

**SCHEDULE OF AMENDMENTS TO  
THE DRAFT HOI HA OUTLINE ZONING PLAN NO. S/NE-HH/1 INCORPORATING  
THE AMENDMENTS AS SHOWN ON PLAN NO. R/S/NE-HH/1-A2  
MADE BY THE TOWN PLANNING BOARD  
UNDER THE TOWN PLANNING ORDINANCE (Chapter 131)**

**I. Amendments to Matters shown on the Plan**

- Item A – Rezoning of an area to the west of the village cluster at Hoi Ha from “Village Type Development” (“V”) to “Green Belt(1)”.
- Item B – Rezoning of an area to the east of the village cluster at Hoi Ha from “V” to “Coastal Protection Area”.

**II. Amendments to the Notes of the Plan**

Deletion of ‘Market’ from Column 2 of the Notes for the “V” zone and revision of ‘Shop and Services’ to ‘Shop and Services (not elsewhere specified)’ in Column 2 of the Notes for the “Government, Institution or Community” zone.

Town Planning Board

3 April 2020

**Annex II of**  
**TPB Paper No. 10671**

**List of Representers**

**In respect of the draft Hoi Ha Outline Zoning Plan No. S/NE-HH/3**

<b>Representation No.</b>	<b>Name of ‘Representer’</b>
TPB/R/S/NE-HH/3-1	Marry Mulvihill (also <b>C59</b> )
TPB/R/S/NE-HH/3-2	The Hong Kong Countryside Foundation
TPB/R/S/NE-HH/3-3	Kadoorie Farm and Botanic Garden
TPB/R/S/NE-HH/3-4	The Conservancy Association (also <b>C54</b> )
TPB/R/S/NE-HH/3-5	Hong Kong Bird Watching Society (also <b>C55</b> )
TPB/R/S/NE-HH/3-6	Designing Hong Kong Limited
TPB/R/S/NE-HH/3-7	Friends of Hoi Ha
TPB/R/S/NE-HH/3-8	Friends of Sai Kung
TPB/R/S/NE-HH/3-9	Andrew Bowden Brown
TPB/R/S/NE-HH/3-10	Gary William John Ades
TPB/R/S/NE-HH/3-11	Ann Marie Davy-Hou
TPB/R/S/NE-HH/3-12	Thomas Han San Hou
TPB/R/S/NE-HH/3-13	Yip Tsz Lam
TPB/R/S/NE-HH/3-14	Ruy Barretto
TPB/R/S/NE-HH/3-15	鄭杏芬
TPB/R/S/NE-HH/3-16	新界鄉議局
TPB/R/S/NE-HH/3-17	Sai Kung North Rural Committee
TPB/R/S/NE-HH/3-18	翁煌發
TPB/R/S/NE-HH/3-19	翁天生
TPB/R/S/NE-HH/3-20	The World Wide Fund For Nature Hong Kong

**List of Commenters**

**In respect of the draft Hoi Ha Outline Zoning Plan No. S/NE-HH/3**

<b>Comment No.</b>	<b>Name of ‘Commenter’</b>
TPB/R/NE-HH/3-C1	Leung Sau Mei Teresa
TPB/R/NE-HH/3-C2	Ka Hei Fung
TPB/R/NE-HH/3-C3	Ka Hei Fung
TPB/R/NE-HH/3-C4	Leung Lok Sum
TPB/R/NE-HH/3-C5	Kong Wai Lam William
TPB/R/NE-HH/3-C6	Ng Pak Ming
TPB/R/NE-HH/3-C7	Leung Chun Ho
TPB/R/NE-HH/3-C8	馮潤林
TPB/R/NE-HH/3-C9	Lai Mei Ling
TPB/R/NE-HH/3-C10	Pang Wai Lun
TPB/R/NE-HH/3-C11	羅子琛
TPB/R/NE-HH/3-C12	鄭卓安
TPB/R/NE-HH/3-C13	Chung Chi Keung
TPB/R/NE-HH/3-C14	邱潔詩
TPB/R/NE-HH/3-C15	Chow Chi Wai
TPB/R/NE-HH/3-C16	Lee Wai Ying
TPB/R/NE-HH/3-C17	Chow Suet Yan
TPB/R/NE-HH/3-C18	Lau Man Lai
TPB/R/NE-HH/3-C19	Law Chi Ming
TPB/R/NE-HH/3-C20	Lui Wing Yat Christopher
TPB/R/NE-HH/3-C21	Poon Po Yan Ambrose
TPB/R/NE-HH/3-C22	Chan Kin Yui
TPB/R/NE-HH/3-C23	張進誼
TPB/R/NE-HH/3-C24	Leung Lok Shan
TPB/R/NE-HH/3-C25	Eric Wong
TPB/R/NE-HH/3-C26	Cheung Kit Ling
TPB/R/NE-HH/3-C27	Yip Ching Han
TPB/R/NE-HH/3-C28	Ho Wai Yee Paula
TPB/R/NE-HH/3-C29	Chu Lap Shun
TPB/R/NE-HH/3-C30	伍曼怡
TPB/R/NE-HH/3-C31	Kwok Yim Fong
TPB/R/NE-HH/3-C32	Chow Oi Chuen

TPB/R/NE-HH/3-C33	Lo Chun Wah
TPB/R/NE-HH/3-C34	Law Wing Fai Teddy
TPB/R/NE-HH/3-C35	陳杏怡
TPB/R/NE-HH/3-C36	Shek Yuen Nam
TPB/R/NE-HH/3-C37	Cheung Ho Kuen
TPB/R/NE-HH/3-C38	Wong Kin Yip
TPB/R/NE-HH/3-C39	Wong Shing Tat
TPB/R/NE-HH/3-C40	Tang Yiu Ying
TPB/R/NE-HH/3-C41	Mak Hei Man
TPB/R/NE-HH/3-C42	Tsang Shui Hing
TPB/R/NE-HH/3-C43	朱偉明
TPB/R/NE-HH/3-C44	Ng Ellen
TPB/R/NE-HH/3-C45	鄺筠慧
TPB/R/NE-HH/3-C46	彭康臧
TPB/R/NE-HH/3-C47	Tam Ho Chuen
TPB/R/NE-HH/3-C48	Sung Siu Kong
TPB/R/NE-HH/3-C49	A Ha
TPB/R/NE-HH/3-C50	Li Man Yi
TPB/R/NE-HH/3-C51	Tse Lok Yan
TPB/R/NE-HH/3-C52	Chan Yee Ting
TPB/R/NE-HH/3-C53	Hung Yuk Chun
TPB/R/NE-HH/3-C54	The Conservancy Association (also <b>R4</b> )
TPB/R/NE-HH/3-C55	Hong Kong Bird Watching Society (also <b>R5</b> )
TPB/R/NE-HH/3-C56	港九工團聯合總會
TPB/R/NE-HH/3-C57	Leung Hin Yan
TPB/R/NE-HH/3-C58	陳嘉琳
TPB/R/NE-HH/3-C59	Mary Mulvihill (also <b>R1</b> )
TPB/R/NE-HH/3-C60	Fung Kam Lam

**Summary of Representations**  
**In respect of the Draft Hoi Ha Outline Zoning Plan (OZP) No. S/NE-HH/3**

Representation No. (TPB/R/S/NE-HH/3-)	Representer	Subject of Representation	Representer's Proposal
<b>R1</b>  (also C59)	Mary Mulvihill	<ul style="list-style-type: none"> <li>● Support Amendment Items A and B</li> <li>● The conservation-oriented approach as adopted in drawing up the land use proposals for the area is supported.</li> <li>● The number of Small Houses that could be provided in the “Village Type Development” (“V”) zone upon amendment is more than adequate.</li> <li>● There is a stream in the area under Amendment Item A and the “GB” zoning under the item serves as an ecological buffer.</li> <li>● Item B is clearly designed to protect the marine park from effluent.</li> </ul>	Nil
<b>R2</b>	The Hong Kong Countryside Foundation	<ul style="list-style-type: none"> <li>● Welcome the reduction of “V” zone under Items A and B but provides adverse representations as follows.  <i>Designation of “V” zone</i></li> <li>● The Town Planning Board (the Board) has failed to make a meaningful review of the genuine need for housing by indigenous villagers which has been highlighted as its statutory duty in the Court’s judgment on the</li> </ul>	<ul style="list-style-type: none"> <li>● To confine the “V” zone to cater for no more than six houses</li> </ul>

Representation No. (TPB/R/S/NE-HH/3-)	Representer	Subject of Representation	Representer's Proposal
		<p>previous judicial review (JR). The need for Small Houses was assessed on basis of the unsubstantiated forecast made by the Indigenous Village Representative.</p> <ul style="list-style-type: none"><li>● The “V” zone is still too large to accommodate the likely number of successful Small House applications in the next 10 years.</li></ul> <p><i>Conservation of Ecological Habitats</i></p> <ul style="list-style-type: none"><li>● The streams as shown on the map illustrate that some areas within the “V” zone are not suitable for development.</li></ul> <p><i>Septic Tanks and Soakaway System</i></p> <ul style="list-style-type: none"><li>● As there is no existing and planned sewer system in Hoi Ha, Small Houses developments will rely solely on septic tanks and soakaway (STS) system which will potentially cause adverse sewage impacts.</li></ul> <p><i>Maps Issues</i></p> <ul style="list-style-type: none"><li>● The coastline has been better mapped but there are still errors in the mapping of the beaches and the Site of Special Scientific Interest (SSSI).</li></ul>	

Representation No. (TPB/R/S/NE-HH/3-)	Representer	Subject of Representation	Representer's Proposal
R3	Kadoorie Farm & Botanic Corporation	<ul style="list-style-type: none"> <li>● Provide adverse representations as follows.</li> </ul> <p><i>Designation of "V" zone</i></p> <ul style="list-style-type: none"> <li>● The Board has not properly reviewed the size of "V" zone based on the most up-to-date information relating to the genuine need for Small House and has not responded to the relevant issues as stated in the JR judgement.</li> <li>● The conservation approach adopted in Tai Long Wan, which confines the "V" zone to only the existing village settlements and approved Small House sites, should also be adopted in Hoi Ha.</li> </ul> <p><i>Conservation of Ecological Habitats</i></p> <ul style="list-style-type: none"> <li>● The western part of the current "V" zone adjoining the "Green Belt(1)" ("GB(1)") zone is well vegetated with a stream passing through. There should be buffer zones to separate the stream and "V" zone to avoid water pollution.</li> </ul>	<ul style="list-style-type: none"> <li>● To confine the "V" zone to only covering the existing village settlement and approved Small Houses sites.</li> <li>● To rezone the western part of the "V" as "GB(1)".</li> </ul>
R4 (also C54)	The Conservancy Association	<ul style="list-style-type: none"> <li>● Oppose Amendment Item A</li> <li>● Support Amendment Item B</li> </ul>	<ul style="list-style-type: none"> <li>● To expand the "GB(1)" zone to cover more secondary and modified woodland</li> </ul>

Representation No. (TPB/R/S/NE-HH/3-)	Representer	Subject of Representation	Representer's Proposal
		<p><i>Designation of "V" zone</i></p> <ul style="list-style-type: none"><li>● The Board has not made proper inquiry into the genuine need for Small House development, which has therefore still not been proved.</li><li>● The size of "V" zone is not well-justified. Some land in "V" zone, even located near the existing village settlement, is not suitable for Small House development.</li></ul> <p><i>Conservation of Ecological Habitats</i></p> <ul style="list-style-type: none"><li>● The western part of the current "V" zone adjoining the "GB(1)" zone is well vegetated with secondary and modified woodland of ecological value and provides buffer function. It also comprises a stream flowing into the Hoi Ha Wan Marine Park (HHWMP). These habitats should deserve proper protection.</li></ul> <p><i>Septic Tanks and Soakaway System</i></p> <ul style="list-style-type: none"><li>● Small Houses developments in Hoi Ha will rely on STS system, which will potentially cause adverse sewage impacts to the nearby HHWMP and streams. The reliance on the EPD's Practice Note for Professional Persons (ProPECC PN) 5/93 is ineffective in monitoring such adverse</li></ul>	



Representation No. (TPB/R/S/NE-HH/3-)	Representer	Subject of Representation	Representer's Proposal
		<p>sewage impact.</p> <ul style="list-style-type: none"> <li>● Four outstanding Small House applications in the southwestern part of the “V” zone are located on lots previously owned by developers but subsequently transferred to villagers. Zoning these lots as “V” is not to satisfy the genuine need for Small House development of indigenous villagers.</li> </ul>	
<p><b>R5</b> <b>(also C55)</b></p>	<p>Hong Kong Bird Watching Society</p>	<ul style="list-style-type: none"> <li>● Support the conservation approach to rezone “V” to “CPA” under Item B but provide adverse representations on Item A as follows.</li> </ul> <p><i>Designation of “V” zone</i></p> <ul style="list-style-type: none"> <li>● The Board has failed to properly inquire into the genuine need for Small House as required according to the JR Judgment, by taking into account the Small House demand forecast by IIRs without verification.</li> <li>● The conservation approach adopted in Tai Long Wan, which restricts the “V” zone to only cover the existing village settlements, should also be adopted in Hoi Ha.</li> <li>● An area to the west of the existing village cluster in the “V” zone were sold to development companies in 2014. The current “V” zone for this</li> </ul>	<ul style="list-style-type: none"> <li>● To confine the “V” zone to the existing village settlement.</li> <li>● To zone the abandoned farmland at the west of the “V” zone to “GB(1)”.</li> </ul>

Representation No. (TPB/R/S/NE-HH/3-)	Representer	Subject of Representation	Representer's Proposal
		<p>area might facilitate abuse of Small House Policy.</p> <p><i>Conservation of Ecological Habitats</i></p> <ul style="list-style-type: none"><li>● The reduction in “V” zone still does not provide sufficient protection to the natural environmental of Hoi Ha and should be further reduced.</li><li>● Hoi Ha is recognized with significant ecological interest relating to HHWMP and SSSI, Sai Kung West (SKW) Country Park and natural streams. A total of 104 bird species are recorded in Hoi Ha and such diversity is related to the naturalness and diversity of different habitat types. The “V” zone should be further reduced to safeguard the ecological value of these habitats and bird community against any development and human disturbances.</li><li>● There is a stream flowing through the western part of the “V” zone into the HHWMP. Any development close to the stream would pose adverse environmental impacts. A buffer zone should be provided to protect the ecological integrity of Hoi Ha as a whole.</li><li>● Consideration should be given to including Hoi Ha into Sai Kung West Country Park following detailed assessment and public consultation.</li></ul>	

Representation No. (TPB/R/S/NE-HH/3-)	Representer	Subject of Representation	Representer's Proposal
		<p><i>Septic Tanks and Soakaway System</i></p> <ul style="list-style-type: none"> <li>As there is no existing and planned sewer system in Hoi Ha, Small Houses developments will rely solely on STS system, which will potentially cause adverse sewage impacts to the nearby HHWMP and streams. The reliance on the EPD's ProPECC PN 5/93 is ineffective in monitoring such adverse sewage impact in Hoi Ha. Furthermore, some of the outstanding Small House applications within the "V" zone are located within 20m of the watercourse and could not meet the 30m setback requirement under ProPECC PN No. 5/93. The "V" zone should be further reduced to minimize the impacts on the surrounding sensitive ecological environment.</li> </ul>	
R6	Designing Hong Kong Limited	<ul style="list-style-type: none"> <li>Welcome the reduction of "V" zone under Items A and B but provides adverse representations as follows.</li> </ul> <p><i>Designation of "V" zone</i></p> <ul style="list-style-type: none"> <li>The Board has the duty to enquire and review the genuine needs for Small House development but it has failed its duty by accepting the Small House demand forecast made by the IIR.</li> <li>The "V" zone with sufficient land to build 21 Small Houses exceeds the</li> </ul>	<ul style="list-style-type: none"> <li>To confine the "V" zone to the existing village settlement and approved Small Houses sites.</li> <li>To rezone the area to the west of the village cluster from "V" to "GB(1)"</li> </ul>

Representation No. (TPB/R/S/NE-HH/3-)	Representer	Subject of Representation	Representer's Proposal
		<p>real demand of Small Houses according to the applications received by Lands Department.</p> <ul style="list-style-type: none"> <li>● Some of the land lots currently within “V” zone were sold by villagers to various companies since 2008. It is inconsistent with the IIR’s claim that there is a demand for housing of villagers. Furthermore, some companies have sold the land back to villagers. There is a concern on the abuse of Small House rights.</li> <li>● Given the low number of Small House application in Hoi Ha, the “V” zone should be greatly reduced and cover only the existing village and approved Small House sites.</li> </ul> <p><i>Conservation of Ecological Habitats</i></p> <ul style="list-style-type: none"> <li>● The Board should take a stringent restrictive approach towards permitted land uses and development in country park enclaves to protect the existing environment.</li> </ul>	
R7	Friends of Hoi Ha	<ul style="list-style-type: none"> <li>● Welcome the reduction of “V” zone under Items A and B but provide adverse representations as follows.</li> </ul> <p><i>Designation of “V” zone</i></p>	<ul style="list-style-type: none"> <li>● To reduce the “V” zone to catering for no more than 6 houses.</li> </ul>
R8	Friends of Sai Kung		

Representation No. (TPB/R/S/NE-HH/3-)	Representer	Subject of Representation	Representer's Proposal
		<ul style="list-style-type: none"><li>● The Board has not fulfilled the requirements of the JR to enquire into and properly deal with the genuine need for Small Houses of the indigenous villagers. It has used the same flawed methodology as before to designate the extent of the “V” zone on the basis of unverified forecast of Small House demand made by the IIR.</li></ul> <p><i>Maps Issues</i></p> <ul style="list-style-type: none"><li>● The marking of the streams on the map is important ‘evidence on the ground’ for enforcement against any diversion of streams/filling of pond, which should be clearly shown on the base map.</li><li>● The High Water Mark (HWM) as shown on the base map might not be an appropriate indication of the relationship between the sea and land as it does not take into account the tidal surges and rising sea levels. An alternative measurement, Highest Astronomical Tide predicted and published by Hong Kong Observatory might be a better indication for the level where the sea reaches inland.</li></ul> <p><i>Septic Tanks and Soakaway System</i></p> <ul style="list-style-type: none"><li>● The boundary of HHWMP does not encompass all of the beach area inland from the HWM. The beach is used for recreation use, which</li></ul>	

Representation No. (TPB/R/S/NE-HH/3-)	Representer	Subject of Representation	Representer's Proposal
		<p>should be protected with larger set back distance from septic tanks of Small Houses. It needs to be surveyed and plotted on the map.</p> <ul style="list-style-type: none"> <li>● The distance between the “V” zone and the HHW SSSI has relevance in determining whether the location requirements of septic tanks as stated in the Water Pollution Control Ordinance (Cap.358) and its associated Technical Memorandum Standards for Effluents Discharged Into Drainage and Sewage Systems are fulfilled. However, the SSSI boundary is poorly defined in the relevant map.</li> <li>● Hoi Ha, with a “V” zone adjacent to a MP/SSSI and recreation beach, should be treated as ‘special circumstance’ mentioned in the ProPECC No. 5/93 to warrant a more stringent standard. This requirement should be clearly stated by the Board.</li> </ul> <p><i>Insufficient infrastructure</i></p> <ul style="list-style-type: none"> <li>● The infrastructure in Hoi Ha is insufficient to support further development as there is a lack of sewage system, decent public transport, parking spaces, mobile phone coverage and fast internet services.</li> </ul>	

Representation No. (TPB/R/S/NE-HH/3-)	Representer	Subject of Representation	Representer's Proposal
		<p><i>Hong Kong's Biodiversity Strategy and Action Plan (BSAP)</i></p> <ul style="list-style-type: none"> <li>The Board has failed to fulfill the obligations under the Convention on Biodiversity Article 8e in relation to the sustainable development of enclave areas, and various requirements under the Hong Kong's BSAP 2016-21, including Action 3c on regulation of sewage effluents near ecological sensitive areas and Action 9 on incorporating biodiversity considerations in planning and development process.</li> </ul>	
R9	Andrew Bowden Brown	<ul style="list-style-type: none"> <li>Provide adverse representations as follows.</li> </ul> <p><i>Designation of "V" zone</i></p>	<ul style="list-style-type: none"> <li>To reduce the "V" zone to the existing village settlement and approved Small Houses sites.</li> <li>To rezone the western part of the "V" zone as "GB(1)".</li> </ul>
R10	Gary William John Ades	<ul style="list-style-type: none"> <li>The "V" zone is still too large as the Board has not properly addressed the issue regarding the genuine need for Small House as raised by the Court in the previous JR.</li> </ul>	
R13	Yip Tsz Lam	<ul style="list-style-type: none"> <li>The conservation approach adopted in Tai Long Wan, which confines the "V" zone to only the existing village settlements and approved Small House sites, should also be adopted in Hoi Ha.</li> </ul> <p><i>Conservation of Ecological Habitats</i></p> <ul style="list-style-type: none"> <li>The western part of the current "V" is well vegetated and should also be</li> </ul>	

Representation No. (TPB/R/S/NE-HH/3-)	Representer	Subject of Representation	Representer's Proposal
		rezoned to "GB(1)".	
R11	Ann Marie Davy-Hou	<ul style="list-style-type: none"> <li>● Provide adverse representations as follows.</li> </ul>	<ul style="list-style-type: none"> <li>● To survey and plot the beach on the map and redefine the boundary of the SSSI.</li> </ul>
R12	Thomas Han San Hou	<p><i>Designation of "V" zone</i></p> <ul style="list-style-type: none"> <li>● The amendments are not in compliance with the Court's judgement in the previous JR. The Board has arrived at the future Small House demand based on the unsubstantiated forecast made by the IIR</li> <li>● Demographic information of the Hoi Ha Village shows that only 5 out of 31 houses built since 1977 are still occupied by indigenous villagers and majority of the houses within "V" zone have been sold or rent out. This show the genuine need for house development of indigenous villagers is not high.</li> <li>● Some indigenous villagers have sold their land to developers and then applied for Small House development in Government land. There may be abuses of Small House Policy.</li> </ul> <p><i>Maps Issues</i></p> <ul style="list-style-type: none"> <li>● The HWM shown on the map does not reflect the true positioning of the highest level of seawater in Hoi Ha, which goes a lot farther inland. As</li> </ul>	



Representation No. (TPB/R/S/NE-HH/3-)	Representer	Subject of Representation	Representer's Proposal
		<p>such, the protection of HHWMP offered by the 30m setback requirement between septic tanks and HWM under ProPECC PN 5/93 will be a lot less than intended. The rising sea levels caused by global warming will also cause flooding problem to new houses to be built near the “CPA” boundary and flowing of effluents from septic tanks to HHWMP during typhoons. To address the problems, the setback distance should be increased to 45m.</p> <p><i>Septic Tanks and Soakaway System</i></p> <ul style="list-style-type: none"> <li>● All the Small Houses in Hoi Ha village have STS located right adjacent to the houses. Proper sewage treatment plant in Hoi Ha village should be considered to provide better protection of HHWMP.</li> <li>● The distance between the “V” zone and the HHW SSSI has relevance in determining whether the location requirements of septic tanks as stated in the Water Pollution Control Ordinance (Cap.358) and its associated Technical Memorandum Standards for Effluents Discharged Into Drainage and Sewage Systems are fulfilled. However, the SSSI boundary is poorly defined in the relevant map.</li> </ul>	

Representation No. (TPB/R/S/NE-HH/3-)	Representer	Subject of Representation	Representer's Proposal
		<p><i>Insufficient infrastructure</i></p> <ul style="list-style-type: none"> <li>● The infrastructure in Hoi Ha is insufficient to support further development as there is a lack of sewage system, decent public transport, parking spaces, mobile phone coverage and fast internet services.</li> </ul>	
R14	Ruy Barretto	<p>Provide adverse representations as follows.</p> <p><i>Designation of "V" zone</i></p> <ul style="list-style-type: none"> <li>● The Board has made no reference to the evidence against excessive "V" zone as contained in the previous 10,000 submissions on the OZP.</li> <li>● The Board has failed to make a meaningful review of the genuine need for housing by indigenous villagers, which has been highlighted as its statutory duty in the Court's judgment on the previous JR.</li> <li>● The "V" zone is excessive and it is an inflated and incredible proposal rather than an assessment of the genuine need for housing.</li> <li>● The reduced "V" zone could still provide adequate land to meet 60% of the overall Small House demand as forecast by IIR. However, the forecast has not been verified by independent assessment, and there is</li> </ul>	<ul style="list-style-type: none"> <li>● To reduce the "V" zone to catering for no more than 6 houses and covering only the existing village settlement and approved Small House sites.</li> <li>● The Tai Long Wan conservation approach should be followed by (a) reducing the "V" zone to become conservation zone, (b) moving 'New Territories Exempted House' ('NTEH') from Column 1 to Column 2 in "V" zone, (c) deleting 'House other than NTEH' from Column 2 of "V" zone, and (d) adding</li> </ul>

Representation No. (TPB/R/S/NE-HH/3-)	Representer	Subject of Representation	Representer's Proposal
		<p>no evidence to demonstrate the genuine need for Small Houses.</p> <ul style="list-style-type: none"> <li>● The Board has not made reference to the conservation approach adopted in Tai Long Wan, which reduces the “V” zone to become conservation zones and incorporates more stringent control on housing development in “V” zone. Such approach should also be adopted in Hoi Ha.</li> <li>● The land owned by developers/development companies is not for meeting genuine need for house development of indigenous villagers and so should not be included in the “V” zone.</li> </ul> <p><i>Conservation of Ecological Habitats</i></p> <ul style="list-style-type: none"> <li>● Proposal of locating Small Houses near the streams or “CPA” zone is not suitable and would encourage further degradation to the ecological environment.</li> </ul> <p><i>Septic Tanks and Soakaway System</i></p> <ul style="list-style-type: none"> <li>● The use of STS systems by Small Houses will cause pollution problems for the water bodies, channels and streams. The current administration of the STS system requiring proper percolation tests is poorly enforced. Planning assessment of the sewage impact should be done before</li> </ul>	<p>the requirement to seek planning permission for demolition, addition, alteration and/or modification of an existing building in the Remarks of the Notes for “V” zone.</p> <ul style="list-style-type: none"> <li>● To rezone the “GB(1)” to “CA” for at least an area of 15m on either bank of the stream.</li> </ul>

Representation No. (TPB/R/S/NE-HH/3-)	Representer	Subject of Representation	Representer's Proposal
		<p>designating the “V” zone.</p> <p><i>Insufficient infrastructure</i></p> <ul style="list-style-type: none"> <li>● The infrastructure in Hoi Ha is insufficient to support further development as there is a lack of sewage system, decent public transport, parking spaces, mobile phone coverage and fast internet services.</li> </ul> <p><i>Hong Kong's Biodiversity Strategy and Action Plan (BSAP)</i></p> <ul style="list-style-type: none"> <li>● The Board has failed to fulfill the obligations under the Convention on Biodiversity Article 8e in relation to the sustainable development of enclave areas, and various requirements under the Hong Kong's BSAP 2016-21, including Target 2 on the conservation of ecologically important habitats outside the existing protected areas; Target 3 on the enhancement of natural streams conservation; and Target 9 on incorporating biodiversity considerations in planning and development process. The Board has failed to strike a balance between Small House development and conservation.</li> </ul> <p><i>Maps Issues</i></p> <ul style="list-style-type: none"> <li>● The base map is defective. Accurate updated surveys should be</li> </ul>	

Representation No. (TPB/R/S/NE-HH/3-)	Representer	Subject of Representation	Representer's Proposal
		conducted so that the Marine Park, SSSI and "CPA" are protected, all natural features such as beaches and streams are marked, and all areas covered by water at any time are identified. This is essential to ensure septic tanks are built at least 30m from the water at Hoi Ha.	
<b>R20</b>	World Wide Fund For Nature Hong Kong	<ul style="list-style-type: none"> <li>● Provide adverse representations on Amendment Item A</li> <li>● There is an existing stream near the western part of the existing village cluster, which flows into the HHWMP. There is a concern that pollution from septic tanks of Small Houses would result in adverse ecological impacts to this stream and HHWMP. The ecological value of the stream should be assessed and if it is found to have high ecological value, the stream and its riparian zone should be rezoned to "GB(1)" zone.</li> </ul>	<ul style="list-style-type: none"> <li>● To rezone the area covered by to the west of the "V" into "GB(1)" if the stream is found to have high ecological value</li> </ul>
<b>R15</b>	鄭杏芬	<ul style="list-style-type: none"> <li>● Oppose to the OZP.</li> <li>● The designation of "V" zone has violated the Block Government Lease (BGL) and the Small House Policy. The Board shall not prepare any plan under Town Planning Ordinance (Cap 131) for an area covered by BGL before the Government has resumed the concerned lot under Lands Resumption Ordinance (Cap 124). Also, according to the Small House Policy, the resumed lots shall only be re-granted to a lessee for Small</li> </ul>	Nil

Representation No. (TPB/R/S/NE-HH/3-)	Representer	Subject of Representation	Representer's Proposal
		<p>House development after the Government has completed the planning of roads and other public facilities and updated the boundary of the remaining portion of the lot.</p> <ul style="list-style-type: none"> <li>● All development should be stopped as it would adversely affect the ecology of the area.</li> </ul>	
R16	新界鄉議局	<ul style="list-style-type: none"> <li>● Oppose Amendment Items A and B.</li> <li>● The reduced “V” zone could not meet the Small House need in Hoi Ha and it contravenes the lawful traditional rights and interests of the indigenous inhabitants of the New Territories as protected under Article 40 of Basic Law.</li> </ul>	Nil
R17	Sai Kung North Rural Committee	<ul style="list-style-type: none"> <li>● Oppose Amendment Items A and B.</li> <li>● The area of “V” zone is insufficient land to meet the 10 year forecast of Small House demand, which is well supported by the genealogy list of male indigenous villagers prepared by the representers.</li> </ul>	<ul style="list-style-type: none"> <li>● The “GB(1)” and “CPA” zoning under Amendment Items A and B should be abandoned.</li> </ul>
R18	翁煌發 (Indigenous Inhabitant Representative of Hoi	<ul style="list-style-type: none"> <li>● Oppose Amendment Items A and B</li> <li>● The Small House demand could be supported by the list showing the</li> </ul>	<ul style="list-style-type: none"> <li>● The “GB(1)” and “CPA” zoning under Amendment Items A and</li> </ul>

<b>Representation No. (TPB/R/S/NE-HH/3-)</b>	<b>Representer</b>	<b>Subject of Representation</b>	<b>Representer's Proposal</b>
	Ha Village)	names of all male indigenous villagers who are entitled for Small House grant.	B should be reduced
R19	翁天生 (Resident Representative of Hoi Ha Village)	<ul style="list-style-type: none"><li>● The actual land available for Small House development was even less as Government land will no longer be granted in accordance with the Court's judgement on the judicial review on Small House Policy.</li></ul>	

**Summary of Comments**  
**In respect of the Draft Hoi Ha Outline Zoning Plan (OZP) No. S/NE-HH/3**

<b><u>Comment No.</u></b> <b><u>(TPB/R/S/NE-</u></b> <b><u>HH/3-C)</u></b>	<b><u>Commenter</u></b>	<b><u>Related</u></b> <b><u>Representation</u></b>	<b><u>Gist of Comments</u></b>
<b>C1 to C53</b>	Individuals  (See <b>Annex III</b> )	<b>R3 to R8</b>	<ul style="list-style-type: none"> <li>• Support the representations.</li> <li>• The “Village Type Development” (“V”) zone should be reduced and part of it should be rezoned to “Coastal Protection Area” (“CPA”) and “Green Belt (1)” (“GB (1)”) zones to protect the areas with ecological and landscape significance.</li> </ul>
		<b>R16 to R19</b>	<ul style="list-style-type: none"> <li>• Oppose the representations.</li> <li>• It is not justified to enlarge the “V” zone as the genuine need for Small House development cannot be verified.</li> <li>• Reduction of “V” zone would not affect village development.</li> </ul>
<b>C54 (also R4)</b>	The Conservancy Association	<b>R16 to R19</b>	<ul style="list-style-type: none"> <li>• Oppose the representations.</li> <li>• It is not justified to enlarge the “V” zone as the genuine need for Small House development cannot be verified.</li> <li>• To avoid undermining the ecological and landscape significance of Sai</li> </ul>



<u><b>Comment No.</b></u> <u><b>(TPB/R/S/NE- HH/3-C)</b></u>	<u><b>Commenter</b></u>	<u><b>Related Representation</b></u>	<u><b>Gist of Comments</b></u>
			<p>Kung West Country Park and Hoi Ha Wan Marine Park, conservation zonings including “GB(1)”, “Conservation Area” (“CA”) and “CPA” should not be further reduced in Hoi Ha.</p> <ul style="list-style-type: none"> <li>• Considerable amount of land in the “V” zone was sold by indigenous villagers to developers. It is very doubtful if there are urgent genuine needs to increase the size of “V” zone. The “V” zone should be further reduced by confining it to the existing village settlement.</li> </ul>
<b>C55</b>  <b>(also R5)</b>	Hong Kong Bird Watching Society	<b>R2 to R6</b>	<ul style="list-style-type: none"> <li>• Support the representations.</li> <li>• As the genuine need for Small House development in Hoi Ha has not yet been verified, the Town Planning Board (the Board) could not properly inquire into the issue as raised by the Court in the previous judicial review (JR).</li> <li>• Majority of the land lots to the west of the existing village cluster within "V" zone are owned by developers/development companies and the genuine need for house development indigenous villagers cannot be verified.</li> <li>• The proposed amendment item A still do not provide sufficient</li> </ul>

<b><u>Comment No.</u></b> <b><u>(TPB/R/S/NE- HH/3-C)</u></b>	<b><u>Commenter</u></b>	<b><u>Related Representation</u></b>	<b><u>Gist of Comments</u></b>
			protection to the natural environment of Hoi Ha.
<b>C56</b>	港九工團聯合總會	Nil	<ul style="list-style-type: none"> <li>The “V” zone area is excessive and village development would have adverse impact on “GB” and “CA” zones.</li> </ul>
<b>C57</b>	Ms. Leung Hin Yan	<b>R3 to R4</b>	<ul style="list-style-type: none"> <li>Support the representations.</li> <li>Considerable amount of land in the “V” zone is owned by developers, or previously owned by developers and then sold to villagers. This resembles the situation of abuse of Small House rights. The “V” zone should be significantly reduced to avoid the scope for such abuse.</li> <li>The “V” zone area is not justified as the genuine need of villagers for Small House development is still doubtful.</li> </ul>
<b>C58</b>	陳嘉琳	<b>R3 to R5</b>	<ul style="list-style-type: none"> <li>Support the representations.</li> <li>Planning of “V” zone should be based on genuine need and there is insufficient information to support the scale of development.</li> <li>As Hoi Ha is ecologically sensitive, a more stringent standard should be adopted in the planning process.</li> </ul>

<b><u>Comment No.</u></b> <b><u>(TPB/R/S/NE-</u></b> <b><u>HH/3-C)</u></b>	<b><u>Commenter</u></b>	<b><u>Related</u></b> <b><u>Representation</u></b>	<b><u>Gist of Comments</u></b>
<b>C59</b>  <b>(also R1)</b>	Marry Mulvihill	Nil	<ul style="list-style-type: none"><li>• Support those representations which raise that the Board has not sufficiently addressed the Court's ruling in the previous JR. There is no indication as to the actual valid and justified demand for Small House. The "V" zone should be confined to the existing village and approved NTEH application sites.</li></ul>
<b>C60</b>	Fung Kam Lam	<b>R3 to R8</b>	<ul style="list-style-type: none"><li>• Support the representations</li><li>• Support rezoning part of the "V" into "CPA" and "GB (1)" to protect the areas with ecological and landscape significance.</li><li>• The Board should review whether the issue as raised by the Court in the previous JR have been duly addressed.</li></ul>