

TPB Paper No. 10673

**For Consideration by
the Town Planning Board on 14.8.2020**

DRAFT PAK LAP OUTLINE ZONING PLAN NO. S/SK-PL/3

**INFORMATION NOTE AND HEARING ARRANGEMENT FOR
CONSIDERATION OF REPRESENTATIONS AND COMMENTS**

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1. Introduction

- 1.1 On 3.4.2020, the draft Pak Lap Outline Zoning Plan (OZP) No. S/SK-PL/3 (the Plan) was exhibited for public inspection under section 7 of the Town Planning Ordinance (the Ordinance). The amendments to the OZP mainly involve rezoning of an area to the south of the village cluster at Pak Lap from “Village Type Development” (“V”) to “Government, Institution or Community (1)” (“G/IC(1)”) (**Item A**) and an area to the further south of the village cluster at Pak Lap from “G/IC” to “Conservation Area” (“CA”) (**Item B**). The Remarks of the Notes for the “G/IC” zone are also revised to incorporate development restriction of the “G/IC(1)” zone. The Schedule of Amendments setting out the amendments incorporated into the OZP is at **Annex I** and the locations of the amendment items are shown on **Plan P-1**.
- 1.2 During the two-month exhibition period, a total of 18 representations were received. 17 submissions were made in accordance with the revised requirements set out in the Town Planning Board Guidelines No. 29B (TPB PG-No. 29B)¹. The remaining submission was made with identity information missing, which should be considered as invalid and treated as not having been made pursuant to sections 6(2)(b) and 6(3)(b) of the Ordinance.
- 1.3 On 16.6.2020, the 17 valid representations were published for public comment and, in the first three weeks of the publication period, a total of 118 comments were received. 57 submissions were made with identity information missing, which should be considered as invalid and treated as not having been made pursuant to sections 6A(2) and 6A(3)(b) of the Ordinance. There are in total 61 valid comments.
- 1.4 The lists of valid representers and commenters, and the summaries of the representations and comments are at **Annexes II, III, IV and V** respectively for Members’ reference. The locations of the representation sites are shown on **Plan P-1**.

¹ According to TPB PG-No. 29B on Submission and Publication of Representations, Comments on Representations and Further Representations under the Town Planning Ordinance, which have taken effect since 1.1.2019, representers/commenters/further representers and their authorized agents are required to provide their full name as shown on the HKID card/passport and their HKID card/passport number (only the first four alphanumeric characters are required) in the submission. For submission with no full name, incomplete and/or illegible names or no HKID card/passport number, the representation/comment/further representation concerned may be treated as not having been made.

2. The Representations and Comments

- 2.1 Among the 17 valid representations, one representation (**R1**) supports Items A and B. One representation (**R5 (part)**) supports Item B and another representation (**R6 (part)**) welcomes Items A and B, but both provide adverse comments on designation of “V” zone. The remaining are adverse representations mainly against the designation of “V” zone on the OZP. The views of the representations are summarized as follows:
- (a) **R1** submitted by an individual supports both Items A and B as the original site reserved for Refuse Collection Point (RCP) and public toilet is currently covered by trees, the relocation (i.e. the rezoning under Items A and B) is a sensible arrangement. **R5 (part)** submitted by the Hong Kong Bird Watching Society supports Item B on increase of the “CA” zone and **R6 (part)** submitted by Designing Hong Kong Limited just indicates they welcome Items A and B.
 - (b) The adverse representations (**R2 to R4, R5 (part), R6 (part), R7 to R17**) are submitted by the Hong Kong Countryside Foundation (**R2**), Kardoorie Farm and Botanic Garden (**R3**), the Conservancy Association (**R4**), Hong Kong Bird Watching Society (**R5**), Designing Hong Kong Limited (**R6**), Friends of Hoi Ha (**R7**), Friends of Sai Kung (**R8**), Heung Yee Kuk New Territories (**R16**), Sai Kung Rural Committee (**R17**) and seven individuals (**R9 to R15**). **R2 to R14** raise adverse comments on Items A and/or B on the grounds that the Town Planning Board (the Board), in determining the extent of reduction of the “V” zone, has failed to make proper review of the genuine need for housing by indigenous villagers.
 - (c) Some of the above representers (**R3, R5, R9, R10, R13 and R14**) propose that the conservation approach for Tai Long Wan OZP, which confines “V” zone to the existing village settlements and approved Small House sites should also be adopted for Pak Lap.
 - (d) **R15** submitted by an individual objects to the OZP mainly on an argument that designation of “V” zone for private agricultural lots will contravene the Block Government Lease and the Small House Policy.
 - (e) **R16** submitted by Heung Yee Kuk objects to Item A and **R17** submitted by Sai Kung Rural Committee objects to Items A and B on grounds that the amendments further reduce the land for indigenous villagers for building Small Houses which neglects the development need of the village and the Small House demand of the male indigenous villagers.
- 2.2 The 61 valid comments are submitted by the Conservancy Association (**C54**), Hong Kong Bird Watching Society (**C55**), 港九工團聯合總會 (**C56**), a member of Sai Kung District Council (**C61**) and individuals (**C1 to C53 and C57 to C60**). Of them, three commenters (**C54, C55 and C59**) are also representers themselves. All commenters generally suggest further reduction of “V” zone and imposing more stringent control to conserve Pak Lap, of which **C1 to C53 and C60** support **R2 to R8**, **C1 to C54** oppose **R16 and R17**, **C55** supports **R2 to R4 and R6**, **C57** supports **R4**, and **C58 and C61** support **R1 to R14**.

3. Arrangement for Consideration of Representations and Comments

- 3.1 Under section 2A of the Ordinance, the Board is empowered to appoint a Representation Hearing Committee (RHC) from among its members to consider representations and comments, propose amendments to the Plan to meet representations, consider further representations in respect of the proposed amendments, and consider whether to vary the proposed amendments upon consideration of any adverse further representations. Since the amendments incorporated in the Plan and the representations and comments received are of similar nature, it will be more efficient for the full Board to consider the representations and comments without resorting to the appointment of a RHC. The hearing could be accommodated in the Board's regular meeting or a separate hearing session may be arranged if necessary. The arrangement would not delay the completion of the representation consideration process.
- 3.2 Under section 6B(6) of the Ordinance, the Board may determine whether the representations and the related comments shall be considered at the same meeting and whether they shall be considered individually or collectively. In view of the similar nature of representations and comments, it is recommended that the hearing of the representations and comments should be considered in one group.
- 3.3 The subject OZP, together with the draft So Lo Pun OZP and Hoi Ha OZP, was gazetted under section 7 of the Ordinance on the same date, and all the OZPs involve the rezoning of "V" zone. A significant number of representations and comments on the three OZPs are submitted by the same representers and commenters (i.e. 16 representations and 60 comments). As such, the Board may consider the representations and comments on the three OZPs collectively. To ensure efficiency of the hearing, it is recommended to allot a maximum of 10 minutes presentation time to each representer/commenter in the representation hearing irrespective of the number of OZP he/she has made submissions on.
- 3.4 Consideration of the representations and comments by the full Board under section 6B of the Ordinance is tentatively scheduled for September/October 2020.

4. Decision Sought

- 4.1 The Board is invited to note that pursuant to sections 6(2)(b) and 6A(2) of the Ordinance that the one representation and 57 comments with the required identity information missing as mentioned in paragraphs 1.2 and 1.3 above should be considered as invalid and treated as not having been made.
- 4.2 The Board is invited to consider whether:
 - (a) to appoint a RHC for consideration of the representations and comments; and
 - (b) the representations and comments should be considered in the manner as proposed in paragraph 3 above.

5. Attachments

Annex I	Schedule of Amendments to the draft Pak Lap Outline Zoning Plan No. S/SK-PL/1 incorporating the amendments as shown on Plan No. R/S/SK-PL/1-A2
Annex II	List of representers
Annex III	List of commenters
Annex IV	Summary of representations
Annex V	Summary of comments
Plan P-1	Location plan of the representation sites

**PLANNING DEPARTMENT
AUGUST 2020**