

# TOWN PLANNING BOARD

**TPB Paper No. 10705  
For Consideration by the  
Town Planning Board on 11.12.2020**

**PROPOSED AMENDMENT TO THE  
DRAFT PAK LAP OUTLINE ZONING PLAN NO. S/SK-PL/3  
ARISING FROM CONSIDERATION OF REPRESENTATIONS AND COMMENTS  
AND  
APPLICATION TO THE CHIEF EXECUTIVE  
UNDER SECTION 8(2) OF THE TOWN PLANNING ORDINANCE  
FOR EXTENSION OF TIME LIMIT FOR SUBMISSION OF THE  
DRAFT PAK LAP OUTLINE ZONING PLAN NO. S/SK-PL/3  
TO THE CHIEF EXECUTIVE IN COUNCIL FOR APPROVAL**

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**1. Purpose**

The purpose of this paper is to seek Members' agreement:

- (a) that the proposed amendment to the draft Pak Lap Outline Zoning Plan (OZP) No. S/SK-PL/3 as shown at **Annex II** is suitable for publication for further representation in accordance with section 6C(2) of the Town Planning Ordinance (the Ordinance), and the revised Explanatory Statement (ES) at **Annex III** is suitable for publication together with the OZP; and
- (b) to apply to the Chief Executive (CE), under section 8(2) of the Ordinance, for an extension of time limit for a period of six months from 3.3.2021 to 3.9.2021 for submission of the draft Pak Lap OZP No. S/SK-PL/3 to the Chief Executive in Council (CE in C) for approval.

**2. Background**

- 2.1 On 3.4.2020, the draft Pak Lap OZP No. S/SK-PL/3 (the Plan), together with the draft Hoi Ha and So Lo Pun OZPs, were exhibited for public inspection under section 7 of the Ordinance. The Schedule of Amendments setting out the amendments incorporated into the Plan is at **Annex I**. During the two-month statutory exhibition period, a total of 17 valid representations were received. On 16.6.2020, the representations were published for public comments and in the first three weeks of the publication period, a total of 61 valid comments were received.
- 2.2 On 13.11.2020, after giving consideration to the representations and comments, the Town Planning Board (the Board) decided to propose amendment to the OZP to partially meet Representations No. R1(Part), R2 to R4, R5(Part), R6(Part) and R7 to R14 by further reviewing the "Village Type Development" ("V") zone with a view to reducing its area and providing a buffer area between the "V" zone and the stream abutting the

“V” zone, taking into account the Small House demand forecast, the proximity of the “V” zone to the stream and the country park, and the inaccessibility of the area.

### 3. **Proposed Amendment**

- 3.1 In the review of the genuine need of Small House development of indigenous villagers in Pak Lap considered by the Board on 3.3.2020, it was noted that according to the information provided to Lands Department (LandsD) by the Indigenous Inhabitant Representative (IIR) in January 2020, there are 118 male indigenous villagers aged 18 or above (16 residing in Hong Kong and 102 overseas) and four male indigenous villagers to be aged 18 or above in coming 10 years (two residing in Hong Kong and two overseas); the IIR has not provided information on how many of these male indigenous villagers will apply for Small House grants, and hence the forecast demand is unknown; and there are four outstanding Small House applications under processing by District Lands Officer/Sai Kung (DLO/SK), LandsD, all of which fall within government land.
- 3.2 Taking into account that the 10-year forecast for Pak Lap is unknown and there are only four outstanding Small House applications, and following the incremental approach, it is proposed to confine the “V” zone within the main village cluster and its immediate surrounding land (**Plan 1**). Within the reduced “V” zone, it is estimated that about 0.10 ha of land (four Small Houses) is available for Small House development, which could just meet the four outstanding Small House applications being processed by DLO/SK, LandsD (**Plan 2**). If land within the “V” zone is not sufficient to meet the need for Small House development in future, there is flexibility to allow the Small House development through planning permission, or if considered appropriate, to rezone suitable land upon future land use review.
- 3.3 The area excised from the “V” zone is proposed to be rezoned to “Agriculture” (“AGR”). The Director of Agriculture, Fisheries and Conservation (DAFC) has no strong view on the proposed rezoning from agricultural point of view. Although the concerned area which was previously farmland has been abandoned and cleared (**Plans 2 and 3**), DAFC advises that as agricultural infrastructures such as footpath and water source are available in the area, the land possesses a potential for agricultural rehabilitation and can be used for agricultural activities such as greenhouses, plant nurseries etc.
- 3.4 With the rezoning of the subject area abutting the stream from “V” to “AGR”, there will be a greater buffer distance between the section of stream running in north-south direction across the Pak Lap area to Pak Lap Wan and the existing village cluster and the “V” zone. The revised “V” zone with reduced area would also be away from the beach area of Pak Lap Wan.

3.5 The proposed amendment to the Plan is shown in **Annex II** and summarized as follows:

Item A

Rezoning of an area (0.45 ha) to the east of the village cluster at Pak Lap from “V” to “AGR”.

3.6 Relevant sections of the ES of the Plan will also be revised to reflect the above rezoning. The revisions are shown in **Annex III** with additions in *bold and italics* and deletions ~~crossed out~~.

**4. Need for Extension of the Statutory Nine-month Time Limit**

4.1 In accordance with sections 8(1) and 8(1A) of the Ordinance, the Board shall submit the draft plan, together with a schedule of the representations (if any), comments on representations (if any), further representations (if any) and amendments (if any) to the CE in C for approval. Such submission, as stipulated in section 8(2) of the Ordinance, shall be made within nine months of the expiration of the plan-exhibition period, or on application by the Board, for such further period, being not more than six months, as the CE may allow. Based on the statutory nine-month time limit, the draft OZP No. S/SK-PL/3 should be submitted to CE in C on or before 3.3.2021.

4.2 As the exhibition of proposed amendments to the draft OZP and the consideration of further representation(s), if any, can only be arranged in the first quarter of 2021 at the earliest, it is not possible for the whole plan-making process including submission of the draft OZP to the CE in C for approval to be completed within the nine-month statutory time limit (i.e. on or before 3.3.2021). In this regard, it is necessary to seek CE’s agreement under section 8(2) of the Ordinance for an extension of the statutory time limit for a period of six months from 3.3.2021 to 3.9.2021 to allow sufficient time to complete the plan-making process to the draft OZP.

**5. Decision Sought**

Members are invited to:

- (a) agree that the proposed amendment to the draft Pak Lap OZP No. S/SK-PL/3 as shown at **Annex II** is suitable for publication for further representation under section 6C(2) of the Ordinance, and the revised ES at **Annex III** is suitable for publication together with the proposed amendment; and
- (b) agree that the CE’s agreement should be sought under section 8(2) of the Ordinance to extend the time limit for a period of six months from 3.3.2021 to 3.9.2021 for submission

of the draft Pak Lap OZP No. S/SK-PL/3 to the CE in C.

**Attachments**

<b>Plan 1</b>	Proposed Amendment to the Draft Pak Lap OZP No. S/SK-PL/3
<b>Plan 2</b>	Site Plan
<b>Plan 3</b>	Site Photo
<b>Annex I</b>	Schedule of Amendments to the Draft Pak Lap OZP No. S/SK-PL/1 incorporating the amendments as shown on Plan No. R/S/SK-PL/1-A2
<b>Annex II</b>	Proposed Amendment to the Draft Pak Lap OZP No. S/SK-PL/3 (to be published under Section 6C(2) of the Town Planning Ordinance)
<b>Annex III</b>	Proposed Revisions to the Explanatory Statement of the Draft Pak Lap OZP No. S/SK-PL/3

**PLANNING DEPARTMENT  
DECEMBER 2020**