

TOWN PLANNING BOARD

**TPB PAPER NO. 10306
FOR CONSIDERATION BY
THE TOWN PLANNING BOARD ON 21.7.2017**

**CONSIDERATION OF REPRESENTATIONS
IN RESPECT OF
THE DRAFT CHEUNG SHEUNG
OUTLINE ZONING PLAN NO. S/NE-CS/1**

**CONSIDERATION OF REPRESENTATIONS IN RESPECT OF THE
DRAFT CHEUNG SHEUNG OUTLINE ZONING PLAN NO. S/NE-CS/1**

Subject of Representation/ Representation Site	Representers (Total: 6)
Draft Cheung Sheung Outline Zoning Plan (OZP) No. S/NE-CS/1, mainly on “Green Belt” (“GB”) and “Village Type Development” (“V”) zones	<u>Total: 5 (R1 to R5)</u> <u>Provide Comments</u> R1: The Hong Kong Bird Watching Society (HKBWS) R2: World Wide Fund for Nature Hong Kong (WWF-HK) R3: Designing Hong Kong Limited (DHKL) R4: Kadoorie Farm and Botanic Garden Corporation (KFBG) R5: Individual
Draft OZP, mainly on “V” zone	<u>Total: 1 (R6)</u> <u>Oppose</u> R6: Indigenous Inhabitant Representative (IIR) of Cheung Sheung Village

1. INTRODUCTION

- 1.1 On 10.2.2017, the draft Cheung Sheung Outline Zoning Plan No. S/NE-CS/1 (the Plan) was exhibited for public inspection under section 5 of the Town Planning Ordinance (the Ordinance). During the two-month exhibition period, a total of six representations were received. On 28.4.2017, the representations were published for three weeks for public comment and no comment on the representations was received.
- 1.2 On 2.6.2017, the Town Planning Board (the Board) decided to consider the representations collectively in one group. This paper is to provide the Board with information for consideration of the representations at **Annex I**. A summary of representations with Planning Department (PlanD)’s responses is attached at **Annex II**. Relevant locations are shown on **Plans H-1 and H-2**.
- 1.3 The representers have been invited to attend the meeting in accordance with section 6B(3) of the Ordinance.

2. THE REPRESENTATIONS

- 2.1 Among the total six representations, five representations (**R1 to R5**) are submitted by green/concern groups, namely HKBWS (**R1**), WWF-HK (**R2**), DHKL (**R3**) and KFBG (**R4**) and an individual (**R5**) generally providing comments on the draft OZP. The remaining one representation (**R6**) is submitted by the IIR of Cheung Sheung Village objecting to the draft OZP.

GROUND AND PROPOSALS OF REPRESENTATIONS

- 2.2 The major grounds and proposals (**Plan H-2**) of the green/concern groups and an individual (**R1 to R5**) are summarized below:

- (a) **R1 to R5** provide comments on the draft OZP, in that **R1 to R3** support the general planning intention of the draft OZP and **R5** supports the designation of “Conservation Area” (“CA”) zone.

Ecological Importance of the Area (R1 to R5)

- (b) Cheung Sheung is a Priority Site for Enhanced Conservation under the New Nature Conservation Policy (**R1, R3 and R4**). Completely encircled by the Sai Kung West Country Park (SKWCP), the Area is of high ecological importance (**R1 to R5**).
- (c) The freshwater habitat in the Area supports a diversity of flora and fauna species (**R3**), in particular, the Ecologically Important Stream (EIS) and its associated streams/wetland support a population of Hong Kong Paradise Fish (*Macropodus hongkongensis* (香港鬥魚)), which is of global concern (**R1**). The woodland habitats in the Area supporting a number of wildlife species are similar and ecologically linked to those in the surrounding SKWCP (**R1, R3 and R5**). A rich diversity of typical woodland bird species including those of conservation concern such as Ashy Drongo (*Dicrurus leucophaeus* (灰卷尾)), Common Emerald Dove (*Chalcophaps indica* (綠翅金鳩)) and Crested Serpent Eagle (*Spilornis cheela* (蛇鵂)), etc, a wetland dependent bird species of regional concern and the globally critically endangered Chinese Pangolin (*Manis pentadactyla* (穿山甲)) were found in Cheung Sheung (**R1**). The natural streams (including the EIS) and their riparian zones, the woodland and wetland habitats should be adequately protected (**R1 to R5**).

Designation of “GB” Zone (R1 to R4)

- (d) In order to reflect the general planning intention of the draft OZP for protecting the high conservation value of the Area and ensure adequate protection of the natural habitats in particular the integrity of stream ecosystem, **R1 to R4** propose to extend the “CA” zone to cover the whole Area including the streams and their riparian areas (i.e. to rezone “GB” and “V” to “CA”), while **R5** supports the designation of “CA” zone on the draft OZP (**Plan H-2**).
- (e) Furthermore, **R1** opines that the “GB” zone is vulnerable to the impacts from permissible Small House development. Besides, **R3** considers that as the Area lacks patrols, management and maintenance under the Country Parks Ordinance, the always permitted uses therein should hence be strictly limited to nature conservation. It is also difficult to access the Area for maintenance, cleaning and emergency, and recreational activities (such as barbecue and picnic) would create waste, effluent or fire danger and hence impacts on the surrounding Country Park. Therefore, recreational activities should not be allowed

unless the Country and Marine Parks Authority takes up the management responsibility of the Area.

Designation of “V” Zone (R1 to R4)

- (f) There is no justification for designating “V” zone because of the no outstanding Small House demand/low Small House demand, low accessibility, limited supporting services and infrastructure provisions in the Area. The Area is also located within the upper indirect water gathering ground (WGG) and infrastructural improvements would be subject to constraints, causing devastating impacts on the surrounding Country Park and/or conflict with the nature and landscape conservation objectives **(R1, R3 and R4)**.
- (g) Furthermore, since there are no sewerage and drainage systems in the Area and desludging trucks cannot access the Area, the sewage discharge from the septic tank and soakaway (STS) system of the village development would become a source of pollution, which would adversely affect the natural stream in a distance of about 20m to 30m away from the “V” zone as well as the EIS **(R1 to R3)**. In fact, the use of STS system for sewage treatment and disposal is considered an unacceptable means for new village development in Cheung Sheung as it falls within the upper indirect WGG **(R2 and R3)**. Therefore, the “V” zone should be deleted **(R1 and R2)**.

Incorporation of the Area into Country Park (R1, R3 to R5)

- (h) **R1, R3 and R4** propose to incorporate the Area into the SKWCP while **R5** proposes to incorporate the Area into the Tai Po Kau Nature Reserve so as to fully protect the ecological and landscape values of the enclave as well as the surrounding Country Park and ensure proper maintenance by Agriculture, Fisheries and Conservation Department (AFCD).
- 2.3 The major grounds and proposal **(Plan H-2)** of the IIR of Cheung Sheung Village **(R6)** are summarized below:

Designation of “V” Zone

- (a) **R6** objects to the draft OZP mainly on the grounds that the “V” zone, with an area of only 0.03 ha, is insufficient to meet the demand of the indigenous villagers for Small House developments in future. His previous proposal to expand the “V” zone or designate the building lots as “V” zones are not incorporated into the draft OZP, thereby the rights/interests of indigenous villagers for village development have been disregarded. **R6** considers that a balance should be struck between nature conservation and the rights/interests of indigenous villagers.

Provision of Infrastructural Facilities

- (b) There is a lack of infrastructure provision for the Cheung Sheung Village by the Government. The facilities in the village are dilapidated and there is no assurance on living conditions. This will destroy the village and its traditional culture.

3. **BACKGROUND**

- 3.1 On 14.3.2016, under the power delegated by the Chief Executive, the Secretary for Development directed the Board, under section 3(1)(a) of the Ordinance, to prepare an OZP to cover the Cheung Sheung area to replace the Development Permission Area (DPA) Plan first published on 21.3.2014. On 24.10.2016, the Board gave preliminary consideration to the draft Cheung Sheung OZP No. S/NE-CS/B and agreed that the draft OZP was suitable for submission to the Tai Po District Council (TPDC) and Sai Kung North Rural Committee (SKNRC) for consultation.
- 3.2 The SKNRC and TPDC were consulted on 1.11.2016 and 9.11.2016 respectively and a letter was received from the IIR of Cheung Sheung Village in November 2016. The SKNRC objected to the draft OZP and the TPDC at its meeting respected the SKNRC's view and hence also objected to the draft OZP. They mainly raised concerns about the insufficient "V" zone to meet the Small House demand of indigenous villagers in long term future, lack of consultation for the villagers and restriction of grave sweeping activities, considered that the draft OZP should strike a proper balance between nature conservation and right/interest of indigenous villagers and landowners, and mainly proposed to expand the "V" zone or designate the building lots as "V" zones and incorporate Wong Chuk Long and Tai Hom into the draft OZP.
- 3.3 A submission was also received from KFBG in October 2016, indicating that they had no adverse comments on the draft OZP.
- 3.4 On 20.1.2017, the Board gave further consideration to the draft OZP together with the views received from the TPDC, SKNRC, concerned IIR and KFBG. After considering these views, the Board agreed that the draft Cheung Sheung OZP No. S/NE-CS/B was suitable for exhibition for public inspection. On 10.2.2017, the draft Cheung Sheung OZP re-numbered as No. S/NE-CS/1 was exhibited for public inspection under section 5 of the Ordinance.
- 3.5 TPDC was consulted on the gazetted draft Cheung Sheung OZP No. S/NE-CS/1 on 8.3.2017 (**Annex III**). They objected to the draft OZP mainly on the grounds that there was insufficient "V" zone, the draft OZP would deprive indigenous villagers' property, their views including those from Heung Yee Kuk, SKNRC, IIR and villagers should be respected but had not been incorporated into the draft OZP. They mainly proposed to expand the "V" zone, incorporate building lots into "V" zone and defer the consideration of the draft OZP for one year. The Board received a letter dated 20.4.2017 from the Chairman of Environment, Housing and Works Committee (EHWC) of TPDC, primarily expressing the Committee's objection to the draft OZP and another draft Tai Po Kau OZP No. S/NE-TPK/1 and requesting the Board to defer consideration of representations and comments in respect of the draft OZPs. On 19.5.2017, the Board noted and considered that as consideration of the draft OZPs was subject to a statutory time limit under the Ordinance, the request for deferral could not be acceded to. On the same day, the Board Secretariat replied to the Chairman of EHWC of TPDC accordingly.
- 3.6 SKNRC has previously been consulted on the draft OZP No. S/NE-CS/B as mentioned in paragraph 3.2 and no amendment has been made to the draft OZP for gazettal. On 7.3.2017, SKNRC submitted a letter indicating that the IIR and villagers decided not to participate the consultation meeting on the gazetted draft OZP to demonstrate their objection thereto. Upon gazetting of the draft OZP No. S/NE-CS/1 on 10.2.2017 and after receipt of SKNRC's decision on the consultation meeting, PlanD informed the SKNRC on 13.2.2017 and 17.3.2017 that the draft OZP had been published for public inspection, and

any person may make representation to the Board in respect of the draft OZP on or before 10.4.2017.

- 3.7 Subsequently, out of those who have provided views in the course of preparation of the draft OZP, the IIR of Cheung Sheung Village (**R6**) submitted a representation opposing to the draft OZP and KFBG (**R4**) also submitted a representation providing comments on the draft OZP.

4. PLANNING CONSIDERATIONS AND ASSESSMENT

THE REPRESENTATION SITES AND THEIR SURROUNDING AREAS (Plans H-1 and H-2)

- 4.1 The representation sites cover the whole OZP.

Planning Scheme Area (Plans H-3 to H-6)

- 4.2 The Planning Scheme Area (the Area), covering a total land area of about 18 ha, is located at the centre of SKWCP, on an upland plateau about 300m above sea level, surrounded by ridges and spurs. It is a Priority Site for Enhanced Conservation under the New Nature Conservation Policy and is located within the upper indirect WGG.
- 4.3 Encircled by SKWCP, the Area forms part of the wider natural system of the Country Park. It mainly comprises secondary woodland on an upland plateau surrounded by hillside woodland in its southwestern, western and northern parts. Cheung Sheung Country Trail and Cheung Sheung EIS with freshwater marshes along its bank traverse the Area largely from west to east, with MacLehose Trail branching off in its southern fringe.
- 4.4 Cheung Sheung Village is the only recognized village in the Area. It is largely deserted and derelict, lying mostly in ruins heavily covered by trees and vegetation. The settlements are scattered and isolated, not forming any village clusters. A few inhabited domestic squatters and a provision store providing refreshment for hikers can be found fronting an open ground at the more accessible location in the central part of the Area.
- 4.5 The Area is accessible only by footpaths such as MacLehose Trail connecting to other parts of Sai Kung Country Parks, or Cheung Sheung Country Trail leading to Hoi Ha Road at one end and Yung Shue O at the other end via the long and steep “Jacob’s Ladder”. The trails are often used for hiking events, such as Oxfam Trailwalker and Cheung Sheung Ascension Festival.

Planning Intention

- 4.6 The general planning intention of the Area is to protect its high conservation and landscape value which complements the overall naturalness and the landscape beauty of the surrounding Country Park. Apart from the environmental and ecological considerations, development in the Area is constrained by limited transport and infrastructural provisions. It is also intended to consolidate village development so as to avoid undesirable disturbances to the natural environment and overtaking the limited infrastructure in the Area.

Individual Zones (Annex IV)

- 4.7 The “V” zone is to designate both the existing recognized village 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 NTEH. Other commercial, community and recreational uses may be permitted on application to the Board.
- 4.8 The “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.
- 4.9 The “CA” zone is intended 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 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.
- 4.10 For the “GB” and “CA” zones, any diversion of streams, filling of land/pond or excavation of land shall not be undertaken without the permission from the Board (including public works implemented or co-ordinated by Government in “CA” zone) whilst any diversion of streams or filling of pond in the “V” zone requires planning permission from the Board.

RESPONSES TO GROUNDS AND PROPOSALS OF REPRESENTATIONS

- 4.11 The supportive views of **R1 to R3** on the general planning intention of the draft OZP and that of **R5** on designation of “CA” zone are noted.

Ecological Importance of the Area (R1 to R5)

- 4.12 The ecological information submitted/mentioned by **R1 to R5** is noted. The ecological importance of the Area has been taken into account in the course of preparing the OZP. The Area is natural and rural in character and has high conservation, landscape and scenic value which have been an important consideration in drawing up the draft OZP. In formulating the land use zonings of the draft OZP, special attention has been given to protect the ecological and landscape significance of the Area having regard to the wider natural system of the adjoining SKWCP.

Designation of “GB” Zone (R1 to R4)

- 4.13 Regarding the proposal of **R1 to R4** to extend the “CA” zone to cover the whole Area including the streams and their riparian areas (i.e. to rezone “GB” and “V” to “CA”), it should be noted that the ecologically more sensitive areas including the riparian zone of the EIS where freshwater marshes of high ecological value and habitat of Hong Kong Paradise Fish of conservation concern are found, have been zoned “CA”, whilst the vast areas of woodland and open grassland are zoned “GB” (**Plan H-3**). According to the AFCD, the woodland in the Area is either native woodland on hillsides or relatively young secondary woodland, and mainly consists of common native plant species in Hong Kong with some

protected species. AFCD considers that both the “CA” and “GB” zonings in the draft OZP with a general presumption against development are appropriate in protecting the important habitats in the Area.

- 4.14 For the **R1**'s concern about the impacts from permissible Small House development in the “GB” zone, as mentioned above, “GB” zone is also a conservation zoning with a general presumption against development. ‘House’ is a Column 2 use which requires planning permission from the Board (**Annex IV**). Any potential adverse impact from Small House development on the surrounding area would be assessed through the planning application system in consultation with departments concerned. Each application will be considered by the Board based on its individual merits taking into account the prevailing planning circumstances, relevant guidelines and relevant departments’ comments. Moreover, activities such as diversion of streams, filling of land/pond or excavation of land in “GB” zone that may cause adverse impacts on the natural environment should not be undertaken without permission from the Board.
- 4.15 **R3** considers that the always permitted uses in the Area should be strictly limited to nature conservation and recreational activities should not be allowed to avoid the adverse environmental impacts unless the Country and Marine Parks Authority takes up the management responsibility of the Area. About 99.83% of the land in the Area is already covered by conservation zones including “CA” and “GB”, in which the always permitted uses are limited to those in line with the planning intention and with no major planning implications. In fact, Cheung Sheung Country Trail and MacLehose Trail in the Area have often been used for hiking events, such as Oxfam Trailwalker and Cheung Sheung Ascension Festival. The open grassland (including the playground) in front of the provision store is also the venue for various activities of the latter event and has long been serving as a popular destination for hikers for rest (**Plan H-4**). According to Food and Environmental Hygiene Department (FEHD), Environmental Protection Department (EPD) and Fire Services Department (FSD), no complaints on waste, environmental impacts or fire have been received respectively in the past three years. These passive recreational outlets have largely been zoned “GB” to reflect the existing uses. AFCD considers that the current zonings in the draft OZP are appropriate in protecting the important habitats in the Area.
- 4.16 Besides, preparation of the statutory plan would not preclude any future designation of Country Park. AFCD conducts regular patrol of the enclaves and would refer any suspected unauthorized development detected to the relevant departments such as Lands Department (LandsD) and PlanD for follow up action.

Designation of “V” Zone (R1 to R4 and R6)

- 4.17 Cheung Sheung Village is the only recognized village in the Area. Thus there is a need to designate “V” zone at suitable location to meet the Small House demand of local villagers after delineating the areas that have to be conserved. The settlements of Cheung Sheung Village including a few building lots are scattered and isolated, not forming any village cluster (**Plans H-3 to H-5**). The building lots are located away from any footpath and/or now overgrown with vegetation amidst the woodland/shrubland. The boundary of the “V” zone has been drawn up having regard to the ‘VEs’, the number of outstanding Small House application, Small House demand forecast, local topography and site constraints. Areas of difficult terrain, dense vegetation, stream courses and ecologically sensitive areas have been avoided as far as possible.

- 4.18 According to the latest information from the District Lands Officer/Tai Po, LandsD (DLO/TP, LandsD), while the 10-year Small House demand forecast is still two, there is one outstanding Small House application in the Area (**Table 1**).

Table 1: Small House Demand in the Cheung Sheung Area

Village	Small House Demand Figure (As at July 2017)		'VE' Area ('VE' Area in Draft OZP) (ha)	"V" Zone on Draft OZP (ha)	Required Land to Meet New Demand (ha)	Available Land on Draft OZP to Meet New Demand Figure (ha)	Percentage of the New Demand Met by Available Land (%)
	Outstanding Applications	10-year Forecast					
Cheung Sheung	1	2 (2015-2024)	7.86 (6.38)	0.03	0.045	0.03 (2 Small Houses)	66.7%

- 4.19 The area proposed for Small House development is mainly covered by grasses interspersed with some shrubs and is situated at a more accessible location (**Plan H-3**). AFCD has no particular comment on the "V" zone from the nature conservation perspective. The "V" zone has been designated with an aim to guiding Small House development at a suitable location so as to avoid undesirable disturbances to the natural environment and to achieve a more orderly development pattern, efficient use of land and provision of infrastructure and services. As compared with the no "V" zone designation on the DPA Plan, a total of about 0.03 ha of land is covered by "V" zone on the draft OZP, equivalent to about two Small House sites, capable of meeting about 66.7% of the total Small House demand for three Small Houses (**Table 1**).

Environmental Impacts of the Small House Development (R1 to R4)

- 4.20 There is sufficient control in the current administrative system to ensure that individual Small House development within the "V" zone would not entail unacceptable impacts on the surrounding environment.
- 4.21 The Area is located within the upper indirect WGG and there is no existing or planned public sewer in the Area. EPD advises that for protection of water quality of the Area, any village type development should demonstrate that the water quality within the WGG will not be affected by the proposals. In general, the use of STS systems for sewage treatment and disposal is considered as an unacceptable means for new village developments within the WGG. Detailed proposal of demonstrably effective means (such as proper waste water treatment plant) is required to ensure that the effluent water quality is acceptable to concerned Government departments. Water Supplies Department (WSD) advises that for any development proposal within the WGG, comprehensive assessment should be conducted and submitted to them to demonstrate that it will not result in material increase in pollution effect to the WGG. All these requirements are specified in the Explanatory Statement of the draft OZP.
- 4.22 In accordance with the Environment, Transport and Works Bureau's Technical Circular (Works) No. 5/2005 "Protection of Natural Streams/Rivers from Adverse Impacts Arising from Construction Works", under the current administrative practice, development proposals/submissions that may affect natural streams/rivers, the approving/processing authorities at various stages of the development should consult and collate comments from the AFCD and relevant authorities and incorporate relevant comments/advice as conditions

of approval wherever possible. The natural stream and the “V” zone are separated by the “GB” zone in a distance of at least 20m. Furthermore, the EIS and its riparian zone are already zoned “CA”, AFCD considers the current zonings on the draft OZP appropriate in protecting the important habitats (**Plan H-3**).

- 4.23 LandsD, when processing Small House grant applications, will consult concerned Government departments, depending on the site circumstances, including the EPD, AFCD, Water Supplies Department (on proper waste water treatment within WGG), Drainage Services Department, Civil Engineering and Development Department (on slope issue), Transport Department, Fire Services Department, PlanD and etc. to ensure that all relevant departments would have adequate opportunity to review and comment on the applications to avoid adverse impacts of Small House development on the surrounding environment. The applicants would also be required to comply with relevant standards and regulations for development proposals/submissions.

Rights/Interests of Indigenous Villagers for Small House Development (R6)

- 4.24 **R6** opines that the rights/interests of indigenous villagers for village development have been disregarded. The “V” zone has already met about 66.7% of the total Small House demand. Should there be a genuine need in the future to use the land outside the “V” zone for Small House development, there are provisions to allow for application to the Board for development or redevelopment of Small House outside the “V” zone under the draft OZP. Each application would be considered by the Board based on its individual merits. According to the covering Notes of the draft OZP, rebuilding of New Territories Exempted House (NTEH) or replacement of an existing domestic building in existence on the gazette date of the draft Cheung Sheung DPA Plan by a NTEH are always permitted in the “GB” zone.
- 4.25 It is considered that the draft OZP could strike a balance between enhancing nature conservation of the Area and respecting the rights of indigenous villagers for village development.

Incorporation of the Area into Country Park (R1, R3 to R5)

- 4.26 Incorporation of the Area into Country Park is under the jurisdiction of the Country and Marine Parks Authority governed by the Country Parks Ordinance (Cap.208) which is outside the purview of the Board. Preparation of the statutory plan would not preclude any future designation of Country Park. The Area is one of the enclaves in the SKWCP, both the Area and SKWCP are separated far away from the Tai Po Kau Nature Reserve.

Provision of Infrastructural Facilities (R6)

- 4.27 According to the covering Notes of the draft OZP, public works coordinated or implemented by the Government, which are generally necessary for provision, maintenance, daily operations and emergency repairs of local facilities for the benefit of the public and/or environmental improvement, are in general always permitted on land falling within the boundaries of the Plan. Relevant departments would keep in view the need for provision of necessary infrastructural facilities subject to technical feasibility and resource availability.

5. CONSULTATION

- 5.1 Relevant Government departments have been consulted and their comments have been incorporated in the above paragraphs where appropriate.
- 5.2 The following Government bureaux and departments have been consulted and they have no major comment on the representations:
- (a) Secretary for Education;
 - (b) Chief Building Surveyor/New Territories West, Buildings Department;
 - (c) Chief Highway Engineer/New Territories East, Highways Department;
 - (d) Antiquities and Monuments Office, Director of Leisure and Cultural Services;
 - (e) Director of Leisure and Cultural Services;
 - (f) Director-General of Communications;
 - (g) Government Property Administrator;
 - (h) Project Manager/New Territories East, Civil Engineering and Development Department;
 - (i) Director of Electrical and Mechanical Services;
 - (j) Head of Geotechnical Engineering Office, Civil Engineering and Development Department;
 - (k) Chief Engineer/Mainland North, Drainage Services Department;
 - (l) Chief Engineer/Sewerage Projects, Drainage Services Department;
 - (m) Chief Engineer/Drainage Projects, Drainage Services Department;
 - (n) Chief Engineer/Project Management, Drainage Services Department;
 - (o) Commissioner for Transport;
 - (p) District Officer/Tai Po, Home Affairs Department;
 - (q) Commissioner for Tourism;
 - (r) Commissioner of Police;
 - (s) Chief Town Planner/Central Enforcement and Prosecution, Planning Department;
 - (t) Chief Town Planner/Strategic Planning, Planning Department; and
 - (u) Chief Town Planner/Urban Design & Landscape, Planning Department.

6. PLANNING DEPARTMENT'S VIEWS

- 6.1 The supportive views of **R1 to R3 (part)** on the general planning intention of the draft OZP and that of **R5 (part)** on designation of “CA” zone are noted.
- 6.2 Based on the assessments in Paragraph 5 above and for the following reasons, Planning Department does not support the representations **R4 and R6** and the remaining part of **R1 to R3 and R5** and considers that no amendment should be made to the draft OZP to meet these representations:

Ecological Importance of the Area (R1 to R5)

- (a) Conservation zones, including “Conservation Area” (“CA”) and “Green Belt” (“GB”) under which there is a general presumption against development, have been designated to cover areas having high conservation and landscape value to protect the natural environment of the Area and the ecologically linked Sai Kung West Country Park under the statutory planning framework.

Designation of “GB” Zone (R1 to R4)

- (b) Environmentally sensitive areas in the Area, which covers about 99.83% of its total land area, are zoned as “CA” and “GB”. All these are conservation zonings with a general presumption against development and are considered appropriate in protecting the natural environment of the Area.

Designation of “Village Type Development “ (“V”) Zone

- (c) “V” zone has been designated at suitable location to meet Small House demand of indigenous villagers in the Area. The boundary of the “V” zone has been drawn up having regard to the village ‘environs’, Small House demand, settlement pattern, local topography, areas of ecological importance as well as other site-specific characteristics. The “V” zone is to strike a balance between enhancing nature conservation of the Area and respecting the rights of indigenous villagers for village development (**R1 to R4 and R6**).
- (d) There is sufficient control in the current administrative system to ensure that individual Small House development within the “V” zone would not entail unacceptable impacts on the surrounding environment (**R1 to R4**)

Incorporation of the Area into Country Park (R1, R3 to R5)

- (e) Incorporation of the Area into Country Park is under the jurisdiction of the Country and Marine Parks Authority governed by the Country Parks Ordinance (Cap. 208) which is outside the purview of the Board. Preparation of the statutory plan would not preclude any future designation of Country Park.

Provision of Infrastructural Facilities (R6)

- (f) According to the covering Notes of the draft OZP, public works coordinated or implemented by Government are in general always permitted on land falling within the boundaries of the Plan.

7. DECISION SOUGHT

The Board is invited to give consideration to the representations taking into consideration the points raised in the hearing session, and decide whether to partially uphold/not to uphold the representations.

8. ATTACHMENTS

Annex I	Submissions of Representations (R1 to R6)
Annex II	Summary of Representations and PlanD’s Responses
Annex III	Extract of Minutes of Meeting of Environment, Housing and Works Committee of Tai Po District Council held on 8.3.2017
Annex IV	Extract of the Notes of “V”, “GB” and “CA” Zones of the Draft Cheung Sheung OZP No. S/NE-CS/1
Plan H-1	Location Plan
Plan H-2	Proposals of Representations (R1 to R6)

Plan H-3	Development Constraints – Cheung Sheung
Plan H-4	Existing Land Uses – Cheung Sheung
Plan H-5	Land Ownership and Village ‘Environs’ – Cheung Sheung
Plan H-6	Aerial Photos –Cheung Sheung

**PLANNING DEPARTMENT
JULY 2017**