

## **DRAFT SO LO PUN OUTLINE ZONING PLAN NO. S/NE-SLP/3**

### **INFORMATION NOTE AND HEARING ARRANGEMENT FOR CONSIDERATION OF REPRESENTATIONS AND COMMENTS**

#### **1. Introduction**

- 1.1 On 3.4.2020, the draft So Lo Pun Outline Zoning Plan (OZP) No. S/NE-SLP/3 (the Plan) was exhibited for public inspection under section 7 of the Town Planning Ordinance (the Ordinance). The amendments to the OZP mainly involved the rezoning of two areas to the north-east and south of the village clusters at So Lo Pun from “Village Type Development” (“V”) to “Agriculture” (“AGR”) (**Item A**). Amendments were also made to the Notes and Explanatory Statement of the OZP to reflect the above and to update the general information of various land use zonings and the planning area, where appropriate. The Schedule of Amendments setting out the amendments incorporated into the OZP is at **Annex I** and the locations of Item A are shown on **Plan P-1**.
- 1.2 During the two-month exhibition period, a total of 54 representations were received. 53 submissions were made in accordance with the revised requirements set out in the Town Planning Board Guidelines No. 29B (TPB PG-No. 29B)<sup>1</sup>. The remaining submission was made with identity information missing, which should be considered as invalid and treated as not having been made pursuant to sections 6(2)(b) and 6(3)(b) of the Ordinance.
- 1.3 On 16.6.2020, the 53 valid representations were published for public comment and, in the first three weeks of the publication period, a total of 120 comments were received. 54 submissions were made with identity information missing, which should be considered as invalid and treated as not having been made pursuant to sections 6A(2) and 6A(3)(b) of the Ordinance. There are in total 66 valid comments.
- 1.4 The lists of valid representers and commenters, and the summaries of the representations and comments are at **Annexes II, III, IV and V** respectively for Members’ reference. The locations of the representation sites are shown on **Plan P-1**.

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<sup>1</sup> According to TPB PG-No. 29B on Submission and Publication of Representations, Comments on Representations and Further Representations under the Town Planning Ordinance, which have taken effect since 1.1.2019, representers/commenters/further representers and their authorized agents are required to provide their full name as shown on the HKID card/passport and their HKID card/passport number (only the first four alphanumeric characters are required) in the submission. For submission with no full name, incomplete and/or illegible names or no HKID card/passport number, the representation/comment/further representation concerned may be treated as not having been made.

## 2. The Representations and Comments

2.1 Among the 53 valid representations, one (**R1**) supports Item A. The remaining 52 are adverse representations mainly against the said item. The views of the representations are summarised as follows:

- (a) **R1**, submitted by an individual, supports Item A on the ground that the amendment is in line with the conservation-oriented approach having regard to the need for Small Houses and the ecological value of the concerned areas.
- (b) **R2 to R4** and **R7 to R14** were submitted by the Hong Kong Countryside Foundation (**R2**), Kadoorie Farm and Botanic Garden (**R3**), The Conservancy Association (**R4**), Friends of Hoi Ha (**R7**), Friends of Sai Kung (**R8**) and individuals (**R9 to R14**), which mainly consider that the Town Planning Board (the Board), in determining the extent of reduction of the “V” zone, has failed to make proper review of the genuine need for housing by indigenous villagers (**R2 to R14**), and that the “AGR” zone does not provide adequate protection to the ecological sensitive areas in So Lo Pun from pollution to be caused by human and agricultural activities (**R2 to R10, R13 and R14**).
- (c) **R5 and R6**, submitted by Hong Kong Bird Watching Society (**R5**) and Designing Hong Kong Limited (**R6**), welcome the reduction of “V” zone but raise adverse representations similar as those stated in paragraph (b) above.
- (d) **R15** submitted by an individual objects to the OZP mainly on an argument that designation of “V” zone for private agricultural lots will contravene the Block Government Lease and the Small House Policy.
- (e) **R16 to R53** were submitted by Heung Yee Kuk New Territories (**R16**), North District Council (**R17**), Sha Tau Kok District Rural Committee (**R18**), So Lo Pun Village Committee (**R19**), the Indigenous Inhabitant Representative of So Lo Pun Village (**R20**) and villagers/individuals (**R21 to R53**) against the OZP or Item A mainly on the grounds that the reduced “V” zone could not provide sufficient land to meet the Small House demand (**R16 to R53**), and the designation of “AGR” zone is not reasonable (**R16, R18, R32, R38 and R44**).

2.2 The 66 valid comments are submitted by the Conservancy Association, Hong Kong Bird Watching Society, 港九工團聯合總會, the Indigenous Inhabitant Representative of So Lo Pun Village, So Lo Pun Village Committee, and individuals. Of them, eight commenters (**C54, C55, C59, C61 to C65**) are also representers themselves. 60 comments indicate support to **R2 to R6** and/or objection to **R16, R18 to R53**. The other six comments involve objections to **R1 to R15** and generally share the views of **R16 to R53**.

### **3. Arrangement for Consideration of Representations and Comments**

- 3.1 Under section 2A of the Ordinance, the Board is empowered to appoint a Representation Hearing Committee (RHC) from among its members to consider representations and comments, propose amendments to the Plan to meet representations, consider further representations in respect of the proposed amendments, and consider whether to vary the proposed amendments upon consideration of any adverse further representations. Since the amendments incorporated in the Plan and the representations and comments received are of similar nature, it will be more efficient for the full Board to consider the representations and comments without resorting to the appointment of a RHC. The hearing could be accommodated in the Board's regular meeting or a separate hearing session may be arranged if necessary. The arrangement would not delay the completion of the representation consideration process.
- 3.2 Under section 6B(6) of the Ordinance, the Board may determine whether the representations and the related comments shall be considered at the same meeting and whether they shall be considered individually or collectively. In view of the similar nature of representations and comments, it is recommended that the hearing of the representations and comments should be considered in one group.
- 3.3 The subject OZP, together with the draft Hoi Ha OZP and Pak Lap OZP, was gazetted under section 7 of the Ordinance on the same date, and all the OZPs involve the rezoning of "V" zone. A significant number of representations and comments on the three OZPs are submitted by the same representers and commenters (i.e. 16 representations and 60 comments). As such, the Board may consider the representations and comments on the three OZPs collectively. To ensure efficiency of the hearing, it is recommended to allot a maximum of 10 minutes presentation time to each representer/commenter in the representation hearing irrespective of the number of OZP he/she has made submissions on.
- 3.4 Consideration of the representations and comments by the full Board under section 6B of the Ordinance is tentatively scheduled for September/October 2020.

### **4. Decision Sought**

- 4.1 The Board is invited to note that pursuant to sections 6(2)(b) and 6A(2) of the Ordinance, one representation and 54 comments with the required identity information missing as mentioned in paragraphs 1.2 and 1.3 above should be considered as invalid and treated as not having been made.
- 4.2 The Board is invited to consider whether:
- (a) to appoint a RHC for consideration of the representations and comments; and
  - (b) the representations and comments should be considered in the manner as proposed in paragraph 3 above.

**5.     Attachments**

<b>Annex I</b>	Schedule of Amendments to the draft So Lo Pun Outline Zoning Plan No. S/NE-SLP/1 incorporating the amendments as shown on Plan No. R/S/NE-SLP/1-A2
<b>Annex II</b>	List of representers
<b>Annex III</b>	List of commenters
<b>Annex IV</b>	Summary of representations
<b>Annex V</b>	Summary of comments
<b>Plan P-1</b>	Location plan of the representation sites

**PLANNING DEPARTMENT  
AUGUST 2020**