

**List of Representers in respect of the
Draft Sha Lo Wan and San Tau Outline Zoning Plan No. S/I-SLW/1**

Representation No. (TPB/R/S/I-SLW/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	Mary Mulvihill
R9	離島區議會主席余漢坤
R10	大澳鄉事委員會
R11	周轉香
R12	Chan Wing Foon
R13	Li Sau Mui
R14	沙螺灣洪聖寶誕值理會
R15	沙螺灣活動發展委員會
R16	沙螺灣鄉公所
R17	大嶼山二澳村（原居民村）
R18	大嶼山西北沿岸鄉區聯會
R19	鄧詠琦
R20	陳永佳
R21	陳樂頤
R22	李艳梅
R23	李秀蘭
R24	李艷紅 Lee Yim Hung
R25	張廣明
R26	李大鵬
R27	張廣任 Cheung Kwong Yam
R28	袁月珍 Yuen Yuen Chun
R29	李志峯
R30	Lai Fung Ping
R31	Lai Chi Wa

R32	Fong Hoi Lun
R33	Wong Huen Ting Jade
R34	Cheung Man Nei Olivia
R35	陳永娟
R36	謝擎天
R37	Tsai Kai Pong
R38	Tse Kam Yau
R39	Tse Kwok Hing
R40	Tse Wai Chung
R41	Cheh Ka Po
R42	Tse Shu Fan
R43	Tse Lai Ngor
R44	Tse Lai Yuk
R45	Chang Wai Tang
R46	徐承芬
R47	Corona Land Company Limited
R48	潘惠英 Poon Wai Ying
R49	盈溢發展有限公司 Win Wealth Development Limited
R50	達兆有限公司 Famous Deep Limited
R51	世紀88 Century 88 Limited
R52	溢龍投資有限公司 Full Dragon Investment Limited

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Draft Sha Lo Wan and San Tau Outline Zoning Plan No. S/I-SLW/1

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

☐ 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 Sha Lo Wan and San Tau Outline Zoning Plan (OZP) No. S/I-SLW/1**

I. The grounds and proposals of the representations (TPB/R/S/I-SLW/1-R1 to R52) as well as responses are summarised below:

Representation No. (TPB/R/S/I-SLW/1-)	Subject of Representation	Responses to Representation
R1 Hong Kong Bird Watching Society	<p><u>Grounds of Representation</u></p> <p>(a) Supports the general planning intention and conservation approach of the draft OZP.</p> <p>(b) Concerns that part of the San Tau Beach Site of Special Scientific Interest (SSSI), which harbours of the largest seagrass bed of <i>Zostera japonica</i> and <i>Halophila ovalis</i> on Lantau Island and the locally uncommon mangrove <i>Bruguiera gymnorhiza</i>, was not covered by the draft OZP.</p>	<p>(1) Noted.</p> <p>(2) The Agriculture, Fisheries and Conservation Department (AFCD) conducts regular monitoring of the sea grasses at and in the vicinity of the San Tau Beach SSSI and will keep in view of any need to review the SSSI boundary as necessary. The “Site of Special Scientific Interest” (“SSSI”) zone has taken into account the boundary of the designated San Tau SSSI, while a consistent approach has been adopted to delineate the Planning Scheme Area of the draft OZP with reference to Planning Scheme Area of the draft DPA Plan, high water mark, boundaries of Country Parks, land status, etc. The “SSSI” zone aligns with the delineation of the same “SSSI” zone on the draft DPA Plan where any unauthorized developments would be subject to planning enforcement actions by the Planning Authority. The sea portion of the SSSI is under the Government’s</p>

Representation No. (TPB/R/S/I-SLW/1-)	Subject of Representation	Responses to Representation
	<p>(c) It is noted that the Sha Lo Wan and San Tau (the Area) contains a wide variety of habitats of conservation concerns including woodland, natural streams, marshes, mangroves at estuary and the coastline, which are important habitats for species of high conservation interest. Adequate protection should be given to keep these habitats from any development and potential pollution.</p>	<p>control and any activities and/or developments not complying with existing provisions and regulations will be subject to enforcement and prosecution by relevant authorities.</p> <p>(3) “SSSI”, “Conservation Area” (“CA”), “Coastal Protection Area” (“CPA”) and “Green Belt” (“GB”) are all conservation-related zonings of different levels of control on land use and development. These zones have a general presumption against development. “SSSI” zone is to protect the features of San Tau Beach SSSI. “CPA” zone is for protecting the natural coastline with high landscape, scenic or ecological value. “CA” zone is used for covering areas with considerable ecological significance e.g. Fung Shui woodlands. For other common natural habitats and vegetated areas, “GB” zone is generally adopted. In the Area, there are woodlands, shrublands, grasslands, vegetated slopes and streams. Human settlements and activities are observed. As such, the current designation of “GB” zone is considered appropriate. Fung Shui woodlands at the back of the village clusters in Sha Lo Wan and San Tau where dense vegetation is observed are zoned “CA”. Areas that are suitable for agricultural purpose are zoned “Agriculture”</p>

Representation No. (TPB/R/S/I-SLW/1-)	Subject of Representation	Responses to Representation
	<p>(d) Suspects that the seasonal wetland in Sha Lo Wan has undergone land excavation and extensive burning of vegetation in March 2021. To avoid the promotion of “develop first, develop later” attitudes among the land owners in the locality, the seasonal wetland should be covered by more stringent zoning to protect them from further incompatible development.</p>	<p>(“AGR”). The Director of Agriculture, Fisheries and Conservation (DAFC) advises that by adopting the habitat mapping approach, it is considered appropriate to maintain the current conservation-oriented zonings to render protection of the common natural habitats and at the same time to reflect the existing site conditions in the Area. In this regard, the current zonings have provided sufficient planning control for the Area and are considered appropriate.</p> <p>(4) According to the advice of Chief Town Planner/Central Enforcement and Prosecution, Planning Department (PlanD), there was only vegetation clearance found at the sites during the latest site inspections in 2021. While vegetation clearance does not constitute an unauthorized development under the Town Planning Ordinance (the Ordinance), the site conditions would be closely monitored. Since the gazettal of the draft Development Permission Area (DPA) Plan on 8.1.2021, the Area is subject to statutory planning control under the Ordinance. Should any unauthorized development be detected, enforcement and prosecution actions will be taken by relevant authorities as appropriate. In response to the proposal to rezone the concerned area to more stringent</p>

Representation No. (TPB/R/S/I-SLW/1-)	Subject of Representation	Responses to Representation
	<p>(e) Part of the ‘grassland’ habitat to the north of Sha Lo Wan as identified on the TPB Paper No. 10695 should be ‘seasonal wet grassland’ instead.</p> <p>(f) Concerns about the cumulative adverse impacts of housing developments and associated sewage treatment facilities in the surrounding sensitive ecological environment. An incremental approach</p>	<p>zonings, DAFC advises that, by adopting the habitat mapping approach, it is considered appropriate to maintain the current conservation-oriented zonings to render protection of the common natural habitats and at the same time to reflect the existing site conditions in the Area. In this regard, the current zonings have provided sufficient planning control for the Area and are considered appropriate.</p> <p>(5) According to the advice of DAFC, the concerned area is largely vegetated with some trees and bounded by water courses on its east and west sides. The central part is traversed by a footpath. These vegetated areas are likely evolved from abandoned farmland, which falls into the broad definition of wetland. By adopting the habitat mapping approach as mentioned above, DAFC has no adverse comment on zoning the concerned area as “GB”. The “GB” zone could provide sufficient planning control on the concerned area and is considered appropriate.</p> <p>(6) The boundaries of the “V” zones are drawn up having regard to the ‘village environs’ (‘VE’), local topography, existing village settlement pattern, outstanding Small House (SH) applications and demand forecast. Areas of</p>

Representation No. (TPB/R/S/I-SLW/1-)	Subject of Representation	Responses to Representation
	<p>should be adopted in designating 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 the both sides of rivers, streams, watercourse and waterbodies.</p>	<p>different terrain, potential natural terrain hazards, dense vegetation, conservation and ecological value are excluded from the “V” zone as appropriate. 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. The design, construction and maintenance of on-site septic tank and soakaway system (STS) 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 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 stream in the Area. Furthermore, majority of streams/watercourses and their banks are zoned “GB” to reflect the general natural features/landscapes of the Area. There may be some watercourses (e.g. nullahs) modified by human activities flowing across the existing village</p>

Representation No. (TPB/R/S/I-SLW/1-)	Subject of Representation	Responses to Representation
	<p>(g) Concerns about the inadequate protection of the natural habitats and ecology in areas currently zoned “AGR” and “GB”, since the land uses which are always permitted or that may be permitted in these two zones would pose undesirable problems to the natural environment.</p> <p>(h) Marshes, mangroves, woodlands, streams and the 30m buffer areas from both sides of the rivers should be zoned “CA”.</p> <p>(i) Shrubland and grassland should be zoned “CA” or “GB(1)” with an intention <i>“to serve as an ecological buffer between village development and the stream, and to help to protect the landscape resource of the area”</i>. Furthermore, <i>“no redevelopment, including alteration and/or modification, of an existing house shall result in a total redevelopment in excess of the</i></p>	<p>clusters within the “V” zone. For development that may affect natural rivers/streams, there is relevant regulatory mechanism.</p> <p>(7) Response (3) above is relevant. Except agricultural use and some uses compatible with the natural environment and/or administered by the Government that are always permitted within “AGR” and “GB” zones, most uses and developments require planning permission from the Board. The Board would have opportunities to scrutinize development proposals on their individual merits in accordance with relevant guidelines of the Board.</p> <p>(8) Response (3) above is relevant.</p> <p>(9) Response (3) 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.</p>

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	<p><i>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 (DPA) plan”.</i></p> <p>(j) All natural coastal areas should be zoned “CPA”.</p> <p>(k) Existing agricultural clusters should be zoned “AGR(2)” or “GB(1)” where no house development is allowed.</p>	<p>(10) “CPA” zones are designated along the majority of the coastline with a view to conserving, protecting and retaining the natural coastline and the sensitive coastal natural environment. Only coastal areas with existing man-made features (e.g. footpath near the existing jetty in the north-western part of Sha Lo Wan) are excluded from “CPA” zone and are designated with the appropriate zonings.</p> <p>(11) 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. Such designation of zoning is considered appropriate in view of</p>

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	<p><u>Representer's Proposal</u></p> <p>(1) Boundary of the "SSSI" zone should be extended to cover the entire San Tau Beach SSSI.</p>	<p>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) within "AGR" zone has to be submitted to the Board under the planning permission system. Each application would be considered on its individual merits taking into account relevant guidelines of the Board.</p> <p>(12) Response (2) above is relevant.</p>
<p>R2 (also C2)</p> <p>The Conservancy Association</p>	<p><u>Grounds of Representation</u></p> <p>(a) Agrees with the general planning intention of the draft OZP.</p> <p>(b) Signs of land excavation and vegetation clearance were spotted after the gazette of DPA Plan.</p> <p>(c) The "SSSI" boundary for the San Tau Beach SSSI is still inconsistent with the register. The SSSI contains rare mangrove <i>Bruguiera gymnorhiza</i> and</p>	<p>(1) Noted.</p> <p>(2) Response (4) to R1 above is relevant.</p> <p>(3) Response (2) to R1 above is relevant.</p>

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	<p>the seagrass beds of <i>Zostera japonica</i> and <i>Halophila ovata</i>.</p> <p>(d) Concerns about the reliance on STS systems and compliance with relevant standards and guidelines, which could not address the possible impacts to the natural streams and tributaries by village developments in the proximity.</p> <p>(e) “V” zones for the two recognized villages should be designated strictly based on genuine SH need and by an incremental approach. Without proper vehicular access and public sewerage system, large increase in population would create disastrous impact to the environment. Activities including SH developments should be carefully assessed.</p> <p>(f) The existing planning mechanisms should preserve rural setting and natural environment, protect arable land with potential for agricultural rehabilitation and secure genuine agricultural practices. A stringent control on agricultural land close to ecologically sensitive area is considered</p>	<p>(4) Response (6) to R1 above regarding the requirements for on-site STS system for village house is relevant.</p> <p>(5) Response (6) to R1 above regarding the designation of “V” zone is relevant. In order to preserve the natural habitat and rural characters of the Area, no major development and substantial population growth are envisaged under the current OZP.</p> <p>(6) Response (3) to R1 above is relevant.</p>

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	<p>appropriate.</p> <p>(g) All natural streams and their tributaries along with their riparian area should be covered by conservation-related zonings such as “GB(1)” or “CA” zones.</p> <p>(h) ‘House (NTEH only)’ should not be included in Column 1 or 2 uses in zones with good quality agricultural land.</p> <p><u>Representer’s Proposal</u></p> <p>(1) Boundary of the “SSSI” zone for San Tau Beach SSSI should be reviewed so as to extend the coverage for the entire SSSI.</p> <p>(2) A piece of government land in Sha Lo Wan should be rezoned from “V” to “GB(1)” or “CA” given its secondary woodland habitat nature.</p>	<p>(7) Response (6) to R1 above regarding the zoning for stream/watercourse is relevant.</p> <p>(8) Response (11) to R1 above is relevant.</p> <p>(9) Response (2) to R1 above is relevant.</p> <p>(10) Response (3) to R1 above is relevant. The concerned area is partly cleared with allotments, sheds and sparse vegetation at the fringe of the village. Therefore, it is considered that “V” zone is appropriate to reflect the existing condition.</p>

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R3 (also C1) Designing Hong Kong Limited	<u>Grounds of Representation</u> <p>(a) Supports the draft OZP to ensure the greatest possible planning and development control in the Area.</p> <p>(b) Concerns about the possible pollution to the natural streams and their tributaries by SH developments given the propinquity of STS system to watercourses or inadequate maintenance. SH should be prohibited within the buffer area of river and sensitive locations.</p> <p>(c) Concerns about the unauthorized activities including road widening and slope cutting features near Sha Lo Wan would be regarded as existing uses. A review of the definition of ‘existing use’ (‘EU’) should be conducted to curb any “Destroy First, Develop Later” activity.</p>	<p>(1) Noted.</p> <p>(2) Response (6) to R1 above regarding the requirements for on-site STS system for village house is relevant.</p> <p>(3) The definition of ‘EU’ as stipulated under the Ordinance in relation to a DPA, which is reflected in the covering Notes of the DPA Plan and its 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</p>

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	<p>(d) Both sides of the river bank should be covered by conservation zonings such as “GB” or “CA” as buffer zone.</p> <p>(e) The entire coastal area should be covered by conservation zonings, such as “CPA”.</p> <p>(f) “V” zones should be confined to the existing village settlement.</p> <p><u>Representer’s Proposal</u></p> <p>(1) The “SSSI” zone for San Tau Beach SSSI does not cover the sea below the high water mark. Boundary of the “SSSI” zone for San Tau Beach SSSI should be reviewed so as to extend the coverage for the entire SSSI.</p>	<p>view of the 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, Lands Department and other licencing authorities.</p> <p>(4) Response (6) to R1 above regarding the zoning for stream/watercourse is relevant.</p> <p>(5) Response (10) to R1 above is relevant.</p> <p>(6) Response (5) to R2 above is relevant.</p> <p>(7) Response (2) to R1 above is relevant.</p>

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R4 Green Power	<u>Grounds of Representation</u> (a) Welcomes and agrees with the general planning intention of the draft OZP. (b) The distribution of seagrasses at San Tau Beach SSSI may have expanded over time. A review of the current distribution is needed. The boundary of San Tau Beach SSSI shall be enlarged if it is confirmed that the distribution of seagrass beds is expanded. (c) Concerns about the coastline of the Area, which is an integral part of the North Lantau coastal system linking up various the ecological hotspots, acts as nursery grounds of horseshoe crabs and habitats of seagrass and other species of conservation values. (d) Concerns about the freshwater and terrestrial habitats of high ecological value with rich biodiversity where species of conservation interest have been recorded. (e) Concerns about the higher chances of leakage of STS systems and other non-point sources pollution,	(1) Noted. (2) Response (2) to R1 above is relevant. (3) Response (10) to R1 above is relevant. (4) Response (3) to R1 above is relevant. (5) Response (6) to R1 above regarding the requirements for on-site STS system for village house is relevant.

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	<p>as well as illegal or uncontrollable sewage discharge into water sensitive receivers, given the absence of existing or planned public sewerage system and reliance on STS systems.</p> <p>(f) “V” zones should be delineated according to the genuine needs of the indigenous inhabitants and current boundary of village houses.</p> <p>(g) Coastal habitats, which include mudflats, estuaries, mangrove stands, rocky shores and backshore vegetation should be zoned “CPA”.</p> <p>(h) All water bodies, including streams, marshes and their 30m riparian area, and terrestrial habitats including Fung Shui Woods and mature secondary woodlands should be protected with “CA” zones or more stringent zonings.</p> <p>(i) NTEH should be precluded in both Columns 1 and 2 in zonings that cover natural vegetation including woodlands as well as active and abandoned farmlands.</p>	<p>(6) Response (5) to R2 above is relevant.</p> <p>(7) Response (10) to R1 above is relevant.</p> <p>(8) Response (6) to R1 above regarding the zoning for stream/watercourse is relevant.</p> <p>(9) Response (11) to R1 above is relevant.</p>

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R5 守護大嶼聯盟	<u>Grounds of Representation</u> (a) Agrees and supports the general planning intention of the draft OZP. (b) Concerns about the ongoing environmental vandalism by suspected unauthorized developments (e.g. land excavation and car parking use) at Tung O Ancient Trail and Sha Lo Wan. Concerted efforts from PlanD and other departments are required to curb the vandalism. (c) Boundary of the “SSSI” zone for San Tau Beach SSSI should be appropriately adjusted upon review. (d) Natural streams currently covered by “GB” should be protected by more stringent conservation zonings. (e) As the 10-year SH demand figures by the two recognized villages cannot be verified, PlanD should carefully review the need of reducing the extent of “V” zone. (f) Sites of Archaeological Interest (SAIs) should be	(1) Noted. (2) Response (4) to R1 above is relevant. (3) Response (2) to R1 above is relevant. (4) Response (6) to R1 above regarding the zoning for stream/watercourse is relevant. (5) Response (5) to R2 above is relevant. (6) There are three SAIs, i.e. Sha Lo Wan SAI, Sha Lo Wan

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	provided with adequate protection for cultural heritage.	<p>(West) SAI and San Tau SAI and a Grade 3 historic building namely Entrance Gate, Sha Lo Wan Tsuen in the Area. All the SAIs and the historic building are worth preserving. Besides, two temples, namely Ba Kong Temple (把港古廟) and Tin Hau Temple (天后宮), are located on the western coast of Sha Lo Wan. As stated in the Explanatory Statement of the OZP, prior consultation with the Antiquities and Monuments Office (AMO) of Development Bureau should be made if any works, developments, redevelopments or rezoning proposals may affect the above SAIs, graded historic buildings/structures, new items pending grading assessment, any other historic structures identified and their immediate environs. Besides, if there are any buildings/structures both at grade level and underground which were built on or before 1969, AMO should be alerted.</p>

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R6 Kadoorie Farm and Botanic Garden Corporation	<u>Grounds of Representation</u> (a) “V” zones should not be located close to watercourses. (b) “V” zones should not cover well-vegetated areas. <u>Representer’s Proposal</u> (1) Boundary of the “SSSI” zone for San Tau Beach SSSI should extended to cover the seagrass bed at San Tau.	(1) Response (6) to R1 above is relevant. (2) Response (6) to R1 above is relevant. (3) Response (2) to R1 above is relevant.
R7 World Wide Fund for Nature Hong Kong	<u>Grounds of Representation</u> (a) The designated San Tau Beach SSSI covers both landward side and marine portion while the relevant “SSSI” zone only covers the landward portion. (b) Streams and coastal areas of the Area, which are the habitats of species of high importance including two species of horseshoe crabs and several fish species of conservation values, are of conservation importance. (c) The lack of public sewers and the reliance on STS systems may pollute the environment and pose	(1) Response (2) to R1 above is relevant. (2) Response (3) to R1 above is relevant. (3) Response (6) to R1 above regarding the requirements for on-site STS system for village house is relevant.

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	<p>potential health hazards to the villagers and the public in the vicinity.</p> <p>(d) The natural streams and their riparian areas should be zoned “CA”.</p> <p>(e) Riparian areas of streams within the extended “V” zone should be rezoned to “CA” given the ecological sensitivity of the streams and coastal waters.</p> <p><u>Representer’s Proposal</u></p> <p>(1) Boundary of the “SSSI” zone should be extended to cover the entire San Tau Beach SSSI.</p>	<p>(4) Response (6) to R1 above regarding the zoning for stream/watercourse is relevant.</p> <p>(5) Response (6) to R1 above regarding the zoning for stream/watercourse is relevant.</p> <p>(6) Response (2) to R1 above is relevant.</p>

Representation No. (TPB/R/S/I-SLW/1-)	Subject of Representation	Responses to Representation
R8 (also C3) Mary Mulvihill	<u>Grounds of Representation</u> (a) Concerns about coverage of “SSSI” zone only on landward side of San Tau Beach SSSI. (b) Concerns about the inadequate protection to the natural habitats covered by “GB” zone, given the history of rezoning approval of “GB” for other purposes on regular basis. (c) Concerns about the exploitation of SH Policy and opposes to extend the boundaries of the villages beyond the ‘VE’. “V” zone should be restricted to existing settlements. (d) The entire coastline should be zoned as “CPA”.	(1) Response (2) to R1 above is relevant. (2) Response (3) to R1 above is relevant. (3) Response (5) to R2 above is relevant. (4) Response (10) to R1 above is relevant.
R9 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 SH applications. This would neglect the housing needs of indigenous inhabitants and their legitimate expectation. The “V” zone should be extended and cover the nearby “GB” zones to meet long term village development needs.	(1) In general, areas in the vicinity of existing village clusters are common natural habitats and vegetated areas. As such, the current designation of “GB” zone is considered more appropriate. According to the latest information provided by District Lands Officer/Islands, Lands Department (DLO/Is, LandsD), the number of outstanding SH applications and the 10-year SH demand forecast for

Representation No. (TPB/R/S/I-SLW/1-)	Subject of Representation	Responses to Representation
	<p>(b) Some natural slopes should not be excluded from the “V” zone as there may be scope for SH development in the future.</p> <p>(c) The extent of “GB” and “CPA” zones is excessive. “GB” zone also covers a large number of private land.</p>	<p>Sha Lo Wan are 35 and 394 respectively, and 27 and 120 for San Tau respectively. Based on PlanD’s preliminary estimate, the available land of about 1.9 ha in Sha Wo Lan and about 1.2 ha in San Tau within the “V” zones could meet the land requirement for outstanding SH applications, i.e. 0.87 ha and 0.68 ha respectively, in accordance with the incremental approach, further expansion of the “V” zone is considered not necessary.</p> <p>(2) Response (6) to R1 above regarding the delineation of “V” zone is relevant. Suitable land within the “V” zones has been designated for village expansion. Areas of different terrain, potential natural terrain hazards, dense vegetation, conservation and ecological value are excluded from the “V” zone as appropriate.</p> <p>(3) 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 endeavours 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. “CPA” zone is for conserving,</p>

Representation No. (TPB/R/S/I-SLW/1-)	Subject of Representation	Responses to Representation
	(d) “AGR” zones should be enlarged for agricultural rehabilitation and the potential returning of local villagers to carry out agricultural activities.	<p>protecting and retaining the natural coastline and the sensitive coastal natural environment. For other common natural habitats and vegetated areas, “GB” zone is generally adopted.</p> <p>(4) Majority of existing and abandoned agricultural land with potential for rehabilitation is zoned “AGR”. DAFC has no adverse comment on the current extent of “AGR” zone. Furthermore, ‘Agricultural Use’ is always permitted within the “V” and “GB” zones, and genuine agricultural activities would not be hindered.</p>
R10 大澳鄉事委員會 (Tai O Rural Committee)	<u>Grounds of Representation</u> <p>(a) Opposes the designation of “GB” zone on private agricultural land which affects the rights of the land owners, when there is an increasing number of local villagers returning to carry out agricultural rehabilitation.</p> <p>(b) Part of the existing trail between Tung Chung and Tai O falls on private land in San Tau. It is proposed to re-route the hiking trail away from the village areas.</p>	<p>(1) Responses (3) and (4) to R9 above is relevant.</p> <p>(2) The suggestion to re-route the existing trail between Tung Chung and Tai O (commonly known as Tung O Ancient Trail) has been referred to relevant departments (i.e. District Office (Islands), Home Affairs Department and Sustainable Lantau Office (SLO), Civil Engineering and</p>

Representation No. (TPB/R/S/I-SLW/1-)	Subject of Representation	Responses to Representation
		<p>That said, suitable land is zoned “Government, Institution or Community” (“G/IC”) intended for the provision of G/IC facilities serving the needs of the local residents. For instance, there are two vacant school premises in Sha Lo Wan and San Tau which can be used for accommodating compatible community facilities to serve the local residents if needed; and a football pitch is located to the west of Sha Lo Wan.</p>
<p>R12 to R35 Individuals and local residents’ organisations (Please refer to Annex I for details)</p>	<p><u>Grounds of Representations</u></p> <p>(a) Opposes the draft OZP and/or the designation of conservation zonings with development restrictions on private land which affects rights and interests of villagers and/or contravenes Chapter 3 Article 40 of Basic Law in protecting the traditional rights and interests of the indigenous inhabitants without their consent and compensation. (R12 to R25, R27 to R30, R33 to R35)</p>	<p>(1) “V” zone is to designate both existing recognized villages and areas of land considered suitable for village expansion. It is to concentrate village type development within this zone for a more orderly development pattern. Suitable land has been designated within “V” zone for village expansion of the recognized villages in the Area. Furthermore, according to the current SH Policy, the right to apply for or build a SH is a personal right enjoyed by the indigenous inhabitant himself, but not attached to the land that he owns. Planning controls on the use of land would not affect the indigenous inhabitant’s right to apply for or build a SH per se. On this basis, the imposition of planning controls of the OZP on one’s land would not engage Article 40 of the Basic Law.</p>

Representation No. (TPB/R/S/I-SLW/1-)	Subject of Representation	Responses to Representation
	<p>(b) Opposes the lack of public consultation during plan formulation stage, resulting in inappropriate land use proposals which could not address the needs of villagers. (R15 and R16)</p> <p>(c) Opposes the substantial reduction in “V” zone in Sha Lo Wan and discrepancy with the ‘VE’, which neglect the demand of the villagers and provide less available land for SH development. The previous suspension of processing SH applications has posed impacts to the housing needs of villagers. (R12, R19 to R21, R23 to R25, R27, R28, R31, R32, R35)</p> <p>(d) Part of the “V” zones fall on hillslope and woodland</p>	<p>(2) Consultations with local stakeholders have been conducted during the OZP formulation stage. Tai O Rural Committee was consulted at its meeting on 1.4.2021 and Islands District Council by circulation of paper on 30.6.2021. In response to the requests from the indigenous inhabitant representatives of San Tau and Sha Lo Wan, separate meetings were held on 24.2.2021 and 26.2.2021 to solicit their views on the draft OZP. A site visit to Sha Lo Wan with local villagers was conducted on 11.3.2021. Their views, including those contained in the representations on the draft DPA Plan collected during the statutory consultation period, were reflected on the TPB Paper No.10752 for the Board’s consideration on 6.8.2021.</p> <p>(3) Response (1) to R9 above is relevant.</p> <p>(4) Response (2) to R9 above is relevant.</p>

Representation No. (TPB/R/S/I-SLW/1-)	Subject of Representation	Responses to Representation
	<p>which could pose threats, difficulties and additional costs for SH development. (R13, R15, R23, R25, R30)</p> <p>(e) Opposes the extended boundaries of “V” zone. The eastern and southern sides of Sha Lo Wan Tsuen are considered unsuitable for SH development given the previous rejection by relevant authorities. (R26)</p> <p>(f) Opposes the substantial reduction in “AGR” zone extent. (R12)</p> <p>(g) Existing transport facilities (both road transport and ferry service) and traffic network capacities are lacking in Sha Lo Wan and should be enhanced. It has been causing difficulties in commuting, transporting farm produce, organising large-scale events and allowing access of emergency services vehicles. External vehicular connection and/or an Emergency Vehicular Access should be provided. (R12, R14 to R18, R20 to R27, R29, R30)</p>	<p>(5) Response (6) to R1 above regarding the delineation of “V” zone is relevant.</p> <p>(6) Response (4) to R9 above is relevant.</p> <p>(7) Concerns regarding the provision of transport facilities and infrastructures in the Area have been referred to relevant departments for consideration. Relevant departments would keep in view the need for transport facilities and infrastructures subject to detailed consideration and assessments on, inter alia, population, provision standards and resources availability. If concerned departments have plans to provide such facilities in the Area, flexibility has been provided in the covering Notes of the OZP for public works co-ordinated or implemented by Government which are always permitted on land falling within the OZP.</p>

Representation No. (TPB/R/S/I-SLW/1-)	Subject of Representation	Responses to Representation
	<p>(h) A direct vehicular road between Sha Lo Wan and Chek Lap Kok Island should be provided to enhance connectivity with other parts of Lantau. (R13, R14, R16, R17, R22, R25, R33, R34)</p> <p>(i) A vehicular road connecting Sha Lo Wan with Tung Chung and/or Tai O should be provided. (R27, R28, R30)</p> <p>(j) Infrastructure and community facilities/services provision in Sha Lo Wan should be improved, including sewerage system, freshwater supply, seawater flushing, fire service and ambulance service, policing service, community hall and/or refuse collection point. (R13, R15 to R17, R22,</p>	<p>The Director of Fire Services advises that his department has established its deployment plans in case of fire and other emergency incidents in the Area. Fire Services Department will deploy appropriate manpower and resources to the scene to provide emergency services in accordance with the established procedures.</p> <p>(8) Response (7) above is relevant. As advised by the Commissioner for Transport (C for T), the road connection between Sha Lo Wan and Chek Lap Kok Island should be subject to further review on technical feasibility by the works agent to be identified.</p> <p>(9) Response (7) above is relevant. As advised by C for T, the proposed coastal road between Tung Chung and Tai O should be subject to further review on technical feasibility by the works agent to be identified.</p> <p>(10) Response (7) above is relevant. The Director of Food and Environmental Hygiene advises that her department has no plan to establish new public facilities within the villages of Sha Lo Wan and San Tau, taking into account the current usage rate of public toilets (PT) and the number of bin-site refuse collection points (RCP) provided. The PTs and</p>

Representation No. (TPB/R/S/I-SLW/1-)	Subject of Representation	Responses to Representation
	<p>R23, R25 to R27, R30)</p> <p>(k) The location of the permitted burial grounds at the hillside for indigenous inhabitants of Sha Lo Wan is not reflected on the draft OZP. (R19)</p> <p>(l) It is proposed to re-route the hiking trail away from</p>	<p>RCPs would be subject to a host of factors including actual demand, further review on technical feasibility, as well as any proposed or planned infrastructure enhancement such as transport, sewage, water supply works within or relevant to the Area.</p> <p>(11) Although the concerned permitted burial ground at the hillside of Sha Lo Wan falls outside the subject draft OZP¹. However, there is a permitted burial ground located to the southeast of San Tau, which was in existence before the gazette of the draft DPA Plan and falls within an area zoned “GB” on the subject draft OZP. Although the permitted burial ground is not designated with a specific zoning on the OZP, it is stated in the Explanatory Statement of the OZP that to respect the local ritual and tradition, burial activities in the permitted burial ground within the “GB” zone are generally tolerated. In this regard, the existing permitted burial ground would not be affected by the draft OZP.</p> <p>(12) Response (2) to R10 above is relevant.</p>

¹ The concerned permitted burial ground falls within an area zoned “GB” on the adjoining draft Sham Wat and San Shek Wan OZP No S/I-SW/1. The treatment for existing permitted burial grounds on the two said OZPs is the same.

Representation No. (TPB/R/S/I-SLW/1-)	Subject of Representation	Responses to Representation
	<p>the village areas to minimise disturbance to local villagers. (R15 to R17)</p> <p>(m) Rivers should be properly maintained with river dredging and dam maintenance works. Irrigation facilities should be provided. (R16, R18, R23, R25, R30)</p> <p>(n) The “V” zone of Sha Lo Wan should be enlarged according to provide sufficient land for SH development. (R13, R15, R22, R27)</p> <p>(o) Levelled ground within ‘VE’ should be designated “V”. (R25)</p> <p>(p) No part of ‘VE’ should be designated “AGR” zone. (R25)</p> <p>(q) Transportation statistics provided by the C for T in Appendix IV of TPB Paper No. 10752 does not reflect the reality. (R16)</p>	<p>(13) Response (7) above is relevant. As advised by DAFC, should irrigation improvement be required, farmers are advised to submit requests to AFCD.</p> <p>(14) Response (1) to R9 above is relevant.</p> <p>(15) Ditto.</p> <p>(16) Ditto.</p> <p>(17) C for T advises that the Transport Department (TD) has been closely monitoring the service level of “Tuen Mun-Tung Chung-Sha Lo Wan-Tai O” licensed ferry service (Tai O Route). According to the recent monitoring surveys conducted, the service level can cater for the</p>

Representation No. (TPB/R/S/I-SLW/1-)	Subject of Representation	Responses to Representation
		<p>passenger demand. Nevertheless, the ferry operator of Tai O route has planned to deploy an additional vessel by this year to enhance the service of the route. TD would closely liaise with the ferry operator on the implementation arrangement.</p>
<p>R36 謝擎天</p>	<p><u>Grounds of Representation</u></p> <p>(a) Opposes the designation of Lot No. 212 in DD6TC as “GB” zone. The representer submitted a SH application for the site in 2016 before the gazette of the DPA Plan. He maintains the request for zoning the site to “V” to facilitate his SH application.</p> <p>(b) Opposes the designation of Lots No. 891 and 954 in DD6TC as “GB” zone. The representer has obtained the Letter of Approval issued by Lands Department (LandsD) in 2019 for greenhouse use at the sites, which have been maintained for agricultural use. It is requested to rezone the site from “GB” to “AGR”.</p> <p><u>Representer’s Proposals</u></p> <p>(1) To rezone Lot No. 212 in DD6TC from “GB” to “V”.</p>	<p>(1) In response to Ground (a) and Proposal (1), response (1) to R9 above is relevant. The concerned areas are covered by vegetation including shrubland. Taking into account the above and various planning considerations including the existing use of land, site conditions, topography, village settlement pattern, etc., it is considered that the current “GB” zoning of the concerned lot is appropriate.</p> <p>(2) In response to Ground (b) and Proposal (2), response (1) to R9 above is relevant. According to the covering Notes of both OZPs, no action is required to make the use of any land or building which was in existence immediately before the first publication in the Gazette of the notice of the draft DPA Plan conform to the OZPs, provided such use has continued since it came to existence. The concerned areas are covered by vegetation including woodland and/or shrubland, or at the riparian area of</p>

Representation No. (TPB/R/S/I-SLW/1-)	Subject of Representation	Responses to Representation
	(2) To rezone Lots No. 891 and 954 in DD6TC from “GB” to “AGR”.	natural streams. Taking into account the above and various planning considerations including the existing use of land, site conditions, topography, village settlement pattern, etc., the designation of “GB” zone for the concerned lots is considered appropriate. According to the Notes of the OZP, ‘Agricultural Use’ is always permitted within “GB” zone. Genuine agricultural activities would not be affected.
R37 to R44 Individuals (Please refer to Annex I for details)	<u>Grounds of Representations</u> (a) The SH applications for the concerned sites were submitted in early 2021. (R37 to R42) (b) Processing of SH applications in the Area had once been suspended for nearly 30 years because of the development of the Hong Kong International Airport (HKIA) since the 1990s. Upon the relaxation of Noise Exposure Forecast (NEF) restrictions in recent years, the representer(s) started to resume necessary legal procedures to proceed with their SH applications.	(1) Noted. (2) Suitable land has been designated within “V” zones for village expansion. SH applications are considered by LandsD according to the prevailing SH Policy. During the processing of SH applications, LandsD would seek comments from the relevant departments, including PlanD from statutory planning perspective, and each application would be considered based on its individual merits. Nevertheless, processing of SH applications is a matter related to SH Policy.

Representation No. (TPB/R/S/I-SLW/1-)	Subject of Representation	Responses to Representation
	<p><u>Representers' Proposals</u></p> <p>(1) To rezone the following sites from “AGR” to “V” in DD6TC:</p> <ul style="list-style-type: none"> i. Lot No. 705SA (R37) ii. Lot No. 705SB (R38) iii. Lot No. 705RP (R39) iv. Lot No. 282 (R44) <p>(2) To rezone the following sites from “GB” to “V” in DD6TC:</p> <ul style="list-style-type: none"> i. Lot No. 771SA (R40) ii. Lot No. 771SB (R41) iii. Lot No. 771RP (R42) iv. Lot No. 328 (R43) 	<p>(3) The delineation and designation of the zonings are based on relevant planning considerations including the existing use of land, site conditions, topography, ‘VE’, village settlement pattern, conservation and ecological value, etc. The planning intention of “AGR” zone is intended 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. Appropriate areas of existing and abandoned agricultural land with potential for rehabilitation have been zoned “AGR”. The concerned areas are covered by either active agricultural land or abandoned agricultural land of a larger agricultural land cluster. The designation of “AGR” zone for the concerned areas is considered appropriate.</p> <p>(4) Response (1) to R9 above is relevant. The concerned areas are covered by vegetation including woodland or shrubland. Taking into account the above and various planning considerations including the existing use of land, site conditions, topography, village settlement pattern, etc., the current designation of “GB” zoning for the concerned</p>

Representation No. (TPB/R/S/I-SLW/1-)	Subject of Representation	Responses to Representation
		lots is considered appropriate.
R45 Chang Wai Tang	<u>Grounds of Representation</u> (a) Oppose the designation of his existing agricultural land to “GB”. The land is being used for agricultural activities. <u>Representer’s Proposal</u> (1) To rezone Lots No. 110, 130, 159, 819 and 850 DD6TC from “GB” to “AGR”.	(1) In response to Ground (a) and Proposal (1), response (2) to R36 above is relevant.
R46 徐承芬	<u>Grounds of Representation</u> (a) Opposes the designation of “GB” on private agricultural land. The government should make compensation to land owners for the loss in land value should “GB” be designated. (b) There are about 20 SH applications under processing being suspended between 1997 and 2016 because of the NEF 25 Contour issue of the HKIA. The draft OZP should inclusively consider the outstanding SH applications. The draft OZP should not affect the processing of the SH applications.	(1) Responses (2) to R36 above is relevant. (2) Response (2) to R37 to R44 above is relevant.

Representation No. (TPB/R/S/I-SLW/1-)	Subject of Representation	Responses to Representation
	(c) All private agricultural land should be rezoned to “AGR”.	(3) The draft OZP will not affect the land status of existing agricultural land. Generally speaking, clusters of active fallow agricultural land and agricultural land with potential for rehabilitation near villages have been retained and zoned “AGR” as far as practicable. According to the Notes of the OZP, ‘Agricultural Use’ is always permitted within “V”, “GB”, “CA” and “CPA” zones. Genuine agricultural activities would not be affected. DAFC also has no adverse comment on the current extent of “AGR” zone.
R47 Corona Land Company Limited represented by Llewelyn Davies	<u>Grounds of Representation</u> (a) Opposes the designation of “AGR”, “GB” and “V” zones in the two concerned sites near Sha Lo Wan and San Tau. It is proposed to rezone the sites to “Other Specified Uses” annotated “Eco-lodge” (“OU (Eco-lodge)”) with following justifications: <ul style="list-style-type: none"> The proposed rezoning adheres to the ‘Development in the North; Conservation for the South’ principle established under Sustainable Lantau Blueprint with provision of low-impact leisure and recreational uses. 	(1) In response to Ground (a) and Proposal (1), the proposal of rezoning the concerned areas to “OU(Eco-lodge)” for eco-lodge development is premature as no concrete proposal. According to the Head of SLO, CEDD, the proposed eco-lodge is in large scale and no technical assessment has been submitted to support the proposal. Its impact is unknown. According to DAFC, both sites at Sha Lo Wan and San Tau are well wooded and extensive vegetation clearance is expected. Several natural streams are also found within or in the close vicinity of the proposed sites. In this regard, there is insufficient information to support a

Representation No. (TPB/R/S/I-SLW/1-)	Subject of Representation	Responses to Representation
	<ul style="list-style-type: none"> Provision of eco-lodges could promote eco-tourism with its proximity to the Tung O Ancient Trail, which connects various tourism nodes in Lantau. It will offer hikers and trekkers a place for comfortable breaks. The proposed “OU (Eco-lodge)” zone could effectively provide planning control to relevant intended developments to ensure a balance between sustainable development and environmental conservation. <p><u>Representer’s Proposals</u></p> <p>(1) To rezone two concerned sites near Sha Lo Wan and San Tau from “AGR”, “GB” and “V” to “OU (Eco-lodge)” for eco-lodge development.</p>	<p>rezoning at this juncture. Taking into account the site context, the current “GB” zoning is considered appropriate. Notwithstanding the above, planning applications 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.</p>
<p>R48 to R52</p> <p>Individuals and companies (Please refer to Annex I for details)</p>	<p><u>Grounds of Representations</u></p> <p>(a) Opposes the designation of Lots No. 2226 and 2227 in DD305L, which are held under Block Government Lease demised for house use and threshing floor uses respectively, as “GB” zones. (R48)</p>	<p>(1) In response to Grounds (a), (d), (e), and Proposals (1) and (4) to (6), response (1) to R9 above is relevant. The concerned areas are covered by vegetation including woodland and/or shrubland, or at the riparian area of natural streams. Taking into account the above and various planning considerations including the existing use</p>

Representation No. (TPB/R/S/I-SLW/1-)	Subject of Representation	Responses to Representation
	<p>(b) Opposes the designation of part of Lot No. 1479 in DD305L as “AGR” zone, leading to the depreciation of its land value. (R49)</p> <p>(c) Opposes the designation of Lot No. 280 in DD6TC as “AGR” zone, affecting the land owner’s interest. (R50)</p> <p>(d) Opposes the designation of Lots No. 168, 170, 171, 1336, 1344, 1407, 1703, 1954, 1962, 1964 and 1966 in DD305L² as “GB” zone, since they are held under Block Government Lease demised for agricultural use. (R50)</p> <p>(e) Opposes the designation of Lots No. 292, 310, 322, 324, 339, 465, 597, 765, 766, 767, 771, 811, 847, 958, 959, 1019, 1089 in DD305L as “GB” zones, since they are held under Block Government Lease demised for agricultural use. (R51)</p> <p>(f) Opposes the designation of Lot No.1381 in DD305L</p>	<p>of land, site conditions, topography, village settlement pattern, etc., it is considered that the current “GB” zoning of the concerned lot is appropriate.</p> <p>(2) In response to Grounds (b), (c), and Proposals (2) and (3), response (3) to R37 to R44 above is relevant.</p> <p>(3) In response to Ground (g), the land use zonings designated on the OZP would unlikely constitute “deprivation” of property for the purpose of Article 105 of the Basic Law requiring payment of compensation. The draft OZP would not affect any land owner to transfer or assign his/her interest of land, nor would it leave the land concerned without any meaningful use or economically viable use. Besides, insofar as the zoning restrictions pursue the legitimate aim of conserving and protecting the existing natural landscape, ecological or topographical features of the Area and the land concerned could be put to “always permitted uses” and uses that may be permitted with or without conditions on application to the Board, it does not appear inconsistent with the protection of</p>

² Excluding Lots No. 155, 262, 271, 272, 316, 318 in DD308L which fall within the “CPA” and “GB” zones of the adjoining draft Sham Wat and San Shek Wan OZP No. S/I-SW/1. Despite different zonings and OZP, response (1) to R48 to R52 above is also applicable to the abovementioned lots.

Representation No. (TPB/R/S/I-SLW/1-)	Subject of Representation	Responses to Representation
	<p>as “GB” zone, since the site is held under Block Government Lease demised for agricultural use. (R52)</p> <p>(g) The “GB” zone has a general presumption against development, which contravenes the premises of Basic Law regarding the right to use and dispose one’s private property as stated below: (R50 to R52)</p> <p><u>Chapter 1 Article 6 of Basic Law</u></p> <p>The Hong Kong Special Administrative Region shall protect the right of private ownership of property in accordance with law.</p> <p><u>Chapter 5 Article 105 of Basic Law</u></p> <p>The Hong Kong Special Administrative Region shall, in accordance with law, protect the right of individuals and legal persons to the acquisition, use, disposal and inheritance of property and their right to compensation for lawful deprivation of their property.</p> <p><u>Representers’ Proposals</u></p> <p>(1) To rezone Lots No. 2226 and 2227 in DD305L from</p>	<p>property rights under Article 6 or Article 105 of the Basic Law.</p>

Representation No. (TPB/R/S/I-SLW/1-)	Subject of Representation	Responses to Representation
	<p>“GB” to “V”. (R48)</p> <p>(2) To rezone part of Lot No. 1479 in DD305L from “AGR” to “V”. (R49)</p> <p>(3) To rezone Lot No. 280 in DD6TC from “AGR” to “V”. (R50)</p> <p>(4) To rezone Lots No. 168, 170, 171, 1336, 1344, 1407, 1703, 1954, 1962, 1964, 1966 in DD305L from “GB” to “AGR”. (R50)</p> <p>(5) To rezone Lots No. 292, 310, 322, 324, 339, 465, 597, 765, 766, 767, 771, 811, 847, 958, 959, 1019 and 1089 in DD305L from “GB” to “AGR”. (R51)</p> <p>(6) To rezone Lot No. 1381 in DD305L from “GB” to “AGR”. (R52)</p>	

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

Comment No. (TPB/R/S/I-SLW/1-)	Subject of Comment	Responses to Comment
C1 (also R3) Designing Hong Kong Limited	<p>(a) Supports representations R1, R2 and R4 to R7 on the following grounds:</p> <ul style="list-style-type: none"> • The Area adjoins the country park area and therefore should be covered by conservation zonings to prevent encroachment of activities and degradation to the environment. • All landscapes and habitats including natural streams, woodlands, beaches and natural coastlines 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. • Unauthorized works including removal of vegetation and slope cutting works should be prohibited. Those areas should not be covered by any development-related zonings. 	<p>(1) Response (3) to R1 above is relevant.</p> <p>(2) Ditto.</p> <p>(3) Response (6) to R1 above regarding the designation of “V” zone is relevant.</p> <p>(4) Response (4) to R1 above is relevant.</p>

Comment No. (TPB/R/S/I-SLW/1-)	Subject of Comment	Responses to Comment
	<ul style="list-style-type: none"> The boundary of the “SSSI” zone should be extended to cover the whole designated San Tau SSSI to provide better and more sufficient protection. 	(5) Response (2) to R1 above is relevant.
C2 (also R2) The Conservancy Association	<p>(a) Supports representations R1, R3 to R7 and provide comments on the following grounds:</p> <ul style="list-style-type: none"> Areas of high conservation and landscape value have been highlighted for protection by conservation zonings. No further reduction in these conservation zones should be made. Concerns about the adverse impacts brought to the landscape character by the unauthorized works including road widening and slope cutting works along the Tung O Ancient Trail. No additional vehicular access should be provided in the Area to prevent any potential tolerance of “destroy first build later” acts. 	<p>(1) Response (3) to R1 above is relevant.</p> <p>(2) No further amendment to the draft Sha Lo Wan and San Tau Outline Zoning Plan No. S/I-SLW/1 is proposed for the Board’s consideration.</p> <p>(3) Response (4) to R1 above is relevant.</p> <p>(4) Response (4) to R1 above is relevant. There is no proposal of additional vehicular access from government departments at this juncture.</p>

Comment No. (TPB/R/S/I-SLW/1-)	Subject of Comment	Responses to Comment
<p>C3 (also R8) Mary Mulvilhill</p>	<p>(a) In relation to R8 and provide comments on the following grounds:</p> <ul style="list-style-type: none"> • The “SSSI” zone should be extended to cover the seagrass beds of the entire San Tau Beach SSSI. • Concerns about the potential degradation in water quality of water channels discharge generated from in house developments within the “V” zones. “V” zones should be restricted to the existing footprint with adequate buffer with the nearby watercourses. • Applications for SH should be strictly vetted to prevent abuse use of SH Policy. Stringent resale conditions should be implemented given the environmental sensitive nature of the Area. • SH development should not be included as a Column 2 use in zones other than “V” zone. 	<p>(1) Response (2) to R1 above is relevant.</p> <p>(2) Response (6) to R1 above regarding the designation of “V” zone is relevant. For development that may affect natural rivers/streams an, there is relevant regulatory mechanism.</p> <p>(3) 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 a matter related to SH Policy, not related to the zoning of the OZP.</p> <p>(4) The schedule of uses in various zonings on the draft OZP are generally in line with the Master Schedule of Notes. There is no strong justification to deviate from it. Furthermore, Column 2 uses</p>

Comment No. (TPB/R/S/I-SLW/1-)	Subject of Comment	Responses to Comment
	<ul style="list-style-type: none"> Concerns about the permitted uses within “AGR” zones which are incompatible with sensitive area of high ecological value. Marshes and other intertidal zones should be zoned “CA”. Scrubland and grassland should be protected in order to preserve their role of buffer zone. All coastlines should be zoned as “CPA”. Further elaboration should be provided in the covering Notes of the draft OZP to stipulate that unauthorized works could not be regarded as ‘EU’. 	<p>require planning permission from the Board. Each application would be considered on its own merits taking into account relevant guidelines of the Board.</p> <p>(5) Response (7) to R1 above is relevant.</p> <p>(6) Response (3) to R1 above is relevant.</p> <p>(7) Ditto.</p> <p>(8) Response (10) to R1 above is relevant.</p> <p>(9) Response (3) to R3 above is relevant.</p>
C4 Fung Kam Lam	Supports representations R1 to R5 on the following grounds: (a) Agrees with the general planning intention of the draft	<p>(1) Noted.</p>

Comment No. (TPB/R/S/I-SLW/1-)	Subject of Comment	Responses to Comment
	<p>OZP to conserve its landscape and ecological values in safeguarding the natural habitat and rural character of the Area.</p> <p>(b) The exemption for diversion of stream, filling of land/pond and excavation of land for public works co-ordinated or implemented by Government in Remarks (b) of the Notes of “CA”, “CPA” and “SSSI” and respective paragraphs in Explanatory Statement should be removed to reinforce the general planning intention of the draft OZP.</p>	<p>(2) 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 co-ordinated or implemented by Government from the requirement of planning application, in conservation-related zones of 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 for conservation-related zones 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.</p>