



30 December 2014

**Complaint of dumping rubble on Lot no. 2406 in DD316,
Pui O, Lantau**

Dear Miss Kwok,

Your Ref: (10) in EP3/N09/RS/00030808-14

We refer to your exchange of correspondence with local residents on the captioned subject.

Our organization, Living Islands Movement, has a strong interest in this matter. We consider the Pui O Wetland area a prime natural asset of Lantau Island and that its preservation as such is for the benefit of all Hong Kong residents and in the vital public interest. We were therefore deeply disturbed to learn that your department is issuing “permits” or “letters of advice” to wetland Lot owners that have the consequence of accelerating the destruction of the Pui O wetland by means of infill of core areas with building rubble.

We would first like to cite the relevant section of the Notes to the South Lantau Coast Outline Zoning Plan No S/SLC/19:

QUOTE

7.6 Coastal Protection Area (“CPA”): total Area 162.46 ha

7.6.1 This zone is intended to conserve, protect and retain the natural coastlines and sensitive coastal natural environment, including attractive geological features, physical landform or area of high landscape, scenic or

ecological value, with a minimum of built development. This zone is also intended to safeguard the beaches and their immediate hinterland, and to prevent haphazard ribbon development along the South Lantau Coast. There is a general presumption against development in this zone. In general, only developments that are needed to support the conservation of the existing natural landscape or scenic quality of the area or the development is an essential infrastructure project with overriding public interest may be permitted. **These scenic and ecologically sensitive coastal areas should also be protected against land filling, land excavation or stream diversion and encroachment by developments”**

UNQUOTE

It is hard to imagine a clearer statement that the infill of wetland areas by rubble dumping should be strictly prohibited. At the very least, I believe planning permission from the TPB should be sought in these instances. This view is reinforced by the following section of the Guidance Notes on Application for Permission under Section 16 of the Town Planning Ordinance (Cap.131):

QUOTE

Rural Areas (page 2)

13. In areas covered by the rural OZPs or DPAs applications for temporary uses (usually up to a maximum period of 3 years depending on the Notes of specific OZP or DPA plan) of any land or building, notwithstanding that they are not “Column 2” uses under the Notes of the plan, can be made to the Board. The Board may grant, with or without conditions, or refuse to grant permission. **However any temporary uses for open storage and port back-up proposes are prohibited in areas under conservation-related zonings, i.e. “Conservation Area”, “Coastal Protection Area”, etc.....**

UNQUOTE

Therefore we seriously question if application of the Waste Disposal

Ordinance is relevant or correct in Coastal Protection Areas such as Pui O wetland, when such activities are prohibited without planning permission.

Could you please confirm whether or not the land owner has been advised that land filling and/or temporary storage of building is not permitted in CPA areas without TPB planning permission?

Please also advise if there any further such applications in the pipeline.

You will be aware that planning issues for Lantau are very much in the spot light at present. According to Development Secretary Mr Paul Chan's blog: "...predominant Lantau is conservation, leisure, cultural development and green tourism".

Pui O Wetland undoubtedly falls into this category, and we call upon the Environmental Protection Department to live up to its name in this regard.

Yours Sincerely
Living Islands Movement Committee