

**List of Representers in respect of the
Draft Pui O Au Outline Zoning Plan No. S/I-POA/1**

Representation No. (TPB/R/S/I-POA/1-)	Name of Representer
R1	Hong Kong Bird Watching Society
R2	The Conservancy Association
R3	Designing Hong Kong Limited
R4	Green Power
R5	Kadoorie Farm and Botanic Garden
R6	World Wide Fund For Nature Hong Kong
R7	Living Islands Movement
R8	Mary Mulvihill
R9	Fung Kam Lam
R10	離島區議會主席余漢坤
R11	大嶼山南區鄉事委員會
R12	周轉香

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Comment No. (TPB/R/S/I-POA/1-)	Name of Commenter
C1	Designing Hong Kong Limited
C2	The Conservancy Association
C3	Mary Mulvilhill
C4	何諾衡

☐ 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 Pui O Au Outline Zoning Plan (OZP) No. S/I-POA/1**

I. The grounds of the representations (TPB/R/S/I-POA/1-R1 to R12) as well as responses are summarised below:

Representation No. (TPB/R/S/I-POA/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 conservative approach of the draft OZP. (b) It is noted that the Pui O Au area (the Area) contains a wide variety of habitats of conservation concerns including woodland, shrublands, grasslands, wetlands, and natural streams etc. which are the foraging grounds of species of high conservation interest of some of the bird, fish, odonate and plant communities such as Blue-spotted Dusk-hawker <i>Gynacantha japonica</i> , a kind of odonate which is of local concern. Adequate protection should be given to the area, in particular to the woodland and the natural stream area covered in the draft OZP connecting to Pui O Ecologically Important Stream (EIS) from any development and potential pollution.	(1) Noted. (2) Both "Conservation Area" ("CA") and "Green Belt" ("GB") zones are conservation-related zonings of different levels of control on land use and development. These zones have a general presumption against development. "CA" zone is usually used for covering areas with considerable ecological significance, e.g. mature woodland and EIS. For other common natural habitats and vegetated areas, "GB" zone is generally adopted. The Area is covered with natural habitats such as streams and woodlands but also roadside vegetated slopes. Human settlements and activities including houses and graves are observed. However, there is no mature woodland or EIS found in the Area. As such, the current designation of "GB" zone is considered appropriate. For the upper course of Pui O EIS flowing through the Area, the concerned stream and its riparian area are already included in

Representation No. (TPB/R/S/I-POA/1-)	Subject of Representation	Responses to Representation
	(c) Concerns about the cumulative adverse impacts of the housing developments and the associated sewage treatment facilities in the surrounding sensitive ecological environment. An incremental approach should be adopted in the designation of the “Village Type Development” (“V”) zones. The “V” zones should be restricted to the existing village cluster area. A buffer zone should be provided for all streams, watercourses and waterbodies. It is proposed not to designate “V” zones which fall within 30m from both sides of rivers, streams, watercourse and waterbodies.	the “GB” zone with a presumption against development, and the Director of Agriculture, Fisheries and Conservation (DAFC) considers that such designation is appropriate to reflect natural landscape and provide adequate protection. In response to the proposals to rezone various natural habitats with more stringent zonings, DAFC considers that the “GB” zone is appropriate in view of the overall site conditions of the Area. More stringent conservation zonings are considered not necessary. (3) The streams/watercourses and their banks within the Area are already zoned “GB” to reflect the general natural features/landscapes of the area. As there is no recognized village within the Area, the “V” zone reflects the existing village cluster in Pui O Au at the southwest of the Area which is away from any existing streams/watercourse. No additional land is zoned “V” for village expansion. Furthermore, the design, construction and maintenance of on-site septic tank and soakaway (STS) system for village houses is 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 EPD” and the necessary clearance from the specified water bodies to ensure

Representation No. (TPB/R/S/I-POA/1-)	Subject of Representation	Responses to Representation
	(d) Concerns about the inadequate protection of the natural habitats and ecologically sensitive areas which are currently zoned as “GB”, since the land uses which are always permitted in “GB” zone would pose undesirable environmental problems to the natural habitats and ecologically sensitive area. (e) Woodlands, streams, and 30m buffer areas along both sides of the river banks should be zoned “CA”.	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 in the Area. (4) Response (2) above is relevant. 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 individual merits in accordance with relevant guidelines of the Board. (5) Response (2) above is relevant.

Representation No. (TPB/R/S/I-POA/1-)	Subject of Representation	Responses to Representation
	(f) Shrubland and grassland should be zoned “CA” or “GB(1)” with an intention that “ <i>no redevelopment, including alteration and/or modification, of an existing house shall result in a total redevelopment in excess of the plot ratio, site coverage and height of the house which was in existence on the date of the first publication in the Gazette of the notice of the draft Development Permission Area Plan</i> ”.	(6) Response (2) above is relevant. The current zonings have provided sufficient planning control with clear intentions and different levels of control on land use and development. There is no strong justifications for the proposed “GB(1)” zone.
R2 (also C2) The Conservancy Association	<u>Grounds of Representation</u> (a) Agrees with the general planning intention of the draft OZP. (b) Areas of high conservation and landscape value should be protected from encroachment by development, unauthorized work and incompatible use with conservation zonings. (c) Concerns about the lack of protection of the upper stream sections of Pui O EIS covered in the draft OZP. The natural stream section covered by the draft OZP in connecting to the Pui O EIS, along with its riparian zone should	(1) Noted. (2) Response (2) to R1 above is relevant. (3) Response (2) to R1 above is relevant. The streams/watercourses and their banks within the Area are already zoned “GB” to reflect their overall site conditions as general natural features/landscape.

Representation No. (TPB/R/S/I-POA/1-)	Subject of Representation	Responses to Representation
	be zoned as “CA”. (d) Given that there is no recognized village or village environs within the draft OZP, there is no urgent need to reserve land for potential village expansion. The “V” zones should be confined to the existing village cluster.	(4) As there is no recognized village within the Area, the “V” zone reflects the existing village cluster in Pui O Au at the southwest of the Area taking into account planning considerations including the building entitlement, topography and existing settlement. Areas with steep terrain, potential natural terrain hazards, dense vegetation, conservation and ecological value are excluded. No additional land is zoned “V” for village expansion.
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. (b) Better protection of the upper stream sections of Pui O EIS is needed to avoid pollution from human activities. Two sides of the river bank should be zoned as “CA”. (c) Given that there is no recognized village or village environs within the boundaries of the draft OZP and only a few village houses in the	(1) Noted. (2) Response (3) to R2 above is relevant. (3) Response (4) to R2 above is relevant.

Representation No. (TPB/R/S/I-POA/1-)	Subject of Representation	Responses to Representation
	south western part of the draft OZP, there is no need to reserve excessive land for Small Houses. The “V” zones should be confined to the existing village cluster.	
R4 Green Power	<u>Grounds of Representation</u> (a) Welcomes and agrees the general planning intention of the draft OZP. (b) Concerns about the lack of protection of the upper stream sections of Pui O EIS and their riparian area covered in the draft OZP. In particular, the lower course of the connected stream, which falls outside the Area, has records of species of conservation interest. The natural stream and 30m buffer along both sides serving as riparian area should be protected by “CA” or more stringent zonings. It is also noted the potential risk in the downgrading of the EIS via potential riparian vegetation destruction, leakage of STS system as well as illegal or uncontrollable sewage discharge brought by village development, given that there is an absence of public drainage	(1) Noted. (2) Response (3) to R2 above regarding the zoning for stream/watercourse is relevant. Furthermore, response (3) to R1 above regarding the requirements for on-site STS system for village houses is relevant.

Representation No. (TPB/R/S/I-POA/1-)	Subject of Representation	Responses to Representation
	system in the draft OZP. (c) It is noted that there is no recognized village in the draft OZP. The “V” zone should be strictly delineated in accordance with the current boundary of village houses.	(3) Response (4) to R2 above is relevant.
R5 Kadoorie Farm and Botanic Garden	<u>Grounds of Representation</u> (a) Recommends no further changes to the draft OZP that would potentially cause adverse environmental effects should be made.	(1) No amendment to the draft Pui O Au Outline Zoning Plan No. S/I-POA/1 is proposed for the Town Planning Board’s (the Board) consideration.
R6 World Wide Fund For Nature Hong Kong	<u>Grounds of Representation</u> (a) Concerns about the lack of protection of the upper course of Pui O EIS and its riparian area covered in the draft OZP. In particular, the lower course of the connected stream, which falls outside the Area forms an integral part of the Pui O EIS and therefore is with conservation importance. The natural streams and their riparian area should be protected by “CA” zone instead of “GB” zone. Noting that the village houses have no sewage treatment facilities and are reliant on the STS systems, the	(1) Response (2) to R4 above is relevant.

Representation No. (TPB/R/S/I-POA/1-)	Subject of Representation	Responses to Representation
	limited level of sewage treatment generated by the STS system along with its potential occasional operational failure will likely causing degradation of the concerned stream and the downstream EIS.	
R7 Living Islands Movement	<u>Grounds of Representation</u> (a) Oppose the planning intention of “V” zone. Given that Pui O Au has no recognized village along with diversified ownerships of various private lots, it is unreasonable to designate land owned by non-indigenous persons as “V” zone which is primarily intended for development of Small House (SH) by indigenous villagers. It is also noted that the terms ‘New Territories Exempted House’ (NTEH) is not restricted to ‘Small House’. Instead, the term ‘village’ is widely understood to include various types of residence, including different kinds of NTEH, Licensed Houses and other types of house. (b) The statement “land within this zone is primarily intended for development of Small Houses by indigenous villagers” should be	(1) As there is no recognized village within the Area, the “V” zone on this OZP is to reflect the existing villages only and no additional land is reserved for village expansion. According to the Notes of the draft OZP, the planning intention of this “V” zone is primarily for the provision of land for the retention of existing village. ‘House (NTEH only)’ is a Column 1 use which is always permitted within “V” zone for both SH and non-SH NTEH developments, while ‘House (not elsewhere specified)’ is a Column 2 use. The planning intention and the schedule of uses of this “V” zone are generally in line with the Master Schedule of Notes. There is no strong justification to deviate from it. (2) Response (1) above is relevant.

Representation No. (TPB/R/S/I-POA/1-)	Subject of Representation	Responses to Representation
	deleted from the Planning Intention of the Notes of the “V” zone. Alternatively, the preceding statement should be modified to <i>“land within this zone is primarily intended for development of village housing in the form of NTEH or other suitable types of house.”</i> The Column 1 use under “V” zone should change to “NTEH (as defined in the Buildings Ordinance (Application to New Territories) Ordinance, Cap 121)” and the Column 2 use under “V” zone should change to “House (not otherwise specified)”	
R8 (also C3) Mary Mulvihill	<u>Grounds of Representation</u> (a) Concerns about the inadequate protection to the natural habitats covered by “GB” zone, due to the history of rezoning approval of “GB” for other purposes on regular basis. In addition, ‘Agriculture Use’ is always permitted under “GB” zone, land covered with “GB” zone have been exploited extensively by quoting as ‘Agriculture Use’.	(1) Response (2) to R1 above is relevant. 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

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	(b) The designation of “Government, Institution or Community” (“G/IC”) zone, which has no concrete proposals from the Government for provision of community, leisure and recreational facilities for these land, as it will provide a chance to exploit such land. (c) It is noted that there is no recognized village in the draft OZP, supports on the delineation of “V” zone to confine to existing village cluster. (d) Concerns about the potential unauthorized development carried out claiming to be in line with the planning intention of the draft OZP “<i>where appropriate, low-impact leisure and</i>	opportunities to scrutinise development proposals within “GB” zone on their 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. (2) There are two undesignated “G/IC” sites (about 245m² and 306m² respectively) abutting South Lantau Road, which are currently vacant. While there is currently no concrete proposal from relevant departments for providing community, leisure and recreational facilities at the two sites mentioned above, it is considered suitable to reserve them as undesignated “G/IC” sites for future use. There is also established mechanism to avoid exploitation of government land. (3) Response (4) to R2 above is relevant. (4) Since the gazettal of the draft DPA Plan on 8.1.2021, the Area is subject to statutory planning control. Should any unauthorized development be detected, enforcement and prosecution actions will be taken by relevant authorities as

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	<i>recreational uses would be developed for public enjoyment</i>". Further consideration should be made to deter any developments which will cause negative impacts to the natural environment. (e) Concerns about the insufficient protection of natural streams, no development should be permitted anywhere that is in close proximity to a stream. (f) More stringent zonings should be designated to land currently covered by "GB" zones.	appropriate. (5) Response (3) to R2 above is relevant. (6) Response (2) to R1 above is relevant.
R9 Fung Kam Lam	<u>Grounds of Representation</u> (a) The inclusion of 'Field Study/Education/Visitor Centre' under Column 2 in the "V" zone without justification, detailed studies and due consideration is opposed.	(1) According to the Definition of Terms promulgated by the Board, 'Field Study/Education/Visitor Centre' use 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' 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

Representation No. (TPB/R/S/I-POA/1-)	Subject of Representation	Responses to Representation
		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 merits 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 “V” zone.
R10 離島區議會主席余漢坤	<u>Grounds of Representation</u> (a) Opposes the designation of “GB” zones in areas near recognized villages or those with outstanding Small House applications. This neglects the housing needs of indigenous inhabitants and their legitimate expectation. The “V” zone should be extended to cover the nearby “GB” zones to meet village development needs in the long term. (b) Some natural slopes should not be excluded from the “V” zone as there may be scope for SH development in future.	(1) As there is no recognized village within the Area, the “V” zone on this OZP is to reflect the existing villages only and no additional land is reserved for village expansion. In designating the “V” zone, areas with steep terrain, potential natural terrain hazards, dense vegetation, conservation and ecological value are excluded. The nearby “GB” zone is the riparian area of a natural stream with vegetation and grassland. The current “GB” zone is considered appropriate. (2) Response (1) above is relevant.

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	(c) The extent of “GB” is excessive. “GB” zones also covers a large amount of private land. (d) “Agriculture” (“AGR”) zones should be enlarged, in view of the increasing popularity of agricultural rehabilitation and the potential returning of local villagers to carry out agricultural activities.	(3) The “GB” zone mainly covers general natural areas in the Area. These areas are woodlands, shrublands, grasslands or the riparian area of natural streams. The designation of zonings is based on relevant planning considerations including the existing use of land, site conditions, topography, ‘VE’, village settlement pattern, conservation and ecological value, etc. In general, land status is not the only planning consideration and the appropriate zonings would cover both government and private land. (4) According to the advice of DAFC, no agricultural land can be seen under active cultivation in the Area. As such, no “AGR” zone is designated. Notwithstanding the above, ‘Agricultural Use’ is always permitted within the “V” and “GB” zones, and genuine agricultural activities would not be affected.
R11 大嶼山南區鄉事委員會	<u>Grounds of Representation</u> (a) Social welfare and diversified recreational facilities are inadequate in the Area.	(1) Suitable sites are zoned “G/IC” for provision of GIC and recreational facilities serving the needs of the local residents. For instance, in response to SLRC’s request for the provision of community, leisure and community facilities, two formed vacant government sites (about 245m² and

Representation No. (TPB/R/S/I-POA/1-)	Subject of Representation	Responses to Representation
	(b) The extent of “V” zone is insufficient to meet village house development. The “V” zone should be extended and cover the nearby “GB” zones to meet long term village development. (c) The extent of “GB” is excessive. “GB” zone also covers a large amount of private land. (d) The vacant “G/IC” site adjoining the South Lantau Road should be enlarged to 800m² or above.	306m² respectively) abutting South Lantau Road have been zoned “G/IC” for such purposes. As there are already two undesignated “G/IC” sites in the Area, rezoning of other sites for provision of GIC and/or recreational facilities is considered not necessary at this stage. The provision of social welfare, recreational and community facilities will be subject to review by relevant departments as and when necessary. (2) Response (1) to R10 above is relevant. (3) Response (3) to R10 above is relevant. (4) The concerned undesignated “G/IC” site is reserved for suitable GIC facilities in the future. The site area of about 245m² has already been maximised by including all vacant government land. In addition, as the site is mainly surrounded by South Lantau Road, the riparian of Pui O Stream and some vegetated slopes nearby, the scope for site expansion is rather limited.

Representation No. (TPB/R/S/I-POA/1-)	Subject of Representation	Responses to Representation
	(e) Some areas should be zoned “AGR” to facilitate agricultural rehabilitation. (f) Some “GB” sites located adjacent to the main road should be rezoned to “Recreation” zone.	(5) Response (4) to R10 above is relevant. (6) Response (1) above is relevant.
R12 周轉香	<u>Grounds of Representation</u> (a) The existing agriculture land and house lots should be retained. (b) More land should be reserved for recreational and other community facilities.	(1) According to the advice of DAFC, no agricultural land can be seen under active cultivation in the Area. As such, no “AGR” zone is designated. In general, the existing house lots have been suitably reflected on the “V” zone. Besides, there is provision in the covering Notes of the OZP that rebuilding of NTEH or replacement of an existing domestic building by a NTEH is always permitted on land falling within the OZP. In any case, no action is required to make the existing use of any land or building conform to the OZP. (2) Response (1) to R11 above is relevant.

II. The gist of comments on representations (TPB/R/S/I-POA/1-C1 to C4) as well as responses are summarised below:

Comment No. (TPB/R/S/I-POA/1-)	Gist of Comment	Responses to Comment
C1 (also R3) Designing Hong Kong Limited	(a) Supports representations R1, R2, R4 and R6 on the following grounds: • The Area adjoins the country park area and therefore should be covered by conservation zonings to prevent encroachment of human activities and degradation to the environment. • All landscapes and habitats including natural streams and woodland should be covered by conservation zonings to prevent from destruction by human activities. • Designation of “V” zones should be strictly confined to the existing village settlement, in view of the limited vehicular access and public sewerage system.	(1) Response (2) to R1 above is relevant. (2) Response (2) to R1 above is relevant. (3) Response (4) to R2 above is relevant.
C2 (also R2) The Conservancy Association	(a) Supports representations R1, R3 to R7 on the following grounds: • Areas of high conservation and landscape	(1) Response (2) to R1 above is relevant.

Comment No. (TPB/R/S/I-POA/1-)	Gist of Comment	Responses to Comment
	value have been highlighted for protection by conservation zonings. No further reduction in these conservation zones should be made.	(2) Response (1) to R5 above is relevant.
C3 (also R8) Mary Mulvilhill	(a) In relation to R8 and provides comments on the following grounds: - Concerns about the potential degradation in water quality of water channels discharge generated from in house developments within the “V” zones. - As there is no recognized villages, there is no indigenous rights to be protected. “V” zones should be restricted to the existing footprint with adequate buffer with the nearby watercourses. - There is inadequate enforcement or protection to the ecological sensitive areas covered by “AGR”, “GB” and “G/IC” zonings.	(1) For development that may affect natural rivers/streams, there is relevant regulatory mechanism. Furthermore, response (3) to R1 above regarding the requirements for on-site STS system for village houses is relevant. (2) Response (4) to R2 above is relevant. (3) Response (4) to R8 above is relevant.

Comment No. (TPB/R/S/I-POA/1-)	Gist of Comment	Responses to Comment
C4 何諾衡	(a) In relation to R11 and provides comments on the following grounds: - Concerns about the lack of social welfare facilities. The “G/IC” zone abutting the South Lantau Road should be expanded towards southwest to a total area of 1,200m² or above to serve the community and local custom need. - Another additional “G/IC” zone should be designated at the east (between the existing burial ground and Pui O Stream) with a minimum area of 2,000m² for provision of a GIC complex.	(1) There are two “G/IC” zones abutting South Lantau Road in the Area, with the larger one in the west being occupied by an electricity substation, a public vehicle park (including a vacant site reserved for its extension) and a refuse collection point and a vacant site (about 306m²) reserved for future use, while the smaller one in the east being a vacant site (about 245m²) also reserved for future use. Regarding the suggestion to increase the vacant “G/IC” site in the east to 1,200m², the scope of its extension is rather limited. (2) Regarding the proposal of providing an additional “G/IC” site with a minimum site area of 2,000m², as there is no proposal received from relevant bureaux/departments for providing a GIC complex in the Area and the proposed site is currently zoned “GB” due to its general natural feature/landscape, there are no strong planning justifications or technical assessments to support the proposed rezoning at this stage.