

1. The meeting was resumed at 9:15 a.m. on 29.9.2016
2. The following Members and the Secretary were present at the resumed meeting:

Permanent Secretary for Development
(Planning and Lands)
Mr Michael W.L. Wong

Chairman

Professor S.C. Wong

Vice-Chairman

Ms Janice W.M. Lai

Mr H.F. Leung

Dr F.C. Chan

Mr David Y.T. Lui

Dr Frankie W.C. Yeung

Mr Peter K.T. Yuen

Mr Philip S.L. Kan

Dr Lawrence W.C. Poon

Mr Wilson Y.W. Fung

Professor T.S. Liu

Ms Sandy H.Y. Wong

Principal Environmental Protection Officer (Metro Assessment)
Environmental Protection Department
Mr Ken Y.K. Wong

Deputy Director of Lands (General)
Mr Jeff Y.T. Lam

Chief Engineer (Works), Home Affairs Department
Mr Martin W.C. Kwan

Chief Traffic Engineer (New Territories East)
Transport Department
Mr K.C. Siu

Director of Planning
Mr K.K. Ling

Agenda Item 2

[Open meeting (Presentation and Question Sessions only)]

Consideration of Representations and Comments in respect of Draft Tung Chung Valley Outline Zoning Plan No. S/I-TCV/1
(TPB Paper No. 10177)

[The item was conducted in Cantonese and English.]

3. The Secretary reported that R7 and C1 were submitted by Uni-Creation Investments Limited and Tung Chung Nim Yuen Cultural Institution Limited represented by Albert So Surveyors Ltd. (ASL), R10 and C17 were submitted by Masterplan Limited (Masterplan) on behalf of Forestside Limited which was a subsidiary of Wheelock Properties Limited (Wheelock), and R32 was submitted by The Conservancy Association (CA). The following Members had declared interests in the item:

Mr Ivan C.S. Fu	-	having current business dealings with Wheelock and Masterplan
Mr Patrick H.T. Lau]	
Mr Stephen L.H. Liu]	having current business dealings with
Mr K.K. Cheung]	Wheelock
Mr Thomas O.S. Ho	-	having current business dealings with Wheelock, and past business dealing with ASL
Mr Alex T.H. Lai	-	involving in a legal case with Wheelock
Dr C.H. Hau	-	being the Vice-Chairman of CA
Professor T.S. Liu	-	his close relative possibly owning a property in Tung Chung

4. Members noted that Messrs Ivan C.S. Fu, Patrick H.T. Lau, Stephen L.H. Liu,

K.K. Cheung, Thomas O.S. Ho, Alex T.H. Lai and Dr C.H. Hau had tendered apologies for not being able to attend the meeting. As the interest of Professor T.S. Liu was indirect, Members agreed that Professor Liu could stay in the meeting.

5. The Chairman said that reasonable notice had been given to the representers and commenters inviting them to the hearing, but other than those who were present or had indicated that they would attend the hearing, the rest had either indicated not to attend or made no reply. As reasonable notice had been given to the representers and commenters, Members agreed to proceed with the hearing of the representations and comments in their absence.

Presentation and Question Sessions

6. The following government representatives, representers, commenters and their representatives were invited to the meeting:

Planning Department (PlanD)

Ms Donna Y.P. Tam	-	District Planning Officer/Sai Kung & Islands (DPO/SKIs)
Ms Amy M.Y. Wu	-	Senior Town Planner/Islands (STP/Is2)
Mr Feddy S.H. Leung	-	Assistant Town Planner/Islands (ATP/Is4)

Civil Engineering and Development Department (CEDD)

Mr David K.C. Lo	-	Chief Engineer/Islands
Mr Kenneth C.P. Wong	-	Senior Engineer 9 (Islands Division)
Ms Chelsey K.F. Yuen	-	Engineer 9 (Islands Division)

Representers

R1 - 南峯村村代表李康庭、石榴埔村村代表羅維洪及石榴村村民

R2 - 南峯村發展及管理團體

Mr Li Hong Ting] Representers' representatives

Mr Li Yip Hing]

R10/C17 - Forestside Limited

Masterplan Limited –

Mr Ian Brownlee] Representer's and Commenter's

Ms Yee Ting Li] Representatives

Ms Oi Chu Wong]

R11 - Coral Ching Limited

Lawson David & Sung Surveyors Ltd –

Ms Lee Mo Yi Cannis] Representer's representatives

Ms Chan Hiu Man Ketty]

R12 - 牛凹村居民代表楊志豪及牛凹村原居民代表羅志剛

C9 - 南峯村村民

Mr Lo Chi Kong] Representer's and Commenter's

Mr Wong Ching Nam] Representatives

R15/C21 - 馮小燕

Ms Fung Siu Yin - Representer and Commenter

R21 - Haster Wu

Ms Haster Wu - Representer

R28 - Green Group's Joint Submission

Mr Cheng Luk Ki - Representer's representative

R29/C18 - Designing Hong Kong Limited

Mr Paul Zimmerman - Representer's and Commenter's Representative

R30 - Green Power, Eco-Education & Resources Centre

Mr Chan Kam Wai - Representer's representative

R31 - The Hong Kong Bird Watching Society

Ms Woo Ming Chuan - Representer's representative

R32 – The Conservancy Association

Mr Wick Leung - Representer's representative

R33 - World Wide Fund For Nature Hong Kong

Mr Tobi Lau - Representer's representative

R34 - Kadoorie Farm and Botanic Garden Corporation

C13 - Chiu Sein Tuck

C14 - Tony Nip

Mr Chiu Sein Tuck] Representer's representatives and

Mr Tony Nip] Commenters

Ms Kam Karen Yi Lam - Representer's and Commenter's representative

R35 - Save Lantau Alliance (守護大嶼山聯盟)

Mr Wright Fu Ka Ho - Representer's representative

Commenters

C6 - 石門甲村村代表羅美發

Mr Li Hong Ting - Commenter's representative

C7 - 南嶺村村代表李康庭

Mr Wong Shun Chuen - Commenter's representative

C10 - 前石榴埔村村代表羅展權

Mr Law Chin Kuen - Commenter

C11 - 石榴埔村村代表羅維洪

Mr Law Tung Ming - Commenter's representative

C14 - 何紹基

Mr Ho Siu Kei - Commenter

7. The Chairman extended a welcome and explained the procedure of the hearing. He said that the representatives of PlanD would first brief Members on the background, and the representers/commenters or their representatives would be invited to make oral submissions. He said that to ensure the efficient operation of the meeting, each representer/commenter or their representatives would be allotted 10 minutes for their oral submission. The representers/commenters had been informed about the arrangement before the meeting. There was a timer device to alert the representers/commenters or their representatives two minutes before the allotted time was to expire and when the allotted time limit was up. After the oral submission, there would be a Question and Answer (Q&A) session in which Members could direct their questions to government representatives or representers/commenters or their representatives. After the Q&A session, the meeting on the day would be adjourned. After hearing all the oral submissions from the representers/commenters or their representatives who attended the meeting, the Board would deliberate on the representations/comments in closed meeting, and inform the representers/commenters of the Board's decision in due course.

8. The Chairman also said that some representers/commenters had made submissions to two or three of the Outline Zoning Plans (OZPs) for Tung Chung and requested to make their oral submissions to the Town Planning Board (the Board) on the OZPs collectively. Given the land use planning of the three OZPs were inter-related, special arrangement would be made to allow those representers/commenters or their representatives to speak in the last meeting session on 4.10.2016.

9. The Chairman then invited Ms Amy M.Y. Wu, STP/Is, PlanD to brief Members

on the background to the representations.

10. With the aid of a PowerPoint presentation, Ms Amy M.Y. Wu made the following main points as detailed in the TPB Paper No. 10177:

Background

- (a) the three stages of public engagement (PE) of the Tung Chung New Town Extension Study (the Tung Chung Study) were conducted from 2012 to 2014. The Board was briefed on the Study on 19.9.2014;
- (b) during the third stage of PE, more than 4,000 public comments were received. The draft Recommended Outline Development Plan (RODP) was revised taking into account the public comments received;
- (c) an Environmental Impact Assessment (EIA) Report to assess the environmental impacts of the Tung Chung New Town Extension (TCNTE) was submitted under the EIA Ordinance (EIAO) to the Director of Environmental Protection (DEP) on 8.10.2015 for approval. The EIA Report was exhibited for public inspection from 4.12.2015 to 2.1.2016 and approved with conditions by DEP on 8.4.2016;
- (d) on 8.1.2016, three new/amended OZPs including the Tung Chung Extension Area (TCE), Tung Chung Town Centre Area (TCTC) and Tung Chung Valley (TCV), which mainly incorporated land use proposals as recommended under the Tung Chung Study were exhibited for public inspection under section 5 of the Town Planning Ordinance (the Ordinance);
- (e) on 21.8.2015, the draft TCV Development Permission Area (DPA) Plan No. DPA/I-TCV/1 (the draft DPA Plan) was exhibited for public inspection under section 5 of the Ordinance. A total of 651 representations and 713 comments were received. Pursuant to section 20(6) of the Ordinance, the draft DPA Plan ceased to be effective on 8.1.2016;

- (f) the draft TCV OZP No. S/I-TCV/1 (the draft OZP) exhibited on 8.1.2016 covered an area of about 168.27ha (the Area), which was largely zoned “Conservation Area” (“CA”), “Coastal Protection Area” (“CPA”) and “Green Belt” (“GB”). There were also village type developments and low-rise low-density residential uses. During the exhibition period of the draft OZP, a total of 38 representations and 87 comments on the representations were received;

Public Consultation

- (g) consultations of the three draft OZPs with Islands District Council (IsDC) and Tung Chung Rural Committee (TCRC) were conducted at their meetings on 1.2.2016 and 28.1.2016 respectively. The IsDC members raised concerns on the provision of cultural, recreational and community facilities, impact of “CA” and “GB” zonings on development and value of private land, road connection and the sewerage system of the villages, need for expansion of river park, and increase of development intensity for the proposed residential sites;
- (h) members of TCRC also raised similar concerns on the lack of infrastructural facilities for the existing villages, lack of commercial uses in Tung Chung West (TCW), the deprivation of private development right by the conservation zonings, and need for expansion of the “Village Type Development” (“V”) zones;

Major Grounds of Representations, Representers’ Proposals and Responses

- (i) among the 38 representations received, two were supportive representations submitted by village representatives and an organization, five were both supportive and adverse representations submitted by a company and four Green Groups, and 31 were adverse representations submitted by individuals, village representatives, TCRC, four companies and six Green/Concern Groups. As for the comments, they were submitted by individuals, TCRC, three companies and two Green/Concern Groups;

Supportive Representations (R1, R2, R11 (part), R28(part), R30(part), R32(Part) and R33(part))

- (i) R1 and R2 supported designating Nim Yuen Village, a recognised village, as “V”;
- (ii) R11 (part) generally supported the draft OZP and the proposed “Residential (Group C)2” (“R(C)2”) zone in Area 61A for close proximity to railway station, appreciated the flood control system on Tung Chung Stream and establishment of a river park as it would preserve the natural environment and ecology of TCV;
- (iii) R28 (part), R30 (part), R32 (part) and R33 (part) generally supported/welcomed the gazettal of the draft OZP, which enabled statutory enforcement action against eco-vandalism in the TCV area;
- (iv) Responses – all the supportive views were noted;

Adverse Representations (R3 to R12, R14 to R38, R11(part), R28(part), R30(part), R32(part) and R33(part))

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

- (v) some representers opposed converting “V” area in Nim Yuen for columbarium use but some others supported private columbarium developments in Nim Yuen and Shek Mun Kap on the following grounds:
 - there was no Small House demand in Nim Yuen Village;
 - the columbarium was an ‘Existing Use’ (‘EU’) operated prior to the gazettal of the draft DPA Plan;

- the private columbarium development at Nim Yuen was compatible with the surrounding land uses and rural character of the area;
 - the columbarium in Sincerity Park had been built for more than decades and the land owner had no intention to develop his land for any uses permitted under the “V” zone;
- (vi) proposal - the “V” zone covering the private columbarium development and private land should be rezoned to “Institution or Community” (“IC”) use to reflect the existing columbarium use in Nim Yuen and other community uses such as elderly home, and religious institution should also be always permitted;
- (vii) the responses to the above grounds and proposal were:
- ‘Columbarium’ use was not permitted within the “V” zone;
 - even if the columbarium developments were ‘EU’ tolerated under the Ordinance, they were not compatible with the surrounding area and long-term planning intention of the area for village type development;
 - CEDD advised that the proposed road network was not designed to cater for the heavy traffic conditions induced by the columbarium developments. Upgrading of the proposed roads might not be possible due to environmental constraints;
 - the Chief Town Planner/Urban Design and Landscape (CTP/UD&L), PlanD advised that there were no details in the rezoning proposal to ascertain the potential visual impact of the proposed developments;

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

- (viii) there was a lack of elderly care facilities in Nim Yuen in view of the increasing aging population and frequent shortage in public-sector elderly care facilities;
- (ix) proposal - Area 67 should be rezoned from “R(C)2” to “IC” use for the development of community care and elderly supporting services;
- (x) the responses to the above ground and proposal were:
- provisions of community and social welfare facilities in TCNTE were planned in a holistic manner to serve population of the whole New Town in accordance with the Hong Kong Planning Standards and Guidelines (HKPSG) and departmental advice;
 - within TCV, a “G/IC” site in Area 36A was reserved for a GIC complex, in which elderly care facilities could be accommodated as need arose;
 - a residential care home for elderly and neighbourhood elderly centre were planned in the proposed public housing developments in Areas 39 and 42 within the adjoining TCTC OZP;
 - regarding the proposed rezoning of the “V” zone at Nim Yuen to “IC”, flexibility had already been allowed in the “V” and “R(C)” zones to provide for ‘Residential Institution’ and ‘Social Welfare Facility’ under the planning application mechanism;

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

- (xi) the inclusion of areas within the village ‘environs’ (‘VE’) of Ngau Au Village into the “CA” zone would deprive the development right of indigenous villagers;

(xii) proposal - the “V” zone boundary of Ngau Au Village should be enlarged;

(xiii) the responses to the above ground and proposal were:

- the concerned “CA” zone covered relatively large and intact mature woodland with records of floral species of conservation interest. The “CA” zone was considered appropriate to better preserve the ecologically important woodlands and Tung Chung Stream;
- ‘Agricultural Use’ was always permitted within the “CA” zone, there was no deprivation of the development rights of the indigenous villagers;
- the proposal to enlarge the “V” zone boundary of Ngau Au Village was not supported as there was still land available in other “V” zones within Tung Chung Heung to meet the Small House demand;

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

(xiv) the existing burial areas of villagers of San Tau Village would be affected by the “GB” zoning;

(xv) responses – according to the Notes of the OZP, existing permitted burial ground within the “GB” zone would not be affected, while new burial ground required planning permission by the Board;

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

(xvi) there was inadequate provision of transport and community facilities;

(xvii) proposal - the development intensity and population of TCNTE should be reduced;

(xviii) the responses to the above ground and proposal were:

- the provision of community, social welfare, recreational and educational facilities were planned in a holistic manner in accordance with the requirements under HKPSG and based on the advice of the relevant departments;
- a comprehensive transport network had been planned to serve TCNTE. There were two new railway stations proposed to connect Tung Chung with other parts of the territory, Tai Ho Interchange, Road P1 (Tung Chung – Tai Ho Section) and new public transport interchanges (PTIs);
- as regards the proposal to reduce the development intensity, TCNTE was one of the land supply sources to meet territorial housing demand in medium and long-term. Taking into account the ecologically sensitive areas and rural character of the area, only low-density developments were proposed in TCV;

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

(xix) the low-density private residential developments could not help the employment of the local residents who were mainly low-skill labour. There was a need for economic developments to provide more diversified job opportunities;

(xx) agricultural development could support local economy and provide more local job opportunities for low-skill workers. The Government should resume private land to develop agriculture;

(xxi) proposal - part of Areas 36D, 36E and 98A near Hau Wong Temple should be rezoned from “G/IC”, “Coastal Protection Area” (“CPA”) and “O” respectively to “C”;

(xxii) the responses to the above grounds and proposal were:

- commercial developments including offices, retails, hotels and marina were to be provided in TCNTE and diversified employment opportunities would be created. Other development projects in the surroundings (e.g. Third Runway System of the Hong Kong International Airport, Hong Kong Boundary Crossing Facilities of Hong Kong-Zhuhai-Macau Bridge, North Commercial District and Sunny Bay) would also bring more jobs to Tung Chung;
- with regard to the suggestion of supporting local economy and providing more local job opportunities by developing agriculture in TCV, ‘Agricultural Use’ was always permitted within the “V” and “GB” zones. The Government currently had no prevailing policy for resuming private land for agricultural use;
- with regard to the rezoning proposal, the “G/IC” zone in Area 36D was currently in use by the Tung Chung Outdoor Recreation Camp and Area 36E was an existing open space. The “CPA” was intended to conserve, protect and retain the natural coastlines and sensitive coastal natural environment with a minimum of built environment. Furthermore, “C” sites were proposed in Areas 38A, 38B and 38C to capitalise on their proximity to the proposed TCW Railway Station and PTI;

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

(xxiii) the views on the residential development were as follows:

- the proposed development intensities for housing sites in TCV were too low;
- there was an imbalance housing mix and a disparity of development intensities between public housing and private housing;
- an asymmetric built form, instead of a stepped development profile, was created for TCW;
- a low-carbon community should be established;

(xxiv) Specific land use proposals:

- R10 had the following land use proposals in respect of its two sites:
 - Site A: the boundary of the “G/IC” zone in Areas 36A and 36B should be extended to cover part of the “O” zone in Area 36E and the “CPA” zone in Area 98A. ‘Flat’ use should be added under Column 2 of the Notes for the enlarged “G/IC” zone. Two non-building areas (NBAs) should be added to safeguard the scenic view from Hau Wong Temple towards the Tung Chung Bay and to act as a buffer to protect mangrove and stream course from future development of the “G/IC” site; and
 - Site B: the “Other Specified Uses” annotated “Stormwater Attenuation and Treatment Pond” (“OU (Stormwater Attenuation and Treatment Pond)”) site in Area 45D and the “CPA” site in Area 98D should be partly rezoned to “R(C)2” and partly to “OU (River Park)”. The original proposed stormwater and treatment ponds should be relocated

underground to the “O” site in Area 80 which should be rezoned to “O(1)” with ‘Stormwater Attenuation and Treatment Pond’ use added under Column 1 use in the Notes of the “O(1)” zone;

- R11 had the following proposals in relation to its sites:
 - Area 60 should be rezoned from “R(C)2” to “R(C)1” with corresponding increase in plot ratio (PR) and building height restriction (BHR);
 - Shops and Services’ use in “R(C)” zones should be allowed;
 - the two NBAs of 20m and 30m in Areas 60 and 71A should be removed; and
 - areas that were unnecessary for “OU (Stormwater Attenuation and Treatment Ponds)” use should be rezoned to other appropriate land use zones;

(xxv) the responses to the above grounds and proposals were:

- the planning intention of TCV was to conserve the ecologically sensitive areas, to protect the rural and natural character, to maintain the unique landscape character and cultural heritage of the Area. Apart from land reserved for Small House development by indigenous villagers, sites of relatively low ecological value were identified as suitable for low-rise, low-density residential developments which were compatible with the rural and scenic character of the Area;
- different housing choices were made available for different social groups. A public/private housing split of about 63:37 was currently adopted for TCNTE which was generally in line with

the public/private housing split of 60:40 as recommended by the Long Term Housing Strategy Steering Committee;

- a stepped development profile would be established with descending BH from the mountain side towards the waterfront to balance between conservation and development. Higher rise residential developments were planned at sites adjacent to the mountain backdrop;
- railway system was planned as a backbone of the passenger transport system in TCNTE and a comprehensive network of cycle tracks and pedestrian walkways was also planned to reduce private vehicles and green house gas emission;

Specific land use proposals of R10

Site A: Extension of the “G/IC” site

- from urban design perspective, it was more desirable that Hau Wong Temple, a Grade 2 historic building, be enveloped by open space to allow flexibility for provision of space in respect of the temple’s cultural and historical significance;
- the proposed rezoning of “CPA” area was not in line with the conservation intention for the area;
- the currently planned GIC complex would form an activity node without the need for enlargement of the “G/IC” site;
- ‘Flat’ use was not in line with the intended use of the “G/IC” zone;
- with regard to the proposed NBAs, an effective visual corridor should be at least 15m in width. No visual material had been

submitted to demonstrate the effectiveness of the visual corridor, and the “CPA” zone on the draft OZP was more appropriate to protect the mangrove area and streamcourse;

Site B: Rezoning of “OU(Stormwater Attenuation and Treatment Ponds)” site and “CPA” to “R(C)2” and “OU(River Park)”

- the stormwater attenuation and treatment ponds in Area 45D were required to regulate stormwater peak flow and to treat the surface runoff from adjacent roads and developments. They were intended to serve as a buffer to protect the ecologically important Tung Chung Stream;
- there were no assessments to substantiate that there would be no adverse impacts from the proposals for the additional residential population arising from the rezoning to “R(C)2”;
- in relation to the proposed relocating the stormwater attenuation and treatment ponds and rezoning the site to “O(1)”, Area 80 was zoned “O” to reflect the existing temporary soccer field and plant nursery. Subject to further study, there might be scope to develop that area as part of the River Park. The proposal of putting stormwater attenuation and treatment ponds underground was not feasible;

[Messrs H.F. Leung and Dr Frankie W.C. Yeung arrived to join the meeting at this point.]

Specific land use proposals of R11

Rezoning of Area 60 from “R(C)2” to “R(C)1”

- the proposed rezoning with higher PR and BH would have implications on the planning, environmental and infrastructural capacity which had not yet been properly tested by relevant

technical assessment and EIA under the Tung Chung Study. As Area 60 was located near the waterfront and adjacent to the “CPA” zone along the river channel, a higher development intensity for the area would upset the design concept;

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

- ‘Shop and Services’ use in “R(C)” zone was a Column 2 use which might be permitted upon application to the Board;

Removal of two NBAs in Areas 60 and 71A

- the NBA in Area 60 was part of a breezeway acting as an extension of Yu Tung Road for a continuous air corridor towards Area 61A, and the NBA in Area 71A was an essential part of a view corridor to preserve the monumental visual relationship from Shek Mun Kap Village to Tung Chung Bay;

Rezoning of unnecessary “OU(Stormwater Attenuation and Treatment Ponds)” sites to other appropriate land uses

- the “OU(Stormwater Atenuation and Treatment Ponds)” zone for the development of stormwater attenuation and treatment ponds was essential to alleviate flood risk along Tung Chung Stream. No technical assessment was submitted by the representer and no alternative measures were proposed to replace the said facilities;

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

Adverse impacts of developments

(xxvi) the views on the adverse impacts were as follows:

- the proposed residential and village type developments would affect the ecology and the natural environment. Species of conservation importance and native mature and large trees were found in the area;
- the habitat of the fireflies in Shek Lau Po might be destroyed by future village type developments in the “V” zone. Some areas in Shek Lau Po originally proposed for “Agriculture” (“AGR”) zone in the Tung Chung Study were zoned “V”;
- proposed commercial and PTI developments at Area 38A would encroach onto the mangroves on the western bank of Wong Lung Hang estuary;
- Area 61A (zoned “R(C)2”) was largely an orchard with Romer’s Tree Frog. The ecology in Area 61A was linked to the eco-system of TCV and Tung Chung Bay;
- the proposed roads, fencing of the proposed stormwater attenuation and treatment ponds in Area 45B and existing illegal bridges would intercept and block the potential wildlife corridors;

(xxvii) proposals –

- Area 61A should be rezoned from “R(C)2” to “GB”;
- the proposed PTI in Area 38A should be relocated to the “G/IC” zone in Area 107 or the “Residential (Group A)1” “R(A)1” zone in Area 39 on the draft TCTC OZP;

(xxviii) the responses to the above grounds and proposals were:

- the environmental and ecological issues of the TCNTE project had been properly assessed and addressed in the EIA for TCNTE

to confirm its compliance with the EIAO requirements;

- there would be no reclamation in Tung Chung Bay to preserve the marine habitats. Only sites of low ecological value were for low-density residential development;
- there was no published data/official report on fireflies at Shek Lau Po. The concerned areas were abandoned farmland and/or unmanaged orchards with only limited agricultural activities at the peripheral of the existing village, and ‘Agricultural Use’ was always permitted in “V” zone;
- preservation of trees and streamcourse in “V” zone would be overseen by relevant government departments during Small House application;
- as shown in the approved EIA, the proposed commercial and PTI developments at Area 38A would not encroach onto any mangroves including those at Wong Lung Hang outlet;
- the public housing development at Area 39 was already under construction and there was no scope to include the PTI in the site;
- regarding the concern on the habitat of Romer’s Tree Frog, the majority of the “R(C)2” site in Area 61A was covered by orchard and abandoned farmland which was ranked as having low ecological value and Romer’s Tree Frog was recorded outside the concerned “R(C)2” site, but within the nearby “CPA” zone. Besides, as an approval condition of the EIA for TCNTE, a detailed Habitat Enhancement and Translocation Plan for the amphibian species of conservation importance, including Romer’s Tree Frogs that would be affected by the TCNTE project, would be submitted by CEDD to DEP for approval before commencement of construction works at TCW. Low-density

residential development would not induce significant ecological impact;

- with regard to the concern on ecological impact due to the proposed and existing road network, the road network proposed for TCV had been minimised taking into account the natural and rural environment of the area. As for the concerns that the surrounding fencing of the proposed stormwater attenuation and treatment ponds might block the passage of wildlife, the detailed design of the facilities would take into account the additional functions as habitats for the wildlife according to the approved EIA Report. The Tung Chung Stream together with its buffer zone which were zoned “CA” or “OU(River Park)” would serve as accesses between habitats;

Conservation zonings

(xxix) a recommended DPA Plan was submitted by the joint green groups with the following proposals:

- a “Site of Special Scientific Interest” (“SSSI”) covering river courses and banks of Tung Chung Stream (30m on either side of major course and 20m for tributaries) and Tung Chung Bay should be designated;
- the River Nature Park should be extended to the western section of Tung Chung Stream. The private lots concerned should be resumed and the River Park should be managed by the Government;
- mudflat and backshore of Tung Chung Bay should be zoned “CPA”; and
- the Wong Lung Hang area should either be covered by a DPA

Plan or included as Country Park Extension;

(xxx) the responses to the above proposals were:

- the same recommended DPA Plan was submitted in relation to the EIA report and the previous draft DPA Plan. The proposals had already been taken into account in preparing the draft OZP;
- the Director of Agriculture, Fisheries and Conservation (DAFC) currently had no plan to zone the streamcourse or its riparian zone as “SSSI”. Tung Chung Stream and its riparian area of 20m to 30m wide were already zoned “CA” whereas the coastal areas of Tung Chung Bay were zoned “CPA”;
- the continuous zoning of “CPA” along the coast of the estuary of Tung Chung Stream and the “CA” and “OU(River Park)” zones along the stream and its riparian zone were considered appropriate to serve as a buffer to protect Tung Chung Stream and its estuary;
- “OU(River Park)” was designated along the eastern section of Tung Chung Stream and the man-made section which would be de-channelized. As for the western branch of the Tung Chung Stream, the streamcourse was narrow and most of the adjacent lands were either agriculture land or less disturbed natural habitats. Designation of “CA” zone along the western branch was more appropriate to provide buffer zone for protecting Tung Chung Stream and to conserve its ecological integrity;
- the Wong Lung Hang area was mainly government land and the only access was via a single-lane service road of the Water Supplies Department (WSD). Vehicular access to the upper area of Wong Lung Hang Stream was restricted rendering the area subject to a relatively low development threat. Wong Lung Hang Stream and its riparian area of 30m wide had already been

zoned “CA”;

River Park and woodland

(xxxii) the views on the River Park and woodland were as follows:

- the ecology and the value of Tung Chung Stream should be considered as a whole river system. Designating only the river estuary area as “CPA” had limited value to the conservation of Tung Chung Stream and the “CPA” would become commercialized. All private land lots in Tung Chung River Valley should be resumed and managed by the Government as a River Nature Park;
- without “CA” zoning, the woods would receive no proper control against development and ecological vandalism. Some of them would be affected by “OU (Polder)” zoning. All fung shui woodlands and mature woodlands should be zoned “CA”;

(xxxiii) the responses to the above views were:

- “OU(River Park)” was designated along the eastern section of Tung Chung Stream. “CA” zoning was designated along the western branch and was considered appropriate to provide a buffer zone for protecting Tung Chung Stream and to conserve its ecological integrity;
- the Government would resume and clear the private land on a need basis planned for public works projects, public developments, carry out site formation works, and provide infrastructure. The Drainage Services Department (DSD) would take up the management of the River Park;
- the majority of fung shui woods were covered by “CA” and “GB”

zones. Only a minor area of fung shui woods would be unavoidably lost due to space constraints in Shek Mun Kap Road widening and the construction of polder system for flood protection;

Eco-tourism and eco-education

(xxxiii) land around Tung Chung estuary should be designated as “OU (Conservation, Ecotourism and Ecological Education)”;

(xxxiv) the responses to the above view were:

- education and research uses could be accommodated in the proposed River Park. Under the “OU(River Park)” zone, ‘Field Study/Education/Visitor Centre’ use was always permitted;
- the tourism and recreational potential in TCV was being studied under the “Recreation and Tourism Development Strategy for Lantau – Feasibility Study”. Eco-tourism proposals would be put forward to capitalize on the natural and cultural heritage assets of TCV;

Eco-vandalism and planning controls

(xxxv) the views on eco-vandalism and planning controls were as follows:

- there was a lack of land use control and enforcement power against waste dumping, discharge of waste water, incompatible development, etc;
- there was a lack of effective land use control and enforcement power in Tin Sam/San Tau Beach SSSI area which was of high ecological value. The area should be included in a DPA Plan or in the Country Park extension;

- the mudflat and mangroves along the coastline of Tung Chung Bay should be included in the OZP and zoned “CPA”;
- the Notes of the OZP should be amended to prohibit or control uses and activities with adverse ecological and environmental impacts;

(xxxvi) the responses to the above views were:

- with the publication of the draft DPA Plan covering the TCV area on 21.8.2015, the Planning Authority might take enforcement and regulatory actions against unauthorized developments in respect of land use in TCV;
- Tin Sam fell outside TCNTE. Owing to its remote location and there were no existing vehicular access and large scale developments planned in the surroundings, the area was subject to relatively low development threat and hence there was no urgent need for preparing a statutory plan covering the area for planning control purpose;
- under the established practice in drawing up the planning scheme boundary of OZP, only coastal areas above the high water mark would be included. Furthermore, the “CPA” zone was designated along the coastline of Tung Chung Bay to offer planning controls to protect the ecology of the bay;
- there were already adequate provisions under the Notes of the draft OZP to prohibit or control uses and activities with potential adverse impact on the ecology and environment as follows:
 - under the Notes of the “GB”, “CA” and “CPA” zones, diversion of streams, filling of land/pond or excavation of

land required planning permission from the Board;

- according to the covering Notes of the draft OZP, temporary uses for open storage and port back-up purposes were prohibited in “CA” and “CPA” zones, and other temporary uses or development not exceeding a period of three years required permission from the Board; and
- according to the covering Notes of the OZP, any material change of existing uses (except minor alteration and/or modification to the development of the land or building in respect of such use which was always permitted) must be permitted in terms of the draft OZP;

Air, sewerage and drainage pollution

(xxxvii) the views on air, sewerage and drainage pollution were as follows:

- measures should be suggested to improve the air quality for the growing population. The low-density private residential developments would increase the number of private car ridership leading to environmental pollution and destruction of the natural environment;
- no sewerage or stormwater of developed areas should be drained into the river courses and estuary of Tung Chung Stream. The connection rate of communal sewers to village houses should be of a satisfactory level;
- there had been major destructive landslides incidents occurred in Tung Chung, in particular, the eastern slope of Nei Lak Shan to the west of TCV was prone to geotechnical risks. Geotechnical stability should be taken into account;

(xxxviii) the responses to the above views were:

- according to the approved EIA Report for TCNTE, with the implementation of the recommended mitigation measures, the potential air quality impacts from the proposed reclamation and construction and operation phases of the developments would comply with the requirements under the EIAO;
- a series of stormwater attenuation and treatment ponds was proposed in TCV to treat surface runoff from adjacent roads and developments before discharging to Tung Chung Stream;
- new public sewerage system would be provided to serve the proposed development in Tung Chung and the existing village areas in TCV;
- with respect to geotechnical stability, no insurmountable problems had been identified and appropriate mitigation measures had been proposed;

Comments on Representations

- (j) the views of the 87 comments received were similar to those of the representations and the responses to the comments were similar to those to the grounds of representations as detailed above. With regard to C20's boardwalk proposal through TCV and across the mudflat at Tung Chung Bay, the coastal areas at the estuary of Tung Chung Bay was zoned "CPA", 'Nature Trail' and 'Nature Reserve' uses were always permitted in the "CPA" zone;

PlanD's view

- (k) PlanD noted the supportive views of R1, R2, R11 (part), R28 (part), R30 (part), R32 (part) and R33 (part); and

- (l) PlanD did not support R3 to R10, R12 to R27, R31, R34 to R38 and the remaining part of R11, R28, R30, R32 and R33 and that the draft OZP should not be amended to meet the representations.

11. The Chairman then invited the representers/commenters and their representatives to elaborate on their representations/comments.

Representers

R1 - 南峯村村代表李康庭、石榴埔村村代表羅維洪及石榴村村民

R2 - 南峯村發展及管理團體

12. Messrs Li Hong Ting and Li Yip Hing made the following main points:

The columbarium

- (a) they were villagers of Lam Che and opposed the columbarium development at Nim Yuen on behalf of the villagers of Lam Che and Nim Yuen;
- (b) no consultation had ever been conducted by TCRC with the villagers on the columbarium development. The villagers were only aware of the columbarium use in May 2015 and suspected that the whole matter was covered up intentionally by some concerned parties;
- (c) Lam Che was just more than a hundred metres away from Nim Yuen. There were also villages, namely Shek Lau Po, Mok Ka, Shek Mun Kap and Ngau Au, in the nearby areas. The joss-sticks burning activities of the columbarium would cause air pollution which was detrimental to the health of the villagers. Although the developer had committed not to allow joss-sticks burning activities on site, there was no ordinance forbidding such activities and hence their commitment might just be an empty promise;

- (d) in general, other than the air pollution concern, the columbarium use would cause/had caused the following problems to the area:
- (i) the columbarium was a ‘destroy first, build later’ case. The environment had been adversely affected in that trees were felled and streams were diverted for the development. Debris of the construction could still be found in the area and the Government should look into the matter;
 - (ii) the village ‘fung shui’ had been adversely affected. There had been serious accidents and incidents of death in the village;
 - (iii) the traffic of the area would be aggravated during the festive periods in Spring and Autumn. As the access road to the columbarium had to route through Shek Lau Po and Lam Che, the heavy traffic would cause inconvenience to the villagers;
 - (iv) the visitors to the columbarium were strangers and would give rise to security concern; and
 - (v) the handling of oblations brought along by the visitors to the columbarium was an environmental hygiene concern;

The “V” zone

- (e) the “V” zone on the draft OZP was already smaller than the ‘VE’. The suggestion by some representers to rezone the “V” covering the private columbarium development to “IC” use would further reduce the “V” zone. Sufficient land should be zoned “V” for village development; and

Community facilities and roads

- (f) the villagers of Lam Che had to walk some 10 to 20 minutes to the nearest

Yat Tung Estate for daily necessities and services. Commercial and community facilities were inadequate in the Area. Apart from elderly services, more shopping and recreational facilities should be provided. It was also envisaged that the planned road network in the Area would not be adequate to cater for the population growth. More roads would have to be provided.

R10/C17 - Forestside Limited

13. With the aid of a PowerPoint presentation, Mr Ian Brownlee made the following main points:

Proportionality analysis

- (a) the important part of the judgment of the Court of Final Appeal (CFA) in relation to Hysan's Judicial Review (JR) was on the proportionality analysis and whether a reasonable balance had been struck between the societal benefits and the constitutionally protected property rights of the individual and whether the pursuit of the societal interest would result in an unacceptably harsh burden on the individual;

- (b) the representer was the owner of two pieces of land on the draft OZP, namely Site A in Sha Tsui Tau, which covered partly the "O" zone in Area 36E, "G/IC" zone in Area 36A, "CPA" zone in Area 98A, "C(1)" zone in Area 38B and partly an area outside the draft OZP, and Site B, which covered partly the "OU(Stormwater Attenuation and Treatment Pond)" zone in Area 45D, "CPA" zone in Area 98D and the proposed Road L24. The proposals on the OZP totally took the rights from the owner for future use and development on both sites, which was an unacceptably harsh burden. In view of the judgment of the Hysan case, the Board might wish to consider deferring a decision on the representations until such time as it had been able to obtain legal advice on the implications of the judgment of the CFA;

Consultation

- (c) although there were three phases of Public Consultation in relation to the Tung Chung Study, the written submissions made by them (i.e. the Representer) were not responded to and they were not given adequate time to express their views in the consultation meetings;
- (d) the technical information provided by CEDD on the justification for the polder system of drainage was inadequate. The only reason given by CEDD was that land within the proposed development sites was under private ownership and the Government could not carry out large scale site formation to raise the platform level;
- (e) the private developer could be required to increase the formation levels as part of the normal site formation works, if required. The impact of the polder system on private land and the resulting negative impact on housing production had apparently not been assessed despite they had made such request during the various consultation processes;
- (f) regarding the development pattern, the proposed public housing blocks located to the eastern side of the valley were out of context and inconsistent with the proposed low-rise private developments to the western side. The proposed low-density developments of the private housing were unjustified as they were conveniently located close to the MTR station;

The OZP

- (g) the boundary of the draft OZP did not cover the whole TCV. The eastern side of the valley with the high-density public housing development had not been included in the OZP;

Site A

- (h) in their representation, they could follow the draft OZP to provide the GIC development on their waterfront site but proposed changes to the zoning so as to provide a reasonable use of the private land, while achieving the other objectives for the area, namely to protect the mangroves area through a “CPA” zone and to provide an area of public open space adjacent to the Hau Wong Temple;
- (i) the current boundaries of the “CPA”, “O” and “G/IC” zones of Site A on the draft OZP were irrational based on the following considerations:

the “CPA” zone

- (i) according to their ecological study, a lot of mangroves were located outside the boundary of the draft OZP but on private land. They should be included and zoned as “CPA” so that they would be effectively administered within the OZP context;
- (ii) there were areas on the northern part of Area 98A within the current “CPA” zone which were not ecologically significant. They should be removed and included in the “G/IC” zone;
- (iii) there were areas of coastal grassland, mangroves and the stream course that needed to be protected. An NBA and native trees should be provided within the “G/IC” zone to act as a buffer between the “G/IC” and “CPA” zones;

the “O” zone

- (iv) sufficient space had already been provided within the “G/IC” zone for the temple to carry out future activities and there was no need for reserving a large “O” zone for temple activities;

the “G/IC” zone

- (v) the current “G/IC” zone for a community centre was inappropriate. The size of it was inadequate to provide reasonable GIC development;

- (j) in order to conserve the mangrove, optimize the development potential of the site following the Transport Oriented Development (TOD) concept and respect the private land holdings, the following zoning amendments to the draft OZP with respect to the site were proposed:
 - (i) to include all areas covered with mangrove within the “CPA” zone;

 - (ii) to increase the “G/IC” zone boundary to more closely follow the private lot boundary and provide a more reasonable development site for uses permitted under the Notes of the “G/IC” zone;

 - (iii) to reduce the “O” zone accordingly; and

 - (iv) to include ‘Flat’ in Column 2 use of the “G/IC” zone;

- (k) an increase in the size of the “G/IC” zone and incorporation of ‘Flat’ as a Column 2 use would provide a reasonable use of the private land and keep the Notes consistent with those of the other “G/IC” zones. The inclusion of ‘Flat’ as a Column 2 use would enable the TPB to consider an application for flats under s.16 of the Ordinance on its individual merits;

- (l) in terms of GIC use of the site, the private owner could provide as of right a private ‘School’, ‘Place of Recreation, Sport or Culture’, privately operated ‘Social Welfare Facility’ such as elderly housing, or a ‘Religious Institution’. Any of those uses would give a reasonable use of the private land and meet the community need;

- (m) two 10m wide NBAs were proposed on the northern and southern side of the proposed enlarged “G/IC” zone acting as buffers for the temple and the “CPA” zone respectively. To increase the width of the NBAs to 15m to

respond to CTP/UD&L, PlanD's comment that an effective visual corridor should, in general, be at least 15m in width, as mentioned in the TPB Paper, was also acceptable to the representer;

Site B

- (n) Site B was located within 500m of the proposed MTR station and should be used for high-density development under the TOD concept. The site was however currently zoned "CPA" and "OU(Stormwater Attenuation and Treatment Ponds)" which had no consideration of the rights of the private land owner and was unreasonably harsh on the owner;
- (o) the polder system and stormwater attenuation and treatment ponds were very land extensive and involved unnecessary resumption of private land. There was insufficient information provided by the Government to justify the drainage system and why the traditional drainage system, which was applied to the eastern part of the valley where the public housing development was located, was not adopted;

The polder system and stormwater attenuation and treatment ponds

- (p) the two objectives for the polder and stormwater attenuation and treatment ponds were to:
 - (i) store the stormwater falling on the low polder area in the retention ponds and be released after storm passed;
 - (ii) prevent normal urban runoff pollutants from getting into the Tung Chung Stream;
- (q) there was no reason why the surface runoff could not be carried by a street level system directly to the lower reaches of the stream. Normal engineering design would remove the need for polders pumps and retention ponds leaving more private land for housing;

- (r) given that there was a lack of information from the Government to justify the stormwater drainage approach as an alternative to the normal approach as adopted in the eastern part of the valley, it was unreasonable to allege that there was inadequate information provided by the representer to justify their proposals;
- (s) when the Board made a decision that low-density development could be provided in TCV, there was very little reason why medium- or high-density development could not be in TCV as all the necessary infrastructure would be made available there. The current residential zoning proposals on the private land in TCV did not make a significant contribution to the provision of the urgent need for private housing and was a blatant waste of serviced urban land;
- (t) there were inadequate reasons for not accepting their proposals. Their proposals for Site A would better meet the planning objectives for the areas and would also minimize the burden on the land owner to achieve the desired outcome. The justifications of the NBAs were contained in the Ecological Study in their submission;
- (u) the Board should consider all relevant information to make a reasonable and logical decision. As adequate information was not provided by the Government with respect to the drainage system, a decision on the representations should be deferred until the information was available; and
- (v) the Board was requested to accept the representer's proposals either in whole or in part, and make minor boundary adjustment in accordance with their proposals.

R11 - Coral Ching Limited

14. With the aid of a PowerPoint presentation, Ms Lee Mo Yi Cannis made the following main points:

“R(C)2” development in Area 60

- (a) the “R(C)2” zone in Area 60 was proposed to be rezoned to “R(C)1” with an increase in PR from 1 to 1.5 and a corresponding increase in BH for the following reasons:

In line with policy address to meet housing needs

- (i) the Government was earnestly searching for suitable sites and reviewing various land uses to increase land supply for housing development. The proposed increase in PR for the housing site in Area 60 to 1.5 was in line with the prevailing housing policy. The Government should reassess the feasibility of the proposal for more housing units to be provided;

In line with TOD concept

- (ii) the “R(C)2” zone was within 500m from the proposed TCW MTR Station. A higher development intensity for the “R(C)2” zone was in line with the TOD concept to encourage higher density developments within walking distance from transportation nodes;

Compatible with surrounding land uses

- (iii) the proposed development intensity was compatible with those in the surrounding areas. To the south-east of the “R(C)2” zone across from Chung Mun Road was a public housing development in Area 39 at a PR of 6 and to the further south-east was another public housing development at a PR of 6.4 in Area 42;

“R(C)2” zone in Area 61A

- (b) the “R(C)2” zone in Area 61A was supported. With a PR of 1 in Area

61A and a proposed PR of 1.5 in Area 60, the stepped height concept of development in the area could be retained in that the height of buildings would continue to descend from the foothills in the south-east to the coastal areas in the north-west;

More efficient use of land

- (c) an area of about 2.64ha was zoned “OU(Stormwater Attenuation and Treatment Ponds)” in TCV for drainage and flood-prevention works. The Government should critically reassess if land of such size should be reserved for the purpose. Area unnecessary for the use should be rezoned to other appropriate uses and optimal use of the sites should be considered, such as whether the ponds could be covered up for open space use above;

Extension of the River Park

- (d) zoning the eastern side of Tung Chung Stream as River Park was supported as it would serve as an open space for the residents. To further raise the living quality of the area, the western side of the Stream, which was currently zoned “CA”, should also be rezoned for River Park use. According to the Notes of the draft OZP, there were similarities between the planning intentions of the “CA” and the “OU(River Park)” zone. They were both intended to protect and retain the existing natural, ecological or topographical features of the area for conservation/preservation, educational and research purposes and to separate sensitive natural environment from the adverse effects of development. The only difference was that for land zoned “CA”, it would probably be left abandoned but for land zoned “OU(River Park)”, it would be properly managed by the Government. As such, the western bank of the stream should be rezoned “OU(River Park)” for better protection. Successful international experience, such as Punggol, the first eco-town in Singapore and Cheonggyecheon in South Korea, were examples of how good preservation of natural watercourses could enhance the living environment;

NBAs in Areas 60 and 71

- (e) the two NBAs would impose serious constraints to the design of future residential developments. As lots of land had been zoned “CA”, “CPA” and “GB”, air ventilation in the area would not be a problem and the two NBAs could be removed. Should there still be concerns on air ventilation, they could be handled in the detailed designed stage when building plans of the residential development were submitted to the Building Authority for approval; and

Shop and services use in TCV

- (f) the planned commercial node was some 1.1km from the south of TCV, flexibility should be provided in the “R(C)” zones to allow ‘Shop and Services’ use as an always permitted use on ground floor of development for the convenience of the residents. Taking the “V” zone as an example, ‘Shop and Services’ use was an always permitted use on ground floor of a New Territories Exempted House (NTEH).

R12 -牛凹村居民代表楊志豪及牛凹村原居民代表羅志剛

15. Messrs Lo Chi Kong and Wong Ching Nam made the following main points:

- (a) Mr Lo was a village representative while Mr Wong was a villager of Ngau Au;
- (b) the “V” zone on the draft OZP of TCV was smaller than the ‘VE’. As a result, there was insufficient land for Small House developments and some Small House applications had been rejected;
- (c) rare tree species, such as *Aquilaria sinensis*, had all been felled by illegal immigrants and no more rare species of trees were found at the hillside of the village. It was considered that the hillside area could be used for

Small House development. There were a lot of male villagers and the demand for Small House development was great; and

- (d) the Government was requested to provide a study report to justify a reduction in the village boundary.

R15/C21 - 馮小燕

16. Ms Fung Siu Yin made the following main points:

Agricultural use

- (a) in developing Tung Chung, other than handling the drainage and traffic issues, how the aspirations of the residents could be met and how Tung Chung New Town could be integrated with the rural community should also be considered;
- (b) there was a request from the younger generations living in Tung Chung to preserve TCV as a whole for a self-determined way of living. TCV, which was just 5 minutes away from Tung Chung New Town by car, was a good place to actualize the dreams of the young residents of the New Town. People could practice farming in the abandoned agricultural land or orchards;
- (c) there were about 20ha of land in TCV zoned for low-density development and another 15ha for village development. Large piece of land in TCV could not be used for farming as such land had been privatized and fenced off. Should the 20ha of land zoned for low-density development be used for community farming, it would promote local economy and actualize urban-rural symbiosis in that kitchen waste collected from households, markets and eating places in the New Town could be used as compost in farms in TCV to reduce waste at source as well as to develop local brands of safe food;

- (d) community farming offered life education to the younger generations. It would teach them the cycle of crop production. If 50 community farms were to be provided in TCV, it would attract 500 people from the New Town to come to farm in the area and another 500 more for related activities. Through community farming, New Town residents and the villagers would be drawn closer together;
- (e) the Lo Hon Monastery and another nunnery in TCV were important places for city dwellers to refresh their mind. Although the Government had consulted Tung Chung residents about the land use proposals on the draft OZP, the housing proposals were not of much interest to the residents. Instead, the Government should have asked the residents what they wanted for the 20ha green-field site in order to come up with proposals that would meet the residents' needs;

Responses to representations

- (f) the responses made by the Government to the representations were not satisfactory. The response made in paragraph 6.27 of the Paper that the Government had no policy to resume land for agricultural use was not appropriate. A large number of people in the community wished to practice farming nowadays, the government policy should be revised accordingly. It was said in paragraph 6.33 that low-density residential development was proposed in TCV taking into account the ecologically sensitive areas and rural character of the area. However, relevant factors such as the social benefits and waste reduction at source brought about by community farming had not been given consideration. Paragraph 6.38 said that a railway-based community was a low-carbon community. However, that was not enough. There should be policy to encourage the use of cycles;
- (g) while the issue of kitchen waste would be looked at in future, it might be too late if such a policy would only be put in place when farmland in TCV was all paved for residential development;

- (h) the Government should explain why the greenery area in Area 61, which was proposed for “GB” during the third PE Stage, was zoned for low-density residential development on the draft OZP;
- (i) despite the Government’s claim that agricultural land and orchards in Shek Lo Po were abandoned, many people were waiting to see how those land could be made available for them to farm. TCV would be an ideal place to make people’s wishes to farm come true;
- (j) whilst the Government could resume land for housing development, there appeared to be no reason why the Government could not do the same for agricultural development. Low-density residential development would at best bring about flats for a few thousands people while preservation of the natural environment and the cultural heritage would bring about sustainable urban-rural symbiosis, safe food and food sharing; and
- (k) although the Government had said that the proposed River Park would promote eco-tourism, activities to be carried out there would probably be very restrictive under the surveillance of security guards. The valley should be planned comprehensively. No development should be allowed in the upper and middle course of Tung Chung Stream to prevent the possible adverse impacts on the agricultural activities in the lower course. What people wanted were safe food, life education and guided tour of cultural heritage. The Government should abandon its housing development plans close to Shek Lau Po, Ngau Au and Shek Mun Kap, which would cause air pollution and lower the living standards of the villagers.

[The meeting was adjourned for a short break of 8 minutes.]

[Dr Lawrence W.C. Poon left this session of the meeting during the break.]

17. Ms Haster Wu made the following main points:

- (a) Tung Chung West, such as Yat Tung Estate, was segregated from the other parts of the territory because of its poor accessibility due to a lack of public transport. The public open space provided within Yat Tung Estate was too enclosed and not for good air ventilation and sunshine penetration. She hoped that more well-designed public open space, such as those provided in Caribbean Coast and One Citygate, would be provided within the proposed residential development in TCV for use by the general public;
- (b) she recently learned that a light-rail system was proposed to be built linking up Tung Chung East with the future artificial island. Instead of taking forward such a proposal, a light-rail system should better be provided linking up Tung Chung East with TCW for good connectivity within the Tung Chung area. The Government should also consider providing free cycle sharing services, similar to those provided in some overseas countries, for public enjoyment and convenience;
- (c) the density of the proposed housing development in TCV should be the lower the better as the environment and traffic in the area had already been overloaded;
- (d) as regards the River Park, it should be the larger the better since people needed open space for fresh air and social gathering. There was successful overseas experience of good management of river parks for public use and appreciation of wildlife. She considered that the Hong Kong Government had the ability to manage the River Park well;
- (e) street level shops should be provided within the future developments to provide activity space as well as to help provide diverse employment opportunities; and
- (f) agricultural activities in TCW was supported. Although the food produced would not be sufficient to meet market demand, it would promote

the psychological well-being of the public by connecting them to land and sunshine so as to help relief their tensions.

R28 - Green Group's Joint Submission

18. With the aid of a PowerPoint presentation, Mr Cheng Luk Ki made the following main points:

- (a) he represented nine Green Groups, namely Designing Hong Kong Limited, Eco-Education & Resources Centre, Green Lantau Association, Hong Kong Bird Watching Society, World Wide Fund for Nature Hong Kong (WWF), Hong Kong Outdoors, The Conservancy Association, Green Power and Lantau Buffalo Association to present their views on TCV and Tung Chung Bay;

Ecosystem services provided by Tung Chung Stream

- (b) the natural environment was very important to human being. Tung Chung Stream, TCV and Tung Chung Bay provided 'ecosystem services' that purified the air and water, detoxified and decomposed waste by soil micro-organisms, moved and cycled nutrients, moderated microclimate and their impacts, maintained biodiversity, regulated disease carrying organism, mitigated drought and floods, protected stream, river channels and coastal shores from erosion, generated and preserved soil and renewed its fertility, and others;
- (c) the water quality of Tung Chung Stream was very good. Its E.Coli content at its lower course was the lowest among the other rivers found in Tuen Mun, Yuen Long and Sha Tin. Many rivers, such as that in Yuen Long New Town had been disturbed. Members were requested not to make Tung Chung Stream follow the fate of other channelized rivers of Hong Kong;
- (d) Tung Chung Stream was exceptionally rich in aquatic and coastal

biodiversity, including many rare and endangered species, and was listed as an Ecologically Important Stream (EIS). The mangroves on the intertidal mudflat at the Tung Chung Stream estuary was the largest on Lantau and was among one of the highest plant diversity sites. TCV and its coast were butterfly hotspots with five rare species, including Swallowtail and Peacock Royal;

- (e) in order to preserve Tung Chung Stream, Members were requested to uphold the planning intention of the draft OZP, which was to conserve the ecologically sensitive areas, to protect the rural and natural character, to maintain the unique landscape character and culture, and to take enforcement action against any unauthorized development;
- (f) regarding the land use of TCV, the Green Groups proactively suggested in 2012 to protect and conserve the high quality natural habitats, to promote compatible community uses and to enhance the tourist appeal of the river landscape and cultural heritage of the Tung Chung River Valley;

The DPA Plan by Green Groups

- (g) a DPA Plan was prepared by the Green Groups proposing the establishment of an extensive River Nature Park to conserve the river resources. The Government was also suggested to resume land for the purpose. The proposed resumption was justified as it was for safeguarding and controlling the hydraulic, water quality and ecological properties of the river valley for the interest of the public;
- (h) TCV was well connected to the cable car tourist attraction, Hau Wong Temple and ancient trails to Tai O, Tai Ho, Cheung Sha and Ngong Ping. It was disappointing that the draft OZP had not explored the feasibility of further developing TCV's tourism potential;
- (i) Tin Sum, an SSSI site, and Wong Lung Hang were covered in the DPA Plan proposed by the Green Groups in 2015 but not in the DPA Plan

prepared by the Government. Although Wong Lung Hang had been covered by the TCTC OZP, statutory planning enforcement actions against unauthorised developments was not available on the OZP. The two areas of ecological significance as mentioned above should be included in a DPA Plan;

Implementation of protection measures

- (j) the Government should implement environmental protection measures, including those restricting construction trucks and excavators entering TCV and Tung Chung Bay, before commencement of any development projects;
- (k) environmental protection measures were needed to be provided in TCV as it was noted that the ecologically degraded areas had increased from 4.8% in 2007 to about 13% in 2015. The enlarged degraded areas were noticeable from the aerial photographs taken in 2007 and 2015 respectively. The Green Groups strongly urged that open storage and port back-up uses should be strictly prohibited in TCV;
- (l) an illegal bridge was constructed over government land across Tung Chung Stream. The Government must explain why such an illegal construction was tolerated;
- (m) Tung Chung Stream offered good opportunity for 'Water Friendly Cultural Activities'. The Board was invited to adopt the 'conservation first before development' approach to protect the natural river resource;
- (n) the Board was also requested to note the following for development in TCV:
 - (i) Tung Chung Stream was comparatively short and steep with an overall slope of 1:4.9 as compared with those of the other rivers of some 1:14 or 1:18. The 2008 heavy rain had cut off the connection of Tung Chung with the other parts of the territory. Taking into

account the hydraulic and geotechnical conditions of the area, the area was unsuitable for dense and high-rise development. Development of residential uses which were highly prone to flooding and landslide should be avoided. Early precaution and preventive measures in river land use planning for Tung Chung River Valley was needed to decrease the threat posed by river floods due to climatic change, and sufficient 'permeable land use' should be allocated by conserving vegetation and avoiding covering large surface areas. Illegal dumping activities should be curbed;

- (ii) the mangroves on the western bank of Wong Lung Hang estuary was found to be a habitat for a dragonfly - Mangrove Skimmer in 2015. Mangrove Skimmer was listed as 'vulnerable' and locally rare. As such, the habitat of Mangrove Skimmer should be included as River Park or designated with proper conservation zoning; and
- (iii) the Board should also consider to zone the tributaries of Tung Chung Stream flowing through Mok Ka, Lam Che and Nim Yuen as "SSSI" to avoid improper use of water of those tributaries leading to pollution of the Tung Chung Stream.

R29/C18 - Designing Hong Kong Limited

19. With the aid of a PowerPoint presentation, Mr Paul Zimmerman made the following main points:

- (a) it was good that the Government had designated areas of ecological importance with conservation zonings on the draft OZP. An area was also zoned "OU(River Park)" under the Drainage Services Department (DSD)'s management. However, just zoning land for conservation purpose was not enough. If the Board wanted to conserve land, it had to ensure that the land would be properly managed;

Eco-vandalism

- (b) it was noted that the conservation zonings were proposed near the development zones. If no further steps were to be taken after the areas were zoned for conservation, the areas would doom to be destroyed. The case would be taken to court for a JR as it was irrational to designate land with conservation zoning knowing that it would be destroyed. It was proposed that the “OU(River Park)” zone be extended to cover both the western and eastern sides of Tung Chung Stream and its estuary, which were zoned “CPA” or “CA”. DSD had been approached and indicated that they were ready to take up the management of the extended area of the River Park for flood management purpose;
- (c) the Board should be aware that the Government had indicated that the Ordinance’s effectiveness in achieving the nature conservation objective was not strong as it could not curb eco-vandalism, and no resources would be allocated for habitat/amenity improvement. If the Government or the Board was not looking after the land designated with conservation zonings, nature conservation was just an empty talk;
- (d) on the contrary, there were provisions in other ordinances, such as those for open space under the Pleasure Ground Ordinance and those for Country Parks under the Country Parks Ordinance for the Government to manage the sites, improve the supporting facilities, carry out patrols, take law enforcement, collect refuse and manage vegetation, etc.;
- (e) when land was designated with conservation zonings, the owner no longer had any commercial interest in the land. If that piece of land was situated along the footpath of a village or a residential zone and someone dropped litter on the land, no one was going to clean it as the landowner had no interest in the land and the Government would not clean it as it was on private land. It was irrational to zone the land for conservation purpose but taking no steps to maintain the land;
- (f) WWF and a few Green Groups had produced a ‘Wall of Destruction’

showing pieces of land which had been destructed over time and which PlanD had no ability to prevent it from being destroyed;

Nam Wai as an example of eco-vandalism

- (g) an example of destruction was the Nam Wai salt pan. The land was zoned “CPA” years ago because the Board intended to conserve the mangroves. However, garbage was found dumping in a carpark, which was expanding over the years, in the “CPA” zone every Saturdays and Sundays. Over the past five years, PlanD could not remove the garbage dumped as they could not identify the operator or the owner and therefore could not remove the garbage. That was the situation where “CPA’ zone was designated next to village houses;

Extension of the River Park

- (h) in TCV, larger-scale residential developments were proposed. Those people would spend money on car parking, car repair and storage, which would generate economic incentives for destruction or for incompatible land uses on private land along Tung Chung Stream. The demand for incompatible uses were created by residential zonings but the Board was taking no steps to stop the destruction caused by its zoning decision;
- (i) to prevent destruction to the conservation areas, those areas should either be zoned “O” so that the Leisure and Cultural Services Department could take up the management or “OU(River Park)” so that DSD could take care of it;
- (j) as noted from the RODP of the Tung Chung Study, the Tung Chung Stream Nature Park followed the boundaries of the conservation areas and alignment of the flood control dykes on the eastern and western side of the stream. However, the River Park was only proposed on the eastern side of the stream on the draft OZP. The reason for that, as conceived, was that the Government was reluctant to pay an extra HK\$300 millions in

resuming private land for the River Park if it was to cover the entire Tung Chung Stream. However, as compared with the total budget of TCNTE, the said sum would only be negligible;

- (k) it was noted that, with an extension of the River Park, almost everyone would be benefited from the beautiful and clean wetland park. They included the future residents in the area and people from Tung Chung New Town who would use the park, the former landowners with their land resumed, the Green Groups as important ecological land was conserved, and DSD for better management of land for hydraulics. It would also meet the Board's objective of conservation; and
- (l) as regards the issue of whether land could be resumed for conservation, it should be pointed out that land was not resumed for conservation use but for New Town development, which was an appropriate public purpose. When the Government could resume land for "R(A)" and "G/IC" uses, it could also resume land for active conservation purposes. The River Park extension would bring about a quality nature park experience to people, which was an objective the draft OZP intended to achieve. The Board was requested to be rational and to follow through the decisions it made for the area.

R30 - Green Power, Eco-Education & Resources Centre

20. With the aid of a PowerPoint presentation, Mr Chan Kam Wai made the following main points:

- (a) the Green Power, Eco-Education & Resources Centre (the Centre)'s main concern was the construction of polder dykes along Tung Chung Stream;

Impacts of building polders

- (b) he noted that there was more green space in the Government's original plan for TCV. However, low-rise residential developments were introduced in

the draft OZP which necessitated the construction of polder dykes along Tung Chung Stream. Any construction of polder dykes in the upper course of Tung Chung Stream would inevitably affect the ecology in the lower course as well as in the estuary. It appeared unjustified to use taxpayers' money to subsidize the construction of polder dykes for the benefits of only a few thousands residents of the proposed low-density residential developments and at the cost of the natural environment;

- (c) a brief search over the internet revealed that utilization of polders could lead to environmentally harmful situations in the storage basin, which would cause stress on the aquatic ecosystem and particularly on fish population from the German experience. Relevant studies also found that animals and plants were generally resilient to flooding and would recover rapidly from extreme flow events. However if habitat was affected, recovery was much slower, if it took place at all. In view of such, it was not worthwhile to build polders for low-rise residential developments at the cost of the natural ecology;

Biological diversity

- (d) a survey conducted by the Centre showed that there were many rare species found in the estuary of Tung Chung Stream. The Government should follow the principles of the Convention on Biological Diversity in formulating its conservation strategy. Some of the rare species found in the estuary of the Tung Chung Stream included *Tachypleus tridentatus*, *Xenochrophis piscator* and *Uca lacteal*;
- (e) besides, Hong Kong Clubtail was found in the upper course of the stream. The appearance of the dragonfly demonstrated that water quality of the upper course of Tung Chung Stream was very good. Should there be any construction in the upper course of the river, such as those relating to the building of polders, it would certainly have adverse impacts on the ecology in the lower course or at the estuary. The glare and noise impacts caused by low-density residential developments would also have adverse impacts

on the ecology; and

Eco-tourism and education

- (f) the Tung Chung Stream estuary was in close proximity to Yat Tung Estate. The estuary and TCV as a whole could be regarded as the backyard garden of Tung Chung. The convenient location of TCV, its rich natural resources and easy access to Tai O and Ngong Ping had provided favourable conditions for eco-tourism as well as agricultural developments in the area. The younger generations could learn about the natural ecological environment through guided eco-tour and through agricultural production, and there would be exchanges and interactions between the urban dwellers and the villagers;
- (g) there were many more better ways to develop TCV than to provide low-density residential housing for a small group of people. The Board should consider confining urban development to TCE, leaving TCW solely for conservation-related purposes.

R31 - The Hong Kong Bird Watching Society

21. With the aid of a PowerPoint presentation, Ms Woo Ming Chuan made the following main points:

Ecological value of Tung Chung Stream and the woodlands

- (a) except a very small portion of Tung Chung Stream, the whole stream, including its upper course, middle course, lower course, the estuary and the mudflats had remained mostly untouched in its natural form. It was one of the very few streams in Hong Kong which had not yet been channelized;
- (b) the whole TCV was surrounded by Country Parks. The ecological value of TCV was very high. It was very disappointing that the draft OZP could not adequately protect the ecological value of the area;

- (c) all woodlands should be rezoned to “CA” or “GB(1)” for better protection. As regards the protection of the Tung Chung Stream, a holistic approach should be adopted. The River Park should be extended to cover the whole stream course and its riparian zone;
- (d) The Hong Kong Bird Watching Society (HKBWS) had conducted ecological survey for TCV and over 110 bird species were recorded with more than 40% of them species of conservation concern. Among them, there was Swinhoe’s Egret, which was a globally vulnerable and nationally endangered species, and Collared Crow, which was a globally near threatened species of local concern. In mature woodland and in foothill grassland, Common Emerald Dove, which was a nationally vulnerable species and Eurasian Eagle Owl, which was a nationally rare species of regional concern, were found respectively;
- (e) the mudflats, the mangroves, the estuary, the streams and the woodland in the area were roosting and foraging grounds for birds. They were in need of adequate protection;
- (f) the principles of conservation laid down in Chapter 10 of HKPSG were to retain significant landscapes, ecological and geological attributes and heritage features as conservation zones and control adjoining uses to minimize adverse impacts on conservation zones and optimize their conservation value. The general planning intention of the draft OZP was also to conserve the ecologically sensitive areas, to protect the rural and natural character, to maintain the unique landscape character and cultural heritage of the Area. As the ecological value of TCV was high, conservation zonings should generally be applied to the draft OZP to reflect the conservation principles of HKPSG as well as the planning intention of the OZP;

Proposals

- (g) the planning intention of the “V” zone was for Small House Development. It was a development zone and no environmental impact assessment was required for habitat loss within areas zoned “V”. To include woodlands and streams within the “V” zone was inappropriate. Those woodlands and streams within “V” should be rezoned either “CA” or “GB(1)” for protection;
- (h) as regards the Tung Chung Stream, only a section of it was included in the River Park. Since the Ordinance was not an effective tool to enforce against clearing of vegetation and site formation works in ecologically sensitive areas, an ecosystem approach should be adopted to extend the River Park to cover the entire Tung Chung Stream and all its riparian zones for better management and protection; and
- (i) to conclude, the Board was requested to:
 - (i) note that the OZP Area was of high conservation value;
 - (ii) follow the planning intention of the draft OZP;
 - (iii) uphold HKWBS’s representation of providing conservation zonings, i.e. “GB(1)” or “CA” for all woodlands;
 - (iv) adopt an ecosystem approach to protect the natural habitats and water quality in TCV and Tung Chung Bay; and
 - (v) extend the River Park to all riparian zones of the Tung Chung Stream.

R32 – The Conservancy Association

22. With the aid of a PowerPoint presentation, Mr Wick Leung made the following main points:

Agricultural use

- (a) agricultural use had aroused a lot of discussion in Hong Kong lately. The Government had proposed the establishment of an Agricultural Park and was exploring the feasibility of designating agricultural priority areas to encourage agricultural rehabilitation or renting out fallow agricultural land for farming purposes. The Board should, through the land use zoning system, encourage the use of land for agricultural development so as to be in line with the government policy;
- (b) in response to the public's request for land for agricultural use, the Government pointed out that 'Agricultural Use' was always permitted in the "V" and "GB" zones. However, the planning intention of the "V" zone was for Small House development. If land was genuinely intended for agricultural use, it should appropriately be zoned "Agriculture" ("AGR"). As 'House (NTEH only)' was a column 2 use under the "AGR" zone, people could still apply for Small Houses through the planning application mechanism if needed;
- (c) agricultural use could absorb kitchen waste collected from the community, and it would resolve the problem of insufficient land for landfill;
- (d) the Government should reconsider if there was really a demand for luxurious low-density residential housing. There were many completed but unoccupied sites hoarded by developers for profit. Land in the rural area should be used for agricultural purpose for sustainable rural development;
- (e) the response that the EIA for the proposed developments had been approved was not a justification for not zoning land for agricultural use. Although the EIA did assess fisheries, agriculture was not an area that the EIA would look into;

Woodland

- (f) some of the woodlands in TCV were not appropriately zoned. The fung shui woodlands in Nim Yuen, Mok Ka, Shek Mun Kep were zoned “GB” and “V”, or designated as ‘Road’. Some of the proposed polders also encroached upon the fung shui woodland in Mok Ka. Although the Government claimed that the area of woodlands zoned “V” or designated as ‘Road’ were relatively small in area, those woodlands were close to mature woodlands and were part of the integral ecosystem. They should be zoned “CA”;
- (g) if land was rezoned from residential use to agriculture, there was no need for so many polders and roads and the problem of encroachment of roads and polders upon woodlands would be resolved; and
- (h) some of the woodlands were regarded as young woodland in the EIA report and their conservation value was considered as low. However, the importance of those woodlands as an integral part of the ecosystem of the area should not be underestimated and they should at least be zoned “GB”.

23. The meeting was adjourned for a lunch break at 12:40 p.m.

24. The meeting was resumed at 2:05 p.m.
25. The following Members and the Secretary were present at the resumed meeting :

Mr Michael W.L. Wong

Chairman

Professor S.C. Wong

Vice-chairman

Ms Janice W.M. Lai

Mr H.F. Leung

Dr F.C. Chan

Mr David Y.T. Lui

Mr Peter K.T. Yuen

Mr Wilson Y.W. Fung

Professor T.S. Liu

Miss Winnie W.M. Ng

Ms Sandy H.Y. Wong

Principal Environmental Protection Officer (Metro Assessment)
Environmental Protection Department

Mr Ken Y.K. Wong

Chief Traffic Engineer (New Territories East)
Transport Department

Mr K.C. Siu

Assistant Director of Lands (Regional 3)

Mr Edwin W.K. Chan

Director of Planning

Mr K.K. Ling

Presentation and Question Sessions (Continued)

26. The following government's representatives, representers and representatives of representers/commenters were invited to the meeting at this point :

Government's Representatives

Planning Department (PlanD)

- Ms Donna Y.P. Tam - District Planning Officer/Sai Kung and Islands (DPO/SKIs)
- Ms Amy M.Y. Wu - Senior Town Planner/Islands 2
- Mr Feddy S.H. Leung - Assistant Town Planner/Islands 4

Civil Engineering and Development Department (CEDD)

- Mr David K.C. Lo - Chief Engineer/Islands (CE/Is)
- Mr Kenneth C.P. Wong - Senior Engineer 9 (Islands Division)
- Ms Chelsey K.F. Yuen - Engineer 9 (Islands Division)

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Representers and Representatives of Representers and Commenters

R10/C17 - Forestside Limited

Masterplan Limited –

- Mr Ian Brownlee] Representer's and Commenter's
- Ms Yee Ting Li] Representatives
- Ms Oi Chu Wong]

R11 - Coral Ching Limited

Lawson David & Sung Surveyors Ltd –

- Ms Lee Mo Yi Cannis] Representer's representatives
- Ms Chan Hiu Man Ketty]

R15/C21 - 馮小燕

- Ms Fung Siu Yin - Representer and Commenter

R28 - Green Group's Joint Submission

Mr Cheng Luk Ki - Representer's representative

R29/C18 - Designing Hong Kong Limited

Mr Paul Zimmerman - Representer's and Commenter's
Representative

R31 - The Hong Kong Bird Watching Society

Ms Woo Ming Chuan - Representer's representative

R32 - The Conservancy Association

Mr Wick Leung - Representer's representative

R33 - World Wide Fund For Nature Hong Kong (WWF)

Mr Tobi Lau - Representer's representative

R34 - Kadoorie Farm and Botanic Garden Corporation

C13 - Chiu Sein Tuck

C14 - Tony Nip

Mr Chiu Sein Tuck] Representer's representative and
Mr Tony Nip] Commenters
Ms Kam Karen Yi Lam]

R35 - Save Lantau Alliance

Mr Wright Fu Ka Ho - Representer's representative

C6 - 石門甲村村代表羅美發

Mr Li Hong Ting - Commenter's representative

C14 - 何紹基

Mr Ho Siu Kei - Commenter

27. The Chairman extended a welcome and then invited the representers and representatives of representers/commenters to elaborate on their written submissions.

R33 – WWF

28. With the aid of a PowerPoint presentation, Mr Tobi Lau made the following main points :

- (a) WWF welcomed the gazettal of the draft Tung Chung Valley (TCV) Outline Zoning Plan (OZP) from ecological conservation perspective as it offered statutory planning control to enable an orderly development pattern and to stop eco-vandalism in the area to a certain extent. Notwithstanding, WWF had concern on the zonings of certain areas on the draft OZP;
- (b) parts of the “Village Type Development” (“V”) zone in Shek Lau Po Village should be reverted to “Agriculture” (“AGR”) zone as proposed in the Recommended Outline Development Plan (RODP) released in the Stage 3 Public Engagement (PE3) of the Tung Chung Study. The concerned areas with agricultural land could serve as ecological corridors for wildlife to move between the east and the west of the valley area. The proposed “AGR” zone was in line with the findings in section 9.4.32 of the approved Environmental Impact Assessment (EIA) report for Tung Chung New Town Extension (TCNTE) that ‘..... some habitat patches in Tung Chung Valley are considered more likely to be used by terrestrial fauna if moving across Tung Chung Valley, particularly non-volant species. These habitats included dry abandoned agricultural land and orchard south of Shek Lau Po, and woodlands and orchard north of Shek Mun Kap village, and the habitats (e.g. woodland, abandoned agricultural land) to the east and to the west of these two potential pathways’;
- (c) some of the representers/commenters requested designating agricultural land with “AGR” zone on the draft TCV OZP. In response, PlanD stated in the Paper that agricultural activities could continue on the farmlands within the “V” zone. However, the agricultural land was not only used for farming but also served as wildlife corridors and a visual feature in the rural setting of

TCV. The land use planning of the area should respect its rural and natural character. The designation of the agricultural land as “V” would favour Small House development. In fact, if agricultural land was rezoned from “V” to “AGR”, Small House development could also be allowed through the planning application mechanism, and green groups could raise their concerns in the process while villagers’ right for Small House development would not be deprived of; and

- (d) for Shek Lau Po Village, land available for Small House on the draft TCV OZP was more than land required to meet the outstanding and 10-year forecast demands for Small House development. He estimated that the smaller “V” zone as proposed in the ROPD would be sufficient to meet the Small House demands of the village. Given the above and the importance of the agricultural land, the agricultural land in Shek Lau Po Village should be rezoned from “V” to “AGR”.

R34 - KFBG

C13 - Chiu Sein Tuck

C14 - Tony Nip

29. With the aid of a PowerPoint presentation, Mr Tony Nip made the following main points :

- (a) KFBG conducted a detailed ecological survey for TCV in 2011 and 2012. The report was available to the public in KFBG’s website and had also been submitted to the Government. KFBG also submitted their comments on the Tung Chung Study in all three stages of PE exercises as well as on the EIA report. However, many of their key recommendations for protecting the biodiversity in TCV had not been adopted in the draft OZP;
- (b) KFBG’s key ecological issues of the draft OZP were that (i) not all important habitats, such as watercourses, mature trees and *fung shui* woodlands, were adequately protected, and some would be significantly

affected by development; (ii) the wildlife corridor was not thoroughly considered; and (iii) there was no protection for farmland. The concerned areas were located at Shek Mun Kap Village, Mok Ka Village and Shek Lau Po Village;

Stream Courses

- (c) there were stream courses within the “V” zone at Shek Mun Kap and Mok Ka. Such stream courses were not indicated on the Habitat Map of the approved EIA report for TCNTE, but were found at KFBG’s site visit. Those streams were still in a very natural state. The stream course in Mok Ka, though not indicated on the Habitat Map, was shown in the plan/map prepared by PlanD and LandsD. Some might argue that those stream courses were just irrigation ditches. However, such irrigation ditches might support ecosystem of high biodiversity and species of conservation importance. Two species of small fish, White Cloud Mountain Minnow and *Aphyocyris lini*, were extinct in Hong Kong while the former was rediscovered in Guangzhou. The extinction of such fishes in Hong Kong was due to insufficient protection of the micro-ecosystem such as small stream. For TCV, it was found that some small indigenous fishes, not found in the main course of Tung Chung Stream, had used the small streams as a nursery ground. The small streams also had their own vegetation community. *Somanniathelphusa zanklon* (a small stream crab) was also found in the stream of Mo Ka which was a globally endangered species endemic to Hong Kong under International Union for Conservation of Nature (IUCN);
- (d) it might be argued that stream course would be protected as its diversion would require planning permission. As revealed by cases in Lam Tsuen, some of the stream courses were narrowed and sandwiched between Small Houses and footpath, and it was not a proper way to protect the streams. Some sections of the stream courses were even lost for road works with the stream water channeled into drain pipes beneath the road. It had not only destroyed the ecosystem, but also increased the flooding risk of the

area. Inclusion of small stream courses into the “V” zone would likely turn them into nullahs;

Woodland and Mature Trees

- (e) while PlanD said that *fung shui* woodlands were designated with different zones depending on their density, as shown in the aerial photo for Mok Ka Village, it was difficult to distinguish which woodland was dense from those which were not. The woodland to the north of Mok Ka Village, under “Green Belt” (“GB”) zoning on the draft TCV OZP, was sandwiched between the “V” and “Residential (Group(C)2” (“R(C)2”) zones, while the dense woodland to the west of the Village was covered by “V” zone. Such zoning disposition was not appropriate for protecting the concerned woodlands;
- (f) while site photo for Shek Lau Po in the Paper only showed fallow farmland, he found a prominent tall fig tree with obvious conservation value during his recent site visit. That tree and other mature trees were included in the “V” zone. Those mature trees likely were part of the previous *fung shui* woodland which was disturbed by village development leaving behind only isolated tree patches at the moment. Those mature woodlands/trees in Shek Lau Po were also indicated in the Habitat Map of the EIA report;
- (g) the zonings of *fung shui* woodlands located in various areas were not consistent, i.e. zoned as “V”, “CA” or “GB” which were subject to different levels of protection. “GB” zone could allow for Small House development through the planning application mechanism with a high successful rate of about 30%. In some of the existing villages, some of the woodlands were found to be paved and some mature trees felled, and he doubted if the “V” zone could protect the woodlands and mature trees;

Wildlife Corridors

- (h) numerous wildlife corridors were identified in the approved EIA for the east-west movement of wild animals in TCV area, but it was found that an identified wildlife corridor was located within the “V” zone of Mok Ka

Village which would be disturbed by human activities, domestic dogs/cats and traffic. Another wildlife corridor near Shek Mun Kap was considered to be very narrow;

Farmland

- (i) active farmlands and orchards were included in the “V” zone for Mok Ka Village and Shek Mun Kap Village respectively. PlanD considered that agricultural activities could still be continued under the “V” zone. However, the primary planning intention of “V” zone was for village type development and it was doubtful whether active farmland could be retained under the high demand for Small House development;
- (j) in gist, KFBG proposed to rezone parts of the “V” zone at Mok Ka and Shek Mun Kap to appropriate zoning for protecting the stream courses, *fung shui* and young woodlands, farmlands and wildlife corridor, and at Shek Lau Po for protecting the mature woodlands. *Fung shui* woodlands should be protected by appropriate zones in a consistent manner; and

Rural Planning

- (k) the draft TCV OZP covered rural hinterland which should not use the bull-dozer approach adopted for urban development. The residential sites in TCV were zoned “R(C)” which was intended primarily for low-rise, low-density residential development. He doubted whether the draft TCV OZP and the proposed housing developments would serve the majority of the public. Provision of luxury housing in TCV would be at the expense of the ecosystem, arable land, and the rural area for enjoyment of the general public. In conclusion, the draft TCV OZP was not a good plan.

R35 - Save Lantau Alliance

30. Mr Wright Fu Ka Ho made the following main points:

- (a) Save Lantau Alliance supported the views of the green groups on the draft TCV OZP and their proposed extension of the River Park. Even the proposed residential developments were of low-density, there were bound to be impacts on the high ecologically sensitive TCV area during their

construction and operational phases, such as glare impact and water/air pollution;

- (b) despite that location and design of the residential developments had taken into account the impacts on urban design and air ventilation, they were not compatible with the TCV's rural setting. The status quo of TCV should be maintained and there should be alternatives in meeting the housing need;
- (c) substantial portion of land in TCV was acquired by different developers. As just revealed by the news report in HK01, a substantial area at the western estuary of Tung Chung Stream was proposed for "GB" during the PE 3 of the Tung Chung Study but was currently zoned as "R(C)2" on the draft TCV OZP. R11's submission indicated their support to such change in zoning designation, while C17 concurred with R11's view;
- (d) R11's submission made in the PE3 of the Tung Chung Study stated that as there would not be any reclamation in Tung Chung Bay, the housing supply in the area would be reduced and the plot ratio (PR) of the residential sites in TCV should be increased to balance the housing need and the environmental protection. R11 also proposed to (i) maximize the development potential of the residential sites near MTR Tung Chung West railway station; (ii) rezone the area to the west of Tung Chung Stream from "GB" to "Government, Institution or Community" ("G/IC"); and (iii) delete the non-building areas (NBAs) in the draft TCV OZP as they would constrain the building design and air ventilation issue could be addressed by proper building disposition. Although such information was not sufficient to establish a case of collusion between the Government and the developer, one would cast doubt on ultimate intention for changing the zoning designation of the concerned area from "GB" to "R(C)2";
- (e) despite that agricultural activities were always permitted in the "V" zone, their survival would be threatened by the development pressure. The soil in TCV was already contaminated by the presence of recycling yards, open storage and vehicle parks in the area. The land formation works and soil

dumping activities would further worsen the soil conditions making the area not suitable for agricultural use. The Government should take measures to ensure those interested in farming could do so in TCV; and

- (f) regarding the concept of developing a low-carbon community in TCV, it was doubtful why farming and cycling were not regarded as low-carbon practice. The response of PlanD as stated in the Paper focused on the promotion of the use of public transport and energy saving measures, while the practice of low-carbon lifestyle should be manifested into different levels of the community.

C6-石門甲村村代表羅美發

31. Mr Li Hong Ting made the following main points:

- (a) he was an indigenous villager and a village representative. He grew up in a village in TCV. In the earlier days, he needed to take ferry to Tung Chung and then walked a long way to his village. At that time, the villages had only electricity supply without water supply. If there was no development in the area, there would not be so many villagers currently staying in the area. They were told in 1997 that the Government had a plan to develop the area and to provide roads for the villages, but the plan was not implemented for various reasons. Villagers had requested for development for some 20 years and he hoped that the Board could give sympathetic consideration to their request;
- (b) the villages were still lacking in infrastructure and community facilities, such as broadband transmission network and gas supply. There were only cycle tracks of only 1 to 2 feet wide but no roads and emergency vehicular access (EVA). Villagers had to go to the town centre for entertainment facilities. He hoped that the facilities currently lacking could be provided under the current development plan;
- (c) at the moment, flooding frequently occurred in the agricultural land and villages during heavy rainfall. Even without any development, the Government should tackle the serious flooding problem in TCV;

- (d) the size of the “V” zone should not be reduced and the Basic Law had already set out the right of indigenous villagers to build Small House. He was also concerned with the environment and the rural setting of TCV, but hoped that a balance between environmental protection and development need would be struck. For the high ecological value area such as Tung Chung Stream where private land was involved, the Government should resume the land for environmental protection purpose and offer compensation to the villagers; and
- (e) if the “V” zone was to be reduced for ecological or other reasons, the Government should compensate the land owners by providing a piece of land elsewhere with lesser ecological concern. Even the land was zoned “V”, indigenous villagers still needed to have the land and money to build Small House, and the development of the Small House was subject to the control of government departments and their proposals could be rejected for various reasons such as the encroachment on stream. There were also some traditional practices governing the location of new Small House such as new houses could not be built in front of the first house.

C12 – Ho Siu Kei

32. Mr Ho Siu Kei made the following main points:

- (a) he was the representative of San Tau Village and the vice-chairman of Tai O Rural Committee. Local villagers requested for protection of their development right in the preparation of the draft OZP. The remote villages were in lack of EVA and infrastructure/supporting facilities. It took several hours to walk from TCV to Tai O. During the holidays, there was a large number of tourists, cyclists and hikers in the area resulting in traffic conflict between cyclists and hikers. Provision of EVA and supporting facilities was important to both the villagers and visitors; and
- (b) he hoped that the development of Tung Chung could offer better job opportunities and housing to the villagers. The villagers strived for protecting the environment, but the infrastructures for the villages should also be improved.

[Ms Winnie W.M. Wong arrived to join this session of the meeting at this point.]

33. As the presentation from the government's representatives, and the representers/commenters/their representatives on the day had been completed, the meeting proceeded to the question-and-answer (Q&A) session. The Chairman briefed attendees that the Q&A session was for Members to raise questions on matters of concerns. Members would raise questions and the Chairman would invite the representers/commenters/their representatives and/or the government's representatives to answer. The Q&A session should not be taken as an occasion for the attendees to direct questions to the Board, or for cross-examination between parties.

Columbarium and Burial Grounds

34. In response to two Members' enquiry about the current columbarium use in Nim Yuen Village, and the provision of burial grounds for indigenous villagers as well as the planned columbarium in Tung Chung, Ms Donna Y.P. Tam, DPO/SKIs, made the following main points:

- (a) prior to the gazettal of the draft DPA Plan covering the TCV area, some of the New Territories Exempted Houses (NTEH) in Nim Yuen Village had been converted for private columbarium use. On the draft TCV OZP, Nim Yuen Village including the columbarium site was zoned "V", and 'Columbarium' use was not permitted within the "V" zone;
- (b) according to the Town Planning Ordinance, if the concerned columbarium in Nim Yuen Village was in existence prior to the gazettal of the DPA Plan, it would be regarded as an 'existing use' ('EU') which would be tolerated. However, any material change of such use in the future or any new development at the site had to be conformed to the "V" zone; otherwise it might be regarded as unauthorized development and the Planning Authority would take enforcement action against it;
- (c) the existing Government's policy was for each district to have a columbarium to cater for the need in the territory. For Lantau, it was considered not appropriate to locate a columbarium development in highly populated areas such as Tung Chung New Town and its planned extension

area. However, columbarium development had been planned in Siu Ho Wan which was further away from the populated areas in North Lantau; and

- (d) with reference to Plan H-9 of the Paper, there were five existing permitted burial grounds for indigenous villagers in the TCV. Those existing permitted burial grounds fell within the “GB” zone and were permitted under the draft OZP while new burial grounds within the “GB” zone would require planning permission from the Board.

Building Height (BH) and Plot Ratio (PR) in Area 60

35. In response to a Member’s enquiry on R11’s proposed increase in BH and PR for the residential zone in Area 60, with reference to a plan in the PowerPoint, Ms Tam said that under the planning design concept for TCV area, a stepped height profile was adopted with the BH of development zones descending from the mountain side (45/55mPD) towards the waterfront and estuary of Tung Chung Stream (20mPD). Area 60, being located near the waterfront, was subject to a BH restriction of 20mPD under the draft OZP. R11’s proposed increase in the PR for Area 60 from 1 to 1.5 would correspondingly increase its BH which would defeat the stepped height concept, and adversely affect the view corridor and visual character of the area.

“V” Zone

36. Noting that the size of “V” zone for Ngau Au Village was small as compared with that for Shek Lau Po Village, a Member asked about the rationales for demarcating the boundary of “V” zone and whether cross-village applications for Small House development were allowed. In response, Ms Tam made the following main points:

- (a) in demarcating the “V” zone boundary, considerations including the existing ‘village environs’, outstanding Small House applications, the existing settlement pattern, 10-year Small House demand forecast, the topography and the natural environment had been taken into account;
- (b) with reference to Plan H-4b of the Paper, the area to the north of Ngau Au Village was designated as “CA” zone to serve as a buffer for the tributary of Tung Chung Stream. The stretch of land to the south and southwest of Ngau Au Village was a large and intact mature woodland with records

of floral species of conservation interest, and was considered appropriate by the Agriculture, Fisheries and Conservation Department (AFCD) to be designated as “CA” zone; and

- (c) noting that all indigenous villages in Tung Chung were under the same ‘Heung’ and the Lands Department (LandsD) had a policy that allowed cross-village applications in the same ‘Heung’, the “V” zones for Tung Chung were designated in a holistic manner to meet the Small House demand of all villages in Tung Chung ‘Heung’. With reference to a Table in the PowerPoint indicating the Small House demand and the provision of “V” zone within Tung Chung ‘Heung’, larger “V” zones were designated for some villages to address the need of other villages where there were limited scope for expansion (such as those already surrounded by urban development in the town centre area). Overall, the area of the “V” zones on the OZPs for Tung Chung could meet about 59% of the Small House demand in Tung Chung ‘Heung’.

37. In response to a Member’s enquiry on the traditional culture of building new Small Houses, Mr Li Hong Ting, R1/C6, said that while each indigenous village might have their own tradition in building new Small Houses, for Mok Ka Village, it was the tradition that new Small Houses could only be built behind the first Small House settled in the village. The front area of the first house in Mok Ka Village would not be used for Small House development even if it fell within the “V” zone.

Area around Hau Wong Temple

38. Noting that Hau Wong Festival was a very important festival for Tung Chung ‘Heung’ and traditionally, the local communities would hold their religious/cultural activities at the open area around Hau Wong Temple, a Member asked how the land use zoning on the draft OZP and R10’s proposal had taken that tradition into account.

39. In response, Ms Tam said that the importance of Hau Wong Temple as a local religious feature was well recognised. In various stages of PE for the Tung Chung Study, the local community expressed strong request for maintaining the open area in front of the Temple for holding festival events/activities. To meet the local request, a large stretch of land

surrounding the Temple was zoned as “O” on the draft OZP for recreational use and holding festival events/activities.

40. In response to the same question above, Mr Ian Brownlee, R10, made the following main points:

- (a) with reference to a plan on the PowerPoint, Hau Wong Temple itself had an area of about 200m² while the “G/IC” zone the temple fell within had an area of about 2,000m². There should be enough area within the “G/IC” zone for holding festival events/activities. The “O” zone surrounding the “G/IC” zone for Hau Wong Temple covered a large area and the part to the east of the temple encroached on private land which was not used for festival activities nor accessible to the public; and
- (b) R10’s proposal was to rezone the eastern part of the “O” zone and part of the “Coastal Protection Area” (“CPA”) zone on private land to “G/IC” with the provision of two NBAs, one for protecting the open area/view corridor from Hau Wong Temple to Tung Chung Bay and the other for acting as a buffer between the proposed “G/IC” zone and the “CPA” zone. It was considered that the proposal would strike a balance between the societal need and the private development right.

41. In response to a Member’s enquiry on the development plan of the “O” zone (Area 36E) surrounding Hau Wong Temple, Ms Tam said that the design and facilities to be provided in the open space would be determined by the Director of Leisure and Cultural Services at the implementation stage and such details were not available at the current stage.

Agricultural Land

42. A Member asked how the draft OZP could meet the request of a number of representers for practicing farming in the area. In response, Ms Tam made the following main points :

- (a) according to the Tung Chung Study and site investigation, majority of the agricultural land in TCV area was abandoned farmland and/or unmanaged orchards. Appropriate zonings were formulated on the draft OZP with

reference to the existing character and land uses. Agricultural land within and around the village settlements was covered by “V” zones to allow villagers to farm and manage their farmland in proximity to their houses, and that was a common practice in villages in the rural areas; and

- (b) some of the secondary woodlands developed from fallow agricultural land were designated as “GB” while agricultural land along the river bank was designated as “CA” to protect the river ecosystem. Agricultural activities were permitted within those zones.

43. The same Member said that there were a lot of public housing developments in Tung Chung and those residents could not have access to the agricultural land and practice farming as the agricultural land was under private ownership. Noting such a strong community’s aspiration for participating in farming, but a vast area of agricultural land in TCV was left fallow, the Member asked whether there was any Government’s policy to let the public to practice farming on government land.

44. In response, Ms Tam said that in formulating the draft TCV OZP, relevant departments including AFCD had been consulted on the ecological value and rehabilitation potential of the agricultural land in the area. The concerned departments had not indicated any policy or plan to resume private land for government-led agricultural development in the area. Nevertheless, the current zonings on the OZP provided flexibility for the Government or any interested parties to practice farming on the agricultural land if necessary.

Inclusion of Mangrove at Sha Tsui Tau into the OZP

45. A Member raised the following questions :

- (a) when R10 provided his views to the Government and the reasons for not taking up his views on the planning of TCV;
- (b) the reasons for not including the mangrove area at Sha Tsui Tau (to the east of the private land near Hau Wong Temple) into the “CPA” zone as proposed by R10;
- (c) R10’s concern, noting that the EIA report had already covered the exotic vegetation in that mangrove area;

- (d) the reasons for not including 'Flat' use in Column 2 use of the Notes for "G/IC" zone in the draft TCV OZP similar to other OZPs; and
- (e) the current use of R10's Site A (Areas 36E and 98A at Sha Tsui Tau) and Site B (Area 45D).

46. In response, Ms Tam made the following main points :

- (a) in formulating the draft OZP, apart from taking into account the public views received during the Tung Chung Study as well as the representations and comments in respect of the draft TCV DPA Plan published earlier, the Government had also taken into consideration other factors such as the planning intention for the area, ecological value and natural environment of the area, needs of local residents and society. A balance had been struck among the various considerations;
- (b) with reference to Plan H-5a of the Paper, she indicated that the mangrove area in the river estuary at Sha Tsui Tau R10, that proposed to be zoned as "CPA", was located below high water mark. In preparing the statutory plans, the established practice was generally not to include area below high water mark, which was covered by seawater most of the time, into the OZP. As such, not only the concerned mangrove area, but also the stretch of mangrove and mudflat along Tung Chung Bay which were below high water mark were not included into the OZP boundary; and
- (c) according to the Master Schedule of Notes for the "G/IC" zone, 'Flat' was a use to be included in Column 2 only if it was appropriate to do so. It meant that whether 'Flat' use should be included in the "G/IC" zone should be assessed on a case-by-case basis taking into account the local circumstances. For the draft TCV OZP, the sites zoned "G/IC" were all designated/reserved for specific uses without any intention for residential development. It was considered appropriate not to allow 'Flat' use in the "G/IC" zone in the context of the TCV area.

47. In response to the Member's questions above, Mr Brownlee made the following main points :

- (a) with reference to the Habitat Map in the EIA report, the "CPA" zone surrounding the concerned mangrove area comprising open area, wasteland, grassland and abandoned orchards of low conservation value while the mangrove area of ecological value was not included in the OZP boundary. The concerned mangrove area, being located on private land near Tung Chung Bay which was of high ecological value, should be included into the OZP and zoned "CPA" for better management; and
- (b) R10's Site A and Site B were vacant land with uncontrolled vegetation cover.

48. In response to the Vice-chairman's enquiry on the function of the "CPA" zone of the area to the east of Hau Wong Temple, Ms Tam said that there were mangroves and mudflats of high ecological value in Tung Chung Bay. As such, the coastal area surrounding Tung Chung Bay and its river estuaries were zoned "CPA" to serve as a buffer for protecting the mangrove and mudflats. R10's proposal to include the mangrove area into the "CPA" zone while reducing the coastal portion of "CPA" zone might not be able to provide sufficient buffer for the mangrove and mudflats.

Stepped Height Profile

49. A Member and the Vice-chairman raised the following questions :

- (a) the reasons for R10's claim that the stepped height profile of the urban design concept for Tung Chung could not be achieved;
- (b) the considerations in demarcating the OZP boundary, noting R10's claims that the demarcation of the boundary between the TCV OZP and the adjoining Tung Chung Town Centre Area (TCTC) OZP was arbitrary with the intention to justify the different stepped height profiles for the two areas; and
- (c) the rationale in determining the development intensity of public housing and private housing in response to some representers' views that it was

not fair for allowing public housing development a higher PR/BH while private housing was restricted to lower PR/BH.

50. In response, with reference to two plans in the Stage 3 PE (PE 3) Consultation Document shown on the PowerPoint, Mr Brownlee said that the high-rise public housing blocks in the inland, being located on the eastern side of the Tung Chung Stream estuary, were out of context with the village setting and the proposed low-rise residential blocks of the Tung Chung Valley and that could not achieve a stepped height development profile.

51. In response to the questions above, Ms Tam made the following main points:

- (a) the high-rise public housing blocks referred to by R10 were located within the area covered by the TCTC OZP. With reference to the composite OZPs of the whole Tung Chung area on the PowerPoint, the proposed two public housing sites were located along Tung Chung Road with relatively good accessibility. The high mountain to the east could provide a backdrop and the proposed high-rise public housing blocks were considered compatible in terms of visual context in the area. TCV covered the area to the west of Tung Chung Stream where the indigenous villages were located, a lower stepped height profile descending from inland to waterfront was considered more appropriate in the rural setting;
- (b) the demarcation of the boundary of the three OZPs for Tung Chung was based on the development characteristic and planning intention of the area. The TCTC OZP covered town centre developments which had higher densities and BH. The proposed public housing sites with higher development intensity were more appropriate to be included in the TCTC OZP. On the other hand, the area to the west was TCV which had a rural character with indigenous villages interspersing between natural stream courses and ecologically sensitive habitats. The area was more appropriate to be covered by the TCV OZP with the planning intention that emphasized more on environmental conservation of the area; and
- (c) in general, higher PR and BH for public housing development were allowed to achieve more efficient use of government resources. Only sites

which were suitable for high-density developments would be considered for public housing use. Given its rural character, residential sites in TCV were recommended for low-density, low-rise development, which were more appropriate for private housing.

Sustainable Urban Drainage System

52. Some Members and the Vice-chairman raised the following questions:

- (a) what the design principles of the new drainage system for the area were as compared with the existing system;
- (b) what the design capacity of the new drainage system was and whether the existing villages would be protected against the flooding risk;
- (c) some representers considered that the land take for the drainage system was excessive, especially 2.64 ha of land was needed for the attenuation and treatment ponds. Whether such a land extensive system was justified; and
- (d) whether any training of the stream course would be required.

53. In response, Mr David K.C. Lo, CE/Is, made the following main points :

- (a) the challenges in designing the drainage system for the TCV area were that (i) the catchment area of Tung Chung Stream was huge (11km²) with a very large volume of stormwater flow; and (ii) the Tung Chung Stream and its riparian area were of high ecological and landscape values. It was considered not desirable to employ the traditional method of widening and straightening the river with concrete river bank or provision of large underground floodwater storage tank as in the urban area for flood control as it would adversely affect the river ecosystem. Therefore, a sustainable urban drainage system which was more environmentally friendly in design was adopted in TCV area for flood control and pollution control to Tung Chung Stream/Bay;

- (b) R10's drainage system proposal would require the filling of land to a high site formation level for the whole area from Shek Mun Kap to the estuary. It would encroach on vast area of private land under highly dispersed ownership, which would impose great difficulty in implementation, and would adversely affect the ecosystem along the river;
- (c) under the sustainable urban drainage system, polder embankment would be used to protect the developments against flooding under heavy rainfall events. Roadways would be provided above the polders while underground drain pipes would be installed for collecting surface runoff in normal days and for serving as additional flood storage volume for stormwater under heavy rainfall events. The surface runoff, which might be polluted by human activities, would be conveyed to the stormwater attenuation and treatment ponds for sedimentation and treatment before discharging into the ecologically sensitive Tung Chung Stream and Bay;
- (d) the drainage system would be designed for rainfall event with a return period of one in 200 years. A buffer zone between the polder embankment and Tung Chung Stream would be maintained at its natural state. During heavy rainfall both the future developments and existing villages would be protected against the flooding risk by the polder embankment;
- (e) there were seven groups of stormwater attenuation and treatment ponds under the proposed drainage system for treating the surface runoff collected from the development parcels within the TCV. The collected surface runoff would first be discharged into a primary sedimentation pond to slow down the runoff for sedimentation to take place. The runoff would then enter the treatment zone cultivated with wetland plants for purification. The treated flows would then be discharged into attenuation pond for final sedimentation treatment before discharging to Tung Chung Stream. The attenuation ponds would be provided with pumping facilities to discharge runoff direct to the river during high flow situation. While sedimentation/treatment ponds needed to attain certain size for effective operation, attempt had been made to minimize its land

intake. For beneficial use, some stormwater attenuation and treatment ponds would also form part of the development of the River Park for recreational purpose; and

- (f) the stream course would not be trained in order to preserve the river ecosystem. Moreover, a section of Tung Chung Stream near Caritas Charles Vath College, which had been channelized in earlier years, would be revitalised into a more natural state under the current drainage system proposal.

54. Noting that R10 proposed to relocate the stormwater attenuation and treatment pond from Area 45D to Area 80, a Member asked whether the proposal was feasible. In response, Ms Tam said that Area 80 was currently used as plant nursery and soccer field, and it was technically not feasible to put the stormwater attenuation and treatment ponds underground.

Inclusion of Streams, Woodland and Mature Trees in “V” Zone

55. The Chairman asked about the reasons for the inclusion of those streams, woodland and mature trees as pointed out by some representers in the “V” zone. In response, Ms Tam said that the OZP was intended to provide a broad planning framework and the land use zones reflected the general planning intention of a wider area which would inevitably cover some small streams and woodland. Despite Small House development was always permitted in the “V” zone, it was still subject to government control as building licence needed to be obtained from LandsD. There was a well-established mechanism that relevant government departments would be consulted during the Small House grant applications submitted to LandsD to ensure streams and mature woodland would not be affected.

56. Mr Tony Nip, C14, said that KFBG’s proposals was to rezone the streams and its riparian zone, agricultural land, *fung shui* woodland and wildlife corridor from “V” to appropriate zones to be determined by the Government. While the Government considered that OZP was to provide broadbrush zonings for the area, in the case of Country Park enclaves and Sha Lo Tung, more detailed control was adopted in preparing the OZP and ecologically sensitive features were covered by conservation-related zones. The broadbrush zoning approach might result in undesirable impact on those ecologically sensitive habitats/features.

The ecological value of TCV was no lesser than that of country park enclaves and Sha Lo Tung, a consistent approach should be adopted. KFBC did not request to delete all the “V” zones, but to exclude the features of high ecological value from the “V” zone.

57. A Member said that while a representer claimed that the stream courses in the “V” zone of Shek Mun Kap and Mok Ka Village were not shown on the Habitat Map of the EIA report, it was noted that such stream courses were mentioned in paragraph 9.4.3.5 of the report, and asked the government representatives to clarify it. In response, Mr David Lo, CE/Is, said that the Habitat Map in the EIA report only showed the main stream courses while the ‘stream courses’ referred to by the representer were very small in size.

58. In response to the Chairman’s invitation to supplement, Mr Tony Nip said that the Habitat Map was intended to show the ecological features identified in the EIA process. Stream courses in Mok Ka and Shek Mun Kap were omitted in the Habitat Map even the former was shown in LandsD’s survey plan. The omission would result in an inappropriate land use zoning of the OZP.

“R(C)” Zone near Ngau Au

59. Noting that some areas, as pointed out by some representers, were originally recommended for “GB” zone in the Tung Chung Study but were currently designated as “R(C)2” zone on the draft OZP, a Member asked about the rationale for such change. In response, Ms Tam made the following main points:

- (a) an area near Ngau Au was proposed to be designated as “GB” zone on the RODP during the PE 3 of the Tung Chung Study. Views/submissions from the green groups, local residents and other stakeholders were received. There were public views that areas in TCV with low ecological value should be used for residential development to meet the strong housing demand in Hong Kong. Such views were in line with the planning intention of the TCNTE, i.e. to increase land supply for satisfying housing and other development needs while paying due respect to the need to preserve the natural environment, local cultural heritage and landscape; and

- (b) to strike a balance between housing need and environmental protection, the concerned area in Ngau Au covered with abandoned farmland or unmanaged orchard was recommended for residential development while the remaining area covered with reed and mangrove which was of ecological value was retained as “GB” zone on the draft OZP. Given the setting of TCV, the site was recommended for low-density residential development under the “R(C)” zone.

Proposed River Park at Western Tributary of Tung Chung Stream

60. The Vice-chairman asked about the rationale for not designating the western tributary of Tung Chung Stream as “Other Specified Uses” annotated “River Park” (“OU(River Park)”) as proposed by some representers. In response, Mr Lo made the following main points:

- (a) the River Park was designed for recreational use of the general public and should be readily accessible. The eastern tributary area of the Tung Chung Stream would be served by a planned main road. Its vegetation cover had already been disturbed and part of the stream course had been channelized. In developing the River Park in the eastern tributary area, the Government would take the opportunity to revitalise the channelised section into a natural state; and
- (b) the western tributary of Tung Chung Stream ran along villages, and its stream courses and vegetation cover of its riparian area were largely maintained at their natural state. The River Park development in the western tributary area as proposed by some representers might attract large flock of tourists which would affect the tranquility of the rural villages. Furthermore, the western tributary area could not cope with the large influx of tourists as substantial road links were not planned for the area in view of its rural setting.

Protection of Natural Environment

61. Noting that some representers considered that the enforcement action against unauthorized development in the TCV was insufficient, a Member asked what measures

would be taken to protect the natural environment of the area. In response, Ms Tam made the following main points:

- (a) upon publication of the draft TCV DPA Plan on 21.8.2015, the Planning Authority was empowered under the Town Planning Ordinance to take enforcement action against unauthorized development in the area. A freezing survey of the land uses in the area was conducted on the day of publication of the DPA Plan. After then, any material changes to the existing uses or any new developments had to conform to the DPA Plan/OZP; otherwise, they would be regarded as unauthorized development and the Planning Authority would take enforcement action against them; and
- (b) the land use zonings of the draft TCV OZP were formulated with the general planning intention to conserve the ecologically sensitive areas, to protect the rural and natural character and to maintain unique landscape character and cultural heritage of the area.

62. Mr Lo supplemented that the Government would strive for completing the drainage system prior to the commencement of the construction of the developments in the area so as to protect the Tung Chung Stream in the TCV area.

Others

63. Some Members raised the following questions:

- (a) whether the “R(C)” zone would allow for ‘Shop and Services’ use;
- (b) whether there were facilities and supporting service to enhance cycling tourism in the area;
- (c) how many flats would be produced from the proposed low-density residential developments in TCV;
- (d) the provision of open space in the area;

- (e) noting that the remains of an important kiln was unearthed during the airport development at Chek Lap Kok, whether there would be a site in Tung Chung to display the kiln remains; and
- (f) how the draft OZP could address the local villagers' request for provision of EVA and other infrastructures.

64. In response, Ms Tam made the following main points :

- (a) 'Shop and Services' use in "R(C)" zone would require planning permission from the Board such that the Board could scrutinize its suitability and assess its impact on the area on a case-by-case basis;
- (b) it was estimated that a total of about 3,400 private residential flats would be provided in the Tung Chung West area, with about 1,800 flats in the area covered by TCV OZP;
- (c) despite that Tung Chung was covered by three OZPs, the provision of community facilities and open space was planned in a holistic manner to serve the population of the whole new town and its extension area. There was a waterfront promenade linking Tung Chung Extension Area and the existing town centre which would serve as pedestrian walkway and cycle track. The Tung Chung Extension Area also had a Linear Park system connecting residential neighbourhoods, waterfront promenade and the railway station with the Central Green serving as a meeting place for people. A Town Park was also planned near Yat Tung Estate;
- (d) the kiln remains were displayed next to the Tung Chung Battery which would be part of the future Town Park. The design of the Town Park would commensurate with the heritage features; and
- (e) under the draft TCV OZP, road access was planned for the indigenous villages and some of the utility facilities could be provided along the roadways. Land was also reserved for the provision of the drainage system in the area.

65. Mr Lo supplemented the following main points:

- (a) a cycle track network from TCV to Siu Ho Wan was incorporated into the three OZPs for Tung Chung, while the provision of appropriate supporting services to facilitate cycling tourism, which was outside the scope of the OZPs, would be subject to a separate study; and
- (b) the development of the Tung Chung New Town Extension would be implemented in phases. The first phase including the provision of the infrastructure would commence in 2018.

66. Noting that there were tourist buses parked along the road near the Tung Chung Stream in the PowerPoint shown by a representer, a Member asked whether the area was heavily visited by tourists at the moment. In response, Mr Cheng Luk Ki, R28/R30, said that those tourist buses were the patron of a nearby repairing workshop. At present, the area was facing the environmental problem in that the stream might be polluted by fuel oil and chemicals spill over from the vehicle repairing workshops and that was the reason why the green groups urged for treating the surface runoff so as to protect the stream.

67. As Members did not have any further questions, the Chairman said that the hearing procedure on the day had been completed. He thanked the representers, commenters and their representatives and the government representatives for attending the meeting and said that the Board would deliberate on the representations and comments in their absence after completing all the hearing sessions for the three draft OZPs for Tung Chung, and would inform the representers and commenters of the Board's decision in due course.

68. The hearing session was adjourned at 4:40 p.m.