



長春社 Since 1968

The Conservancy Association

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8<sup>th</sup> March 2021

Town Planning Board  
15/F North Point Government Offices  
333 Java Road  
North Point  
Hong Kong

By e-mail: tpbpd@pland.gov.hk

Dear Sir/Madam,

RE: Representations relating to the Draft Sha Lo Wan and San Tau Development  
Permission Area (DPA) Plan No. DPA/I-SLW/1

The Conservancy Association is writing to submit our representations relating to the Draft Sha Lo Wan and San Tau DPA Plan No. DPA/I-SLW/1. We support that introducing planning control through DPA Plan is necessary to provide planning guidance and impose planning enforcement against various forms of devastation in this area.

We agree that the general planning intention of the Plan Area is “to protect the ecologically sensitive areas (including the San Tau Beach SSSI), to maintain the unique rural and natural character, landscape value and cultural heritage of the Area, and to prevent it from encroachment by unauthorized development and from undesirable change of use<sup>1</sup>”. It should be reminded that road widening, slope cutting works were recently spotted along Tung O Ancient Trail and caused adverse impact on the landscape character in the subject area. Worse still, signs of land excavation and vegetation clearance were spotted even after the implementation of this DPA Plan (Figure 1 and 2). Areas of high conservation and landscape value should therefore be protected from encroachment by development, unauthorized work and incompatible use with conservation-related zones which put conservation as the

<sup>1</sup> Please refer to Section 7.2 General Planning Intention  
[https://www2.ozp.tpb.gov.hk/plan/ozp\\_plan\\_notes/en/DPA\\_I-SLW\\_1\\_e.pdf](https://www2.ozp.tpb.gov.hk/plan/ozp_plan_notes/en/DPA_I-SLW_1_e.pdf)



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over-riding planning intention.

For specific concerns, we initially would highlight the following items:

### 1. Extending San Tau Beach SSSI

For the proposed boundary of San Tau Beach SSSI, we note that it is inconsistent to the one in the Register of SSSI as it does not cover areas outside coastal water (Figure 3 and 4). According to the Register, the site consists of a small area of mangroves which includes the rare *Bruguera gymnorhiza*. Outside the mangroves is a sea grass bed of *Zostera japonica* and *Halophila ovata*. These seagrass beds support an interesting assemblage of marine invertebrates.

In existing OZPs, SSSI zones covering outside coastal water is not uncommon, such as Ting Kok, Kei Ling Ha Lo Wai, Tai Ho, and so on. Thus, we would suggest that the proposed SSSI zone in San Tau should be further extended with reference to the Register.

### 2. Protecting woodland

Feng-shui woodland and mature secondary woodland adjacent to village areas are closely linked to woodland and vegetation at the adjacent Lantau North (Extension) Country Park. They should receive better protection by Conservation Area (CA) zone. Additional effort to survey in these village areas is also necessary to ensure that species of conservation interest could be protected.

Lantau is an important site for Romer's Tree Frog (*Liuixalus romeri*)<sup>2</sup>. The endemic Romer's Tree Frog is protected under Cap. 170, ranked as "endangered" in IUCN Red List and considered of "potential global concern"<sup>3</sup>. Since well-wooded areas adjacent to small stream or other water course would be favourable breeding site for Romer's Tree Frog, we suggests that these areas should be protected with

<sup>2</sup> Simon K.F. Chan, Ka-shing Cheung, Ching-ye Ho, Fung-ngai Lam & Wing-sze Tang (2005). *Endemic Species Highlights – Romer's Tree Frog*. Hong Kong Biodiversity Issue 8.

[http://www.afcd.gov.hk/english/publications/publications\\_con/files/hkbonewsletter8.pdf](http://www.afcd.gov.hk/english/publications/publications_con/files/hkbonewsletter8.pdf)

<sup>3</sup> Fellowes, J.R., Lau, M.W.N., Dudgeon, D., Reels, G.T., Ades, G.W.J., Carey, G.J., Chan, B.P.L., Kendrick, R.C., Lee, K.S., Leven, M.R., Wilson, K.D.P. and Yu, Y.T. (2002). Wild animals to watch: terrestrial and freshwater fauna of conservation concern in Hong Kong. *Memoirs of the Hong Kong Natural History Society* 25, 123-159.



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conservation-related zones such as CA zone.

### 3. Protecting natural stream from water pollution

According to the “Guidance Notes on Discharges from Village Houses” by Environmental Protection Department, a septic tank and soakaway (STS) system “*can only perform well if it has been properly site, designed, constructed, used, desludged and repaired when necessary...overflow from septic tank or soakaway pit, or direct discharge without passing through a soakaway system, it polluting and should not be permitted*”. Currently there are no public sewerage system and standard road access in the Plan Area. With inadequate maintenance and increasing number of septic tanks, we worry that the STS system cannot remove pollutant and cause water pollution to natural streams nearby.

Even the Government had expressed similar concerns on STS system in the past Legco meeting:

*“At present, sewage from a number of village areas in Yuen Long and Kam Tin is often treated and disposed of by means of private on-site treatment facilities (such as septic tanks and soakaway (STS) systems). Such facilities might however become ineffective due to their proximity to watercourses or inadequate maintenance...”<sup>4</sup>*

*“STS systems operate by allowing the effluent to percolate through gravels whereby pollutants are removed in a natural manner. However, if a STS system is located in an area where the ground water table is high, such as an area in proximity to watercourses, it will not function properly due to ineffective percolation”<sup>5</sup>*

*“The pollution problems of the rivers and streams in that region have accordingly improved considerably in the past decade. However, as the base*

<sup>4</sup> Please refer to Section 4

<https://www.legco.gov.hk/yr11-12/english/panels/ea/papers/ea0528cb1-1949-3-e.pdf>

<sup>5</sup> Please refer to footnote 1

<https://www.legco.gov.hk/yr11-12/english/panels/ea/papers/ea0528cb1-1949-3-e.pdf>



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*flow of local rivers and streams is generally small, their assimilative capacity is therefore low. This, coupled with the continued development and hence population growth in the river catchments, as well as the lack of maintenance of many private septic tank systems, has caused the water quality of some rivers and streams in the Northwest New Territories to remain unsatisfactory”<sup>6</sup>*

Simply relying on compliance with relevant standards and regulations, such as EPD’s Practice Note for Professional Person (ProPECC PN) 5/93 “Drainage Plans subject to Comment by the Environmental Protection Department”, is not solving problems. While we suggest that all natural streams and their tributaries should be protected by conservation-related zones such as GB(1) or CA zone, designating buffer area for their riparian with conservation-related zones is necessary to ensure stringent protection from impacts such as sedimentation, non-point source runoff and domestic effluent. Small house development should be confined to existing village settlement rather than buffer area for natural streams. Building small house away from natural stream is also important to prevent locals from potential flood risk.

#### **4. Treating genuine need for small house in proper**

Over the past few years, we have argued the justification for designating a large size of Village Type Development (V) zone in rural areas as we see no initiatives from any departments to evaluate the validity of forecast on Small House demand. The Plan Area currently lacks proper vehicular access and public sewerage system. Putting tremendous village population in such an isolated site would create disastrous impact to the environment. With diverse natural habitats supporting rare or uncommon flora and fauna, any activities, including Small House need careful assessment and planning or it would destroy the natural system of the Plan Area itself and the adjoining Lantau North (Extension) Country Park.

We see no urgent needs to reserve excessive land for Small House in the Plan Area. All V zones in future, if any, should be first confined within the existing village settlement and in accordance with genuine need of small house.

<sup>6</sup> Please refer to the Section - Pollution of Streams

<https://www.legco.gov.hk/yr04-05/english/counmtg/hansard/cm0126ti-translate-e.pdf>



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### 5. Protecting agricultural land

Regarding good quality agricultural land and fallow arable land with good potential for rehabilitation, the following objectives should be achieved through the existing planning mechanism:

- To preserve rural setting as well as natural environment of the Plan Area
- To protect good quality agricultural land and fallow arable land with good potential for agricultural rehabilitation
- To secure genuine agricultural practice

Any permanent structures built on the agricultural land in the Plan Area would go beyond the above objectives. A stringent control on agricultural land close to ecologically sensitive area is considered appropriate. For example, House (New Territories Exempted House only) should not be included in both Column I and II of zones so that no small houses can be built on agricultural land with good quality.

Yours faithfully,

Ng Hei Man

Campaign Manager

The Conservancy Association



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**Figure 1** Location of the unauthorized development (marked in red)



**Figure 2** Signs of land excavation and vegetation clearance were spotted during our site visit in Sha Lo Wan dated 4<sup>th</sup> March 2021





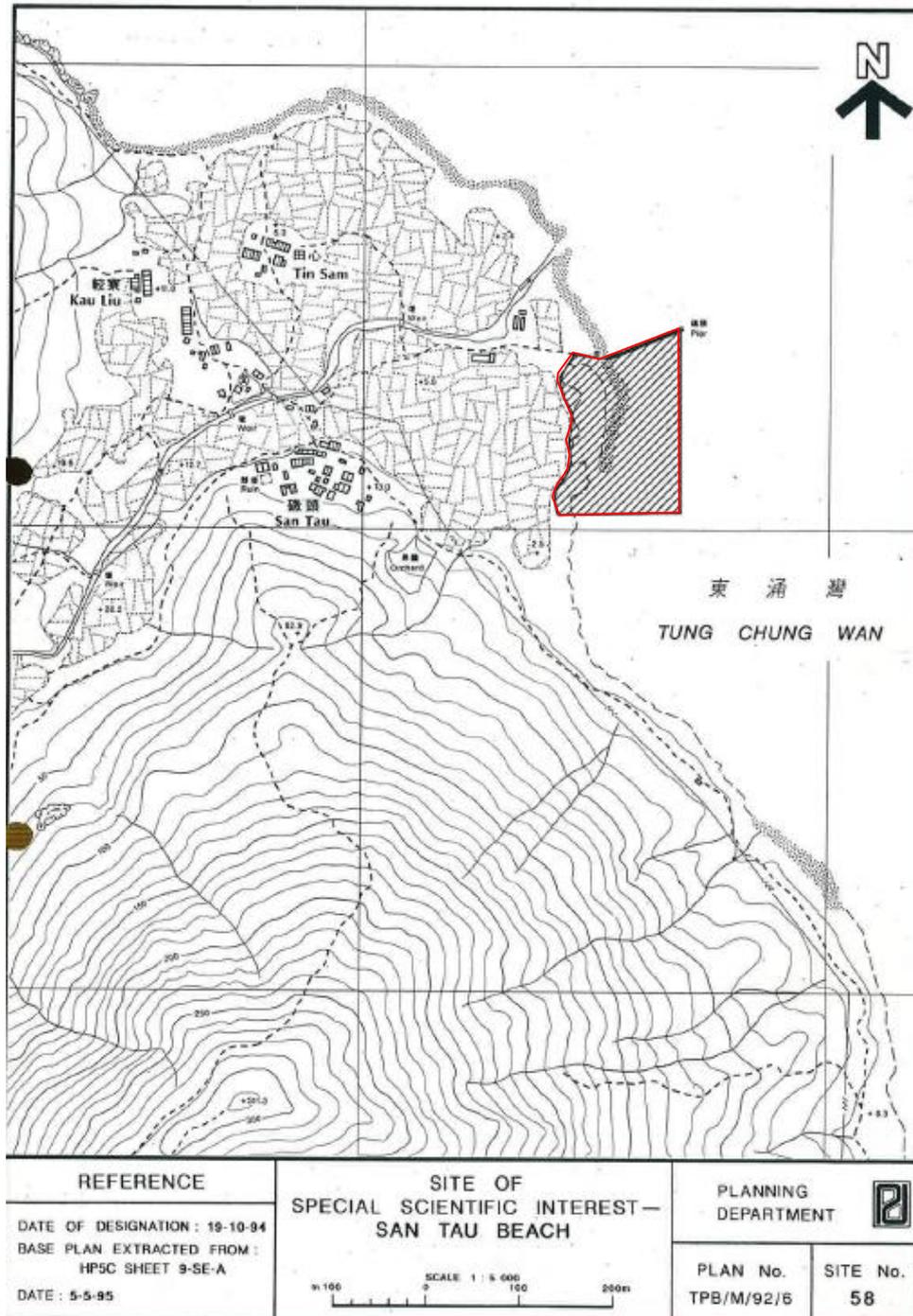
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**Figure 3 The boundary of San Tau Beach SSSI in the Register of SSSI (marked in red)**





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**Figure 4 The proposed boundary of San Tau Beach SSSI in DPA Plan is inconsistent to the one in the Register of SSSI (marked in red)**

