

**List of Representers in respect of the
Draft Mui Wo North Outline Zoning Plan No. S/I-MWN/1**

Representation No. (TPB/R/S/I-MWN/1-)	Name of Representer
R1	Hong Kong Bird Watching Society
R2	The Conservancy Association
R3	Designing Hong Kong Limited
R4	Green Power
R5	守護大嶼聯盟
R6	Kadoorie Farm and Botanic Garden
R7	World Wide Fund For Nature Hong Kong
R8	Living Islands Movement
R9	Mary Mulvihill
R10	Paul Melsom
R11	Jennifer Ann Quinton
R12	Fung Kam Lam
R13	離島區議會主席余漢坤
R14	梅窩鄉事委員會
R15	萬角咀村居民協會
R16	周轉香
R17	Lee Yiu Chee Eugenia
R18	Chung Kwok Keung Peter
R19	Hui Pik Ching
R20	Chang Fung Yan, Penny
R21	Kong Wai Wan
R22	Ma Ho Sun Jeffrey
R23	Lo Siu Fun, Helena
R24	嚴梅珍
R25	羅子亮
R26	Mohammad Sajawal
R27	張連
R28	尹小芸
R29	鄧素娟
R30	呂君祥
R31	Mui Peter Shing Wai

R32	Mohammad Aslam
R33	林梓明
R34	李春有
R35	陳偉強
R36	李富豪
R37	Mohammad Ali
R38	Fung Kin Chung
R39	Mak Ho Pong
R40	陳秀堃
R41	李明耀
R42	朱璐华
R43	潘明輝
R44	張有容
R45	蘇麗瑩
R46	周利旭
R47	何紫雲
R48	馬信成
R49	吳穎義
R50	賴浩韻
R51	梁煥發
R52	陳展鴻
R53	吳里瑋
R54	朱展山
R55	陳美芳
R56	余海偉
R57	馬啟滿
R58	李詠恩
R59	林家輝
R60	周廣輝
R61	鄒俊偉
R62	Yim Ka Wun
R63	Chow Ho Yan
R64	Kwan Wing Shing
R65	Wellmark Investment Limited
R66	Chung Hau Tak Tong Brothers Limited
R67	Top Winner Properties Limited
R68	Trendy Property Investment Limited

R69	Authian Estates Limited
R70	Keymax Holdings Limited

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C1	Designing Hong Kong Limited
C2	The Conservancy Association
C3	Mary Mulvilhill
C4	Fung Kam Lam
C5	Paul Melsom
C6	John C L Schofield (Living Islands Movement)
C7	Chung Hau Tak Tong Brothers Limited

☐ Urgent ☐ Return receipt ☐ Sign ☐ Encrypt ☐ Mark Subject Restricted ☐ Expand personal&public groups

Fw: 規劃署傳閱文件《梅窩北分區計劃大綱草圖編號 S/I-MWN/1 》、《沙螺灣及磡頭分區計劃大綱草圖編號 S/I-SLW/1 》、《深屈及磡石灣分區計劃大綱草圖編號 S/I-SW/1 》及《貝澳坳分區計劃大綱草圖編號 S/I-POA/1 》

From: RANDY YU <[REDACTED]>
To: kckyeung@pland.gov.hk
Date: 29/09/2021 15:34
Subject: 規劃署傳閱文件《梅窩北分區計劃大綱草圖編號 S/I-MWN/1 》、《沙螺灣及磡頭分區計劃大綱草圖編號 S/I-SLW/1 》、《深屈及磡石灣分區計劃大綱草圖編號 S/I-SW/1 》及《貝澳坳分區計劃大綱草圖編號 S/I-POA/1 》

敬啟者:

余漢坤議員回應:

雖然在不同時段也曾諮詢三個鄉事委員會，但在這份草圖未見充分的反映該等鄉委會的意見。

離島區議會主席余漢坤議員辦事處敬約

助理: CMING 代行

**Summary of Representations and Comments and the Planning Department's Responses
in respect of the Draft Mui Wo North Outline Zoning Plan (OZP) No. S/I-MWN/1**

I. The grounds and proposals of the representations (TPB/R/S/I-MWN/1-R1 to R70) as well as responses are summarised below:

Representation No. (TPB/R/S/I-MWN/1-)	Subject of Representation	Responses to Representation
R1 Hong Kong Bird Watching Society	<u>Grounds of Representation</u> (a) Supports the general planning intention and conservation approach of the draft OZP and appreciates that considerations are given to the conservation of ecologically and environmentally sensitive areas when development in or near the Mui Wo North area (the Area) is proposed. (b) Woodlands in the Area have ecological linkage with the country parks, while streams and connecting wetlands should be regarded as ecologically important habitats in the Area as they support a high diversity of fauna and flora species. Woodlands, streams, their riparian areas and marshes deserve a higher level of protection. "Green Belt" ("GB") zone is considered inadequate to protect the natural features against development. House development may still be permitted on application to the Board and the approval rate of Small House (SH) application	(1) Noted. (2) 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. Within "GB" zone, except agricultural use and some uses compatible with the natural environment and/or administrated by the Government that are always permitted, most uses and developments require planning permission from the Board. The Board would have opportunities to scrutinise development proposals within "GB" zone on their

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	within “GB” zone is high. The Town Planning Board (the Board) may also approve rezoning of “GB” zone for other purposes. Marshes, mangroves, woodlands, streams including 30m of two sides of the river bank as buffer zones should be zoned “Conservation Area” (“CA”). Other natural habitats, including shrublands and grasslands should be zoned “CA” or “GB(1)”. In which redevelopment of an existing house should be restricted to its existing bulk.	individual merits in accordance with relevant guidelines of the Board. As for rezoning proposals, only those with strong planning justifications and no insurmountable problems will be approved by the Board. “CA”, “Coastal Protection Area” (“CPA”) and “GB” are all conservation-related zonings of different levels of control on land use and development. These zones have a general presumption against development. Amongst them, “CA” zone is usually used for covering areas with considerable ecological significance, e.g. mature woodland and ecologically important stream (EIS), while “CPA” zone is for natural coastline with high landscape, scenic or ecological value. For other common natural and vegetated areas, “GB” zone is generally adopted. In the Area, there are various natural habitats such as woodlands, marshes, mangroves and natural streams. However, there is no mature woodland or EIS found in the Area. As such, the current designation of “GB” zone for these areas is considered appropriate. In response to the proposals to rezone various natural habitats with more stringent zonings, the Director of Agriculture, Fisheries and Conservation (DAFC) advises that by adopting the habitat mapping approach, it is considered appropriate to maintain the

Representation No. (TPB/R/S/I-MWN/1-)	Subject of Representation	Responses to Representation
	(c) Septic Tank and Soakaway (STS) systems generally used by villages would adversely affect and pollute the streams and wetlands nearby. (d) An incremental approach should be adopted in the provision of the “Village Type Development” (“V”) zone.	current “GB” to render protection of the natural habitats and at the same time to reflect the existing site conditions where human settlements and activities are found. (3) The design, construction and maintenance of on-site STS system for village houses are required to comply with relevant standards and regulations, including the Environmental Protection Department’s (EPD) Practice Note for Professional Persons (ProPECC PN) 5/93 “Drainage Plans subject to Comment by the EPD” and the necessary clearance from the specified water bodies to ensure the proposed STS system would not cause adverse impact to the environment. In this regard, the Director of Environmental Protection (DEP) considers that the draft OZP has already addressed the protection of water quality of the streams and sea in the Area. (4) The “V” zones designated for Mang Tong, Tung Wan Tau and Man Kok Tsui are drawn up having regard to the ‘village environs’ (‘VE’), local topography, existing settlement pattern, outstanding SH applications and demand forecast. Areas of difficult terrain, potential natural terrain hazards, dense vegetation, conservation and ecological value are excluded. An incremental approach for

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	(e) “Agriculture” (“AGR”) zone does not provide adequate protection to the ecologically important habitats. The permitted land use under “AGR” zone would pose undesirable environmental problem to the natural habitats and ecologically sensitive areas. Approval rate of SH application within “AGR” zone is high. Existing agricultural cluster in the Area should be zoned “GB(1)”/“AGR(2)” where no house development is allowed.	designating the “V” zone with an aim to consolidating SH development at suitable location in order to avoid undesirable disturbance to the natural environment and overtaxing the limited infrastructure in the Area. Besides, each SH grant application will be processed by the Lands Department (LandsD) in accordance with the established procedures under the SH policy. (5) Land with conservation value has been designated with conservation-related zonings. The planning intention of “AGR” zone is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. On the draft OZP, the “AGR” zones cover clusters of active and fallow agricultural land in the vicinity of villages including Man Kok Tsui. Such designation of zoning is considered appropriate in view of the existing conditions in the Area. In this regard, DAFC has no comment on the “AGR” zone. Appropriate planning control is in place as stipulated in the Notes of the draft OZP, where planning application for development of New Territories Exempted House (NTEH) or place of recreation within “AGR” zone has to be submitted to the

Representation No. (TPB/R/S/I-MWN/1-)	Subject of Representation	Responses to Representation
	<u>Proposal</u> (f) All natural coastal areas, including the Silver Mine Bay Beach, should be zoned “CPA”.	Board under the planning permission system. Each application would be considered on its individual merits taking into account relevant guidelines of the Board. (6) “CPA” zone is intended 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. “CPA” zone on the draft OZP covers the natural coastline between Tung Wan Tau and Man Kok which is mostly inaccessible with minimal human activities. On the other hand, “Open Space” (“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. “O” zone on the draft OZP covers the coastline along Tung Wan Tau Road, which comprises mainly Silver Mine Bay Beach, a

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		gazetted public beach managed by the Leisure and Cultural Services Department for public enjoyment. For the remaining part of the coastline, although it is not within the boundary of the gazetted beach, it is an immediate extension of Silver Mine Bay Beach, conveniently accessible via Tung Wan Tau Road and overlooked by two existing recreational facilities, namely the Methodist Retreat Centre and the Hong Kong Playground Association (HKPA) Jockey Club Silvermine Bay Camp. Active recreational activities, such as water sports, are carried out by the general public at the location. As such, the designation of “CPA” and “O” zones is considered appropriate to reflect the existing features and conditions. DAFC considers that the current designation of “CPA” zone covering the natural coastline between Tung Wan Tau and Man Kok is appropriate. Besides, the Director of Leisure and Cultural Services (DLCS) recommends that Silver Mine Bay Beach be remained as “O” zone. Notwithstanding the “O” zoning, the coastline along Tung Wan Tau Road is subject to statutory planning enforcement against unauthorized developments as wells as other

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		legislations.
R2 (also C2) The Conservancy Association	<u>Grounds of Representation</u> (a) Agrees with the general planning intention of the draft OZP. (b) The designation of “CPA” zone for the coastline from Tung Wan Tau to Man Kok is welcomed. (c) Slope cutting works and vegetation clearance were once spotted in Butterfly Hill. Any attempts of ‘destroy first, build later’ should not be tolerated. No development should be encouraged by development-related zones in Butterfly Hill.	(1) Noted. (2) Noted. (3) With the designation as a Development Permission Area (DPA), the Area is now subject to statutory planning control and the Planning Authority could take action against unauthorized development in the Area in accordance with the Ordinance. Butterfly Hill is zoned “GB” on the draft OZP. Regarding the vegetation clearance and slope cutting works in Butterfly Hill, the Chief Town Planner/Central Enforcement and Prosecution, Planning Department (PlanD) advises that enforcement action would be instigated as appropriate should there be sufficient evidence to form an opinion of unauthorized development under the Town Planning Ordinance (the Ordinance). Furthermore, the definition of ‘Existing Use’ (‘EU’) as stipulated under the Ordinance in relation to a DPA, which is effected in the covering Notes of the DPA Plan and the

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	(d) STS system cannot remove pollutant and cause water pollution to natural stream nearby with inadequate maintenance and increasing number of septic tanks. (e) All streams and their tributaries, marshes and mangroves should be zoned “CA” or “GB(1)”. Their riparian areas should be covered by	subsequent OZP, is to facilitate the Planning Authority to undertake enforcement action against unauthorized developments in the rural areas. Due to the rule against retroactivity in criminal law, existing land use not complying with the subsequent DPA Plan or OZP is not punishable as a matter of criminal law. Penalising someone for an action without any possible foreknowledge prior to enactment of the legislation is unjust and unfair. As such, existing non-conforming uses are tolerated and exempted from planning permission. In view of above, the current definition of ‘EU’ under the Ordinance in respect of carrying no retrospective effect is considered reasonable. Notwithstanding the above, prior to gazettal of the draft DPA Plan, the development control mainly rested with the Buildings Department, LandsD and other licensing authorities. (4) Response (3) to R1 above is relevant. (5) Response (2) to R1 above is relevant.

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	conservation-related zonings. (f) No evaluation of validity of forecast on SH demand. The Area lacks proper vehicular access and public sewerage system to cater for large population intake. “V” zone should be confined to the existing village settlement in accordance with genuine need, rather than buffer area for natural stream. <u>Proposal</u> (g) The section of coastline in Tung Wan Tau zoned “O” is still in natural condition without human disturbance. It is suggested to be rezoned from “O” to “CPA” to better reflect the existing condition.	(6) Response (4) to R1 above is relevant. (7) Response (6) to R1 above is relevant.
R3 (also C1) Designing Hong Kong Limited	<u>Grounds of Representation</u> (a) Supports the draft OZP to ensure the greatest possible planning and development control in the Area and protect the rural and natural character with conservation value of the Area. (b) Welcomes the designation of “CPA” zone for the natural coastline between Tung Wan Tau and Man Kok Tsui.	(1) Noted. (2) Noted.

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	(c) Two sides of the river bank of streams should be zoned as “GB” or “CA” to act as a buffer zone to minimise pollution and human disturbance. (d) STS system may become ineffective and cause water pollution due to proximity to watercourses or inadequate maintenance. SH development should be prohibited within the buffer area of the river or any other sensitive location. (e) It is unable to ensure the validity of the forecast on SH development. Due to limited vehicular access and lack of public sewerage system, the Area may not have enough capacity for large population intake. “V” zone should be confined to existing village settlement. (f) Majority of land in Man Kok is owned by a single developer. “AGR” zone in Man Kok cannot protect the landscape but encourages recreational developments which degrades environment. More stringent conservation zoning should be adopted or the Columns 1 and 2 uses of “AGR” zone should be revised.	(3) Response (2) to R1 above is relevant. (4) Response (3) to R1 above is relevant. (5) Response (4) to R1 above is relevant. (6) Response (5) to R1 above is relevant.

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	(g) Human disturbance and destruction were found at Butterfly Hill and Tung Wan Tau and would be regarded as ‘EU’ under the Ordinance. The definition of ‘EU’ should be reviewed to stop any ‘destroy first, develop later’ activities. <u>Proposal</u> (h) “CPA” zone should include the entire coastal area, except the section of the gazette beach to ensure sufficient protection to the existing coastline.	(7) Response (3) to R2 above is relevant. (8) Response (6) to R1 above is relevant.
R4 Green Power	<u>Grounds of Representation</u> (a) Welcomes and agrees with the general planning intention of the draft OZP. (b) Supports the designation of “CPA” from Tung Wan Tau to Man Kok. (c) Waterbodies in particular streams and marshes and terrestrial habitats especially woodlands and open farmlands accommodate rich biodiversity. Waterbodies and their riparian areas and terrestrial habitats of high ecological value should be zoned	(1) Noted. (2) Noted. (3) Response (2) to R1 above is relevant.

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	“CA” or more stringent land use zonings. (d) High chances of leakage of STS system and other non-point source pollution, as well as illegal and/or uncontrollable sewage discharge to water sensitive receivers will intensify environmental and public health risk. (e) “V” zone should be delineated according to genuine needs of indigenous villagers and current boundary of village houses. NTEH should be precluded from Columns 1 and 2 uses of zonings covering area with natural vegetation, including woodlands, as well as active and abandoned farmlands, in particular Man Kok Tsui and Tung Wan Tau.	(4) Response (3) to R1 above are relevant. (5) Responses (4) and (5) to R1 above are relevant.
R5 守護大嶼聯盟 (Save Lantau Alliance)	<u>Grounds of Representation</u> (a) Agrees and supports the general planning intention of the draft OZP. (b) Supports the designation of “CPA” zone for the natural coastline between Tung Wan Tau and Man Kok Tsui.	(1) Noted. (2) Noted.

Representation No. (TPB/R/S/I-MWN/1-)	Subject of Representation	Responses to Representation
	(c) The designation of “GB” zone for Butterfly Hill is agreed. (d) Woodlands, wetlands and streams in Wang Tong, Tai Wai Yuen and Tung Hang Mei should be zoned “CA”. (e) The inclusion of ‘Field Study/Education/Visitor Centre’ under Column 2 in “V” zone without strong justifications and detailed studies and discussions is not supported.	(3) Noted. (4) Response (2) to R1 above is relevant. (5) According to the Definition of Terms promulgated by the Board, ‘Field Study/Education/Visitor Centre’ means any place or premises exclusively or primarily used for displaying information or conducting field study and educational programmes on the environment and related subjects. The inclusion of ‘Field Study/Education/ Visitor Centre’ use in Column 2 of the Notes for the “V” zone is on the consideration that the Area is of landscape and ecological values. The provision for application is to allow flexibility to cater for any such need in future in support of environmental education and related studies. Should there be an application for such use in the “V” zone, the applicant is expected to provide justifications and relevant assessments to support the application. The Board would have the chance to deliberate on the individual planning merit of each relevant application. As such, it is considered appropriate to keep the ‘Field Study/Education/Visitor Centre’ as a Column 2 use in the

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	(f) Public works coordinated and implemented by Government, say involving excavation of land, in conservation-related zones should not be exempted from planning application. An open and transparent procedure should be maintained. <u>Proposal</u> (g) The coastline in Tung Wan Tau in front of the Methodist Retreat Centre should be zoned “CPA”.	“V” zone. (6) The incorporation of the ‘exemption clause’, i.e. exempting works involving diversion of streams, filling of land/pond or excavation of land pertaining to public works coordinated or implemented by Government from the requirement of planning application, for conservation-related zones in the subject OZP is in line with the latest revision of Master Schedule of Notes which was promulgated by the Board on 24.8.2021. The objective of including this exemption clause is to streamline the planning application process/mechanism. Whilst such works are exempted from planning permission, they still have to conform to any other relevant legislations, the conditions of the government lease concerned, and other government requirements, as may be applicable. (7) Response (6) to R1 above is relevant.
R6 Kadoorie Farm and Botanic Garden Corporation	<u>Grounds of Representation</u> (a) Wetland areas in the Area should be zoned “CA” instead of “GB” to reflect their higher conservation value as compared to other vegetated areas.	(1) Response (2) to R1 above is relevant.

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R7 World Wide Fund for Nature Hong Kong	<u>Grounds of Representation</u> (a) Welcomes the designation of “CPA” zone for the natural coastline between Tung Wan Tau and Man Kok Tsui. (b) Concerns about use of STS system in future development which could degrade the streams and associated fish species of conservation interest. Streams at Wang Tong and Tung Wan Tau and their riparian areas should be zoned “CA”. <u>Proposal</u> (c) Marshes in Wang Tong and Tai Wai Yuen, and mangroves in the lower reach of Wang Tong River are of conservation importance and should be rezoned from “GB” to “CA”.	(1) Noted. (2) Response (3) to R1 above is relevant. (3) Response (2) to R1 above is relevant.
R8 (also C6) Living Islands Movement	<u>Grounds of Representation</u> (a) Welcomes the designation of “CPA” zone for the northern shore of Silver Mine Bay. (b) Designation of new “V” zone with planning intention primarily for development of SH by indigenous villagers is objected. Much of the land in “V” zone	(1) Noted. (2) The planning intention of “V” zone is to reflect both existing recognized and other villages, and to provide land considered suitable for village expansion. Land within

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	is owned by non-indigenous persons and unlikely to be used for SH development. The planning intention of “V” zone should be amended to “land within this zone is primarily intended for the provision of village housing in the form of NTEH, including but not limited to SHs under the SH Policy”. (c) “GB” may not provide sufficient protection to wetland areas from undesirable encroachment at the fringe by SH development at the adjacent “V” zone e.g. extension of garden walls or fences onto wetland. The Notes of the draft OZP should be amended to clarify that such activities are not permitted without planning permission.	this zone is primarily intended for development of SHs by indigenous villagers. According to the Notes of the draft OZP, House (NTEH only) is always permitted within “V” zone, which may include both SH and non-SH developments. (3) Response (2) to R1 above is relevant.
R9 (also C3) Mary Mulvihill	<u>Grounds of Representation</u> (a) Supports the “CPA” zone covering the natural coastline from Tung Wan Tau to Man Kok. (b) “GB” zone is no longer appropriate in protecting the environment. The Board on a regular basis approves the rezoning of “GB” for other purposes.	(1) Noted. (2) Response (2) to R1 above is relevant.

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	(c) Designation of “V” zone should be restricted and in line with actual data.	(3) Response (4) to R1 above is relevant.
R10 (also C5) Paul Melsom	<u>Grounds of Representation</u> (a) The Area provides habitats for important fauna and flora species. <u>Proposals</u> (b) Woodlands in Wo Tin should be zoned “CA” to establish a tree walk combining with country park or an official ecowalk. (c) The following suggestions are made: • Wang Tong River should be dechannelised with modern friendly method. Signs should be erected to stop rubbish dumping along the stream. • Agriculture should be organic and no pesticide should be used in the valley.	(1) Response (2) to R1 above is relevant. (2) Response (2) to R1 above is relevant. The suggestion of establishing a tree walk or an ecowalk has been referred to the Agriculture, Fisheries and Conservation Department (AFCD) for consideration. According to the covering Notes of the draft OZP, provision of footpath, local public works and road works implemented or co-ordinated by Government are always permitted within “GB” zone. Any specific proposals would be followed up by relevant departments as and where appropriate. (3) The suggestions have been referred to relevant departments, including AFCD, Home Affairs Department and Fire Services Department, for consideration. Any specific proposals would be followed up by relevant departments as and where appropriate.

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	• New street lighting installation should consider the impact on nocturnal insects. • Improvement in fire prevention should be reviewed. Firebreak at the cemetery in Wang Tong should be wet by collection of rain water or connection to a sprinkler system.	
R11 Jennifer Ann Quinton	<u>Grounds of Representation</u> (a) Areas zoned “GB” should be granted conservation status, e.g. “CA” zone, including but not limited to wetlands, hillsides and Butterfly Hill for habitats and biodiversity in the Area. (b) Community members should be engaged with a supported ecological assessment of Mui Wo before concluding zoning designations for the Area.	(1) Response (2) to R1 above is relevant. (2) Community members, including the Islands District Council, Mui Wo Rural Committee, Man Kok Tsui Residents’ Association, green/concern groups, local villagers/residents and other individuals have been engaged in the course of preparation of the draft OZP. Relevant departments, including AFCD and the Sustainable Lantau Office, Civil Engineering and Development Department, have been consulted on the ecological aspect.

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R12 (also C4) Fung Kam Lam	<u>Grounds of Representation</u> (a) The inclusion of ‘Field Study/Education/Visitor Centre’ under Column 2 in “V” zone without strong justifications and detailed studies and discussions is not supported.	(1) Response (5) to R5 above is relevant.
R13 離島區議會主席余漢坤 (Randy Yu, Chairman of the Islands District Council) R14 梅窩鄉事委員會 (Mui Wo Rural Committee)	<u>Grounds of Representations</u> (a) Designation of “GB” zone on land which was previously designated for agriculture or residential uses on the Mui Wo North Layout Plan (LP) is opposed as residents have legitimate expectations on the land uses according to the LP.	(1) Some private lots in Wang Tong, which are zoned “GB” on the draft OZP, are designated “Residential – Zone 4” (“R4”) or “V” for low-density residential or village type developments respectively on the LP. The LP, which is administrative and non-statutory in nature, was prepared/adopted in 1984. After conducting a comprehensive land use review in 2021, the draft OZP, which is a statutory plan, was prepared having regard to the latest planning circumstances, including the findings and observations from site inspections, land use survey, local consultation and departmental comments. Since the concerned area is mainly an existing marsh, the designation of “GB” zone in accordance with the existing conditions and planning intention of the Area is considered appropriate. Besides, designation of “R4” zone on the LP does not have any implications on building entitlement. Any proposed residential development on agricultural land requires lease

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	(b) “GB” zone is excessive and many private lots are included. Some land currently zoned “GB” zone should be rezoned to “V” and “AGR” for village expansion and agriculture rehabilitation respectively.	modification and other necessary government procedures and permissions. (2) The purpose of the draft OZP is to indicate the broad land use zonings for the area so that development and redevelopment within the area can be put under statutory planning control. The draft OZP endeavors to strike a balance between conservation and the suitable use of land. Land status is not the only planning consideration and the appropriate zonings would cover both government land and private land. “GB” zone mainly covers woodlands, shrublands, grasslands, coastal uplands, vegetated hills, streams, marshes and mangroves. It also covers some scattered agricultural land which are mostly abandoned. “V” zones designated for recognized villages are drawn up having regard to the ‘VE’, local topography, existing settlement pattern, outstanding SH applications and demand forecast. An incremental approach has been adopted for designating the “V” zone with an aim to consolidating SH development at suitable location in order to avoid undesirable disturbance to the natural environment and overtaking the limited infrastructure in the Area. “V” zone also covers the village

Representation No. (TPB/R/S/I-MWN/1-)	Subject of Representation	Responses to Representation
	(c) Insufficient land has been reserved for village development. Some sites subject to outstanding SH applications before gazettal of the draft OZP are zoned “GB” instead of “V” under which planning application is required for SH development. Some natural slopes should not be excluded from the “V” zone as there may be scope for SH development in future. “V” zone should be expanded.	clusters along Tung Wan Tau Road and in Chung Hau. The designation of “GB” and “V” zones on the draft OZP is considered appropriate. Regarding agricultural rehabilitation, as ‘Agricultural Use’ is also always permitted within the “GB” zone, the designation of “GB” or “AGR” zone will not hinder agricultural development and rehabilitation. (3) In general, area of difficult terrain, potential natural terrain hazards, dense vegetation, conservation and ecological value are excluded when drawing up “V” zone. As advised by the District Land Officer/Islands (DLO/Is), LandsD, there are 14 outstanding SH applications in the Area (all from Mang Tong, and nil from Tung Wan Tau and Man Kok Tsui). The total of 10-year SH demand in the Area is 20 (all from Mang Tong, and nil from Tung Wan Tau and Man Kok Tsui). Based on PlanD’s preliminary estimate, land required for meeting the SH demand is about 0.85 ha, while the available land within the “V” zones of the three recognized villages in the Area is about 0.94 ha. Since there is available land in the respective village that could cater for future SH development, in accordance with the incremental approach, further expansion of the “V” zone is considered not necessary.

Representation No. (TPB/R/S/I-MWN/1-)	Subject of Representation	Responses to Representation
	(d) Land should be reserved for provision of more community and recreational facilities. “GB” zone near Mui Wo Town Centre should be rezoned to G/IC” for development of a community hall, community welfare facilities or an international school, and “Recreation” (“REC”). “GB” and “CPA” zones in Chok Tsai Wan should be rezoned to “REC” and “O” respectively to facilitate a proposed water sports centre.	Three outstanding SH applications located at the northern fringe of Mang Tong fall outside the “V” zone. They are located to the west of Wang Tong River in a marsh and wholly or partly falling outside the ‘VE’ of Mang Tong. The current designation of “GB” zoning for the concerned sites to reflect their existing conditions is considered appropriate. The applicants of the concerned outstanding SH applications could explore other locations within the “V” zone for SH development. (4) The provision of recreational and community facilities in Mui Wo area is planned in accordance with the requirements of the Hong Kong Planning Standards and Guidelines and in consultation with relevant government bureaux/ departments (B/Ds). Currently, the provision of these facilities in Mui Wo area/ Islands District is generally sufficient to meet the local needs. For example, there are several existing recreational facilities such as the Silver Mine Bay Beach, the Methodist Retreat Centre and the HKPA Jockey Club Silvermine Bay Camp in the Area. There is also an array of GIC facilities provided in the adjacent Mui Wo Town Centre area such as a municipal services building, a fire station and a swimming pool. The provision of such facilities will be subject to review by

Representation No. (TPB/R/S/I-MWN/1-)	Subject of Representation	Responses to Representation
	(e) Agrees with expansion of “REC” zone on the draft OZP. “GB” and “CPA” zones in Chok Tsai Wan should be rezoned to “REC” and “O” respectively to facilitate a proposed water sports centre (R14 only).	relevant B/Ds as and when necessary. (5) Response (4) above regarding provision of recreational facilities is relevant.
R15 萬角咀村居民協會 (Man Kok Tsui Residents’ Association)	<u>Grounds of Representation</u> (a) Designation of “AGR”, “GB” and “CPA” zones in Man Kok is opposed. Designation of “GB” and “CPA” zones may not be able to improve the terrestrial and marine ecology of Lantau. <u>Proposal</u> (b) The concerned lots in D.D. 358 L should be rezoned to “G/IC” to facilitate development of a marine conservation centre which could help promote renewable energy and preserve the agriculture, fisheries and cultural heritage of Man Kok Tsui.	(1) Responses (2) and (6) to R1 above are relevant. Suitable land have been designated as “GB” and “CPA” to reflect and protect the natural habitats, and “AGR” for agricultural purposes. (2) The proposed rezoning of the site to “G/IC” for a conservation centre for marine ecology is considered premature as no concrete development proposal nor technical assessments have been submitted to support the proposal. Taking into account the site conditions, Man Kok being in general covered by active agricultural uses, it is considered the current zonings in Man Kok appropriate. Planning applications for any development proposal in support of relevant technical assessments could be submitted in accordance with section 16 (s.16) or section

Representation No. (TPB/R/S/I-MWN/1-)	Subject of Representation	Responses to Representation
		12A (s.12A) of the Ordinance for the Board's consideration if necessary.
R16 周轉香	<u>Grounds of Representation</u> (a) The existing agricultural land and house lots should be retained.	(1) Regarding agricultural land, generally speaking, clusters of active and fallow agricultural land near villages have been retained and zoned "AGR" as far as practicable. Given the broad-brush nature of zoning, some agricultural land which is scattered and/or away from villages may be zoned "GB" together with its surrounding natural habitats. As 'Agricultural Use is also always permitted within the "GB" zone, the designation of "GB" or "AGR" zone will not hinder agricultural development and rehabilitation. Regarding house lots, the draft OZP will not affect the land status of existing house lots. In general, the existing house lots have been suitably reflected on the zonings of the draft OZP such as "R(C)" and "V". Besides, there is provision in the covering Notes of the OZP that rebuilding of NTEH and replacement of an existing domestic building by a NTEH is always permitted on land falling within the OZP except in "CPA" zone where no house lot is found.

Representation No. (TPB/R/S/I-MWN/1-)	Subject of Representation	Responses to Representation
	(b) More land should be reserved for recreational and community facilities.	(2) Response (4) to R13 and R14 above is relevant.
R17 to R24, R64 Individuals (Please refer to Annex I for details) R66 (also C7) Chung Hau Tak Tong Brothers Limited	<u>Grounds of Representations</u> (a) Designation of “GB” zone on Lots No. 570, 571, 622 and 623 in D.D. 2 Mui Wo (MW) is opposed as it would affect agricultural rehabilitation. The concerned lots should be retained for agriculture or recreation uses to facilitate agricultural development and rehabilitation.	(1) Response (1) to R16 above regarding agricultural land is relevant.
R25 to R59 Individuals (Please refer to Annex I for details)	<u>Grounds of Representations</u> (a) Some land in the Area is quality agricultural land. The land use zonings on the draft OZP would hinder agricultural development.	(1) The draft OZP will not affect the land status of existing agricultural land. Response (1) to R16 above regarding agricultural land is relevant.
R60 周廣輝 R61 鄒俊偉	<u>Grounds of Representations</u> (a) Oppose the designation of “GB” zone on outstanding SH application sites at Lot No. 328 in D.D. 2 MW. The concerned sites should be rezoned to “V”.	(1) The two concerned outstanding SH applications located at the northern fringe of Mang Tong fall outside the “V” zone. They are located to the west of Wang Tong River in a marsh and wholly or partly falling outside the ‘VE’ of Mang Tong. The current designation of “GB” zoning for the concerned

Representation No. (TPB/R/S/I-MWN/1-)	Subject of Representation	Responses to Representation
		sites to reflect their existing conditions is considered appropriate. Response (3) to R13 and R14 above is relevant.
R62 Yim Ka Wun R63 Chow Ho Yan R70 Keymax Holdings Limited	<u>Grounds of Representations</u> (a) Designation of “GB” zones covering various lots in Butterfly Hill is opposed. “GB” zone does not reflect the existing site condition. (b) “GB” zone infringes the reasonable and legitimate development rights of the lot owner, in particular Lot No. 565 in D.D. 2 MW, which is covered by ‘Building Licence No. 92’.	(1) In the course of preparing the draft OZP, PlanD has conducted land use review and site inspections for the Area. The “GB” zone generally covers woodlands, shrublands, grasslands, coastal uplands, vegetated hills, streams, marshes, mangroves and some scattered/ abandoned agricultural land in the Area to reflect their existing conditions. The zonings on the OZP are broad-brush in nature, and sporadic dwellings, footpaths and other structures surrounded by natural habitats may also be broadly covered. In this regard, DAFC considers that the designation of “GB” zone is appropriate. (2) The purpose of the draft OZP is to indicate the broad land use zonings for the Area so that development and redevelopment within the Area can be put under statutory planning control. The draft OZP endeavors to strike a balance between conservation and the suitable use of land. The concerned lot is largely covered by woodland with a structure at its western part. In view of the overall natural

Representation No. (TPB/R/S/I-MWN/1-)	Subject of Representation	Responses to Representation
	<u>Proposals</u> (c) Part of Lot No. 565 in D.D. 2 MW should be rezoned to “R(C)4” with a maximum gross floor area of 365m² and a maximum building height of two storeys (R63 and R70).	features/landscape of the area and that the building entitlement at the concerned lot cannot be ascertained by DLO/Is, LandsD (details of the concerned lot are in response (3) below), the designation of “GB” zone for the area including the concerned lot is considered appropriate. The land concerned could be put to ‘always permitted uses’ (Column 1 uses) or uses that may be permitted with or without conditions on application to the Board (Column 2 uses) in accordance with the Notes of the OZP. Each application would be considered by the Board based on its own individual merits. As such, the draft OZP would not deprive development rights of lot owner. (3) The concerned site is inaccessible and part of it is occupied by a structure located within a large piece of woodland. Regarding the supporting information provided by R70 to demonstrate the building entitlement of Lot No. 565 in D.D. 2 MW, DLO/Is, LandsD considers that it is doubtful whether it is prudent to rely on these alleged “true copies” of the Memorandum of Agreement and Building Licence for the purpose of ascertaining the lease information of concerned. In this connection, the “GB” zoning broadly covering the

Representation No. (TPB/R/S/I-MWN/1-)	Subject of Representation	Responses to Representation
	(d) The remaining part of Lot No. 565, and the part of Lots No. 94, 95, 609 and 610 in D.D. 2 MW should be rezoned to “Other Specified Uses” annotated “Animal Re-home Centre”(“OU(ARC)”) zone to facilitate development of an animal re-home centre with overnight quarters and resting area for buffalos (R62 and R70).	woodland and the structure therein is considered appropriate having regard to the broad-brush nature of zoning. Nevertheless, according to the covering Notes of the draft OZP, replacement of an existing domestic building, i.e. a domestic building which was in existence on the date of the first publication in the Gazette of the notice of the draft DPA Plan, by a NTEH is always permitted. Planning application for any development proposal could be submitted which would be considered by the Board on its own merits taking into account the relevant guidelines of the Board. (4) The proposed rezoning of the site to “OU(ARC)” for an animal re-home centre with overnight quarters is considered premature as no concrete development proposal nor technical assessments have been submitted to support the proposal. Taking into account the site conditions including the northern part of Butterfly Hill mainly covered by woodlands, and the broad-brush nature of zoning, the “GB” zoning at the concerned site is considered appropriate. In this regard, DAFC advises that although the proposal of setting up an animal re-homing centre is generally in line with their prevailing policy, AFCD has not been approached

Representation No. (TPB/R/S/I-MWN/1-)	Subject of Representation	Responses to Representation
		by the project proponent for any advice or support regarding the proposal. For the resting area for buffalos, AFCD in general does not oppose the idea as long as the welfare of stray cattle/buffalo is not jeopardised and further discussion is welcomed. Nevertheless, ‘Animal Boarding Establishment’, which means any place or premises providing food and accommodation, training or recreation facilities for or undertaking breeding of animals other than livestock, is a Column 2 use within the “GB” zone, a s.16 application could be submitted to the Board for consideration if the project proponent so wishes.
R65 Wellmark Investment Limited	<u>Grounds of Representation</u> (a) Designation of “GB” zone on Lots No. 245, 246, 247, 249, 313, 318, 320, 321, 327, 330, 339, 341, 383, 384, 556 and 601 in D.D. 2 MW is opposed as it would affect agricultural rehabilitation. The concerned lots should be retained for agriculture or recreation uses to facilitate agricultural development and rehabilitation.	(1) Response (1) to R16 above regarding agricultural land is relevant.

Representation No. (TPB/R/S/I-MWN/1-)	Subject of Representation	Responses to Representation
R67 Top Winner Properties Limited	<u>Grounds of Representation</u> (a) The entire draft OZP is opposed as modification to the existing land lease would affect the renting out of the concerned lot(s) for agricultural use.	(1) The draft OZP will not affect the land status of existing agricultural land. Response (1) to R16 above regarding agricultural land is relevant.
R68 Trendy Property Investment Limited R69 Authian Estates Limited	<u>Grounds of Representation</u> (a) Designation of “GB” and “V” zones covering a site next to Silver Mine Bay Beach and to the south of Butterfly Hill is opposed. <u>Proposal</u> (b) The site should be rezoned to “Other Specified Uses” annotated “Mixed Uses with Ecological Enhancement” (“OU(MUEE)”) with a maximum plot ratio of 1.5 and a maximum building height of 8 storeys to facilitate the upgrading of the area into a mix of residential/commercial development and tourism related uses with ecological enhancement to existing landscape features.	(1) Taking into account the site conditions which mainly involve the marsh in Tai Wai Yuen and the existing village cluster near Chung Hau at the foothill of Butterfly Hill, the “GB” and “V” zonings at the concerned site are considered appropriate. (2) The proposed rezoning of the site to “OU(MUEE)” for a mixed-use development with ecological enhancement is considered premature as no concrete development proposal nor technical assessments have been submitted to support the proposal. The Antiquities and Monuments Office (AMO) of the Development Bureau (DEVB) advises that part of the proposed rezoning site falls within Chung Hau Site of Archaeological Interest (SAI) and Mang Tong SAI. Further consultation with AMO of DEVB should be made if any works, development or rezoning proposals may affect any historical buildings/structures with potential heritage

Representation No. (TPB/R/S/I-MWN/1-)	Subject of Representation	Responses to Representation
		value, including any buildings/structures both at grade level and underground which were built in or before 1969, within and near the proposed rezoning site. Taking into account the site conditions which mainly involve the marsh in Tai Wai Yuen and the existing village cluster near Chung Hau at the foothill of Butterfly Hill, the “GB” and “V” zonings at the concerned site are considered appropriate. In this regard, DLCS advises that in order to maintain the natural environment and maintain a broad and open view for public from the open space in the subject area, the development proposal is not supported. Notwithstanding this, planning application with relevant supporting technical assessments could be submitted in accordance with s.16 or s.12A of the Ordinance for the Board’s consideration if necessary.

II. The gist of comments on representations (TPB/R/S/I-MWN/1-C1 to C7) as well as responses are summarised below:

Comment No. (TPB/R/S/I-MWN/1-)	Gist of Comment	Responses to Comment
C1 (also R3) Designing Hong Kong Limited	(a) Supports representations R1, R2, R4 and R5 to R7. (b) The Area is connected with and mostly surrounded by the country park. Land near the country park use should be zoned for conservation purpose. (c) “V” zone should be confined to the existing village settlement. Validity of the forecast on SH development is unable to be ensured. Due to limited vehicular access and lack of public sewerage system, the Area may not have enough capacity for a large population intake. (d) Any development-related zones should not be designated in areas subject to destroy activities before the implementation of the DPA Plan.	(1) Noted. (2) Response (2) to R1 above is relevant. (3) Response (4) to R1 above is relevant. (4) Response (3) to R2 above is relevant.
C2 (also R2) The Conservancy Association	(a) Supports representations R1 and R3 to R7. (b) There should not be further reduction in conservation-related zones.	(1) Noted. (2) Response (2) to R1 above is relevant.

Comment No. (TPB/R/S/I-MWN/1-)	Gist of Comment	Responses to Comment
C3 (also R9) Mary Mulvihill	(a) “V” zone should be restricted to existing footprint and buffer should be provided for watercourses. (b) Stringent resale conditions should be implemented for SHs given the environmental sensitive nature of the Area. (c) SH development should not be included as Column 2 use of any zoning other than “V” zone. (d) “AGR” zone in Man Kok should be rezoned to conservation-related zoning and residential development should be excluded from Columns 1 and 2. (e) Natural streams and marshes should be zoned “CA” with buffer zone. Shrublands and grasslands should also be protected.	(1) Response (4) to R1 in above is relevant. (2) According to DLO/Is, LandsD, there is alienation restriction clause stipulated in SH Grant and Free Building Licence. Assignment of a SH is only possible after the owner obtains an approval by LandsD and subject to the payment of premium. Nevertheless, this is not a planning issue. (3) The Columns 1 and 2 uses in various zones on the draft OZP generally follow the Master Schedule of Notes promulgated by the Board. Development proposals involving Column 2 uses would be considered by the Board on its own merits taking into account the relevant guidelines of the Board. (4) Response (5) to R1 above is relevant. (5) Response (2) to R1 above is relevant.

Comment No. (TPB/R/S/I-MWN/1-)	Gist of Comment	Responses to Comment
	(f) All coastline should be zoned “CPA”. (g) Softcopy of submissions by representers and commenters should be provided to the public. (h) ‘EU’ should not include any unauthorized works.	(6) Response (3) to R1 above is relevant. (7) Softcopy of representations and comments is accessible by the public at the Board’s website. (8) Response (3) to R2 above is relevant.
C4 (also R12) Fung Kam Lam	(a) Supports representations R1 to R5. (b) Notes of “CPA” zone should be amended to remove the exemption clause for diversion of streams, filling of land/pond or excavation of land pertaining to public works co-ordinated or implemented by Government.	(1) Noted. (2) Response (6) to R5 above is relevant.
C5 (also R10) Paul Melsom	(a) Four additional photos are provided to supplement R10 .	(1) Noted.
C6 (also R8) Living Islands Movement	No information or attachment is provided.	N/A

Comment No. (TPB/R/S/I- MWN/1-)	Gist of Comment	Responses to Comment
C7 (also R66) Chung Hau Tak Tong Brothers Limited	(a) The general presumption against development of “GB” zone would constrain freedom of design and exploit user right. It would increase the cost of operation as every activity is to be scrutinised and approved under s.16 of the Ordinance. It implies huge cost on preparation of submission and uncertainty in the approval period. “GB” zone should not include developed private land which is neither small nor pocketed nor mainly slopes of high gradient. (b) Designation of “GB” zone on the site in Wang Tong fails to recognise the agricultural activities supported by government policy. It demonstrates un-coordinated efforts of different departments.	(1) Response (2) to R13 and R14 above is relevant. (2) According to the Notes of the draft OZP, ‘Agricultural Use’ is always permitted within “GB” zone and submission of s.16 application to the Board is not required. As such, the “GB” zoning for the concerned site is considered appropriate for accommodating agricultural activities while imposing suitable planning control. DAFC also advises that except livestock keeping, there is no need to seek approval or policy support from the Government for conducting farming activities at the site.