the boundary of PCCP. Being renowned for its scenic and unspoiled natural environment, So Lo Pun was also one of the popular hiking attractions in the territory. The Area was largely natural in character with secondary forest, hillside shrubland, abandoned agricultural land, stream, freshwater marsh, and mangrove. It was accessible through the existing footpaths mainly in lower slopes and flatlands or by boats through a jetty at Kat O Hoi connecting to So Lo Pun by a footpath. There was no vehicular access to the Area;

Existing Land Uses

- (b) there were vegetated hillslopes to the north, west and south of the Area. The hillslopes in the northeast fell within the boundary of a permitted burial ground. Flat land in the central part of the Area was mostly occupied by

abandoned agricultural land, while mangroves/marshes were found in the east near the scenic coastline of Kat O Hoi;

Recognized Village

- (c) So Lo Pun was the only recognized village in the Area which was currently largely uninhabited. Village developments were mainly concentrated on the lower hillslopes in the northern part of the Area. However, most of the village houses had become ruins, and a few one to two-storey houses which were in dilapidated condition had been left vacant;

Agricultural Land

- (d) fallow agricultural land covered with grass and shrubs was found mainly in lower slopes along the flat land in the central part of the Area;

Woodland / Shrubland / Grassland

- (e) the southern, western and northern parts of the Area were mainly covered by woodland and shrubland. The wooded areas by the hillside formed a continuous stretch of well established vegetation with those located at the adjacent PCCP and complemented the overall naturalness and landscape beauty of the surrounding PCCP;

Mangrove / Marsh and Streamcourses

- (f) estuarine mangrove / mudflat habitat were found on the seaward side of the Area along the coastline of Kat O Hoi. A freshwater marsh was formed to the southwest of the mangrove as a result of abandonment of former agricultural land. A natural stream ran across the Area in the southwest to the northeast direction. Its downstream part was identified by the Agriculture, Fisheries and Conservation Department as an ecologically important stream;

Land Ownership

- (g) slightly over half of the land in the Area (about 50.72%) was private land comprising mainly agricultural and building lots in the lower slopes and flatlands throughout the whole stretch of the Area, and the remaining 49.28%

was Government land located at the periphery of the Area;

Need for Statutory Plan

- (h) given its remote location and lack of vehicular access, the Area, though not covered by the PCCP nor any statutory town plan, had not been subject to much development pressure or any development activities in the past years. However, excavation and suspected unauthorized tree felling and site formation works had been detected on private lots and the adjoining unleased Government land in 2009, causing adverse impact on the landscape character of the Area. There was an urgent need to better protect the natural and landscape character of the Area so as to avoid further disturbance to the natural environment. Given the current lack of statutory planning control and the imminent development pressure which might affect the natural and landscape character of the Area, there was an urgency to prepare a Development Permission Area (DPA) plan for the Area. The Plan would provide an interim planning guidance and statutory development control for future development pending the preparation of an Outline Zoning Plan (OZP) within three years upon notification of the draft DPA Plan in the Gazette; and would enable enforcement action to be taken against any unauthorized developments to safeguard the natural and landscape character of the Area;

Land Use Proposals

General Planning Intention

- (i) the general planning intention of the Area was to protect its high landscape value which complemented the overall naturalness and the landscape beauty of the surrounding PCCP;

Unspecified Use

- (j) all the land covered by the Area was designated as 'Unspecified Use' area pending further and additional studies to establish the appropriate uses for the Area. The prime intention was to give statutory protection to the Area subject to further studies. Under this land use designation, apart from the 'Agricultural Use' and some uses which were permitted in the covering

Notes of the Plan, all uses and developments would require planning permission from the Town Planning Board (TPB). Besides, if diversion of stream, land filling/ excavation and pond filling were required for the always permitted uses (except the public works implemented and coordinated by the Government), permission from the TPB would also be required. This would help properly regulate and control any development which would pose a threat to the existing topography and natural vegetation;

- (k) the draft DPA Plan for the Area, its Notes and Explanatory Statement (ES) were in the Appendices I, II and III of the Paper; and

Consultation

- (l) the draft DPA Plan together with the Notes and ES had been circulated to the relevant Government bureaux and departments for comments. Comments had been incorporated into the draft DPA Plan, its Notes or ES as appropriate. The North District Council (NDC) and the Sha Tau Kok District Rural Committee (STKDRC) had not been consulted due to the confidential nature of the plan. The NDC and STKDRC would be consulted on the draft DPA Plan after its publication under section 5 of the Town Planning Ordinance (the Ordinance).

10. In response to a Member's enquiry, Ms. Doris S.Y. Ting informed Members that the Area was not within the Closed Area Boundary. In response to the enquiry of another Member, Mr. W.K. Hui referred to Plan 2b of the Paper and pointed out that the incorporation of the village 'environs' ('VE') of So Lo Pun and the area which formed part of the permitted burial ground into the planning scheme boundary of the So Lo Pun DPA Plan would provide a clear planning guidance and more effective statutory development control on these areas. It would enable enforcement action to be taken against any unauthorized developments to safeguard the natural and landscape character of So Lo Pun. The Chairman supplemented that in rural New Territories, it was not uncommon to include areas falling within the 'VE' and the permitted burial ground into the DPA Plan. As the subject draft DPA Plan was prepared in a relatively short time, the whole area within the Plan was designated as 'Unspecified Use' area where planning permission was required for all types of development, including the Small House development by the indigenous villagers and excavation/filling works, unless otherwise

permitted in terms of the Notes attached to the draft DPA Plan. As the land use designation on the DPA Plan would not be as definitive as that for an OZP, PlanD would conduct detailed planning studies at a later stage with a view to preparing an OZP with comprehensive land use zonings.

11. In response to an enquiry of a Member, Mr. W.K. Hui said that according to his understanding, the freshwater marsh to the southwest of the mangrove was a man-made feature. It was created by the local villagers several decades ago by building a dam near the coast to keep off the sea water and retain the fresh water from the nearby streams for fishing and irrigation purposes. Throughout all these years, the freshwater marsh had become part of the natural environment of the Area. In response to an enquiry of another Member, Mr. W.K. Hui said that the excavation/unauthorized tree felling/site formation works were detected in the Area in 2009. Although there was no vehicular access to the Area, it was accessible by boat through a jetty at Kat O Hoi connecting the Area by a footpath. It was expected that the machines for excavation/tree felling/site formation works could have been transported to the Area by water transport via the jetty. In response to an enquiry of another Member, Mr. W.K. Hui said that according to the Ordinance, the DPA Plan would have to be replaced by an OZP within three years after notification of the draft DPA Plan in the Gazette. If necessary, an extension of one additional year for the DPA Plan might be given by the Chief Executive in Council.

12. After further deliberation, the Committee decided to agree that :

- (a) the draft So Lo Pun Development Permission Area (DPA) Plan No. DPA/NE-SLP/A (to be renumbered to DPA/NE-SLP/1 upon exhibition) (Appendix I of the Paper) and its Notes (Appendix II of the Paper) were suitable for exhibition on 30.9.2010 for public inspection under section 5 of the Town Planning Ordinance (the Ordinance);
- (b) the Explanatory Statement (ES) (Appendix III of the Paper) was suitable to serve as an expression of the planning intention and objectives of the Town Planning Board (TPB) for the draft So Lo Pun DPA Plan and that the ES would be published together with the DPA Plan and issued under the name of the TPB; and

- (c) briefings on the draft DPA Plan would be conducted for the North District Council and the Sha Tau Kok District Rural Committee after its publication under section 5 of the Ordinance.

[Mr. Timothy K.W. Ma left the meeting at this point.]

Agenda Item 35

[Closed Meeting]

Consideration of the

Draft Hoi Ha Development Permission Area Plan No. DPA/NE-HH/A

(RNTPC Paper No. 12/10)

13. With the aid of a Powerpoint presentation, Ms. Lisa L.S. Cheng, STP/ STN, briefed Members on the details of the draft Hoi Ha Development Permission Area (DPA) Plan No. DPA/NE-HH/A as detailed in the Paper and covered the following main points :

Location and Physical Characteristics

- (a) Hoi Ha Area (the Area) (about 8.76 ha.) was located at the northern coast of Sai Kung peninsula about 15 km to the northeast of Sai Kung Town. The Area was encircled by the Sai Kung West Country Park (SKWCP) on three sides and fronted onto Hoi Ha Wan off the Tolo Channel. Hoi Ha Wan was a designated Marine Park (MP) as well as a Site of Special Scientific Interest (SSSI). With a scenic setting, the Area was rural in character mainly comprising beaches with coastal vegetation, fallow agricultural land covered with grass, shrubs and trees, woodlands and land occupied by village houses and temporary uses. There was a natural stream running along the western boundary of the Area. Although excluded from the boundary of the SKWCP, the Area in fact formed part of the wider natural system of the Sai Kung Countryside;

Existing Land Uses

- (b) the Area was surrounded by natural vegetated slopes of the SKWCP on three sides and fronted onto the scenic Hoi Ha Wan MP, which had become a popular destination for eco-tourism. The Area could broadly be divided into three portions, namely, the central, eastern and western portions. The central portion comprised a flat area with a cluster of about 29 village houses and fallowed agricultural land overgrown with vegetation lying between the houses and the beaches. This area had been listed as the Hoi Ha Archaeological Site which included lime kilns of archaeological interest. The eastern and western portions comprised mainly slopes covered by dense natural woodland. The area to the west of Hoi Ha Road comprised mainly fallowed agricultural land overgrown with dense grass, shrubs and trees. There was a public toilet and a temporary structure currently used as a recreation centre operated by a religious organization;

Recognized Village

- (c) Hoi Ha was the only recognized village in the Area. The main cluster of village houses could be found in the central portion of the Area. The village houses were one to three-storey in height and were in fair to good condition. There were three existing restaurants/local provision shops which occupied the ground floor of a number of village houses. Shower facilities for their customers were provided at the back of these houses. The Hoi Ha Wan Marine Park Warden Post of the Agriculture, Fisheries and Conservation Department (AFCD) also occupied the ground floor of one of the houses. As advised by the District Lands Officer/Tai Po, Lands Department (DLO/TP, LandsD) there were currently 14 Small House applications, three redevelopment proposals for New Territories Exempted Houses (NTEHs) and three Short Term Tenancy applications in Hoi Ha and the surrounding areas being considered by their Office. The forecast for the 10-year small house demand for Hoi Ha was 85. Currently, DLO/TP, LandsD had no record of unauthorized development in Hoi Ha;

Agricultural Land

- (d) agricultural land was located mainly to the north and west of the Village in the central and western portions of the Area. With the decline of agricultural activities, agricultural land had been left fallow and overgrown with grass and shrubs;

Woodland / Shrubland

- (e) the eastern and western portions of the Area were mainly covered by woodland and shrubland with a character similar to those in the SKWCP. Based on the available ecological baseline information as advised by the AFCD, most of the flora and fauna recorded in the Area and the adjacent SKWCP were common and widespread species. The terrestrial habitats therein were not considered exceptional in terms of biodiversity. Nevertheless, the woodlands at the eastern and western parts of the Area were natural in character and ecologically-linked with wide stretch of vegetation in the SKWCP;

Archaeological Interest

- (f) the Antiquities and Monuments Office (AMO) of the Leisure and Cultural Services Department (LCSD) advised that the Hoi Ha Archaeological Site and Hoi Ha Lime Kiln were located within the Area. Upon publication of a DPA plan, AMO would be consulted on any development proposals which might affect the archaeological site and its immediate environ through the planning application system;

Land Ownership

- (g) the majority of land in the Area (about 76%) was Government land. The remaining 24% was private land comprising mainly agricultural lots and some building lots with NETHs in the central and western parts of the Area;

Transport and Accessibility

- (h) the Area was accessible by vehicle via Hoi Ha Road. However, private vehicles, except those for residents of the Area, were not permitted beyond the Gate of the Sai Kung Country Park Visitor Centre at Tai Mong Tsai Road.

There was a mini-bus route operating between Hoi Ha and Sai Kung Town Pier and a trail along the coast to the east connecting Hoi Ha with the Country Park. Marine access was available via the pier located in Hoi Ha Wan MP along the coast to the northeast of the Area.

Need for Statutory Plan

- (i) In the last few months, there had been great public concerns that the Area was subject to development threats by the private landowners. As the Area was rural in character with a scenic setting, any large-scale and uncontrolled development might affect the natural environ of Hoi Ha and threaten the marine ecology and overall value of the MP and the SSSI. In order to protect the natural environment of Hoi Ha against any unauthorized development, it was necessary to prepare a Development Permission Area (DPA) Plan for the area to ensure proper planning control and enforcement. To put the Area under statutory planning control would provide a mechanism for the Commissioner for Heritage and the AMO to protect the archaeological interest of the Area. The DPA Plan would provide an interim planning guidance and statutory development control for future development pending the preparation of an Outline Zoning Plan (OZP) within three years upon notification of the draft DPA Plan in the Gazette; and would enable enforcement action to be taken against any unauthorized developments to safeguard the natural environment and landscape character of the Area;

Land Use Proposals

General Planning Intention

- (j) the general planning intention of the Area was to protect its high landscape value to complement the overall high scenic quality of the natural landscape beauty of the surrounding SKWCP and Hoi Ha Wan MP;

Unspecified Use

- (k) all the land covered by the Area was designated as 'Unspecified Use' area pending further and additional studies to establish the appropriate uses for the

Area. The prime intention was to give statutory protection to the Area subject to further studies. Under this land use designation, apart from the 'Agricultural Use' and some uses which were permitted in the covering Notes of the Plan, all uses and developments would require planning permission from the Town Planning Board (TPB). Besides, if diversion of stream, land filling/ excavation and pond filling were required for the always permitted uses (except the public works implemented and coordinated by the Government), permission from the TPB would also be required. This would help properly regulate and control any development which would pose a threat to the existing topography and natural vegetation;

- (l) the draft DPA Plan for the Area, its Notes and Explanatory Statement (ES) were in the Appendices I, II and III of the Paper; and

Consultation

- (m) the draft DPA Plan together with the Notes and ES had been circulated to the relevant Government bureaux and departments for comments. Comments had been incorporated into the draft DPA Plan, its Notes or ES as appropriate. The Tai Po District Council (TPDC), the Sai Kung North Rural Committee (SKNRC), the District Councillor of the constituency and the Village Representatives (VRs) of Hoi Ha had not been consulted due to the confidential nature of the plan. The TPDC, SKNRC, District Councillor and VRs of Hoi Ha would be consulted on the draft DPA Plan after its publication under section 5 of the Town Planning Ordinance (the Ordinance).

14. In response to a Member's enquiry on some background information, Mr. W.K. Hui informed Members that private vehicles, except those of the residents in the Area, were not permitted beyond the Gate of the Sai Kung Country Park Visitor Centre at Tai Mong Tsai Road. Referring to Plan 2b of the Paper, Ms. Lisa L.S. Cheng supplemented that the area shown in blue was a recreation centre of a religious organization in a temporary structure under a short term tenancy. Referring to Plan 4a, Ms. Lisa L.S. Cheng said that the structure currently covered by the bamboo scaffolding was a village house undergoing renovation. Referring to Plan 2a, a Member enquired whether the boundary of the DPA Plan could be extended to cover the river mouth area to ensure better protection and development control of

the area. Ms. Lisa L.S. Cheng replied that the concerned area was already included in the boundary of the SKWCP. Members noted and agreed that the subject DPA Plan boundary was appropriate. In response to the Chairman's enquiry about the location of a proposed villa development recently reported in the media, Mr. W.K. Hui referred to Plans 2b and 3 and said that according to his understanding, the proposals involved low-density residential development on privately owned land located along the coast to the west and north of the cluster of existing village houses. A small portion of the site fell within the village 'environs' of Hoi Ha.

15. In response to the Chairman's enquiry, Mr. W.K. Hui informed Members that it was intended that the subject DPA Plan would be exhibited for public inspection under section 5 of the Ordinance on 30.9.2010.

16. After further deliberation, the Committee decided to agree that :

- (a) the draft Hoi Ha Development Permission Area (DPA) Plan No. DPA/NE-HH/A (to be renumbered to DPA/NE-HH/1 upon exhibition) (Appendix I of the Paper) and its Notes (Appendix II of the Paper) were suitable for exhibition on 30.9.2010 for public inspection under section 5 of the Town Planning Ordinance (the Ordinance);
- (b) the Explanatory Statement (ES) (Appendix III of the Paper) was suitable to serve as an expression of the planning intention and objectives of the Town Planning Board (TPB) for the draft Hoi Ha DPA Plan and that the ES would be published together with the DPA Plan and issued under the name of the TPB; and
- (c) briefings on the draft DPA Plan would be conducted for the Tai Po District Council, the Sai Kung North Rural Committee, the District Councillor of the constituency and the Village Representatives of Hoi Ha after its publication under section 5 of the Ordinance.

17. The Chairman thanked Mr. W.K. Hui, DPO/STN, Ms. Doris S.Y. Ting and Ms. Lisa L.S. Cheng, STPs/STN, for their attendance to answer Members' enquires. Mr. Hui, Ms. Ting and Ms. Cheng left the meeting at this point.