

**DRAFT TUNG CHUNG VALLEY  
OUTLINE ZONING PLAN NO. S/I-TCV/1**

**CONSIDERATION OF REPRESENTATIONS NO. TPB/R/S/I-TCV/1-R1 TO R38  
(R1 TO R38)  
AND COMMENTS NO. TPB/R/S/I-TCV/1-C1 TO 87 (C1 TO C87)**

<b>Subject of Representation/ Representation Site</b>	<b>Representers</b>	<b>Commenters</b>
<b><i>Supportive Representations</i></b>		
Support the “Village Type Development (“V”) zone of Nim Yuen Village and oppose converting it to ‘Columbarium’ use.	<p><b><u>Total: 2</u></b></p> <p><u>Village Representatives</u>  <b>R1:</b> 南輦村村代表李康庭、石榴埔村村代表羅維洪及石榴埔村村民</p> <p><u>Organisation</u>  <b>R2:</b> 南輦村發展及管理團體</p>	<p><b><u>Total: 4</u></b></p> <p><u>Concern over R1 and R2:</u>  <b>C1:</b> Uni-Creation Investments Limited &amp; Tung Chung Nim Yuen Cultural Institution Limited  <b>C3:</b> 東涌稔園村及藍輦村代表關偉安暨村民  <b>C4:</b> Tung Chung Rural Committee</p> <p><u>Oppose R1 and R2:</u>  <b>C2:</b> 石榴埔村居民代表羅禮詞暨村民</p>
<b><i>Representations Express Both Supportive and Adverse Views</i></b>		
Generally supports the draft Tung Chung Valley Outline Zoning Plan (the draft OZP), and the “Residential (Group C)2” (“R(C)2”) zone in Area 61A, and provides views on the “Other Specified Use” annotated “Stormwater Attenuation and Treatment Ponds” (“OU(Stormwater Attenuation and Treatment Ponds)”, “Residential (Group C)1” (“R(C)1”) and “R(C)2” zones.	<p><b><u>Total: 5</u></b></p> <p><u>Company</u>  <b>R11:</b> Coral Ching Limited</p>	<p><b><u>Total: 74 (part)</u></b></p> <p><u>Concern over R11:</u>  <b>C13,C14,C16:</b> Individuals</p> <p><u>Support R11:</u>  <b>C17:</b> Forestside Limited</p>

Subject of Representation/ Representation Site	Representers	Commenters
Generally support the draft OZP, and provide views on the adverse impact of new development zones and roads on the environment, ecology and conservation of Tung Chung Valley and Tung Chung Stream/Bay.	<u>Green Groups</u> <b>R28:</b> Cheng Luk Ki, Green Group's Joint Submission <sup>1</sup> <b>R30:</b> Green Power, Eco-Education & Resources Centre <b>R32:</b> The Conservancy Association <b>R33:</b> World Wide Fund For Nature Hong Kong	<u>Support R28:</u> <b>C18:</b> Designing Hong Kong <b>C21 to C87:</b> Individuals  <u>Support R30:</u> <b>C18:</b> Designing Hong Kong  <u>Support R32:</u> <b>C20:</b> Individual  <u>Support R33:</u> <b>C12:</b> Individual <b>C18:</b> Designing Hong Kong
<b>Adverse Representations</b>		
Oppose the "V" zones covering the private columbarium developments and/or concern about the lack of elderly care facilities in the area.	<u>Total: 30</u>  <u>Village Representatives</u> <b>R3:</b> 東涌稔園村原居民代表關偉安暨村民 (including 214 signatures) <b>R4:</b> 石榴埔村居民代表羅禮詞暨村民 (including 206 signatures) <b>R5:</b> 前任東涌莫家村原居民代表莫業林暨村民  <u>Rural Committee</u> <b>R6:</b> Tung Chung Rural Committee  <u>Companies</u> <b>R7:</b> Tung Chung Nim Yuen Cultural Institution Limited & Uni-Creation Investments Limited <b>R8:</b> Uni-Creation Holdings Limited <b>R9:</b> Vast Pine Limited	<u>Total: 80 (part)</u>  <u>Oppose R3 to R9:</u> <b>C6:</b> 石門甲村村代表羅美發 <b>C7:</b> 南輦村村代表李康庭 <b>C8 and C9:</b> Individuals <b>C10:</b> 前石榴埔村村代表羅展權 <b>C11:</b> 石榴埔村村代表羅維洪  <u>Concern over R3 to R6:</u> <b>C13 to C15:</b> Individuals  <u>Concern over R7 and R9:</u> <b>C15:</b> Individual  <u>Support R8:</u> <b>C5:</b> Uni-Creation Holdings Limited

<sup>1</sup> **R28** is a Green Groups' Joint Submission submitted on behalf of Designing Hong Kong Limited, Eco-Education & Resources Centre, Green Lantau Association, Green Power, Hong Kong Bird Watching Society, Hong Kong Outdoors, Lantau Buffalo Association, the Conservancy Association and World Wide Fund for Nature Hong Kong

Subject of Representation/ Representation Site	Representers	Commenters
<u>Opposes</u> the land uses at some sites within 500m of the future railway station.	<u>Company</u> <b>R10:</b> Forestside Limited	<u>Concern over <b>R10:</b></u> <b>C13 and C14:</b> Individuals
<u>Oppose</u> the boundary of “V” zone covering Ngau Au Village and boundary of the “Open Space”, “Government, Institution or Community” (“G/IC”) and “Coastal Protection Area” (“CPA”) zones around Hau Wong Temple.	<u>Village Representatives</u> <b>R12:</b> 牛凹村居民代表楊志豪及牛凹村原居民代表羅志剛  <u>Individual</u> <b>R13</b>	<u>Concern over <b>R12:</b></u> <b>C16:</b> Individual
<u>Oppose</u> the “Green Belt” (“GB”) zone covering the San Tau Village burial ground.	<u>Village Representatives</u> <b>R14:</b> 謝擎天（磡頭村原居民代表）	<u>Concern over <b>R14:</b></u> <b>C16:</b> Individual
<u>Oppose</u> proposed developments and/or impact on the ecology of Tung Chung Stream/Bay and concern on the environment, ecology and conservation issues.	<u>Individuals</u> <b>R15 to R27 and R38</b>  <u>Company</u> <b>R9:</b> Vast Pine Limited  <u>Green Groups/Concern Groups</u> <b>R29:</b> Designing Hong Kong Limited <b>R31:</b> The Hong Kong Bird Watching Society <b>R34:</b> Kadoorie Farm and Botanic Garden <b>R35:</b> Save Lantau Alliance <b>R36:</b> Green Sense <b>R37:</b> Land Justice League	<u>Concern over <b>R15 to R21, R29, R32 and R35:</b></u> <b>C20:</b> Individual  <u>Support <b>R15 to R27 and R29:</b></u> <b>C21-C87:</b> Individuals  <u>Support <b>R30 and R33:</b></u> <b>C18:</b> Designing Hong Kong  <u>Oppose <b>R33:</b></u> <b>C12:</b> Individual  <u>Support <b>R35:</b></u> <b>C19:</b> Green Sense
Grand Total	<b>38</b>	<b>87</b>

Note: The representations and comments and samples of standard forms/emails are attached at **Annex I** and **Annex II** respectively. A CD-ROM containing the names of all representers and commenters as well as their submissions is enclosed at **Annex III** (for TPB Members only).

## **1. Introduction**

- 1.1 On 21.8.2015, the draft Tung Chung Valley (TCV) DPA Plan No. DPA/I-TCV/1 (the draft DPA Plan) was exhibited for public inspection under section 5 of the Town Planning Ordinance (Ordinance). A total of 651 representations and 713 comments were received. Pursuant to section 20(6) of the Ordinance, the draft DPA Plan ceased to be effective on 8.1.2016 (except for the provisions related to the existing use and unauthorized development), as the land in respect of the draft DPA Plan was included in the draft TCV Outline Zoning Plan (the draft OZP) on the date. The plan-making process for the draft DPA Plan did not proceed further. The representations and comments on the draft DPA Plan together with departmental responses were submitted to the Town Planning Board (the Board) when considering the draft OZP and the zonings of the draft OZP have already been taken into account the views of the representations where appropriate.
- 1.2 On 8.1.2016, three new/amended Outline Zoning Plans (OZPs) including the Tung Chung Extension Area (TCE), Tung Chung Town Centre Area (TCTC) and TCV, which mainly incorporate land use proposals as recommended under the Tung Chung New Town Extension Study (the Tung Chung Study) were exhibited for public inspection under section 5 of the Town Planning Ordinance (the Ordinance). During the two-month exhibition period, a total of 125 representations were received on the three OZPs including 38 representations<sup>2</sup> on the draft TCV OZP. The representations were subsequently published for three weeks, and 87 comments on the representations to the draft OZP were received.
- 1.3 On 8.7.2016, the Board decided to consider the representations and comments collectively in one group.
- 1.4 This paper is to provide the Board with information for consideration of the representations and comments. The representers and commenters have been invited to attend the meeting in accordance with section 6B(3) of the Ordinance.

## **2. Background**

- 2.1 The Tung Chung Study was jointly commissioned by the Civil Engineering and Development Department (CEDD) and Planning Department (PlanD) in 2012 with the overall objective to extend Tung Chung into a distinct community and propose a development plan which can meet housing, social, economic, environmental and local needs. Three stages of public engagement were conducted from 2012 to 2014. The Board was briefed on 19.9.2014 during Stage 3 Public Engagement (PE3) on the draft Recommended Outline Development Plan (RODP) on the future land use proposals of Tung Chung New Town Extension (TCNTE) covering Tung Chung East (TCE) and Tung Chung West (TCW) under the Tung Chung Study. While there is generally no objection to the direction of the Tung Chung Study, Members made comments and suggestions on urban design, transport connectivity, housing mix, balanced development and the proposed marina development.

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<sup>2</sup> Upon checking, a total of 38 valid representations were received, rather than 37 as reported to the Town Planning Board on 8.7.2016. **R38** submitted a letter same as or similar to **R15** to **R24** and was added in the list of representations.

- 2.2 During PE3, more than 4,000 public comments were received. The public generally supported that the extension for Tung Chung New Town (TCNT) should be implemented as soon as possible. There was no major public concern on the proposed reclamation and development intensity in TCE. However, the public requested that the natural environment and ecologically sensitive areas in TCW should be preserved. The RODP was revised taking into account the public comments received, consultations with relevant government departments, and planning and engineering considerations. According to the revised RODP, the planned population in the TCNTE will be about 144,400 and about 49,400 flats will be provided. Together with the planned population of 124,000 in the existing TCNT, the total planned population of the whole TCNT with its extension will be about 268,400<sup>3</sup>.

*Gazettal under the Environmental Impact Assessment Ordinance*

- 2.3 An Environmental Impact Assessment (EIA)<sup>4</sup> Report to assess the environmental impacts of the TCNTE was submitted under the EIA Ordinance (EIAO) to the Director of Environmental Protection (DEP) on 8.10.2015 for approval. The EIA Report was exhibited for public inspection from 4.12.2015 to 2.1.2016 and approved with conditions by DEP on 8.4.2016.
- 2.4 Funding application for the detailed design and construction works of the TCNTE project was approved by Legislative Council on 27.5.2016. The detailed design and construction works for TCE commenced in mid June 2016 while for TCW is scheduled to commence in September 2016 tentatively. Site formation and engineering infrastructural works are scheduled to commence in phases from end 2017 for TCE and end 2018 for TCW. The development of TCNTE is expected to be fully completed by 2030.

**3. Consultation after exhibition of the draft OZP**

- 3.1 Consultations of the three draft OZPs with Islands District Council (IsDC) and Tung Chung Rural Committee (TCRC) were conducted at their meetings on 1.2.2016 and 28.1.2016 respectively. In relation to the draft OZP, the IsDC members have raised concerns on the provision of cultural, recreational and community facilities; impact of “Conservation Area” (“CA”) and “GB” zonings on development and value of private land; road connection and the sewerage system of the villages; need for expansion of river park; and increase of development intensity for the proposed residential sites. An extract of the relevant IsDC meeting minutes is at **Annex IV**.
- 3.2 Members of TCRC also raised similar concerns on the lack of infrastructural facilities such as road, car parking, drainage, water supply and sewerage facilities for the existing villages; lack of commercial uses in TCW; the deprivation of private development right by the conservation zonings; and need for expansion of “V” zones.

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<sup>3</sup> This does not include the planned population in village areas.

<sup>4</sup> A copy each of the EIA Report and the Executive Summary of the Tung Chung Study is deposited at the Secretariat of the Board for Members’ reference.

#### 4. The Representations

4.1 Among the 38 representations received, two are supportive representations submitted by village representatives (VR) in TCV (**R1**) and an organisation (**R2**), five are both supportive and adverse representations submitted by a company (**R11**) and green groups (**R28, R30, R32** and **R33**), and 31 are adverse representations submitted by five VRs (**R3** to **R5, R12** and **R14**), TCRC (**R6**), four companies (**R7** to **R10**), 15 individuals (**R13, R15** to **R27** and **R38**) and six green groups/concern groups (**R29, R31** and **R34** to **R37**). Their major grounds are summarized as follows:

- (a) two supportive representations (**R1** and **R2**) support the “V” zone of Nim Yuen Village and oppose converting it to ‘Columbarium’ use;
- (b) **R11** generally supports the draft OZP and the “R(C)2” zone in Area 61A, but raises concerns about the extensive areas zoned “OU(Stormwater Attenuation and Treatment Ponds)”. **R28, R30, R32** and **R33** generally support/welcome the gazettal of a statutory plan but raise concerns on the adverse impact of new development zones and roads on the environment, ecology and conservation of TCV and Tung Chung Stream/Bay; and
- (c) among the 31 adverse representations, six representations (**R3** to **R8**) support private columbarium development in Nim Yuen Village and/or concern about the lack of elderly care facilities in the area. 214 signatures and 206 signatures are attached to **R3** and **R4** respectively. **R9** opposes the “V” zone covering the private columbarium development in Shek Mun Kap. **R10** opposes the proposed land uses at some sites within 500m of the future railway station. **R12** proposes to expand the “V” zone of Ngau Au Village. **R13** proposes to rezone a portion of land currently zoned “G/IC” in Area 36D, “O” in Area 36E and “CPA” in Area 98A to “Commercial” (“C”). **R14** opposes the “GB” zone covering the San Tau Village burial ground. 15 representations (**R15** to **R27** and **R38**) concern about the proposed developments and/or its impact on the ecology of Tung Chung Stream/Bay and the Chinese White Dolphins. Six green/concern groups (**R29, R31** and **R34** to **R37**) raise concerns on the environment, ecology and conservation issues.

4.2 The submissions of representations are at **Annex I**. A summary of the representations and PlanD’s responses is at **Annex V**. The locations of representers’ proposals are on **Plans H-4** to **H-8a**.

#### **Grounds of Representations**

##### Supportive Representations

4.3 **R1** and **R2** support designating Nim Yuen Village, a recognised village, as “V” zone on the draft OZP for village development and oppose converting it for ‘Columbarium’ use due to adverse impacts on the community and ecology.

- 4.4 **R11 (part)** generally supports the draft OZP and the proposed “R(C)2” zone in Area 61A as it is located at the fringe of the 500m radius from the proposed railway station; and appreciates the flood control system on Tung Chung Stream and establishment of a river park as it would preserve the natural environment and ecology of TCV.
- 4.5 **R28 (part), R30 (part) and R33 (part)** generally support/welcome the gazettal of the draft OZP, which enables statutory enforcement action against eco-vandalism in the TCV area. **R28 (part)** agrees with the general planning intention of the draft OZP, concentration of village type development within “V” zone, general presumption against development in “GB”, “CA” and “CPA” zones and not permitting temporary use/development in “CA” and “CPA” zones. **R32 (part)** supports the designation of “OU(River Park)”.

Adverse Representations/Those Providing Views on Similar Issues

- 4.6 Major grounds of the adverse representations (**R3 to R12** and **R14 to R38**) and other adverse views/comments of **R11, R28, R30, R32** and **R33** are summarised below:

*Private columbarium developments in Nim Yuen and Shek Mun Kap (**R3 to R7** and **R9**)*

- (a) There is no outstanding Small House application in Nim Yuen Village and no private land nor government land available for future Small House development. The columbarium in Nim Yuen has started operation prior to the gazettal of the draft DPA Plan covering the area and should be regarded as an “existing use” (“EU”). It is inappropriate to zone Nim Yuen Village as “V” (**R7**) (**Plan H-4a**).
- (b) The private columbarium development at Nim Yuen is compatible with the surrounding land uses and rural character of the area. There are grave yards, ‘kam taps’ and other established columbaria such as Lo Hon Monastery operating in the area. It is far away from existing settlements and there should be no adverse impact on the ecology, environment and visual character of the area (**R3 to R7**). It can relieve the current shortage in public columbarium niches, meet the demand of the future population in TCNT and support the local economy (**R3 to R6**).
- (c) The “V” zone for the Sincerity Park, a columbarium development in Shek Mun Kap may affect the representer’s interest on its land. The land owner has no intention to develop his land for any uses permitted under the “V” zone. The columbarium in Sincerity Park has been built for more than decades and there is no residential building on the land. There is a need to protect and conserve the building and prevent the threats on animals and habitats in the surrounding area (**R9**) (**Plan H-3c**).

*Provision of elderly care facilities in Area 67 (R3, R4 and R8) (Plan H4-a)*

- (d) There is a lack of elderly care facilities in Nim Yuen in view of the increasing aging population and frequent shortage in public-sector elderly care facilities.

*Objection to the “V” zone boundary of Ngau Au Village (R12)*

- (e) The inclusion of areas within the “village environs” (“VE”) of Ngau Au Village into the “CA” zone would deprive the development right of indigenous villagers (**Plan H-4b**).

*Objection to the “GB” zone covering the San Tau Village burial ground (R14)*

- (f) The existing burial areas of villagers of San Tau Village would be affected by the “GB” zoning (**Plan H-3e**).

*Employment opportunities and economic development (R15 to R24, R29, R35 and R38)*

- (g) The low-density private residential developments cannot help the employment of the local residents who are mainly low-skill labours. These developments cannot bring substantial economic benefits to Hong Kong (**R15 to R19, R22, R23 and R38**).
- (h) There is a need for economic developments in TCNTE to provide more diversified job opportunities for the increased population (**R29 and R35**).
- (i) Agricultural development can support local economy, reduce the reliance on imported food supply, provide more local job opportunities for low-skill workers and minimize the need for cross-district commuting (**R15 to R24, R29, R35 and R38**). The Government should support local agriculture/organic farming and resume private land to develop agriculture (**R15 to R24, R29, R35 and R38**).

*Overloading of carrying capacity (R11, R29, R34 and R35)*

- (j) The population increase in Tung Chung will overload the overall carrying capacity of Tung Chung which will lead to inadequate provision of transport and community facilities (**R11, R29 and R35**). The carrying capacity of TCV, the road network (**R11, R34 and R35**) and the capacity of the public transport interchange (PTI) at Shek Mun Kap (**R11**) should be critically reviewed.
- (k) More “G/IC” sites should be provided for municipal market, bazaar and community complex to cater for the need of local residents (**R35**).
- (l) The development intensity and population of TCNTE should be reduced (**R35**).



*Residential development (R10, R11, R15 to R19, R22 to R24 and R38)*

- (m) Proposed development densities for housing sites in TCV are too low. It is an under-utilisation of scarce land resources and not in line with the Transit Oriented Development (TOD) concept of having higher density development at sites near to the proposed railway station and along Tung Chung Road and the Government's policy to increase housing supply (**R10** and **R11**). Medium-density residential and commercial developments to the west of the future railway station will create a vibrant focal point (**R10**).
- (n) There is an imbalance housing mix. The public to private housing mix of TCW is 87:13, taking into account the population in Yat Tung Estate and future public housing developments in Areas 39, 42 and 46. There is also a disparity of development densities between public housing (plot ratio (PR) 6.4 and PR 5.4 for Areas 42 and 46 respectively) and private housing (PR 1 and PR 1.5) (**R10**).
- (o) There is an undesirable development profile of TCW. An asymmetric built form (instead of a stepped development profile) with higher building height (BH) restrictions (130 metres above Principal Datum (mPD) to 140mPD) for the three proposed public housing developments at Areas 39, 42 and 46 (on the draft TCTC OZP) but lower BH restrictions (20mPD to 55mPD) for the proposed private residential sites in TCV is created (**R10**).
- (p) The Non-Building Areas (NBA) will impose serious constraints on the design of residential developments (**R11**).
- (q) The proposed drainage system with open-air attenuation and treatment ponds is very land extensive and is not well justified (**R10** and **R11**).
- (r) A low-carbon community with public cycle rental service and cycling track network should be established (**R18, R19, R23** and **R24**). Private cars should not be allowed to enter TCNTE. TCV should be developed as a zero-waste new town (**R18, R19** and **R23**). Land should be reserved in Tung Chung area and at the airport to collect food waste (**R15 to R19, R22, R23, R29** and **R35**).

*Ecological conservation and environmental concerns (R9, R18 to R36, R37 and R38)*

Adverse impacts of developments

- (s) Proposed residential and village type developments will affect the ecology and natural environment of Tung Chung Stream, TCV and Tung Chung Bay which are of high ecological value. Species of conservation importance<sup>5</sup> are found in TCV and the surroundings. Native mature and large trees of

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<sup>5</sup> For example, seahorses, Beijiang thick-lipped Barb, Ohilippine Neon Goby, Romer's Tree Frog, Chinese Horseshoe Crab, Mangrove Horseshoe Crab, Seaweed Pipefish, Swinhoe's Egret, Common Birdwing, Oriental Striped Blue, Peacock Royal, Golden Birdwing, Mangrove Skimmer, Eurasian Eagle Owl, Crested Goshawk, Common Emerald, Hong Kong Newt, Short-legged Toad, Chinese White Dolphin (CWD), etc.

conservation interests such as *Pavetta hongkongensis* are also recorded in the woodlands in TCV (**R9, R18 to R36 and R38**).

- (t) The habitat of the fireflies in Shek Lau Po may be destroyed by future village type developments in the “V” zone (**R18, R19, R23 and R24**). Some areas in Shek Lau Po originally proposed for “Agriculture” (“AGR”) zone in the Tung Chung Study are now zoned “V” which is not supported by the EIA (**R29, R35 and R37**) (**Drawing H-1**).
- (u) Proposed commercial and PTI developments at Area 38A will encroach into the mangroves on the western bank of Wong Lung Hang estuary where a breeding population of dragonfly, Mangrove Skimmer, was discovered (**R30**) (**Plan H3-b**).
- (v) Area 61A (zoned “R(C)2”) is largely an orchard with Romer’s Tree Frog recorded in the vicinity. The ecology in Area 61A is linked to the eco-system of TCV and Tung Chung Bay (**R34**) (**Plan H-8a**).
- (w) The proposed roads, the fencing of the proposed stormwater attenuation and treatment ponds in Area 45B and existing illegal bridges would intercept and block the potential wildlife corridors (**R34**) (**Plan H-8a**). All non-essential road access to ecologically sensitive areas and existing illegal bridges across Tung Chung Stream in Area 84 should be eliminated (**R28**). There are concerns that the two NBAs in Areas 60 and 71A will become road access, threatening the adjoining “CPA” and “CA” zones (**R28**) (**Plan H-3d**). Changing the natural landscape for car parking use is also inappropriate (**R18, R19 and R23**).

#### Conservation zonings

- (x) Those fung shui woods, without “CA” zoning, receive no proper control against development and ecological vandalism (**R28, R31, R33 and R34**). Some of them will be affected by the “OU (Polder)” zoning (**R32**). Government should resume private land zoned for “CA” and take up the management responsibility (**R11**). All private land lots in Tung Chung River Valley should be resumed and managed by the Government as a River Nature Park (**R28 and R29**).
- (y) The ecology and the value of Tung Chung Stream should be considered as a whole river system. Designating only the river estuary area as “CPA” has limited value to the conservation of Tung Chung Stream, the “CPA” will become commercialized (**R18 to R21 and R23**).

#### Eco-tourism and eco-education

- (z) The ecology of TCV should be utilized for eco-education (**R18 to R21, R23 and R24**). Scientific and educational facilities such as museums and a visitor centre in the non-sensitive part of TCV should be provided (**R30**).

- (aa) The existing landscape and cultural heritage of Tung Chung Stream should be used to enhance tourist appeals and to promote passive recreational activities. A stream trekking base for Tung Chung Stream and an eco-tourist hub should be established to connect different hiking trails in TCV (**R30**).

#### Eco-vandalism and planning controls

- (bb) There will be foreseeable non-enforceable vandalism in the area<sup>6</sup> (**R25, R29, R30** and **R35**). Enforcement against dumping, unauthorized vehicle access and developments on both sides of Tung Chung Stream should be strengthened (**R28** and **R29**).
- (cc) There is a lack of effective land use control and enforcement power against incompatible developments and waste dumping in Tin Sam/San Tau Beach Site of Special Scientific Interest (SSSI) areas which are of high ecology value (**R25, R28**<sup>7</sup> and **R33**) (**Plan H-13**).
- (dd) The boundary of the draft OZP does not follow the coastline at Sha Tsui Tau. Some coastal area and mangrove area of the western bank of the Tung Chung Estuary are not covered by the draft OZP without proper planning controls (**R10**).

#### Air, sewerage and drainage pollution

- (ee) Tung Chung is one of the districts of high air pollution. Measures should be suggested to improve the air quality for the growing population (**R29** and **R30**). The low-density private residential developments will increase number of private car ridership leading to environmental pollution and destruction of the natural environment (**R18, R19, R22, R23** and **R38**). The new Air Quality Guidelines of the World Health Organization (WHO) should be adopted to evaluate the cumulative impacts (**R29**).
- (ff) No sewerage or stormwater of developed areas should be drained into the river courses and estuary of Tung Chung Stream (**R28** and **R30**). The relevant maintenance authority should be liaised with in the comprehensive design of the drainage and wetland system for the collection and treatment of surface runoff. The connection rate of communal sewers to village houses should be of a satisfactory level (**R34**).

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<sup>6</sup> In particular: (i) dumping of construction and demolition waste generated from future developments; (ii) discharge of domestic waste water through storm water drainage system to Tung Chung River-cum-Bay; (iii) connection of outfall of storm water drainage system to Tung Chung River-cum-Bay; (iv) dumping, reclamation, eradication of vegetation in Tung Chung River-cum-Bay; and (v) incompatible developments in TCW.

<sup>7</sup> **R28** expresses that the mangroves in San Tau are of high conservation value due to rich floristic diversity and its nearby Tin Sam is a butterfly hotspot. The seagrass beds and nearby mangroves at the San Tau SSSI are one of only four sites where Dwarf Eel Grass, and one of only five sites where Oval Halophila are recorded in Hong Kong.

### Others

- (gg) The principle of the Convention on Biological Diversity (CBD)<sup>8</sup> should be followed and the river system should be regarded as a whole in assessing the ecological value (**R29** and **R34**).
- (hh) A comprehensive plan for Lantau development should be provided (**R29**).
- (ii) There have been major destructive landslides incidents occurred in Tung Chung, in particular, the eastern slope of Nei Lak Shan to the west of TCV is prone to geotechnical risks. Geotechnical stability should be taken into account (**R30**).
- (jj) Engineering works and construction wastes might affect the streams (**R36**). A 'conservation first before development' strategy and mitigation measures during construction such as mandatory collection of construction and domestic wastes and traffic restriction on construction vehicles in TCV should be adopted (**R28** to **R30**). It is not clear if an EIA has been prepared for the draft OZP and whether there are controls over the implementation and construction method (**R18**, **R19** and **R23**).

### **Representers' Proposals**

4.7 The representers' proposals are summarised below:

#### *Private columbarium development in "V" Zone of Nim Yuen (**R3** to **R7**)*

- (a) The "V" zone covering the private columbarium development and private land should be rezoned to 'Institution or Community' ('IC') use (**R3** to **R7**) to reflect the existing columbarium use in Nim Yuen and other community uses such as elderly home and religious institution should also be always permitted (**R7**) (**Plan H-4a**).

#### *Provision of elderly care facilities in Area 67 (**R3**, **R4** and **R8**)*

- (b) Area 67 should be rezoned from "R(C)2" to 'IC' use for the development of community care and elderly supporting services(**Plan H-4a**).

#### *Objection to the "V" zone boundary of Ngau Au Village (**R12**)*

- (c) The "V" zone boundary of Ngau Au Village should be enlarged (**Plan H-4b**).

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<sup>8</sup> The CBD is an international treaty on the conservation of biodiversity, the sustainable use of its components, and fair and equitable sharing of benefits deriving from the use of genetic resources. The CBD seeks to facilitate achievement of these objectives by providing a guidance framework on the essential components of and the key considerations involved in formulating a comprehensive conservation strategy. In general, Parties to the CBD are required to adopt measures with regard to the CBD's provisions as far as possible and as appropriate in light of specific local circumstances for protecting biodiversity.

*Employment opportunities and economic development (R13)*

- (d) Part of Areas 36D, 36E and 98A near Hau Wong Temple should be rezoned from “G/IC”, “CPA” and “O” respectively to “C” (**Plan H-4c**).

*Residential development (R10 and R11)*

- (e) **R10** has the following land use proposals in respect of its two sites (**Plan H-5a**):

Site A: the boundary of the “G/IC” zone in Areas 36A and 36B should be extended to cover part of the “O” zone in Area 36E and the “CPA” zone in Area 98A and act as a community focal point. ‘Flat’ use should be added under Column 2 of the Notes for the enlarged “G/IC” zone. Two NBAs of about 10m should be included to safeguard the scenic view from Hau Wong Temple towards the Tung Chung Bay and to act as buffer to protect mangrove and streamcourse from future development of the “G/IC” site and added to the Remarks of the Notes of the “G/IC” zone. Corresponding amendment of the Explanatory Statement is also proposed (**R10**); and

Site B: the “OU (Stormwater Attenuation and Treatment Pond)” site in Area 45D and the “CPA” site in Area 98D should be partly rezoned to “R(C)2” for private residential development (with PR 1 and maximum building height of 20mPD) and partly to “OU (River Park)”. The original proposed stormwater and treatment ponds should be relocated underground to the “O” site in Area 80 which should be rezoned to “O(1)” with ‘Stormwater Attenuation and Treatment Pond’ use added under Column 1 use in the Notes of the draft OZP for the “O(1)” zone (**R10**).

- (f) **R11** has the following proposals in relation to its sites (**Plan H-5b**):
- (i) Area 60 should be rezoned from “R(C)2” to “R(C)1” with corresponding increase in PR and BH restriction;
  - (ii) ‘Shops and Services’ use in “R(C)” zones should be allowed;
  - (iii) the two NBAs of 20m and 30m in Areas 60 and 71A should be removed; and
  - (iv) areas that are unnecessary for “OU (Stormwater Attenuation and Treatment Ponds)” use should be rezoned to other appropriate land use zones.

*Ecological conservation and environmental concerns (R10, R11 and R28 to R36)*

Adverse impacts of developments

- (g) “C”, “R(A)” and “R(C)” zones within the TCV and Tung Chung Bay should be deleted (**R35**).
- (h) Area 61A should be rezoned from “R(C)2” to “GB” (**R34**) (**Plan H-8a**).

- (i) The proposed PTI in Area 38A should be relocated to the “G/IC” zone in Area 107 or the “Residential (Group A)1” “R(A)1” zone in Area 39 on the draft TCTC Area OZP (**R28** and **R30**). The Mangrove Skimmer habitat in Area 38A should be included in River Park or under other proper conservation zoning (**R28** and **R30**).
- (j) All woodlands, streams and wetlands should be excluded from the “V” zones or other development zones (**R30** and **R34**) and the size of the “V” zones should be reduced to minimal (**R36**).
- (k) A portion of Areas 68A and 68B and a portion Mok Ka Village should be zoned “GB” and a portion of Area 71A and a portion of Area 71B should be zoned “CA” and “GB” respectively for viable movement corridors for wildlife (**R34**) (**Plan H-8a**).

#### Conservation zonings

- (l) A recommended DPA Plan is submitted by the joint green groups (**R28**) and supported by **R30**, **R31** and **R32** with the following proposals (**Plan H-6**):
  - (i) a “Site of Special Scientific Interest” (“SSSI”) covering river courses and banks of Tung Chung Stream (30m on either side of major course and 20m for tributaries), Tung Chung Stream Estuary and Tung Chung Bay should be designated;
  - (ii) a River Nature Park with appropriate zonings (i.e. “SSSI”, “CA”, “CPA” and “OU(Polder)”) should be established;
  - (iii) fung shui woodlands, ecologically important woodlands, Nei Lak Stream and upland catchment of Tung Chung Stream should be zoned “CA”;
  - (iv) mudflat and backshore of Tung Chung Bay should be zoned “CPA”; and
  - (v) the land near Tung Chung Stream estuary (i.e. covering Areas 36A, 36B, 36C, 36D (part), 36E, 36F, 38A, 38B, 38C, 45E, 45F, 60, 61A, 61B and 87 (part) and some sections of the proposed roads) should be zoned “OU(Conservation, Ecotourism & Ecological Education)” to provide ecological education and recreation for visitors.
- (m) “CA” zoning should be designated 30m along both sides of the river to protect all natural streams (including all their tributaries) (**R31**). The river park should link up the “CA” sites along the western section of Tung Chung Stream as the river park extension (**R11**) (**Plan H-5b**).
- (n) All fung shui woodlands and mature woodlands should be zoned “CA” (**R33** and **R34**) (**Plans H-7a** and **H-8a**). The orchards, natural vegetation, woodland, hillside shrubland and grassland should be zoned as “GB” (**R32**).

Proposed amendments to Notes

- (o) The Notes of various zones and sections of Explanatory Statement of the draft OZP should be amended (**R28**):
- (i) to prohibit diversion of streams, filling of land/pond or excavation of land;
  - (ii) to prohibit material change of existing uses that have adverse impacts on the area;
  - (iii) to prohibit uses not conforming to Water Pollution Control Ordinance;
  - (iv) to prohibit 'refreshment kiosk' use in "CA" and "CPA" zones and agricultural land;
  - (v) to prohibit constructing septic tank of rebuilt Small House within 30m of watercourse;
  - (vi) to prohibit temporary use/development in "CA" and "CPA" zones;
  - (vii) to prohibit open storage and port back-up land use;
  - (viii) to favourably consider alteration and/or modification of existing uses which may lead to ecological improvement to the area; and
  - (ix) to require permission from relevant government authorities for maintenance/repair works of watercourses and drainage works that affecting its physical setting and ecology.

Planning Controls

- (p) The Tin Sam/San Tau Beach SSSI should be covered by the draft OZP, new DPA plans or Country Park Extension (**R28, R29, R33, R35** and **R36**) for protection (**Plans H-6** and **H-13**).
- (q) The mudflat and mangroves along the coastline of Tung Chung Bay should be designated as "CPA" (**R32**). In particular, the boundary of the draft OZP should be adjusted to include the mangrove area (near Area 98A) at Sha Tsui Tau and zone "CPA" (**R10**) (**Plan H-5a**).

**5. Comments on Representations**

- 5.1 Among 87 comments received, four comments (**C1** to **C4**) are against **R1** and **R2** and to support the private columbarium development in Nim Yuen and propose to designate Nim Yuen Village as 'IC' use. **C5** submitted by a company supports its own representation **R8** in Nim Yuen. Six comments (**C6** to **C11**) are standard forms opposing **R3** to **R9** on the private columbarium development in Nim Yuen as it will lead to adverse social, ecological, traffic, hygiene and security problems. **C6** to **C11** also support the "V" zone for Nim Yuen Village and "R(C)2" for Area 67 and propose to provide more recreational facilities in Nim Yuen.
- 5.2 **C12** opposes **R33** regarding the representer's proposal to cover Tin Sam/San Tau with a DPA plan as most of the land in San Tau is privately owned. **C12** supports the Government to provide community facilities and transport infrastructure.

- 5.3 **C13** and **C14** comment on **R3** to **R6** that Tung Chung may not have suitable sites for columbarium development and oppose the proposals raised by **R10** and **R11** to rezone “OU (Stormwater Attenuation and Treatment Ponds)” sites to “R(C)2” or other zonings.
- 5.4 **C15** concerns over **R1** and **R2** and comments that enlarging “V” zone will further destroy the ecology in TCV and will not resolve the current housing problem in Hong Kong; and also disagrees with the proposal raised by **R3** to **R7** and **R9** to rezone the existing columbarium developments to ‘IC’ use as it will lead to adverse impacts on the community and ecology.
- 5.5 **C16** agrees with **R11** in supporting the establishment of a river park, but opposes the proposed residential developments in TCV and proposes to delete all residential developments to better preserve the natural environment; and also comments on **R12** and **R14** that the Government should not meet the interests of the indigenous villagers at the expense of environmental protection.
- 5.6 **C17** supports **R11** regarding the “R(C)2” site in Area 61A which is submitted by the same company.
- 5.7 **C18** supports **R28**, **R30** and **R33** and raises concerns over incompatible developments and eco-vandalism in Tung Chung River Valley and request to cover Tin Sam with DPA plan.
- 5.8 **C19** supports **R35** and raises concerns over the impacts on the ecology of TCV and Tung Chung Bay from the proposed residential/village developments.
- 5.9 **C20** is submitted to raise concerns on the conservation of horseshoe crabs in Tung Chung River Valley and Tung Chung Bay and to address the issues raised in **R15** to **R21**, **R29**, **R32** and **R35** by proposing a boardwalk through the Tung Chung River Valley and across the mudflat at Tung Chung Bay as a facility for education, amenity for local community, green groups and tourism, linking up with the River cum Biodiversity Park. **C20** also proposes to designate Tung Chung Bay as a Marine Protected Area to stop further visitor damage and promote Tung Chung as Lantau’s “Living Fossil Nature Reserve and Boardwalk”.
- 5.10 **C21** to **C87** are similar comments supporting **R15** to **R29**. **C21** comments that local economy should be established and objects to changing agricultural land for other uses and requests to maintain the agricultural land for agricultural use. **C22**, **C32**, **C37** and **C76** comment that the countryside/nature should be protected. **C23** to **C25**, **C29**, **C32**, **C36**, **C47**, **C48**, **C51**, **C62**, **C68**, **C69**, **C71**, **C72**, **C74**, **C79**, **C80**, **C82**, **C86** and **C87** request for the provision of market operated by Food and Environmental Hygiene Department (FEHD) in Tung Chung. **C38**, **C43**, **C44**, **C74**, **C80** and **C87** comment on other GIC facilities and open space such as the provision of large parks and cycle track, cooked food centre, night food, flea market and municipal building. **C41**, **C44**, **C61**, **C68** and **C69** object to the development and reclamation in Tung Chung and call for reduction in development intensity and further debate on the need for TCNTE. **C24**, **C27** and **C29** comments on traffic issues such as the traffic capacity and requests for water transportation and minibus services to the airport. Other comments include collusion between business,



villagers and the Government and call for a comprehensive greening plan, adequate local employment support, improvement on security and environmental hygiene and preservation of local character.

- 5.11 The submissions of comments and samples of standard forms/emails are attached in **Annex II**. A summary of the comments on representations and PlanD's responses is at **Annex VI**.

## **6. Planning Consideration and Assessments**

### **The Representation Sites and their Surrounding Areas**

- 6.1 The draft OZP covers a total area of about 168.27 ha, is located in the northern part of Lantau Island to the southwest of Tung Chung town centre area. It is accessible by vehicles via Tung Chung Road, Yu Tung Road and Shek Mun Kap Road. It is encircled by the Lantau North (Extension) Country Park to the west, south and southeast, Tung Chung Bay to the north and Tung Chung town centre area to the northeast. The periphery of the Area consists of hilly terrain along foothills of Nei Lak Shan, Lantau Peak / Pak Kung Au and Wo Liu Tun to the west, south and southeast. The landscape setting of the Area is very distinct as it is enclosed by an undulating mountain ridgeline and hilly terrains. The natural landscape of the Area consists of woodland, shrubland, grassland, wetland, mangroves, active/abandoned farmland and scenic coastline. There are streamcourses (commonly known as Tung Chung Stream) with parts designated as Ecologically Important Stream (EIS) flowing from the uphill area within the Country Park along TCV to Tung Chung Bay (**Plans H-1, H-2, H-3, H-12 and H-12a**).
- 6.2 The representation site of **R1, R2 and R5 to R7** covers the "V" zone of Nim Yuen Village (Area 74). The representation sites of **R3 and R4** cover the "V" zone of Nim Yuen Village (Area 74) and the "R(C)2" zone in Area 67. The representation site of **R8** covers the "R(C)2" zone in Area 67. The representation site of **R9** on the private columbarium development, Sincerity Park, is within the "V" zone of the Shek Mun Kap Village. The two representation sites of **R10** cover: (a) the "G/IC" zone at Areas 36A and 36B, "O" zone at Area 36E and the "CPA" zone in Area 98A; and (b) the "OU (Stormwater Attenuation and Treatment Pond)" site in Area 45D and the "CPA" site in Area 98D. The representation sites of **R11** cover: the (a) "OU (Stormwater Attenuation and Treatment Ponds)" zone; (b) "R(C)2" zone; (c) "R(C)1" site in Area 71A; (d) the "CA" sites in Areas 96B (part) and 96C; and (e) the "OU(River Park)" zone. The representation sites of **R12** cover the areas in the "CA" zone within the "VE" of Ngau Au Village. The representation site of **R13** covers areas under the "G/IC" zone in Area 36D, "O" zone in Area 36E and "CPA" zone in Area 98A. The representation sites of **R14** cover the existing burial ground of the San Tau Village in the "GB" zone in Area 87. The representation sites of **R15 to R17, R22 and R38** cover the "R(C)1" and "R(C)2" zones. The representation sites of **R18, R19 and R23** cover the "R(C)1" and "R(C)2" zones, the "V" zone in Shek Lau Po (Area 76) and the "CPA" zone. The representation sites of **R20 and R21** cover the "CPA" zone. The representation site of **R24 and R37** covers the "V" zone in Shek Lau Po (Area 76). The representation site of **R28 to R35** covers the entire draft OZP. **R25 to R27** do not indicate any specific representation site (**Plans H-1 and H-2**).

## **Planning Intention**

- 6.3 The general planning intention of the draft OZP is to conserve the ecologically sensitive areas, to protect the rural and natural character, to maintain the unique landscape character and cultural heritage of the Area. Land is also reserved for Small House development by indigenous villagers. Areas suitable for low-rise, low-density development compatible with the rural and natural environment is also reserved based on the RODP formulated under the Tung Chung Study.
- 6.4 Various land use zones are designated to protect the ecologically sensitive areas and to preserve the natural environment and rural character of the Area. Enforcement actions will be taken against any unauthorized development which would have impacts on the natural and rural character of the Area. Land suitable for development will be guided and controlled in accordance with the draft OZP.
- 6.5 The planning intention for “C” zone is primarily for commercial developments, which may include shop, services, place of entertainment and eating place, functioning mainly as the local shopping centre serving the immediate neighbourhood.
- 6.6 The planning intention for “R(C)” zone is primarily for low-rise, low-density residential developments where commercial uses serving the residential neighbourhood may be permitted on application to the Board.
- 6.7 The planning intention of “V” zone is to designate both existing recognized villages and areas of land considered suitable for village expansion. Land within this zone is primarily intended for development of Small Houses by indigenous villagers. It is also intended to concentrate village type development within this zone for a more orderly development pattern, efficient use of land and provision of infrastructures and services. Selected commercial and community uses serving the needs of the villagers and in support of the village development are always permitted on the ground floor of a New Territories Exempted House (NTEH). Other commercial, community and recreational uses may be permitted on application to the Board.
- 6.8 The planning intention of “G/IC” zone is primarily for the provision of Government, institution or community facilities serving the needs of the local residents and/or a wider district, region or the territory. It is also intended to provide land for uses directly related to or in support of the work of the Government, organizations providing social services to meet community needs, and other institutional establishments.
- 6.9 The planning intention for “O” zone is intended primarily for the provision of outdoor open-air public space for active and/or passive recreational uses serving the needs of local residents as well as the general public.
- 6.10 The planning intention for “OU(River Park)” zone is primarily for the development of River Park, which forms part of the sustainable drainage and flood prevention system in the Area. It is also intended to protect and retain the existing natural landscape, ecological or topographic features of the area for preservation, flood prevention, educational and research purposes through the development of River

Park and to separate sensitive natural environment of the Tung Chung Ecologically Important Stream from the adverse effects of development.

- 6.11 The planning intention for “OU(Stormwater Attenuation and Treatment Ponds)” zone is for the development of stormwater attenuation and treatment ponds, which form part of the sustainable drainage and flood prevention system in the Area.
- 6.12 The planning intention for “OU(Polder)” zone is intended for the development of polder, which forms part of the sustainable drainage and flood prevention system in the Area.
- 6.13 The planning intention of “GB” zone is primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is a general presumption against development within this zone.
- 6.14 The planning intention of “CA” zone is to protect and retain the existing natural landscape, ecological or topographical features of the area for conservation, educational and research purposes and to separate sensitive natural environment such as Ecologically Important Stream or Country Park from the adverse effects of development. There is a general presumption against development in this zone. In general, only developments that are needed to support the conservation of the existing natural landscape or scenic quality of the area or are essential infrastructure projects with overriding public interest may be permitted.
- 6.15 The planning intention of “CPA” zone is to conserve, protect and retain the natural coastlines and the sensitive coastal natural environment, including attractive geological features, physical landform or area of high landscape, scenic or ecological value, with a minimum of built development. It may also cover areas which serve as natural protection areas sheltering nearby developments against the effects of coastal erosion. There is a general presumption against development in this zone. In general, only developments that are needed to support the conservation of the existing natural landscape or scenic quality of the area or are essential infrastructure projects with overriding public interest may be permitted.

## **Responses to Grounds of Representations and Representers’ Proposals**

### Supportive Views

- 6.16 The supporting views of **R1** and **R2** on “V” zone of Nim Yuen and the views of **R11 (part)**, **R28 (part)**, **R30 (part)**, **R32 (part)** and **R33 (part)** supporting the gazettal of the draft DPA Plan and draft OZP covering TCV are noted. The TCV area has been designated as a DPA to provide planning control with a view to avoiding further proliferation of undesirable uses and degradation of the natural environment and rural character of the area, and to enable enforcement action to be taken against unauthorized development by the Planning Authority.

### Adverse Views/Views on Similar Issues

#### *Private columbarium development in “V” Zone in Nim Yuen and Shek Mun Kap (R3 to R7 and R9)*

- 6.17 Some representers oppose converting “V” area in Nim Yuen for columbarium use (**R1** and **R2**) but some others support private columbarium developments in Nim Yuen and Shek Mun Kap and propose to rezone the “V” zone covering the private land in Nim Yuen to ‘IC’ use (**Plans H-4a** and **H-3-c**). It should be noted that both Nim Yuen and Shek Mun Kap are recognised villages (**Plans H-12** and **H-12a**). Existing villages together with areas suitable for village expansion are designated as “V” zone on the draft OZP which is also intended to concentrate village type development within this zone for a more orderly development pattern, efficient use of land and provision of infrastructures and services. In designating the “V” zone, considerations including the existing “VE”, outstanding small house applications, 10-year small house demand forecast, the topography and the natural environment have been taken into account (**R3** to **R7** and **R9**).
- 6.18 ‘Columbarium’ use is neither a Column 1 nor Column 2 use and is not permitted within the “V” zone. It is considered not in line with the planning intention of “V” zone and not compatible with the rural character of the area and surrounding developments including village houses, woodlands and vegetated slopes (**Plans H-3c** and **H-4a**). Human activities related to the columbarium may cause disturbance to the surrounding residential and village developments and sensitive conservation area along Tung Chung Stream. Besides, columbarium developments may also induce heavy traffic flows to the area during Ching Ming Festival and Chung Yeung Festival. According to Project Manager (Hong Kong Island and Islands) (PM/HKI&I), CEDD, the proposed road network in TCV is not designed to cater for such traffic conditions and upgrading of the proposed roads may not be possible due to environmental constraints in the area. There is also a lack of public transport provision to serve the columbarium developments. According to CTP/UD&L of PlanD, there are no details on the representers’ rezoning proposal that could define the development scale and scope of the columbarium development and the potential visual impact is yet to be ascertained (**R3** to **R7** and **R9**).
- 6.19 **R7** and **R9** claims their columbarium developments at Nim Yuen and Shek Mun Kap are “EU”<sup>9</sup>. Even if the columbarium developments are “EU” tolerated under the Ordinance, they are not compatible with the surrounding area and long-term planning intention of the area for village-type development. **R3** to **R7**’s proposal to rezone Nim Yuen to “IC” to reflect the existing columbarium use is not supported.

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<sup>9</sup> According to s.1A of the Ordinance, an “EU” is defined as a use of a building or land that was in existence immediately before the first publication in the Gazette of notice of the draft DPA plan. There was ‘Columbarium’ use in the seven 3-storey and one 2-storey structures at Nim Yuen immediately before gazettal of the draft TCV DPA Plan on 21.8.2015 and the use is considered as “EU” under the Ordinance. The concerned land for columbarium in Nim Yuen have been re-entered by the Government for the breach of lease condition in August 2015. The former lots owner has commenced legal proceedings against the Government in September 2015. For the Sincerity Park in Shek Mun Kap, there was ‘Columbarium’ use in an 1-storey structure near eastern side of the entrance of the site immediately before gazettal of the draft TCV DPA Plan on 21.8.2015 and the use is also considered as “EU” under the Ordinance.

*Provision of elderly care facilities (R3, R4, R7 and R8)*

- 6.20 There is concern on the lack of elderly care facilities in the TCV. It should be noted that the provisions of community and social welfare facilities in TCTNE are planned in a holistic manner to serve population of the whole new town and its extension in accordance with the requirements under the Hong Kong Planning Standards and Guidelines (HKPSG) and based on the advice of the relevant departments. The GIC facilities are also carefully planned and located with considerations on their accessibility to both the existing and future local residents and the wider community. Within TCV, a “G/IC” site in Area 36A is reserved for a GIC complex (**Plan H-4c**). Should there be a demand for elderly care facilities in the area and subject to the requirements of the government departments, such facilities could be accommodated in the planned GIC complex. Besides, a residential care home for elderly and neighbourhood elderly centre are planned in the proposed public housing developments in Areas 39 and 42 within the adjoining TCTC OZP (**R3, R4, R7 and R8**).
- 6.21 Regarding **R7**’s proposal to rezone Nim Yuen to ‘IC’ for other community uses such as elderly homes and religious institution and **R3, R4 and R8**’s proposal to rezone Area 67 from “R(C)2” to ‘IC’ use (**Plan H-4a**), it should be noted that ‘Religious Institution’, ‘Residential Institution’ and ‘Social Welfare Facility’ uses are Column 2 uses which may be permitted on application to the Board within “V” zone while ‘Residential Institution’ and ‘Social Welfare Facility’ uses may be permitted on application to the Board within “R(C)” zone. Hence, flexibility has already been allowed under the planning application mechanism if additional need arises.

*Objection to the “V” zone boundary of Ngau Au Village (R12)*

- 6.22 With regard to **R12**’s objection to the inclusion of some private land and the areas covered by the “VE” of Ngau Au Village into the “CA” zone, DAFC comments that the concerned “CA” zone covers relatively large and intact mature woodland with records of floral species of conservation interest (**Plans H-4b**). The “CA” zone is considered appropriate to better preserve the ecologically important woodlands and the Tung Chung Stream. The planning intention of the “CA” zone to protect and retain the existing natural landscape, ecological or topographical features of the area for conservation, educational and research purposes and to separate sensitive natural environment from the adverse effects of development. Besides, since the concerned private lots falling within the portion of the “VE” of Ngau Au Village which is zoned “CA” are primarily demised for agricultural purpose under the block government lease and ‘Agricultural Use’ is always permitted within the “CA” zone, there is no deprivation of the development rights of the indigenous villagers.
- 6.23 **R12**’s proposal to enlarge the “V” zone boundary of Ngau Au Village is not supported (**Plan H-4b**). It should be noted that in designating the “V” zone, considerations including the existing “VE”, outstanding small house applications, the existing settlement pattern, 10-year Small House demand forecast, the location topography and the natural environment have been taken into account. Land

within the “V” zone of Ngau Au could meet approximately 26.34%<sup>10</sup> of the Small House demand. While inadequate, there is still land available in other “V” zones within Tung Chung Heung to meet the Small House demand.

*Objection to the “GB” zone covering the San Tau Village burial ground (R14)*

- 6.24 **R14** concerns that the existing burial ground of villagers of San Tau Village would be affected by the “GB” zoning (**Plan H-9**). In accordance to the Notes of the OZP, existing permitted burial ground within the “GB” zone would not be affected, while new burial ground requires planning permission by the Board. According to the Lands Department (LandsD), the concerned existing burial locations mentioned by **R14** are not within a permitted burial ground (**Plan H-9**).

*Employment opportunities and economic development (R13, R15 to R24, R29, R35 and R38)*

- 6.25 There are concerns that the low-density private residential developments cannot help the employment of local residents who are mainly low-skill labour and there is a need for economic development in TCNTE to provide more diversified jobs for the increased population. Under the Tung Chung Study, commercial developments including offices, retails, hotels and marina are to be provided in TCNTE and diversified employment opportunities will be created e.g. office work, professional service, management, property management, hotel management, tourism service, dining and retail services. With the introduction of different business types, TCNTE is expected to create an additional 40,000 job opportunities<sup>11</sup>. Other development projects in the surroundings (e.g. Third Runway System (3RS) of the Hong Kong International Airport (HKIA), Hong Kong Boundary Crossing Facilities (HKBCF) of Hong Kong-Zhuhai-Macau Bridge (HZMB), North Commercial District (NCD) and Sunny Bay) will also bring more jobs to Tung Chung. Local retail uses are also planned along the Linear Parks and the main streets in TCE to provide opportunities for local residents to open up small business and to enhance street vibrancy. Besides, land for post-secondary education and other school uses has been reserved in TCNTE to provide education and training facilities for Tung Chung residents (e.g. tourism, aviation, food and beverage, etc.) to meet the need of development and workforce in Tung Chung and its surrounding (**R15 to R19, R22, R23, R29, R35 and R38**).
- 6.26 Besides, employment within the district could also be encouraged by the future improvement of the internal and external connectivity of TCV including a new TCW Railway Station and extension of road networks connecting TCV and TCTC/TCE (**R15 to R19, R22, R23, R29, R35 and R38**).
- 6.27 With regards to the suggestion of supporting local economy and providing more local job opportunities by developing agriculture in TCV, ‘Agricultural Use’ is

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<sup>10</sup> According to the Small House demand figures as at 1.1.2015 in Table 2 of the TPB Paper No. 10045.

<sup>11</sup> From a rough estimates of the 40,000 new job provided in the TCNTE area, about 45% (18,000 jobs) would be for clerical works, elementary occupations and service sales workers which require no or relatively low skills.

always permitted within the “V” and “GB” zones. Villagers can carry out farming practice within these zones (**R15 to R24, R29, R35 and R38**). With respect to **R15 to R17**’s suggestion for the Government to resume private land lots for agriculture, the Government currently has no prevailing policy for resuming private land for agricultural use.

- 6.28 With regards to **R13**’s proposal to rezone part of Areas 36D, 36E and 98A around Hau Wong Temple from “G/IC”, “O” and “CPA” respectively to “C”, it should be noted that the “G/IC” zone in Area 36D is currently in use by the Tung Chung Outdoor Recreation Camp and Area 36E is an existing open space serving the needs of local residents as well as the general public (**Plan H-4c**). Rezoning part of these sites will affect the existing GIC facility and will result in a reduction of public open space provision. The “CPA” is intended to conserve, protect and retain the natural coastlines and sensitive coastal natural environment with a minimum of built environment. Besides, no concrete development proposal nor technical and environmental assessments have been submitted to demonstrate the proposal’s feasibility and that there are no adverse impacts to the surroundings. Furthermore, “C” sites are proposed in Areas 38A, 38B and 38C to the north of Yu Tung Road to capitalise on their locational advantage in proximity to the proposed TCW Railway Station (**Plan H-10**). Commercial developments within these sites will include shop, services, place of entertainment and eating place, functioning mainly as the local shopping centre serving the immediate neighbourhood. A PTI is also planned in Area 38A to provide convenient transfer by local residents. With convenient accessibility, the site will form a focal point with the area surrounding Hau Wong Temple to the north.

*Overloading of carrying capacity of Tung Chung (**R11, R29, R34 and R35**)*

- 6.29 There are concerns that the population increase in Tung Chung would overload the carrying capacity of the area such as transport and community facilities.
- 6.30 A comprehensive transport network has been planned to serve the TCNTE. TCNTE will be mainly supported by railway transport with two new railway stations<sup>12</sup> proposed to connect Tung Chung with other parts of the territory. According to the Traffic and Transport Impact Assessment of Tung Chung Study, the design capacity of the Tung Chung Line (TCL) (assuming 4 persons per m<sup>2</sup>), with the two new railway stations at TCE and TCW, can accommodate the planned population upon full development of TCNTE. Tai Ho Interchange and Road P1 (Tung Chung – Tai Ho Section) connecting TCE and North Lantau Highway (NLH) are proposed to relieve future road traffic demand. Besides, Tuen Mun-Chek Lap Kok Link (TM-CLKL) to be completed in 2018 will offer an alternative route to the local population and ease the traffic flow of NLH. New PTIs (two in TCV, i.e. Area 38A and at Shek Mun Kap Road) will be provided for facilitating the interchange among different modes of transport in the area (**Plan H-10**). There

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<sup>12</sup> According to the Railway Development Strategy 2014 (RDS-2014), it is planned to extend the existing TCL westward with a new station at TCW. An indicative implementation programme, subject to detailed studies and availability of resources, in around 2020 to 2024 has been noted in RDS-2014. The Tung Chung Study also recommends a new TCE station. The Government will continue to liaise with relevant parties with a view to facilitating the implementation of the TCE station in a timely manner to meet the development needs of TCNTE.

are currently about 37 franchised bus routes serving Tung Chung. The Transport Department (TD) will ensure that adequate public transport services will be provided to the future population. In terms of internal connectivity, there are district and local distributors planned in TCV under the Tung Chung Study (**R11, R29, R34 and R35**).

- 6.31 As to **R11**'s proposal to review the road system and the capacity of the PTI at Shek Mun Kap Road, CEDD advises that the road system within and connecting TCV is planned with a view to providing access to proposed developments and existing villages. Access roads within "V" zone will be considered during detailed design stage. For the PTI, its capacity and scale will be determined in the detailed design stage to suit the transport need in consultation with TD.
- 6.32 The provision of community, social welfare, recreational and educational facilities in TCTNE are planned in a holistic manner to serve population of the whole new town and its extension in accordance with the requirements under HKPSG and based on the advice of the relevant departments. "G/IC" sites are carefully planned and located such that they are easily accessible by local residents and to serve the wider community. Additional sites are reserved for unforeseen GIC uses such as municipal market when need arises (**R11, R29, R34 and R35**).
- 6.33 As regards **R35**'s proposal to reduce the development intensity and population of TCNTE, the overall objective of TCNTE is to extend the existing new town into a distinct community which can meet housing, social, economic, environmental and local needs. TCNTE is also one of the important land supply sources to meet territorial housing demand in medium and long-term. The Government should make good use of this land resource while making sure that the proposed residential developments and increase of population are acceptable in all aspects including environment, ecology, planning and urban design, transport, community and social aspects. In this respect, only low-density developments are proposed in TCV taking into account the ecologically sensitive areas and rural character of the area.

*Residential Development (**R10, R11, R15 to R19, R22 to R24, R29, R35 and R38**)*

- 6.34 There is concern that the proposed development densities of the housing sites in TCV are too low. It should be noted that the planning intention of TCV is to conserve the ecologically sensitive areas, to protect the rural and natural character, to maintain the unique landscape character and cultural heritage of the Area. Apart from land reserved for Small House development by indigenous villagers, sites of relatively low ecological value are identified as suitable for low-rise, low-density residential development (PR of 1 to 1.5 and BH restrictions of 20mPD to 55mPD) which are compatible with the rural and scenic character of the area. Developments in TCV are subject to various development constraints including limited infrastructure capacities, environmental implications and ecological considerations. The proposed development intensity has been derived taking into account these development constraints, relevant planning considerations and compatibility with the surrounding environment (**R10 and R11**).
- 6.35 The Chief Town Planner/ Urban Design and Landscape (CTP/UD&L), PlanD comments that the TCV is an area of rural ambience with natural landscape, stream



courses and villages. Based on the comprehensive study under the Tung Chung Study, the proposed development intensities for TCV are adopted to suit the surrounding environment including both environmental assets and existing residential areas. The development intensities proposed for TCV are considered appropriate from visual impact and urban design perspective (**R10** and **R11**).

- 6.36 With respect to **R10**'s comment that an asymmetric built form instead of a stepped development profile will result in TCW, CTP/UD&L, PlanD comments that a stepped development profile would be established with descending BH from the mountain side in the south towards the waterfront and estuary of Tung Chung Stream in maximising integration with the existing built form and to balance between conservation and development. Higher rise residential developments are planned along Tung Chung Road (Areas 42 and 46 outside of the Area) where the sites are located adjacent to the mountain backdrop.
- 6.37 As to **R10**'s concern on an imbalance housing mix in that there is an over-concentration of public housing in TCW and disparity of development density between public and private housing in TCE and TCW, it should be noted that different types of residential development are planned in TCNTE to ensure a balanced housing mix and different housing choices will be available for different social groups. A public/private housing split of about 63:37 is currently adopted for TCNTE which is generally in line with the public/private housing split of 60:40 as recommended by the Long Term Housing Strategy Steering Committee. Different densities of residential developments, be it public or private, are proposed taking into account individual site characteristics, local circumstances, ecological and environmental implications, infrastructural capacity and other relevant planning and urban design considerations. To respect the rural character and natural environment of TCV, low-rise and low-density residential developments are proposed. As for the sites reserved for public housing developments, the mix of public rental housing/subsidised sale flat will be determined in the detailed design and implementation stage by the Housing Department (HD).
- 6.38 With regard to the suggestion of developing TCV as a low-carbon community, it is in line with the current planning in TCNTE in which railway system is planned as a backbone of the passenger transport system in TCNTE so as to minimise road traffic and use of private cars. One new railway station is planned in TCE and one new railway station is planned in TCW. Besides, a TOD concept is adopted so that higher density development will be planned near the railway station to take advantage of the convenient transportation network. Furthermore, comprehensive networks of cycle tracks (12 km for TCNTE), cycle parking facilities and pedestrian walkways are also planned to encourage cycling and promote convenient cycle and pedestrian movements. These measures would reduce the demand for vehicles and thus reduce greenhouse gas emissions. Currently, it is not the Government's policy to provide public cycle rental services (**R18**, **R19**, **R23** and **R24**). The proposed provision of food waste collection facilities will be studied in the detailed design stage should a demand for food waste recycling arise in the future (**R15** to **R19**, **R22**, **R23**, **R29**, **R35** and **R38**).

*Specific land use proposals of R10*

**Site A: Extension of “G/IC” (Plan H-5a)**

- 6.39 **R10** proposes to extend the “G/IC” zone in Area 36A and 36B to cover part of the adjacent “O” zone in Area 36E and “CPA” zone in Area 98A. CTP/UD&L, PlanD comments that the proposal will result in a reduction of public open space. In urban design consideration, it is more desirable that Hau Wong Temple, a Grade 2 historic building, to be enveloped by open space allowing sufficient flexibility for provision of space in respect of the temple’s cultural and historical significance. Future activities related to the temple could also be held in such space (**Plan H-11**). The current “O” zoning on the draft OZP is considered more appropriate for such purposes. The rezoning of “CPA” area is also not in line with the planning intention to conserve, protect and retain the natural coastlines and the sensitive coastal natural environment, including attractive geological features, physical landform or area of high landscape, scenic or ecological value, with a minimum of built development. Besides, **R10** has not provided any details and support of the type and amount of GIC facilities that would be required to justify the extended “G/IC” site. The currently planned GIC complex in Area 36A, together with the commercial centre at Areas 38A and 38B, Hau Wong Temple and the public open space in Area 36E, will form an activity node without the need for enlargement of the “G/IC” site. With regards to **R10**’s proposal to incorporate a 10m wide NBA along the northern boundary of the proposed enlarged “G/IC” site as a visual corridor from Hau Wong Temple towards Tung Chung Bay, the CTP/UD&L, PlanD comments that, in general, an effective visual corridor should be at least 15m in width. Also, this particular NBA terminates at some developments at Sha Tsui Tau and the topography is relatively flat in the area. No visual material is submitted to demonstrate the effectiveness of the visual corridor. Regarding the second NBA proposed by **R10** along the southern boundary, it is proposed for neither visual relief nor air ventilation purpose, but as a buffer to protect the mangrove area and streamcourse. This NBA is not supported as the concerned areas are already zoned “CPA” on the draft OZP which is a more appropriate land use zoning to serve such purpose.
- 6.40 With regards to **R10**’s suggestion to include ‘Flat’ use in Column 2 of the Notes of the “G/IC” zone, the “G/IC” site in Area 36A is designated for a GIC complex to accommodate social welfare and other GIC facilities. ‘Flat’ use is not in line with this intended use.

**Site B: Rezoning of “OU(Stormwater Attenuation and Treatment Ponds)” site and “CPA” to “R(C)2” and “OU(River Park)” (Plan H-5a)**

- 6.41 In respect to **R10**’s specific proposal to rezone the “OU(Stormwater Attenuation and Treatment Ponds)” in Area 45D and the “CPA” site in Area 98D to “R(C)2” and “OU(River Park)”, PM/HKI&I, CEDD advises that the stormwater attenuation and treatment ponds in Area 45D are required to regulate stormwater peak flow and to treat the surface runoff from adjacent roads and developments (i.e. “R(C)2” sites in Areas 60 and 66A) before discharging to Tung Chung Stream which has high ecological value. DAFC also comments that the proposed rezoning is not desirable from conservation point of view as the concerned “OU(Stormwater Attenuation and

Treatment Ponds)” and “CPA” sites are intended to serve as a buffer to protect the ecologically important Tung Chung Stream according to the approved EIA for TCTNE. CTP/UD&L, PlanD also comments that there is a lack of assessments and illustrative materials in demonstrating the potential impacts (including visual impact) on the sensitive environment of Tung Chung Stream and the surrounding areas induced by the proposed residential development. There are also no technical and environmental assessments to ascertain the feasibility and to substantiate that there will be no adverse impacts from the proposals for the additional residential population arising from the rezoning to “R(C)2”.

- 6.42 In relation to the above, **R10** also proposes to relocate the stormwater attenuation and treatment ponds from Area 45D to the underground of Area 80 and rezone the site from “O” to “O(1)” with ‘Stormwater Attenuation and Treatment Pond’ added as a Column 1 use in the Notes of the “O(1)” zone. The planning intention for the “O” site in Area 80 is to provide outdoor open-air public space for active and/or passive recreational uses serving the needs of local residents as well as the general public. In particular, Area 80 is zoned “O” to reflect the existing temporary soccer field and plant nursery. Subject to further study, there may be scope to develop this area as part of the river park together with the adjoining man-made section of Tung Chung Stream to be de-channelized. Furthermore, PM/HKI&I, CEDD advises that the proposal is not feasible and stormwater attenuation and treatment ponds could not be designed underground due to the need of maintaining growth of wetland plants in the treatment ponds. To maintain the operation of the associated drainage system by gravity flow, the ponds are required to be located near to the proposed developments. Hence, the proposed rezoning is not supported.

#### *Specific land use proposals of **R11***

##### Rezoning of Area 60 from “R(C)2” to “R(C)1” (Plan H-5b)

- 6.43 The designation of residential sites with different development densities has taken into account individual site characteristics, local circumstances, ecological and environmental implications, infrastructural capacity and other relevant planning and urban design considerations. The proposed rezoning of Area 60 from “R(C)2” (PR 1) to “R(C)1” (PR 1.5) with higher PR and BH will have implications on the planning, environmental and infrastructural capacity which have not yet been properly tested by relevant technical assessment and EIA under the Tung Chung Study. In particular, CTP/UD&L, PlanD comments that a stepped height profile has been adopted with descending development height and intensity from the mountain side towards the waterfront and estuary of Tung Chung Stream. This design concept aims to achieve integration of the new developments with the natural topography and existing built-form. Moreover, as Area 60 is located near the waterfront and adjacent to the “CPA” zone along the river channel, a higher development intensity for this area proposed by **R11** would upset the design concept and is not supported from urban design perspective.

##### ‘Shop and Services’ use in “R(C)” zones

- 6.44 The “R(C)” zone is intended primarily for low-rise, low-density residential developments where commercial uses serving the residential neighbourhood may

be permitted on application to the Board. ‘Shop and Services’ use is a Column 2 use which may be permitted with or without conditions upon application to the Board (**R11**).

Removal of two NBAs in Areas 60 and 71A (**Plan H-5b**)

- 6.45 The NBAs designated for the “R(C)” zones are proposed under the Tung Chung Study as breezeways and/or air ventilation corridors. The CTP/UD&L, PlanD comments that the NBA in Area 60 is identified as part of a breezeway which acts as an extension of Yu Tung Road forming a continuous air corridor towards Area 61A (**Plan H-11**). According to the Air Ventilation Assessment Detailed Study for the Tung Chung Study, this air corridor would be functional in facilitating the penetration of east-northeast and southwest winds under annual and summer conditions to further improve the wind performance. On the other hand, the NBA in Area 71A is an essential part of a view corridor with the aim to preserve the monumental visual relationship through the valley from Shek Mun Kap Village to the north and Tung Chung Bay (**Plan H-11**). The proposed removal of this NBA does not comply with the design concept and would upset the effectiveness of the visual connection. The proposal by **R11** is not supported by any visual assessment and illustrative materials.

Rezoning of unnecessary “OU(Stormwater Attenuation and Treatment Ponds)” sites to other appropriate land uses (**Plan H-5b**)

- 6.46 The “OU(Stormwater Atenuation and Treatment Ponds)” zone is intended for the development of stormwater attenuation and treatment ponds, which form part of the sustainable drainage and flood prevention system in TCV. There are five sites (i.e. Areas 45B, 45C, 45D, 45E and 45F) in the Area along Tung Chung Stream designated for the provision of stormwater attenuation and treatment ponds to treat the surface runoff collected from the development areas before discharging to the ecologically sensitive Tung Chung Stream, and are essential to alleviate flood risk along Tung Chung Stream. The proposed rezoning by **R11** is not supported by any technical assessment and no alternative measures to replace the stormwater attenuation and treatment ponds are proposed.

*Ecological conservation and environmental concerns (**R9, R10, R11 and R18 to R38**)*

Adverse impacts of developments

- 6.47 Ecological surveys have been conducted in formulating the land use proposals in the RODP under the Tung Chung Study which forms the basis of the draft OZP. Ecologically sensitive areas and habitats such as Tung Chung Stream and its riparian zones and Tung Chung Bay have been identified with a view to protecting them from impacts from developments nearby. DAFC advises that the environmental and ecological issues of the TCNTE project have been properly assessed and addressed in the EIA for TCNTE to confirm its compliance with the EIAO requirements. The EIA Report was approved by EPD with conditions on 8.4.2016. With respect to the marine ecological impacts, reclamation in Tung Chung Bay has been avoided in order to preserve habitats of high ecological value including seagrass beds, mudflats and mangroves. Sites are identified as suitable for

low-density residential development taking account of their relatively low ecological value and the rural and scenic character of the area (**R9, R18 to R36 and R38**).

- 6.48 There are concerns that the habitat of the fireflies in Shek Lau Po Village may be destroyed by future village type developments with the “V” zone. According to DAFC, there is no published data/official report on fireflies at Shek Lau Po. While the “V” zone is intended primarily for the development of Small Houses by indigenous villagers, the development of Small Houses is subject to a well-established mechanism, where building licenses must be obtained under the Small House Policy. Relevant government departments, including PlanD and the Agriculture, Fisheries and Conservation Department (AFCD), would be consulted if the proposed Small House development encroaches onto existing trees or dense vegetation (**R18, R19, R23 and R24**).
- 6.49 With regard to the concern that some areas in Shek Lau Po originally proposed for “AGR” zone in the RODP of the Tung Chung Study are now zoned “V” (**Drawing H-1**), it should be noted that according to the ecological survey conducted under the EIA for TCNTE, the concerned areas are abandoned farmland and/or unmanaged orchards with only limited agricultural activities at the peripheral of the existing village (**Plans H-3a**). Large scale agricultural rehabilitation is not envisaged. Moreover, ‘Agricultural Use’ is always permitted within the “V” zone. Villagers can always carry out farming practice within the “V” zone (**R29, R35 and R37**).
- 6.50 On **R30, R34 and R36**’s proposal to exclude woodlands, streams and wetlands from the “V” zone and reduction of area zoned “V”, existing villages together with areas suitable for village expansion are designated as “V” zone on the draft OZP. It is also intended to concentrate village type development within this zone for a more orderly development pattern, efficient use of land and provision of infrastructures and services. In designating the “V” zone, considerations including the existing “VE”, outstanding small house applications, 10-year small house demand forecast, the topography and the natural environment have been taken into account. Areas of difficult terrain, dense vegetation, ecologically sensitive areas and streamcourses have been avoided as far as possible. Preservation on trees and streamcourses will also be overseen by the relevant developments during the application process for Small House developments.
- 6.51 With regards to **R28 and R30**’s concern that the proposed commercial and PTI developments at Area 38A will affect the mangroves on the western bank of Wong Lung Hang estuary (**Plan H-3b**), DAFC advises that according to the approved EIA for TCNTE, no encroachment on any mangroves including those at Wong Lung Hang outlet will be caused by the proposed developments. Furthermore, regarding their proposal to relocate the PTI to Area 107 or Area 39 (within the TCTC OZP), according to PM/HKI&I, CEDD, the PTI at Area 38A is primarily intended to serve the public transport to-and-from the proposed TCW Railway Station in the vicinity and TCW. Its integration with the “C” site in Area 38A could optimise the land use from planning perspective. Besides, Director of Housing (D of H) advises that development at Area 39 is already under construction and there is no scope to include the PTI in this site. There is also no technical assessment submitted by **R28 and R30** to ascertain the feasibility to relocate the PTI in Area 38A to Area 39 or

Area 107.

- 6.52 Regarding **R34**'s concern that the "R(C)2" site in Area 61A will affect the habitat of Romer's Tree Frog (**Plan H-8a**), according to the approved EIA for TCNTE, the majority of the "R(C)2" site in Area 61A is covered by orchard and abandoned farmland which is ranked as having low ecological value and Romer's Tree Frog was recorded outside the concerned "R(C)2" site, but within the nearby "CPA" zone. Besides, as an approval condition of the EIA for TCNTE, a detailed Habitat Enhancement and Translocation Plan for the amphibian species of conservation importance, including Romer's Tree Frogs that would be affected by the TCNTE project, will be submitted by CEDD to DEP for approval before commencement of construction works at TCW. As the site is at present mostly covered by some abandoned farmland and unmanaged orchard with relatively lower ecological value, development of this site for low-density residential use would not induce significant ecological impact. The proposed rezoning to "GB" by **R34** is not supported.
- 6.53 With regards to **R28** and **R34**'s concern on ecological impact due to the proposed and existing road network, various measures have been considered to avoid and mitigate possible impacts to the natural habitats. The road network proposed for TCV has been minimised to provide only essential accesses to the residential developments and villages taking into account the natural and rural environment of the area. As for **R28** and **R34**'s concerns that the surrounding fencing may block the passage of wildlife, the detailed design of the proposed stormwater attenuation and treatment ponds will take into account the additional functions as habitats for the wildlife according to the approved EIA Report (**R34**). As to **R34**'s rezoning proposals to facilitate viable movement corridors for wildlife (**Plan H-8**), according to the approved EIA Report, Tung Chung Stream together with its buffer zone which are zoned "CA" or "OU(River Park)" will serve as accesses across the valley and between habitats in addition to the potential movement corridors identified in the EIA Report. Besides, the major movement corridors in upland areas surrounding TCV will remain undisturbed. The TCNTE development's potential impact to ecology due to habitat fragmentation is considered acceptable.

Conservation zonings

- 6.54 Green Groups' Joint Submission (**R28**) has submitted a recommended DPA Plan with proposed conservation zonings for TCV, including "SSSI", "CA" and "CPA" (**Plan H-6**). The same recommended DPA Plan was submitted during the public inspection period of the EIA Report and during the publication period of the draft DPA Plan. The proposals have already been taken into account in preparing the draft OZP. DAFC comments that there is currently no plan to zone the streamcourse or its riparian zone as "SSSI". Tung Chung Stream and its riparian area of 20m to 30m wide are already zoned "CA" to preserve the stream from impact from human activities, whereas the coastal areas of Tung Chung Bay are zoned "CPA". Both "CA" and "CPA" zones are appropriate for preservation of Tung Chung Stream, Tung Chung Bay and its coastal environment as there is a general presumption against development in these zones. Only developments that are needed to support the conservation of the existing natural landscape or scenic quality of the area or are essential infrastructure projects with overriding public interest may be permitted (**R11**, **R28** and **R30** to **R32**).

- 6.55 The majority of fung shui woods are covered by “CA” and “GB” zones. The mature woodlands near Ngau Au and Shek Mun Kap which are relatively large and intact where floral species of conservation interest have been recorded are zoned “CA”. The other woodlands in Mok Ka and Nim Yuen are relatively disturbed and fragmented, and “GB” zone is considered appropriate. Only a minor area of fung shui woods will be unavoidably lost due to space constraints in Shek Mun Kap Road widening and the construction of polder system for flood protection (**R28, R30 to R34**).
- 6.56 Besides, the hilly area to the south of Shek Mun Kap Road and the areas between the upper tributaries of Tung Chung Stream which contain a continuous stretch of dense and mature woodlands composed of native plant species are also zoned “CA” for better conservation of these woodlands and tributaries. Areas adjoining the Lantau North (Extension) Country Park are also zoned in “GB” zone. They consist of natural vegetated areas at streamcourses, dense woodlands on hillslopes and relatively young woodlands. There is also a general presumption against development within “GB” zone (**R28 and R30 to R34**).
- 6.57 With regards to **R18 to R21** and **R23**’s view that the ecology and value of Tung Chung Stream should be considered as a whole river system and designating only the river estuary areas as “CPA” has limited value to the conservation of Tung Chung Stream, DAFC comments that the continuous zoning of “CPA” along the coast of the estuary of Tung Chung Stream and the “CA” and “OU(River Park)” zones along the stream and its riparian zone are considered appropriate to serve as a buffer to protect Tung Chung Stream and its estuary.
- 6.58 A river park zoned “OU(River Park)” is designated along the eastern section of Tung Chung Stream and the man-made section which will be de-channelized. This zone is intended to protect and retain the existing natural landscape, ecological or topographic features of the area for preservation, flood prevention, educational and research purposes through the development of a river park and to separate sensitive natural environment of the Tung Chung EIS from adverse effects of development (**R28, R30, R32 and R35**). As for the western branch of the Tung Chung Stream, according to CEDD, the streamcourse is narrow and most of the adjacent lands are either agriculture land or less disturbed natural habitats. Designation of “CA” zone along the western branch is more appropriate to provide buffer zone for protecting Tung Chung Stream and to conserve its ecological integrity (**R11**). As for the suggestion for the Government to resume all the private land lots in Tung Chung River Valley, especially those falling within “CA” zone, and to be managed by the Government as a River Nature Park, under the prevailing mechanism and existing land resumption policy, the Government will resume and clear the private land on need basis planned for public works projects, public developments, carry out site formation works, and provide infrastructure. The details of the proposed river park will be studied in the detailed design stage and it is anticipated that it will be handed over to Drainage Services Department (DSD) for management and operation after the completion of the construction works undertaken by CEDD (**R11, R28 and R29**).

#### Eco-tourism and eco-education

- 6.59 Regarding **R28** and **R30** to **R32**'s proposal to designate the land around Tung Chung Estuary as "OU(Conservation, Ecotourism & Ecological Education)" (**Plan H-6**), it is considered that education and research uses could be accommodated in the proposed river park. Under the "OU(River Park)" zone, 'Field Study/Education/Visitor Centre' use is a Column 1 use which is always permitted. Details design of the proposed river park will be studied in the detailed design stage (**R18** to **R21**, **R23**, **R24** and **R30**).
- 6.60 The tourism and recreational potential in TCV is being studied under the "Recreation and Tourism Development Strategy for Lantau – Feasibility Study" undertaken by the Development Bureau (DevB). Eco-tourism proposals will be put forward to capitalize on the natural and cultural heritage assets of TCV (**R30**).

#### Eco-vandalism and planning controls

- 6.61 As to the concern of lack of land use control and enforcement power against eco-vandalism e.g. waste dumping, discharge of waste water, incompatible developments, etc., the draft DPA Plan covering the TCV area was gazetted on 21.8.2015. The Planning Authority (i.e. the Director of Planning) may take enforcement and regulatory actions against unauthorized developments in respect of land use in areas covered by DPA Plan/OZP (**R25**, **R28**, **R29**, **R30** and **R35**).
- 6.62 As to the request for including Tin Sam/San Tau SSSI into the draft OZP, DPA or Country Park extension, Tin Sam is located in San Tau Village of Tai O Heung which falls outside TCNTE (**Plan H-13**). Owing to its remote location from Tung Chung, area of Tin Sam/San Tau is not included in the draft OZP. Furthermore, there are no existing vehicular access and no large scale developments planned in the surroundings, the area is subject to relatively low development threat and hence, there is no urgent need for a statutory plan covering the area for planning controls (**R28**, **R29**, **R33**, **R35** and **R36**).
- 6.63 **R10** and **R32** request that mudflat and mangroves along the coastline of Tung Chung Bay should be included in the draft OZP and zoned "CPA" (**Plan H-5a**). Under the established practice in drawing up the planning scheme boundary of OZP, only coastal areas above the high water mark would be included. Furthermore, the "CPA" zone is designated along the coastline of Tung Chung Bay to offer planning controls to protect the ecology of the bay as there is no reclamation proposed in Tung Chung Bay as recommended in the RODP under the Tung Chung Study (**R10** and **R32**).

#### Air, sewerage and drainage pollution

- 6.64 According to the approved EIA Report for TCNTE, with the implementation of the recommended mitigation measures, the potential air quality impacts from the proposed reclamation and construction and operation phases of the developments would comply with the requirements under the EIAO (**R18**, **R19**, **R22**, **R23**, **R30** and **R38**). As regards to **R29**'s request for adoption of new Air Quality Guidelines by WHO, EPD advises that in accordance with the EIAO, the potential air quality



impact from the construction and operation of the proposed developments in TCNTE have to be evaluated against the Air Quality Objectives prevailing in Hong Kong at the time of approval of the EIA Report, instead of the Air Quality Guidelines by WHO.

- 6.65 A series of stormwater attenuation and treatment ponds is proposed in TCV to treat surface runoff from adjacent roads and developments before discharging to Tung Chung Stream. The runoff will be discharged into sedimentation zone, treatment zone and attenuation / wetland pond respectively for sedimentation, removal of floating debris and allowing nutrient uptake by plants and microorganisms. The plants within the Sustainable Urban Drainage System could help provide habitats, promote biodiversity and beautify the surrounding areas (**R28**, **R30** and **R34**). According to the approved EIA Report for TCNTE, a new public sewerage system will be provided to serve the proposed development in Tung Chung and the existing village areas in TCV (**R34**).

Proposed amendments to Notes

- 6.66 There are already adequate provisions under the Notes of the draft OZP to prohibit or control uses and activities with potential adverse impact on the ecology and environment as follow (**R28**):
- (a) under the Notes of the “GB”, “CA” and “CPA” zones, diversion of streams, filling of land/pond or excavation of land requires planning permission from the Board;
  - (b) according to the covering Notes of the OZP, any material change of existing uses (except minor alteration and/or modification to the development of the land or building in respect of such use which is always permitted) must be permitted in terms of the draft OZP;
  - (c) according to the covering Notes of the draft OZP, ‘refreshment kiosk’ use in “CA” and “CPA” zones requires permission from the Board;
  - (d) a new public sewerage system for existing villages in TCV is proposed;
  - (e) according to the covering Notes of the draft OZP, temporary uses for open storage and port back-up purposes are prohibited in “CA” and “CPA” zones, other temporary uses or development not exceeding a period of three years requires permission from the Board; and
  - (f) with regards to maintenance/repair of watercourses and drainage works and uses not conforming to the Water Pollution Control Ordinance, according to the covering Notes of the OZP, any use or development which is always permitted or may be permitted in accordance with these Notes must also conform to any other Government requirements and any other relevant legislation.

Others

- 6.67 As to the request to follow the principle of CBD, DAFC advises that that the CBD was extended to Hong Kong in 2011. Hong Kong has been adopting a nature conservation policy and a wide range of measures in line with the objectives of the Convention (**R29** and **R34**).

- 6.68 As to **R29**'s request for a comprehensive plan for Lantau development, it should be noted that a comprehensive planning strategy for Lantau was proposed by the Lantau Development Advisory Committee (LanDAC) in January 2016. The Government is considering the public views during the public engagement and targeted to announce the Blueprint for Lantau Development by end 2016.
- 6.69 Regarding **R30**'s concern on the geotechnical stability of the TCV area and **R28** to **R30** and **R36**'s concern on the ecological impacts of implementation/construction methods, no insurmountable problems have been identified and appropriate mitigation measures have been proposed. Detailed responses are provided for the above views at **Annex V**.

## **7. Responses to Comments and Proposals**

- 7.1 The views of the comments and proposals as highlighted in paragraphs 5.1 to 5.10 are similar to the grounds of representations. The assessments in paragraphs 6.1 to 6.69 above are relevant. Detailed responses to the comments are provided in **Annex VI**.
- 7.2 With regard to **C20**'s boardwalk proposal through Tung Chung Valley and across the mudflat at Tung Chung Bay, the coastal areas at the estuary of Tung Chung Bay is zoned "CPA" to provide a buffer area to avoid encroachment and adverse impact on the coastal area and both sides of the Tung Chung Stream near the outlet. 'Nature Trail' and 'Nature Reserve' uses are always permitted in the "CPA" zone and 'Field Study/Education/Visitor Centre' use may also be permitted on application to the Board. Nevertheless, the feasibility of the boardwalk proposal by **C20** requires environmental and technical assessments subject to the satisfaction of relevant departments.
- 7.3 With regards to **C23** to **C25**, **C29**, **C32**, **C36**, **C47**, **C48**, **C51**, **C62**, **C68**, **C69**, **C71**, **C72**, **C74**, **C79**, **C80**, **C82**, **C86** and **C87**'s request for the provision of public market operated by FEHD, in considering the provision of a new public market, the Government will take into account relevant factors on a case-by-case basis, including the population within an area (including the demographic mix), community needs, the presence of public and private market facilities nearby, the number of fresh provision retail outlets available in the vicinity, the actual situation of individual area, etc. For the TCNT, there are at present market facilities and other fresh provision retail shops such as the wet markets in Yat Tung Estate and Fu Tung Estate. Two new public wet markets are to be further provided within public housing developments in Areas 56 and 39 of Tung Chung, which are under construction for completion by 2016 and 2018 tentatively. The Government's consideration is to facilitate the public's convenient access to fresh food retail outlets for meeting their daily needs, and at the same time ensure the proper and efficient use of public resources. Sites have already been reserved in TCNTE for possible development of a myriad of GIC facilities in which public markets are always permitted and could be developed should the need arises. Besides, retail facilities including markets could also be provided at "R(A)" sites for both public and private housing developments. Relevant bureaux and departments will work closely together to follow up the issue during the detailed design and implementation stage of TCNTE.

## 8. Consultation

8.1 The following government bureaux and departments have been consulted and their comments have incorporated in above paragraphs and the response in **Annexes V** and **VI**, where appropriate:

- (a) Secretary for Home Affairs;
- (b) Chief Architect/Central Management Division 2, Architectural Services Department;
- (c) Chief Engineer/Railway Development 2-2, Railway Development Office, Highways Department;
- (d) Chief Town Planner/Central Enforcement and Prosecution, Planning Department;
- (e) Chief Town Planner/Strategic Planning, Planning Department;
- (f) Chief Town Planner/Urban Design and Landscape, Planning Department;
- (g) Commissioner of Transport;
- (h) Director of Agriculture, Fisheries and Conservation;
- (i) Director of Environmental Protection;
- (j) Director of Housing;
- (k) District Lands Officer, Islands, Lands Department;
- (l) Director of Social Welfare; and
- (m) Head of Geotechnical Engineering Office, Civil Engineering and Development Department; and
- (n) Project Manager (Hong Kong Island and Islands), Civil Engineering and Development Department.

8.2 The following government departments have been consulted and they have no major comment on the representations:

- (a) Secretary for Development;
- (b) Secretary for Education;
- (c) Secretary for Food and Health;
- (d) Commissioner for Heritage's Office, Development Bureau;
- (e) Chief Building Surveyor/New Territories East 1 and Licensing, Buildings Department;
- (f) Chief Engineer/Construction, Water Supplies Department;
- (g) Chief Engineer/Consultants Management, Drainage Services Department;
- (h) Chief Engineer/Drainage Projects, Drainage Services Department;
- (i) Chief Engineer/Hong Kong Island and Islands, Drainage Services Department;
- (j) Chief Engineer/Port Works, Civil Engineering and Development Department;
- (k) Chief Engineer/Sewerage Projects, Drainage Services Department;
- (l) Commissioner of Police;
- (m) Commissioner for Tourism;
- (n) Controller, Government Flying Service;
- (o) District Officer/Islands, Home Affairs Department;
- (p) Director-General of Communications;
- (q) Director-General of Civil Aviation;
- (r) Director of Electrical and Mechanical Services;
- (s) Director of Fire Services;

- (t) Director of Food and Environmental Hygiene;
- (u) Director of Health;
- (v) Director of Leisure and Cultural Services;
- (w) Director of Marine; and
- (x) Government Property Administrator.

## 9. Planning Department's Views

The supportive views of **R1, R2, R11 (part), R28 (part), R30 (part), R32 (part) and R33 (part)** are noted. Based on the assessments made in paragraph 6 above and for the following reasons, the Plan does not support the remaining views of **R11 (part), R28 (part), R30 (part), R32 (part) and R33 (part)** and the views of **R3 to R10, R12 to R27, R31, R34 to R38** for the following reasons and considers that the Plan should not be amended to meet the representations:

### For all Representations

- (a) The overall objective of TCNTE is to extend the existing TCNT into a distinct community which can meet housing, social, economic, environmental and local needs. The environmental and ecological issues of the proposed new developments under the TCNTE project have been properly assessed and addressed in the EIA Report to confirm its compliance with the EIAO requirements and was approved by EPD in April 2016. Due care has been exercised to ensure that the development be balanced against environmental considerations. Various technical assessments have also been conducted to confirm that the project is acceptable in terms of traffic, infrastructure, landscape, air ventilation and visual impacts.

### Additional reasons on specific grounds and proposals

#### *Private columbarium development in "V" zone (R3 to R7 and R9)*

- (b) Existing recognised villages and areas of land considered suitable for village expansion are zoned "V". 'Columbarium' use is considered not in line with the planning intention of the area for village-type development and not compatible with the rural character of the area. There is also no information to substantiate that there will be no adverse traffic and environmental impact. The proposed rezoning to "IC" to reflect the existing columbarium in Nim Yuen is not supported.

#### *Provision of elderly care facilities (R3, R4, R7 and R8)*

- (c) The provision of community and social welfare facilities in TCTNE are planned in a holistic manner to serve population of the whole new town and its extension in accordance with the requirements under HKPSG and based on the advice of the relevant departments. Should there be additional need in future, 'Residential Institution' and 'Social Welfare Facility' uses are Column 2 uses which may be permitted on application to the Board within "V" and "R(C)" zones. There is no strong justification to rezone the "V" zone in Nim Yuen Village and the "R(C)2" zone in Area 67 for the provision of community and social welfare facilities.

*Objection to the “V” zone boundary of Ngau Au Village (R12)*

- (d) The boundary of the “V” zone is drawn up having regard to the existing “VE”, outstanding Small House applications, the existing settlement pattern, 10-year Small House demand forecast, the location topography and the natural environment. In view of the ecological value of the surrounding areas, there is no strong justification to expand the “V” zone.

*Objection to the “GB” zone covering the San Tau Village burial ground (R14)*

- (e) The existing burial grounds within the “GB” zone would not be affected while new burial ground requires planning permission by the Board.

*Employment opportunities and economic development (R13, R15 to R24, R29, R35 and R38)*

- (f) The provision of commercial development in TCNTE including offices, retail, hotels and marina will create diversified employment opportunities. Other development projects in the surroundings (e.g. 3RS, HKBCF, NCD and Sunny Bay) will also bring more jobs to Tung Chung. Local retail uses are also planned along the Linear Parks and the main streets to provide opportunities for local residents to open up small business. TCNTE will create an additional 40,000 job opportunities.
- (g) ‘Agricultural Use’ is always permitted within the “V” and “GB” zones. The Government has no prevailing policy for resuming private land for agricultural use.
- (h) The “C” sites proposed in Areas 38A, 38B and 38C will function as the local shopping centre serving the immediate neighbourhood and to capitalise on the locational advantage in proximity to the proposed TCW Railway Station. There is no concrete development proposal nor technical and environment assessment submitted to justify the proposal to rezone part of Areas 36D, 36E and 98A from “G/IC”, “O” and “CPA” respectively to “C”.

*Overloading of carrying capacity of Tung Chung (R11, R29, R34 and R35)*

- (i) A comprehensive transport network has been planned to serve TCNTE. According to the Traffic and Transport Impact Assessment under Tung Chung Study, the design capacity of TCL, with the two new railway stations at TCE and TCW, can accommodate the planned population upon full development of the TCNTE. Tai Ho Interchange and Road P1 (Tung Chung – Tai Ho Section) connecting TCE and NLH are also proposed to relieve future traffic demand. Besides, TM-CLKL to be completed in 2018 will offer an alternative route to the local population and ease the traffic flow of NLH. In terms of internal connectivity, there are district and local distributors planned in TCV under the Tung Chung Study.
- (j) The provision of community, social welfare, recreational and educational facilities in TCTNE are planned in a holistic manner to serve population of the whole new town and its extension in accordance with the requirements under HKPSG and based on the advice of the relevant departments.

*Residential Development (R10, R11, R15 to R19, R22 to R24, R29, R35 and R38)*

- (k) Different types of residential development are planned in TCNTE to ensure a balanced housing mix and different housing choices. The public/private housing split adopted in TCNTE is generally in line with that recommended by the Long Term Housing Strategy Steering Committee. The proposed densities of residential developments have taken into account individual site characteristics, local circumstances, ecological and environmental implications, relevant planning and urban design considerations, infrastructural capacity.
- (l) The concept of low-carbon city has been adopted in TCNTE in which railway system is planned as a backbone of passenger transport to reduce demand for private vehicles. Comprehensive networks of cycle tracks, cycle parking facilities and pedestrian walkways are also planned. Food waste facilities within the TCV are subject to review in the detailed design stage.

*Specific land use proposals of R10*

Site A:

- (m) The proposed extension of “G/IC” zone is inappropriate as it will encroach onto the adjacent “O” and “CPA” zones. There is no strong justification for the proposed extension and insufficient information to support the two proposed NBAs.
- (n) Addition of ‘Flat’ use in Column 2 of the Notes for the “G/IC” zone is not in line with the planning intention for the “G/IC” site in Area 36A which is designated for a GIC complex to accommodate social welfare and other GIC facilities.

Site B:

- (o) The proposed rezoning of “OU(Stormwater Attenuation and Treatment Ponds)” site in Area 45D and the “CPA” site to “R(C)2” and “OU(River Park)” is not justified. The proposed stormwater attenuation and treatment ponds are required to regulate stormwater peak flow and to treat surface runoff from adjacent roads and developments and is not feasible to be relocated underground. There is no technical and environmental assessments to substantiate that there is no adverse impacts arising from the rezoning.

*Specific land use proposals of R11*

- (p) The proposed rezoning of Area 60 from “R(C)2” to “R(C)1” is not substantiated by technical and environmental assessments and is not acceptable from urban design perspective. The “R(C)” zone is intended for low-rise, low-density residential developments where commercial uses may be permitted on application to the Board. ‘Shop and Services’ use is a Column 2 use which may be permitted with or without conditions on application to the Board.
- (q) There is no justification nor visual and technical assessment to support the proposed removal of the two NBAs in Areas 60 and 71A which function as breezeways and/or air ventilation corridors.
- (r) The “OU(Stormwater Attenuation and Treatment Ponds)” zone forms part of the

sustainable drainage and flood prevention system in TCV. The proposed rezoning to other zones is not supported by any technical assessment and there is no alternative measures proposed.

*Ecological conservation and environmental concerns (R9, R11 and R18 to R38)*

- (s) The environmental and ecological issues of the proposed new developments under the TCNTE project have been properly assessed and addressed in the EIA report to confirm its compliance with the EIAO requirements and was approved by EPD in April 2016. In particular, ecological surveys have been conducted in formulating the land use proposals in the RODP under the Tung Chung Study which forms the basis of the draft OZP. Sites are identified as suitable for low-rise, low-density residential development taking account of their relatively low ecological value and the rural and scenic character of the area.
- (t) The proposed conservation related zonings such as “CA”, “CPA” and “GB” at various locations, taking into account the ecological function and environmental conditions of the areas including the riparian zone of Tung Chung Stream, coastal area of Tung Chung Bay and mature woodlands in the TCV are considered appropriate from nature conservation perspective.
- (u) The boundary of “V” zone of Shek Lau Po is drawn up having regard to the existing “VE”, outstanding Small House applications, the existing settlement pattern, 10-year Small House demand forecast, the location topography and the natural environment. The peripheral of the existing village is mainly abandoned farmland and unmanaged orchards with only limited agricultural activities. ‘Agricultural Use’ is always permitted within “V” zone.
- (v) The “OU(River Park)” is intended to protect and retain the existing natural landscape, ecological or topographic features of the area for preservation, flood prevention, educational and research purposes through the development of River Park and to separate sensitive natural environment of the Tung Chung Ecologically Important Stream from the adverse effects of development. The proposal for eco-tourism and eco-education can be considered within the River Park. The details of the proposed River Park for educational and research purposes will be studied in the detailed design stage.
- (w) The TCV area has already been covered by a DPA Plan since 21.8.2015 which was subsequently replaced by the draft OZP on 8.1.2016. Enforcement can be undertaken by the Planning Authority against unauthorised developments in TCV.
- (x) Tin Sam/San Tau area is remote from Tung Chung with no existing vehicular access nor large scale development planned in the surroundings. The area is subject to relatively low development threat and there is no urgent need for a statutory plan covering the area.
- (y) According to the approved EIA Report for TCNTE, with the implementation of the recommended mitigation measures, the potential environmental impacts from the proposed construction and operation phases of the developments would comply with the requirements under the EIAO.

- (z) There are already adequate provision under the Notes of the draft OZP to prohibit uses/developments and activities with potential adverse impacts on ecology and environment.

## **10. Decision Sought**

The Board is invited to give consideration to the representations and comments taking into consideration the points raised in the hearing session, and decide whether to propose/not to propose any amendments to the draft OZP to meet/partially meet the representations.

## **11. Attachments**

<b>Annex I</b>	Submissions of Representations
<b>Annex II</b>	Submissions of Comments and Samples of Standard Forms/Emails
<b>Annex III</b>	CD-ROM Containing the Names of All Representers and Commenters as well as Their Submissions
<b>Annex IV</b>	Extract of Minutes of the Islands District Council Meeting on 1.2.2016
<b>Annex V</b>	Summary of Representations and PlanD's Responses
<b>Annex VI</b>	Summary of Comments on Representations and PlanD's Responses
<b>Plan H-1</b>	Location Plan
<b>Plan H-2</b>	Aerial Photo
<b>Plan H-3</b>	Site Photos
<b>Plan H-3a</b>	Representations (R18, R19, R23, R24 & R37)
<b>Plan H-3b</b>	Representations (R28, R30 & R32)
<b>Plan H-3c</b>	Representation (R9)
<b>Plan H-3d</b>	Representation (R28)
<b>Plan H-3e</b>	Representation (R14)
<b>Plan H-4</b>	Proposals of Representers (R3 - R8, R12 & R13)
<b>Plan H-4a</b>	Proposals of Representers (R3 - R8)
<b>Plan H-4b</b>	Proposals of Representer (R12)
<b>Plan H-4c</b>	Proposals of Representer (R13)
<b>Plan H-5</b>	Proposals of Representers (R10 & R11)
<b>Plan H-5a</b>	Proposals of Representer (R10)
<b>Plan H-5b</b>	Proposals of Representer (R11)
<b>Plan H-6</b>	Proposal of Representer (R28)
<b>Plans H-7 and H-7a</b>	Proposal of Representer (R33)
<b>Plans H-8 and H-8a</b>	Proposal of Representer (R34)
<b>Plan H-9</b>	Existing Burial Grounds
<b>Plan H-10</b>	Plan for Pedestrian and Cycling Network Concept
<b>Plan H-11</b>	Urban Design Concept
<b>Plan H-12</b>	Village Environs, Land Ownership and Proposed "Village Type Development" Zone
<b>Plan H-12a</b>	Site Photos of Recognized Villages
<b>Plan H-13</b>	San Tau Beach Site of Special Scientific Interest



**Drawing H-1**

Drawing Submitted by Representation (R29)

**PLANNING DEPARTMENT**  
**September 2016**