

TOWN PLANNING BOARD

**TPB Paper No. 10066
For Consideration by
the Town Planning Board
on 29.1.2016**

**DRAFT KUK PO, FUNG HANG AND YUNG SHUE AU
OUTLINE ZONING PLAN NO. S/NE-KP/B
FURTHER CONSIDERATION OF A NEW PLAN**

**DRAFT KUK PO, FUNG HANG AND YUNG SHUE AU
OUTLINE ZONING PLAN NO. S/NE-KP/B
FURTHER CONSIDERATION OF A NEW PLAN**

1. INTRODUCTION

The purposes of this paper are to:

- (a) report on the results of the consultation with the North District Council (NDC) and Sha Tau Kok District Rural Committee (STKDRC), and other public views received on the draft Kuk Po, Fung Hang and Yung Shue Au Outline Zoning Plan (OZP) No. S/NE-KP/B; and
- (b) seek Members' agreement that the draft Kuk Po, Fung Hang and Yung Shue Au OZP No. S/NE-KP/B, its Notes and Explanatory Statement (ES) (**Annexes I to III**) are suitable for public inspection under section 5 of the Town Planning Ordinance (the Ordinance).

2. BACKGROUND

- 2.1 On 28.8.2015, the Town Planning Board (the Board) gave preliminary consideration to the draft Kuk Po, Fung Hang and Yung Shue Au OZP No. S/NE-KP/B (TPB Paper No. 9982) and agreed that the draft OZP was suitable for submission to the NDC and STKDRC for consultation. An extract of the minutes of the Board's meeting held on 28.8.2015 and TPB Paper No. 9982 are at **Annexes IV and V** respectively for Members' reference.
- 2.2 Major land use proposals of the draft OZP No. S/NE-KP/B (**Plan 1**) highlighted in the TPB Paper No. 9982 are recapitulated below:

"Conservation Area" ("CA") Zone (23.01 ha and 25.49%) (Plans 1 to 6)

- (a) The "CA" zone covers the mature woodlands behind the villages in Fung Hang, Kuk Po and Yung Shue Au (the Area), which are generally in good conditions with more diverse tree species and ecologically linked with the habitats of the adjoining Plover Cove Country Park (PCCP). There are some plant species of conservation significance and butterfly species of conservation concern. The "CA" zone also covers the freshwater/brackish marshes comprising mainly intertidal water pond/mudflat, mangrove, reedbed and seagrass along the low-lying coastal areas as well as the lower sections of the Ecologically Important Streams (EISs) in Kuk Po and Yung Shue Au, and the estuarine mangrove in the western section of the coastal front along Fung Hang to reflect the ecological importance of these natural habitats.

“Green Belt” (“GB”) Zone (57.38 ha and 63.57%) (Plans 1 to 6)

- (b) Majority of the Area comprising woodlands, shrublands, streams and rocky/sandy shores have been zoned “GB” to conserve the natural and rural character of the Area and provide a buffer between the village type developments and the PCCP.

“Agriculture” (“AGR”) Zone (3.94 ha and 4.36%) (Plans 1 to 6)

- (c) Fallow agricultural land with potential for agricultural rehabilitation, not covered by significant vegetation and close to the existing village clusters at more accessible locations in Fung Hang and Kuk Po have been zoned “AGR”.

“Government, Institution or Community” (“G/IC”) Zone (0.06 ha and 0.07%) (Plans 1 to 6)

- (d) Major GIC facilities in the Area are Kai Choi School and Hip Tin Temple in Kuk Po. The building was constructed in 1931 and is a Grade 3 historic building worthy of preservation. The school was closed in 1993, whilst the temple is still in use. It has been zoned “G/IC” mainly to reflect the existing use.

“Village Type Development” (“V”) Zone (5.88 ha and 6.51%) (Plans 1 to 6)

- (e) Fung Hang, Kuk Po (including Kuk Po Lo Wai, Kuk Po San Uk Ha, Yi To, Sam To, Sze To and Ng To) and Yung Shue Au are the recognized villages in the Area. Given the Area’s natural environment, its ecological and landscape value coupled with its limited accessibility due to lack of vehicular access and potential natural terrain landslide hazards, an incremental approach for designation of “V” zones for Small House development has been adopted with an aim to confining Small House development at suitable locations so as to avoid undesirable disturbances to the natural environment and overtaxing the existing limited infrastructure. The proposed “V” zones cover the existing village clusters and their adjoining fallow agricultural land mainly covered with grasses and shrubs.

3. LOCAL CONSULTATION

NDC and STKDRC

- 3.1 The NDC and STKDRC were consulted on the draft OZP No. S/NE-KP/B on 14.9.2015 and 2.10.2015 respectively; and they strongly objected to the draft OZP. The minutes of the NDC meeting and an objection letter submitted by the NDC on 22.12.2015 are attached at **Annex VI-1 and 2** respectively. Four submissions including an objection letter submitted by the STKDRC and the IIRs of Fung Hang, Kuk Po and Yung Shue Au Villages dated 12.9.2015, an objection letter submitted by the villagers of Kuk Po Village, a list of “Yung Shue Au Village Indigenous Inhabitants Ding Entitlement Registration Records August 2015” submitted by the IIR of Yung Shue Au Village, and specific zoning proposals for the Area submitted by the STKDRC and the concerned IIRs on 2.10.2015 were also received (**Annex**

VI-3 to VI-6). Besides, 160 standard letters¹ were submitted by other villagers from August to October 2015 (a sample of the standard letters is at **Annex VI-7**). The views and proposals of the NDC, STKDRC and the villagers on the draft OZP are summarized below:

Insufficient “V” Zones to Meet Small House Demand

- (a) The draft OZP is biased towards nature conservation. The “V” zones are insufficient to meet the demand of indigenous villagers for Small House developments and their housing needs. Their traditional rights and interests for building Small Houses under the Basic Law have been ignored. The “V” zones should be expanded to the adjoining areas based on the number of male indigenous villagers in each village (**Drawing 1 and Plan 7**).

Objection to Designation of Private Agricultural Land as Conservation Zones

- (b) Designation of private agricultural land as conservation zones is unfair and will deprive the landowners’ interests, which should be compensated. The “CA” and “GB” zones are excessive, and the land at prominent location with flat topography should not be covered by any conservation zone. For instance, the “CA” zone in Fung Hang only covers a fish pond which is not a marsh. Private agricultural land should be zoned “AGR” and it is unreasonable that there is no “AGR” zone in Yung Shue Au (**Drawing 1 and Plan 7**).

“G/IC” Zone in Kuk Po

- (c) The private land at Kai Choi School in Kuk Po should not be zoned “G/IC” without landowner’s consent and compensation. It should be rezoned to “V” (**Drawing 1 and Plan 7**).

Provision of Vehicular Access Road to All Villages

- (d) There is no planning for transport among the three sub-areas. Vehicular access road should be provided to enhance their accessibility.

Local Consultation

- (e) Landowners’ comments have not been respected and incorporated in the preparation of the draft OZP. The STKDRC and villagers should be consulted before consultation with the NDC, and the IIRs of the concerned villages and relevant stakeholders should be engaged for re-planning of the Area, and their views should be properly reflected for the Board’s consideration.

Green/Concern Groups

3.2 In September and October 2015, five submissions were received from green/concern groups, namely Kadoorie Farm & Botanic Garden Corporation

¹ These letters are largely the same as the 51 standard letters received from the STKDRC, IIRs of Kuk Po and Yung Shue Au and other villagers received by mid August 2015, which mainly proposed to expand “V” zones and designate “AGR” zone. These views/proposals have been incorporated into the draft OZP No. S/NE-KP/B where appropriate for the Board’s preliminary consideration on 28.8.2015 (Appendices VI and VII of the TPB Paper No. 9982 at **Annex V**).

(KFBG), World Wide Fund for Nature Hong Kong (WWF-HK), The Conservancy Association (CA), The Hong Kong Bird Watching Society (HKBWS)² and Designing Hong Kong Limited (DHKL) (**Annex VII-1 to 5**). Their views and proposals are summarized below (**Drawings 2 and 3 and Plan 8**):

Support to the “CA” Zone and Planning Intention of the “AGR” Zone

- (a) WWF-HK and HKBWS support the “CA” zone, and DHKL supports the planning intention of the “AGR” zone in the draft OZP.

Adverse Environmental Impacts of the Small House Development and Agricultural Activities

- (b) The green/concern groups largely consider that septic tanks and soakaway (STS) systems are not effective in treatment of domestic sewage thus Small House developments immediately adjacent to the marshes would cause adverse impacts on the natural environment. More stringent planning control should be imposed to the “AGR” and “GB” zones by excluding house development from the Notes of the two zones.
- (c) Besides, as the “AGR” zones are hydrologically and ecologically connected with the adjacent marshes/wetland complexes, agricultural activities with the use of pesticides and fertilizers would adversely affect the wetland habitats. In view of the above and noting that there are no extensive active farmlands in the Area, the “AGR” zones are generally not supported, and should be designated as “GB”, “GB(1)” or “CA” (**Drawing 3 and Plan 8**). The shrubland in the eastern part of Kuk Po could be designated as “AGR” zone if necessary (**Drawing 2 and Plan 8**).

To Designate All Natural Streams and Their 30m Riparian Zones, Seasonal Wetlands and Woodlands from “GB” to “GB(1)” or “CA”

- (d) For the concern about the adverse environmental impacts of Small House developments and for comprehensive protection of the wetland complexes, it is proposed to cover all natural streams and their 30m riparian zones and seasonal wetlands by “GB(1)” or “CA” zones (**Plan 8**).
- (e) Furthermore, the woodlands in the Area are dense and ecologically connected with the surrounding PCCP, and hence should be rezoned from “GB” to “GB(1)” or “CA” to reflect their ecological value (**Plan 8**).

To Designate the Area as Country Park

- (f) Besides, it is also proposed to incorporate the Area into the PCCP.

² The HKBWS also submitted records of bird occurrence in the Area to substantiate its ecological importance i.e. to date, the HKBWS has recorded 104 bird species in the Area, with 31 species of conservation concern and 26 wetland dependent species such as Bonelli’s Eagle (*Aquila fasciata*) (白腹隼鷂). A diverse group of birds have been found in the Area, including woodland birds, waterbirds, open country birds and raptor species. AFCD has no comment on the ecological information and remarks that the Area is not known to be a hotspot for birds.

4. PLANNING DEPARTMENT'S RESPONSES

4.1 In consultation with concerned departments, the Planning Department (PlanD)'s responses to the above comments/proposals are as follows.

- (a) The supportive views on the "CA" zone and the planning intention of the "AGR" zone in the draft OZP are noted.

Designation of "V" Zones

- (b) In drawing up the draft OZP, special attention has been given to protect the high conservation and landscape value of the Area having regard to the wider natural system of the adjoining PCCP. Environmentally sensitive areas and areas with high landscape value including woodland, shrubland, low-lying wetland habitat, stream course, estuarine mangrove and rocky/sandy shore, have been zoned "CA" or "GB".
- (c) Fung Hang, Kuk Po and Yung Shue Au Villages are the recognized villages in the Area. Thus there is a need to designate "V" zones at suitable locations to meet the Small House demand of local villagers after delineating the areas that have to be conserved. The boundaries of the "V" zones have been drawn up having regard to the village 'environs' ('VEs'), the number of outstanding Small House applications, Small House demand forecast, local topography and site constraints. Areas of difficult terrain, dense vegetation, stream courses and burial grounds have been avoided as far as possible.
- (d) As advised by District Lands Officer/North, Lands Department (DLO/N, LandsD) in January 2016, there are three outstanding Small House applications in Kuk Po and no such application in Fung Hang and Yung Shue Au. The 10-year Small House demand forecasts provided by the IIRs¹ of Fung Hang, Kuk Po and Yung Shue Au are 418, 800 and 283 respectively. When preparing the draft DPA Plan in February 2013², the demand forecasts of Fung Hang, Kuk Po and Yung Shue Au were 182, 500 and 20 respectively. According to the established practice of the Board, substantial increase in updated demand forecast needs to be justified. As relevant justification has not been provided for Fung Hang and Kuk Po, the previous corresponding figures would be adopted for reference. For Yung Shue Au, the IIR submitted a list of eligible indigenous inhabitants³ during the local consultation in October 2015 and subsequently submitted an updated 10-year Small House demand forecast to LandsD in ~~December~~ **November** 2015. Considering that the previous demand forecast was provided years ago in 2009 and is recently updated, and the IIR has substantiated it by providing a name list of eligible indigenous inhabitants, it is recommended to adopt the updated demand forecast as reference.

¹ As advised by DLO/N, LandsD, the 10-year Small House demand forecasts are provided by the respective IIRs without any supporting evidence and his office is not in a position to verify the accuracy of the figures.

² The TPB Paper No. 9282 on Consideration of the Draft Kuk Po, Fung Hang and Yung Shue Au DPA Plan No. DPA/NE-KP/B in February 2013 refers.

³ A list of "Yung Shue Au Village Indigenous Inhabitants Ding Entitlement Registration Records August 2015" (Annex VI-5) showing the names of 188 persons.

- (e) Given the natural environment, its ecological and landscape value coupled with its limited accessibility due to lack of vehicular access and potential natural terrain landslide hazards, an incremental approach for designation of “V” zones for Small House development has been adopted with an aim to confining Small House development at suitable locations so as to avoid undesirable disturbances to the natural environment and overtaking the limited infrastructure in the Area. A total of about 5.88 ha of land is covered by “V” zones on the draft OZP, which represents an increase of 1.1 ha in land area as compared with the “V” zones on the draft DPA Plan (i.e. 4.78 ha). The areas reserved for Small House development cover the existing village clusters and their adjoining fallow agricultural land mainly covered with grasses and shrubs. Within the proposed “V” zones, a total of about 2.58 ha of land is available, equivalent to about 102 Small House sites, capable of meeting about 10.66% of the total Small House demand for 968 Small Houses (**Table 1**). According to the 2011 Population Census, the total population of the Area was estimated to be about 67 persons. It is expected that the total planned population of the Area would be 550 persons.

Table 1: Supply and Demand for Small Houses in the Kuk Po, Fung Hang and Yung Shue Au Area

Village	Small House Demand Figure in 2013		Small House Demand Figure in 2016		"VE" Area ('VE' Area in Draft OZP) (ha)	"V" Zone on Draft OZP (ha)	Required Land to Meet New Demand (ha)	Available Land to Meet New Demand (ha)	Percentage of the New Demand Met by Available Land (%)
	Outstanding Demand	10-year Forecast	Outstanding Demand	10-year Forecast					
Fung Hang	0	182 (2011-2020)	0	418 (2014-2023)	6.47 (5.86)	0.73	4.55	0.42 (16 houses)	9.23%
Kuk Po⁽¹⁾	0	500 (2012-2021)	3	800 (2014-2023)	14.32 (13.49)	3.63	12.58	1.76 (70 houses)	13.99%
Yung Shue Au	0	20 (2009 - 2018)	0	283 (2014-2023) (2015-2024)	6.72 (6.72)	1.52	7.08	0.40 (16 houses)	5.65%
Total	0	702	3	1501	27.51 (26.07)	5.88	24.20	2.58 (102 houses)	10.66%

Notes:

(1) Kuk Po Lo Wai, Kuk Po San Uk Ha, Yi To, Sam To, Sze To and Ng To are collectively known as Kuk Po.

- (f) While the area of the proposed “V” zones could not fully meet the Small House demand at the outset, it is sufficient to meet the outstanding demand (i.e. three Small Houses). The planning application system provides another means for the villagers to apply for Small House development outside the “V” zones subject to the Board’s approval.

Specific Zoning Proposals to Expand “V” Zones

- (g) The villagers propose to expand the “V” zones (i.e. about 1.65 ha, 11.53 ha and 6.25 ha in area in Fung Hang, Kuk Po and Yung Shue Au respectively) to the adjoining areas including those currently zoned “CA” along the coasts, “GB” and “AGR”, with some parts of them falling outside the ‘VEs’ (**Plan 7**). The current “CA” zones along the coasts consist of freshwater/brackish marshes while the current “GB” zones in Kuk Po and Yung Shue Au mainly

consist of woodlands, shrublands, seasonally wet grassland and the riparian zones of the EISs. These are environmentally sensitive areas and of high landscape value which should be protected. Agriculture, Fisheries and Conservation Department (AFCD) considers that the conservation zonings in the draft OZP are appropriate. The current “AGR” zones in Fung Hang and Kuk Po consist of fallow agricultural land with potential for agricultural rehabilitation which should be retained for agricultural purposes. AFCD does not support the proposed rezoning of “AGR” to “V” from the agricultural development point of view. It is considered that the draft OZP could strike a balance between nature conservation and villagers’ development needs.

Adverse Environmental Impacts of the Small House Development

- (h) Regarding green/concern groups’ worry about Small House development in “AGR” and “GB” zones, it should be noted that the Schedules of Uses under the Notes of the two zones primarily follow the Master Schedule of Notes endorsed by the Board. ‘House’⁶ is a Column 2 use requiring planning permission from the Board. Any potential adverse impact from Small House development on the surrounding area would be assessed through the planning application system in consultation with departments concerned. Each application will be considered by the Board based on its individual merits taking into account the prevailing planning circumstances, relevant guidelines and relevant departments’ comments. Moreover, activities such as diversion of streams or filling of pond that may cause adverse impacts on the natural environment should not be undertaken without permission from the Board. There is no strong justification to amend the Notes of the “AGR” and “GB” zones.
- (i) There is also sufficient control in the current administrative system to ensure that individual Small House development would not entail unacceptable impacts on the surrounding environment. For Small House development, the design and construction of the STS systems need to comply with relevant standards and regulations, such as Environmental Protection Department (EPD)’s Practice Note for Professional Person (ProPECC PN) 5/93 “Drainage Plans subject to Comment by the Environmental Protection Department”, for the protection of the water quality of the Area. The ProPECC PN 5/93 has stipulated specific requirements (e.g. minimum clearance distance) to ensure satisfactory performance of the STS system. Besides, in accordance with the Environment, Transport and Works Bureau’s Technical Circular (Works) No. 5/2005 “Protection of Natural Streams/Rivers from Adverse Impacts arising from Construction Works”, development proposals/submissions that may affect natural streams/rivers, the approving/processing authorities should consult and collate comments from the AFCD and relevant authorities. Lands Department, when processing Small House grant applications, will consult concerned Government departments including the EPD, AFCD and PlanD to ensure that all relevant departments would have adequate opportunity to review and comment on the applications to avoid adverse impacts of Small House development on the surrounding environment.

⁶ ‘House (New Territories Exempted House (NTEH) only, other than rebuilding of NTEH or replacement of existing domestic building by NTEH permitted under the covering Notes)’ is a Column 2 use in the “AGR” zone and ‘House (other than rebuilding of NTEH or replacement of existing domestic building by NTEH permitted under the covering Notes)’ is a Column 2 use in the “GB” zone..

Designation of “AGR” Zones

- (j) The villagers consider that private agricultural land should be zoned “AGR”⁷ instead of “CA” and “GB” and there should be “AGR” zone in Yung Shue Au (**Plan 7**). On the other hand, the green/concern groups are concerned about that possible adverse ecological impact of agricultural activities affecting the wetland habitats, and propose to designate the “AGR” zones as “GB”, “GB(1)” or “CA” (**Plan 8**).
- (k) In the draft OZP, the areas covered by the “CA” and “GB” zones are environmentally sensitive areas and areas with high landscape value that need to be protected. In specific, the “CA” zone along the coast in Fung Hang covers a freshwater/brackish marsh, which mainly comprises pond, mangrove and reedbed (**Plan 7**). AFCD considers that the conservation zonings are appropriate. It should be noted that private land within these conservation zones is primarily demised for agricultural purpose under Block Government Lease, and since ‘Agricultural Use’ is in general always permitted under such zonings, there is no deprivation of the rights of the landowners.
- (l) On the other hand, with a view to facilitating revitalization of the inhabited villages with agricultural activities and preserving the rural setting in the Area, the fallow agricultural land with potential for agricultural rehabilitation mainly covered with grasses and shrubs near the existing village clusters in Fung Hang and Kuk Po Lo Wai at more accessible locations have been zoned “AGR”. The eastern part of Kuk Po proposed by the green/concern group for “AGR” zone is considered less suitable as it is more distant from the existing village clusters, near the hillslopes and covered with relatively dense vegetation (**Plan 8**). No “AGR” zone has been proposed for Yung Shue Au as the areas adjoining to the village cluster are either freshwater/brackish marsh, vegetated hillslopes or covered with relatively dense vegetation (**Plan 7**), and the concerned village is basically uninhabited and situated in the more remote location. Regarding the green/concern groups’ other proposals to designate the “AGR” zones as “GB”, “GB(1)” or “CA” to avoid adverse ecological impacts arising from agricultural activities, AFCD advises that cropping activities could co-exist with conservation.

To Designate All Natural Streams and Their 30m Riparian Zones, Seasonal Wetlands and Woodland from “GB” to “GB(1)” or “CA”

- (m) In the draft OZP, the ecologically more sensitive areas including the mature woodlands behind villages and freshwater/brackish marshes in the three sub-areas (including the adjoining lower sections of the EISs in Kuk Po and Yung Shue Au) as well as the estuarine mangrove in Fung Hang are already zoned “CA”, whilst the vast areas of woodlands, shrublands, streams and their remaining riparian zones, part of the seasonally wet grassland as well as rocky/sandy shores are largely zoned “GB” (**Plans 6 and 8**). AFCD considers that the conservation zonings in the draft OZP are appropriate in providing

⁷ They also propose to designate some areas in the PCCP near Fung Hang and Kuk Po as “AGR, which fall outside the boundary of the draft OZP. Their proposed “AGR” zones within the boundary of the draft OZP are about 5.38 ha, 36.73 ha and 9.61 ha in area, which represents about 58%, 58% and 53% of the total area in Fung Hang, Kuk Po and Yung Shue Au respectively .

adequate planning protection to the natural environment of the Area. Both “CA” and “GB” zones are conservation zonings with a general presumption against development.

“G/IC” Zone in Kuk Po

- (n) Regarding the objection to zoning of Kai Choi School and Hip Tin Temple as “G/IC” in Kuk Po and proposal of rezoning to “V”, it should be noted that the current “G/IC” zone is mainly to reflect the existing use of the facilities, which is a Grade 3 historic building worthy of preservation. It falls outside any ‘VEs’ of the Kuk Po Village and is isolated from the existing village clusters and “V” zones in Kuk Po (**Plan 7**).

Contravention of Basic Law

- (o) On the view that the indigenous villagers’ traditional rights and interests for building Small Houses under the Basic Law have been ignored, according to the legal advice, assuming that the draft OZP would adversely affect Small House development in the area concerned, so long as such development was subject to planning controls that may be lawfully imposed under the Town Planning Ordinance before the Basic Law came into effect, applying those controls to the area concerned by way of the draft OZP does not appear to be inconsistent with the protection of the lawful traditional rights and interests of the New Territories indigenous inhabitants under Article 40 of the Basic Law.
- (p) Regarding the objection to the zoning of private land as “CA” and “G/IC” without compensation, it appears that the villagers are also alleging that the zoning would contravene the protection of private property under the Basic Law. Articles 6 (BL 6) and 105 (BL 105) of the Basic Law protect private property rights in Hong Kong while BL 105 further provides that the Government shall compensate for lawful deprivation of property. Based on the draft OZP, the zoning would unlikely constitute “deprivation” of property for the purpose of BL 105 requiring payment of compensation. The draft OZP would not affect any land owner’s right to transfer or assign his/her interest of land, nor would it leave the land concerned without any meaningful use or economically viable use. Besides, insofar as the zoning restrictions pursue the legitimate aim of conserving and protecting the existing natural landscape, ecological or topographical features of the area and the land concerned could be put to “always permitted uses” and uses that may be permitted with or without conditions on application to the Board, it does not appear inconsistent with the protection of property rights under BL 6 and BL 105.

Provision of Vehicular Access Road to All Villages

- (q) According to the covering Notes of the draft OZP, road works coordinated or implemented by Government are in general always permitted on land falling within the boundaries of the Plan. At present, the Area is not served by any vehicular access but there are a walking trail from Luk Keng and piers/jetties for small boats. Relevant works departments would keep in view the need for infrastructure in future subject to resources availability.

Local Consultation

- (r) Prior to the preparation of the draft OZP, the STKDRC has been approached, which together with the IIRs of Kuk Po and Yung Shue Au and other villagers submitted letters to the Board, and their views/proposals have been incorporated into the draft OZP No. S/NE-KP/B where appropriate for the Board's preliminary consideration on 28.8.2015. On 31.8.2015, consultation document was sent to the STKDRC followed up with frequent liaisons for a timely consultation meeting. Subsequently, the NDC and STKDRC were consulted on 14.9.2015 and 2.10.2015 respectively according to their schedules, and all the IIRs of the concerned villages have attended both meetings. Their views and proposals for re-planning of the Area, together with those from green/concern groups have been examined in consultation with the concerned departments and reported to the Board for consideration. Both the STKDRC and NDC will be further consulted after the publication of the draft OZP No. S/NE-KP/1 under section 5 of the Ordinance.

To Designate the Area as Country Park

- (s) Designation of the Country Park is under the jurisdiction of the Country and Marine Parks Authority governed by the Country Parks Ordinance (Cap. 208) which is outside the purview of the Board. Preparation of the statutory plan would not preclude any future designation of Country Park.
- 4.2 In summary, no zoning amendments to the previous draft OZP have been proposed and the land use zonings on the draft OZP (No. S/NE-KP/B) as highlighted in paragraph 2.2 are considered appropriate.
- 4.3 Minor refinements to the Notes and ES are highlighted (***bold and italics*** for addition and ~~cross-out~~ for deletion) at **Annex II and III** respectively for Members' easy reference.

5 CONSULTATION

The NDC and STKDRC will be consulted after the Board's agreement to the publication of the draft Kuk Po, Fung Hang and Yung Shue Au OZP under section 5 of the Ordinance during the exhibition period of the OZP.

6. DECISION SOUGHT

Members are invited to:

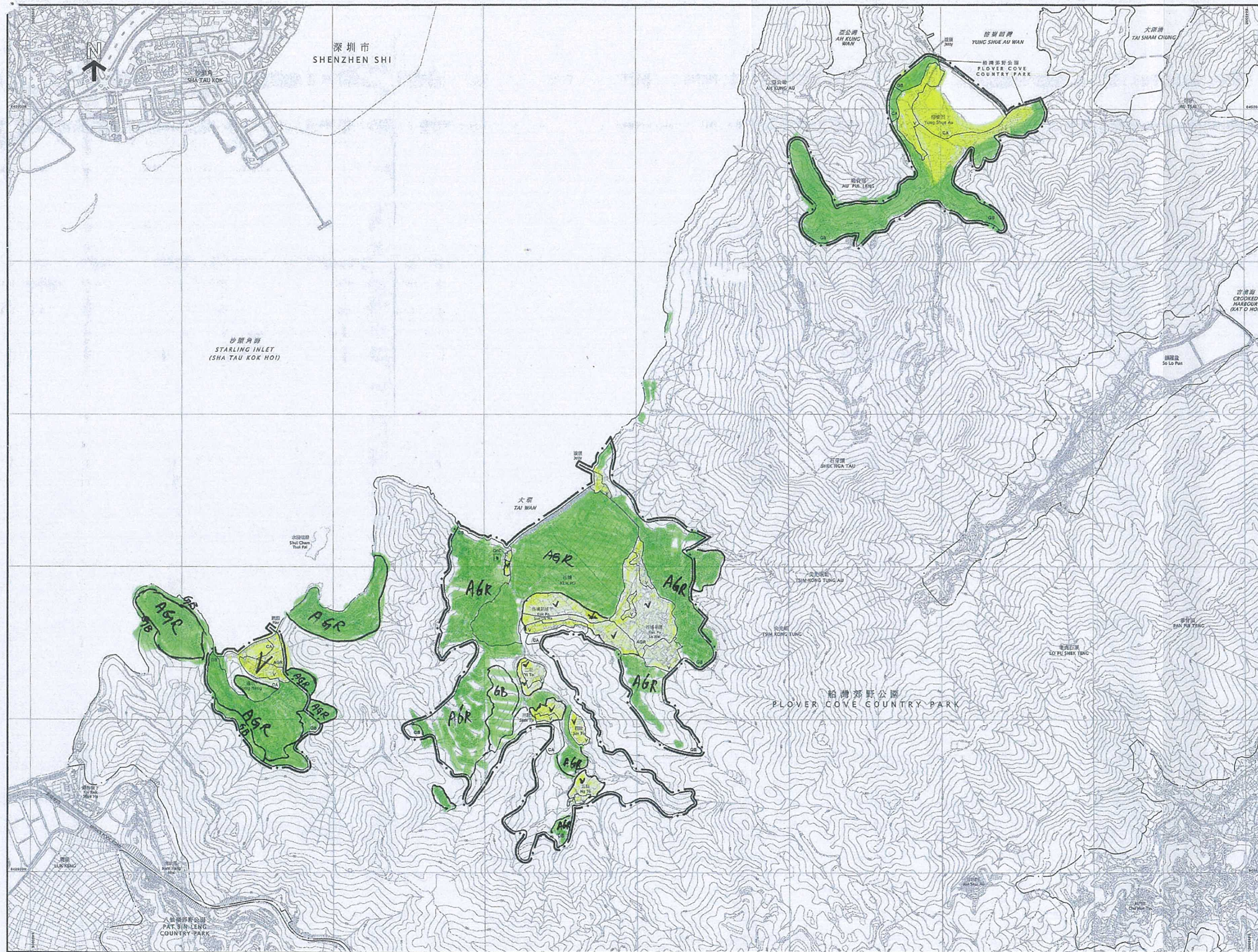
- (a) note the comments from and responses to the NDC, STKDRC, IIRs of the concerned villages and villagers, and the green/concern groups on the draft Kuk Po, Fung Hang and Yung Shue Au OZP No. S/NE-KP/B;
- (b) agree that the draft Kuk Po, Fung Hang and Yung Shue Au OZP No. S/NE-KP/B (to be renumbered as S/NE-KP/1 upon gazetting) and its Notes (**Annexes I and II**) are suitable for exhibition for public inspection under section 5 of the Ordinance;

- (c) adopt the ES (**Annex III**) as an expression of the planning intentions and objectives of the Board for various land use zonings of the draft Kuk Po, Fung Hang and Yung Shue Au OZP No. S/NE-KP/B; and
- (d) agree that the ES is suitable for exhibition for public inspection together with the draft OZP and issued under the name of the Board.

7. Attachments

Drawing 1	Proposals from the STKDRC as well as IIRs of Fung Hang, Kuk Po and Yung Shue Au Villages
Drawing 2	Proposal from KFBG
Drawing 3	Proposal from CA
Plan 1	Proposed Land Uses of the Draft Kuk Po, Fung Hang and Yung Shue Au OZP No. S/NE-KP/B
Plan 2	Aerial Photo
Plan 3	Village 'Environs' and Existing Physical Features
Plan 4	Existing Land Uses
Plan 5	Land Ownership and Village 'Environs'
Plan 6	Development Constraints and Proposed Land Uses
Plan 7	Specific Zoning Proposals from the Villagers
Plan 8	Specific Zoning Proposals from the Green/Concern Groups
Annex I	Draft Kuk Po, Fung Hang and Yung Shue Au OZP No. S/NE-KP/B
Annex II	Notes of the Draft Kuk Po, Fung Hang and Yung Shue Au OZP No. S/NE-KP/B
Annex III	Explanatory Statement of the Draft Kuk Po, Fung Hang and Yung Shue Au OZP No. S/NE-KP/B
Annex IV	Extract of Minutes of the Town Planning Board Meeting held on 28.8.2015
Annex V	Town Planning Board Paper No. 9982 (considered by the Town Planning Board on 28.8.2015)
Annex VI-1	Extract of Confirmed Minutes of the NDC held on 14.9.2015
Annex VI-2	Letter dated 22.12.2015 from the NDC
Annex VI-3	Letter dated 12.9.2015 from the STKDRC as well as IIRs of Fung Hang, Kuk Po and Yung Shue Au Villages
Annex VI-4	Letter dated 2.10.2015 from the Villagers of Kuk Po Village
Annex VI-5	Letter received on 2.10.2015 from the IIR of Yung Shue Au Village
Annex VI-6	Specific Zoning Proposals received on 2.10.2015 from the STKDRC as well as IIRs of Fung Hang, Kuk Po and Yung Shue Au Villages
Annex VI-7	Sample of the Standard Letters received from August to October 2015 from Other Villagers
Annex VII-1	Submission dated 22.9.2015 from KFBG
Annex VII-2	Submission dated 30.9.2015 from CA
Annex VII-3	Submission dated 30.9.2015 from WWF-HK
Annex VII-4	Submission dated 2.10.2015 from HKBWS
Annex VII-5	Submission dated 2.10.2015 from DHKL

**PLANNING DEPARTMENT
JANUARY 2016**



圖例
NOTATION

ZONES		地帶
VILLAGE TYPE DEVELOPMENT	V	鄉村式發展
GOVERNMENT, INSTITUTION OR COMMUNITY	GI/C	政府、機構或社區
AGRICULTURE	AGR	農業
GREEN BELT	GB	綠化地帶
CONSERVATION AREA	CA	自然保育區
MISCELLANEOUS		其他
BOUNDARY OF PLANNING SCHEME	— + —	規劃範圍界線
BOUNDARY OF COUNTRY PARK	— · —	郊野公園界線
MAXIMUM BUILDING HEIGHT (IN NUMBER OF STOREYS)	2	最高樓宇高度 (層數)

土地用途及面積一覽表
SCHEDULE OF USES AND AREAS

USES	大約面積及百分比 APPROXIMATE AREA & %		用途
	公頃 HECTARES	%	
VILLAGE TYPE DEVELOPMENT	5.88	6.51	鄉村式發展
GOVERNMENT, INSTITUTION OR COMMUNITY	0.06	0.07	政府、機構或社區
AGRICULTURE	3.94	4.38	農業
GREEN BELT	57.28	62.67	綠化地帶
CONSERVATION AREA	23.01	25.49	自然保育區
TOTAL PLANNING SCHEME AREA	90.27	100.00	規劃範圍總面積

夾附的《註釋》屬這份圖則的一部分
THE ATTACHED NOTES ALSO FORM PART OF THIS PLAN

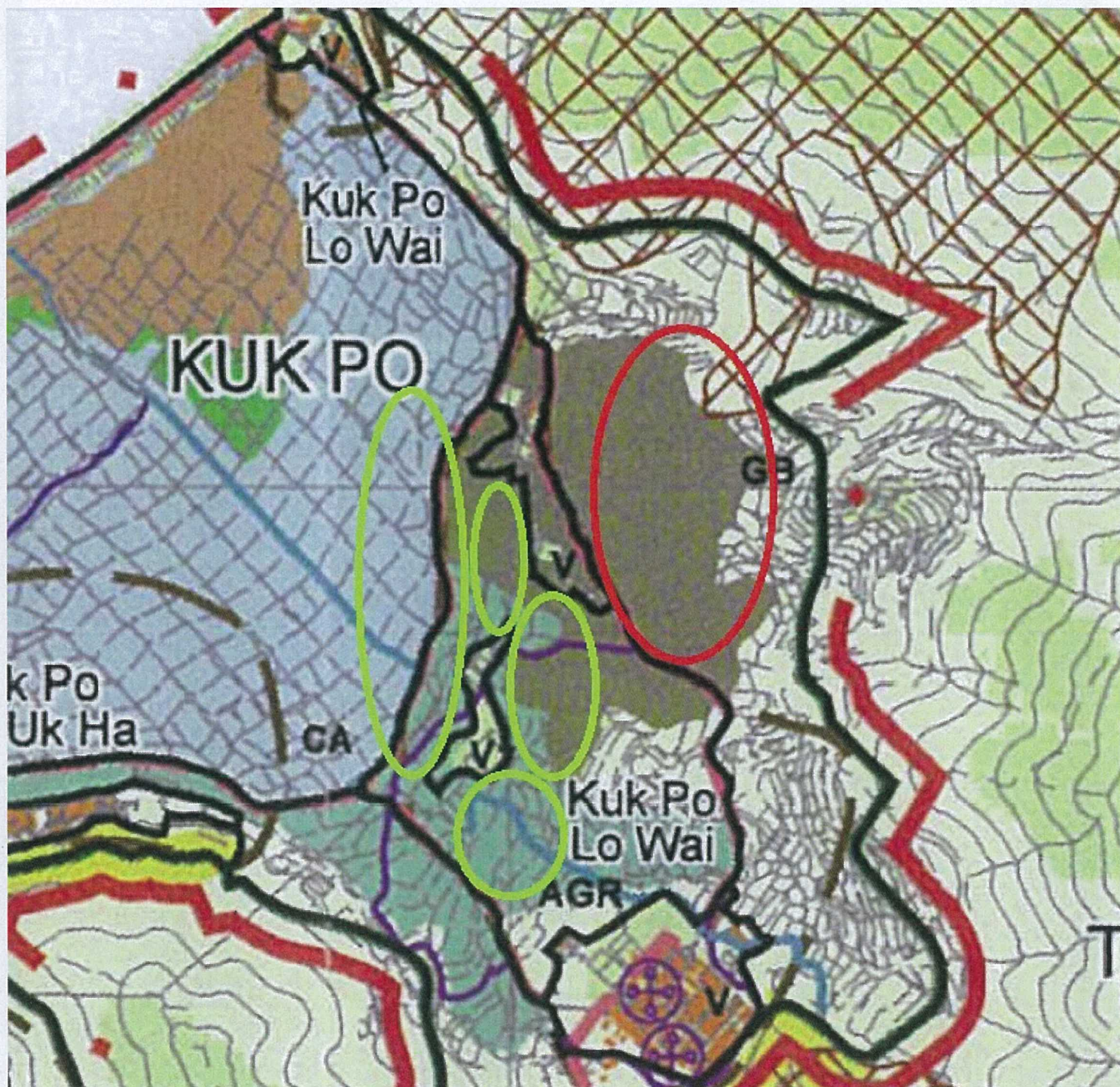
香港城市規劃委員會依據城市規劃條例擬備的谷埔、鳳坑及榕樹凹分區計劃大綱圖
TOWN PLANNING ORDINANCE, HONG KONG TOWN PLANNING BOARD
KUK PO, FUNG HANG AND YUNG SHUE AU - OUTLINE ZONING PLAN



規劃署區劃城市規劃委員會備案
PREPARED BY THE PLANNING DEPARTMENT UNDER
THE DIRECTION OF THE TOWN PLANNING BOARD

圖則編號
PLAN No. S/NE-KP/B

(SOURCE : PROPOSALS FROM THE SHA TAU KOK DISTRICT RURAL COMMITTEE (STKDRC)
AS WELL AS INDIGENOUS INHABITANT REPRESENTATIVES OF FUNG HANG,
KUK PO AND YUNG SHUE AU VILLAGES
RECEIVED AT STKDRC MEETING ON 2.10.2015)

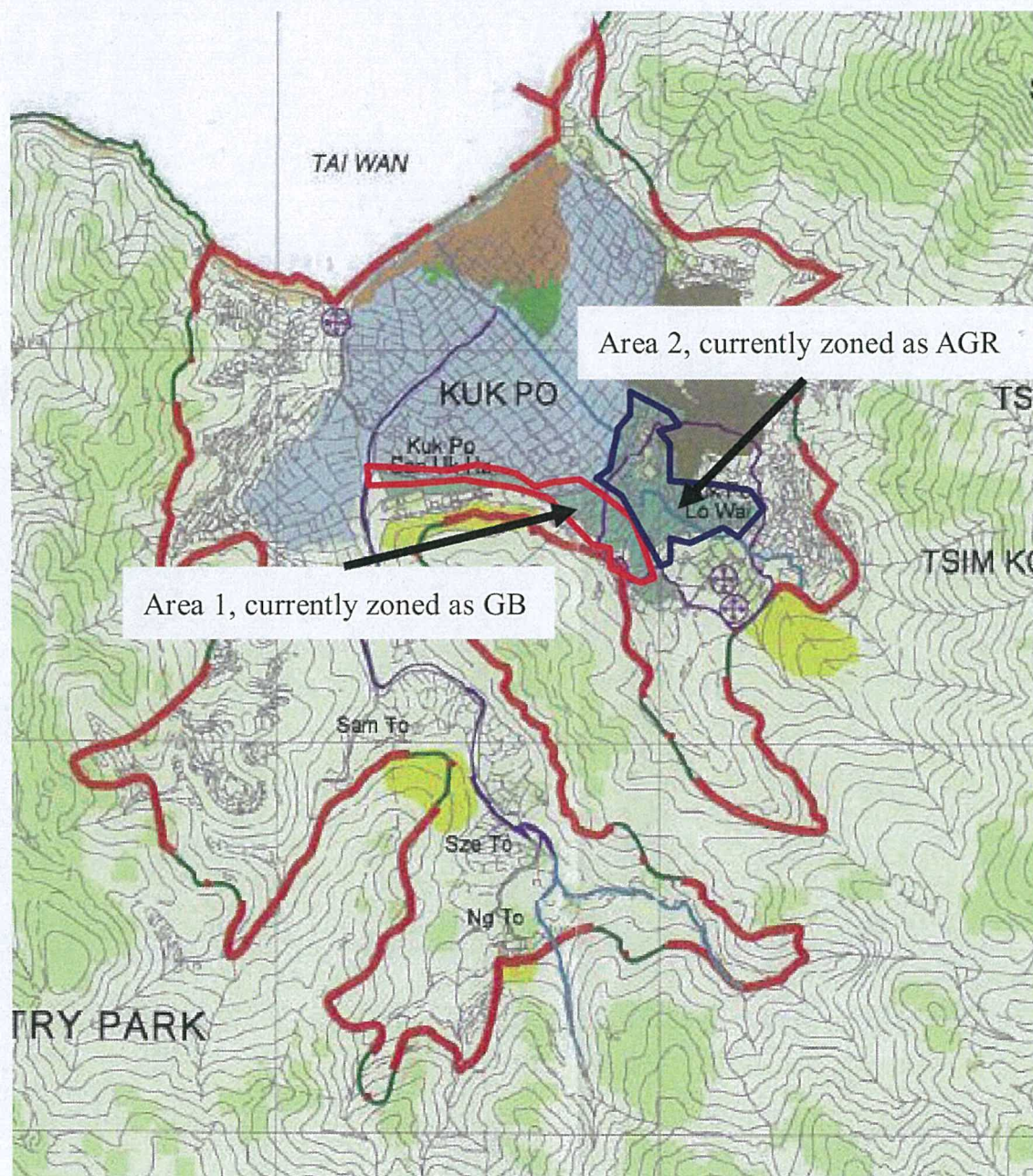


(SOURCE : PROPOSAL FROM KADOORIE FARM & BOTANIC GARDEN CORPORATION (KFBG) ON 22.9.2015)

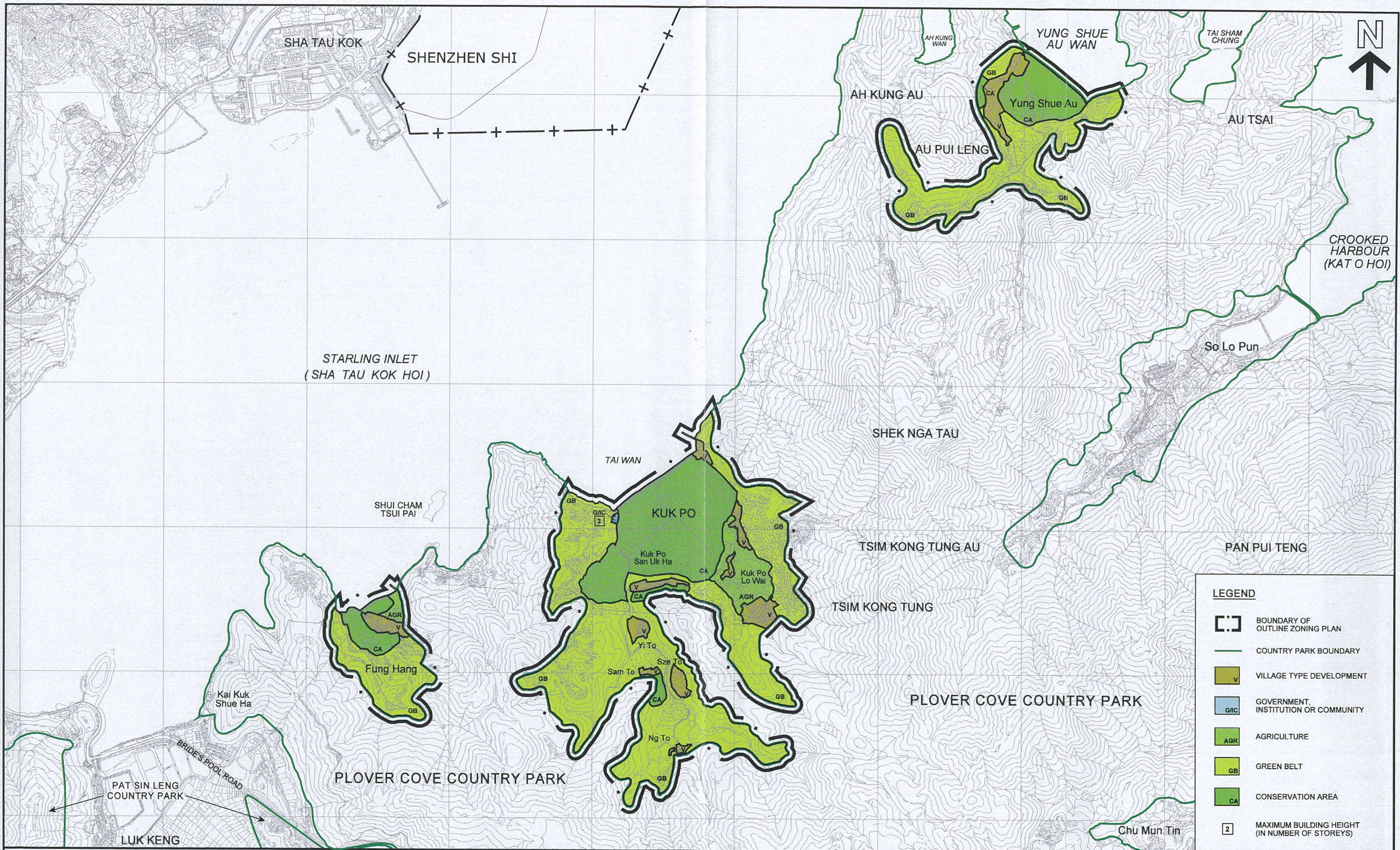
EXTRACT OF THE SUBMISSION FROM KFBG ON 22.9.2015 :

IF AGR ZONE IS A MUST, I WOULD RECOMMEND UTILISING THE SHRUBLAND BEHIND THE VILLAGE
(MARKED IN RED IN THE ATTACHED JPEG FILE).

Figure 1 Area 1 (marked in red) and Area 2 (marked in dark blue). Both areas are same in habitat but protected by different zonings



(SOURCE : PROPOSAL FROM THE CONSERVANCY ASSOCIATION (CA) ON 30.9.2015)
 EXTRACT OF THE SUBMISSION FROM CA ON 30.9.2015 :
 CA OPINES THAT ZONINGS OF THESE 2 AREAS SHOULD BE CONSISTENTLY
 PROTECTED BY CONSERVATION ZONING SUCH AS "GB" OR "CA" ZONE.

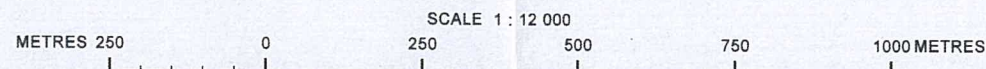


LEGEND

- BOUNDARY OF OUTLINE ZONING PLAN
- COUNTRY PARK BOUNDARY
- VILLAGE TYPE DEVELOPMENT
- GOVERNMENT, INSTITUTION OR COMMUNITY
- AGRICULTURE
- GREEN BELT
- CONSERVATION AREA
- MAXIMUM BUILDING HEIGHT (IN NUMBER OF STOREYS)

PROPOSED LAND USES

KUK PO, FUNG HANG AND YUNG SHUE AU



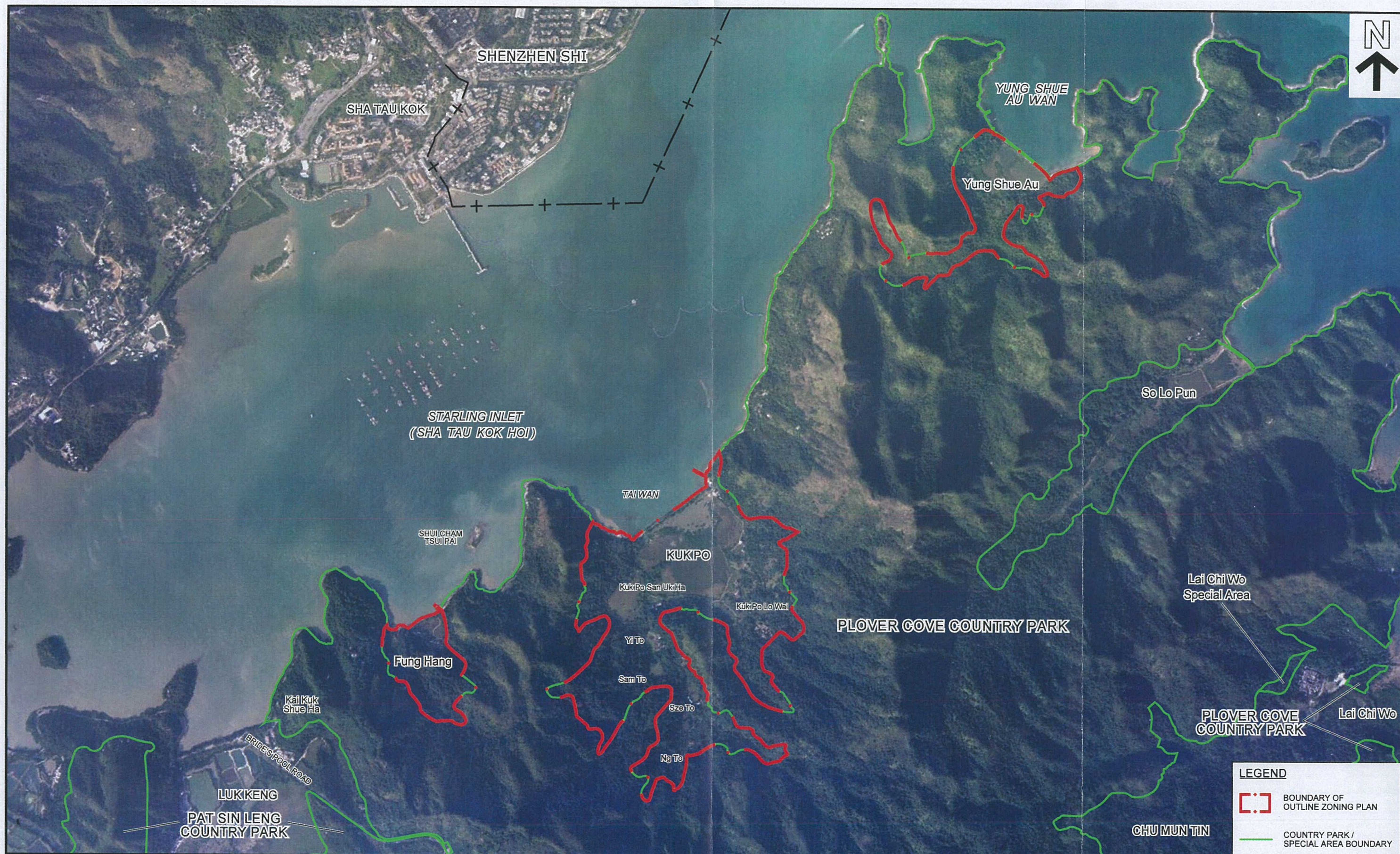
PLANNING DEPARTMENT



REFERENCE No.
M/CPE/KP/15/11

PLAN
1

PLAN PREPARED ON 25.11.2015 BASED ON
SHEETS No. 3-NE-A/B/C/D



LEGEND

- BOUNDARY OF OUTLINE ZONING PLAN
- COUNTRY PARK / SPECIAL AREA BOUNDARY

AERIAL PHOTO

KUK PO, FUNG HANG AND YUNG SHUE AU

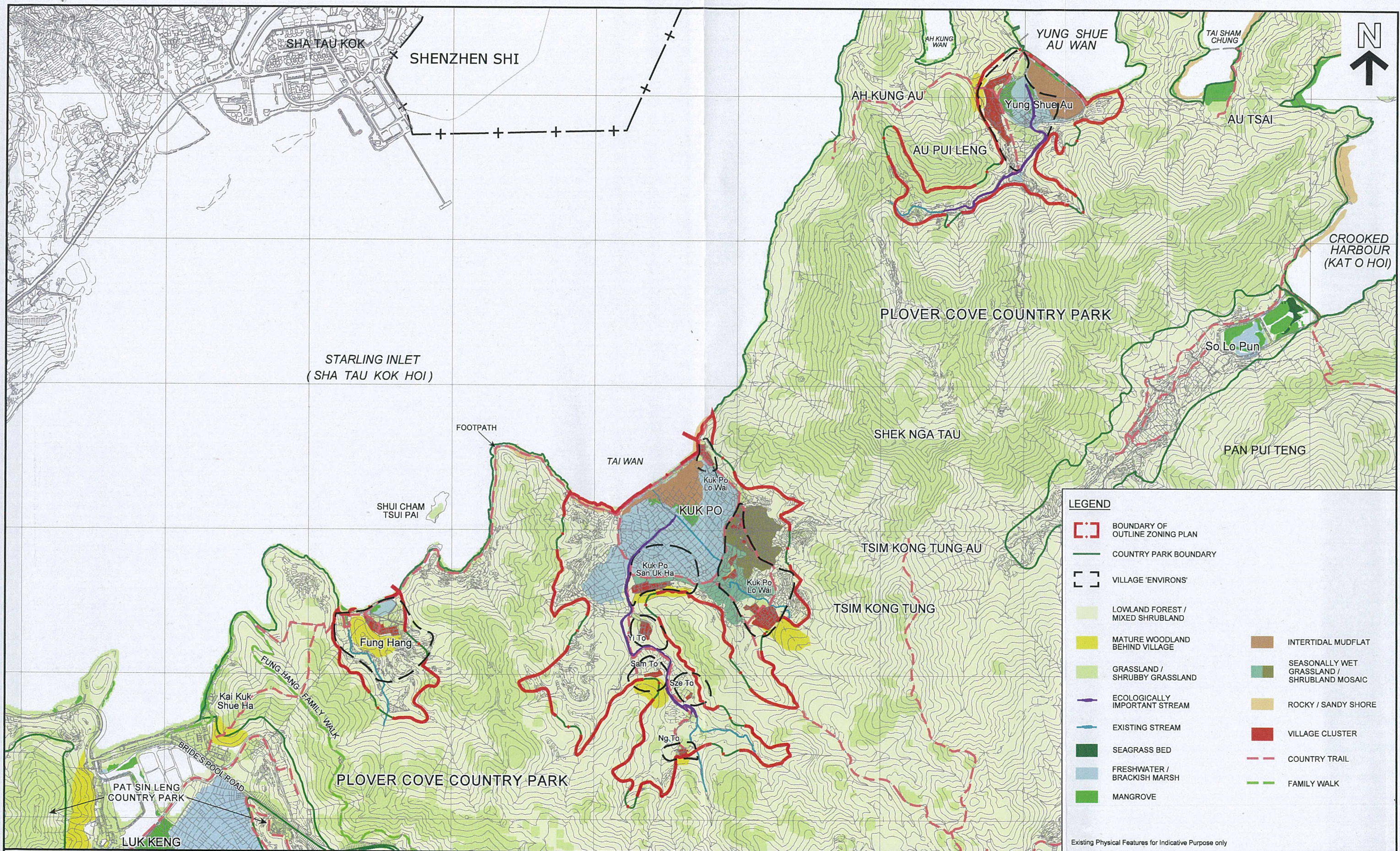
PLANNING DEPARTMENT



PLAN PREPARED ON 25.11.2015 BASED ON AERIAL PHOTO No. CW110908R TAKEN ON 16.12.2014 BY LANDS DEPARTMENT

REFERENCE No.
M/CPE/KP/15/11

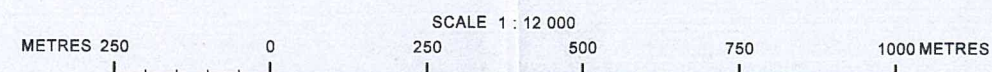
PLAN
2



VILLAGE 'ENVIRONS' AND EXISTING PHYSICAL FEATURES

KUK PO, FUNG HANG AND YUNG SHUE AU

PLAN PREPARED ON 18.12.2015
 BASED ON SURVEY SHEETS No. 3-NE-12B/D,
 13A/B/C/D, 14B/C/D, 15A/B/C/D, 17B, 18C/D,
 19A/B/C/D, 20A/B/C/D, 22B/D, 23A/B/C/D,
 24A/B/C/D AND 25A/C

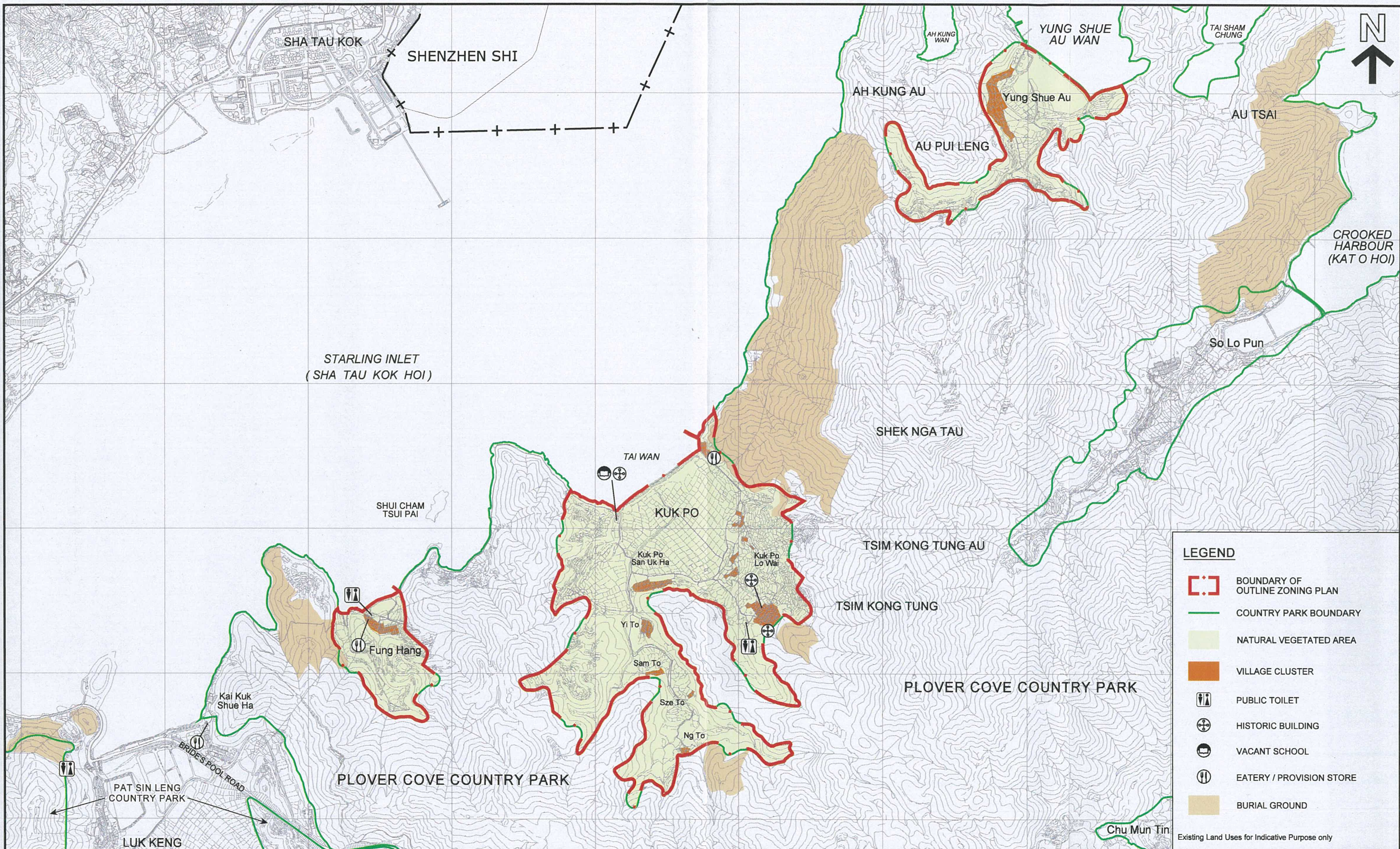


PLANNING DEPARTMENT



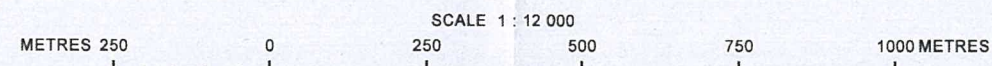
REFERENCE No.
 M/CPE/KP/15/11

PLAN
 3



EXISTING LAND USES

KUK PO, FUNG HANG AND YUNG SHUE AU



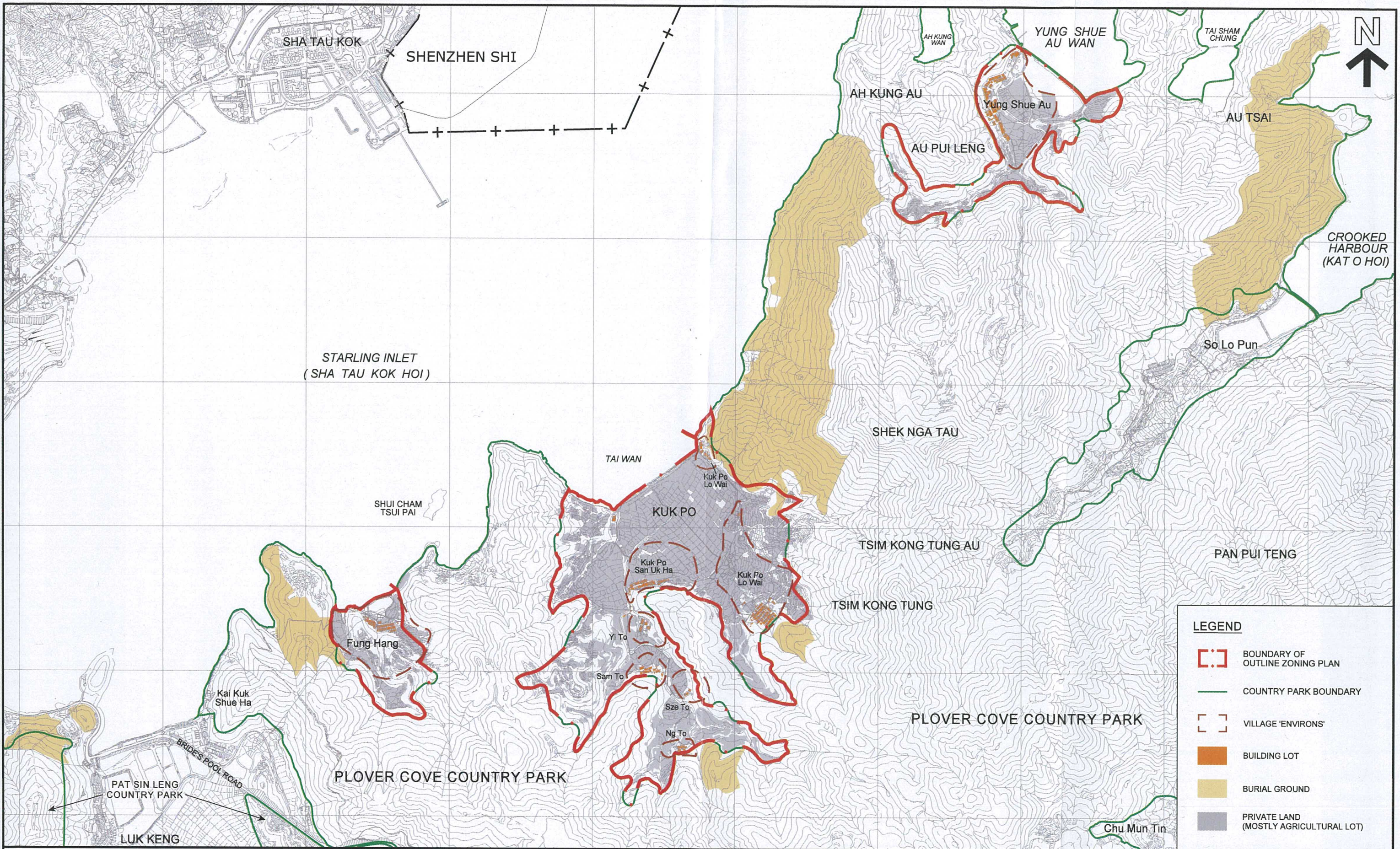
PLANNING DEPARTMENT



REFERENCE No.
M/CPE/KP/15/11

PLAN
4

PLAN PREPARED ON 25.11.2015
BASED ON SURVEY SHEETS No. 3-NE-12B/D,
13A/B/C/D, 14B/D, 15A/B/C/D, 17B, 18C/D, 19A/B/C/D,
20A/B/C/D, 22B/D, 23A/B/C/D, 24A/B/C/D AND 25A/C



LAND OWNERSHIP AND VILLAGE 'ENVIRONS'

KUK PO, FUNG HANG AND YUNG SHUE AU

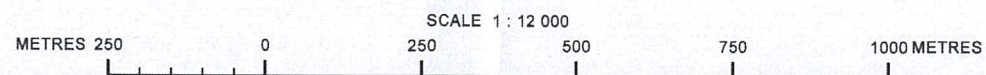
PLANNING DEPARTMENT

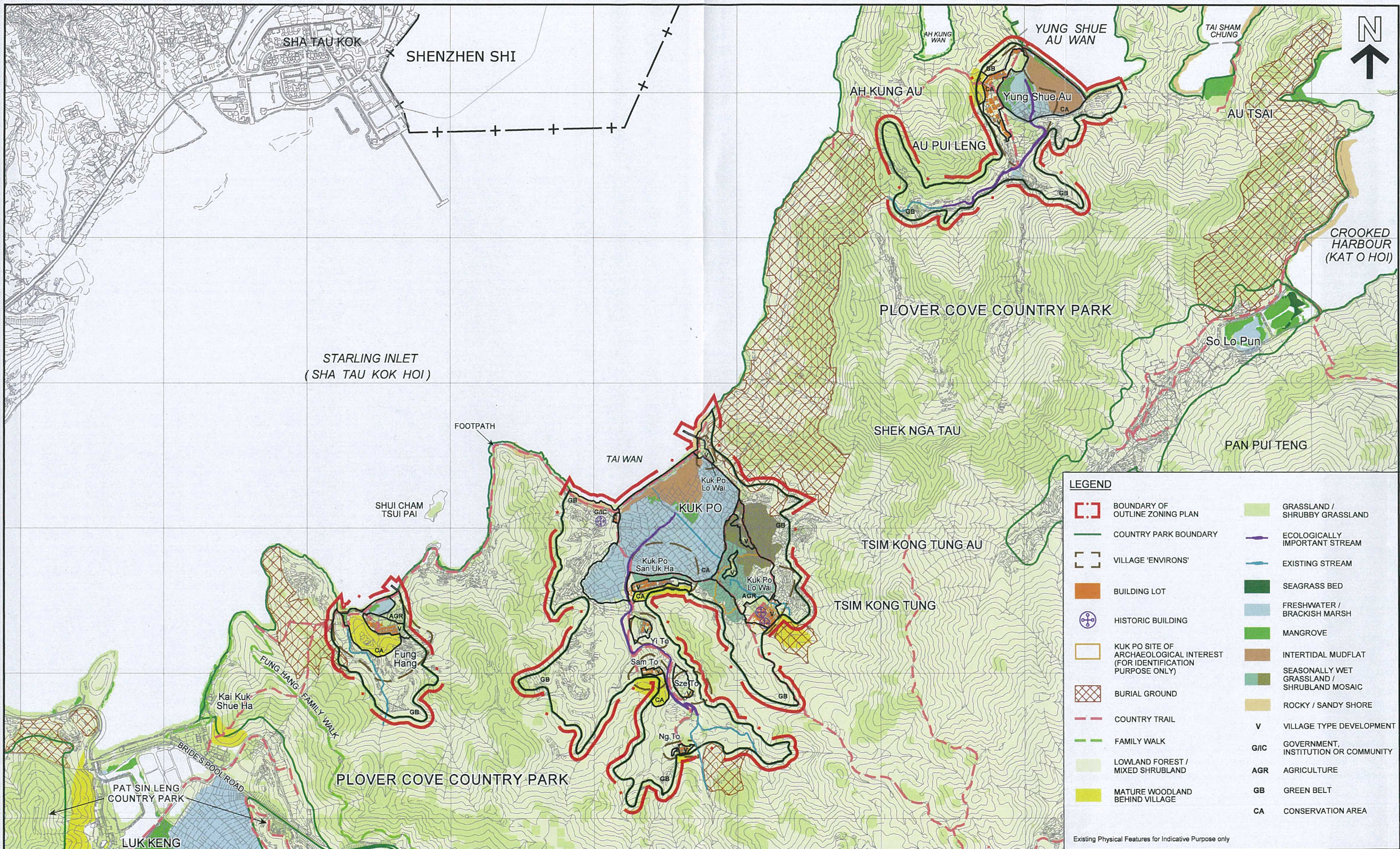


REFERENCE No.
M/CPE/KP/15/11

PLAN
5

PLAN PREPARED ON 25.11.2015 BASED ON
SHEETS No.3-NE-A/B/C/D





DEVELOPMENT CONSTRAINTS AND PROPOSED LAND USES

KUK PO, FUNG HANG AND YUNG SHUE AU

PLAN PREPARED ON 18.12.2015
 BASED ON SURVEY SHEETS No. 3-NE-12B/D,
 13A/B/C/D, 14B/C/D, 15A/B/C/D, 17B, 18C/D,
 19A/B/C/D, 20A/B/C/D, 22B/D, 23A/B/C/D,
 24A/B/C/D AND 25A/C

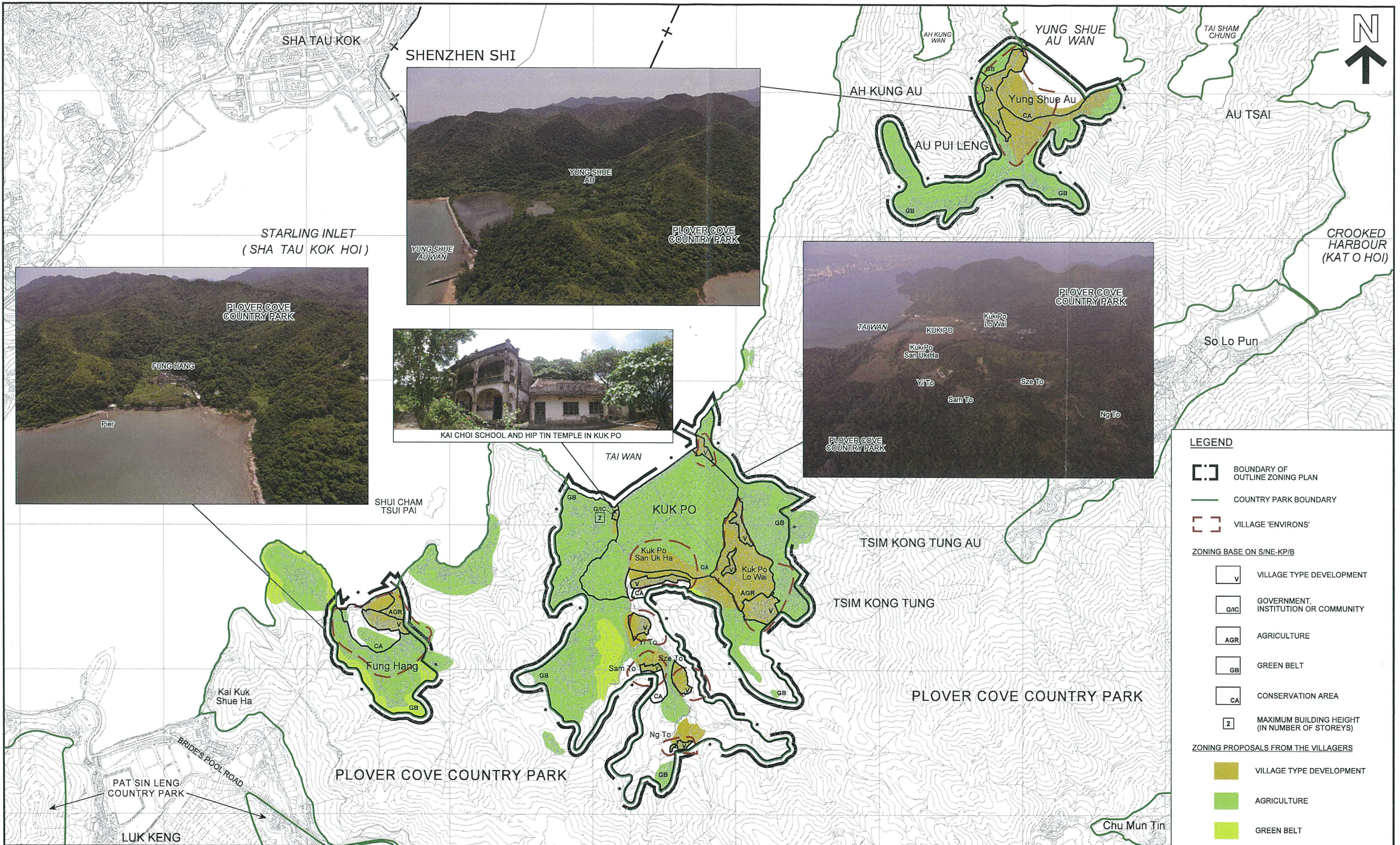
SCALE 1 : 12 000
 METRES 250 0 250 500 750 1000 METRES

PLANNING DEPARTMENT



REFERENCE No.
 M/CPE/KP/15/11

PLAN
 6



SPECIFIC ZONING PROPOSALS FROM THE VILLAGERS

KUK PO, FUNG HANG AND YUNG SHUE AU

SCALE 1 : 12 000

METRES 250 0 250 500 750 1000 METRES

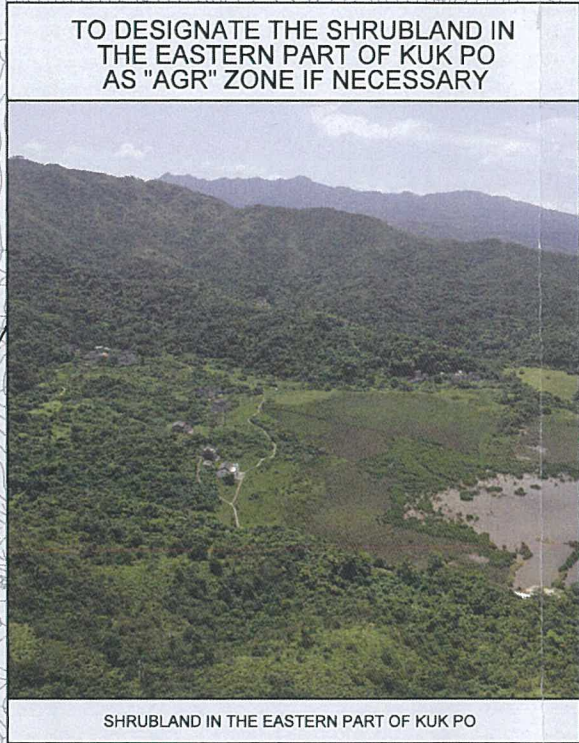
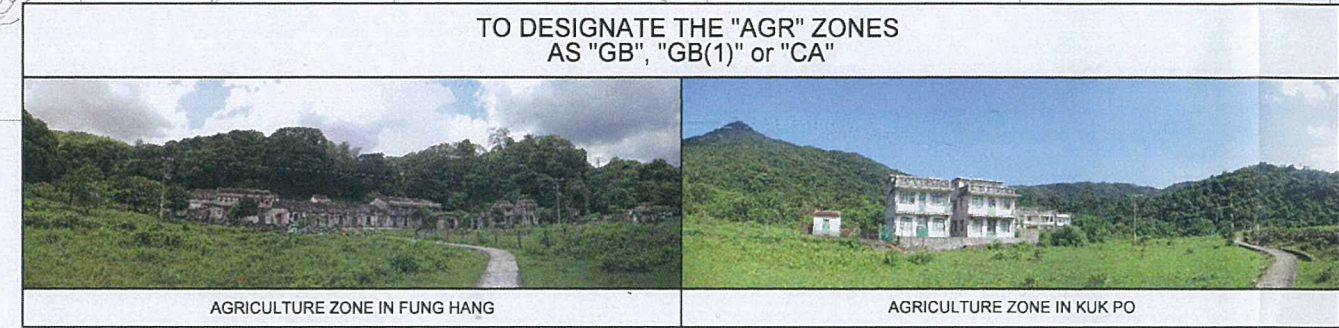
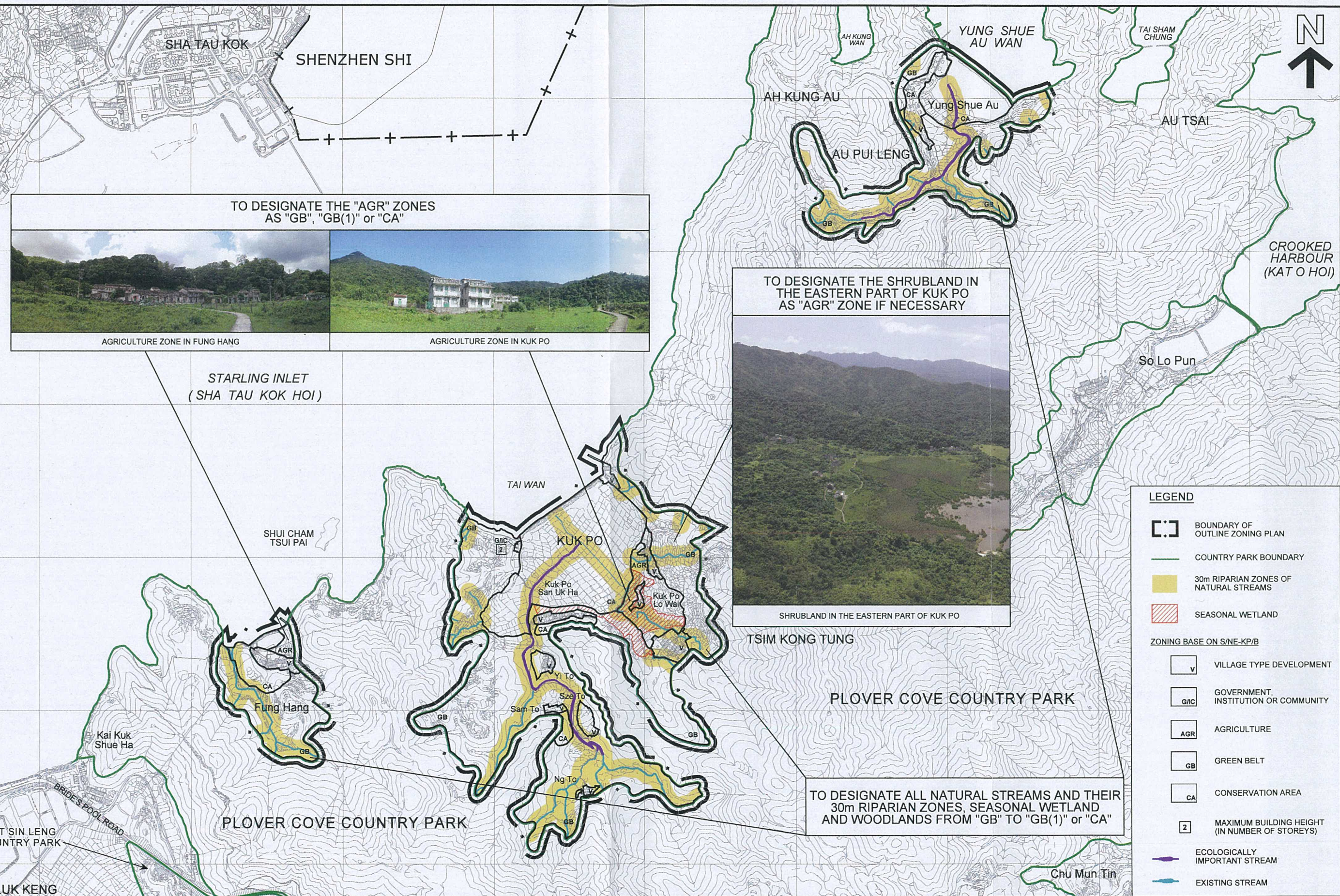
PLAN PREPARED ON 20.1.2016 BASED ON SHEETS No. 3-NE-A/B/C/D

PLANNING DEPARTMENT



REFERENCE No.
M/CPE/KP/15/11

PLAN
7



LEGEND

- BOUNDARY OF OUTLINE ZONING PLAN
- COUNTRY PARK BOUNDARY
- 30m RIPARIAN ZONES OF NATURAL STREAMS
- SEASONAL WETLAND

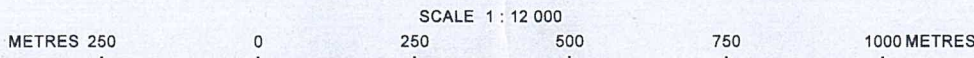
ZONING BASE ON S/NE-KP/B

- V VILLAGE TYPE DEVELOPMENT
- GIC GOVERNMENT, INSTITUTION OR COMMUNITY
- AGR AGRICULTURE
- GB GREEN BELT
- CA CONSERVATION AREA
- 2 MAXIMUM BUILDING HEIGHT (IN NUMBER OF STOREYS)
- ECOLOGICALLY IMPORTANT STREAM
- EXISTING STREAM

PLAN PREPARED ON 11.12.2015 BASED ON SHEETS No. 3-NE-A/B/C/D

SPECIFIC ZONING PROPOSALS FROM THE GREEN / CONCERN GROUPS

KUK PO, FUNG HANG AND YUNG SHUE AU

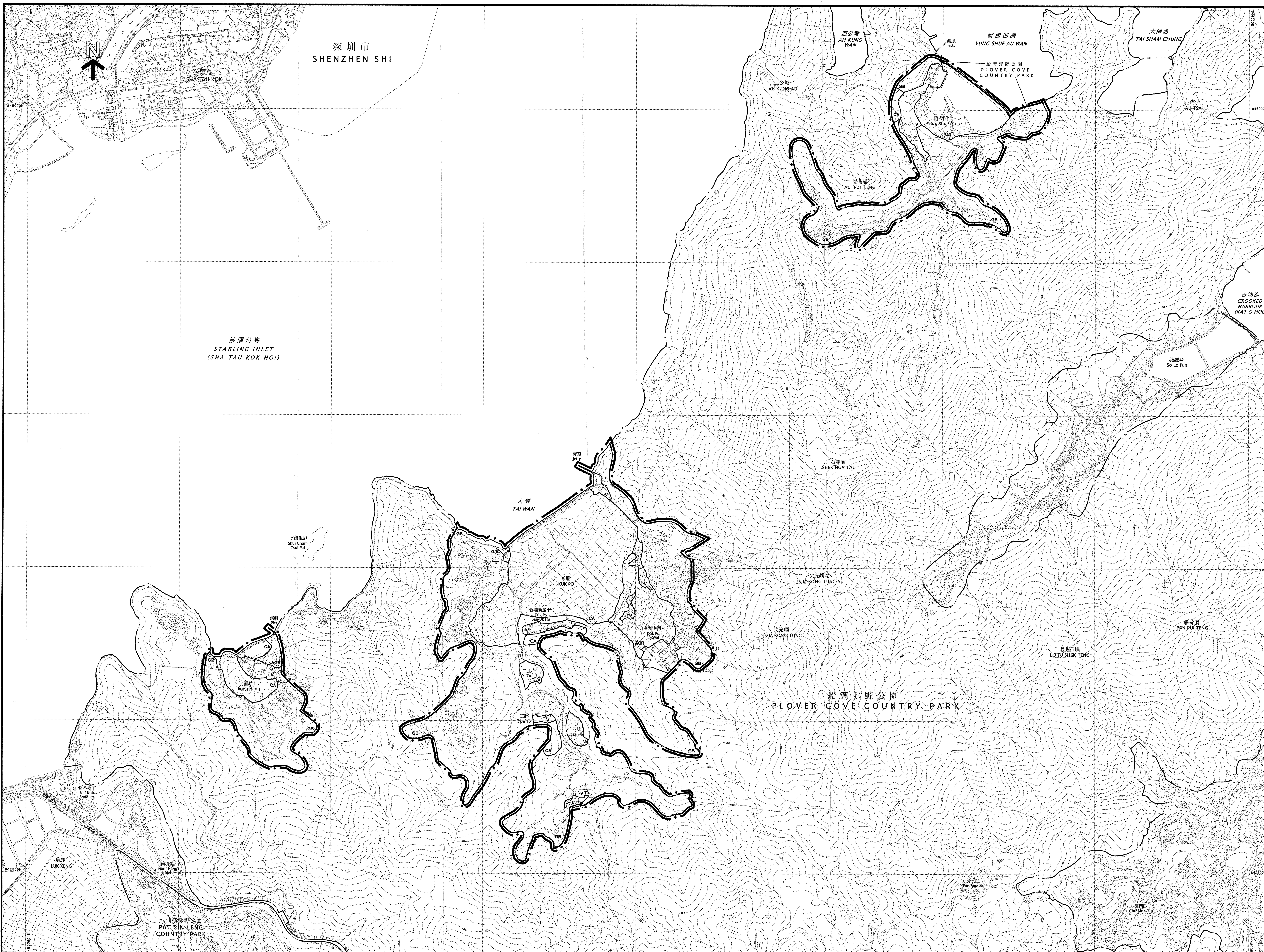


PLANNING DEPARTMENT



REFERENCE No.
M/CPE/KP/15/11



PLAN
8



圖例
NOTATION

ZONES		地帶
VILLAGE TYPE DEVELOPMENT	V	鄉村式發展
GOVERNMENT, INSTITUTION OR COMMUNITY	GCIC	政府、機構或社區
AGRICULTURE	AGR	農業
GREEN BELT	GB	綠化地帶
CONSERVATION AREA	CA	自然保育區

MISCELLANEOUS

BOUNDARY OF PLANNING SCHEME		規劃範圍界線
BOUNDARY OF COUNTRY PARK		郊野公園界線
MAXIMUM BUILDING HEIGHT (IN NUMBER OF STOREYS)	<div style="border: 1px solid black; padding: 2px; display: inline-block;">2</div>	最高建築物高度 (樓層數目)

土地用途及面積一覽表
SCHEDULE OF USES AND AREAS

USES	大約面積及百分率 APPROXIMATE AREA & %		用途
	公頃 HECTARES	% 百分率	
VILLAGE TYPE DEVELOPMENT	5.88	6.51	鄉村式發展
GOVERNMENT, INSTITUTION OR COMMUNITY	0.06	0.07	政府、機構或社區
AGRICULTURE	3.84	4.38	農業
GREEN BELT	57.38	63.57	綠化地帶
CONSERVATION AREA	23.01	25.49	自然保育區
TOTAL PLANNING SCHEME AREA	90.27	100.00	規劃範圍總面積

夾附的《註釋》屬這份圖則的一部分
THE ATTACHED NOTES ALSO FORM PART OF THIS PLAN

香港城市規劃委員會依據城市規劃條例擬備的谷埔、鳳坑及榕樹凹分區計劃大綱圖
TOWN PLANNING ORDINANCE, HONG KONG TOWN PLANNING BOARD
KUK PO, FUNG HANG AND YUNG SHUE AU - OUTLINE ZONING PLAN

SCALE 1:5 000 比例尺



規 劃 署 遵 照 城 市 規 劃 委 員 會 指 示 擬 備
PREPARED BY THE PLANNING DEPARTMENT UNDER
THE DIRECTION OF THE TOWN PLANNING BOARD

圖則編號
PLAN No.

S/NE-KP/B

**DRAFT KUK PO, FUNG HANG AND YUNG SHUE AU
OUTLINE ZONING PLAN NO. S/NE-KP/B**

(Being a Draft Plan for the Purposes of the Town Planning Ordinance)

NOTES

(N.B. These form part of the Plan)

- (1) These Notes show the uses or developments on land falling within the boundaries of the Plan which are always permitted and which may be permitted by the Town Planning Board, with or without conditions, on application. Where permission from the Town Planning Board for a use or development is required, the application for such permission should be made in a prescribed form. The application shall be addressed to the Secretary of the Town Planning Board, from whom the prescribed application form may be obtained.
- (2) Any use or development which is always permitted or may be permitted in accordance with these Notes must also conform to any other relevant legislation, the conditions of the Government lease concerned, and any other Government requirements, as may be applicable.
- (3) No action is required to make the use of any land or building which was in existence immediately before the first publication in the Gazette of the notice of the draft development permission area plan conform to this Plan, provided such use has continued since it came into existence. Any material change of such use or any other development (except minor alteration and/or modification to the development of the land or building in respect of such use which is always permitted) must be always permitted in terms of the Plan or in accordance with a permission granted by the Town Planning Board.
- (4) A use or development of any land or building permitted under an earlier draft or approved plan including development permission area plan for the area and effected or undertaken during the effective period of that plan is always permitted under this Plan. Any material change of such use or any other development (except minor alteration and/or modification to the completed development of the land or building which is always permitted) must be always permitted in terms of the Plan or in accordance with a permission granted by the Town Planning Board.
- (5) Except to the extent that paragraph (3) or (4) applies, any use or development falling within the boundaries of the Plan and also within the boundaries of the draft development permission area plan, unless always permitted in terms of the Plan, shall not be undertaken or continued on or after the date of the first publication in the Gazette of the notice of the draft development permission area plan without permission from the Town Planning Board.
- (6) Except as otherwise specified by the Town Planning Board, when a use or material change of use is effected or a development or redevelopment is undertaken, as always permitted in terms of the Plan or in accordance with a permission granted by the Town Planning Board, all permissions granted by the Town Planning Board in respect of the site of the use or material change of use or development or redevelopment shall lapse.

- (7) Alignment of roads and boundaries between zones may be subject to minor adjustments as detailed planning proceeds.
- (8) The following uses or developments are always permitted on land falling within the boundaries of the Plan except (a) where the uses or developments are specified in Column 2 of the Notes of individual zones or (b) as provided in paragraph (9) in relation to areas zoned "Conservation Area":
- (a) maintenance, repair or demolition of a building;
 - (b) provision, maintenance or repair of plant nursery, amenity planting, open space, rain shelter, refreshment kiosk, footpath, bus/public light bus stop or lay-by, cycle track, taxi rank, public utility pipeline, electricity mast, lamp pole, telephone booth, telecommunications radio base station, automatic teller machine and shrine;
 - (c) maintenance or repair of road, watercourse, nullah, sewer and drain;
 - (d) geotechnical works, local public works, road works, sewerage works, drainage works, environmental improvement works, marine related facilities and waterworks (excluding works on service reservoir) and such other public works co-ordinated or implemented by Government;
 - (e) rebuilding of New Territories Exempted House;
 - (f) replacement of an existing domestic building, i.e. a domestic building which was in existence on the date of the first publication in the Gazette of the notice of the draft development permission area plan, by a New Territories Exempted House; and
 - (g) provision, maintenance or repair of a grave of an indigenous New Territories villager or a locally based fisherman and his family members for which permission has been obtained from Government.
- (9) In areas zoned "Conservation Area",
- (a) the following uses or developments are always permitted:
 - (i) maintenance or repair of plant nursery, amenity planting, sitting out area, rain shelter, refreshment kiosk, road, watercourse, nullah, public utility pipeline, electricity mast, lamp pole, telephone booth, shrine and grave;
 - (ii) geotechnical works, local public works, road works, sewerage works, drainage works, environmental improvement works, marine related facilities, waterworks (excluding works on service reservoir) and such other public works co-ordinated or implemented by Government; and
 - (iii) provision of amenity planting by Government; and

- (b) the following uses or developments require permission from the Town Planning Board:

provision of plant nursery, amenity planting (other than by Government), sitting out area, rain shelter, refreshment kiosk, footpath, public utility pipeline, electricity mast, lamp pole, telephone booth and shrine.

- (10) In any area shown as 'Road', all uses or developments except those specified in paragraphs (8)(a) to (8)(d) and (8)(g) above and those specified below require permission from the Town Planning Board:

road and on-street vehicle park.

- (11) (a) Except in areas zoned "Conservation Area", temporary use or development of any land or building not exceeding a period of two months is always permitted provided that no site formation (filling or excavation) is carried out and that the use or development is a use or development specified below:

structures for carnivals, fairs, film shooting on locations, festival celebrations, religious functions or sports events.

- (b) Except as otherwise provided in paragraph (11)(a), and subject to temporary uses for open storage and port back-up purposes which are prohibited in areas zoned "Conservation Area", temporary use or development of any land or building not exceeding a period of three years requires permission from the Town Planning Board. Notwithstanding that the use or development is not provided for in terms of the Plan, the Town Planning Board may grant permission, with or without conditions, for a maximum period of three years, or refuse to grant permission.

- (c) Temporary use or development of land or building exceeding three years requires permission from the Town Planning Board in accordance with the terms of the Plan.

- (12) Unless otherwise specified, all building, engineering and other operations incidental to and all uses directly related and ancillary to the permitted uses and developments within the same zone are always permitted and no separate permission is required.

- (13) In these Notes, unless the context otherwise requires or unless as expressly provided below, terms used in the Notes shall have the meanings as assigned under section 1A of the Town Planning Ordinance.

"Existing building" means a building, including a structure, which is physically existing and is in compliance with any relevant legislation and the conditions of the Government lease concerned.

"New Territories Exempted House" means a domestic building other than a guesthouse or a hotel; or a building primarily used for habitation, other than a guesthouse or a hotel, the ground floor of which may be used as 'Shop and Services' or 'Eating Place', the building works in respect of which are exempted by a certificate of exemption under Part III of the Buildings Ordinance (Application to the New Territories) Ordinance (Cap. 121).

DRAFT KUK PO, FUNG HANG AND YUNG SHUE AU
OUTLINE ZONING PLAN NO. S/NE-KP/B

Schedule of Uses

	<u>Page</u>
VILLAGE TYPE DEVELOPMENT	1
GOVERNMENT, INSTITUTION OR COMMUNITY	3
AGRICULTURE	5
GREEN BELT	7
CONSERVATION AREA	9

VILLAGE TYPE DEVELOPMENT

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
Agricultural Use	Burial Ground
Government Use (Police Reporting Centre, Post Office only)	Eating Place
House (New Territories Exempted House only)	Flat
On-Farm Domestic Structure	Government Refuse Collection Point
Religious Institution (Ancestral Hall only)	Government Use (not elsewhere specified) #
Rural Committee/Village Office	Hotel (Holiday House only)
	House (not elsewhere specified)
	Institutional Use (not elsewhere specified) #
	Market
	Place of Recreation, Sports or Culture
	Private Club
	Public Clinic
	Public Convenience
	Public Transport Terminus or Station
	Public Utility Installation #
	Public Vehicle Park (excluding container vehicle)
	Religious Institution (not elsewhere specified) #
	Residential Institution #
	School #
	Shop and Services
	Social Welfare Facility #
	Utility Installation for Private Project

In addition, the following uses are always permitted on the ground floor of a New Territories Exempted House:

Eating Place
Library
School
Shop and Services

(Please see next page)

VILLAGE TYPE DEVELOPMENT (Cont'd)

Planning Intention

The planning intention of this zone is to designate both the existing recognized villages and areas of land considered suitable for village expansion. Land within this zone is primarily intended for development of Small Houses by indigenous villagers. It is also intended to concentrate village type development within this zone for a more orderly development pattern, efficient use of land and provision of infrastructures and services. Selected commercial and community uses serving the needs of the villagers and in support of the village development are always permitted on the ground floor of a New Territories Exempted House. Other commercial, community and recreational uses may be permitted on application to the Town Planning Board.

Remarks

- (a) No new development, or addition, alteration and/or modification to or redevelopment of an existing building (except development or redevelopment to those annotated with #) shall result in a total development and/or redevelopment in excess of a maximum building height of 3 storeys (8.23m) or the height of the building which was in existence on the date of the first publication in the Gazette of the notice of the draft development permission area plan, whichever is the greater.
- (b) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the building height restriction stated in paragraph (a) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.
- (c) Any diversion of streams or filling of pond, including that to effect a change of use to any of those specified in Columns 1 and 2 above or the uses or developments always permitted under the covering Notes (except public works co-ordinated or implemented by Government, and maintenance, repair or rebuilding works), shall not be undertaken or continued on or after the date of the first publication in the Gazette of the notice of the draft development permission area plan without the permission from the Town Planning Board under section 16 of the Town Planning Ordinance.

GOVERNMENT, INSTITUTION OR COMMUNITY

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
Ambulance Depot Animal Quarantine Centre (in Government building only) Broadcasting, Television and/or Film Studio Eating Place (Canteen, Cooked Food Centre only) Educational Institution Exhibition or Convention Hall Field Study/Education/Visitor Centre Government Refuse Collection Point Government Use (not elsewhere specified) Hospital Institutional Use (not elsewhere specified) Library Market Place of Recreation, Sports or Culture Public Clinic Public Convenience Public Transport Terminus or Station Public Utility Installation Public Vehicle Park (excluding container vehicle) Recyclable Collection Centre Religious Institution Research, Design and Development Centre Rural Committee/Village Office School Service Reservoir Social Welfare Facility Training Centre Wholesale Trade	Animal Boarding Establishment Animal Quarantine Centre (not elsewhere specified) Columbarium Correctional Institution Crematorium Driving School Eating Place (not elsewhere specified) Funeral Facility Holiday Camp House (other than rebuilding of New Territories Exempted House or replacement of existing domestic building by New Territories Exempted House permitted under the covering Notes) Off-course Betting Centre Office Petrol Filling Station Place of Entertainment Private Club Radar, Telecommunications Electronic Microwave Repeater, Television and/or Radio Transmitter Installation Residential Institution Sewage Treatment/Screening Plant Shop and Services Utility Installation for Private Project Zoo

(Please see next page)

GOVERNMENT, INSTITUTION OR COMMUNITY (Cont'd)Planning Intention

This zone is intended primarily for the provision of Government, institution or community facilities serving the needs of the local residents and/or a wider district, region or the territory. It is also intended to provide land for uses directly related to or in support of the work of the Government, organizations providing social services to meet community needs, and other institutional establishments.

Remarks

- (a) No new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of a maximum building height in terms of number of storeys as stipulated on the Plan, or the height of the building which was in existence on the date of the first publication in the Gazette of the notice of the draft development permission area plan, whichever is the greater.
- (b) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the building height restriction stated in paragraph (a) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.

AGRICULTURE

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
Agricultural Use Government Use (Police Reporting Centre only) On-Farm Domestic Structure Public Convenience Religious Institution (Ancestral Hall only) Rural Committee/Village Office	Animal Boarding Establishment Barbeque Spot Field Study/Education/Visitor Centre Government Refuse Collection Point Government Use (not elsewhere specified) House (New Territories Exempted House only, other than rebuilding of New Territories Exempted House or replacement of existing domestic building by New Territories Exempted House permitted under the covering Notes) Picnic Area Place of Recreation, Sports or Culture (Horse Riding School, Hobby Farm, Fishing Ground only) Public Utility Installation Religious Institution (not elsewhere specified) School Utility Installation for Private Project

(Please see next page)

AGRICULTURE (Cont'd)Planning Intention

This zone is intended primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes.

Remarks

Any diversion of streams or filling of land/pond, including that to effect a change of use to any of those specified in Columns 1 and 2 above or the uses or developments always permitted under the covering Notes (except public works co-ordinated or implemented by Government, and maintenance, repair or rebuilding works), shall not be undertaken or continued on or after the date of the first publication in the Gazette of the notice of the draft development permission area plan without the permission from the Town Planning Board under section 16 of the Town Planning Ordinance. This restriction does not apply to filling of land specifically required under prior written instructions of Government department(s) or for the purposes specified below:

- (i) laying of soil not exceeding 1.2m in thickness for cultivation; or
- (ii) construction of any agricultural structure with prior written approval issued by the Lands Department.

GREEN BELT

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
Agricultural Use Barbecue Spot Government Use (Police Reporting Centre only) Nature Reserve Nature Trail On-Farm Domestic Structure Picnic Area Public Convenience Tent Camping Ground Wild Animals Protection Area	Animal Boarding Establishment Broadcasting, Television and/or Film Studio Burial Ground Columbarium (within a Religious Institution or extension of existing Columbarium only) Crematorium (within a Religious Institution or extension of existing Crematorium only) Field Study/Education/Visitor Centre Government Refuse Collection Point Government Use (not elsewhere specified) Helicopter Landing Pad Holiday Camp House (other than rebuilding of New Territories Exempted House or replacement of existing domestic building by New Territories Exempted House permitted under the covering Notes) Petrol Filling Station Pier Place of Recreation, Sports or Culture Public Transport Terminus or Station Public Utility Installation Public Vehicle Park (excluding container vehicle) Radar, Telecommunications Electronic Microwave Repeater, Television and/or Radio Transmitter Installation

(Please see next page)

GREEN BELT (Cont'd)

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
	Religious Institution Residential Institution Rural Committee/Village Office School Service Reservoir Social Welfare Facility Utility Installation for Private Project

Planning Intention

The planning intention of this zone is primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is a general presumption against development within this zone.

Remarks

Any diversion of streams, filling of land/pond or excavation of land, including that to effect a change of use to any of those specified in Columns 1 and 2 above or the uses or developments always permitted under the covering Notes (except public works co-ordinated or implemented by Government, and maintenance, repair or rebuilding works), shall not be undertaken or continued on or after the date of the first publication in the Gazette of the notice of the draft development permission area plan without the permission from the Town Planning Board under section 16 of the Town Planning Ordinance.

CONSERVATION AREA

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
Agricultural Use (other than Plant Nursery) Nature Reserve Nature Trail On-Farm Domestic Structure Wild Animals Protection Area	Field Study/Education/Visitor Centre Government Refuse Collection Point Government Use (not elsewhere specified) House (Redevelopment only) Public Convenience Public Utility Installation Radar, Telecommunications Electronic Microwave Repeater, Television and/or Radio Transmitter Installation

Planning Intention

This zoning is intended to protect and retain the existing natural landscape, ecological or topographical features of the area for conservation, educational and research purposes and to separate sensitive natural environment such as Country Park from the adverse effects of development.

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 are essential infrastructure projects with overriding public interest may be permitted.

(Please see next page)

CONSERVATION AREA (Cont'd)Remarks

- (a) No redevelopment, including alteration and/or modification, of an existing house shall result in a total redevelopment in excess of the plot ratio, site coverage and height of the house which was in existence on the date of the first publication in the Gazette of the notice of the draft development permission area plan.
- (b) Any diversion of streams, filling of land/pond or excavation of land, including that to effect a change of use to any of those specified in Column 1 and 2 above or the uses or developments always permitted under the covering Notes, shall not be undertaken or continued on or after the date of the first publication in the Gazette of the notice of the draft development permission area plan without the permission from the Town Planning Board under section 16 of the Town Planning Ordinance.

DRAFT KUK PO, FUNG HANG AND YUNG SHUE AU

OUTLINE ZONING PLAN NO. S/NE-KP/B

EXPLANATORY STATEMENT

**DRAFT KUK PO, FUNG HANG AND YUNG SHUE AU
OUTLINE ZONING PLAN NO. S/NE-KP/B**

EXPLANATORY STATEMENT

<u>CONTENTS</u>	<u>Page</u>
1. INTRODUCTION	1
2. AUTHORITY FOR THE PLAN AND PROCEDURE	1
3. OBJECT OF THE PLAN	2
4. NOTES OF THE PLAN	2
5. THE PLANNING SCHEME AREA	2
6. POPULATION	5
7. OPPORTUNITIES AND CONSTRAINTS	5
8. GENERAL PLANNING INTENTION	10
9. LAND-USE ZONINGS	10
9.1 Village Type Development	10
9.2 Government, Institution or Community	12
9.3 Agriculture	12
9.4 Green Belt	13
9.5 Conservation Area	13
10. CULTURAL HERITAGE	15
11. COMMUNICATIONS	15
12. UTILITY SERVICES	15
13. IMPLEMENTATION	16
14. PLANNING CONTROL	16

**DRAFT KUK PO, FUNG HUNG AND YUNG SHUE AU
OUTLINE ZONING PLAN NO. S/NE-KP/B**

(Being a Draft Plan for the Purposes of the Town Planning Ordinance)

EXPLANATORY STATEMENT

Note: For the purposes of the Town Planning Ordinance, this statement shall not be deemed to constitute a part of the Plan.

1. INTRODUCTION

This Explanatory Statement is intended to assist an understanding of the draft Kuk Po, Fung Hang and Yung Shue Au Outline Zoning Plan No. S/NE-KP/B. It reflects the planning intention and objectives of the Town Planning Board (the Board) for various land-use zonings of the Plan.

2. AUTHORITY FOR THE PLAN AND PROCEDURE

- 2.1 On 31 October 2012, under the power delegated by the Chief Executive, the Secretary for Development directed the Board, under section 3(1)(b) of the Town Planning Ordinance (the Ordinance), to prepare a Development Permission Area (DPA) Plan for the Kuk Po, Fung Hang and Yung Shue Au area.
- 2.2 On 8 March 2013, the draft Kuk Po, Fung Hang and Yung Shue Au DPA Plan No. DPA/NE-KP/1 was exhibited for public inspection under section 5 of the Ordinance. During the two-month exhibition period, 12 representations were received. On 24 May 2013, the Board published the representations for public comment for three weeks and no comment was received. After giving consideration to the representations on 6 December 2013, the Board decided not to propose any amendment to the draft DPA plan to meet the representations.
- 2.3 On 11 March 2014, the Chief Executive in Council (CE in C), under section 9(1)(a) of the Ordinance, approved the draft Kuk Po, Fung Hang and Yung Shue Au DPA plan, which was subsequently renumbered as DPA/NE-KP/2. On 21 March 2014, the approved Kuk Po, Fung Hang and Yung Shue Au DPA Plan No. DPA/NE-KP/2 was exhibited for public inspection under section 9(5) of the Ordinance.
- 2.4 On 23.6.2015, under the power delegated by the Chief Executive, the Secretary for Development directed the Board, under section 3(1)(a) of the Ordinance, to prepare an Outline Zoning Plan (OZP) to cover the Kuk Po, Fung Hang and Yung Shue Au area.

- 2.5 On XXXX 2016, the draft Kuk Po, Fung Hang and Yung Shue Au OZP No. S/NE-KP/1 (the Plan) was exhibited for public inspection under section 5 of the Ordinance.

3. OBEJCT OF THE PLAN

- 3.1 The object of the Plan is to indicate the broad land-use zonings for the area of Kuk Po, Fung Hang and Yung Shue Au so that development and redevelopment within the area of Kuk Po, Fung Hang and Yung Shue Au can be put under statutory planning control. It also provides the planning framework for preparing more detailed non-statutory plans which form the basis for public works planning and site reservation for various uses.
- 3.2 The Plan is to illustrate the broad principles of development and planning control only. It is a small-scale plan and the road alignments and boundaries between the land-use zones may be subject to minor alterations as detailed planning proceeds.

4. NOTES OF THE PLAN

- 4.1 Attached to the Plan is a set of Notes which shows the types of uses or developments which are always permitted within the Planning Scheme Area (the Area) and in particular zones and which may be permitted by the Board, with or without conditions, on application. The provision for application for planning permission under section 16 of the Ordinance allows greater flexibility in land-use planning and control of development to meet the changing needs.
- 4.2 For the guidance of the general public, a set of definitions that explains some of the terms used in the Notes may be obtained from the Technical Services Division of the Planning Department and can be downloaded from the Board's website at <http://www.info.gov.hk/tpb/>.

5. THE PLANNING SCHEME AREA

- 5.1 The Area, covering a total land area of about 90.27 ha, comprises three sub-areas, namely Fung Hang (about 9.32 ha), Kuk Po (about 62.82 ha) and Yung Shue Au (about 18.13 ha). It is surrounded by the Plover Cove Country Park (PCCP) at the northeastern fringe of the New Territories and fronting the Starling Inlet in the north. The boundary of the Area is shown by a heavy broken line on the Plan.
- 5.2 Surrounded by the PCCP on three sides, and comprising mainly woodland, shrubland, fallow agricultural land, low-lying wetland habitat (including freshwater/brackish marsh, intertidal water pond/mudflat, mangrove, reedbed, seagrass), stream course, estuarine mangrove and rocky/sandy shore, the Area

forms part of the wider natural system of the Plover Cove countryside. In general, the Area is natural and rural in character with high landscape and scenic value and is popular to visitors and hikers for its seaside walk.

5.3 Fung Hang

5.3.1 Fronting Starling Inlet in the north, Fung Hang mainly comprises an elongated vegetated knoll in the middle separating two tracts of flat land, which are gradually sloping uphill to the mountains in the south. The woodland in the south and west is adjoining the PCCP. There are some plant species of conservation significance including *Aquilaria sinensis* (土沉香), and butterfly species of conservation concern including *Isoteinon lamprospilus lamprospilus* (旖弄蝶) in the sub-area. Fung Hang Village occupies the larger tract of flat land in the eastern part of the sub-area, which is flanked by the mature woodland on the vegetated knoll to the southwest and the freshwater/brackish marsh mainly comprising pond, mangrove and reedbed on the low-lying coastal area to the northeast. A natural stream flows in the north-south direction in the western part of the sub-area. The coast comprises a dam and a short strip of rocky shore and estuarine mangrove in the west. Fallow agricultural lands mainly covered with grasses and shrubs can be found in front of and adjoining the existing village cluster, as well as along the natural stream.

5.3.2 Fung Hang is the only recognized village in the sub-area. There are about 50 village houses of 1 to 2 storeys, arranged generally in two rows facing north. The conditions of these houses vary from fair to poor with quite a number of them currently abandoned. There is an eatery/provision store serving visitors and hikers during the holidays, and a permitted burial ground on the hillslope along the northwestern edge.

5.4 Kuk Po

5.4.1 Kuk Po is dominated by a large piece of flat land at the coastal area facing Tai Wan to the northwest and two strips of flat land sandwiched between the hillslopes extending inland to the south. It is surrounded by vegetated hillslopes on three sides adjoining PCCP and the coastal front is mainly defined by a long dam with sandy/rocky shore in the eastern and western ends. Village clusters are scattered along the periphery of the freshwater/brackish marsh near the coast, amidst patches of marshy areas in the east or situated at the foothills in the inland. Natural streams flow across the sub-area from the highland in the south to the coastal marshland in the north.

5.4.2 There are recognized villages namely Kuk Po Lo Wai and Kuk Po San Uk Ha and the inland villages of Yi To, Sam To, Sze To and Ng To. Mature woodlands behind villages are located at Kuk Po Lo Wai, Kuk Po San Uk Ha, Sam To and Ng To. Plant species of conservation significance including *Aquilaria sinensis* (土沉香), *Artocarpus*

hypargyreus (白桂木) *Mucuna championii* (港油麻藤), *Ailanthus fordii* (常綠臭椿) and *Popowia pisocarpa* (嘉陵花) can be found. The freshwater/brackish marsh in Kuk Po mainly comprises pond/mudflat, mangrove and reedbed. Patches of marshy areas are found on the seasonally wet grassland/shrubland mosaic mainly in the eastern part of Kuk Po. A section of the natural stream flowing across the sub-area from Ng To to Kuk Po San Uk Ha of about 1km is considered as an Ecologically Important Stream (EIS). Kuk Po is identified as a hotspot for both freshwater fish and butterfly. Together with the coastal habitats, the wetland complex supports a high diversity of dragonflies and freshwater fishes including *Macropodus hongkongensis* (香港鬥魚), *Oryzias curvinotus* (弓背青鱗) and *Orthetrum poecilops poecilops* (斑灰蜻) which are of conservation significance. The natural woodland and the coastal wetland provide a good habitat for over 100 species of butterflies including the rare *Aeromachus jhora* (寬鵲弄蝶). Wetland plants of conservation concern including *Ceratopteris thalictroides* (水蕨) and *Sphenoclea zeylanica* (尖瓣花) are also recorded. Fallow agricultural lands mainly covered with grasses and shrubs basically spread around the existing village clusters, with those around Kuk Po Lo Wai and Kuk Po San Uk Ha having turned into patches of marshy areas.

- 5.4.3 There is an eatery/provision store in Kuk Po Lo Wai serving visitors and hikers during the holidays. Kai Choi School and Hip Tin Temple, and Yeung Ancestral Hall and Li Ancestral Hall at Kuk Po Lo Wai are Grade 3 historic buildings worthy of preservation. Also, Kuk Po Site of Archaeological Interest largely falls within the sub-area. There is a permitted burial ground on the hillslope along the northeastern edge of Kuk Po.

5.5 Yung Shue Au

- 5.5.1 In Yung Shue Au, a large piece of flat land fronting Yung Shue Au Wan in the northeast extends into a narrow valley in the southwest surrounded by vegetated hillslopes. Yung Shue Au¹ Village is a long strip of village cluster situated between the freshwater/brackish marsh on the low-lying coastal area to the east and the mature woodland on the vegetated hillslopes on the west. A dam dominates the coastal front with sandy/rocky shore at its eastern end.
- 5.5.2 A mature woodland can be found behind Yung Shue Au Village at the foothill of the PCCP. Species of conservation concern including *Aquilaria sinensis* (土沉香), *Macaranga sampsonii* (鼎湖血桐), *Cethosia biblis* (紅鋸蛺蝶) and *Aeromachus jhora* (寬鵲弄蝶) are recorded. The freshwater/brackish marsh near the coast mainly comprises pond/mudflat, mangrove, reedbed and seagrass. There is also a small area of freshwater marsh near the southern fringe in the valley

¹ According to District Lands Officer/North, Lands Department's record, the English Name of the recognized village at Yung Shue Au is read as "Yun Shue Au".

area. An EIS of about 750 m in length flowing across the sub-area continuously supplies freshwater to the wetlands. The sub-area is identified as a hotspot for freshwater fish with records of a rare goby, *Stiphodon atropurpureus* (菲律賓枝牙鰕虎魚). Other species of conservation concern including *Orthetrum poecilops poecilops* (斑灰蜻) are also recorded. Fallow agricultural lands mainly covered with grasses and shrubs are located near the village cluster.

- 5.5.3 Yung Shue Au, which is the only recognized village in the sub-area, consists of two rows of houses and some scattered houses. Most of them are in poor condition and are basically uninhabited. Besides, there are some abandoned barracks near the entrance of the village which were established in the early 1980s by the British army to guard against illegal immigrants.

6. POPULATION

According to the 2011 Population Census, the total population of the Area was estimated to be about 67 persons. It is expected that the total planned population of the Area would be 550 persons mainly attributed to village expansion.

7. OPPORTUNITIES AND CONSTRAINTS

7.1 Opportunities

7.1.1 Conservation and Natural Landscape

Surrounded by the PCCP on three sides, and comprising mainly woodland, shrubland, fallow agricultural land, low-lying wetland habitat (including freshwater/brackish marsh, intertidal water pond/mudflat, mangrove, reedbed, seagrass), stream course, estuarine mangrove and rocky/sandy shore, the Area forms part of the wider natural system of the Plover Cove countryside.

Woodlands and shrublands mainly cover the inland and uphill parts and include a number of mature woodlands behind the villages, which are generally in good conditions with more diverse tree species. They are ecologically linked with the habitats within the PCCP. There are some plant species of conservation significance and butterfly species of conservation concern.

Freshwater/brackish marshes comprising mainly intertidal water pond/mudflat, mangrove, reedbed and seagrass are located along the low-lying coastal areas in the three sub-areas. Patches of marshy areas are found on the seasonally wet grassland/shrubland mosaic mainly in the eastern part of Kuk Po and a small area of freshwater marsh is also

found near the southern fringe in the valley area of Yung Shue Au. In Fung Hang, a natural stream with estuarine mangrove is found in the western part. An EIS of 1 km in length flows across Kuk Po. Together with the coastal habitats, the wetland complex in Kuk Po supports a high diversity of dragonflies and freshwater fishes. Kuk Po is identified as a hotspot for both freshwater fish and butterfly, and wetland plants of conservation concern are recorded therein. Another EIS of 750m in length flows across Yung Shue Au, which is identified as a hotspot for freshwater fishes with records of a rare goby, and other plant and insect species of conservation concern are also recorded.

Surrounded by woodlands and fronting Starling Inlet, the Area has typical Fung Shui village layout in the New Territories with village settlements in a “water facing home that backs on to hills” setting with rich landscape resources such as mangroves, ponds and marshlands. In general, the Area is natural and rural in character and has high landscape and scenic value. It is worthy of conservation while the scale of the village development should be compatible with the surrounding landscape and rural setting.

7.1.2 Tourism and Recreation Potential

The Area is popular to visitors and hikers for its seaside walk providing a panoramic view towards Starling Inlet and the Luk Keng coastal mangroves, and the Fung Hang Family Walk to its west which can be easily accessed from Bride’s Pool Road. Structures in Fung Hang are arranged in a typical Hakka village manner with fung shui woodland behind and a panoramic seaview. Those in Kuk Po are divided into several small hamlets, which is a special type of arrangements in the territory. Coupled with the presence of well preserved Kai Choi School, both places are of interest to the public, having the potentials for eco- and cultural tourism. During weekends and holidays, Fung Hang and Kuk Po are heavily patronized by visitors and hikers, and the locals residing elsewhere come back and operate eateries to serve them.

There are a variety of recreational facilities in the nearby PCCP and Pat Sin Leng Country Park (to the west of Bride’s Pool Road), such as a network of hiking trails (including Fung Hang Family Walk), 9 picnic sites, 37 barbecue sites and 5 camp sites. The Nam Chung Outdoor Activity Centre is in proximity to the west of the Area.

According to the ‘Study on the Enhancement of the Sha Tau Kok Rural Township and Surrounding Areas – Feasibility Study’, the Linkage Area covering the Area is of high ecological and landscape value, and its tranquil rural setting should be preserved as far as possible for both local residents and visitors. Some small-scale conceptual enhancement proposals with minor construction works are proposed to enhance the tourism potential of the Linkage Area without compromising the ecologically-sensitive environment. These include provision of public toilet in Kuk Po and Yung Shue Au and installation of information board in the three sub-areas.

7.1.3 Agriculture Potential

According to Agriculture, Fisheries and Conservation Department (AFCD), there is ~~no active~~ *little* agricultural activity within the Area. As advised by AFCD, many of the lowland areas in the Area are fallow agricultural lands and possess potential for agricultural rehabilitation. Fallow agricultural land covered by grasses or shrubs are considered suitable for "Agriculture" ("AGR") zone from the agricultural development point of view in order to retain agricultural land and encourage agricultural rehabilitation,

7.2 Constraints

7.2.1 Ecological Significance

Surrounded by the PCCP on three sides, and comprising mainly woodland, shrubland, fallow agricultural land, low-lying wetland habitat (including freshwater/brackish marsh, intertidal water pond/mudflat, mangrove, reedbed, seagrass), stream course, estuarine mangrove and rocky/sandy shore, the Area forms part of the wider natural system of the Plover Cove countryside.

Woodlands and shrublands mainly cover the inland and uphill parts and include a number of mature woodlands behind the villages, which are generally in good conditions with more diverse tree species. They are ecologically linked with the habitats within the PCCP. There are some plant species of conservation significance including *Aquilaria sinensis* (土沉香), *Artocarpus hypargyreus* (白桂木) *Mucuna championii* (港油麻藤), *Ailanthus fordii* (常綠臭椿) *Popowia pisocarpa* (嘉陵花) and *Macaranga sampsonii* (鼎湖血桐); and butterfly species of conservation concern including *Isoteinon lamprospilus lamprospilus* (旖弄蝶), the rare *Aeromachus jhora* (寬鵲弄蝶) and *Cethosia biblis* (紅鋸蛺蝶). The natural woodland and the coastal wetland in Kuk Po provide a good habitat for over 100 species of butterflies.

Freshwater/brackish marshes comprising mainly intertidal water pond/mudflat, mangrove, reedbed and seagrass are located along the low-lying coastal areas in the three sub-areas. Patches of marshy areas are found on the seasonally wet grassland/shrubland mosaic mainly in the eastern part of Kuk Po and a small area of freshwater marsh is also found near the southern fringe in the valley area of Yung Shue Au. In Fung Hang, a natural stream with estuarine mangrove is found in the western part. An EIS of 1 km in length flows across Kuk Po. Together with the coastal habitats, the wetland complex supports a high diversity of dragonflies and freshwater fish including *Macropodus hongkongensis* (香港鬥魚), *Oryzias curvinotus* (弓背青鱗) and *Orthetrum poecilops poecilops* (斑灰蜻). Kuk Po is identified as a hotspot for both freshwater fish and butterfly, and wetland plants of

conservation concern *Ceratopteris thalictroides* (水蕨) and *Sphenoclea zeylanica* (尖瓣花) are recorded therein. Another EIS of 750m in length flows across Yung Shue Au, which is identified as a hotspot for freshwater fish with records of a rare goby, *Stiphodon atropurpureus* (菲律賓枝牙鰕虎魚). Other species of conservation concern including *Orthetrum poecilops poecilops* (斑灰蜻) are also recorded.

From the nature conservation perspective, developments that may adversely affect the natural character and the ecologically sensitive areas will not be recommended.

7.2.2 Landscape Character

According to the 'Landscape Value Mapping of Hong Kong (2005)', the Area is characterized as "Settled Valley Landscape", which is defined largely by its valley topography having a strong sense of enclosure and tranquillity and a system of active or abandoned agricultural fields together with villages. The three sub-areas have typical Fung Shui village layout in the New Territories with village settlements in a "water facing home that backs on to hills" setting with rich landscape resources such as secondary woodland, mangroves, ponds and marshland. In Kuk Po, the extensive reed bed is the signature of the sub-area. In Yung Shue Au, the proportion and distribution of wetland and marshland, village and woodland are well balanced, creating an elegant crescent-like setting.

From the landscape planning perspective, the Area has high landscape value and the landscape character is sensitive and vulnerable. Any development which is not compatible to the existing scale, style, intensity of development and the natural environment would disrupt the harmonic landscape character setting. Any large scale development with associated utilities installation and slope formation work is not compatible with the existing landscape context. Furthermore, sufficient landscape buffer should be provided to significant landscape resources in the Area.

7.2.3 Cultural Heritage

Kai Choi School and Hip Tin Temple at Kuk Po, and Yeung Ancestral Hall and Li Ancestral Hall at Kuk Po Lo Wai are Grade 3 historic buildings worthy of preservation. Also, Kuk Po Site of Archaeological Interest largely falls within the Area.

The Antiquities Advisory Board (AAB) also released a list of new items in addition to the list of 1,444 historic buildings. These items are subject to grading assessment by the AAB. Details of the list of 1,444 historic buildings and the new items have been uploaded onto the website of the AAB at <http://www.aab.gov.hk>.

An assessment shall be conducted to evaluate the archaeological impact imposed by the proposed works if there is any development within the Site of Archaeological Interest. If necessary, a professional archaeologist shall be engaged to apply for a licence from the Antiquities Authority under the Antiquities and Monuments Ordinance (Cap. 53) for an archaeological field investigation to evaluate whether the proposed works is acceptable from an archaeological preservation point of view and propose appropriate mitigation measures.

Prior consultation with the Antiquities and Monuments Office of the Leisure and Cultural Services Department should be made if any development, redevelopment or rezoning proposals might affect the above historic buildings, new items pending grading assessment, or site of archaeological interest and their/its immediate environs.

7.2.4 Burial Grounds

There are two permitted burial grounds in the Area. One is on the hillslopes along the north western edge of Fung Hang, and another one is also on the hillslopes along the north eastern edge of Kuk Po. Whilst the majority of the burial grounds lie outside the Area and within the PCCP, the small portions thereof fall within the Area and are not suitable for any development.

7.2.5 Transportation

The Area is not served by any vehicular access and the nearest public road, Bride's Pool Road, is situated near Kai Kuk Shue Ha to the west in Luk Keng. There is a walking trail running along the southern coast of Starling Inlet connecting the Area to Luk Keng. There are also piers/jetties in Fung Hang, Kuk Po and Yung Shue Au where small boats would berth.

7.2.6 Sewerage

There is no public sewerage system in the Area. Any new development proposal should be required to demonstrate that no adverse sewage impact would be caused to the Area.

7.2.7 Other Infrastructure and Utility Services

The Area is provided with electricity and telephone services. Potable water supply has been provided to the existing facilities and village houses in the Area except Yung Shue Au. There is no existing and planned drainage system in the Area.

7.2.8 Geotechnical Constraint

The Area is overlooked by steep natural hillsides and may be affected by potential natural terrain landslide hazards. For the future development in the Area, the developers may be required to carry out a

natural terrain hazard study and provide suitable hazard mitigation measures, if found necessary, as part of the development.

8. GENERAL PLANNING INTENTION

- 8.1 The Area forms an integral part of the natural system of the adjoining PCCP with a wide spectrum of natural habitats including, *inter alia*, woodland, shrubland, fallow agricultural land, low-lying wetland habitat (including freshwater/brackish marsh, intertidal water pond/mudflat, mangrove, reedbed, seagrass), stream course, estuarine mangrove and rocky/sandy shore, etc., which should be preserved and protected. The general planning intention of the Area is to protect its high conservation and landscape value which complements the overall naturalness and the landscape beauty of the surrounding PCCP.
- 8.2 Apart from the environmental and ecological considerations, development in the Area is constrained by limited transport and infrastructural provisions. It is also intended to consolidate village development so as to avoid undesirable disturbances to the natural environment and overtaking the limited infrastructure in the Area.

9. LAND-USE ZONINGS

9.1 "Village Type Development" ("V"): Total Area 5.88 ha

- 9.1.1 The planning intention of this zone is to designate both the existing recognized village and areas of land considered suitable for village expansion. Land within this zone is primarily intended for development of Small Houses by indigenous villagers. It is also intended to concentrate village type development within this zone for a more orderly development pattern, efficient use of land and provision of infrastructures and services. Selected commercial and community uses serving the needs of the villagers and in support of the village development are always permitted on the ground floor of a New Territories Exempted House. Other commercial, community and recreational uses may be permitted on application to the Town Planning Board.
- 9.1.2 Fung Hang, Kuk Po (including Kuk Po Lo Wai, Kuk Po San Uk Ha, Yi To, Sam To, Sze To and Ng To) and Yung Shue Au are the recognized villages in the Area. The boundaries of the "V" zones are drawn up having regard to the village 'environs' ('VEs'), the number of outstanding Small House application, Small House demand forecast, local topography and site constraints. Areas of difficult terrain, dense vegetation, stream courses and burial grounds have been avoided as far as possible.

- 9.1.3 No new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of a maximum building height of 3 storeys (8.23m) or the height of the building which was in existence on the date of the first publication in the Gazette of the notice of the draft DPA plan, whichever is the greater. Application for minor relaxation of these restrictions would be considered by the Board based on individual merits, taking into account site constraints, innovative architectural design and planning merits that would enhance the amenity of the locality.
- 9.1.4 As diversion of streams or filling of pond may cause adverse drainage impacts on the adjacent areas and adverse impacts on the natural environment, permission from the Board is required for such activities except public works co-ordinated or implemented by Government, and maintenance, repair or rebuilding works.
- 9.1.5 In accordance with the Environment, Transport and Works Bureau's Technical Circular (Works) No. 5/2005 "Protection of Natural Streams/Rivers from Adverse Impacts Arising from Construction Works", under the current administrative practice, development proposals/submissions that may affect natural streams/rivers, the approving/processing authorities at various stages of the development should consult and collate comments from the Agriculture, Fisheries and Conservation Department (AFCD) and relevant authorities and incorporate relevant comments/advice as conditions of approval wherever possible. Accordingly, Lands Department, when processing Small House grant and applications in close proximity to existing stream courses, should consult concerned departments including AFCD, Environmental Protection Department and Planning Department to ensure that all relevant departments would have adequate opportunity to review and comment on the applications.
- 9.1.6 The "V" zone in the Area is overlooked by steep natural hillsides and may be affected by potential natural terrain landslide hazards. For the future development in the Area, the developers may be required to carry out a natural terrain hazard study and provide suitable hazard mitigation measures, if found necessary, as part of the development.
- 9.1.7 There is no public sewer for the Area. For Small House development, the design and construction of the septic tank and soakaway systems need to comply with relevant standards and regulations, such as EPD's Practice Note for Professional Persons (ProPECC PN) 5/93 – "Drainage Plans subject to Comment by the Environmental Protection Department", for the protection of the water quality of the Area.
- 9.1.8 Yeung Ancestral Hall and Li Ancestral Hall at Kuk Po Lo Wai are Grade 3 historic buildings worthy of preservation. Part of the area under this zoning falls within the Kuk Po Site of Archaeological Interest. Prior consultation with the Antiquities and Monuments Office of the Leisure and Cultural Services Department should be

made if any development, redevelopment or rezoning proposals might affect the above historic buildings or site of archaeological interest and their/its immediate environs.

9.2 "Government, Institution or Community" ("G/IC"): Total Area 0.06 ha

- 9.2.1 The planning intention of this zone is primarily for the provision of Government, institution or community (GIC) facilities serving the needs of the local residents and/or a wider district, region or the territory. It is also intended to provide land for uses directly related to or in support of the work of the Government, organizations providing social services to meet community needs, and other institutional establishments.
- 9.2.2 The major GIC facilities under this zone are Kai Choi School and Hip Tin Temple in Kuk Po, ~~which were~~. *The building was* constructed in 1931. ~~The building~~ *and* is a Grade 3 historic building worthy of preservation. The school was closed in 1993, whilst the temple is still in use.
- 9.2.3 To preserve the rural and low-rise character of the Area as well as provide spatial and visual relief, development/redevelopment within this zone should be restricted to a maximum building height as stipulated on the Plan (i.e. two storeys) or the height of the building which was in existence on the date of the first publication in the Gazette of the notice of the draft DPA plan, whichever is greater.
- 9.2.4 To provide flexibility for innovative design adapted to the characteristics of particular sites, minor relaxation of the building height restriction may be considered by the Board through the planning permission system. Each application will be considered on its individual planning merits.

9.3 "Agriculture ("AGR"): Total Area 3.94 ha

- 9.3.1 The planning intention of this zone is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes.
- 9.3.2 This zone covers fallow agricultural lands which possess potential for agricultural rehabilitation and are not covered with dense vegetation adjoining to the existing village clusters at more accessible locations. These include some fallow agricultural land mainly covered with grasses and shrubs in front of the existing village cluster in Fung Hang, and those amidst the existing village clusters in Kuk Po Lo Wai. This is not only to retain fallow arable land for agricultural purposes and encourage agricultural rehabilitation, but also to preserve the rural setting in the Area.

- 9.3.3 As diversion of streams or filling of land/pond may cause adverse impacts on the natural environment and the ecological value of the adjacent area, permission from the Board is required for such activities. However, filling of land specifically required under prior written instructions of Government department(s), or for the purposes of genuine agricultural practice including laying of soil not exceeding 1.2m in thickness for cultivation, and construction of agricultural structure with prior written approval from the Lands Department is exempted from the control.

9.4 "Green Belt" ("GB"): Total Area 57.38 ha

- 9.4.1 The planning intention of this zone is primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is a general presumption against development within this zone.
- 9.4.2 The "GB" zone comprising mainly woodlands, shrublands, streams and rocky/sandy shores, can provide a buffer between the village type developments and the PCCP and conserve the natural and rural character of the Area.
- 9.4.3 The "GB" zone also comprises the small portions of the permitted burial grounds along the northwestern edge of Fung Hang and the northeastern edge of Kuk Po. They have been in existence for many years, and are considered as existing use intended for the burial of deceased indigenous villagers in the Area. To respect the local ritual and tradition, burial activities within this zone are generally tolerated.
- 9.4.4 There is a general presumption against development within this zone. Development in this zone will be strictly controlled. Development proposals will be considered by the Board on individual merits taking into account the relevant Town Planning Board Guidelines.
- 9.4.5 As diversion of streams, filling of land/pond or excavation of land may cause adverse drainage impacts on the adjacent areas and adverse impacts on the natural environment, permission from the Board is required for such activities except public works co-ordinated or implemented by Government, and maintenance, repair or rebuilding works.

9.5 "Conservation Area": Total Area 23.01 ha

- 9.5.1 This zoning is intended to protect and retain the existing natural landscape, ecological or topographical features of the area for conservation, educational and research purposes and to separate sensitive natural environment such as Country Park from the adverse effects of development. 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 are essential infrastructure projects with overriding public interest may be permitted.

- 9.5.2 The “CA” zone covers the mature woodlands behind the villages, which are generally in good conditions with more diverse tree species. They are ecologically linked with the habitats within the PCCP. There are some plant species of conservation significance including *Aquilaria sinensis* (土沉香), *Artocarpus hypargyreus* (白桂木) *Mucuna championii* (港油麻藤), *Ailanthus fordii* (常綠臭椿) and *Popowia pisocarpa* (嘉陵花) and *Macaranga sampsonii* (鼎湖血桐); and butterfly species of conservation concern including *Isoteinon lamprospilus lamprospilus* (旖弄蝶), the rare *Aeromachus jhora* (寬鏢弄蝶) and *Cethosia biblis* (紅鋸蛺蝶). The natural woodland and the coastal wetland in Kuk Po provide a good habitat for over 100 species of butterflies.
- 9.5.3 It also covers the freshwater/brackish marshes comprising mainly intertidal water pond/mudflat, mangrove, reedbed and seagrass along the low-lying coastal areas in the three sub-areas, as well as *the adjoining* lower sections of the EISs in Kuk Po and Yung Shue Au. Together with the coastal habitats, the wetland complex in Kuk Po supports a high diversity of dragonflies and freshwater fishes including *Macropodus hongkongensis* (香港鬥魚), *Oryzias curvinotus* (弓背青鱗) and *Orthetrum poecilops poecilops* (斑灰蜻). Kuk Po is identified as a hotspot for both freshwater fish and butterfly, and wetland plants of conservation concern *Ceratopteris thalictroides* (水蕨) and *Sphenoclea zeylanica* (尖瓣花) are recorded therein. Yung Shue Au is identified as a hotspot for freshwater fishes with records of a rare goby, *Stiphodon atropurpureus* (菲律賓枝牙鰕虎魚). Other species of conservation concern including *Orthetrum poecilops poecilops* (斑灰蜻) are also recorded.
- 9.5.4 The estuarine mangrove in the western section of the coastal front along Fung Hang is also zoned “CA”.
- 9.5.5 New residential development is not permitted under this zone. Redevelopment of existing houses may be permitted on application to the Board. The redevelopment of existing houses shall not result in a total redevelopment in excess of the plot ratio, site coverage and height of the house which was in existence on the date of the first publication in the Gazette of the notice of the draft DPA Plan.
- 9.5.6 Diversion of streams, filling of land/pond or excavation of land may cause adverse drainage impacts on adjacent areas and adverse impacts on the natural environment. In view of the conservation value of the area within this zone, permission from the Board is required for such activities.

10. CULTURAL HERITAGE

- 10.1 Kai Choi School and Hip Tin Temple at Kuk Po, and Yeung Ancestral Hall and Li Ancestral Hall at Kuk Po Lo Wai are Grade 3 historic buildings worthy of preservation. Also, Kuk Po Site of Archaeological Interest largely falls within the Area.
- 10.2 The Antiquities Advisory Board (AAB) also released a list of new items in addition to the list of 1,444 historic buildings. These items are subject to grading assessment by the AAB. Details of the list of 1,444 historic buildings and the new items have been uploaded onto the website of the AAB at <http://www.aab.gov.hk>.
- 10.3 An assessment shall be conducted to evaluate the archaeological impact imposed by the proposed works if there is any development within the Site of Archaeological Interest. If necessary, a professional archaeologist shall be engaged to apply for a licence from the Antiquities Authority under the Antiquities and Monuments Ordinance (Cap. 53) for an archaeological field investigation to evaluate whether the proposed works is acceptable from an archaeological preservation point of view and propose appropriate mitigation measures.
- 10.4 Prior consultation with the Antiquities and Monuments Office of the Leisure and Cultural Services Department should be made if any development, redevelopment or rezoning proposals might affect the above historic buildings, new items pending grading assessment, or site of archaeological interest and their/its immediate environs.

11. COMMUNICATIONS

Transport Network

The Area is not served by any vehicular access and the nearest public road, Bride's Pool Road, is situated near Kai Kuk Shue Ha to the west in Luk Keng. There is a walking trail running along the southern coast of Starling Inlet connecting the Area to Luk Keng. There are also piers/jetties in Fung Hang, Kuk Po and Yung Shue Au where small boats would berth.

12. UTILITY SERVICES

The Area is provided with electricity and telephone services. Potable water supply has been provided to the existing facilities and village houses in the Area except Yung Shue Au. There are no existing and planned drainage system and no public sewerage system in the Area.

13. IMPLEMENTATION

- 13.1 The Plan provides a broad land-use framework for development control and implementation of planning proposals for the Area. More detailed plans will be prepared as a basis for public works planning and private developments.
- 13.2 At present, there is no overall programme for the provision of infrastructure within the Area. The implementation process will be gradual and may stretch over a long period of time depending on the availability of resources. It will be undertaken through the participation of both the public and private sectors.
- 13.3 Notwithstanding the above, minor improvement works, e.g. access improvement and laying of utility services will be implemented through the Public Works Programme and the Rural Public Works as and when resources are available. Private developments will be effected principally through private sector initiatives to develop or redevelop their properties in accordance with the zoned uses indicated on the Plan, provided that their proposals meet Government requirements.

14. PLANNING CONTROL

- 14.1 The types of permitted developments and uses on land within the Area are listed in the Notes to the Plan. Unless otherwise specified, all building, engineering and other operations incidental to and all uses directly related and ancillary to the permitted developments and uses within the same zone are always permitted and no separate permission is required.
- 14.2 Uses of land or building which were in existence immediately before the first publication in the Gazette of the notice of the draft DPA Plan and which are not in compliance with the terms of the Plan may have adverse impacts on the environment, drainage and traffic of the Area. Although no action is required to make such use conform to this Plan, any material change of such use or any other development (except minor alteration and/or modification to the development of the land or building in respect of such use which is always permitted) must be always permitted in terms of the Plan or, if permission is required, in accordance with a permission granted by the Board. The Board will consider these applications on their individual merits. Those alteration and/or modification works which may lead to an environmental improvement or upgrading to the Area may be considered favourably by the Board.
- 14.3 Planning applications to the Board will be assessed on individual merits. In general, the Board, in considering the planning applications, will take into account all relevant planning considerations including guidelines published by the Board. Guidelines published by the Board are available from the Board's website, the Secretariat of the Board and the Technical Services Division of the Planning Department. Application forms and Guidance Notes for planning applications can be downloaded from the Board's website, and are available from the Secretariat of the Board, and the Technical Services Division and the relevant District Planning Office of the Planning Department. Applications

should be supported by such materials as the Board thinks appropriate to enable it to consider the applications.

- 14.4 Any development, other than those referred to in paragraph 14.1 above or in conformity with this Plan or with the permission of the Board, undertaken or continued on land included in this Plan on or after the date of the first publication in the Gazette of the Notice of the draft DPA Plan may be subject to enforcement proceedings under the Ordinance. Any diversion of streams, filling of land/pond and excavation of land in the relevant zones on or after the date of the first publication in the Gazette of the Notice of the draft DPA Plan without permission from the Board may also be subject to enforcement proceedings. Moreover, there is a presumption against filling of ponds for temporary land uses/developments in conservation-related zonings, such as "CA".

PLANNING DEPARTMENT

AUGUST 2015

JANUARY 2016

Extract of Minutes of the Town Planning Board Meeting held on 28.8.2015

- 65 -

91. ~~Members noted that the justifications for deferment met the criteria for deferment as set out in the Town Planning Board Guidelines on Deferment of Decision on Representations, Comments, Further Representations and Applications made under the Town Planning Ordinance (TPB PG-No. 33) in that the applicant needed more time to prepare further information in response to departmental comments, the deferment period was not indefinite, and that the deferment would not affect the interests of other relevant parties.~~

92. After deliberation, the Board agreed to defer consideration of the review application as requested by the applicant. The Board also agreed that the review application should be submitted for its consideration within three months upon receipt of further information from the applicant. If the further information submitted by the applicant was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Board's consideration. The Board also agreed to advise the applicant that the Board had allowed two months for preparation of the submission of further information and no further deferment would be granted unless ~~under very special circumstances.~~

Agenda Item 6

[Open Meeting]

Draft Kuk Po, Fung Hang and Yung Shue Au Outline Zoning Plan No. S/NE-KP/B
Preliminary Consideration of a New Plan
(TPB Paper No. 9982)

[The meeting was conducted in Cantonese.]

93. The representatives of the Planning Department (PlanD), Mr C.K. Soh (District Planning Officer/Shu Tin, Tai Po & North) and Ms Channy C. Yang (Senior Town Planner/Country Park Enclave) were invited to the meeting at this point.

94. The Chairman extended a welcome and invited DPO to brief Members on the Paper. With the aid of a Powerpoint presentation, Mr Soh made a presentation covering the following main points as detailed in the Paper:

Background

- (a) on 8.3.2013, the draft Kuk Po, Fung Hang and Yung Shue Au Development Permission Area (DPA) Plan No. DPA/NE-KP/1 was exhibited. 12 representations and no comment were received. On 6.12.2013, the Board decided not to propose any amendment to the draft DPA plan. On 11.3.2014, draft DPA Plan was approved by the Chief Executive in Council. Pursuant to section 20(5) of the Ordinance, the DPA Plan was effective for a period of three years until 8.3.2016;

The Planning Scheme Area (the Area)

- (b) the Area, covering a total land area of about 90.72 ha, comprised three sub-areas: Fung Hang, Kuk Po and Yung Shue Au. It was surrounded by the Plover Cove Country Park (PCCP)) at the northeastern fringe of the New Territories and fronting the Starling Inlet in the north. The detailed description about the three sub-areas were in paragraph 6 of the Paper.;
- (c) the Area formed an integral part of the natural system of the adjoining PCCP with a wide spectrum of natural habitats which should be preserved and protected;

Issues arising from consideration of DPA Plan

- (d) the villagers' groups objected to the draft DPA Plan or offered views that the "Village Type Development" ("V") zone was insufficient. Their main proposals were to expand the "V" zone; designate the 'Unspecified Use' area as "Recreation" zone and for reserving land for infrastructure facilities;
- (e) the green/concern groups supported the draft DPA Plan or expressed concerns on the excessive "V" zones. Their main proposals were to reduce the "V" zones, designate appropriate conservation zonings and

incorporate the Area into the Country Park;

- (f) the development proposals from the green groups and the villager groups received in the course of preparing the OZP were highlighted in paragraph 7 of the Paper;

Planning Intention

- (g) the general planning intention for the Area was to protect its high conservation and landscape value which complemented the overall naturalness and the landscape beauty of the surrounding PCCP. The Area was constrained by limited transport and infrastructural provisions and it was intended to consolidate village development to avoid undesirable disturbances to the natural environment and overtaking the limited infrastructure in the Area;

Land Use Zonings

- (h) based on the planning considerations as detailed in paragraph 8 of the Paper, the following land use zonings were proposed:

"Conservation Area" ("CA") (23.01 ha)

- (i) the "CA" zone was to protect and retain the existing natural landscape, ecological or topographical features of the area for conservation, educational and research purposes;
- (ii) that zone mainly covered the mature woodlands behind the villages, the freshwater/brackish marshes comprising mainly intertidal water pond/mudflat, mangrove, reedbed and seagrass along the low-lying coastal areas in the three sub-areas, as well as lower sections of the ecologically important streams in Kuk Po and Yung Shue Au and the estuarine mangrove in Fung Hang;

"Green Belt" ("GB") (57.38 ha)

- (iii) that "GB" zone could provide a buffer between the village type developments and the PCCP and conserve the natural and rural character of the Area;
- (iv) this zone comprised mainly woodlands, shrublands, streams, and rocky/sandy shores. It also included small portions of the permitted burial ground along the northwestern edge of Fung Hang and the northeastern edge of Kuk Po that had been in existence for many years and were considered as existing use. Burial activities within this zone were generally tolerated;

"Agriculture" ("AGR") (3.94 ha)

- (v) that zone was to retain arable land for agricultural purposes and encourage agricultural rehabilitation and to preserve the rural setting of the Area;
- (vi) the zone covered mainly fallow agricultural lands with potential for agricultural rehabilitation and were not covered with dense vegetation adjoining the existing village clusters at more accessible locations;

"Government, Institution or Community" "G/IC" (0.06 ha)

- (vii) the major Government, institution and community facilities under that zone were Kai Choi School and Hip Tin Temple in Kuk Po, which were constructed in 1931. The buildings were Grade 3 historic buildings worthy of preservation;

"Village Type Development" ("V") (5.88 ha)

- (viii) the Small House demand figures provided by the indigenous

inhabitant representatives in 2013 and 2015 were summarised in the below table. As there was a substantial and unjustified increase in the updated 10-year demand forecast figure as compared with the previous corresponding figure in preparing the DPA Plan, according to the established practice of the Board, the previous figure would be adopted in the preparation of the OZP;

Village	Small House Demand Figure in 2013		Small House Demand Figure in 2015		Small House Demand Figure adopted for draft OZP
	Outstanding Demand	10-year Forecast	Outstanding Demand	10-year Forecast	
Fung Hang	0	182 (2011-2020)	0	418 (2014-2023)	182
Kuk Po	0	500 (2012-2021)	1	800 (2014-2023)	501
Yung Shue Au	0	20 (2009 - 2018)	0	20 (2009-2018)	20
Total	0	702	1	1238	703

- (ix) the areas reserved for Small House development mainly covered the existing village clusters and their adjoining fallow agricultural land currently covered with grasses and shrubs. There was an increase of 1.1 ha in the area of the "V" zones as compared with that on the draft DPA Plan (i.e. 4.78 ha). Details of the "V" zone were summarised in the below table.

Village	Village 'Environs' (VE) Area (VE Area in Draft OZP) (ha)	"V" Zone on Draft OZP (ha)	Required Land to Meet New Demand (ha)	Available Land to Meet New Demand (ha)	Percentage of the New Demand Meet by Available Land (%)
Fung Hang	6.47 (5.86)	0.73	4.55	0.42 (16 houses)	9.23%
Kuk Po	14.32 (13.49)	3.63	12.53	1.7 (70 houses)	14.05%
Yung Shue Au	6.72 (6.72)	1.52	0.50	0.40 (16 houses)	80%
Total	27.51 (26.07)	5.88	17.58	2.58 (102 houses)	14.68%

- (x) Yeung Ancestral Hall and Li Ancestral Hall at Kuk Po Lo Wai were Grade 3 historic buildings worthy of preservation. Part of the area under that zoning fell within the Kuk Po Site of Archaeological Interest. Prior consultation with the Antiquities and Monuments Office was needed if development might affect the above historic buildings or site of archaeological interest and their/its immediate environs;

- (i) a comparison of land use zonings on the approved DPA Plan and the draft OZP was summarised in the table below:

Land Use Zonings	Approved DPA Plan	Draft OZP
"V"	4.78 ha (5.30%)	5.88 ha (6.51%)
"Unspecified"	85.49 ha (94.70%)	-
"G/IC"	-	0.06 ha (0.07%)
"AGR"	-	3.94 ha (4.36%)
"GB"	-	57.38 ha (63.57%)
"CA"	-	23.01 ha (25.49%)
Total	90.27 ha	90.27 ha

- (j) relevant government bureaux and departments had been consulted. Views from green/concern groups and villagers' groups had been incorporated where appropriate; and
- (k) Members were asked to agree that the draft OZP No. S/NE-KP/B together with the Notes and Explanatory Statement (ES) were suitable for consultation with the North District Council (NDC) and Sha Tau Kok District Rural Committee (STKDRC).

95. The Chairman then invited questions from Members. Members had no question to raise.

96. After deliberation, the Board agreed that the draft Kuk Po, Fung Hang and

Yung Shue Au OZP S/NE-KP/B together with its Notes and ES were suitable for consultation with NDC and STKDRC. After consultation, comments from NDC and STKDRC would be submitted to the Board for consideration prior to publication of the draft OZP under section 5 of the Ordinance.

97. The Chairman thanked the PlanD's representatives for their presentation and they left the meeting at this point.

[Dr Lawrence W.C. Poon left the meeting at this point.]

-Agenda Item 7-

[Open Meeting]

Submission of the Draft Cha Kwo Ling, Yau Tong, Lei Yue Mun Outline Zoning Plan No S/K15/22A to the Chief Executive in Council for Approval under Section 8 of the Town Planning Ordinance
(TPB Paper No. 9986)

[The meeting was conducted in Cantonese.]

98. As Amendment Item B in respect of the draft Cha Kwo Ling, Yau Tong, Lei Yue Mun Outline Zoning Plan (OZP) No S/K15/22 involved a site for subsidised housing development with implementation agent yet to be decided, the following Members had declared interests for having affiliation and/or business dealings with the Hong Kong Housing Authority (HKHA) and/or the Hong Kong Housing Society (HKHS):

Mr Stanley Y.F. Wong	- being a member of HKHA and its Strategic Planning Committee and Chairman of its Subsidised Housing Committee, and an non-official member of HKHS
Ms Julia M.K. Lau	- being a member of HKHA and its Commercial Properties Committee and Tender Committee
Professor P.P. Ho	- being a member of the Building Committee of HKHA

THE TOWN PLANNING BOARD

TPB PAPER NO.9982
FOR CONSIDERATION BY
THE TOWN PLANNING BOARD ON 28.8.2015

DRAFT KUK PO, FUNG HANG AND YUNG SHUE AU OUTLINE ZONING PLAN
NO. S/NE-KP/B
PRELIMINARY CONSIDERATION OF A NEW PLAN

**DRAFT KUK PO, FUNG HANG AND YUNG SHUE AU
OUTLINE ZONING PLAN NO. S/NE-KP/B
PRELIMINARY CONSIDERATION OF A NEW PLAN**

1. Purpose

The purpose of this paper is to seek Members' agreement:

- (a) that the draft Kuk Po, Fung Hang and Yung Shue Au Outline Zoning Plan (OZP) No. S/NE-KP/B (the Plan) (**Appendix I**) together with its Notes (**Appendix II**) are suitable for consultation with the North District Council (NDC) and Sha Tau Kok District Rural Committee (STKDRC); and
- (b) that the Explanatory Statement (ES) (**Appendix III**) is an expression of the planning intentions and objectives of the Town Planning Board (the Board) for the various land use zonings of the draft OZP and is suitable for consultation with the NDC and STKDRC together with the draft OZP.

2. Background

- 2.1 On 8.3.2013, the draft Kuk Po, Fung Hang and Yung Shue Au Development Permission Area (DPA) Plan No. DPA/NE-KP/1 was exhibited for public inspection under section 5 of the Town Planning Ordinance (the Ordinance). During the two-month exhibition period, a total of 12 representations and no comments were received. After giving consideration to the representations on 6.12.2013, the Board decided not to propose any amendment to the draft DPA Plan to meet the representations.
- 2.2 On 11.3.2014, the Chief Executive in Council (CE in C), under section 9(1)(a) of the Ordinance, approved the draft Kuk Po, Fung Hang and Yung Shue Au DPA Plan, which was subsequently renumbered as DPA/NE-KP/2. On 21.3.2014, the approved Kuk Po, Fung Hang and Yung Shue Au DPA Plan No. DPA/NE-KP/2 was exhibited for public inspection under section 9(5) of the Ordinance.
- 2.3 Pursuant to section 20(5) of the Ordinance, the Kuk Po, Fung Hang and Yung Shue Au DPA Plan is effective for a period of three years until 8.3.2016. An OZP has to be prepared to replace the DPA Plan in order to maintain statutory planning control over the Area upon expiry of the DPA Plan.
- 2.4 On 23.6.2015, under the power delegated by the Chief Executive, the Secretary for Development directed the Board, under section 3(1)(a) of the Ordinance, to prepare an OZP to cover the Kuk Po, Fung Hang and Yung Shue Au area.

3. Planning Context (Plans 1 to 3)

- 3.1 The Planning Scheme Area (the Area) covering a total land area of about 90.72 ha, comprises three sub-areas, namely Fung Hang, Kuk Po and Yung Shue Au. It is surrounded by the Plover Cove Country Park (PCCP) at the northeastern fringe of the New Territories and fronting the Starling Inlet in the north.
- 3.2 According to the 'Landscape Value Mapping of Hong Kong (2005)', the Area is characterized as "Settled Valley Landscape" which is defined largely by its valley topography having a strong sense of enclosure and tranquility, and a system of active and abandoned agricultural fields together with villages. Surrounded by woodlands and fronting Starling Inlet, the Area has typical Fung Shui village layout in the New Territories with village settlements in a "water facing home that backs on to hills" setting with rich landscape resources such as mangroves, ponds and marshlands. In general, the Area is natural and rural in character and has high landscape and scenic value (**Figures 5a to 5c of Appendix IV**).
- 3.3 In the 'Study on the Enhancement of the Sha Tau Kok Rural Township and Surrounding Areas – Feasibility Study'¹ (the STK Study) completed in 2013, the Area is included in the Linkage Area comprising part of the coastal area and major outer islands near STK (**Figure 1b of Appendix IV**). The Linkage Area is of high ecological and landscape value, and its tranquil rural setting should be preserved as far as possible for both local residents and visitors. Some small-scale conceptual enhancement proposals with minor construction works are proposed to enhance the tourism potential of the Linkage Area without compromising the ecologically-sensitive environment. These include provision of public toilet in Kuk Po and Yung Shue Au and installation of information board in Kuk Po, Fung Hang and Yung Shue Au.
- 3.4 Details of the land use considerations are contained in the Planning Report on Kuk Po, Fung Hang and Yung Shue Au at **Appendix IV**. Some major issues in relation to the proposed zonings are stated in the following paragraphs.

4. Issues Arising from Consideration of the DPA Plan

- 4.1 During the exhibition period of the draft DPA Plan, a total of 12 representations were received. The major land use proposals raised by the representers are recapitulated below:

(a) The villagers' group² objected to the draft DPA Plan or offered views that

¹ The overall objective of the STK Study is to formulate an Integrated Area Improvement Plan, setting out comprehensive improvement proposals to enhance the physical environment of the STK Town and its surrounding areas. It strives to strike a balance between nature conservation, cultural heritage protection, development of tourist destinations and long-term sustainability of the villages. The Linkage Area comprises areas including Fung Hang, Kuk Po, Yung Shue Au, So Lo Pun, Lai Chi Wo, Sam A Tsuen, Ap Chau and Kat O. Village settlements are scattered in the Linkage Area.

² Villagers' group include NDC, STKDRC, Village Representatives (VRs) of Fung Hang and Kuk Po, villagers of Fung Hang and Globalink Architects Ltd. (concerning Yung Shue Au).

the "Village Type Development" ("V") zones were insufficient. They proposed to expand the "V" zones and designate the "Unspecified Use" area as "Recreation" ("REC") and for reserving land for infrastructure facilities; and

- (b) The green/concern groups³ generally supported the draft DPA Plan or expressed concerns on the excessive "V" zones. They proposed to reduce the "V" zones, designate appropriate conservation zonings and incorporate the Area into the Country Park.

- 4.2 On 6.12.2013, the Board decided not to propose any amendment to the draft DPA Plan to meet the representations. It was agreed that detailed land use zonings would be worked out during the OZP preparation stage taking account of the results of relevant assessments on various aspects including Small House demand and developments, conservation value, the environmental and infrastructural constraints, and landscape character, etc in consultation with relevant Government departments and stakeholders.

5. Object of the Plan

The object of the Plan is to indicate the broad land use zonings for the Area so that development and redevelopment within the Area can be put under statutory planning control. It also provides the planning framework for preparing more detailed non-statutory plans which form the basis for public works planning and site reservation for various uses.

6. The Planning Scheme Area (Plans 1 to 3 and Figures 5 and 6 of Appendix IV)

- 6.1 The Area, covering a total land area of about 90.27 ha, comprises three sub-areas, namely Fung Hang (about 9.32 ha), Kuk Po (about 62.82 ha) and Yung Shue Au (about 18.13 ha). It is surrounded by the PCCP and fronting the Starling Inlet in the north. According to the 2011 Population Census, the population in the Area is 67 persons.
- 6.2 The Area is not served by any vehicular access and the nearest public road, Bride's Pool Road, is situated near Kai Kuk Shue Ha to the west in Luk Keng. There is a walking trail running along the southern coast of Starling Inlet connecting the Area to Luk Keng. There are also piers/jetties⁴ in Fung Hang, Kuk Po and Yung Shue Au where small boats would berth.
- 6.3 Surrounded by the PCCP on three sides, and comprising mainly woodland, shrubland, fallow agricultural land, low-lying wetland habitat (including freshwater/brackish marsh, intertidal water pond/mudflat, mangrove, reedbed,

³ Green/concern groups include Kadoorie Farm & Botanic Garden Corporation, World Wide Fund for Nature Hong Kong, Designing Hong Kong Limited, The Conservancy Association, Hong Kong Entomological Society and individuals.

⁴ Starling Inlet which the piers at Fung Hang and Kuk Po front and through which vessels from Sha Tau Kok town to Yung Shue Au is designated as a Frontier Closed Area. As advised by Marine Department, in the three sub areas, there is no "kaito" ferry service currently in operation but piers/jetties therein enable berthing of small boats.

seagrass), stream course, estuarine mangrove and rocky/sandy shore, the Area forms part of the wider natural system of the Plover Cove countryside. In general, the Area is natural and rural in character with high landscape and scenic value and is popular to visitors and hikers for its seaside walk.

Fung Hang

- 6.4 Fronting Starling Inlet in the north, Fung Hang mainly comprises an elongated vegetated knoll in the middle separating two tracts of flat land, which are gradually sloping uphill to the mountains in the south. The woodland in the south and west is adjoining the PCCP. There are some plant species of conservation significance and butterfly species of conservation concern in the sub-area. Fung Hang Village occupies the larger tract of flat land in the eastern part of the sub-area, which is flanked by the mature woodland⁵ on the vegetated knoll to the southwest and the freshwater/brackish marsh mainly comprising pond, mangrove and reedbed on the low-lying coastal area to the northeast. A natural stream flows in the north-south direction in the western part of the sub-area. The coast comprises a dam and a short strip of rocky shore and estuarine mangrove in the west. Fallow agricultural lands mainly covered with grasses and shrubs can be found in front of and adjoining the existing village cluster, as well as along the natural stream.
- 6.5 Fung Hang is the only recognized village in the sub-area. There is an eatery/provision store serving visitors and hikers during the holidays, and a permitted burial ground on the hillslope along the northwestern edge.

Kuk Po

- 6.6 The Kuk Po is dominated by a large piece of flat land at the coastal area facing Tai Wan to the northwest and two strips of flat land sandwiched between the hillslopes extending inland to the south. It is surrounded by vegetated hillslopes on three sides adjoining PCCP and the coastal front is mainly defined by a long dam with sandy/rocky shore in the eastern and western ends. Village clusters are scattered along the periphery of the freshwater/brackish marsh near the coast, amidst patches of marshy areas in the east or situated at the foothills in the inland. Natural streams flow across the sub-area from the highland in the south to the coastal marshland in the north.
- 6.7 There are recognized villages namely Kuk Po Lo Wai and Kuk Po San Uk Ha and the inland villages of Yi To, Sam To, Sze To and Ng To. Mature woodlands behind villages are located at Kuk Po Lo Wai, Kuk Po San Uk Ha, Sam To and Ng To where plant species of conservation significance can be found. The freshwater/brackish marsh in Kuk Po mainly comprises pond/mudflat, mangrove and reedbed. Patches of marshy areas are found on the seasonally wet grassland/shrubland mosaic mainly in the eastern part of Kuk Po. A section of the natural stream flowing across the sub-area from Ng To to Kuk Po San Uk Ha of about 1km is considered as an Ecologically Important Stream (EIS). Kuk Po is identified as a hotspot for both freshwater fish and butterfly. Together with the coastal habitats, the wetland complex supports a high diversity of dragonflies

⁵ According to Agriculture, Fisheries and Conservation Department, mature woodland behind village is generally referred to as "Fung Shui Woodland".

and freshwater fishes which are of conservation significance. The natural woodland and the coastal wetland provide a good habitat for over 100 species of butterflies. Wetland plants of conservation concern are also recorded. Fallow agricultural lands mainly covered with grasses and shrubs basically spread around the existing village clusters, with those around Kuk Po Lo Wai and Kuk Po San Uk Ha having turned into patches of marshy areas.

- 6.8 There is an eatery/provision store in Kuk Po Lo Wai serving visitors and hikers during the holidays. Kai Choi School and Hip Tin Temple, and Yeung Ancestral Hall and Li Ancestral Hall at Kuk Po Lo Wai are Grade 3 historic buildings worthy of preservation. Also, Kuk Po Site of Archaeological Interest largely falls within the sub-area. There is a permitted burial ground on the hillslope along the northeastern edge of Kuk Po.

Yung Shue Au

- 6.9 In Yung Shue Au, a large piece of flat land fronting Yung Shue Au Wan in the northeast extends into a narrow valley in the southwest surrounded by vegetated hillslopes. Yung Shue Au⁶ Village is a long strip of village cluster, situated between the freshwater/brackish marsh on the low-lying coastal area to the east and the mature woodland on the vegetated hillslopes on the west. A dam dominates the coastal front with sandy/rocky shore at its eastern end.
- 6.10 A mature woodland can be found behind Yung Shue Au Village at the foothill of the PCCP. Species of conservation concern are recorded. The freshwater/brackish marsh near the coast mainly comprises pond/mudflat, mangrove, reedbed and seagrass. There is also a small area of freshwater marsh near the southern fringe in the valley area. An EIS of about 750 m in length flowing across the sub-area continuously supplies freshwater to the wetlands. The sub-area is identified as a hotspot for freshwater fishes with records of a rare goby. Other species of conservation concern are also recorded. Fallow agricultural lands mainly covered with grasses and shrubs are located near the village cluster.
- 6.11 Yung Shue Au is the only recognized village in the sub-area. Besides, there are some abandoned barracks near the entrance of the village which were established in the early 1980s by the British army to guard against illegal immigrants.

7. Development Proposals received in the Course of Preparation of the Plan

- 7.1 Since the gazettal of the draft DPA Plan on 8.3.2013, no planning application in the Area has been received. In the course of preparing the OZP, some views/proposals were received from concerned parties and they are set out below. KFBG made a submission which contains the ecological information and a land use proposal for the Area on 3.6.2015 (**Appendix V**) and a meeting with the KFBG, Hong Kong Bird Watching Society, Designing Hong Kong Limited, World Wide Fund for Nature Hong Kong and The Conservancy

⁶ According to District Lands Officer/North, Lands Department's record, the English Name of the recognized village at Yung Shue Au is read as "Yun Shue Au".

Association was conducted on 16.6.2015 to briefly exchange views on the submission which suggests that:

- (a) "CA" or "Green Belt (1)" ("GB(1)") zones should cover the areas of mature woodlands, secondary woodlands, wetland complexes, seasonally wet grassland/shrubland mosaic, the stream courses and their 30m-wide riparian zones; and
 - (b) "V" zones should neither be located in the wetland complexes, seasonally wet habitats and riparian zones, nor immediately adjacent to the wetlands.
- 7.2 STKDRC, Indigenous Inhabitant Representatives (IIRs) of Kuk Po and Yung Shue Au and other villagers submitted letters (**Appendix VI**) which propose that "V" zone should be planned in proportion to the number of male indigenous villagers in each village; and agricultural lots should be designated as "AGR" zone, instead of conservation zonings so as to encourage agricultural rehabilitation.
- 7.3 Planning assessment of the proposals is in **Appendix VII**. The views conveyed in these proposals have been taken into account in the preparation of the draft OZP and delineating the various land use zonings and the details are elaborated in the following paragraphs.

8. Land Use Planning Considerations (Plan 4 and Figure 12 of Appendix IV)

Conservation of Natural Environment (Figures 5, 9 and 10 of Appendix IV)

- 8.1 Surrounded by the PCCP on three sides, and comprising mainly woodland, shrubland, fallow agricultural land, low-lying wetland habitat (including freshwater/brackish marsh, intertidal water pond/mudflat, mangrove, reedbed, seagrass), stream course, estuarine mangrove and rocky/sandy shore, the Area forms part of the wider natural system of the Plover Cove countryside.
- 8.2 Woodlands and shrublands mainly cover the inland and uphill parts and include a number of mature woodlands behind the villages, which are generally in good conditions with more diverse tree species. They are ecologically linked with the habitats within the PCCP. There are some plant species of conservation significance including *Aquilaria sinensis* (土沉香), *Artocarpus hypargyreus* (白桂木) *Mucuna championii* (港油麻藤), *Ailanthus fordii* (常綠臭椿) *Popowia pisocarpa* (嘉陵花) and *Macaranga sampsonii* (鼎湖血桐); and butterfly species of conservation concern including *Isoteinon lamprospilus lamprospilus* (旖弄蝶), the rare *Aeromachus jhora* (寬鐔弄蝶) and *Cethosia biblis* (紅鋸蛺蝶). The natural woodland and the coastal wetland in Kuk Po provide a good habitat for over 100 species of butterflies.
- 8.3 Freshwater/brackish marshes comprising mainly intertidal water pond/mudflat, mangrove, reedbed and seagrass are located along the low-lying coastal areas in the three sub-areas. In Fung Hang, a natural stream with estuarine mangrove is found in the western part. An EIS of 1 km in length flows across Kuk Po.

Together with the coastal habitats, the wetland complex supports a high diversity of dragonflies and freshwater fish including *Macropodus hongkongensis* (香港鬥魚), *Oryzias curvinotus* (弓背青鱗) and *Orthetrum poecilops poecilops* (斑灰蜻). Kuk Po is identified as a hotspot for both freshwater fish and butterfly, and wetland plants of conservation concern *Ceratopteris thalictroides* (水蕨) and *Sphenoclea zeylanica* (尖瓣花) are recorded therein. Another EIS of 750m in length flows across Yung Shue Au, which is identified as a hotspot for freshwater fish with records of a rare goby, *Stiphodon atropurpureus* (菲律賓枝牙鰕虎魚). Other species of conservation concern including *Orthetrum poecilops poecilops* (斑灰蜻) are also recorded.

- 8.4 In consultation with Agriculture, Fisheries and Conservation Department (AFCD), it is considered that the mature woodlands behind villages and freshwater/brackish marshes in the three sub-areas, as well as the estuarine mangrove in Fung Hang should be zoned "CA" in order to reflect the ecological importance of these natural habitats and to provide adequate planning protection for these areas whilst "GB" zoning would be appropriate to protect the rest of woodlands, shrublands and the riparian zone of stream courses.

Land for Agriculture (Figures 5a, 5e and 5i and 7 of Appendix IV)

- 8.5 Many of the lowland areas in the Area are fallow agricultural lands, which basically spread around the village clusters and occupy the areas of gentle topography and are seasonally wet. AFCD advises that the fallow agricultural lands possess potential for agricultural rehabilitation and those covered with grasses and shrubs could be considered for "AGR" zone from the agricultural development point of view in order to retain agricultural land and encourage agricultural rehabilitation.
- 8.6 With a view to facilitating revitalization of the inhabited villages with agricultural activities and preserving the rural setting in the Area, "AGR" zones are proposed to cover fallow agricultural land without dense vegetation and adjoining to the existing village clusters at more accessible locations. These include some fallow agricultural land mainly covered with grasses and shrubs in front of the existing village cluster in Fung Hang, and those amidst the existing village clusters in Kuk Po Lo Wai.

Government, Institution or Community Facilities (Figures 6a, 6b, 6d and 6j of Appendix IV)

- 8.7 Major GIC facilities in the Area are Kai Choi School and Hip Tin Temple in Kuk Po. The building was constructed in 1931 and is now a Grade 3 historic building worthy of preservation. The school was closed in 1993, whilst the temple is still in use. To reflect the existing uses, it is proposed to zone the premises as "Government, Institution or Community" ("G/IC").
- 8.8 To preserve the rural and low-rise character of the Area as well as provide spatial and visual relief, development/redevelopment within this zone should be restricted to a maximum building height as stipulated on the Plan (i.e two storeys) or the height of the building which was in existence on the date of the first publication in the Gazette of the notice of the draft DPA plan, whichever is

greater.

Land for Village Development (Figures 6, 7 and 10 of Appendix IV)

Fung Hang

- 8.9 The whole 'VE' of Fung Hang has an area of 6.47 ha and its majority with an area of 5.86 ha falls within the boundary of the draft OZP. The conditions of the village houses vary from fair to poor with quite a number of them currently abandoned. Apart from the existing village cluster, the land within the 'VE' mainly comprises woodland/shrubland including a mature woodland behind the village, freshwater/brackish marsh and a natural stream with estuarine mangrove. Fallow agricultural lands mainly covered with grasses and shrubs can be found in front of and adjoining the existing village cluster in the eastern part of the 'VE' as well as along the natural stream separated from the existing village cluster in the western part of the 'VE'.

Kuk Po

- 8.10 The seven 'VEs' of Kuk Po for the six recognized villages have an area of 14.32 ha and most of the area of 13.49 ha fall within the boundary of the draft OZP. Some of the existing village clusters i.e Kuk Po Lo Wai (the southernmost one), Kuk Po San Uk Ha, Sam To and Ng To are adjacent to the Country Park. Quite a number of village settlements are currently abandoned or in ruins. Sam To has been deserted and is surrounded by dense vegetation and hence is currently inaccessible. Ng To is further away from the coast sloping uphill in the inland. Apart from the existing village clusters, the land within the 'VEs' mainly comprises woodland/shrubland, freshwater/brackish marsh, patches of marshy areas on seasonally wet grassland/shrubland mosaic and fallow agricultural lands mainly covered with grasses and shrubs.

Yung Shue Au

- 8.11 The whole 'VE' of Yung Shue Au has an area of 6.72 ha and falls within the boundary of the draft OZP. The existing village cluster occupies a long strip of flat land in the western part of the 'VE'. Most of the village houses are in poor condition and are basically uninhabited, and there are some abandoned barracks. Apart from the existing village cluster, the land within the 'VE' mainly comprises woodland/shrubland including a mature woodland behind the village, freshwater/brackish marsh and fallow agricultural land mainly covered with grasses and shrubs.
- 8.12 According to the 2011 Population Census, the population in the Area is 67 persons. As advised by District Lands Officer/North, Lands Department (DLO/N, LandsD), there are no outstanding Small House application in Fung Hang and Yung Shue Au and one outstanding Small House application in Kuk Po. The 10-year Small House demand forecasts provided by the IIRs⁷ of Fung

⁷ As advised by DLO/N, LandsD, the 10-year Small House demand forecasts are provided by the respective IIRs without any supporting evidence and his office is not in a position to verify the accuracy of the figures. Besides, the 10-year Small House demand forecast of Yung Shue Au was provided for the period of 2009 – 2018

Hang, Kuk Po and Yung Shue Au are 418, 800 and 20 respectively. When preparing the draft DPA Plan in February 2013⁸, the 10-year Small House demand forecasts of Fung Hang, Kuk Po and Yung Shue Au were 182, 500 and 20 respectively. According to the established practice of the Board, if there is a substantial and unjustified increase in the updated 10-year demand forecast figure as compared with the previous corresponding figure in preparing the DPA Plan, the latter would be adopted in the preparation of the OZP. Based on PlanD's preliminary estimate, land required for meeting the Small House demand of 182, 501 and 20 in Fung Hang, Kuk Po and Yung Shue Au are about 4.55 ha, 12.53 ha and 0.5 ha (Table 1) respectively.

- 8.13 Given the natural environment, its ecological and landscape value coupled with its limited accessibility due to lack of vehicular access and potential natural terrain landslide hazards, an incremental approach for designation of "V" zones for Small House development has been adopted with an aim to confining Small House development at suitable locations so as to avoid undesirable disturbances to the natural environment and overtaxing the limited infrastructure in the Area. Discounting the surrounding environmentally sensitive areas, including woodland, shrubland, low-lying wetland habitat, stream course, estuarine mangrove and rocky/sandy shore which should be protected, a total of about 5.88 ha of land is covered by "V" zones including about 0.73 ha in Fung Hang, 3.63 ha in Kuk Po and 1.52 ha in Yung Shue Au. The areas reserved for Small House development mainly cover the existing village clusters and their adjoining fallow agricultural land currently covered with grasses and shrubs. There is an increase of 1.1 ha in the area of the "V" zones as compared with that on the draft DPA Plan (i.e. 4.78 ha). Within the proposed "V" zones, a total of about 2.58 ha of land (including about 0.42 ha, 1.76 ha and 0.40 ha in Fung Hang, Kuk Po and Yung Shue Au respectively) is available, equivalent to about 102 Small House sites (including about 16, 70 and 16 Small House sites in Fung Hang, Kuk Po and Yung Shue Au respectively), meeting about 14.68% of the total Small House demand for 703 Small Houses (about 9.23%, 14.05% and 80% in Fung Hang, Kuk Po and Yung Shue Au respectively) (Table 1).

in response to his office's enquiry and no further update has been received thereafter.

⁸ The TPB Paper No. 9282 on Consideration of the Draft Kuk Po, Fung Hang and Yung Shue Au DPA Plan No. DPA/NE-KP/B in February 2013 refers.

Table 1: Small House Demand for the Kuk Po, Fung Hang and Yung Shue Au Area in 2013 and 2015

Village	Small House Demand Figure in 2013		Small House Demand Figure in 2015		"VE" Area ('VE' Area in Draft OZP) (ha)	"V" Zone on Draft OZP (ha)	Required Land to Meet New Demand (ha)	Available Land to Meet New Demand (ha)	Percentage of the New Demand Meet by Available Land (%)
	Outstanding Demand	10-year Forecast	Outstanding Demand	10-year Forecast					
Fung Hang	0	182 (2011-2020)	0	418 (2014-2023)	6.47 (5.86)	0.73	4.55	0.42 (16 houses)	9.23%
Kuk Po *	0	500 (2012-2021)	1	800 (2014-2023)	14.32 (13.49)	3.63	12.53	1.7 (70 houses)	14.05%
Yung Shue Au	0	20 (2009 - 2018)	0	20 (2009-2018)	6.72 (6.72)	1.52	0.50	0.40 (16 houses)	80%
Total	0	702	1	1238	27.51 (26.07)	5.88	17.58	2.58 (102 houses)	14.68%

Note:

* Kuk Po Lo Wai, Kuk Po San Uk Ha, Yi To, Sam To, Sze To & Ng To are collectively known as Kuk Po.

8.14 Although the area of the proposed "V" zones could not fully meet the Small House demand, it is sufficient to meet the outstanding demand (i.e one Small House). Should there be a genuine need to use the land outside the "V" zones for Small House developments, there is provision in the Notes of the draft OZP to allow for application to the Board. Each application would be considered by the Board based on its individual merits.

8.15 There is no public sewer for the Area. For Small House development, the design and construction of the septic tank and soakaway systems need to comply with relevant standards and regulations, such as Environmental Protection Department (EPD)'s Practice Note for Professional Persons (ProPECC PN) 5/93 – "Drainage Plans subject to Comment by the Environmental Protection Department", for the protection of the water quality of the Area.

Cultural Heritage

8.16 Kai Choi School and Hip Tin Temple at Kuk Po, and Yeung Ancestral Hall and Li Ancestral Hall at Kuk Po Lo Wai are Grade 3 historic buildings worthy of preservation. Also, Kuk Po Site of Archaeological Interest largely falls within the Area. Prior consultation with the Antiquities and Monuments Office of the Leisure and Cultural Services Department should be made if any development, redevelopment or rezoning proposals might affect the above historic buildings, or site of archaeological interest and their/its immediate environs.

9. Planning Intention

- 9.1 The Area forms an integral part of the natural system of the adjoining PCCP with a wide spectrum of natural habitats including, *inter alia*, woodland, shrubland, fallow agricultural land, low-lying wetland habitat (including freshwater/brackish marsh, intertidal water pond/mudflat, mangrove, reedbed, seagrass), stream course, estuarine mangrove and rocky/sandy shore, etc., which should be preserved and protected. The general planning intention of the Area is to protect its high conservation and landscape value which complements the overall naturalness and the landscape beauty of the surrounding PCCP.
- 9.2 Apart from the environmental and ecological considerations, development in the Area is constrained by limited transport and infrastructural provisions. It is also intended to consolidate village development so as to avoid undesirable disturbances to the natural environment and overtaxing the limited infrastructure in the Area.

10. Land Use Zonings

10.1 "Village Type Development" ("V"): Total Area 5.88 ha

- 10.1.1 The planning intention of this zone is to designate both the existing recognized village and areas of land considered suitable for village expansion. Land within this zone is primarily intended for development of Small Houses by indigenous villagers. It is also intended to concentrate village type development within this zone for a more orderly development pattern, efficient use of land and provision of infrastructures and services. Selected commercial and community uses serving the needs of the villagers and in support of the village development are always permitted on the ground floor of a New Territories Exempted House. Other commercial, community and recreational uses may be permitted on application to the Board.
- 10.1.2 Fung Hang, Kuk Po (including Kuk Po Lo Wai, Kuk Po San Uk Ha, Yi To, Sam To, Sze To and Ng To) and Yung Shue Au are the recognized villages in the Area. The boundaries of the "V" zones are drawn up having regard to the village 'environs', the number of outstanding Small House application, Small House demand forecast, local topography and site constraints. Areas of difficult terrain, dense vegetation, stream courses and burial grounds have been avoided as far as possible.
- 10.1.3 As diversion of streams or filling of pond may cause adverse drainage impacts on the adjacent areas and adverse impacts on the natural environment, permission from the Board is required for such activities except public works co-ordinated or implemented by Government, and maintenance, repair or rebuilding works.

- 10.1.4 In accordance with the Environment, Transport and Works Bureau's Technical Circular (Works) No. 5/2005 "Protection of Natural Streams/Rivers from Adverse Impacts Arising from Construction Works", under the current administrative practice, development proposals/submissions that may affect natural streams/rivers, the approving/processing authorities at various stages of the development should consult and collate comments from the AFCD and relevant authorities and incorporate relevant comments/advice as conditions of approval wherever possible. Accordingly, LandsD, when processing Small House grant and applications in close proximity to existing stream courses, should consult concerned departments including AFCD, EPD and PlanD to ensure that all relevant departments would have adequate opportunity to review and comment on the applications. Such requirement has been stated in the ES.
- 10.1.5 The "V" zone in the Area is overlooked by steep natural hillsides and may be affected by potential natural terrain landslide hazards. For the future development in the Area, the developers may be required to carry out a natural terrain hazard study and provide suitable hazard mitigation measures, if found necessary, as part of the development.
- 10.1.6 There is no public sewer for the Area. For Small House development, the design and construction of the septic tank and soakaway systems need to comply with relevant standards and regulations, such as EPD's Practice Note for Professional Persons (ProPECC PN) 5/93 – "Drainage Plans subject to Comment by the Environmental Protection Department", for the protection of the water quality of the Area.
- 10.1.7 Yeung Ancestral Hall and Li Ancestral Hall at Kuk Po Lo Wai are Grade 3 historic buildings worthy of preservation. Part of the area under this zoning falls within the Kuk Po Site of Archaeological Interest. Prior consultation with the Antiquities and Monuments Office of the Leisure and Cultural Services Department should be made if any development, redevelopment or rezoning proposals might affect the above historic buildings or site of archaeological interest and their/its immediate environs.
- 10.2 "Government, Institution or Community" ("G/IC"): Total Area 0.06 ha
- 10.2.1 The planning intention of this zone is primarily for the provision of Government, institution or community (GIC) facilities serving the needs of the local residents and/or a wider district, region or the territory. It is also intended to provide land for uses directly related to or in support of the work of the Government, organizations providing social services to meet community needs, and other institutional establishments.
- 10.2.2 The major GIC facilities under this zone are Kai Choi School and Hip Tin Temple in Kuk Po, which were constructed in 1931. The building is a Grade 3 historic building worthy of preservation.

10.3 "Agriculture" ("AGR"): Total Area 3.94 ha

- 10.3.1 The planning intention of this zone is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes.
- 10.3.2 This zone covers fallow agricultural lands which possess potential for agricultural rehabilitation and are not covered with dense vegetation adjoining to the existing village clusters at more accessible locations. These include some fallow wet agricultural land mainly covered with grasses and shrubs in front of the existing village cluster in Fung Hang, and those amidst the existing village clusters in Kuk Po Lo Wai. This is not only to retain fallow arable land for agricultural purposes and encourage agricultural rehabilitation, but also to preserve the rural setting in the Area.
- 10.3.3 As diversion of streams or filling of land/pond may cause adverse impacts on the natural environment and the ecological value of the adjacent area, permission from the Board is required for such activities. However, filling of land specifically required under prior written instructions of Government department(s), or for the purposes of genuine agricultural practice including laying of soil not exceeding 1.2m in thickness for cultivation, and construction of agricultural structure with prior written approval from the Lands Department is exempted from the control.

10.4 "Green Belt" ("GB"): Total Area 57.38 ha

- 10.4.1 The planning intention of this zone is primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is a general presumption against development within this zone.
- 10.4.2 The "GB" zone comprising mainly woodlands, shrublands, streams, and rocky/sandy shores can provide a buffer between the village type developments and the PCCP and conserve the natural and rural character of the Area.
- 10.4.3 The "GB" zone also comprises the small portions of the permitted burial grounds along the northwestern edge of Fung Hang and the northeastern edge of Kuk Po. They have been in existence for many years, and are considered as existing use intended for the burial of deceased indigenous villagers in the Area. To respect the local ritual and tradition, burial activities within this zone are generally tolerated.

10.5 "Conservation Area" ("CA") : Total Area 23.01 ha

- 10.5.1 This zoning is intended to protect and retain the existing natural landscape, ecological or topographical features of the area for conservation, educational and research purposes and to separate sensitive natural environment such as Country Park from the adverse

effects of development. 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 are essential infrastructure projects with overriding public interest may be permitted.

- 10.5.2 The "CA" zone covers the mature woodlands behind the villages, which are generally in good conditions with more diverse tree species. They are ecologically linked with those within the PCCP. There are some plant species of conservation significance including *Aquilaria sinensis* (土沉香), *Artocarpus hypargyreus* (白桂木) *Mucuna championii* (港油麻藤), *Ailanthus fordii* (常綠臭椿) and *Popowia pisocarpa* (嘉陵花) and *Macaranga sampsonii* (鼎湖血桐); and butterfly species of conservation concern including *Isoteinon lamprospilus lamprospilus* (旖弄蝶), the rare *Aeromachus jhora* (寬鐔弄蝶) and *Cethosia biblis* (紅鋸蛺蝶). The natural woodland and the coastal wetland in Kuk Po provide a good habitat for over 100 species of butterflies.
- 10.5.3 It also covers the freshwater/brackish marshes comprising mainly intertidal water pond/mudflat, mangrove, reedbed and seagrass along the low-lying coastal areas in the three sub-areas, as well as lower sections of the EISs in Kuk Po and Yung Shue Au. Together with the coastal habitats, the wetland complex in Kuk Po supports a high diversity of dragonflies and freshwater fishes including *Macropodus hongkongensis* (香港鬥魚), *Oryzias curvinotus* (弓背青鱗) and *Orthetrum poecilops poecilops* (斑灰蜻). Kuk Po is identified as a hotspot for both freshwater fish and butterfly, and wetland plants of conservation concern *Ceratopteris thalictroides* (水蕨) and *Sphenoclea zeylanica* (尖瓣花) are recorded therein. Yung Shue Au is identified as a hotspot for freshwater fishes with records of a rare goby, *Stiphodon atropurpureus* (菲律賓枝牙鰕虎). Other species of conservation concern including *Orthetrum poecilops poecilops* (斑灰蜻) are also recorded.
- 10.5.4 The estuarine mangrove in the western section of the coastal front along Fung Hang is also zoned "CA".
- 10.5.5 New residential development is not permitted under this zone. Redevelopment of existing houses may be permitted on application to the Board. Diversion of streams, filling of land/pond or excavation of land may cause adverse drainage impacts on adjacent areas and adverse impacts on the natural environment. In view of the conservation value of the area within this zone, permission from the Board is required for such activities.
- 10.6 The proposed land use pattern of the Area is shown in **Figure 12 at Appendix IV**. Detailed land use proposals of the Area are set out in paragraph 9 of the ES (**Appendix III**).

- 10.7 A comparison of land use zonings on the approved Kuk Po, Fung Hang and Yung Shue Au DPA Plan No. DPA/NE-KP/2 and the draft OZP No. S/NE-KP/B is shown in the table below:

Land Use Zoning	Area on approved DPA Plan	Area on the Draft OZP
"V"	4.78 ha (5.30%)	5.88 ha (6.51%)
"Unspecified"	85.49 ha (94.70%)	-
"G/IC"	-	0.06 ha (0.07%)
"AGR"	-	3.94 ha (4.36%)
"GB"	-	57.38 ha (63.57%)
"CA"	-	23.01 ha (25.49%)
Total	90.27 ha	90.27 ha

11. Notes of the Plan

- 11.1 Attached to the Plan is a set of Notes which shows the types of uses or developments which are always permitted within the Area and other uses for which planning permission from the Board should be sought. The provision for application for planning permission under section 16 of the Ordinance allows flexibility in land use planning and control of development to meet the changing needs. To provide flexibility for development with design adapted to the characteristics of particular sites, minor relaxation of the specific development restriction(s) stated in the Notes for particular zones may be considered by the Board through the planning permission system. Each proposal will be considered on its individual planning merits.
- 11.2 The draft Notes are formulated on the basis of the latest set of Master Schedule of Notes (MSN) endorsed by the Board.

12. Consultation

- 12.1 Prior to the preparation of the draft OZP, the major stakeholders have been approached for their views/proposals. Views from green/concern group and villagers' group have been incorporated where appropriate. The draft OZP together with its Notes and ES as well as the Planning Report have been circulated to the relevant Government bureaux and departments for comments. Comments received have been incorporated into the draft OZP, its Notes and ES as well as the Planning Report as appropriate.
- 12.2 Subject to the agreement of the Board, the draft OZP No. S/NE-KP/B will be submitted to the NDC and STKDRC for consultation. Comments from the NDC and STKDRC will be submitted to the Board for consideration prior to the publication of the draft OZP under section 5 of the Ordinance.

13. Decision Sought

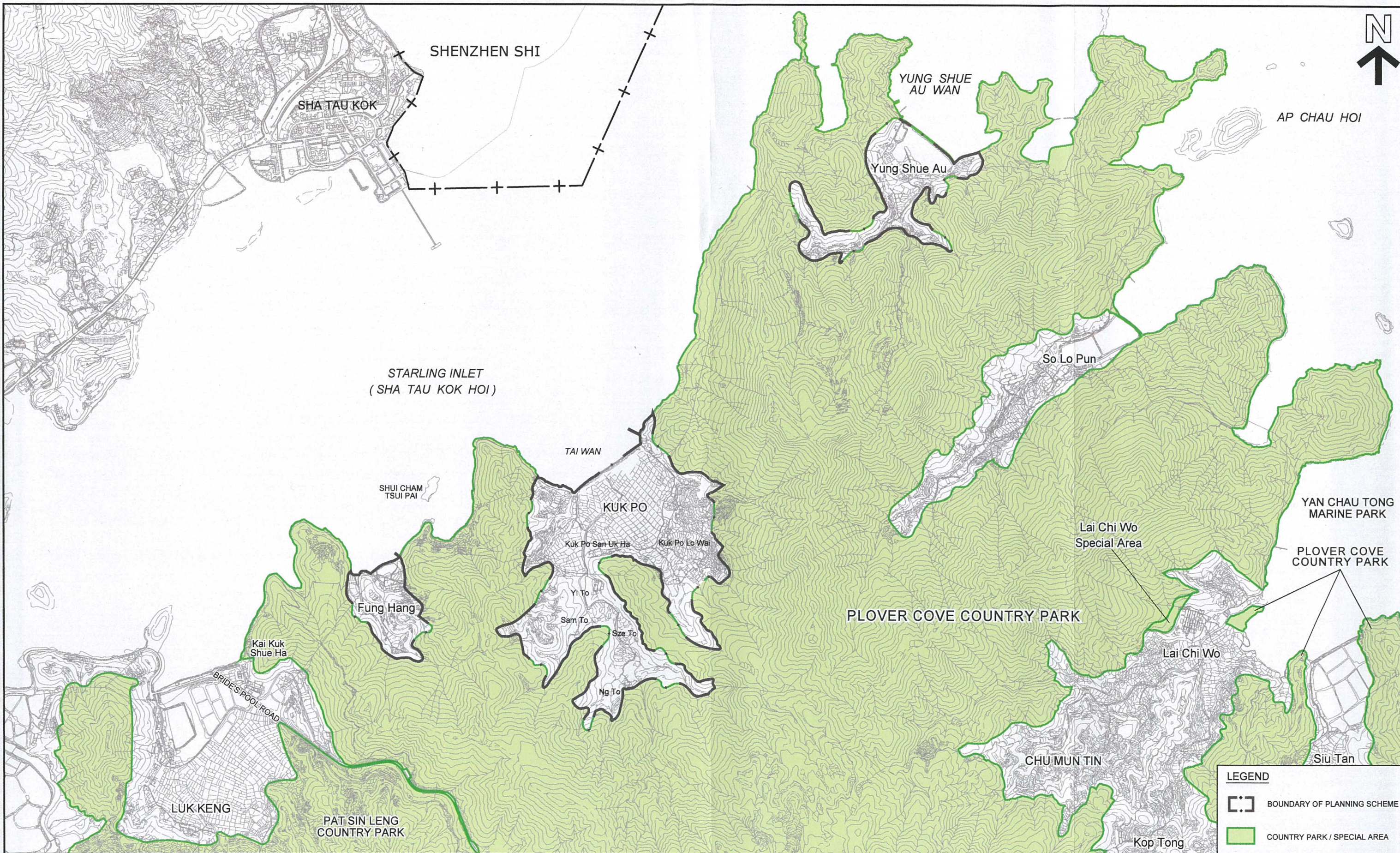
Members are invited to:

- (a) agree that the draft Kuk Po, Fung Hang and Yung Shue Au OZP No. S/NE-KP/B (**Appendix I**) together with its Notes (**Appendix II**) are suitable for consultation with the NDC and STKDRC;
- (b) agree that the ES (**Appendix III**) is suitable to serve as an expression of the planning intentions and objectives of the Board for various land use zonings of the draft Kuk Po, Fung Hang and Yung Shue Au OZP No. S/NE-KP/B and the ES should be issued under the name of the Board; and
- (c) agree that the ES (**Appendix III**) is suitable for consultation with the NDC and STKDRC together with the draft OZP.

14. Attachments

Plan 1	Planning Scheme Area of the Draft Kuk Po, Fung Hang and Yung Shue Au OZP
Plan 2	Aerial Photo of Kuk Po, Fung Hang and Yung Shue Au
Plan 3	Village Environs and Existing Physical Features of Kuk Po, Fung Hang and Yung Shue Au
Plan 4	Development Constraints and Proposed Land Uses
Appendix I	Draft Kuk Po, Fung Hang and Yung Shue Au OZP No. S/NE-KP/B
Appendix II	Notes of the Draft Kuk Po, Fung Hang and Yung Shue Au OZP No. S/NE-KP/B
Appendix III	Explanatory Statement of the Draft Kuk Po, Fung Hang and Yung Shue Au OZP No. S/NE-KP/B
Appendix IV	Planning Report on Kuk Po, Fung Hang and Yung Shue Au
Appendix V	Proposal by the Kadoorie Farm & Botanic Garden Corporation
Appendix VI	Proposal by the Villagers' Group (including Sha Tau Kok District Rural Committee as well as Indigenous Inhabitant Representatives of Kuk Po and Yung Shue Au)
Appendix VII	Planning Assessment on the Development Proposals received in the Course of Preparation of the Plan

**PLANNING DEPARTMENT
AUGUST 2015**



PLAN PREPARED ON 15.7.2015
BASED ON SHEETS No.
3-NE-A/B/C/D AND 4-NW-A/C

PLANNING SCHEME AREA

KUK PO, FUNG HANG AND YUNG SHUE AU

SCALE 1 : 15 000

METRES 300 0 300 600 METRES

PLANNING DEPARTMENT



REFERENCE No.
M/CPE/KP/15/7

PLAN
1



AERIAL PHOTO

KUK PO, FUNG HANG AND YUNG SHUE AU

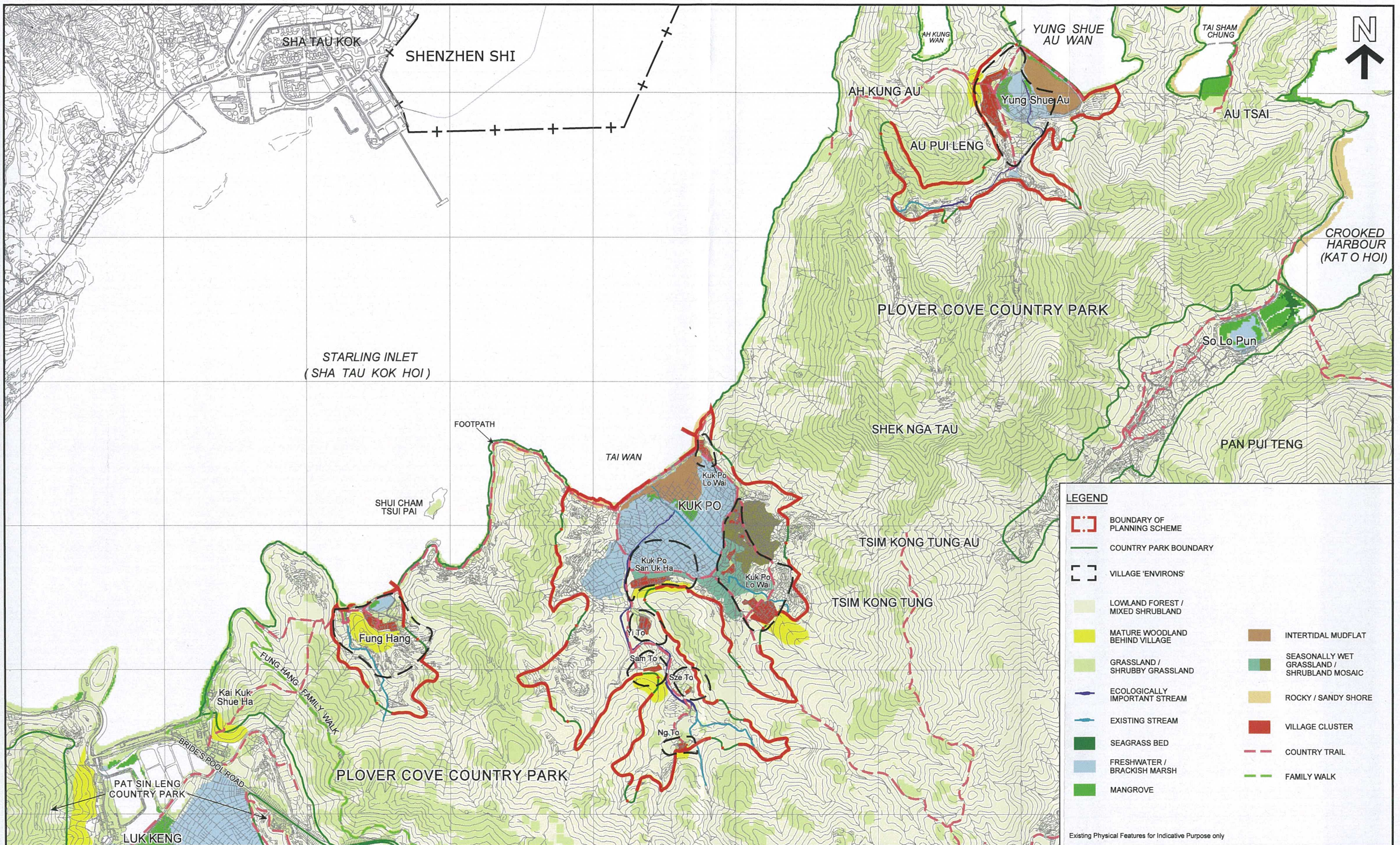
PLANNING DEPARTMENT



PLAN PREPARED ON 15.7.2015 BASED ON AERIAL PHOTO No.
CW110908R TAKEN ON 16.12.2014 BY LANDS DEPARTMENT

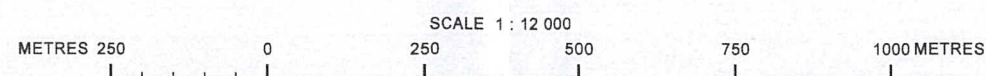
REFERENCE No.
M/CPE/KP/15/7

PLAN
2



VILLAGE 'ENVIRONS' AND EXISTING PHYSICAL FEATURES

KUK PO, FUNG HANG AND YUNG SHUE AU



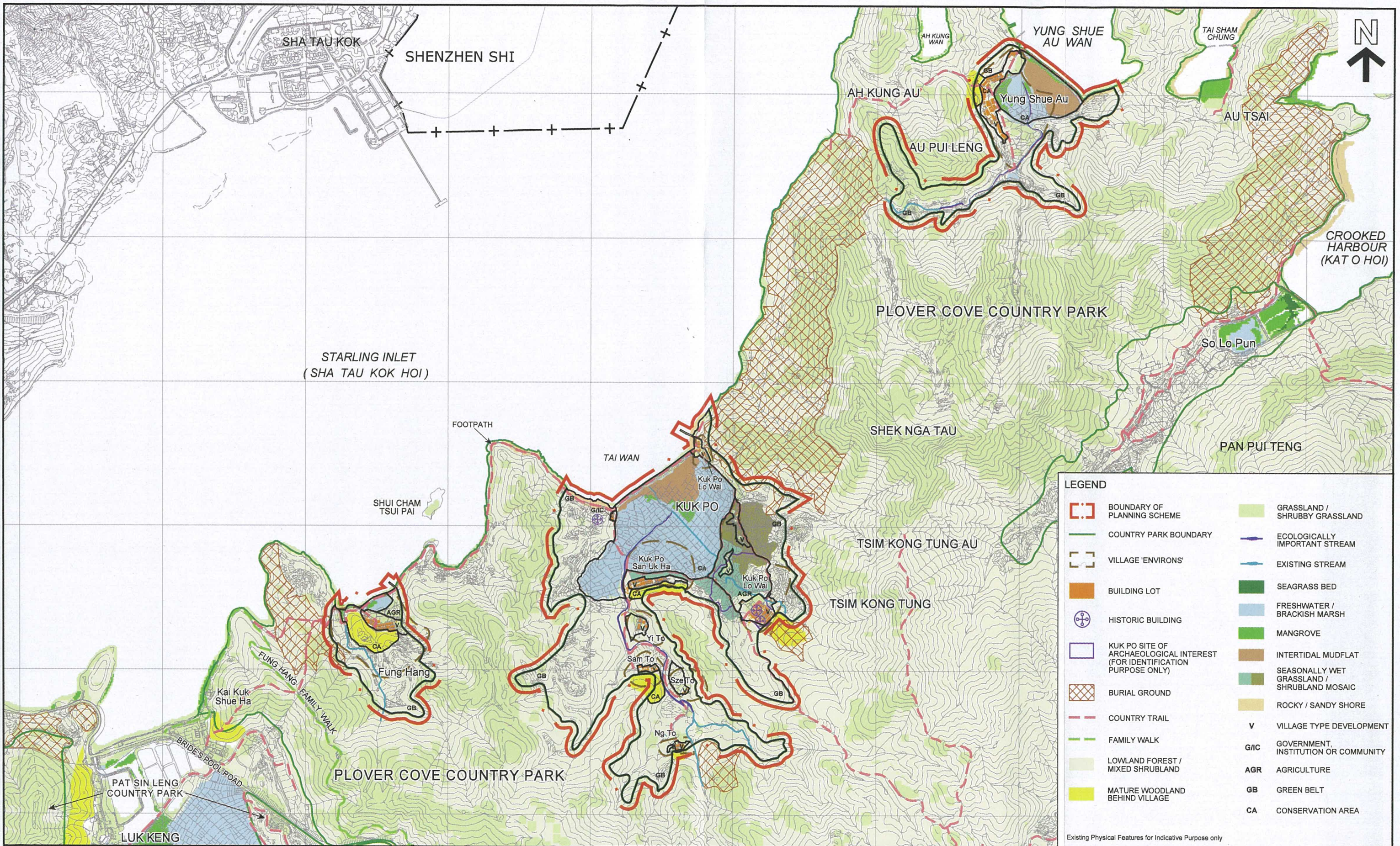
PLANNING DEPARTMENT



REFERENCE No.
M/CPE/KP/15/7

PLAN
3

PLAN PREPARED ON 30.7.2015
BASED ON SURVEY SHEETS No. 3-NE-12B/D,
13A/B/C/D, 14B/C/D, 15A/B/C/D, 17B, 18C/D,
19A/B/C/D, 20A/B/C/D, 22B/D, 23A/B/C/D,
24A/B/C/D AND 25A/C



DEVELOPMENT CONSTRAINTS AND PROPOSED LAND USES

KUK PO, FUNG HANG AND YUNG SHUE AU

PLAN PREPARED ON 4.8.2015
 BASED ON SURVEY SHEETS No. 3-NE-12B/D,
 13A/B/C/D, 14B/C/D, 15A/B/C/D, 17B, 18C/D,
 19A/B/C/D, 20A/B/C/D, 22B/D, 23A/B/C/D,
 24A/B/C/D AND 25A/C

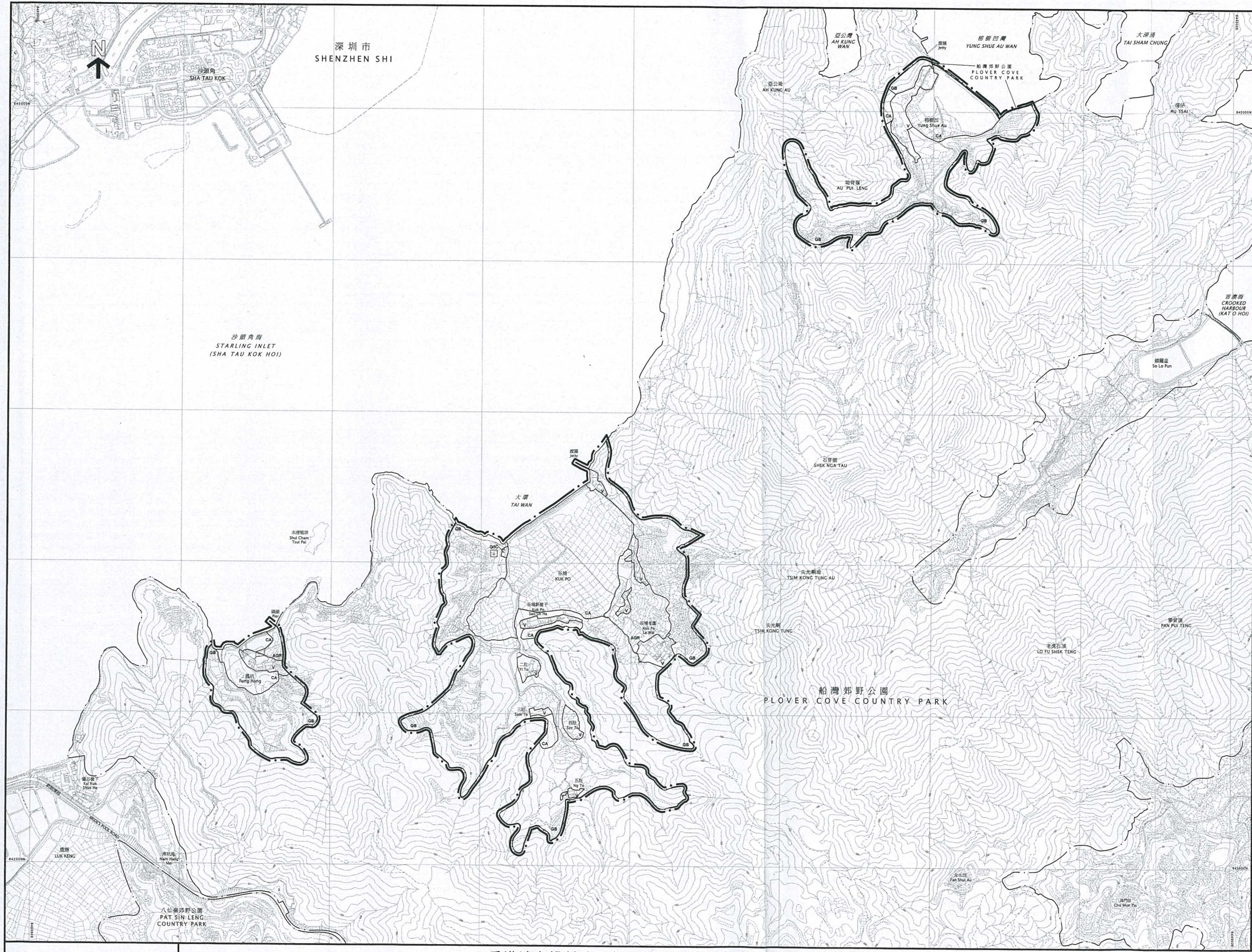
SCALE 1 : 12 000
 METRES 250 0 250 500 750 1000 METRES

PLANNING DEPARTMENT



REFERENCE No.
 M/CPE/KP/15/7

PLAN
 4



圖例
NOTATION

ZONES		地帶
VILLAGE TYPE DEVELOPMENT	V	鄉村式發展
GOVERNMENT, INSTITUTION OR COMMUNITY	GIC	政府、機構或社區
AGRICULTURE	AGR	農業
GREEN BELT	GB	綠化地帶
CONSERVATION AREA	CA	自然保育區

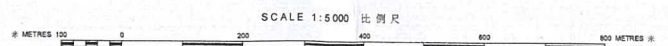
MISCELLANEOUS		其他
BOUNDARY OF PLANNING SCHEME	— + —	規劃範圍界線
BOUNDARY OF COUNTRY PARK	— . —	郊野公園界線
MAXIMUM BUILDING HEIGHT (IN NUMBER OF STOREYS)	2	最高建築物高度 (樓層數目)

土地用途及面積一覽表
SCHEDULE OF USES AND AREAS

USES	大約面積及百分比 APPROXIMATE AREA & %			用途
	公頃 HECTARES	%	百分比	
VILLAGE TYPE DEVELOPMENT	5.88	6.51		鄉村式發展
GOVERNMENT, INSTITUTION OR COMMUNITY	0.06	0.07		政府、機構或社區
AGRICULTURE	3.94	4.36		農業
GREEN BELT	57.38	63.57		綠化地帶
CONSERVATION AREA	23.01	25.49		自然保育區
TOTAL PLANNING SCHEME AREA	90.27	100.00		規劃範圍總面積

夾附的《註釋》屬這份圖則的一部分
THE ATTACHED NOTES ALSO FORM PART OF THIS PLAN

香港城市規劃委員會依據城市規劃條例擬備的谷埔、鳳坑及榕樹凹分區計劃大綱圖
TOWN PLANNING ORDINANCE, HONG KONG TOWN PLANNING BOARD
KUK PO, FUNG HANG AND YUNG SHUE AU - OUTLINE ZONING PLAN



規劃署遵照城市規劃委員會指示編備
PREPARED BY THE PLANNING DEPARTMENT UNDER
THE DIRECTION OF THE TOWN PLANNING BOARD

圖則編號
PLAN No. S/NE-KP/B

**DRAFT KUK PO, FUNG HANG AND YUNG SHUE AU
OUTLINE ZONING PLAN NO. S/NE-KP/B**

(Being a Draft Plan for the Purposes of the Town Planning Ordinance)

NOTES

(N.B. These form part of the Plan)

- (1) These Notes show the uses or developments on land falling within the boundaries of the Plan which are always permitted and which may be permitted by the Town Planning Board, with or without conditions, on application. Where permission from the Town Planning Board for a use or development is required, the application for such permission should be made in a prescribed form. The application shall be addressed to the Secretary of the Town Planning Board, from whom the prescribed application form may be obtained.
- (2) Any use or development which is always permitted or may be permitted in accordance with these Notes must also conform to any other relevant legislation, the conditions of the Government lease concerned, and any other Government requirements, as may be applicable.
- (3) No action is required to make the use of any land or building which was in existence immediately before the first publication in the Gazette of the notice of the draft development permission area plan conform to this Plan, provided such use has continued since it came into existence. Any material change of such use or any other development (except minor alteration and/or modification to the development of the land or building in respect of such use which is always permitted) must be always permitted in terms of the Plan or in accordance with a permission granted by the Town Planning Board.
- (4) A use or development of any land or building permitted under an earlier draft or approved plan including development permission area plan for the area and effected or undertaken during the effective period of that plan is always permitted under this Plan. Any material change of such use or any other development (except minor alteration and/or modification to the completed development of the land or building which is always permitted) must be always permitted in terms of the Plan or in accordance with a permission granted by the Town Planning Board.
- (5) Except to the extent that paragraph (3) or (4) applies, any use or development falling within the boundaries of the Plan and also within the boundaries of the draft development permission area plan, unless always permitted in terms of the Plan, shall not be undertaken or continued on or after the date of the first publication in the Gazette of the notice of the draft development permission area plan without permission from the Town Planning Board.
- (6) Except as otherwise specified by the Town Planning Board, when a use or material change of use is effected or a development or redevelopment is undertaken, as always permitted in terms of the Plan or in accordance with a permission granted by the Town Planning Board, all permissions granted by the Town Planning Board in respect of the site of the use or material change of use or development or redevelopment shall lapse.

- (7) Alignment of roads and boundaries between zones may be subject to minor adjustments as detailed planning proceeds.
- (8) The following uses or developments are always permitted on land falling within the boundaries of the Plan except (a) where the uses or developments are specified in Column 2 of the Notes of individual zones or (b) as provided in paragraph (9) in relation to areas zoned "Conservation Area":
- (a) maintenance, repair or demolition of a building;
 - (b) provision, maintenance or repair of plant nursery, amenity planting, open space, rain shelter, refreshment kiosk, footpath, bus/public light bus stop or lay-by, cycle track, taxi rank, public utility pipeline, electricity mast, lamp pole, telephone booth, telecommunications radio base station, automatic teller machine and shrine;
 - (c) maintenance or repair of road, watercourse, nullah, sewer and drain;
 - (d) geotechnical works, local public works, road works, sewerage works, drainage works, environmental improvement works, marine related facilities and waterworks (excluding works on service reservoir) and such other public works co-ordinated or implemented by Government;
 - (e) rebuilding of New Territories Exempted House;
 - (f) replacement of an existing domestic building, i.e. a domestic building which was in existence on the date of the first publication in the Gazette of the notice of the draft development permission area plan, by a New Territories Exempted House; and
 - (g) provision, maintenance or repair of a grave of an indigenous New Territories villager or a locally based fisherman and his family members for which permission has been obtained from Government.
- (9) In areas zoned "Conservation Area",
- (a) the following uses or developments are always permitted:
 - (i) maintenance or repair of plant nursery, amenity planting, sitting out area, rain shelter, refreshment kiosk, road, watercourse, nullah, public utility pipeline, electricity mast, lamp pole, telephone booth, shrine and grave;
 - (ii) geotechnical works, local public works, road works, sewerage works, drainage works, environmental improvement works, marine related facilities, waterworks (excluding works on service reservoir) and such other public works co-ordinated or implemented by Government; and
 - (iii) provision of amenity planting by Government; and

- (b) the following uses or developments require permission from the Town Planning Board:

provision of plant nursery, amenity planting (other than by Government), sitting out area, rain shelter, refreshment kiosk, footpath, public utility pipeline, electricity mast, lamp pole, telephone booth and shrine.

- (10) In any area shown as 'Road', all uses or developments except those specified in paragraphs (8)(a) to (8)(d) and (8)(g) above and those specified below require permission from the Town Planning Board:

road and on-street vehicle park.

- (11) (a) Except in areas zoned "Conservation Area", temporary use or development of any land or building not exceeding a period of two months is always permitted provided that no site formation (filling or excavation) is carried out and that the use or development is a use or development specified below:

structures for carnivals, fairs, film shooting on locations, festival celebrations, religious functions or sports events.

- (b) Except as otherwise provided in paragraph (11)(a), and subject to temporary uses for open storage and port back-up purposes which are prohibited in areas zoned "Conservation Area", temporary use or development of any land or building not exceeding a period of three years requires permission from the Town Planning Board. Notwithstanding that the use or development is not provided for in terms of the Plan, the Town Planning Board may grant permission, with or without conditions, for a maximum period of three years, or refuse to grant permission.

- (c) Temporary use or development of land or building exceeding three years requires permission from the Town Planning Board in accordance with the terms of the Plan.

- (12) Unless otherwise specified, all building, engineering and other operations incidental to and all uses directly related and ancillary to the permitted uses and developments within the same zone are always permitted and no separate permission is required.

- (13) In these Notes, unless the context otherwise requires or unless as expressly provided below, terms used in the Notes shall have the meanings as assigned under section 1A of the Town Planning Ordinance.

"Existing building" means a building, including a structure, which is physically existing and is in compliance with any relevant legislation and the conditions of the Government lease concerned.

"New Territories Exempted House" means a domestic building other than a guesthouse or a hotel; or a building primarily used for habitation, other than a guesthouse or a hotel, the ground floor of which may be used as 'Shop and Services' or 'Eating Place', the building works in respect of which are exempted by a certificate of exemption under Part III of the Buildings Ordinance (Application to the New Territories) Ordinance (Cap. 121).

**DRAFT KUK PO, FUNG HANG AND YUNG SHUE AU
OUTLINE ZONING PLAN NO. S/NE-KP/B**

Schedule of Uses

	<u>Page</u>
VILLAGE TYPE DEVELOPMENT	1
GOVERNMENT, INSTITUTION OR COMMUNITY	3
AGRICULTURE	5
GREEN BELT	7
CONSERVATION AREA	9

VILLAGE TYPE DEVELOPMENT

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
Agricultural Use	Burial Ground
Government Use (Police Reporting Centre, Post Office only)	Eating Place
House (New Territories Exempted House only)	Flat
On-Farm Domestic Structure	Government Refuse Collection Point
Religious Institution (Ancestral Hall only)	Government Use (not elsewhere specified) #
Rural Committee/Village Office	Hotel (Holiday House only)
	House (not elsewhere specified)
	Institutional Use (not elsewhere specified) #
	Market
	Place of Recreation, Sports or Culture
	Private Club
	Public Clinic
	Public Convenience
	Public Transport Terminus or Station
	Public Utility Installation #
	Public Vehicle Park (excluding container vehicle)
	Religious Institution (not elsewhere specified) #
	Residential Institution #
	School #
	Shop and Services
	Social Welfare Facility #
	Utility Installation for Private Project

In addition, the following uses are always
permitted on the ground floor of a New
Territories Exempted House:

Eating Place
Library
School
Shop and Services

(Please see next page)

VILLAGE TYPE DEVELOPMENT (Cont'd)

Planning Intention

The planning intention of this zone is to designate both the existing recognized villages and areas of land considered suitable for village expansion. Land within this zone is primarily intended for development of Small Houses by indigenous villagers. It is also intended to concentrate village type development within this zone for a more orderly development pattern, efficient use of land and provision of infrastructures and services. Selected commercial and community uses serving the needs of the villagers and in support of the village development are always permitted on the ground floor of a New Territories Exempted House. Other commercial, community and recreational uses may be permitted on application to the Town Planning Board.

Remarks

- (a) No new development, or addition, alteration and/or modification to or redevelopment of an existing building (except development or redevelopment to those annotated with #) shall result in a total development and/or redevelopment in excess of a maximum building height of 3 storeys (8.23m) or the height of the building which was in existence on the date of the first publication in the Gazette of the notice of the draft development permission area plan, whichever is the greater.
- (b) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the building height restriction stated in paragraph (a) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.
- (c) Any diversion of streams or filling of pond, including that to effect a change of use to any of those specified in Columns 1 and 2 above or the uses or developments always permitted under the covering Notes (except public works co-ordinated or implemented by Government, and maintenance, repair or rebuilding works), shall not be undertaken or continued on or after the date of the first publication in the Gazette of the notice of the draft development permission area plan without the permission from the Town Planning Board under section 16 of the Town Planning Ordinance.

GOVERNMENT, INSTITUTION OR COMMUNITY

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
Ambulance Depot Animal Quarantine Centre (in Government building only) Broadcasting, Television and/or Film Studio Eating Place (Canteen, Cooked Food Centre only) Educational Institution Exhibition or Convention Hall Field Study/Education/Visitor Centre Government Refuse Collection Point Government Use (not elsewhere specified) Hospital Institutional Use (not elsewhere specified) Library Market Place of Recreation, Sports or Culture Public Clinic Public Convenience Public Transport Terminus or Station Public Utility Installation Public Vehicle Park (excluding container vehicle) Recyclable Collection Centre Religious Institution Research, Design and Development Centre Rural Committee/Village Office School Service Reservoir Social Welfare Facility Training Centre Wholesale Trade	Animal Boarding Establishment Animal Quarantine Centre (not elsewhere specified) Columbarium Correctional Institution Crematorium Driving School Eating Place (not elsewhere specified) Funeral Facility Holiday Camp House (other than rebuilding of New Territories Exempted House or replacement of existing domestic building by New Territories Exempted House permitted under the covering Notes) Off-course Betting Centre Office Petrol Filling Station Place of Entertainment Private Club Radar, Telecommunications Electronic Microwave Repeater, Television and/or Radio Transmitter Installation Residential Institution Sewage Treatment/Screening Plant Shop and Services Utility Installation for Private Project Zoo

(Please see next page)

GOVERNMENT, INSTITUTION OR COMMUNITY (Cont'd)Planning Intention

This zone is intended primarily for the provision of Government, institution or community facilities serving the needs of the local residents and/or a wider district, region or the territory. It is also intended to provide land for uses directly related to or in support of the work of the Government, organizations providing social services to meet community needs, and other institutional establishments.

Remarks

- (a) No new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of a maximum building height in terms of number of storeys as stipulated on the Plan, or the height of the building which was in existence on the date of the first publication in the Gazette of the notice of the draft development permission area plan, whichever is the greater.
- (b) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the building height restriction stated in paragraph (a) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.

AGRICULTURE

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
Agricultural Use Government Use (Police Reporting Centre only) On-Farm Domestic Structure Public Convenience Religious Institution (Ancestral Hall only) Rural Committee/Village Office	Animal Boarding Establishment Barbeque Spot Field Study/Education/Visitor Centre Government Refuse Collection Point Government Use (not elsewhere specified) House (New Territories Exempted House only, other than rebuilding of New Territories Exempted House or replacement of existing domestic building by New Territories Exempted House permitted under the covering Notes) Picnic Area Place of Recreation, Sports or Culture (Horse Riding School, Hobby Farm, Fishing Ground only) Public Utility Installation Religious Institution (not elsewhere specified) School Utility Installation for Private Project

(Please see next page)

AGRICULTURE (Cont'd)Planning Intention

This zone is intended primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes.

Remarks

Any diversion of streams or filling of land/pond, including that to effect a change of use to any of those specified in Columns 1 and 2 above or the uses or developments always permitted under the covering Notes (except public works co-ordinated or implemented by Government, and maintenance, repair or rebuilding works), shall not be undertaken or continued on or after the date of the first publication in the Gazette of the notice of the draft development permission area plan without the permission from the Town Planning Board under section 16 of the Town Planning Ordinance. This restriction does not apply to filling of land specifically required under prior written instructions of Government department(s) or for the purposes specified below:

- (i) laying of soil not exceeding 1.2m in thickness for cultivation; or
- (ii) construction of any agricultural structure with prior written approval issued by the Lands Department.

GREEN BELT

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
Agricultural Use Barbecue Spot Government Use (Police Reporting Centre only) Nature Reserve Nature Trail On-Farm Domestic Structure Picnic Area Public Convenience Tent Camping Ground Wild Animals Protection Area	Animal Boarding Establishment Broadcasting, Television and/or Film Studio Burial Ground Columbarium (within a Religious Institution or extension of existing Columbarium only) Crematorium (within a Religious Institution or extension of existing Crematorium only) Field Study/Education/Visitor Centre Government Refuse Collection Point Government Use (not elsewhere specified) Helicopter Landing Pad Holiday Camp House (other than rebuilding of New Territories Exempted House or replacement of existing domestic building by New Territories Exempted House permitted under the covering Notes) Petrol Filling Station Pier Place of Recreation, Sports or Culture Public Transport Terminus or Station Public Utility Installation Public Vehicle Park (excluding container vehicle) Radar, Telecommunications Electronic Microwave Repeater, Television and/or Radio Transmitter Installation

(Please see next page)

GREEN BELT (Cont'd)

<p>Column 1</p> <p>Uses always permitted</p>	<p>Column 2</p> <p>Uses that may be permitted with or without conditions on application to the Town Planning Board</p>
	<p>Religious Institution</p> <p>Residential Institution</p> <p>Rural Committee/Village Office</p> <p>School</p> <p>Service Reservoir</p> <p>Social Welfare Facility</p> <p>Utility Installation for Private Project</p>

Planning Intention

The planning intention of this zone is primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is a general presumption against development within this zone.

Remarks

Any diversion of streams, filling of land/pond or excavation of land, including that to effect a change of use to any of those specified in Columns 1 and 2 above or the uses or developments always permitted under the covering Notes (except public works co-ordinated or implemented by Government, and maintenance, repair or rebuilding works), shall not be undertaken or continued on or after the date of the first publication in the Gazette of the notice of the draft development permission area plan without the permission from the Town Planning Board under section 16 of the Town Planning Ordinance.

CONSERVATION AREA

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
Agricultural Use (other than Plant Nursery)	Field Study/Education/Visitor Centre
Nature Reserve	Government Refuse Collection Point
Nature Trail	Government Use (not elsewhere specified)
On-Farm Domestic Structure	House (Redevelopment only)
Wild Animals Protection Area	Public Convenience
	Public Utility Installation
	Radar, Telecommunications Electronic Microwave Repeater, Television and/or Radio Transmitter Installation

Planning Intention

This zoning is intended to protect and retain the existing natural landscape, ecological or topographical features of the area for conservation, educational and research purposes and to separate sensitive natural environment such as Country Park from the adverse effects of development.

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 are essential infrastructure projects with overriding public interest may be permitted.

(Please see next page)

CONSERVATION AREA (Cont'd)Remarks

- (a) No redevelopment, including alteration and/or modification, of an existing house shall result in a total redevelopment in excess of the plot ratio, site coverage and height of the house which was in existence on the date of the first publication in the Gazette of the notice of the draft development permission area plan.
- (b) Any diversion of streams, filling of land/pond or excavation of land, including that to effect a change of use to any of those specified in Column 1 and 2 above or the uses or developments always permitted under the covering Notes, shall not be undertaken or continued on or after the date of the first publication in the Gazette of the notice of the draft development permission area plan without the permission from the Town Planning Board under section 16 of the Town Planning Ordinance.

DRAFT KUK PO, FUNG HANG AND YUNG SHUE AU

OUTLINE ZONING PLAN NO. S/NE-KP/B

EXPLANATORY STATEMENT

**DRAFT KUK PO, FUNG HANG AND YUNG SHUE AU
OUTLINE ZONING PLAN NO. S/NE-KP/B**

EXPLANATORY STATEMENT

<u>CONTENTS</u>	<u>Page</u>
1. INTRODUCTION	1
2. AUTHORITY FOR THE PLAN AND PROCEDURE	1
3. OBJECT OF THE PLAN	2
4. NOTES OF THE PLAN	2
5. THE PLANNING SCHEME AREA	2
6. POPULATION	5
7. OPPORTUNITIES AND CONSTRAINTS	5
8. GENERAL PLANNING INTENTION	10
9. LAND-USE ZONINGS	10
9.1 Village Type Development	10
9.2 Government, Institution or Community	12
9.3 Agriculture	12
9.4 Green Belt	13
9.5 Conservation Area	13
10. CULTURAL HERITAGE	15
11. COMMUNICATIONS	15
12. UTILITY SERVICES	15
13. IMPLEMENTATION	16
14. PLANNING CONTROL	16

**DRAFT KUK PO, FUNG HUNG AND YUNG SHUE AU
OUTLINE ZONING PLAN NO. S/NE-KP/B**

(Being a Draft Plan for the Purposes of the Town Planning Ordinance)

EXPLANATORY STATEMENT

Note: For the purposes of the Town Planning Ordinance, this statement shall not be deemed to constitute a part of the Plan.

1. INTRODUCTION

This Explanatory Statement is intended to assist an understanding of the draft Kuk Po, Fung Hang and Yung Shue Au Outline Zoning Plan No. S/NE-KP/B. It reflects the planning intention and objectives of the Town Planning Board (the Board) for various land-use zonings of the Plan.

2. AUTHORITY FOR THE PLAN AND PROCEDURE

- 2.1 On 31 October 2012, under the power delegated by the Chief Executive, the Secretary for Development directed the Board, under section 3(1)(b) of the Town Planning Ordinance (the Ordinance), to prepare a Development Permission Area (DPA) Plan for the Kuk Po, Fung Hang and Yung Shue Au area.
- 2.2 On 8 March 2013, the draft Kuk Po, Fung Hang and Yung Shue Au DPA Plan No. DPA/NE-KP/1 was exhibited for public inspection under section 5 of the Ordinance. During the two-month exhibition period, 12 representations were received. On 24 May 2013, the Board published the representations for public comment for three weeks and no comment was received. After giving consideration to the representations on 6 December 2013, the Board decided not to propose any amendment to the draft DPA plan to meet the representations.
- 2.3 On 11 March 2014, the Chief Executive in Council (CE in C), under section 9(1)(a) of the Ordinance, approved the draft Kuk Po, Fung Hang and Yung Shue Au DPA plan, which was subsequently renumbered as DPA/NE-KP/2. On 21 March 2014, the approved Kuk Po, Fung Hang and Yung Shue Au DPA Plan No. DPA/NE-KP/2 was exhibited for public inspection under section 9(5) of the Ordinance.
- 2.4 On 23.6.2015, under the power delegated by the Chief Executive, the Secretary for Development directed the Board, under section 3(1)(a) of the Ordinance, to prepare an Outline Zoning Plan (OZP) to cover the Kuk Po, Fung Hang and Yung Shue Au area.

- 2.5 On XXXX 2016, the draft Kuk Po, Fung Hang and Yung Shue Au OZP No. S/NE-KP/1 (the Plan) was exhibited for public inspection under section 5 of the Ordinance.

3. OBEJCT OF THE PLAN

- 3.1 The object of the Plan is to indicate the broad land-use zonings for the area of Kuk Po, Fung Hang and Yung Shue Au so that development and redevelopment within the area of Kuk Po, Fung Hang and Yung Shue Au can be put under statutory planning control. It also provides the planning framework for preparing more detailed non-statutory plans which form the basis for public works planning and site reservation for various uses.
- 3.2 The Plan is to illustrate the broad principles of development and planning control only. It is a small-scale plan and the road alignments and boundaries between the land-use zones may be subject to minor alterations as detailed planning proceeds.

4. NOTES OF THE PLAN

- 4.1 Attached to the Plan is a set of Notes which shows the types of uses or developments which are always permitted within the Planning Scheme Area (the Area) and in particular zones and which may be permitted by the Board, with or without conditions, on application. The provision for application for planning permission under section 16 of the Ordinance allows greater flexibility in land-use planning and control of development to meet the changing needs.
- 4.2 For the guidance of the general public, a set of definitions that explains some of the terms used in the Notes may be obtained from the Technical Services Division of the Planning Department and can be downloaded from the Board's website at <http://www.info.gov.hk/tpb/>.

5. THE PLANNING SCHEME AREA

- 5.1 The Area, covering a total land area of about 90.27 ha, comprises three sub-areas, namely Fung Hang (about 9.32 ha), Kuk Po (about 62.82 ha) and Yung Shue Au (about 18.13 ha). It is surrounded by the Plover Cove Country Park (PCCP) at the northeastern fringe of the New Territories and fronting the Starling Inlet in the north. The boundary of the Area is shown by a heavy broken line on the Plan.
- 5.2 Surrounded by the PCCP on three sides, and comprising mainly woodland, shrubland, fallow agricultural land, low-lying wetland habitat (including freshwater/brackish marsh, intertidal water pond/mudflat, mangrove, reedbed, seagrass), stream course, estuarine mangrove and rocky/sandy shore, the Area

forms part of the wider natural system of the Plover Cove countryside. In general, the Area is natural and rural in character with high landscape and scenic value and is popular to visitors and hikers for its seaside walk.

5.3 Fung Hang

5.3.1 Fronting Starling Inlet in the north, Fung Hang mainly comprises an elongated vegetated knoll in the middle separating two tracts of flat land, which are gradually sloping uphill to the mountains in the south. The woodland in the south and west is adjoining the PCCP. There are some plant species of conservation significance including *Aquilaria sinensis* (土沉香), and butterfly species of conservation concern including *Isoteinon lamprospilus lamprospilus* (旖弄蝶) in the sub-area. Fung Hang Village occupies the larger tract of flat land in the eastern part of the sub-area, which is flanked by the mature woodland on the vegetated knoll to the southwest and the freshwater/brackish marsh mainly comprising pond, mangrove and reedbed on the low-lying coastal area to the northeast. A natural stream flows in the north-south direction in the western part of the sub-area. The coast comprises a dam and a short strip of rocky shore and estuarine mangrove in the west. Fallow agricultural lands mainly covered with grasses and shrubs can be found in front of and adjoining the existing village cluster, as well as along the natural stream.

5.3.2 Fung Hang is the only recognized village in the sub-area. There are about 50 village houses of 1 to 2 storeys, arranged generally in two rows facing north. The conditions of these houses vary from fair to poor with quite a number of them currently abandoned. There is an eatery/provision store serving visitors and hikers during the holidays, and a permitted burial ground on the hillslope along the northwestern edge.

5.4 Kuk Po

5.4.1 Kuk Po is dominated by a large piece of flat land at the coastal area facing Tai Wan to the northwest and two strips of flat land sandwiched between the hillslopes extending inland to the south. It is surrounded by vegetated hillslopes on three sides adjoining PCCP and the coastal front is mainly defined by a long dam with sandy/rocky shore in the eastern and western ends. Village clusters are scattered along the periphery of the freshwater/brackish marsh near the coast, amidst patches of marshy areas in the east or situated at the foothills in the inland. Natural streams flow across the sub-area from the highland in the south to the coastal marshland in the north.

5.4.2 There are recognized villages namely Kuk Po Lo Wai and Kuk Po San Uk Ha and the inland villages of Yi To, Sam To, Sze To and Ng To. Mature woodlands behind villages are located at Kuk Po Lo Wai, Kuk Po San Uk Ha, Sam To and Ng To. Plant species of conservation significance including *Aquilaria sinensis* (土沉香), *Artocarpus*

hypargyreus (白桂木) *Mucuna championii* (港油麻藤), *Ailanthus fordii* (常綠臭椿) and *Popowia pisocarpa* (嘉陵花) can be found. The freshwater/brackish marsh in Kuk Po mainly comprises pond/mudflat, mangrove and reedbed. Patches of marshy areas are found on the seasonally wet grassland/shrubland mosaic mainly in the eastern part of Kuk Po. A section of the natural stream flowing across the sub-area from Ng To to Kuk Po San Uk Ha of about 1km is considered as an Ecologically Important Stream (EIS). Kuk Po is identified as a hotspot for both freshwater fish and butterfly. Together with the coastal habitats, the wetland complex supports a high diversity of dragonflies and freshwater fishes including *Macropodus hongkongensis* (香港鬥魚), *Oryzias curvinotus* (弓背青鱗) and *Orthetrum poecilops poecilops* (斑灰蜻) which are of conservation significance. The natural woodland and the coastal wetland provide a good habitat for over 100 species of butterflies including the rare *Aeromachus jhora* (寬鐸弄蝶). Wetland plants of conservation concern including *Ceratopteris thalictroides* (水蕨) and *Sphenoclea zeylanica* (尖瓣花) are also recorded. Fallow agricultural lands mainly covered with grasses and shrubs basically spread around the existing village clusters, with those around Kuk Po Lo Wai and Kuk Po San Uk Ha having turned into patches of marshy areas.

- 5.4.3 There is an eatery/provision store in Kuk Po Lo Wai serving visitors and hikers during the holidays. Kai Choi School and Hip Tin Temple, and Yeung Ancestral Hall and Li Ancestral Hall at Kuk Po Lo Wai are Grade 3 historic buildings worthy of preservation. Also, Kuk Po Site of Archaeological Interest largely falls within the sub-area. There is a permitted burial ground on the hillslope along the northeastern edge of Kuk Po.

5.5 Yung Shue Au

- 5.5.1 In Yung Shue Au, a large piece of flat land fronting Yung Shue Au Wan in the northeast extends into a narrow valley in the southwest surrounded by vegetated hillslopes. Yung Shue Au¹ Village is a long strip of village cluster situated between the freshwater/brackish marsh on the low-lying coastal area to the east and the mature woodland on the vegetated hillslopes on the west. A dam dominates the coastal front with sandy/rocky shore at its eastern end.
- 5.5.2 A mature woodland can be found behind Yung Shue Au Village at the foothill of the PCCP. Species of conservation concern including *Aquilaria sinensis* (土沉香), *Macaranga sampsonii* (鼎湖血桐), *Cethosia biblis* (紅鋸蛱蝶) and *Aeromachus jhora* (寬鐸弄蝶) are recorded. The freshwater/brackish marsh near the coast mainly comprises pond/mudflat, mangrove, reedbed and seagrass. There is also a small area of freshwater marsh near the southern fringe in the valley

¹ According to District Lands Officer/North, Lands Department's record, the English Name of the recognized village at Yung Shue Au is read as "Yun Shue Au".

area. An EIS of about 750 m in length flowing across the sub-area continuously supplies freshwater to the wetlands. The sub-area is identified as a hotspot for freshwater fish with records of a rare goby, *Stiphodon atropurpureus* (菲律賓枝牙鰕虎魚). Other species of conservation concern including *Orthetrum poecilops poecilops* (斑灰蜻) are also recorded. Fallow agricultural lands mainly covered with grasses and shrubs are located near the village cluster.

- 5.5.3 Yung Shue Au, which is the only recognized village in the sub-area, consists of two rows of houses and some scattered houses. Most of them are in poor condition and are basically uninhabited. Besides, there are some abandoned barracks near the entrance of the village which were established in the early 1980s by the British army to guard against illegal immigrants.

6. POPULATION

According to the 2011 Population Census, the total population of the Area was estimated to be about 67 persons. It is expected that the total planned population of the Area would be 550 persons mainly attributed to village expansion.

7. OPPORTUNITIES AND CONSTRAINTS

7.1 Opportunities

7.1.1 Conservation and Natural Landscape

Surrounded by the PCCP on three sides, and comprising mainly woodland, shrubland, fallow agricultural land, low-lying wetland habitat (including freshwater/brackish marsh, intertidal water pond/mudflat, mangrove, reedbed, seagrass), stream course, estuarine mangrove and rocky/sandy shore, the Area forms part of the wider natural system of the Plover Cove countryside.

Woodlands and shrublands mainly cover the inland and uphill parts and include a number of mature woodlands behind the villages, which are generally in good conditions with more diverse tree species. They are ecologically linked with the habitats those within the PCCP. There are some plant species of conservation significance and butterfly species of conservation concern.

Freshwater/brackish marshes comprising mainly intertidal water pond/mudflat, mangrove, reedbed and seagrass are located along the low-lying coastal areas in the three sub-areas. Patches of marshy areas are found on the seasonally wet grassland/shrubland mosaic mainly in the eastern part of Kuk Po and a small area of freshwater marsh is also

found near the southern fringe in the valley area of Yung Shue Au. In Fung Hang, a natural stream with estuarine mangrove is found in the western part. An EIS of 1 km in length flows across Kuk Po. Together with the coastal habitats, the wetland complex in Kuk Po supports a high diversity of dragonflies and freshwater fishes. Kuk Po is identified as a hotspot for both freshwater fish and butterfly, and wetland plants of conservation concern are recorded therein. Another EIS of 750m in length flows across Yung Shue Au, which is identified as a hotspot for freshwater fishes with records of a rare goby, and other plant and insect species of conservation concern are also recorded.

Surrounded by woodlands and fronting Starling Inlet, the Area has typical Fung Shui village layout in the New Territories with village settlements in a “water facing home that backs on to hills” setting with rich landscape resources such as mangroves, ponds and marshlands. In general, the Area is natural and rural in character and has high landscape and scenic value. It is worthy of conservation while the scale of the village development should be compatible with the surrounding landscape and rural setting.

7.1.2 Tourism and Recreation Potential

The Area is popular to visitors and hikers for its seaside walk providing a panoramic view towards Starling Inlet and the Luk Keng coastal mangroves, and the Fung Hang Family Walk to its west which can be easily accessed from Bride’s Pool Road. Structures in Fung Hang are arranged in a typical Hakka village manner with fung shui woodland behind and a panoramic seaview. Those in Kuk Po are divided into several small hamlets, which is a special type of arrangements in the territory. Coupled with the presence of well preserved Kai Choi School, both places are of interest to the public, having the potentials for eco- and cultural tourism. During weekends and holidays, Fung Hang and Kuk Po are heavily patronized by visitors and hikers, and the locals residing elsewhere come back and operate eateries to serve them.

There are a variety of recreational facilities in the nearby PCCP and Pat Sin Leng Country Park (to the west of Bride’s Pool Road), such as a network of hiking trails (including Fung Hang Family Walk), 9 picnic sites, 37 barbecue sites and 5 camp sites. The Nam Chung Outdoor Activity Centre is in proximity to the west of the Area.

According to the ‘Study on the Enhancement of the Sha Tau Kok Rural Township and Surrounding Areas – Feasibility Study’, the Linkage Area covering the Area is of high ecological and landscape value, and its tranquil rural setting should be preserved as far as possible for both local residents and visitors. Some small-scale conceptual enhancement proposals with minor construction works are proposed to enhance the tourism potential of the Linkage Area without compromising the ecologically-sensitive environment. These include provision of public toilet in Kuk Po and Yung Shue Au and installation of information board in the three sub-areas.

7.1.3 Agriculture Potential

According to Agriculture, Fisheries and Conservation Department (AFCD), there is no active agricultural activity within the Area. As advised by AFCD, many of the lowland areas in the Area are fallow agricultural lands and possess potential for agricultural rehabilitation. Fallow agricultural land covered by grasses or shrubs are considered suitable for "Agriculture" ("AGR") zone from the agricultural development point of view in order to retain agricultural land and encourage agricultural rehabilitation,

7.2 Constraints

7.2.1 Ecological Significance

Surrounded by the PCCP on three sides, and comprising mainly woodland, shrubland, fallow agricultural land, low-lying wetland habitat (including freshwater/brackish marsh, intertidal water pond/mudflat, mangrove, reedbed, seagrass), stream course, estuarine mangrove and rocky/sandy shore, the Area forms part of the wider natural system of the Plover Cove countryside.

Woodlands and shrublands mainly cover the inland and uphill parts and include a number of mature woodlands behind the villages, which are generally in good conditions with more diverse tree species. They are ecologically linked with habitats within the PCCP. There are some plant species of conservation significance including *Aquilaria sinensis* (土沉香), *Artocarpus hypargyreus* (白桂木) *Mucuna championii* (港油麻藤), *Ailanthus fordii* (常綠臭椿) *Popowia pisocarpa* (嘉陵花) and *Macaranga sampsonii* (鼎湖血桐); and butterfly species of conservation concern including *Isoteinon lamprospilus lamprospilus* (旖弄蝶), the rare *Aeromachus jhora* (寬鐔弄蝶) and *Cethosia biblis* (紅鋸蛺蝶). The natural woodland and the coastal wetland in Kuk Po provide a good habitat for over 100 species of butterflies.

Freshwater/brackish marshes comprising mainly intertidal water pond/mudflat, mangrove, reedbed and seagrass are located along the low-lying coastal areas in the three sub-areas. Patches of marshy areas are found on the seasonally wet grassland/shrubland mosaic mainly in the eastern part of Kuk Po and a small area of freshwater marsh is also found near the southern fringe in the valley area of Yung Shue Au. In Fung Hang, a natural stream with estuarine mangrove is found in the western part. An EIS of 1 km in length flows across Kuk Po. Together with the coastal habitats, the wetland complex supports a high diversity of dragonflies and freshwater fish including *Macropodus hongkongensis* (香港鬥魚), *Oryzias curvinotus* (弓背青鱗) and *Orthetrum poecilops poecilops* (斑灰蜻). Kuk Po is identified as a hotspot for both freshwater fish and butterfly, and wetland plants of

conservation concern *Ceratopteris thalictroides* (水蕨) and *Sphenoclea zeylanica* (尖瓣花) are recorded therein. Another EIS of 750m in length flows across Yung Shue Au, which is identified as a hotspot for freshwater fish with records of a rare goby, *Stiphodon atropurpureus* (菲律賓枝牙鰕虎魚). Other species of conservation concern including *Orthetrum poecilops poecilops* (斑灰蜻) are also recorded.

From the nature conservation perspective, developments that may adversely affect the natural character and the ecologically sensitive areas will not be recommended.

7.2.2 Landscape Character

According to the 'Landscape Value Mapping of Hong Kong (2005)', the Area is characterized as "Settled Valley Landscape", which is defined largely by its valley topography having a strong sense of enclosure and tranquillity and a system of active or abandoned agricultural fields together with villages. The three sub-areas have typical Fung Shui village layout in the New Territories with village settlements in a "water facing home that backs on to hills" setting with rich landscape resources such as secondary woodland, mangroves, ponds and marshland. In Kuk Po, the extensive reed bed is the signature of the sub-area. In Yung Shue Au, the proportion and distribution of wetland and marshland, village and woodland are well balanced, creating an elegant crescent-like setting.

From the landscape planning perspective, the Area has high landscape value and the landscape character is sensitive and vulnerable. Any development which is not compatible to the existing scale, style, intensity of development and the natural environment would disrupt the harmonic landscape character setting. Any large scale development with associated utilities installation and slope formation work is not compatible with the existing landscape context. Furthermore, sufficient landscape buffer should be provided to significant landscape resources in the Area.

7.2.3 Cultural Heritage

Kai Choi School and Hip Tin Temple at Kuk Po, and Yeung Ancestral Hall and Li Ancestral Hall at Kuk Po Lo Wai are Grade 3 historic buildings worthy of preservation. Also, Kuk Po Site of Archaeological Interest largely falls within the Area.

The Antiquities Advisory Board (AAB) also released a list of new items in addition to the list of 1,444 historic buildings. These items are subject to grading assessment by the AAB. Details of the list of 1,444 historic buildings and the new items have been uploaded onto the website of the AAB at <http://www.aab.gov.hk>.

An assessment shall be conducted to evaluate the archaeological impact imposed by the proposed works if there is any development within the Site of Archaeological Interest. If necessary, a professional archaeologist shall be engaged to apply for a licence from the Antiquities Authority under the Antiquities and Monuments Ordinance (Cap. 53) for an archaeological field investigation to evaluate whether the proposed works is acceptable from an archaeological preservation point of view and propose appropriate mitigation measures.

Prior consultation with the Antiquities and Monuments Office of the Leisure and Cultural Services Department should be made if any development, redevelopment or rezoning proposals might affect the above historic buildings, new items pending grading assessment, or site of archaeological interest and their/its immediate environs.

7.2.4 Burial Grounds

There are two permitted burial grounds in the Area. One is on the hillslopes along the north western edge of Fung Hang, and another one is also on the hillslopes along the north eastern edge of Kuk Po. Whilst the majority of the burial grounds lie outside the Area and within the PCCP, the small portions thereof fall within the Area and are not suitable for any development.

7.2.5 Transportation

The Area is not served by any vehicular access and the nearest public road, Bride's Pool Road, is situated near Kai Kuk Shue Ha to the west in Luk Keng. There is a walking trail running along the southern coast of Starling Inlet connecting the Area to Luk Keng. There are also piers/jetties in Fung Hang, Kuk Po and Yung Shue Au where small boats would berth.

7.2.6 Sewerage

There is no public sewerage system in the Area. Any new development proposal should be required to demonstrate that no adverse sewage impact would be caused to the Area.

7.2.7 Other Infrastructure and Utility Services

The Area is provided with electricity and telephone services. Potable water supply has been provided to the existing facilities and village houses in the Area except Yung Shue Au. There is no existing and planned drainage system in the Area.

7.2.8 Geotechnical Constraint

The Area is overlooked by steep natural hillsides and may be affected by potential natural terrain landslide hazards. For the future development in the Area, the developers may be required to carry out a

natural terrain hazard study and provide suitable hazard mitigation measures, if found necessary, as part of the development.

8. GENERAL PLANNING INTENTION

- 8.1 The Area forms an integral part of the natural system of the adjoining PCCP with a wide spectrum of natural habitats including, *inter alia*, woodland, shrubland, fallow agricultural land, low-lying wetland habitat (including freshwater/brackish marsh, intertidal water pond/mudflat, mangrove, reedbed, seagrass), stream course, estuarine mangrove and rocky/sandy shore, etc., which should be preserved and protected. The general planning intention of the Area is to protect its high conservation and landscape value which complements the overall naturalness and the landscape beauty of the surrounding PCCP.
- 8.2 Apart from the environmental and ecological considerations, development in the Area is constrained by limited transport and infrastructural provisions. It is also intended to consolidate village development so as to avoid undesirable disturbances to the natural environment and overtaking the limited infrastructure in the Area.

9. LAND-USE ZONINGS

9.1 "Village Type Development" ("V"): Total Area 5.88 ha

- 9.1.1 The planning intention of this zone is to designate both the existing recognized village and areas of land considered suitable for village expansion. Land within this zone is primarily intended for development of Small Houses by indigenous villagers. It is also intended to concentrate village type development within this zone for a more orderly development pattern, efficient use of land and provision of infrastructures and services. Selected commercial and community uses serving the needs of the villagers and in support of the village development are always permitted on the ground floor of a New Territories Exempted House. Other commercial, community and recreational uses may be permitted on application to the Town Planning Board.
- 9.1.2 Fung Hang, Kuk Po (including Kuk Po Lo Wai, Kuk Po San Uk Ha, Yi To, Sam To, Sze To and Ng To) and Yung Shue Au are the recognized villages in the Area. The boundaries of the "V" zones are drawn up having regard to the village 'environs' ('VEs'), the number of outstanding Small House application, Small House demand forecast, local topography and site constraints. Areas of difficult terrain, dense vegetation, stream courses and burial grounds have been avoided as far as possible.

- 9.1.3 No new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of a maximum building height of 3 storeys (8.23m) or the height of the building which was in existence on the date of the first publication in the Gazette of the notice of the draft DPA plan, whichever is the greater. Application for minor relaxation of these restrictions would be considered by the Board based on individual merits, taking into account site constraints, innovative architectural design and planning merits that would enhance the amenity of the locality.
- 9.1.4 As diversion of streams or filling of pond may cause adverse drainage impacts on the adjacent areas and adverse impacts on the natural environment, permission from the Board is required for such activities except public works co-ordinated or implemented by Government, and maintenance, repair or rebuilding works.
- 9.1.5 In accordance with the Environment, Transport and Works Bureau's Technical Circular (Works) No. 5/2005 "Protection of Natural Streams/Rivers from Adverse Impacts Arising from Construction Works", under the current administrative practice, development proposals/submissions that may affect natural streams/rivers, the approving/processing authorities at various stages of the development should consult and collate comments from the Agriculture, Fisheries and Conservation Department (AFCD) and relevant authorities and incorporate relevant comments/advice as conditions of approval wherever possible. Accordingly, Lands Department, when processing Small House grant and applications in close proximity to existing stream courses, should consult concerned departments including AFCD, Environmental Protection Department and Planning Department to ensure that all relevant departments would have adequate opportunity to review and comment on the applications.
- 9.1.6 The "V" zone in the Area is overlooked by steep natural hillsides and may be affected by potential natural terrain landslide hazards. For the future development in the Area, the developers may be required to carry out a natural terrain hazard study and provide suitable hazard mitigation measures, if found necessary, as part of the development.
- 9.1.7 There is no public sewer for the Area. For Small House development, the design and construction of the septic tank and soakaway systems need to comply with relevant standards and regulations, such as EPD's Practice Note for Professional Persons (ProPECC PN) 5/93 – "Drainage Plans subject to Comment by the Environmental Protection Department", for the protection of the water quality of the Area.
- 9.1.8 Yeung Ancestral Hall and Li Ancestral Hall at Kuk Po Lo Wai are Grade 3 historic buildings worthy of preservation. Part of the area under this zoning falls within the Kuk Po Site of Archaeological Interest. Prior consultation with the Antiquities and Monuments Office of the Leisure and Cultural Services Department should be

made if any development, redevelopment or rezoning proposals might affect the above historic buildings or site of archaeological interest and their/its immediate environs.

9.2 “Government, Institution or Community” (“G/IC”): Total Area 0.06 ha

- 9.2.1 The planning intention of this zone is primarily for the provision of Government, institution or community (GIC) facilities serving the needs of the local residents and/or a wider district, region or the territory. It is also intended to provide land for uses directly related to or in support of the work of the Government, organizations providing social services to meet community needs, and other institutional establishments.
- 9.2.2 The major GIC facilities under this zone are Kai Choi School and Hip Tin Temple in Kuk Po, which were constructed in 1931. The building is a Grade 3 historic building worthy of preservation. The school was closed in 1993 whilst the temple is still in use.
- 9.2.3 To preserve the rural and low-rise character of the Area as well as provide spatial and visual relief, development/redevelopment within this zone should be restricted to a maximum building height as stipulated on the Plan (i.e. two storeys) or the height of the building which was in existence on the date of the first publication in the Gazette of the notice of the draft DPA plan, whichever is greater.
- 9.2.4 To provide flexibility for innovative design adapted to the characteristics of particular sites, minor relaxation of the building height restriction may be considered by the Board through the planning permission system. Each application will be considered on its individual planning merits.

9.3 “Agriculture (“AGR”): Total Area 3.94 ha

- 9.3.1 The planning intention of this zone is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes.
- 9.3.2 This zone covers fallow agricultural lands which possess potential for agricultural rehabilitation and are not covered with dense vegetation adjoining to the existing village clusters at more accessible locations. These include some fallow agricultural land mainly covered with grasses and shrubs in front of the existing village cluster in Fung Hang, and those amidst the existing village clusters in Kuk Po Lo Wai. This is not only to retain fallow arable land for agricultural purposes and encourage agricultural rehabilitation, but also to preserve the rural setting in the Area.

- 9.3.3 As diversion of streams or filling of land/pond may cause adverse impacts on the natural environment and the ecological value of the adjacent area, permission from the Board is required for such activities. However, filling of land specifically required under prior written instructions of Government department(s), or for the purposes of genuine agricultural practice including laying of soil not exceeding 1.2m in thickness for cultivation, and construction of agricultural structure with prior written approval from the Lands Department is exempted from the control.

9.4 “Green Belt” (“GB”): Total Area 57.38 ha

- 9.4.1 The planning intention of this zone is primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is a general presumption against development within this zone.
- 9.4.2 The “GB” zone comprising mainly woodlands, shrublands, streams and rocky/sandy shores, can provide a buffer between the village type developments and the PCCP and conserve the natural and rural character of the Area.
- 9.4.3 The “GB” zone also comprises the small portions of the permitted burial grounds along the northwestern edge of Fung Hang and the northeastern edge of Kuk Po. They have been in existence for many years, and are considered as existing use intended for the burial of deceased indigenous villagers in the Area. To respect the local ritual and tradition, burial activities within this zone are generally tolerated.
- 9.4.4 There is a general presumption against development within this zone. Development in this zone will be strictly controlled. Development proposals will be considered by the Board on individual merits taking into account the relevant Town Planning Board Guidelines.
- 9.4.5 As diversion of streams, filling of land/pond or excavation of land may cause adverse drainage impacts on the adjacent areas and adverse impacts on the natural environment, permission from the Board is required for such activities except public works co-ordinated or implemented by Government, and maintenance, repair or rebuilding works.

9.5 “Conservation Area”: Total Area 23.01 ha

- 9.5.1 This zoning is intended to protect and retain the existing natural landscape, ecological or topographical features of the area for conservation, educational and research purposes and to separate sensitive natural environment such as Country Park from the adverse effects of development. 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 are essential infrastructure projects with overriding public interest may be permitted.

- 9.5.2 The "CA" zone covers the mature woodlands behind the villages, which are generally in good conditions with more diverse tree species. They are ecologically linked with those within the PCCP. There are some plant species of conservation significance including *Aquilaria sinensis* (土沉香), *Artocarpus hypargyreus* (白桂木) *Mucuna championii* (港油麻藤), *Ailanthus fordii* (常綠臭椿) and *Popowia pisocarpa* (嘉陵花) and *Macaranga sampsonii* (鼎湖血桐); and butterfly species of conservation concern including *Isoteinon lamprospilus lamprospilus* (旖弄蝶), the rare *Aeromachus jhora* (寬鏢弄蝶) and *Cethosia biblis* (紅鋸蛺蝶). The natural woodland and the coastal wetland in Kuk Po provide a good habitat for over 100 species of butterflies.
- 9.5.3 It also covers the freshwater/brackish marshes comprising mainly intertidal water pond/mudflat, mangrove, reedbed and seagrass along the low-lying coastal areas in the three sub-areas, as well as lower sections of the EISs in Kuk Po and Yung Shue Au. Together with the coastal habitats, the wetland complex in Kuk Po supports a high diversity of dragonflies and freshwater fishes including *Macropodus hongkongensis* (香港鬥魚), *Oryzias curvinotus* (弓背青鱗) and *Orthetrum poecilops poecilops* (斑灰蜻). Kuk Po is identified as a hotspot for both freshwater fish and butterfly, and wetland plants of conservation concern *Ceratopteris thalictroides* (水蕨) and *Sphenoclea zeylanica* (尖瓣花) are recorded therein. Yung Shue Au is identified as a hotspot for freshwater fishes with records of a rare goby, *Stiphodon atropurpureus* (菲律賓枝牙鰕虎). Other species of conservation concern including *Orthetrum poecilops poecilops* (斑灰蜻) are also recorded.
- 9.5.4 The estuarine mangrove in the western section of the coastal front along Fung Hang is also zoned "CA".
- 9.5.5 New residential development is not permitted under this zone. Redevelopment of existing houses may be permitted on application to the Board. The redevelopment of existing houses shall not result in a total redevelopment in excess of the plot ratio, site coverage and height of the house which was in existence on the date of the first publication in the Gazette of the notice of the draft DPA Plan.
- 9.5.6 Diversion of streams, filling of land/pond or excavation of land may cause adverse drainage impacts on adjacent areas and adverse impacts on the natural environment. In view of the conservation value of the area within this zone, permission from the Board is required for such activities.

10. CULTURAL HERITAGE

- 10.1 Kai Choi School and Hip Tin Temple at Kuk Po, and Yeung Ancestral Hall and Li Ancestral Hall at Kuk Po Lo Wai are Grade 3 historic buildings worthy of preservation. Also, Kuk Po Site of Archaeological Interest largely falls within the Area.
- 10.2 The Antiquities Advisory Board (AAB) also released a list of new items in addition to the list of 1,444 historic buildings. These items are subject to grading assessment by the AAB. Details of the list of 1,444 historic buildings and the new items have been uploaded onto the website of the AAB at <http://www.aab.gov.hk>.
- 10.3 An assessment shall be conducted to evaluate the archaeological impact imposed by the proposed works if there is any development within the Site of Archaeological Interest. If necessary, a professional archaeologist shall be engaged to apply for a licence from the Antiquities Authority under the Antiquities and Monuments Ordinance (Cap. 53) for an archaeological field investigation to evaluate whether the proposed works is acceptable from an archaeological preservation point of view and propose appropriate mitigation measures.
- 10.4 Prior consultation with the Antiquities and Monuments Office of the Leisure and Cultural Services Department should be made if any development, redevelopment or rezoning proposals might affect the above historic buildings, new items pending grading assessment, or site of archaeological interest and their/its immediate environs.

11. COMMUNICATIONS

Transport Network

The Area is not served by any vehicular access and the nearest public road, Bride's Pool Road, is situated near Kai Kuk Shue Ha to the west in Luk Keng. There is a walking trail running along the southern coast of Starling Inlet connecting the Area to Luk Keng. There are also piers/jetties in Fung Hang, Kuk Po and Yung Shue Au where small boats would berth.

12. UTILITY SERVICES

The Area is provided with electricity and telephone services. Potable water supply has been provided to the existing facilities and village houses in the Area except Yung Shue Au. There are no existing and planned drainage system and no public sewerage system in the Area.

13. IMPLEMENTATION

- 13.1 The Plan provides a broad land-use framework for development control and implementation of planning proposals for the Area. More detailed plans will be prepared as a basis for public works planning and private developments.
- 13.2 At present, there is no overall programme for the provision of infrastructure within the Area. The implementation process will be gradual and may stretch over a long period of time depending on the availability of resources. It will be undertaken through the participation of both the public and private sectors.
- 13.3 Notwithstanding the above, minor improvement works, e.g. access improvement and laying of utility services will be implemented through the Public Works Programme and the Rural Public Works as and when resources are available. Private developments will be effected principally through private sector initiatives to develop or redevelop their properties in accordance with the zoned uses indicated on the Plan, provided that their proposals meet Government requirements.

14. PLANNING CONTROL

- 14.1 The types of permitted developments and uses on land within the Area are listed in the Notes to the Plan. Unless otherwise specified, all building, engineering and other operations incidental to and all uses directly related and ancillary to the permitted developments and uses within the same zone are always permitted and no separate permission is required.
- 14.2 Uses of land or building which were in existence immediately before the first publication in the Gazette of the notice of the draft DPA Plan and which are not in compliance with the terms of the Plan may have adverse impacts on the environment, drainage and traffic of the Area. Although no action is required to make such use conform to this Plan, any material change of such use or any other development (except minor alteration and/or modification to the development of the land or building in respect of such use which is always permitted) must be always permitted in terms of the Plan or, if permission is required, in accordance with a permission granted by the Board. The Board will consider these applications on their individual merits. Those alteration and/or modification works which may lead to an environmental improvement or upgrading to the Area may be considered favourably by the Board.
- 14.3 Planning applications to the Board will be assessed on individual merits. In general, the Board, in considering the planning applications, will take into account all relevant planning considerations including guidelines published by the Board. Guidelines published by the Board are available from the Board's website, the Secretariat of the Board and the Technical Services Division of the Planning Department. Application forms and Guidance Notes for planning applications can be downloaded from the Board's website, and are available from the Secretariat of the Board, and the Technical Services Division and the relevant District Planning Office of the Planning Department. Applications

should be supported by such materials as the Board thinks appropriate to enable it to consider the applications.

- 14.4 Any development, other than those referred to in paragraph 14.1 above or in conformity with this Plan or with the permission of the Board, undertaken or continued on land included in this Plan on or after the date of the first publication in the Gazette of the Notice of the draft DPA Plan may be subject to enforcement proceedings under the Ordinance. Any diversion of streams, filling of land/pond and excavation of land in the relevant zones on or after the date of the first publication in the Gazette of the Notice of the draft DPA Plan without permission from the Board may also be subject to enforcement proceedings. Moreover, there is a presumption against filling of ponds for temporary land uses/developments in conservation-related zonings, such as "CA".

PLANNING DEPARTMENT

AUGUST 2015

PLANNING REPORT ON KUK PO, FUNG HANG AND YUNG SHUE AU



<u>CONTENTS</u>	<u>Page</u>		<u>Page</u>
1. INTRODUCTION		4. PLANNING PROPOSALS	
1.1 Purpose of the Planning Report	1	4.1 The Outline Zoning Plan	14
1.2 Background	1	4.2 Planning Objectives	14
2. THE STUDY AREA		4.3 Planning Principles	15
2.1 Location	2	4.4 Land Use Proposals	15
2.2 Natural Features	2	5. IMPLEMENTATION	21
2.3 Historical Development	5		
2.4 Population and Employment	5	Table 1: Small House Demand in 2013 and 2015	
2.5 Existing Land Uses	6		
2.6 Land Ownership	7		
2.7 Transportation and Access	7		
2.8 Infrastructure and Utility Services	8		
3. PLANNING ANALYSIS			
3.1 Strategic Planning Context	8		
3.2 Environment and Conservation Considerations	9		
3.3 Development Constraints	9		
3.4 Development Opportunities	12		
3.5 Development Pressure	13		
3.6 Development Proposals Received in the Course of Preparation of the Plan	14		

List of Figures

Figure 1	Location Plan
Figure 2	Kuk Po, Fung Hang and Yung Shue Au Development Permission Area Plan
Figure 3	Study Area
Figure 4	Aerial Photo
Figure 5a	Existing Physical Features
Figure 5b – 5j	Photos of Existing Physical Features
Figure 6a	Existing Land Uses
Figure 6b – 6q	Photos of Existing Land Uses
Figure 7	Land Ownership and Village ‘Environs’
Figure 8	Existing GIC, Infrastructural, Recreation and Tourism-related Facilities
Figure 9	Ecological and Cultural Heritage Resources
Figure 10	Development Constraints
Figure 11	Tree Felling on Government Land and Private Lots in Kuk Po Lo Wai detected in February 2015
Figure 12	Proposed Land Uses

1. INTRODUCTION

1.1 Purpose of the Planning Report

The purpose of this Planning Report is to give an account of the background and an appraisal of the existing conditions, characteristics and development requirements of the Kuk Po, Fung Hang and Yung Shue Au area (the Area). It also aims at providing a basis for the preparation of an Outline Zoning Plan (OZP) for the Area and the formulation of a planning framework to guide future development.

1.2 Background

1.2.1 The Area, covering a total land area of about 90.27 ha, comprises three sub-areas, namely Fung Hang, Kuk Po and Yung Shue Au. It is surrounded by the Plover Cove Country Park at the northeastern fringe of the New Territories and fronting the Starling Inlet in the north (**Figure 1**).

1.2.2 Surrounded by the Plover Cove Country Park on three sides, and comprising mainly woodland, shrubland, fallow agricultural land, low-lying wetland habitat (including freshwater/brackish marsh, intertidal water pond/mudflat, mangrove, reedbed, seagrass), stream course, estuarine mangrove and rocky/sandy shore, the Area forms part of the wider natural system of the Plover Cove countryside. Fung Hang, Kuk Po (including Kuk Po Lo Wai, Kuk Po San Uk Ha, Yi To, Sam To, Sze To and Ng To) and Yung Shue Au¹ are the recognized villages in the Area. In general, the Area is

natural and rural in character with a scenic setting and is popular to visitors and hikers for its seaside walk.

1.2.3 Any large scale and uncontrolled development may affect the natural environment including the ecological and landscape value of the Area. There was an urgent need to prepare a development permission area (DPA) plan for the Area to facilitate proper planning control and enforcement. Under the power delegated by the Chief Executive (CE), on 31.10.2012, the Secretary for Development directed the Town Planning Board (the Board) to prepare a draft plan designating the Area as a DPA.

1.2.4 The draft Kuk Po, Fung Hang and Yung Shue Au DPA Plan No. DPA/NE-KP/1 was exhibited for public inspection under section 5 of the Town Planning Ordinance (the Ordinance) on 8.3.2013. During the plan exhibition period, a total of 12 representations and no comment were received. After giving consideration to the representations on 6.12.2013, the Board decided not to propose any amendment to the draft DPA plan to meet the representations.

1.2.5 On 11.3.2014, the Chief Executive in Council (CE in C) approved the draft Kuk Po, Fung Hang and Yung Shue Au DPA Plan, which was subsequently renumbered as DPA/NE-KP/2 (**Figure 2**). On 21.3.2014, the approved Kuk Po, Fung Hang and Yung Shue Au DPA Plan No. DPA/NE-CK/2 was exhibited for public inspection under section 9(5) of the the Ordinance.

¹ According to District Lands Officer/North, Lands Department (DLO/N, LandsD)'s record, the English name of the recognized village in Yung Shue Au is read as "Yun Shue Au".

- 1.2.6 Pursuant to section 20(5) of the Ordinance, the DPA Plan is effective for three years until 8.3.2016. On 23.6.2015, the CE, pursuant to section 3(1)(a) of the Ordinance, directed the Board to prepare an OZP for the Area.

2. THE STUDY AREA

2.1. Location

2.1.1 The Area, covering a total land area of about 90.27 ha, comprises three sub-areas, namely Fung Hang (about 9.32 ha), Kuk Po (about 62.82 ha) and Yung Shue Au (about 18.13 ha). It is surrounded by the Plover Cove Country Park at the northeastern fringe of the New Territories and fronting the Starling Inlet in the north. The location of the Area is shown on **Figures 3 and 4**.

2.1.2 The Area is not served by any vehicular access and the nearest public road, Bride's Pool Road, is situated near Kai Kuk Shue Ha to the west in Luk Keng. There is a walking trail running along the southern coast of Starling Inlet connecting the Area to Luk Keng. There are also piers/jetties in Fung Hang, Kuk Po and Yung Shue Au where small boats would berth.

2.2. Natural Features

Physical Setting and Topography (Figures 5a to 5j)

Fung Hang

2.2.1 Fronting Starling Inlet in the north, Fung Hang mainly comprises an elongated vegetated knoll in the middle separating two tracts of flat land, which are gradually sloping

uphill to the mountains in the south. Fung Hang Village occupies the larger tract of flat land in the eastern part of the sub-area, which is flanked by the mature woodland on the vegetated knoll to the southwest and the freshwater/brackish marsh on the low-lying coastal area to the northeast. A natural stream flows in the north-south direction in the western part of the sub-area. The coast comprises a dam and a short strip of rocky shore and estuarine mangrove in the west.

Kuk Po

2.2.2 Kuk Po is dominated by a large piece of flat land at the coastal area facing Tai Wan to the northwest and two strips of flat land sandwiched between the hillslopes extending inland to the south. It is surrounded by vegetated hillslopes on three sides adjoining PCCP and the coastal front is mainly defined by a long dam with sandy/rocky shore in the eastern and western ends. Village clusters are scattered along the periphery of the freshwater/brackish marsh near the coast, amidst patches of marshy areas in the east or situated at the foothills in the inland. Natural streams flow across the sub-area from the highland in the south to the coastal marshland in the north.

Yung Shue Au

2.2.3 In Yung Shue Au, a large piece of flat land fronting Yung Shue Au Wan in the northeast extends into a narrow valley in the southwest surrounded by vegetated hillslopes. Yung Shue Au² Village is a long strip of village cluster situated between the freshwater/brackish marsh on the low-lying coastal area to

² According to District Lands Officer/North, Lands Department's record, the English Name of the recognized village at Yung Shue Au is read as "Yun Shue Au".

the east and the mature woodland on the vegetated hillslopes on the west. A natural stream flows across the central part of the sub-area. A dam dominates the coastal front with sandy/rocky shore at its eastern end.

Natural Habitats (Figures 5a to 5j)

2.2.4 The Area forms part of the wider natural system of the Plover Cove countryside. It comprises mainly woodland, shrubland, fallow agricultural land, low-lying wetland habitat (including freshwater/brackish marsh, intertidal water pond/mudflat, mangrove, reedbed, seagrass), stream course, estuarine mangrove and rocky/sandy shore.

(a) Woodland/ Shrubland

- (i) Woodlands and shrublands mainly cover the inland and uphill parts in the Area and are ecologically linked with the habitats within the Plover Cove Country Park. The woodlands behind the villages are generally more mature and in good conditions, and the tree species are more diverse.
- (ii) In Fung Hang, woodland in the south and west is adjoining the Plover Cove Country Park and a mature woodland behind the village is located in the middle of the sub-area. There are some plant species of conservation significance including *Aquilaria sinensis* (土沉香), and butterfly species of conservation concern including *Isoteinon lamprospilus* (旖弄蝶) in the sub-area.

- (iii) In Kuk Po, the hilly areas adjoining the Plover Cove Country Park are well wooded. Mature woodlands behind villages are located at Kuk Po Lo Wai, Kuk Po San Uk Ha, Sam To and Ng To. Plant species of conservation significance including *Aquilaria sinensis* (土沉香), *Artocarpus hypargyreus* (白桂木) *Mucuna championii* (港油麻藤), *Ailanthus fordii* (常綠臭椿) and *Popowia pisocarpa* (嘉陵花) are found in the sub-area. The natural woodland and the coastal wetland provide a good habitat for over 100 species of butterflies including the rare *Aeromachus jhora* (寬鵲弄蝶).

- (iv) A mature woodland can be found behind Yung Shue Au Village at the foothill of the Plover Cove Country Park. Species of conservation concern including *Aquilaria sinensis* (土沉香), *Macaranga sampsonii* (鼎湖血桐), *Cethosia biblis* (紅鋸蛺蝶) and *Aeromachus jhora* (寬鵲弄蝶) are recorded.

(b) Freshwater/Brackish Marsh/ Stream Course/ Estuarine Mangrove

- (i) In Fung Hang, Kuk Po and Yung Shue Au, dams were constructed at the seashores and the low-lying lands behind the dams were developed into agricultural lands, which were fed by stream courses flowing from adjacent hillslopes. With the abandonment of agricultural land a few decades ago and intrusion of seawater from the un-maintained dams, much of fallow wet agricultural land has developed into freshwater/brackish marshes. These

freshwater/brackish marshes³ comprising mainly intertidal water pond/mudflat, mangrove, reedbed and seagrass are located along the low-lying coastal areas in the three sub-areas. Patches of marshy areas are found on the seasonally wet grassland/shrubland mosaic mainly in the eastern part of Kuk Po and a small area of freshwater marsh is also found near the southern fringe in the valley area of Yung Shue Au.

- (ii) In Fung Hang, a natural stream with estuarine mangrove is found in the western part.
- (iii) In Kuk Po, a natural stream flows across the sub-area from Ng To in the south to Kuk Po San Uk Ha in the north and about 1 km of the stream course is considered as an Ecologically Important Stream (EIS). Together with the coastal habitats, the wetland complex supports a high diversity of dragonflies and freshwater fishes including *Macropodus hongkongensis* (香港鬥魚), *Oryzias curvinotus* (弓背青鱗) and *Orthetrum poecilops poecilops* (斑灰蜻) which are of conservation significance. The natural woodland and the coastal wetland provide a good habitat for over 100 species of butterflies including the rare *Aeromachus jhora* (寬鰆弄蝶). Kuk Po is identified as a hotspot for both freshwater fish and butterfly. Wetland plants of conservation concern including *Ceratopteris thalictroides* (水蕨) and

Sphenoclea zeylanica (尖瓣花) are recorded.

- (iv) In Yung Shue Au, an EIS of about 750 m in length flowing across the sub-area continuously supplies freshwater to the wetlands. The sub-area is identified as a hotspot for freshwater fish with records of a rare goby, *Stiphodon atropurpureus* (菲律賓枝牙鰕虎魚). Other species of conservation concern including *Orthetrum poecilops poecilops* (斑灰蜻) are also recorded.

(c) Fallow Agricultural Land

- (i) Many of the lowland areas in the Area are fallow agricultural lands, which basically spread around the village clusters and occupy the lands of gentle topography, and are seasonally wet. Those on or near the hillslopes are largely overgrown with trees/shrubs and turn into woodlands/shrublands. Other than the freshwater/brackish marshes in the coastal areas, the remaining fallow agricultural lands are mostly covered with grasses and shrubs.
- (ii) In Fung Hang, fallow agricultural lands mainly covered with grasses and shrubs can be found in front of and adjoining the existing village cluster in the eastern part, as well as along the natural stream separated from the existing village cluster in the western part of the sub-area.
- (iii) In Kuk Po, fallow agricultural lands mainly covered with grasses and shrubs basically spread around the existing village clusters, with those around Kuk Po Lo

³ The freshwater/brackish marsh in Fung Hang mainly comprises pond, mangrove and reedbed. The freshwater/brackish marsh in Kuk Po mainly comprises pond/mudflat, mangrove and reedbed. The freshwater/brackish marsh in Yung Shue Au mainly comprises pond/mudflat, mangrove, reedbed and seagrass.

Wai and Kuk Po San Uk Ha having turned into patches of marshy areas.

- (iv) In Yung Shue Au, fallow agricultural lands mainly covered with grasses and shrubs are located near the village cluster.

(d) Rocky/Sandy Shore

The coasts of Fung Hang, Kuk Po and Yung Shue Au are dominated by dams and rocky/sandy shores.

2.3 Historical Development

2.3.1 Fung Hang, Kuk Po (including Kuk Po Lo Wai, Kuk Po San Uk Ha, Yi To, Sam To, Sze To and Ng To) and Yung Shue Au are the recognized villages of the Sha Tau Kok Heung. Quite a number of the village houses are abandoned with many in dilapidated condition or become ruins.

2.3.2 Kai Choi School and Hip Tin Temple at Kuk Po, and Yeung Ancestral Hall and Li Ancestral Hall at Kuk Po Lo Wai are Grade 3 historic buildings worthy of preservation. Also, Kuk Po Site of Archaeological Interest largely falls within the Area.

2.3.3 Constructed in 1931, Kai Choi School and Hip Tin Temple are allocated in a block of building which has been accorded a Grade 3 status by Antiquities Advisory Board (AAB) on 31.8.2010. A new annex of school building was added next to the school premises. It witnessed the education of the villagers in Kuk Po and was a venue for them to deal with the village affairs. The school was closed in 1993 whilst the temple is still in use.

2.3.4 Yeung Ancestral Hall and Li Ancestral Hall are probably constructed in the later half of the mid-18th century and the 18th century respectively. The Yeungs were the earliest settlers who moved to Kuk Po about 300 years ago. Ancestral worships, wedding and funeral ceremonies and Dim Dang ritual were held at the halls.

2.3.5 Kuk Po was recorded by the Hong Kong Archaeological Society as an archaeological site for the discovery of geometric pottery (prehistoric remains). Blue and white porcelain and brown domestic ware of Qing Dynasty were also found in 1998.

2.4 Population and Employment

According to the 2011 Census, the total population of the Area was estimated to be about 67. The Area is popular to visitors and hikers, with its seaside walk providing a panoramic view towards Starling Inlet and the Luk Keng coastal mangroves, and the Fung Hang Family Walk to its west which can be easily accessed from Bride's Pool Road. There are several eateries/provision stores serving visitors and hikers in Fung Hang and Kuk Po during weekends and holidays. Besides, considerable amount of agricultural land has been lying fallow, either turning into wetlands or overgrown with trees, shrubs and grasses.

2.5 Existing Land Uses (Figures 6a to 6q)

2.5.1 The major existing land uses including the following:

Village Type Development

Fung Hang

2.5.2 Fung Hang is the only recognized village in the sub-area. There are about 50 village houses of 1 to 2 storeys, arranged generally in two rows facing north. The conditions of these houses vary from fair to poor with quite a number of them currently abandoned. There is an eatery/provision store serving visitors and hikers during the holidays.

2.5.3 As advised by District Lands Officer/North, Lands Department (DLO/N, LandsD)'s record for the Fung Hang Village, there is no outstanding Small House application, and the 10-year (2014-2023) Small House demand forecast provided by the respective Indigenous Inhabitant Representative (IIR) is 418.

Kuk Po

2.5.4 Village settlements are concentrated in a number of recognized villages namely Kuk Po Lo Wai and Kuk Po San Uk Ha and the inland villages of Yi To, Sam To, Sze To and Ng To, with quite a number of them currently abandoned. Kuk Po Lo Wai is a walled village with six rows of houses, most of which are in ruins. There is also an eatery/provision store in Kuk Po Lo Wai serving visitors and hikers during the holidays. Kuk Po San Uk Ha is a village with two rows of houses, most of which are deserted. Sam To has been

deserted and is surrounded by dense vegetation and hence is currently inaccessible. Ng To is over 1 km away from the coast sloping uphill in the inland. The village clusters of Kuk Po Lo Wai (the southernmost one), Kuk Po San Uk Ha, Sam To and Ng To are adjacent to the Country Park.

2.5.5 According to DLO/N, LandsD's record for Kuk Po, there is one outstanding Small House application and the 10-year (2014-2023) Small House demand forecast provided by the respective IIR is 800.

Yung Shue Au

2.5.6 Yung Shue Au, which is the only recognized village in the sub-area, consists of two rows of houses and some scattered houses. Most of them are in poor condition and are basically uninhabited. Besides, there are some abandoned barracks near the entrance of the village which were established in the early 1980s by the British army to guard against illegal immigrants.

2.5.7 According to DLO/N, LandsD's record for Yung Shue Au Village, there is no outstanding Small House application, and the 10-year (2009-2018) Small House demand forecast provided by the respective IIR is 20.

Government, Institution or Community (GIC) Facilities

2.5.8 Major GIC facilities to meet the community needs include two single storey public toilets, one near the entrance to Fung Hang and another one adjoining Kuk Po Lo Wai to the southwest. Both of these public toilets are allocated to Food and Environmental Hygiene Department (FEHD) under Permanent Government Land Allocation (PGLA). Besides,

there are two other toilets in Kuk Po. The one near Kai Choi School, is a latrine ancillary to the school, and there is no land record for another one in Sze To. According to on-site observation, these two toilets are not currently in use.

2.5.9 According to the conceptual enhancement proposals in Linkage Area of the Study on the Enhancement of the Sha Tau Kok Rural Township and Surrounding Areas – Feasibility Study (the STK Study), two public toilets will be constructed at appropriate locations, including one in Kuk Po and another movable one in Yung Shue Au. These proposals were proposed to be implemented by relevant Government departments subject to availability of resources.

2.5.10 The building of Kai Choi School and Hip Tin Temple at Kuk Po was constructed in 1931, and is now a Grade 3 historic building worthy of preservation. The school was closed in 1993 whilst the temple is still in use.

Cultural Heritage Resources

2.5.11 Kai Choi School and Hip Tin Temple at Kuk Po, and Yeung Ancestral Hall and Li Ancestral Hall at Kuk Po Lo Wai are Grade 3 historic buildings worthy of preservation. Also, Kuk Po Site of Archaeological Interest largely falls within the Area. Please refer to paragraph 2.3 for details.

Burial Grounds

2.5.12 There are two permitted burial grounds in the Area. One is on the hillslopes along the northwestern edge of Fung Hang, and another one is also on the hillslopes along the northeastern edge of Kuk Po.

Others

2.5.13 There are some abandoned barracks near the entrance of Yung Shue Au Village which were established in early 1980s by the British army to guard against illegal immigrants.

2.6 Land Ownership

Slightly over 42.22 ha of land in the Area (about 46.77%) is Government land while the remaining 48.05 ha of land (about 53.23%) are private land comprising mainly agricultural land and some building lots (**Figure 7**).

2.7 Transportation and Access

2.7.1 The Area is not served by any vehicular access and the nearest public road, Bride's Pool Road, is situated near Kai Kuk Shue Ha to the west in Luk Keng. There is a walking trail running along the southern coast of Starling Inlet connecting the Area to Luk Keng. There are also piers/jetties⁴ in Fung Hang, Kuk Po and Yung Shue Au where small boats would berth.

Fung Hang

2.7.2 Fung Hang is located in proximity to Bride's Pool Road but is not served by any vehicular access. It is accessible by a walking trail running along the southern coast of Starling Inlet connecting to Luk Keng in the west and to Kuk Po and Yung Shue Au to the east and northeast respectively. An existing pier is also found in the northeastern part of the sub-area.

⁴ Starling Inlet which the piers at Fung Hang and Kuk Po front and through which vessels from Sha Tau Kok town to Yung Shue Au is designated as a Frontier Closed Area. As advised by Marine Department, in the three sub areas, there is no "kaito" ferry service currently in operation but piers/jetties therein enable berthing of small boats.

Kuk Po

2.7.3 Kuk Po is not served by any vehicular access but is accessed by a walking trail along the coast connecting to Luk Keng via Fung Hang. An existing jetty is also found in the northeastern part of the sub-area.

Yung Shue Au

2.7.4 Yung Shue Au is only accessible by a walking trail connecting to Kuk Po, Fung Hang and Luk Keng in the west and So Lo Pun in the south. There is a jetty outside the sub-area to its northwest.

2.8 Infrastructure and Utility Services

The Area is provided with electricity and telephone services. Potable water supply has been provided to the existing facilities and village houses in the Area except Yung Shue Au. There are no existing and planned drainage system and no public and sewerage system⁵ in the Area.

3. PLANNING ANALYSIS

3.1 Strategic Planning Context

3.1.1 Given the natural environment, its ecological and landscape value coupled with its limited accessibility due to lack of vehicular access and potential natural terrain landslide hazards, the planning framework for the Area should fundamentally be

⁵ As advised by Environmental Protection Department (EPD), they earlier engaged a consultant to investigate provision of sewerage infrastructure for remote unsewered villages in the North District. The investigation considered a number factors including population, environmental condition, accessibility, local views etc. of these villages and concluded that the very remote villages at Fung Hang, Kuk Po Lo Wai, Ko Po San Uk Ha, Yi To, Sze To, Ng To and Yung Shue Au have a low priority for public sewerage.

for preservation of the natural environment. Any large-scale development is not recommended to minimize the encroachment onto the sensitive environment and to protect and enhance ecological and landscape conservation.

3.1.2 In the 'Study on the Enhancement of the Sha Tau Kok Rural Township and Surrounding Areas – Feasibility Study'⁶ (the STK Study) completed in 2013, the Area is included in the Linkage Area comprising part of the coastal area and major outer islands near STK (**Figure 1a**). The Linkage Area is of high ecological and landscape value, and its tranquil rural setting should be preserved as far as possible for both local residents and visitors. Some small-scale conceptual enhancement proposals with minor construction works are proposed to enhance the tourism potential of the Linkage Area without compromising the ecologically-sensitive environment. These include provision of public toilet in Kuk Po and Yung Shue Au and installation of information board in Kuk Po, Fung Hang and Yung Shue Au.

3.1.3 According to the 'Landscape Value Mapping of Hong Kong (2005)', the Area is characterized as "Settled Valley Landscape" which is defined largely by its valley topography having a strong sense of enclosure and tranquillity and a system of active or abandoned agricultural fields together with

⁶ The overall objective of the STK Study is to formulate an Integrated Area Improvement Plan, setting out comprehensive improvement proposals to enhance the physical environment of the STK Town and its surrounding areas. It strives to strike a balance between nature conservation, cultural heritage protection, development of tourist destinations and long-term sustainability of the villages. The Linkage Area comprises areas including Fung Hang, Kuk Po, Yung Shue Au, So Lo Pun, Lai Chi Wo, Sam A Tsuen, Ap Chau and Kat O. Village settlements are scattered in the Linkage Area.

villages. Surrounded by woodlands and fronting Starling Inlet, the Area has typical Fung Shui village layout in the New Territories with village settlements in a “water facing home that backs on to hills” setting with rich landscape resources such as mangroves, ponds and marshlands. In general, the Area is natural and rural in character and has high landscape and scenic value.

3.2 Environment and Conservation Considerations (Figure 9)

3.2.1 Surrounded by the Plover Cove Country Park on three sides, and comprising mainly woodland, shrubland, fallow agricultural land, low-lying wetland habitat (including freshwater/brackish marsh, intertidal water pond/mudflat, mangrove, reedbed, seagrass), stream course, estuarine mangrove and rocky/sandy shore, the Area forms part of the wider natural system of the Plover Cove countryside.

3.2.2 Woodlands and shrublands mainly cover the inland and uphill parts and include a number of mature woodlands behind the villages, which are generally in good conditions with more diverse tree species. They are ecologically linked with the habitats within the Plover Cove Country Park. There are some plant species of conservation significance and butterfly species of conservation concern.

3.2.3 Freshwater/brackish marshes comprising mainly intertidal water pond/mudflat, mangrove, reedbed and seagrass are located along the low-lying coastal areas in the three sub-areas. Patches of marshy areas are found on the seasonally wet grassland/shrubland mosaic mainly in the eastern part of Kuk Po and a small area of freshwater marsh is also found near the southern fringe in the valley area of Yung Shue Au. In Fung

Hang, a natural stream with estuarine mangrove is found in the western part. An EIS of 1 km in length flows across Kuk Po. Together with the coastal habitats, the wetland complex in Kuk Po supports a high diversity of dragonflies and freshwater fishes. Kuk Po is identified as a hotspot for both freshwater fish and butterfly, and wetland plants of conservation concern are recorded therein. Another EIS of 750m in length flows across Yung Shue Au, which is identified as a hotspot for freshwater fishes with records of a rare goby, and other plant and insect species of conservation concern are also recorded.

3.2.4 Surrounded by woodlands and fronting Starling Inlet, the Area has typical Fung Shui village layout in the New Territories with village settlements in a “water facing home that backs on to hills” setting with rich landscape resources such as mangroves, ponds and marshlands. In general, the Area is natural and rural in character and has high landscape and scenic value.

3.3 Development Constraints (Figure 10)

Ecological Significance

3.3.1 Surrounded by the Plover Cove Country Park on three sides, and comprising mainly woodland, shrubland, fallow agricultural land, low-lying wetland habitat (including freshwater/brackish marsh, intertidal water pond/mudflat, mangrove, reedbed, seagrass), stream course, estuarine mangrove and rocky/sandy shore, the Area forms part of the wider natural system of the Plover Cove countryside.

3.3.2 Woodlands and shrublands mainly cover the inland and uphill parts and include a number of mature woodlands behind the villages, which are generally in good conditions with more diverse tree species. They are ecologically linked with the habitats within the Plover Cove Country Park. There are some plant species of conservation significance including *Aquilaria sinensis* (土沉香), *Artocarpus hypargyreus* (白桂木) *Mucuna championii* (港油麻藤), *Ailanthus fordii* (常綠臭椿) *Popowia pisocarpa* (嘉陵花) and *Macaranga sampsonii* (鼎湖血桐); and butterfly species of conservation concern including *Isoteinon lamprospilus lamprospilus* (旖弄蝶), the rare *Aeromachus jhora* (寬鐐弄蝶) and *Cethosia biblis* (紅鋸蛺蝶). The natural woodland and the coastal wetland in Kuk Po provide a good habitat for over 100 species of butterflies.

3.3.3 Freshwater/brackish marshes comprising mainly intertidal water pond/mudflat, mangrove, reedbed and seagrass are located along the low-lying coastal areas in the three sub-areas. Patches of marshy areas are found on the seasonally wet grassland/shrubland mosaic mainly in the eastern part of Kuk Po and a small area of freshwater marsh is also found near the southern fringe in the valley area of Yung Shue Au. In Fung Hang, a natural stream with estuarine mangrove is found in the western part. An EIS of 1 km in length flows across Kuk Po. Together with the coastal habitats, the wetland complex supports a high diversity of dragonflies and freshwater fish including *Macropodus hongkongensis* (香港鬥魚), *Oryzias curvinotus* (弓背青鱗) and *Orthetrum poecilops poecilops* (斑灰蜻). Kuk Po is identified as a hotspot for both freshwater fish and butterfly, and wetland plants of conservation concern *Ceratopteris thalictroides* (水蕨) and *Sphenoclea zeylanica* (尖瓣花) are recorded therein. Another EIS of 750m in length

flows across Yung Shue Au, which is identified as a hotspot for freshwater fish with records of a rare goby, *Stiphodon atropurpureus* (菲律賓枝牙鰕虎魚). Other species of conservation concern including *Orthetrum poecilops poecilops* (斑灰蜻) are also recorded.

3.3.4 From the nature conservation perspective, developments that may adversely affect the natural character and the ecologically sensitive areas will not be recommended.

Landscape Character

3.3.5 According to the Landscape Value Mapping of Hong Kong (2005), the Area is characterized as “Settled Valley Landscape” which is defined largely by its valley topography having a strong sense of enclosure and tranquillity and a system of active or abandoned agricultural fields together with villages. The three sub-areas have typical Fung Shui village layout in the New Territories with village settlements in a “water facing home that backs on to hills” setting with rich landscape resources such as secondary woodland, mangroves, ponds and marshland. In Kuk Po, the extensive reed bed is the signature of the sub-area. In Yung Shue Au, the proportion and distribution of wetland and marshland, village and woodland are well balanced, creating an elegant crescent-like setting.

3.3.6 From the landscape planning perspective, the Area has high landscape value and the landscape character is sensitive and vulnerable. Any development which is not compatible to the existing scale, style, intensity of development and the natural environment would disrupt the harmonic landscape character setting. Any large scale development with associated utilities

installation and slope formation work is not compatible with the existing landscape context. Furthermore, sufficient landscape buffer should be provided to significant landscape resources in the Area.

Cultural Heritage

- 3.3.7 Kai Choi School and Hip Tin Temple at Kuk Po, and Yeung Ancestral Hall and Li Ancestral Hall at Kuk Po Lo Wai are Grade 3 historic buildings worthy of preservation. Also, Kuk Po Site of Archaeological Interest largely falls within the Area.
- 3.3.8 The Antiquities Advisory Board (AAB) also released a list of new items in addition to the list of 1,444 historic buildings. These items are subject to grading assessment by the AAB. Details of the list of 1,444 historic buildings and the new items have been uploaded onto the website of the AAB at <http://www.aab.gov.hk>. As advised by Antiquities and Monuments Office of Leisure and Cultural Services Department, there is no new item in Fung Hang, Kuk Po and Yung Shue Au.
- 3.3.9 An assessment shall be conducted to evaluate the archaeological impact imposed by the proposed works if there is any development within the Site of Archeological Interest. If necessary, a professional archaeologist shall be engaged to apply for a licence from the Antiquities Authority under the Antiquities and Monuments Ordinance (Cap. 53) for an archeological field investigation to evaluate whether the proposed works is acceptable from an archeological preservation point of view and propose appropriate mitigation measures.

- 3.3.10 Prior consultation with the Antiquities and Monuments Office of the Leisure and Cultural Services Department should be made if any development, redevelopment or rezoning proposals might affect the above historic buildings, new items pending grading assessment, or site of archaeological interest and their/its immediate environs.

Burial Grounds

- 3.3.11 There are two permitted burial grounds in the Area. One is on the hillslopes along the northwestern edge of Fung Hang, and another one is also on the hillslopes along the northeastern edge of Kuk Po. Whilst the majority of the burial grounds lie outside the Area and within the Plover Cove Country Park, the small portions thereof fall within the Area and are not suitable for any development.

Transportation

- 3.3.12 The Area is not served by any vehicular access and the nearest public road, Bride's Pool Road, is situated near Kai Kuk Shue Ha to the west in Luk Keng. There is a walking trail running along the southern coast of Starling Inlet connecting the Area to Luk Keng. There are also piers/jetties in Fung Hang, Kuk Po and Yung Shue Au where small boats would berth.

Sewerage

- 3.3.13 There is no public sewerage system in the Area. Any new development proposal should be required to demonstrate that no adverse sewage impact would be caused to the Area.

Other Infrastructure and Utility Services

- 3.3.14 The Area is provided with electricity and telephone services. Potable water supply has been provided to the existing facilities and village houses in the Area except Yung Shue Au. There is no existing and planned drainage system in the Area.

Geotechnical Constraint

- 3.3.15 The Area is overlooked by steep natural hillsides and may be affected by potential natural terrain landslide hazards. For the future development in the Area, the developers may be required to carry out a natural terrain hazard study and provide suitable hazard mitigation measures, if found necessary, as part of the development.

3.4 Development Opportunities

Conservation and Natural Landscape

- 3.4.1 Surrounded by the Plover Cove Country Park on three sides, and comprising mainly woodland, shrubland, fallow agricultural land, low-lying wetland habitat (including freshwater/brackish marsh, intertidal water pond/mudflat, mangrove, reedbed, seagrass), stream course, estuarine mangrove and rocky/sandy shore, the Area forms part of the wider natural system of the Plover Cove countryside.
- 3.4.2 Woodlands and shrublands mainly cover the inland and uphill parts and include a number of mature woodlands behind the villages, which are generally in good conditions with more diverse tree species. They are ecologically linked with the habitats within the Plover Cove Country Park. There are some

plant species of conservation significance and butterfly species of conservation concern.

- 3.4.3 Freshwater/brackish marshes comprising mainly intertidal water pond/mudflat, mangrove, reedbed and seagrass are located along the low-lying coastal areas in the three sub-areas. Patches of marshy areas are found on the seasonally wet grassland/shrubland mosaic mainly in the eastern part of Kuk Po and a small area of freshwater marsh is also found near the southern fringe in the valley area of Yung Shue Au. In Fung Hang, a natural stream with estuarine mangrove is found in the western part. An EIS of 1 km in length flows across Kuk Po. Together with the coastal habitats, the wetland complex supports a high diversity of dragonflies and freshwater fish. Kuk Po is identified as a hotspot for both freshwater fish and butterfly, and wetland plants of conservation concern are recorded therein. Another EIS of 750m in length flows across Yung Shue Au, which is identified as a hotspot for freshwater fish with records of a rare goby, and other plant and insect species of conservation concern.
- 3.4.4 Surrounded by woodlands and fronting Starling Inlet, the Area has typical Fung Shui village layout in the New Territories with village settlements in a “water facing home that backs on to hills” setting with rich landscape resources such as mangroves, ponds and marshlands. In general, the Area is natural and rural in character and has high landscape and scenic value. It is worthy of conservation while the scale of the village development should be compatible with the surrounding landscape and rural setting.

Tourism and Recreation Potentials (Figure 8)

- 3.4.5 The Area is popular to visitors and hikers for its seaside walk providing a panoramic view towards Starling Inlet and the Luk Keng coastal mangroves, and the Fung Hang Family Walk to its west which can be easily accessed from Bride's Pool Road. Structures in Fung Hang are arranged in a typical Hakka village manner with fung shui woodland behind and a panoramic seaview. Those in Kuk Po are divided into several small hamlets, which is a special type of arrangements in the territory. Coupled with the presence of well preserved Kai Choi School, both places are of interest to the public, having the potentials for eco- and cultural tourism. During weekends and holidays, Fung Hang and Kuk Po are heavily patronized by visitors and hikers, and the locals residing elsewhere come back and operate eateries to serve them.
- 3.4.6 There are a variety of recreational facilities in the nearby Plover Cove Country Park and Pat Sin Leng Country Park (to the west of Bride's Pool Road), such as a network of hiking trails (including Fung Hang Family Walk), 9 picnic sites, 37 barbecue sites and 5 camp sites. The Nam Chung Outdoor Activity Centre is in proximity to the west of the Area.
- 3.4.7 According to the STK Study, the Linkage Area is of high ecological and landscape value, and its tranquil rural setting should be preserved as far as possible for both local residents and visitors. Some small-scale conceptual enhancement proposals with minor construction works are proposed to enhance the tourism potential of the Linkage Area without compromising the ecologically-sensitive environment. These include provision of public toilet in Kuk Po and Yung Shue Au and installation of information board in the three sub-areas.

Agricultural Potential

- 3.4.8 According to AFCD, there is no active agricultural activity within the Area. Some beekeeping boxes and fruit trees in Fung Hang are observed during the site visit in May 2015. As advised by AFCD, many of the lowland areas in the Area are fallow agricultural lands and possess potential for agricultural rehabilitation. Fallow agricultural land covered by grasses or shrubs are considered suitable for "AGR" zone from the agricultural development point of view in order to retain agricultural land and encourage agricultural rehabilitation.

3.5 Development Pressure

- 3.5.1 Due to its ecological, landscape and scenic value with access by walking trail and the existing pier/jetty, there is an urgent need to better protect the natural and landscape character of the Area from uncontrolled development.
- 3.5.2 Fung Hang, Kuk Po (including Kuk Po Lo Wai, Kuk Po San Uk Ha, Yi To, Sam To, Sze To and Ng To) and Yung Shue Au are the recognized villages in the Area. According to DLO/N, LandsD, there are no outstanding Small House application in Fung Hang and Yung Shue Au and one outstanding Small House application in Kuk Po. The 10-year Small House demand forecasts provided by the Indigenous Inhabitant Representative (IIR) of Fung Hang, Kuk Po and Yung Shue Au are 418, 800 and 20 respectively.
- 3.5.3 The Area does not involve in any of active enforcement case under the Town Planning Ordinance. However, complaints were received on the tree felling and vegetation clearance in Kuk Po Lo Wai in February 2015 (**Figure 11**).

3.6 Development Proposals received in the Course of Preparation of the Plan

3.6.1 As at August 2015, since the gazettal of the draft DPA Plan on 8.3.2013, no planning application in the Area has been received by the Board. In the course of preparing the OZP, some views/proposals were received from concerned parties and they are set out below.

Submission from Kadoorie Farm & Botanical Garden Corporation

3.6.2 Kadoorie Farm & Botanic Garden Corporation (KFBG) made a submission which contains the ecological information and a land use proposal for the Area on 3.6.2015 and a meeting with the KFBG, Hong Kong Bird Watching Society, Designing Hong Kong Limited, World Wide Fund for Nature Hong Kong and The Conservancy Association was conducted on 16.6.2015 to briefly exchange views on the submission which suggests that:

- (a) “CA” or “Green Belt (1)” (“GB(1)”) zones should cover the areas of mature woodlands, secondary woodlands, wetland complexes, seasonally wet grassland/shrubland mosaic, the stream courses and their 30m-wide riparian zones; and
- (b) “V” zones should neither be located in the wetland complexes, seasonally wet habitats and riparian zones, nor immediately adjacent to the wetlands.

3.6.4 Sha Tau Kok District Rural Committee (STKDRC), Indigenous Inhabitant Representatives (IIRs) of Kuk Po and Yung Shue Au and other villagers submitted letters which propose that “V” zone should be planned in proportion to the number of male indigenous villagers in each village; and agricultural lots should be designated as “AGR” zone, instead of conservation zonings so as to encourage agricultural rehabilitation.

4 PLANNING PROPOSALS

4.1 The Outline Zoning Plan

The draft Kuk Po, Fung Hang and Yung Shue Au OZP (the Plan) prepared under section 3(1) of the Ordinance is to provide a statutory basis for planning control over the Area. It will supersede the approved Kuk Po, Fung Hang and Yung Shue Au DPA Plan No. DPA/NE-KP/2, which was exhibited for public inspection under section 9(5) of the Ordinance on 21.3.2014. Uses and development that are always permitted and those for which the Board’s permission must be sought in various zones are set out in a schedule of Notes attached to the Plan. Also accompanying the Plan is an Explanatory Statement to assist an understanding of the Plan and to reflect the planning intentions and objectives of the Board for various land-use zonings.

4.2 Planning Objectives

The planning of the Area should gear towards the following objectives:

- (a) to provide a comprehensive planning framework to guide the development on an integrated and co-ordinated basis;

- (b) to conserve high natural landscape and ecological significance of the Area in safeguarding the natural habitat and natural system of the wider area;
- (c) to preserve the natural and rural character of the Area.

4.3 Planning Principles

The main planning principles below are adopted for preparation of the planning and development proposals of the Area:

- (a) The Area is located in the northwestern coast of the Plover Cove Country Park fronting Starling Inlet. Surrounded by the Plover Cove Country Park on three sides, the Area comprises a variety of habitats including woodland, shrubland, fallow agricultural land, low-lying wetland habitat (including freshwater/brackish marsh, intertidal water pond/mudflat, mangrove, reedbed, seagrass), stream course, estuarine mangrove and rocky/sandy shore, forming part of the wider natural system of the Plover Cove countryside. These habitats do not only support a large number of flora and fauna species in the Area, but also are ecologically linked with the vegetation in the surrounding Plover Cove Country Park. Surrounded by woodlands and fronting Starling Inlet, the Area has typical Fung Shui village layout in the New Territories with village settlements in a “water facing home that backs on to hills” setting with rich landscape resources such as mangroves, ponds and marshlands. In general, the Area is natural and rural in character with a high landscape and scenic value and is popular to visitors and hikers for its seaside walk. The natural environment and landscape and the rural setting should be preserved and protected.

- (b) Small House development in the recognized villages will be concentrated at suitable locations so as to preserve the rural character of the Area. Future development and redevelopment should also demonstrate such a low-rise characteristic and not to overtax the limited infrastructure.

4.4 Land Use Proposals (Figure 12)

- 4.4.1 In the designation of various land use zones in the Area, consideration has been given to the natural environment, physical landform, existing land use pattern, demand for Small Houses and availability of infrastructure. The following land use zones are proposed to be designated on the Plan.

4.4.2 Village Type Development (“V”) (about 5.88 ha or 6.51%)

- (a) The planning intention of this zone is to designate both the existing recognized village and areas of land considered suitable for village expansion. Land within this zone is primarily intended for development of Small Houses by indigenous villagers. It is also intended to concentrate village type development within this zone for a more orderly development pattern, efficient use of land and provision of infrastructures and services. Selected commercial and community uses serving the needs of the villagers and in support of the village development are always permitted on the ground floor of a New Territories Exempted House. Other commercial, community and recreational uses may be permitted on application to the Board.
- (b) Fung Hang, Kuk Po (including Kuk Po Lo Wai, Kuk Po San Uk Ha, Yi To, Sam To, Sze To and Ng To) and Yung

Shue Au are the recognized villages in the Area. The boundaries of the “V” zones are drawn up having regard to the village ‘environs’ (‘VEs’), the number of outstanding Small House application, Small House demand forecast, local topography and site constraints. Areas of difficult terrain, dense vegetation, stream courses and burial grounds have been avoided as far as possible.

- (c) According to DLO/N, LandsD, there are no outstanding Small House application in Fung Hang and Yung Shue Au and one outstanding Small House application in Kuk Po. The 10-year Small House demand forecasts provided by the IIRs of Fung Hang, Kuk Po and Yung Shue Au are 418, 800 and 20 respectively. According to the TPB Paper No. 9282 on Consideration of the Draft Kuk Po, Fung Hang and Yung Shue Au DPA Plan No. DPA/NE-KP/B in February 2013, the 10-year Small House demand forecasts of Fung Hang, Kuk Po and Yung Shue Au were 182, 500 and 20 respectively. According to the established practice of the Board, if there is a substantial and unjustified increase in the updated 10-year demand forecast figure as compared with the previous corresponding figure in preparing the DPA Plan⁷, the latter would be adopted in the preparation of the OZP. Based on PlanD's preliminary estimate, land required for meeting the Small House demand of 182, 501 and 20 in

⁷ As advised by DLO/N, LandsD, the updated 10-year Small House demand forecasts of Fung Hang and Kuk Po are provided by the respective IIRs without any supporting evidence and his office is not in a position to verify the accuracy of the figures. Besides, the 10-year Small House demand forecast of Yung Shue Au was provided for the period of 2009 – 2018 in response to his office's enquiry and no further update has been received thereafter.

Fung Hang, Kuk Po and Yung Shue Au are about 4.55 ha, 12.53 ha and 0.5 ha (Table 1) respectively.

- (d) With reference to the Small House demand and ‘VEs’ for the recognized villages of Fung Hang, Kuk Po and Yung Shue Au, PlanD has analyzed the site conditions of the areas within ‘VEs’ taking into account the existing village settlements, previously approved Small House applications, environmental conditions, natural terrain and topography.

Fung Hang

- (e) The whole ‘VE’ of Fung Hang has an area of 6.47 ha and its majority with an area of 5.86 ha falls within in the boundary of the draft OZP (Figure 10). The conditions of the village houses vary from fair to poor with quite a number of them currently abandoned. Apart from the existing village cluster, the land within the ‘VE’ mainly comprises woodland/shrubland including a mature woodland behind the village, freshwater/brackish marsh and a natural stream with estuarine mangrove. Fallow agricultural lands mainly covered with grasses and shrubs can be found in front of and adjoining the existing village cluster in the eastern part of the ‘VE’ as well as along the natural stream separated from the existing village cluster in the western part of the ‘VE’.

Kuk Po

- (f) The seven ‘VEs’ of Kuk Po for the six recognized villages therein have an area of 14.32 ha and most of the area of 13.49 ha fall within in the boundary of the draft OZP. Some of the existing village clusters i.e. Kuk Po Lo Wai (the southernmost one), Kuk Po San Uk Ha, Sam To

and Ng To are adjacent to the Country Park (**Figure 10**). Quite a number of village settlements are currently abandoned or in ruins. Sam To has been deserted and is surrounded by dense vegetation and hence is currently inaccessible. Ng To is further away from the coast slopping uphill in the inland. Apart from the existing village clusters, the land within the 'VEs' mainly comprises woodland/shrubland, freshwater/brackish marsh, patches of marshy areas on seasonally wet grassland/shrubland mosaic and fallow agricultural lands mainly covered with grasses and shrubs.

Yung Shue Au

- (g) The whole 'VE' of Yung Shue Au has an area of 6.72 ha and falls within the boundary of the draft OZP. The existing village cluster occupies a long strip of flat land in the western part of the 'VE' (**Figure 10**). Most of the village houses are in poor condition and are basically uninhabited, and there are some abandoned barracks. Apart from the existing village cluster, the land within the 'VE' mainly comprises woodland including a mature woodland behind the village, freshwater/brackish marsh and fallow agricultural land mainly covered with grasses and shrubs.
- (h) Throughout the plan-making process, concerned departments have been closely liaised to ensure that their inputs and comments are duly taken into account in the delineation of the 'V' zones for the existing village clusters and potential areas for village expansion.
- (i) Given the natural environment, its ecological and landscape value coupled with its limited accessibility due

to lack of vehicular access and potential natural terrain landslide hazards, an incremental approach for designation of "V" zones for Small House development has been adopted with an aim to confining Small House development at suitable locations so as to avoid undesirable disturbances to the natural environment and overtaking the limited infrastructure in the Area. Discounting the surrounding environmentally sensitive areas, including woodland, shrubland, low-lying wetland habitat, seasonally wet grassland/shrubland mosaic stream course, estuarine mangrove, which should be protected, a total of about 5.88 ha of land is covered by "V" zones including about 0.73 ha in Fung Hang, 3.63 ha in Kuk Po and 1.52 ha in Yung Shue Au. The areas reserved for Small House development mainly cover the existing village clusters and their adjoining fallow agricultural land currently covered with grasses and shrubs. Within the proposed "V" zones, a total of about 2.58 ha of land (including about 0.42 ha, 1.76 ha and 0.40 ha in Fung Hang, Kuk Po and Yung Shue Au respectively) is available, equivalent to about 101 Small House sites (including about 16, 70 and 16 Small House sites in Fung Hang, Kuk Po and Yung Shue Au respectively), meeting about 14.68% of the total Small House demand for 703 Small Houses (about 9.23%, 14.05% and 80% in Fung Hang, Kuk Po and Yung Shue Au respectively) (**Table 1**).

- (j) No new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of a maximum building height of 3 storeys (8.23m) or the height of the building which was in

existence on the date of the first publication in the Gazette of the notice of the draft DPA plan, whichever is the greater. Application for minor relaxation of these restrictions would be considered by the Board based on individual merits, taking into account site constraints, innovative architectural design and planning merits that would enhance the amenity of the locality.

- (k) As diversion of streams or filling of pond may cause adverse drainage impacts on the adjacent areas and adverse impacts on the natural environment, permission from the Board is required for such activities except public works co-ordinated or implemented by Government, and maintenance, repair or rebuilding works.
- (l) In accordance with the Environment, Transport and Works Bureau's Technical Circular (Works) No. 5/2005 "Protection of Natural Streams/Rivers from Adverse Impacts Arising from Construction Works", under the current administrative practice, development proposals/submissions that may affect natural streams/rivers, the approving/processing authorities at various stages of the development should consult and collate comments from the Agriculture, Fisheries and Conservation Department (AFCD) and relevant authorities and incorporate relevant comments/advice as conditions of approval wherever possible. Accordingly, LandsD, when processing Small House grant and applications in close proximity to existing stream courses, should consult concerned departments including AFCD, Environmental Protection Department (EPD) and PlanD to ensure that all relevant departments would have adequate opportunity to review and comment on the

applications.

- (m) The "V" zone in the Area is overlooked by steep natural hillsides and may be affected by potential natural terrain landslide hazards. For the future development in the Area, the developers may be required to carry out a natural terrain hazard study and provide suitable hazard mitigation measures, if found necessary, as part of the development.
- (n) There is no public sewer for the Area. For Small House development, the design and construction of the septic tank and soakaway systems need to comply with relevant standards and regulations, such as EPD's Practice Note for Professional Persons (ProPECC PN) 5/93 – "Drainage Plans subject to Comment by the Environmental Protection Department", for the protection of the water quality of the Area.
- (o) Yeung Ancestral Hall and Li Ancestral Hall at Kuk Po Lo Wai are Grade 3 historic buildings worthy of preservation. Part of the area under this zoning falls within the Kuk Po Site of Archaeological Interest. Prior consultation with the Antiquities and Monuments Office of the Leisure and Cultural Services Department should be made if any development, redevelopment or rezoning proposals might affect the above historic buildings or site of archaeological interest and their/its immediate environs.

4.4.3 Government, Institution or Community ("G/IC") (0.06 ha or 0.07 %)

- (a) The planning intention of this zone is primarily for the provision of GIC facilities serving the needs of the local residents and/or a wider district, region or the territory. It is also intended to provide land for uses directly related to or in support of the work of the Government, organizations providing social services to meet community needs, and other institutional establishments.
- (b) The major GIC facilities under this zone are Kai Choi School and Hip Tin Temple in Kuk Po, which were constructed in 1931. The building is a Grade 3 historic building worthy of preservation. The school was closed in 1993 whilst the temple is still in use.
- (c) To preserve the rural and low-rise character of the Area as well as provide spatial and visual relief, development/redevelopment within this zone should be restricted to a maximum building height as stipulated on the Plan (i.e. two storeys) or the height of the building which was in existence on the date of the first publication in the Gazette of the notice of the draft DPA plan, whichever is greater.
- (d) To provide flexibility for innovative design adapted to the characteristics of particular sites, minor relaxation of the building height restriction may be considered by the Board through the planning permission system. Each application will be considered on its individual planning merits.

4.4.4 Agriculture ("AGR") (3.94 ha or 4.36%)

- (a) The planning intention of this zone is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes.
- (b) This zone covers fallow agricultural lands which possess potential for agricultural rehabilitation and are not covered with dense vegetation adjoining to the existing village clusters at more accessible locations. These include some fallow agricultural land mainly covered with grasses and shrubs in front of the existing village cluster in Fung Hang, and those amidst the existing village clusters in Kuk Po Lo Wai. This is not only to retain fallow arable land for agricultural purposes and encourage agricultural rehabilitation, but also to preserve the rural setting in the Area.
- (c) As diversion of streams or filling of land/pond may cause adverse impacts on the natural environment and the ecological value of the adjacent area, permission from the Board is required for such activities. However, filling of land specifically required under prior written instructions of Government department(s), or for the purposes of genuine agricultural practice including laying of soil not exceeding 1.2m in thickness for cultivation, and construction of agricultural structure with prior written approval from the Lands Department is exempted from the control.

4.4.5 Green Belt ("GB") (57.38 ha or 63.57 %)

- (a) The planning intention of this zone is primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is a general presumption against development within this zone.
- (b) The "GB" zone comprising mainly woodlands, shrublands, streams and rocky/sandy shores can provide a buffer between the village type developments and the Plover Cove Country Park and conserve the natural and rural character of the Area.
- (c) The "GB" zone also comprises the small portions of the permitted burial grounds along the northwestern edge of Fung Hang and the northeastern edge of Kuk Po. They have been in existence for many years, and are considered as existing use intended for the burial of deceased indigenous villagers in the Area. To respect the local ritual and tradition, burial activities within this zone are generally tolerated.
- (d) There is a general presumption against development within this zone. Development in this zone will be strictly controlled. Development proposals will be considered by the Board on individual merits taking into account the relevant Town Planning Board Guidelines.
- (e) As diversion of streams, filling of land/pond or excavation of land may cause adverse drainage impacts on the adjacent areas and adverse impacts on the natural

environment, permission from the Board is required for such activities except public works co-ordinated or implemented by Government, and maintenance, repair or rebuilding works.

4.4.6 Conservation Area ("CA"): (23.01 ha or 25.49%)

- (a) This zoning is intended to protect and retain the existing natural landscape, ecological or topographical features of the area for conservation, educational and research purposes and to separate sensitive natural environment such as Country Park from the adverse effects of development. 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 are essential infrastructure projects with overriding public interest may be permitted.
- (b) The "CA" zone covers the mature woodlands behind the villages, which are generally in good conditions with more diverse tree species. They are ecologically linked with the habitats within the Plover Cove Country Park. There are some plant species of conservation significance including *Aquilaria sinensis* (土沉香), *Artocarpus hypargyreus* (白桂木) *Mucuna championii* (港油麻藤), *Ailanthus fordii* (常綠臭椿) and *Popowia pisocarpa* (嘉陵花) and *Macaranga sampsonii* (鼎湖血桐); and butterfly species of conservation concern including *Isoteinon lamprospilus lamprospilus* (旖弄蝶), the rare *Aeromachus jhora* (寬鐔弄蝶) and *Cethosia biblis* (紅鋸蛺蝶). The natural woodland and the coastal wetland in

Kuk Po provide a good habitat for over 100 species of butterflies.

- (c) It also covers the freshwater/brackish marshes comprising mainly intertidal water pond/mudflat, mangrove, reedbed and seagrass along the low-lying coastal areas in the three sub-areas, as well as lower sections of the EISs in Kuk Po and Yung Shue Au. Together with the coastal habitats, the wetland complex in Kuk Po supports a high diversity of dragonflies and freshwater fishes including *Macropodus hongkongensis* (香港鬥魚), *Oryzias curvinotus* (弓背青鱗) and *Orthetrum poecilops poecilops* (斑灰蜻). Kuk Po is identified as a hotspot for both freshwater fish and butterfly, and wetland plants of conservation concern *Ceratopteris thalictroides* (水蕨) and *Sphenoclea zeylanica* (尖瓣花) are recorded therein. Yung Shue Au is identified as a hotspot for freshwater fishes with records of a rare goby, *Stiphodon atropurpureus* (菲律賓枝牙鰕虎). Other species of conservation concern including *Orthetrum poecilops poecilops* (斑灰蜻) are also recorded.
- (d) The estuarine mangrove in the western section of the coastal front along Fung Hang is also zoned "CA".
- (f) New residential development is not permitted under this zone. Redevelopment of existing houses may be permitted on application to the Board. The redevelopment of existing houses shall not result in a total redevelopment in excess of the plot ratio, site coverage and height of the house which was in existence on the date of the first publication in the Gazette of the notice of the draft DPA

Plan.

- (g) Diversion of streams, filling of land/pond or excavation of land may cause adverse drainage impacts on adjacent areas and adverse impacts on the natural environment. In view of the conservation value of the area within this zone, permission from the Board is required for such activities.

5. IMPLEMENTATION

Infrastructural Provisions

- 5.1 The Area is provided with electricity and telephone services. Potable water supply has been provided to the existing facilities and village houses in the Area except Yung Shue Au. There are no existing and planned drainage system and no public sewerage system in the Area.

Statutory Development Control

- 5.2 The Plan provides a broad land-use framework for development control and implementation of planning proposals for the Area. More detailed plans will be prepared as a basis for public works planning and private developments.
- 5.3 At present, there is no overall programme for the provision of infrastructure within the Area. The implementation process will be gradual and may stretch over a long period of time depending on the availability of resources. It will be undertaken through the participation of both public and private sectors.
- 5.4 Notwithstanding the above, minor improvement works, e.g. access improvement and laying of utility services will be implemented through the Public Works Programme and the Rural Public Works as

and when resources are available. Private developments will be effected principally through private sector initiatives to develop or redevelop their properties in accordance with the zoned uses indicated on the Plan, provided that their proposals meet Government requirements.

- 5.5 The types of permitted developments and uses on land within the Area are listed in the Notes of the Plan. Unless otherwise specified, all building, engineering and other operations incidental to and all uses directly related and ancillary to the permitted developments and uses within the same zone are always permitted. Any development, other than those referred to in this paragraph above or in conformity with this Plan or with the permission of the Board, undertaken or continued on land included in this Plan on or after the date of the first publication in the Gazette of the Notice of the draft DPA Plan may be subject to enforcement proceedings under the Ordinance. Any diversion of streams, filling of land/pond and excavation of land in the relevant zones on or after the date of the first publication in the Gazette of the Notice of the draft DPA Plan without permission from the Board may also be subject to enforcement proceedings. Moreover, there is a presumption against filling of ponds for temporary land uses/developments in conservation-related zonings, such as “CA”.

PLANNING DEPARTMENT
AUGUST 2015

Table 1 Small House Demand for the Kuk Po, Fung Hang and Yung Shue Au Area in 2013 and 2015

Village	Small House Demand Figure in 2013		Small House Demand Figure in 2015		"VE" Area ('VE' Area in Draft OZP) (ha)	"V" Zone on Draft OZP (ha)	Required Land to Meet New Demand (ha)	Available Land to Meet New Demand (ha)	Available Small House to Meet New Demand	Percentage of the New Demand Meet by Available Land (%)
	Outstanding Demand	10-year Forecast ⁽³⁾	Outstanding Demand	10-year Forecast ⁽³⁾						
Fung Hang	0	182 (2011-2020)	0	418 (2014-2023)	6.47 (5.86)	0.73	4.55	0.42	16	9.23%
Kuk Po ⁽¹⁾	0	500 (2012-2021)	1	800 (2014-2023)	14.32 (13.49)	3.63	12.53	1.76	70	14.05%
Yung Shue Au ⁽²⁾	0	20 (2009 - 2018) ⁽⁴⁾	0	20 (2009-2018) ⁽⁴⁾	6.72 (6.72)	1.52	0.50	0.40	16	80%
Total	0	702	1	1238	27.51 (26.07)	5.88	17.58	2.58	102	14.68%

Note:

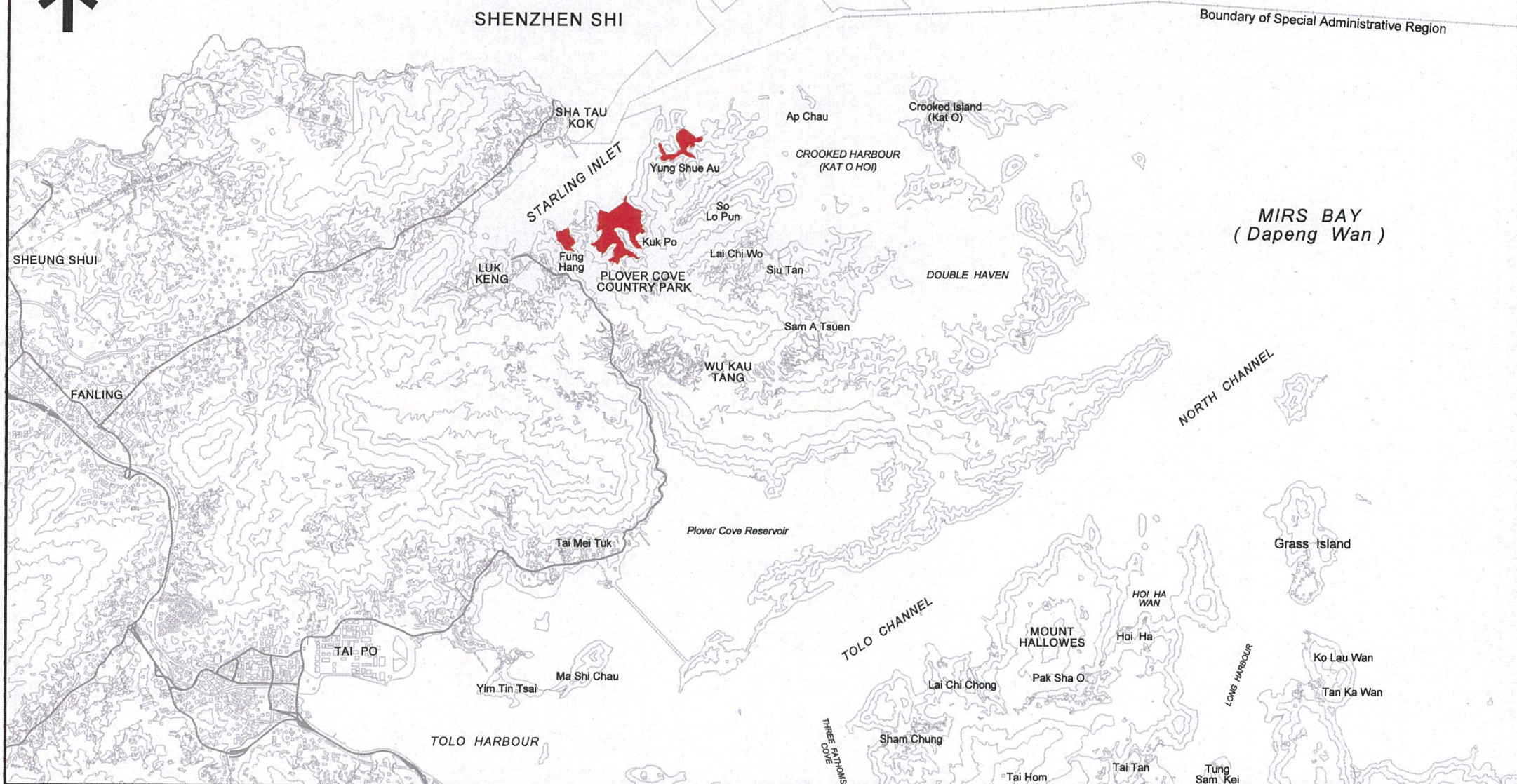
(1) Kuk Po Lo Wai, Kuk Po San Uk Ha, Yi To, Sam To, Sze To & Ng To are collectively known as Kuk Po.

(2) According to DLO/N, LandsD's record, the English Name of the recognized village at Yung Shue Au is read as "Yun Shue Au".

(3) The 10-year Small House Demand Forecast was provided by the relevant Indigenous Inhabitant Representative (IIR) without any supporting evidence and DLO/N, LandsD is not in a position to verify the accuracy of the figures.

(4) The 10-year Small House Demand Forecast was provided for the period of 2009 - 2018 in response to DLO/N, LandsD's enquiry. No further update has been received thereafter.

According to the established practice of the Board, if there is a substantial and unjustified increase in the updated 10-year demand forecast figure as compared with the previous corresponding figure in preparing the DPA Plan, the latter would be adopted in the preparation of the OZP.

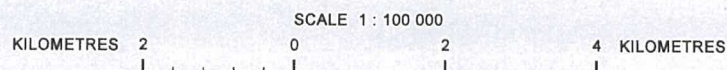


STUDY AREA

PLAN PREPARED ON 4.8.2015
BASED ON SHEET SERIES HM100C

LOCATION PLAN

KUK PO, FUNG HANG AND YUNG SHUE AU

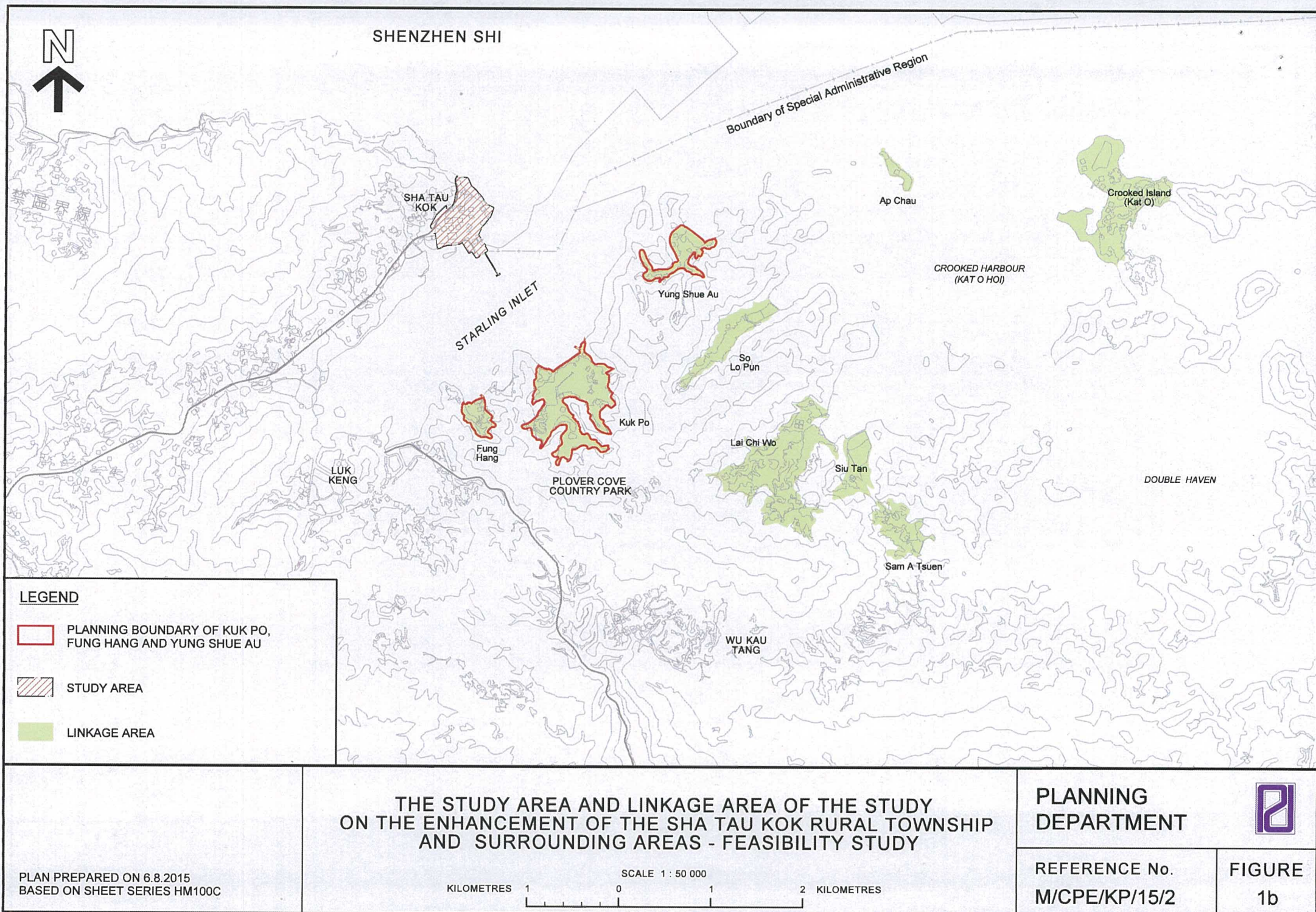


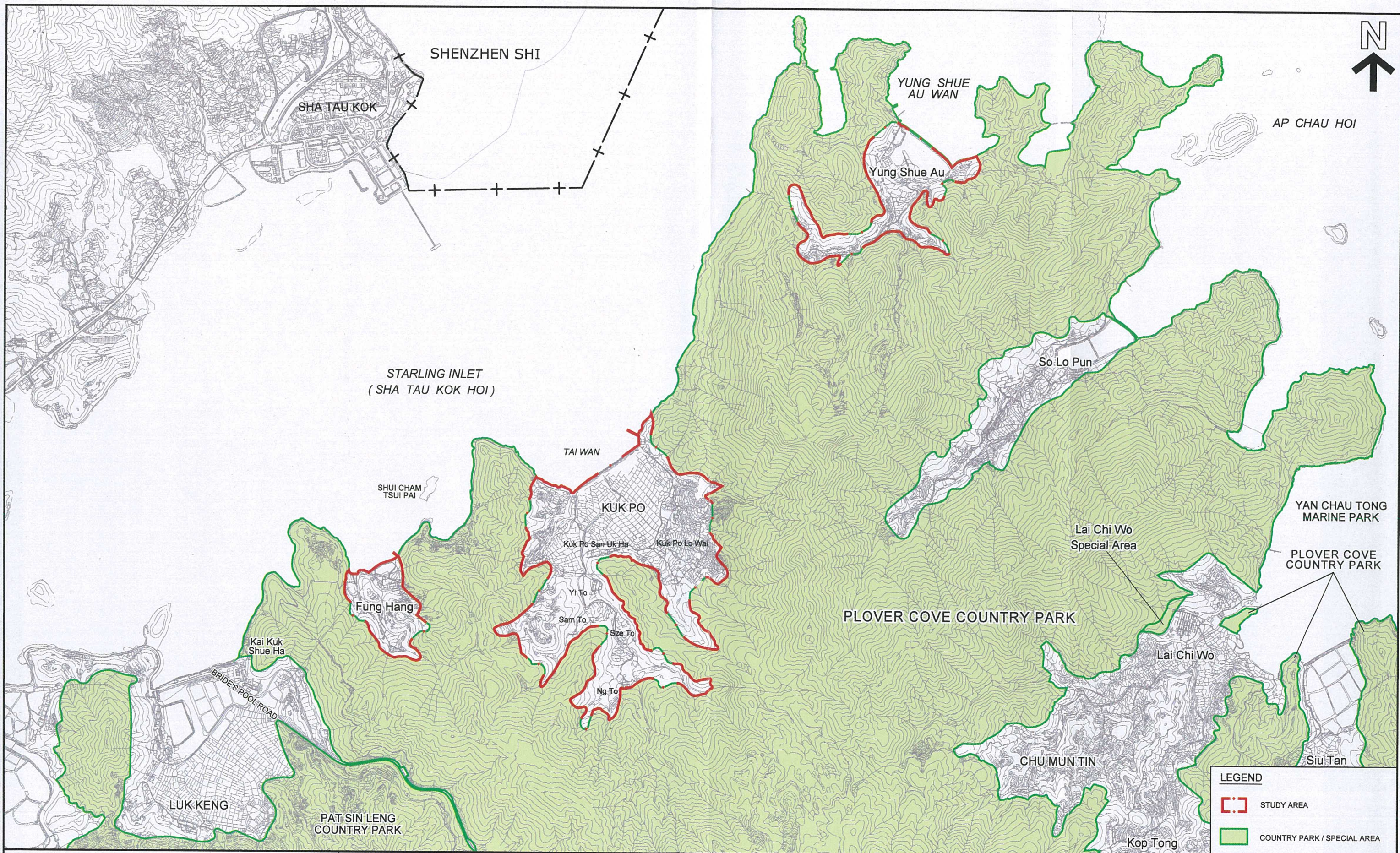
PLANNING
DEPARTMENT



REFERENCE No.
M/CPE/KP/15/2

FIGURE
1a





LEGEND

- STUDY AREA
- COUNTRY PARK / SPECIAL AREA

PLAN PREPARED ON 15.7.2015
BASED ON SHEETS No.
3-NE-A/B/C/D AND 4-NW-A/C

STUDY AREA
KUK PO, FUNG HANG AND YUNG SHUE AU

SCALE 1 : 15 000
METRES 300 0 300 600 METRES

PLANNING DEPARTMENT



REFERENCE No.
M/CPE/KP/15/2

FIGURE
3



AERIAL PHOTO

KUK PO, FUNG HANG AND YUNG SHUE AU

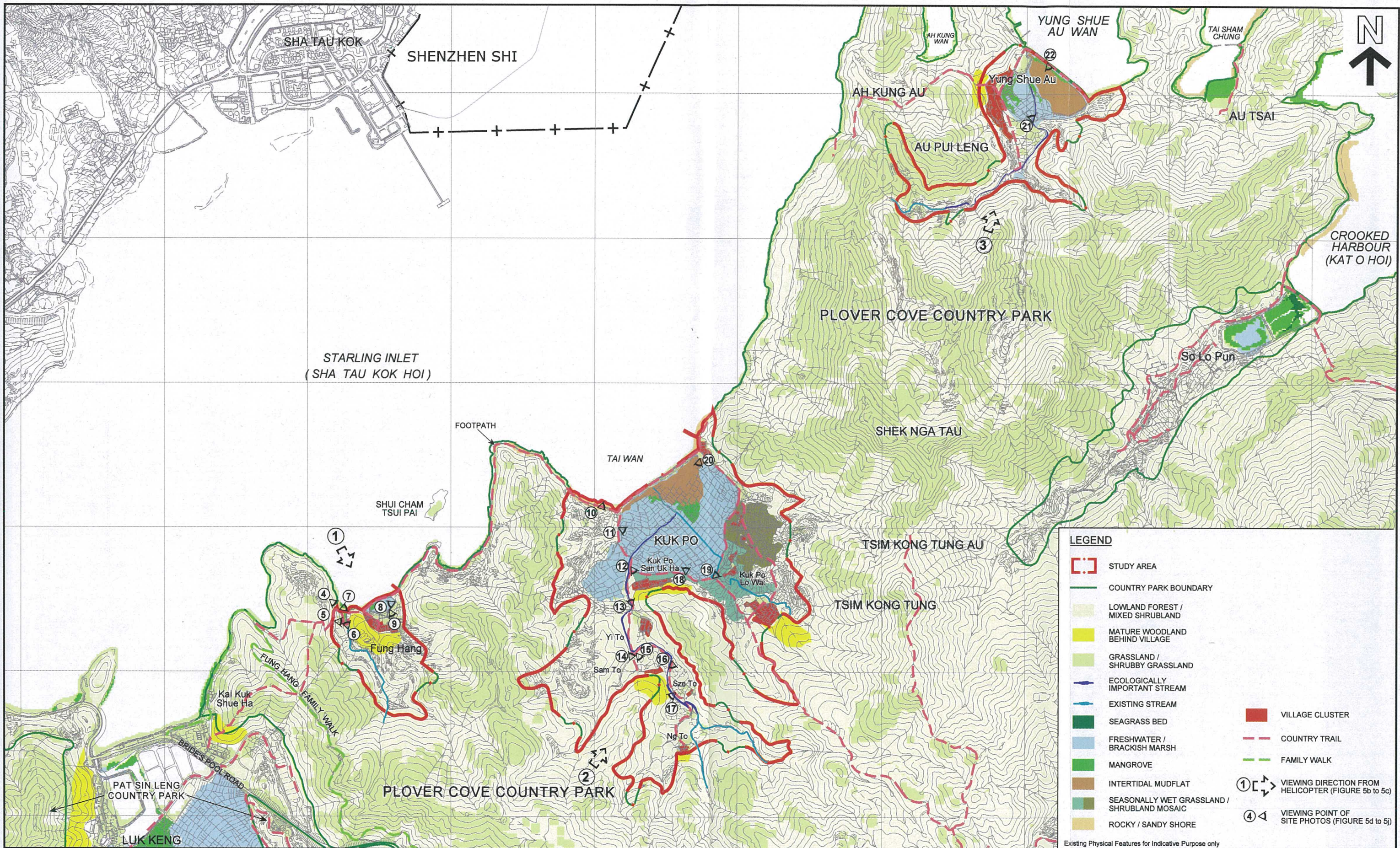
PLANNING DEPARTMENT



PLAN PREPARED ON 15.7.2015 BASED ON AERIAL PHOTO No.
CW110908R TAKEN ON 16.12.2014 BY LANDS DEPARTMENT

REFERENCE No.
M/CPE/KP/15/2

FIGURE
4



EXISTING PHYSICAL FEATURES

KUK PO, FUNG HANG AND YUNG SHUE AU

PLAN PREPARED ON 30.7.2015
 BASED ON SURVEY SHEETS No. 3-NE-12B/D,
 13A/B/C/D, 14B/C/D, 15A/B/C/D, 17B, 18C/D,
 19A/B/C/D, 20A/B/C/D, 22B/D, 23A/B/C/D,
 24A/B/C/D AND 25A/C

SCALE 1 : 12 000
 METRES 250 0 250 500 750 1000 METRES

PLANNING DEPARTMENT



REFERENCE No.
 M/CPE/KP/15/2

FIGURE
 5a



PHOTOS TAKEN FROM HELICOPTER

SITE PHOTOS -
EXISTING PHYSICAL FEATURES

FUNG HANG
AND KUK PO

PLANNING
DEPARTMENT



PLAN PREPARED ON 9.6.2015
BASED ON SITE PHOTOS
TAKEN ON 28.1.2013

REFERENCE No.
M/CPE/KP/15/2

FIGURE
5b



PHOTO TAKEN FROM HELICOPTER

SITE PHOTO -
EXISTING PHYSICAL FEATURES

YUNG SHUE AU

PLANNING
DEPARTMENT



REFERENCE No.
M/CPE/KP/15/2

FIGURE
5c

PLAN PREPARED ON 9.6.2015
BASED ON SITE PHOTO
TAKEN ON 28.1.2013

4



MANGROVE / ROCKY SHORE IN FUNG HANG

5



MATURE WOODLAND BEHIND VILLAGE IN FUNG HANG

6



ESTUARINE MANGROVE IN FUNG HANG

SITE PHOTOS -
EXISTING PHYSICAL FEATURES

FUNG HANG

PLANNING
DEPARTMENT



PLAN PREPARED ON 11.6.2015
BASED ON SITE PHOTOS
TAKEN ON 4.6.2015

REFERENCE No.
M/CPE/KP/15/2

FIGURE
5d



ROCKY SHORE IN FUNG HANG



MARSH IN FUNG HANG



FALLOW AGRICULTURAL LAND COVERED WITH GRASSES AND SHRUBS IN FUNG HANG

SITE PHOTOS -
EXISTING PHYSICAL FEATURES

FUNG HANG

PLANNING
DEPARTMENT



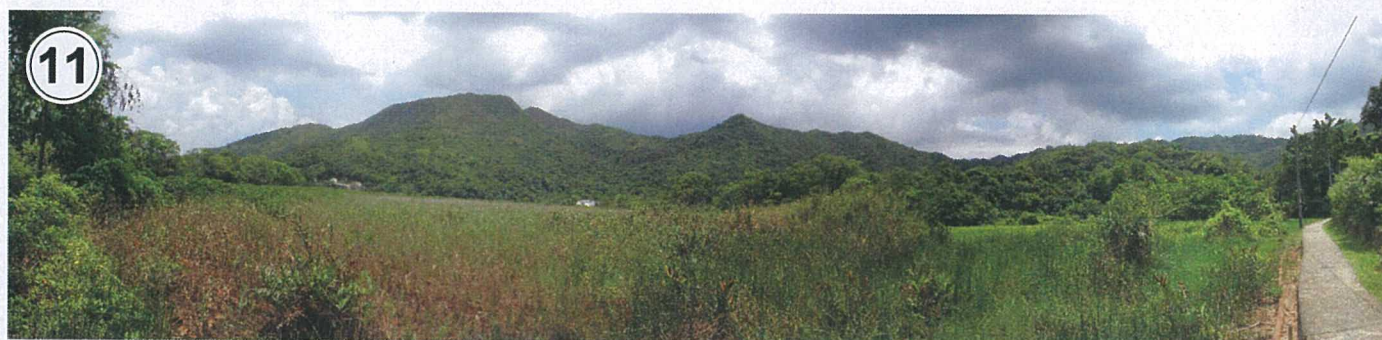
REFERENCE No.
M/CPE/KP/15/2

FIGURE
5e

PLAN PREPARED ON 11.6.2015
BASED ON SITE PHOTOS
TAKEN ON 4.6.2015



ROCKY SHORE IN KUK PO



MARSH IN KUK PO



SEASONALLY WET GRASSLAND NEAR KUK PO SAN UK HA

SITE PHOTOS -
EXISTING PHYSICAL FEATURES

KUK PO

PLANNING
DEPARTMENT



PLAN PREPARED ON 11.6.2015
BASED ON SITE PHOTOS
TAKEN ON 4.6.2015

REFERENCE No.
M/CPE/KP/15/2

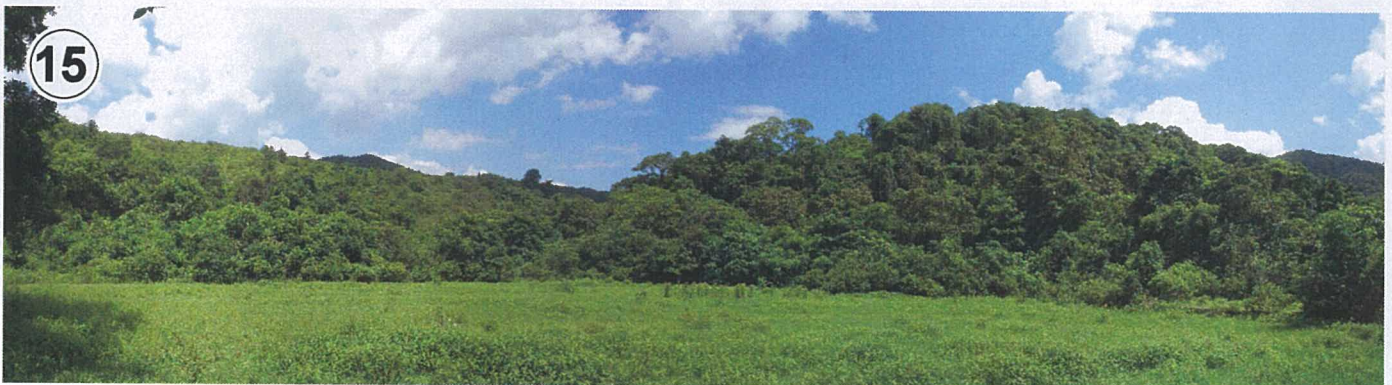
FIGURE
5f



ECOLOGICALLY IMPORTANT STREAM IN KUK PO



ECOLOGICALLY IMPORTANT STREAM IN KUK PO



LOWLAND FOREST / MIXED SHRUBLAND IN FRONT OF SAM TO

SITE PHOTOS -
EXISTING PHYSICAL FEATURES

KUK PO

PLANNING
DEPARTMENT



REFERENCE No.
M/CPE/KP/15/2

FIGURE
5g

PLAN PREPARED ON 12.6.2015
BASED ON SITE PHOTOS
TAKEN ON 4.6.2015



GRASSLAND / SHRUBBY GRASSLAND NEAR SZE TO



ECOLOGICALLY IMPORTANT STREAM IN SZE TO

SITE PHOTOS -
EXISTING PHYSICAL FEATURES

KUK PO

PLANNING
DEPARTMENT



PLAN PREPARED ON 9.6.2015
BASED ON SITE PHOTOS
TAKEN ON 4.6.2015

REFERENCE No.
M/CPE/KP/15/2

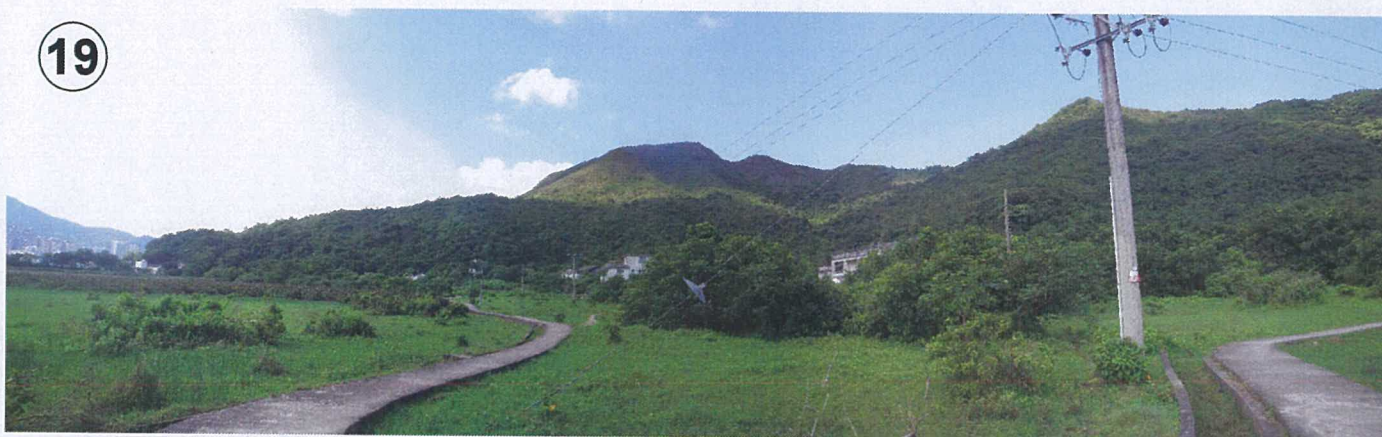
FIGURE
5h

18



MARSH IN KUK PO

19



FALLOW AGRICULTURAL LAND ON SEASONALLY WET GRASSLAND NEAR KUK PO LO WAI

20



INTERTIDAL MUDFLAT IN KUK PO

SITE PHOTOS -
EXISTING PHYSICAL FEATURES

KUK PO

PLANNING
DEPARTMENT



PLAN PREPARED ON 11.6.2015
BASED ON SITE PHOTOS
TAKEN ON 4.6.2015

REFERENCE No.
M/CPE/KP/15/2

FIGURE
5i



ECOLOGICALLY IMPORTANT STREAM IN YUNG SHUE AU



MARSH IN YUNG SHUE AU

SITE PHOTOS -
EXISTING PHYSICAL FEATURES

YUNG SHUE AU

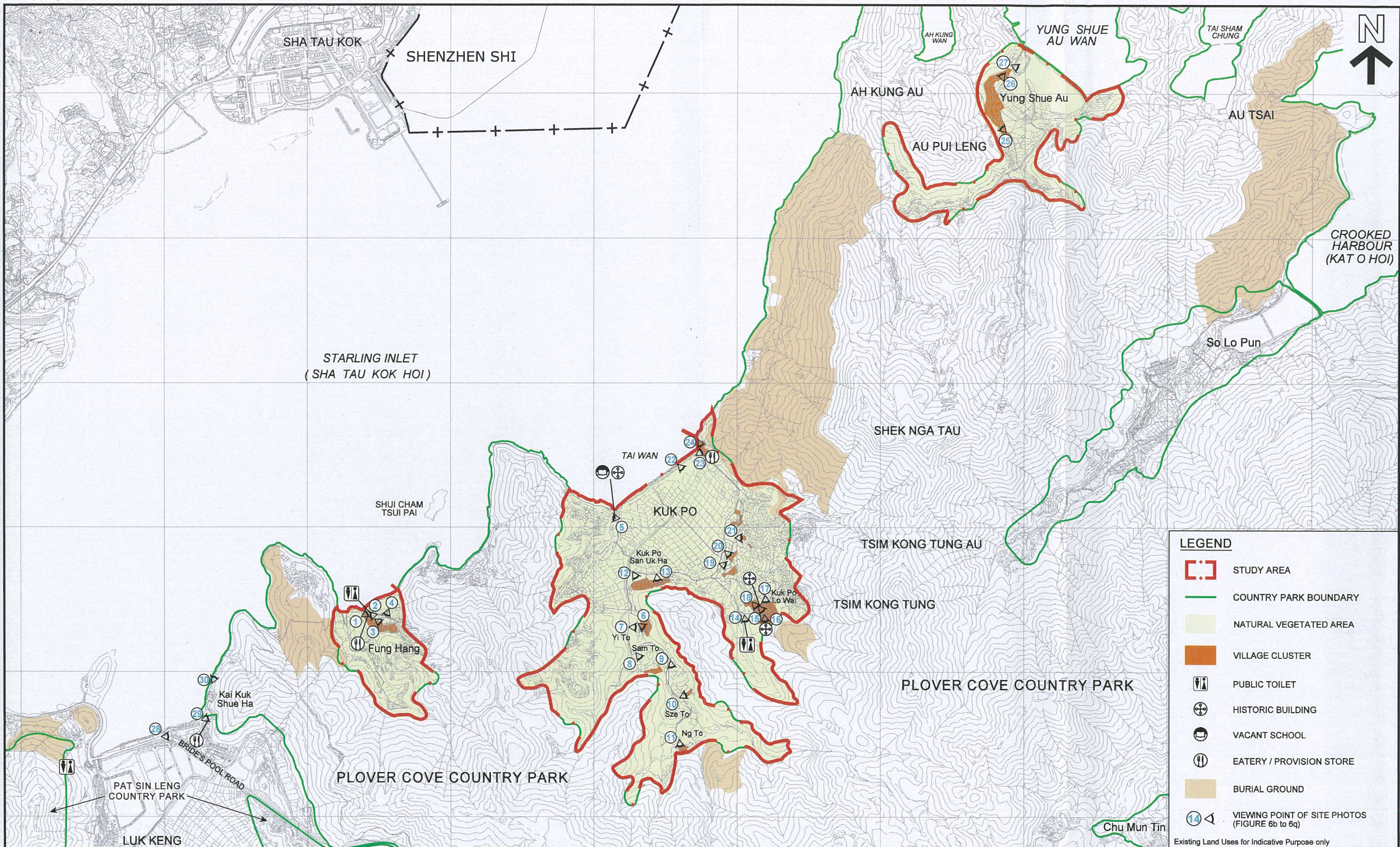
PLANNING
DEPARTMENT



PLAN PREPARED ON 11.6.2015
BASED ON SITE PHOTOS
TAKEN ON 7.10.2013 AND 27.4.2015

REFERENCE No.
M/CPE/KP/15/2

FIGURE
5j





PUBLIC TOILET IN FUNG HANG



EATERY / PROVISION STORE IN FUNG HANG

**SITE PHOTOS -
EXISTING LAND USES**

FUNG HANG

**PLANNING
DEPARTMENT**



PLAN PREPARED ON 11.6.2015
BASED ON SITE PHOTOS
TAKEN ON 4.6.2015

REFERENCE No.
M/CPE/KP/15/2

FIGURE
6b



VILLAGE CLUSTER IN FUNG HANG



VILLAGE CLUSTER IN FUNG HANG

SITE PHOTOS -
EXISTING LAND USES

FUNG HANG

PLANNING
DEPARTMENT



PLAN PREPARED ON 9.6.2015
BASED ON SITE PHOTOS
TAKEN ON 4.6.2015

REFERENCE No.
M/CPE/KP/15/2

FIGURE
6c



KAI CHOI SCHOOL AND HIP TIN TEMPLE IN KUK PO

SITE PHOTOS -
EXISTING LAND USES

KUK PO

PLANNING
DEPARTMENT



PLAN PREPARED ON 10.7.2015
BASED ON SITE PHOTOS
TAKEN ON 4.6.2015

REFERENCE No.
M/CPE/KP/15/2

FIGURE
6d



VILLAGE CLUSTER IN YI TO



VILLAGE CLUSTER IN YI TO

**SITE PHOTOS -
EXISTING LAND USES**

KUK PO

PLAN PREPARED ON 10.7.2015
BASED ON SITE PHOTOS
TAKEN ON 4.6.2015

PLANNING
DEPARTMENT



REFERENCE No.
M/CPE/KP/15/2

FIGURE
6e



VILLAGE CLUSTER BEHIND THE DENSE VEGETATION IN SAM TO

SITE PHOTO -
EXISTING LAND USES

KUK PO

PLANNING
DEPARTMENT



PLAN PREPARED ON 10.7.2015
BASED ON SITE PHOTOS
TAKEN ON 4.6.2015

REFERENCE No.
M/CPE/KP/15/2

FIGURE
6f



VILLAGE CLUSTER IN SIZE TO



VILLAGE CLUSTER IN SIZE TO

SITE PHOTOS -
EXISTING LAND USES

KUK PO

PLANNING
DEPARTMENT



PLAN PREPARED ON 11.6.2015
BASED ON SITE PHOTOS
TAKEN ON 27.4.2015 AND 4.6.2015

REFERENCE No.
M/CPE/KP/15/2

FIGURE
6g



VILLAGE CLUSTER IN NG TO

SITE PHOTO -
EXISTING LAND USES

KUK PO

PLANNING
DEPARTMENT



REFERENCE No.
M/CPE/KP/15/2

FIGURE
6h

PLAN PREPARED ON 10.7.2015
BASED ON SITE PHOTOS
TAKEN ON 4.6.2015



VILLAGE CLUSTER IN KUK PO SAN UK HA



VILLAGE CLUSTER IN KUK PO SAN UK HA

SITE PHOTOS -
EXISTING LAND USES

KUK PO SAN UK HA
KUK PO

PLANNING
DEPARTMENT



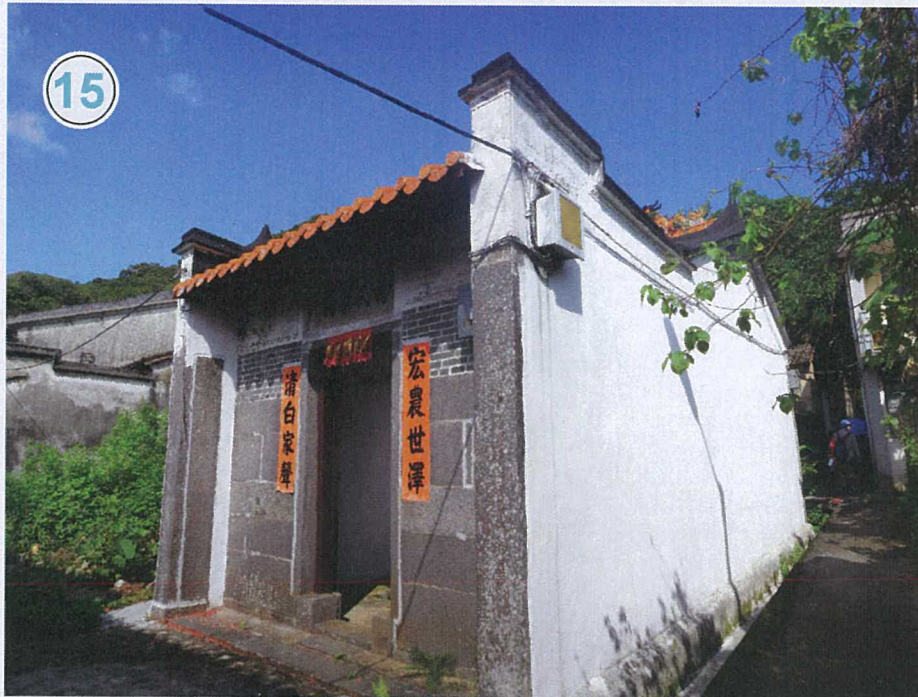
REFERENCE No.
M/CPE/KP/15/2

FIGURE
6i

PLAN PREPARED ON 10.7.2015
BASED ON SITE PHOTOS
TAKEN ON 4.6.2015



PUBLIC TOILET IN KUK PO LO WAI



YEUNG ANCESTRAL HALL IN KUK PO LO WAI



LI ANCESTRAL HALL IN KUK PO LO WAI

SITE PHOTOS -
EXISTING LAND USES

KUK PO LO WAI
KUK PO

PLANNING
DEPARTMENT



PLAN PREPARED ON 10.7.2015
BASED ON SITE PHOTOS
TAKEN ON 4.6.2015

REFERENCE No.
M/CPE/KP/15/2

FIGURE
6j



VILLAGE CLUSTER IN KUK PO LO WAI



VILLAGE CLUSTER IN KUK PO LO WAI

SITE PHOTOS -
EXISTING LAND USES

KUK PO LO WAI
KUK PO

PLANNING
DEPARTMENT



PLAN PREPARED ON 10.7.2015
BASED ON SITE PHOTOS
TAKEN ON 4.6.2015

REFERENCE No.
M/CPE/KP/15/2

FIGURE
6k



VILLAGE HOUSE IN KUK PO LO WAI



VILLAGE CLUSTER IN KUK PO LO WAI

SITE PHOTOS -
EXISTING LAND USES

KUK PO LO WAI
KUK PO

PLANNING
DEPARTMENT



REFERENCE No.
M/CPE/KP/15/2

FIGURE
6I

PLAN PREPARED ON 10.7.2015
BASED ON SITE PHOTOS
TAKEN ON 4.6.2015



VILLAGE CLUSTER IN KUK PO LO WAI



VILLAGE CLUSTER IN KUK PO LO WAI

SITE PHOTOS -
EXISTING LAND USES

KUK PO LO WAI
KUK PO

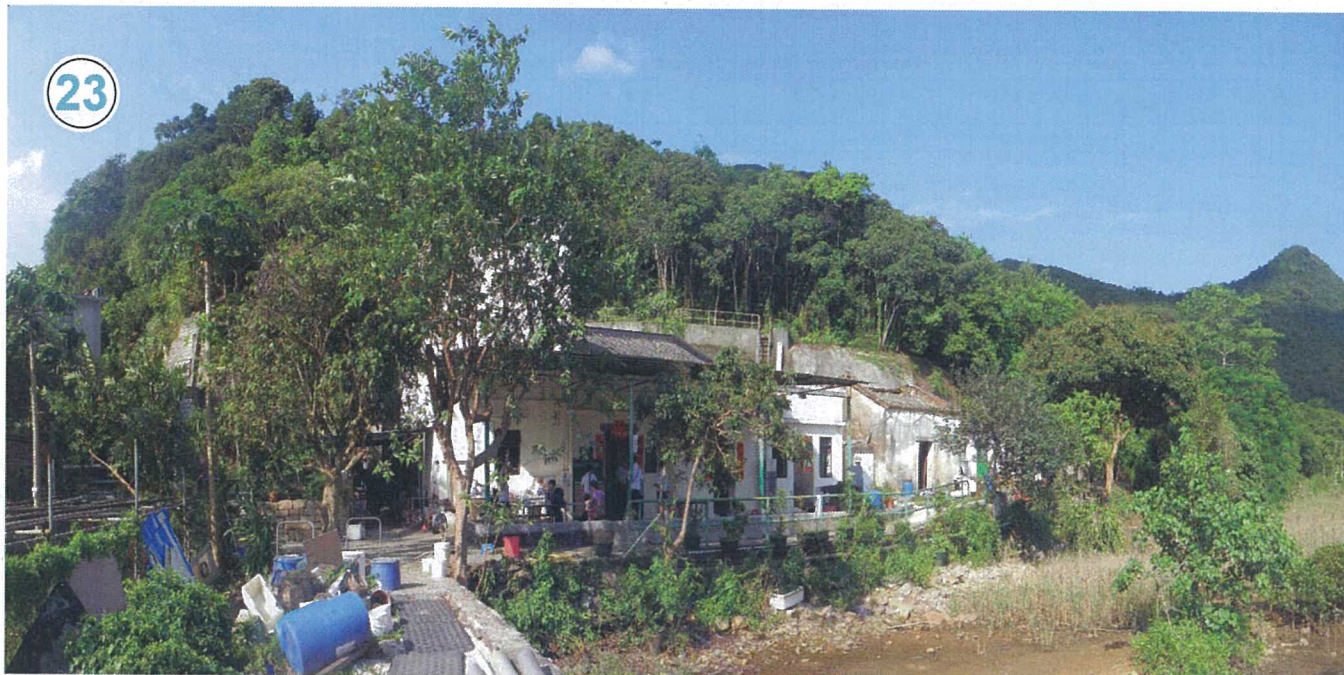
PLANNING
DEPARTMENT



REFERENCE No.
M/CPE/KP/15/2

FIGURE
6m

PLAN PREPARED ON 10.7.2015
BASED ON SITE PHOTOS
TAKEN ON 4.6.2015



EATERY / PROVISION STORE IN KUK PO LO WAI



VILLAGE HOUSES IN KUK PO LO WAI

SITE PHOTOS -
EXISTING LAND USES

KUK PO LO WAI
KUK PO

PLANNING
DEPARTMENT



REFERENCE No.
M/CPE/KP/15/2

FIGURE
6n

PLAN PREPARED ON 13.7.2015
BASED ON SITE PHOTOS
TAKEN ON 4.6.2015



VILLAGE CLUSTER IN YUNG SHUE AU



VILLAGE CLUSTER IN YUNG SHUE AU

SITE PHOTOS -
EXISTING LAND USES

YUNG SHUE AU

PLANNING
DEPARTMENT



REFERENCE No.
M/CPE/KP/15/2

FIGURE
60

PLAN PREPARED ON 13.7.2015
BASED ON SITE PHOTOS
TAKEN ON 7.10.2013 AND 4.6.2015



ABANDONED BARRACKS SITE IN YUNG SHUE AU

SITE PHOTO -
EXISTING LAND USES

YUNG SHUE AU

PLANNING
DEPARTMENT



PLAN PREPARED ON 13.7.2015
BASED ON SITE PHOTO
TAKEN ON 7.10.2013

REFERENCE No.
M/CPE/KP/15/2

FIGURE
6p



WALKING TRAIL OFF BRIDE'S POOL ROAD CONNECTING FUNG HANG, KUK PO AND YUNG SHUE AU



EATERY / PROVISION STORE IN KAI KUK SHUE HA



WALKING TRAIL CONNECTING FUNG HANG, KUK PO AND YUNG SHUE AU

**SITE PHOTOS -
EXISTING LAND USES**

**ACCESS ROAD TO FUNG HANG,
KUK PO AND YUNG SHUE AU**

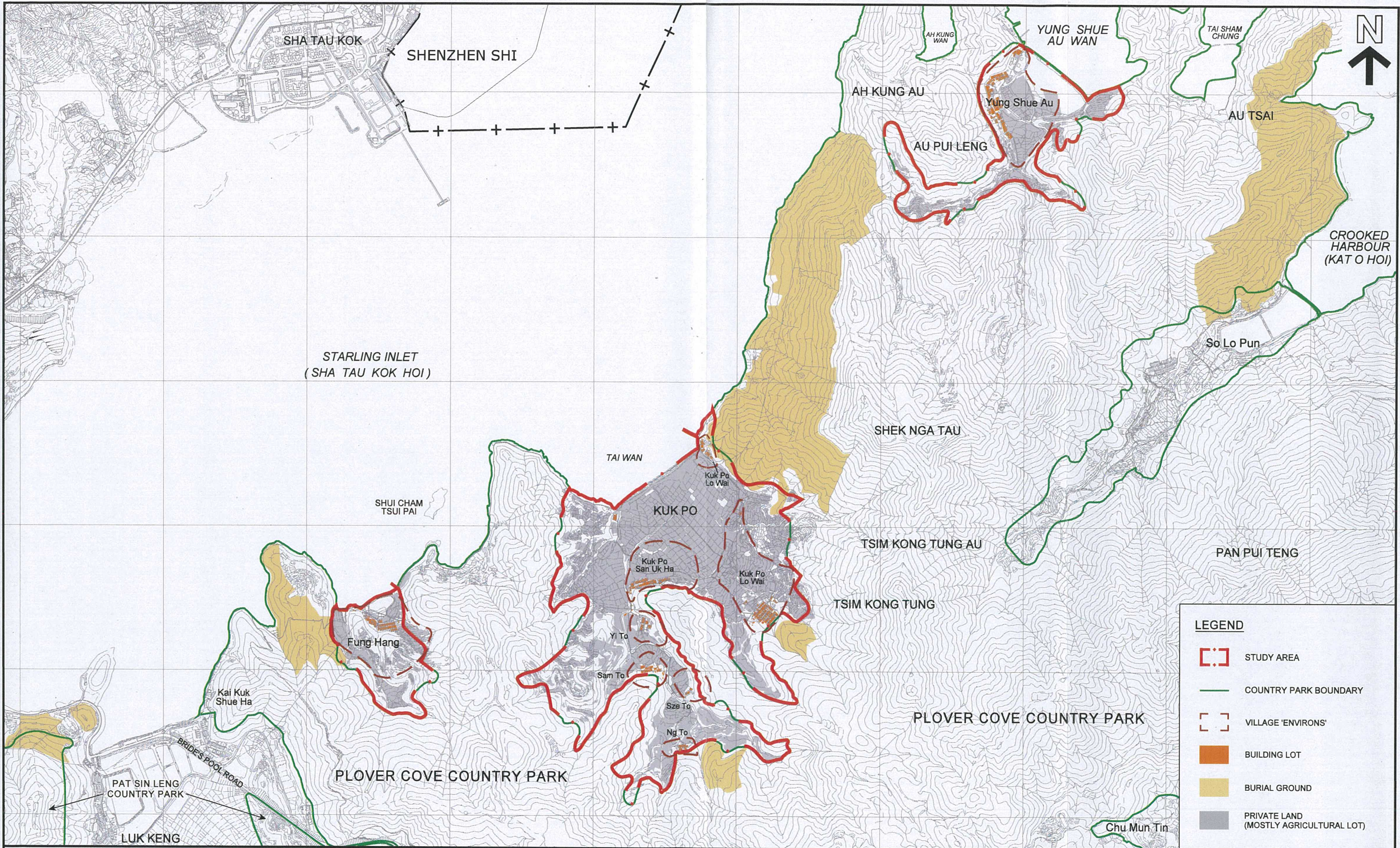
**PLANNING
DEPARTMENT**



PLAN PREPARED ON 13.7.2015
BASED ON SITE PHOTOS
TAKEN ON 4.6.2015

REFERENCE No.
M/CPE/KP/15/2

FIGURE
6q



LAND OWNERSHIP AND VILLAGE 'ENVIRONS'

KUK PO, FUNG HANG AND YUNG SHUE AU

PLANNING DEPARTMENT

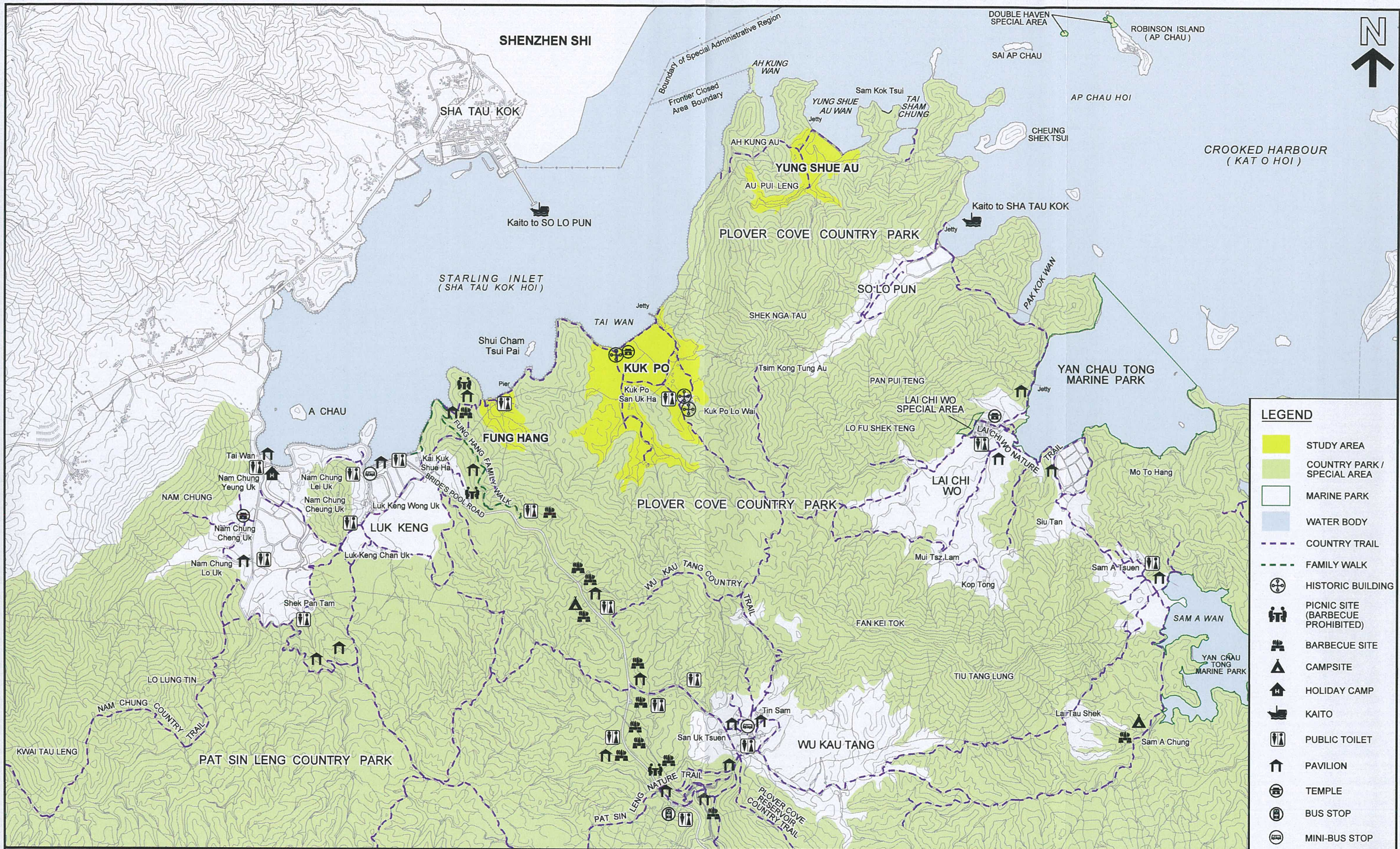


REFERENCE No.
M/CPE/KP/15/2

FIGURE
7

PLAN PREPARED ON 4.8.2015 BASED ON
SHEETS No.3-NE-A/B/C/D

SCALE 1 : 12 000
METRES 250 0 250 500 750 1000 METRES



EXISTING GIC, INFRASTRUCTURAL, RECREATION AND TOURISM-RELATED FACILITIES

KUK PO, FUNG HANG AND YUNG SHUE AU

PLANNING DEPARTMENT

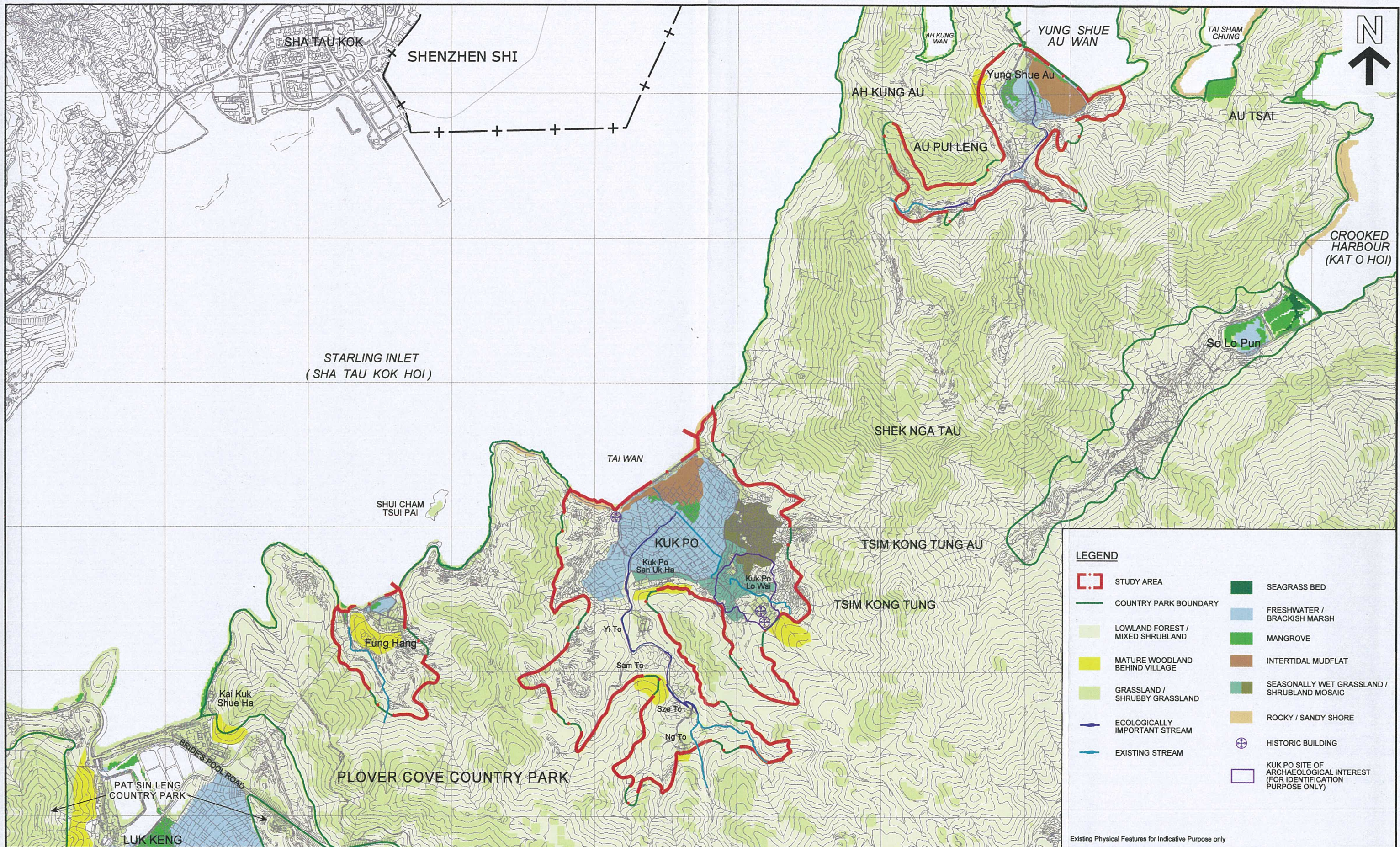


PLAN PREPARED ON 13.7.2015
BASED ON SHEETS No. 3-NE/SE AND 4-NW/SW

SCALE 1 : 25 000
METRES 500 0 500 1000 METRES

REFERENCE No.
M/CPE/KP/15/2

FIGURE
8



ECOLOGICAL AND CULTURAL HERITAGE RESOURCES

KUK PO, FUNG HANG AND YUNG SHUE AU

SCALE 1 : 12 000
METRES 250 0 250 500 750 1000 METRES

PLANNING DEPARTMENT

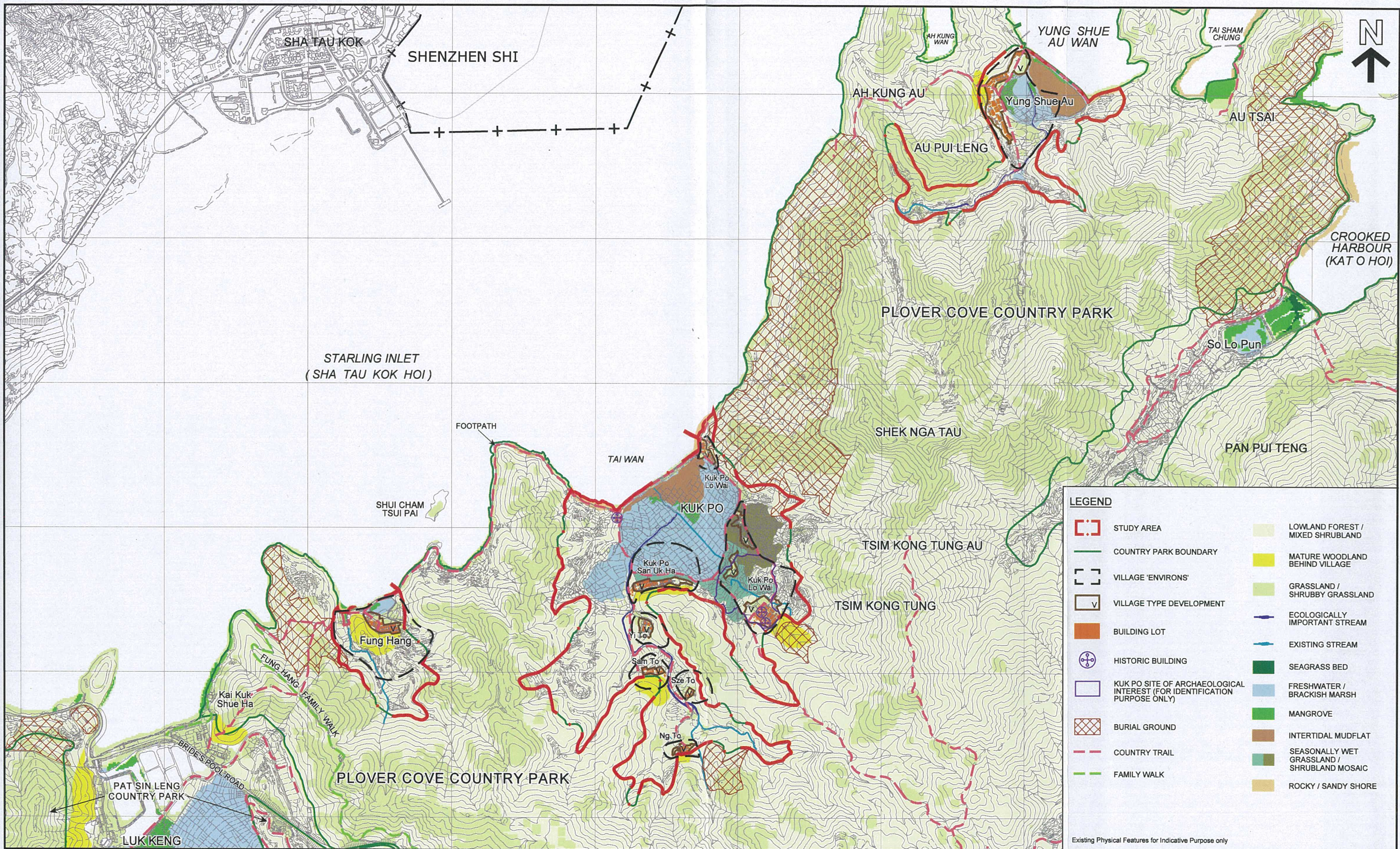


REFERENCE No.
M/CPE/KP/15/2

FIGURE
9

PLAN PREPARED ON 30.7.2015
BASED ON SURVEY SHEETS No. 3-NE-12B/D,
13A/B/C/D, 14B/C/D, 15A/B/C/D, 17B, 18C/D,
19A/B/C/D, 20A/B/C/D, 22B/D, 23A/B/C/D,
24A/B/C/D AND 25A/C

Existing Physical Features for Indicative Purpose only



PLAN PREPARED ON 4.8.2015
 BASED ON SURVEY SHEETS No. 3-NE-12B/D,
 13A/B/C/D, 14B/C/D, 15A/B/C/D, 17B, 18C/D,
 19A/B/C/D, 20A/B/C/D, 22B/D, 23A/B/C/D,
 24A/B/C/D AND 25A/C

DEVELOPMENT CONSTRAINTS

KUK PO, FUNG HANG AND YUNG SHUE AU

SCALE 1 : 12 000
 METRES 250 0 250 500 750 1000 METRES

PLANNING DEPARTMENT



REFERENCE No.
 M/CPE/KP/15/2

FIGURE
 10



TREE FELLING IN KUK PO LO WAI



TREE FELLING IN KUK PO LO WAI

PLAN PREPARED ON
10.6.2015 BASED ON SITE PHOTOS
TAKEN ON 4.6.2015

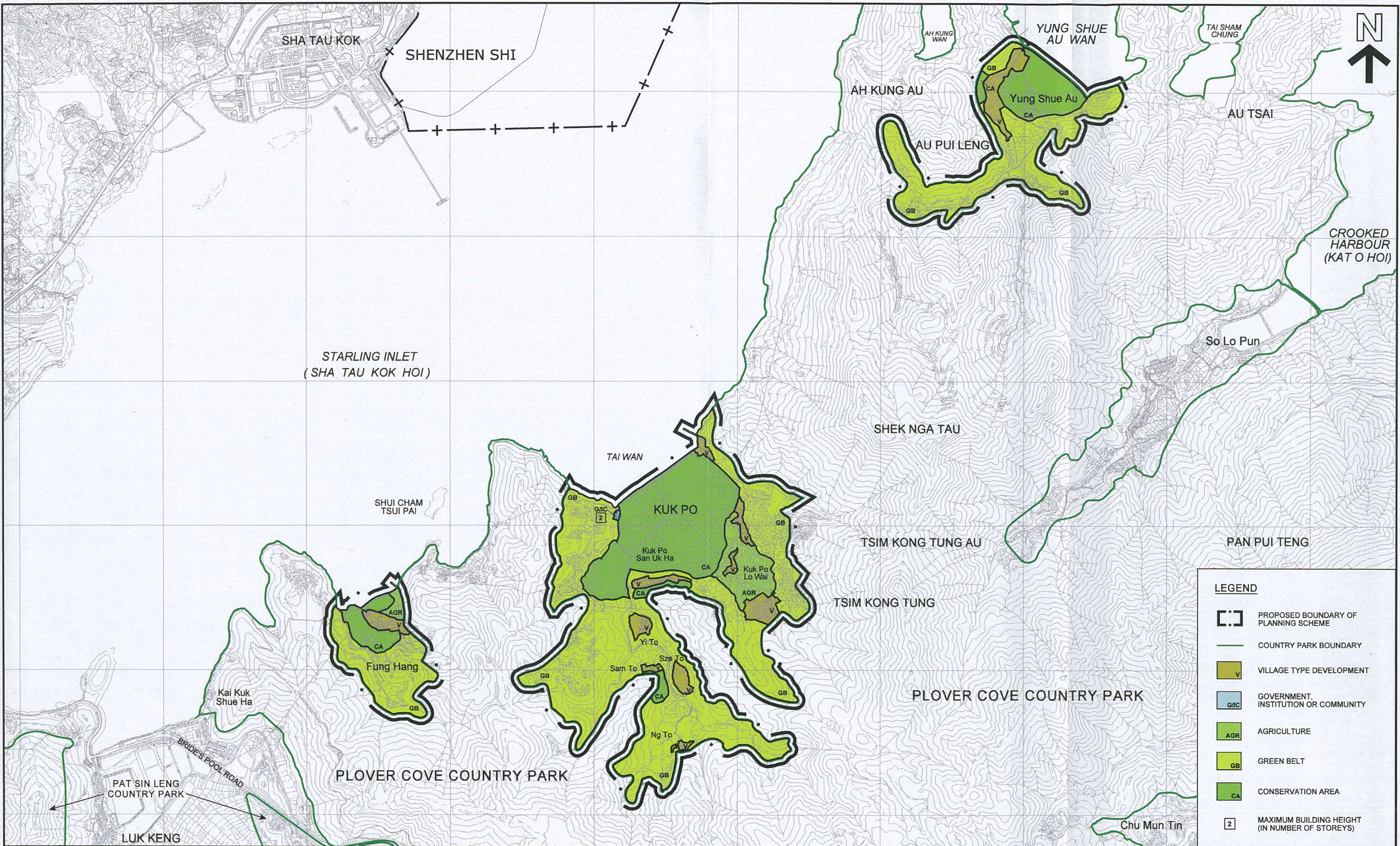
TREE FELLING ON GOVERNMENT LAND
AND PRIVATE LOTS IN KUK PO LO WAI

PLANNING
DEPARTMENT



REFERENCE No.
M/CPE/KP/15/2

FIGURE
11

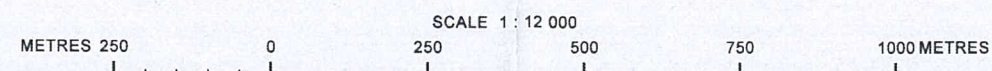


LEGEND

- PROPOSED BOUNDARY OF PLANNING SCHEME
- COUNTRY PARK BOUNDARY
- VILLAGE TYPE DEVELOPMENT
- GOVERNMENT, INSTITUTION OR COMMUNITY
- AGRICULTURE
- GREEN BELT
- CONSERVATION AREA
- MAXIMUM BUILDING HEIGHT (IN NUMBER OF STOREYS)

PROPOSED LAND USES

KUK PO, FUNG HANG AND YUNG SHUE AU



PLANNING DEPARTMENT



REFERENCE No.
M/CPE/KP/15/2

FIGURE
12

PLAN PREPARED ON 24.7.2015 BASED ON
SHEETS No. 3-NE-A/B/C/D

Ecological and Conservation Importance of Kuk Po, Yung Shue Au and Fung Hang, Northeast New Territories

Kuk Po – Ecological Information

The Kadoorie Farm and Botanic Garden (KFBG) conducted a rapid ecological study in several enclaves (including Kuk Po) in the Plover Cove Country Park (PCCP) in 2003, and the results were documented in a technical report (KFBG's FCA Study) in 2004, which can be downloaded from our website¹. To verify the situation of Kuk Po, we carried out three rapid surveys again at this site in November 2012 and July 2014. In addition, the TPB Paper No. 9282 also documents some ecological information regarding this enclave, and the "Study on the Enhancement of the Sha Tau Kok Rural Township and Surrounding Areas – Feasibility Study" (the STK Link Study), which was published in 2013 by the PlanD, also documents the habitat maps for several enclaves in the PCCP. All these data are now presented below.

Flora

According to our report¹, 218 plant species were identified at Kuk Po including nine species of conservation interest, as listed below.

Table 1. Plant species of conservation concern recorded in KFBG's 2003 survey

Species name and Chinese name	Habitat and location
<i>Acacia pennata</i> 羽葉金合歡	<i>Fung Shui</i> Woodland at Ng To
<i>Ailanthus fordii</i> 常綠臭椿	<i>Fung Shui</i> Woodland at Lo Wai
<i>Aquilaria sinensis</i> 土沉香	Village area and <i>Fung Shui</i> Woodlands at Sam To, Ng To, San Uk Ha and Lo Wai
<i>Artocarpus tonkinensis</i> 胭脂樹	<i>Fung Shui</i> Woodlands at Sam To, Ng To and Lo Wai
<i>Crateva trifoliata</i> 鈍葉魚木	Streamside
<i>Entada phaseoloides</i> 槁藤	<i>Fung Shui</i> Woodland at Ng To
<i>Mucuna championii</i> 港油麻藤	Village area, secondary woodland and <i>Fung Shui</i> Woodland at Sam To
<i>Popowia pisocarpa</i> 嘉陵花	<i>Fung Shui</i> Woodland at Lo Wai
<i>Ilex chapaensis</i> 沙壩冬青	<i>Fung Shui</i> Woodlands at San Uk Ha and Lo Wai

The TPB Paper No. 9282 states that the area is well wooded and *Fung Shui* Woodlands can be found; plant species of conservation concern identified included *Aquilaria sinensis* 土沉香, *Artocarpus hypargyreus* 白桂木, *Mucuna championii* 港油麻藤, *Ailanthus fordii* 常綠臭椿 and *Popowia pisocarpa* 嘉陵花. In addition, this paper also documents the presence of Water Fern *Ceratopteris thalictroides* (水蕨) in the enclave. We also recorded this species in our survey in 2014. The Water Fern is a wetland species inhabiting freshwater marshes and is considered to be Vulnerable in China and a Wild Plant under State Protection (Category II)². The TPB Paper No. 9282 also documents the presence of another wetland plant species of concern, *Sphenoclea zeylanica* (尖瓣花), in this enclave.

¹ <http://www.kfbg.org/upload/Documents/Free-Resources-Download/Report-and-Documents/FCA-report-final.pdf>

² Hu, Q.-m., Wu, T.-l., Xia, N.-h., Xing, F.-w., Lai, P.C.C. and Yip, K.-l. 2003. *Rare and Precious Plants of Hong Kong*. AFCD, Friends of the Country Parks and Cosmos Books Limited, Hong Kong.

Both *Aquilaria sinensis* (土沉香) and *Artocarpus hypargyreus* (白桂木) are considered to be Globally Vulnerable^{3, 4}; the former is also suffering from widespread and intensive illegal harvesting in Hong Kong⁵.

Bird

According to the KFBG's FCA Study¹, a total of 43 bird species were recorded and 13 were wetland- dependant species.

Herpetofauna (Amphibian and Reptile)

During our surveys in 2012 and 2014, we recorded the Chinese Bull Frog *Hoplobatrachus chinensis* (虎皮蛙) from the wetland complex. This species is considered to be of Potential Regional Concern⁶ and is also a Class II Protected Species in Mainland China⁷. We also observed a juvenile Banded Stream Snake *Opisthotropis balteata* (橫紋後稜蛇) in this marsh. According to Karsen *et al.* (1998)⁸, this is a rare species in Hong Kong and adults of this species live in unpolluted streams. The occurrence of this juvenile would mean that this species is breeding in this enclave.

Odonate (Dragonfly and Damselfly)

The TPB paper no. 9282 states that Mangrove Skimmer *Orthetrum poecilops* (斑灰蜻) could be found in the wetland complex in Kuk Po. This species is considered to be Globally Vulnerable⁹. During our surveys in 2014, this species was also recorded in the brackish marsh and mangrove area of the enclave. Furthermore, we also recorded another odonate of conservation concern – Four-spot Midget *Mortonagrion hirosei* (廣瀨妹蟴) in this area. This species is considered to be Globally Near Threatened¹⁰ and this is the first record of this species in Kuk Po.

Aquatic Fauna

The authors of our 2004 report suspected that the Hong Kong Paradise Fish *Macropodus hongkongensis* (香港鬥魚), which is considered to be a key freshwater fish species of conservation importance by the AFCD¹¹, also inhabited this enclave. During our surveys in 2014, we confirmed that this species inhabits the stream in the enclave. It is likely that it would also utilise the nearby marshes as mentioned in the TPB Paper No. 9282.

Furthermore, in the freshwater marsh there is also another species which we consider to be of higher conservation concern; it is called the Paradise Fish *Macropodus opercularis* (叉尾鬥

³ <http://www.iucnredlist.org/details/32382/0>

⁴ <http://www.iucnredlist.org/details/32383/0>

⁵ <http://www.info.gov.hk/gia/general/201502/04/P201502040388.htm>

⁶ 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.

⁷ AFCD. 2009. *The Proposed Action Plan for the Conservation of Amphibians in Hong Kong*. NCSC paper 4/09. <http://www.epd.gov.hk/epd/english/boards/advisory_council/files/ncsc_paper04_2009.pdf>

⁸ Karsen, S.J., Lau W. N. and Bogadek. A. 1998. *Hong Kong Amphibians and Reptiles*. Urban Council, Hong Kong.

⁹ <http://www.iucnredlist.org/details/60302/0>

¹⁰ <http://www.iucnredlist.org/details/13891/0>

¹¹ https://www.afcd.gov.hk/english/conservation/hkbiodiversity/speciesgroup/speciesgroup_freshwaterfish.html#key

魚). This species was found in the freshwater marsh in our surveys in 2014. In the recent Red-listing exercise for the local Biological Strategy and Action Plan which was organised by the authority (e.g., AFCD) and involved academics, professionals and specialists from Environmental NGOs, the Paradise Fish *Macropodus opercularis* (叉尾鬥魚) has been assessed to be Endangered in Hong Kong as it is believed that its local population has declined by more than 50% due to habitat degradation. Kuk Po is one of the few sites where both these *Macropodus* species can be found in Hong Kong.

According to the TPB Paper No. 9282, another fish species of conservation concern, the Rice Fish *Oryzias curvinotus* (弓背青鱗), would also inhabit the streams and the wetland complex in this area.

During our surveys in 2014, we also recorded a freshwater crab species, *Somanniathelphusa zanklon* (鐮刀束腰蟹), in the freshwater marsh. This species is considered to be endemic to Hong Kong and is Globally Endangered¹².

Habitat Type

The habitat map provided in the STK Link Study is shown in **Figure 1**. Species of conservation concern recorded in these habitats are also marked in the same figure. We verified the habitat status in our surveys and found that the site is still largely intact although we noted that some tree felling activities have been carried out recently (in 2015). We also observed that some of the lowland shrubland around the village houses at Kuk Po Lo Wai, as marked in the habitat map, should be recognised as seasonally wet grassland/ shrubland mosaic (**Figure 1**), and there is a *Fung Shui* Woodland at Ng To (also shown in the TPB Paper No. 9282).

In general, the central part of this site is occupied by a wetland complex (mudflat, mangroves, reedbeds, brackish-water marsh, freshwater marsh) which is maintained by the hydrological flows from the surrounding network of watercourses (**Figure 2**). Some watercourses drain directly into the wetland complex while other streams flow through the seasonally wet grassland or the seasonally wet grassland/ shrubland mosaic before (i.e., in the Kuk Po Lo Wai area) eventually draining into the wetland complex (**Figures 3 and 4**). There is also an Ecologically Important Stream (EIS) that passes through the site¹³ (**Figure 2**). These watercourses (including the EIS), the wetland complex and the seasonally wet habitats are ecologically and hydrologically linked (**Figures 2, 3 and 4**). Any pollutant entering the watercourses (the upper sections) or the seasonally wet habitats will eventually affect the wetland complex which supports many species of conservation importance as shown in **Figure 1**.

¹² <http://www.iucnredlist.org/details/134062/0>

¹³ https://www.afcd.gov.hk/english/conservation/con_wet/streams_rivers_hk/Con_NSR/Kuk%20Po.pdf

Figure 1. Habitat map of Kuk Po; species records (by red arrows and text boxes) and habitats of conservation importance (by thick arrows of various colours; streams/ watercourses are marked separately in Figure 2) are indicated; all photographs were taken at Kuk Po

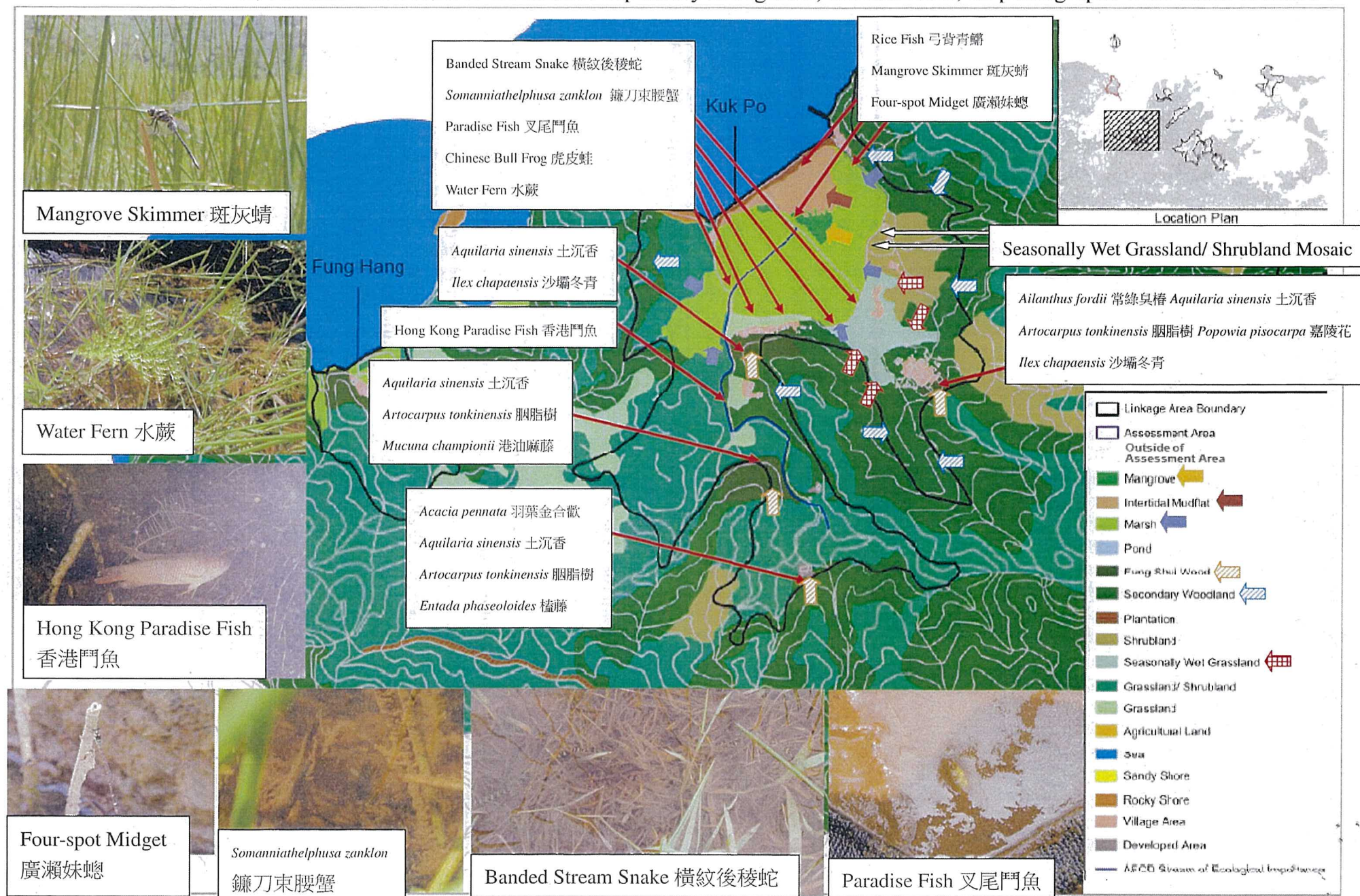


Figure 2. The stream system at Kuk Po (dashed lines indicate the direction of water flow).

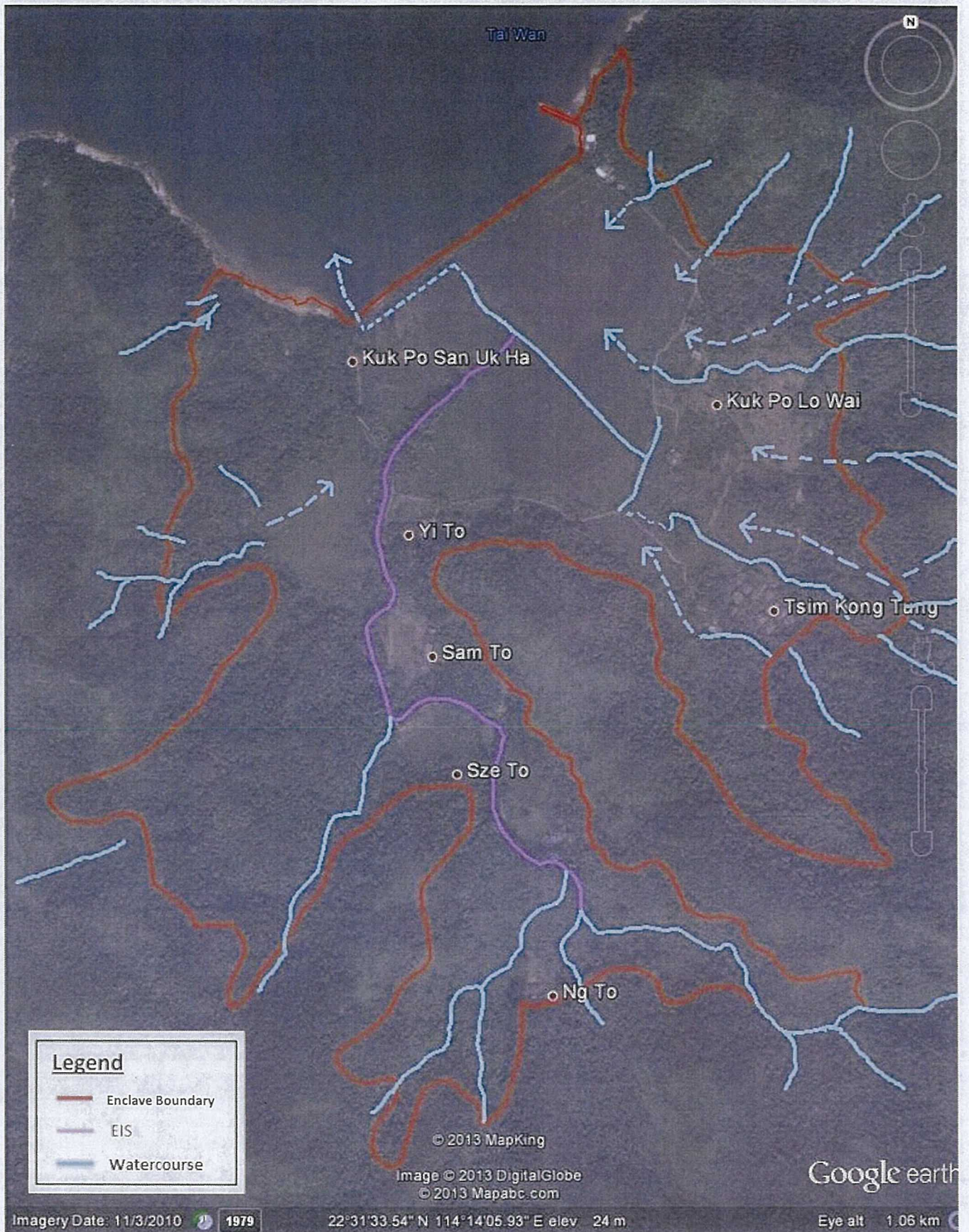


Figure 3. The wetland complex at Kuk Po (dashed lines indicate the freshwater seepage direction through the culverts under the footpath)

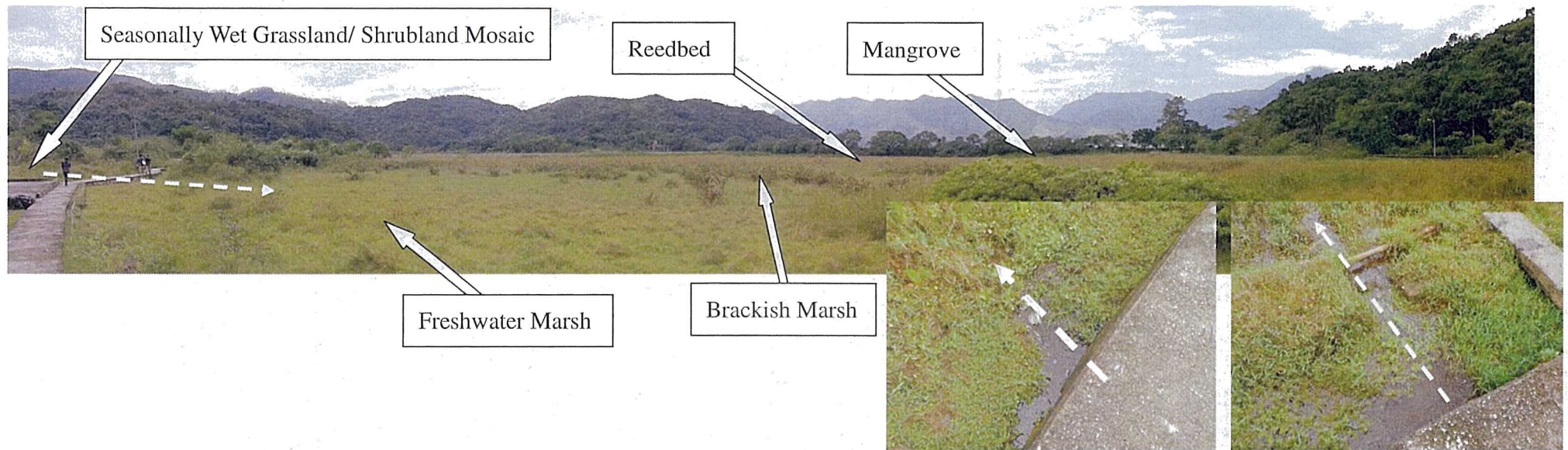


Figure 4. The hydrological linkage between the seasonally wet habitats and the wetland complex (dashed lines indicate the freshwater seepage direction through the culverts under the footpath)



Figure 4. Con't



Yung Shue Au – Ecological Information

Ecological data gathered from the KFBG's FCA Study, the STK Link Study, the TPB Paper No. 9282 and other documented sources regarding this enclave are presented below.

Flora

According to the KFBG's FCA report¹, a total of 152 plant species were identified at Yung Shue Au including four species of conservation interest: *Aquilaria sinensis* (土沉香), *Cibotium barometz* (金毛狗), *Diospyros vaccinioides* (小果柿) and *Rhododendron simsii* (紅杜鵑); the former two species were found in the woodlands and the latter two species were recorded from the hillside shrublands. *Aquilaria sinensis* (土沉香) and *Diospyros vaccinioides* (小果柿) are considered to be Globally Vulnerable³ and Critically Endangered¹⁴, respectively. Both species are also suffering from widespread and intensive illegal harvesting in Hong Kong⁵. The TPB Paper No. 9282 also mentions that there is one more plant species of conservation concern called *Macaranga sampsonii* (鼎湖血桐).

Odonate (Dragonfly and Damselfly)

Two odonate species of conservation importance have been recorded at Yung Shue Au: Four-spot Midget (廣瀨妹蟬)¹⁵ and Mangrove Skimmer (斑灰蜻) (according to the TPB Paper No. 9282). These species inhabit the wetland complex.

Butterfly

According to the TPB paper no. 9282, a rare butterfly, *Aeromachus jhora* (寬鐔弄蝶), has also been found in this enclave. The host plant of this species is a wetland-associated plant and this indicates that the freshwater marsh in the area supports a population of this species.

Aquatic Fauna

There is a stream which is largely natural running down from the hillside to the wetland complex. This stream is considered to be ecologically important by the AFCD (EIS)¹⁶ and a diadromous fish species of regional conservation importance¹⁷, *Stiphodon atropurpureus* Purple Neon Goby (紫身枝牙鰕虎), has been found according to the TPB Paper. We also spotted this species during our site visit conducted in 2012. The presence of this species indicates that the stream is connected with the sea. Based on the Red-listing exercise above mentioned, this species is considered to be Vulnerable in Hong Kong.

Habitat Type

As with Kuk Po, there is a wetland complex (consisting of mangroves, reedbeds and freshwater marsh) and, also, an EIS in Yung Shue Au. The TPB Paper No. 9282 also states that there is a wide spread of mature woodland. The habitat map of this site is shown in **Figure 5**, and the stream system is shown in **Figure 6**.

¹⁴ <http://www.iucnredlist.org/details/34784/0>

¹⁵ Stanton, D.J. and Allcock, J.A. 2011. Habitat characteristics and odonate communities at selected sites used by *Mortonagrion hirosei* Asahina (Zygoptera: Coenagrionidae) in Hong Kong. *Journal of Threatened Taxa* 3 (12), 2242-2252.

¹⁶ https://www.afcd.gov.hk/tc_chi/conservation/con_wet/streams_rivers_hk/Con_NSR/Yung%20Shue%20Au.pdf

¹⁷ Nip, T.H.M. 2010. First records of several sicydiine gobies (Gobiidae: Sicydiinae) from mainland China. *Journal of Threatened Taxa* 2 (11), 1237-1244.

Figure 5. Habitat map of Yung Shue Au

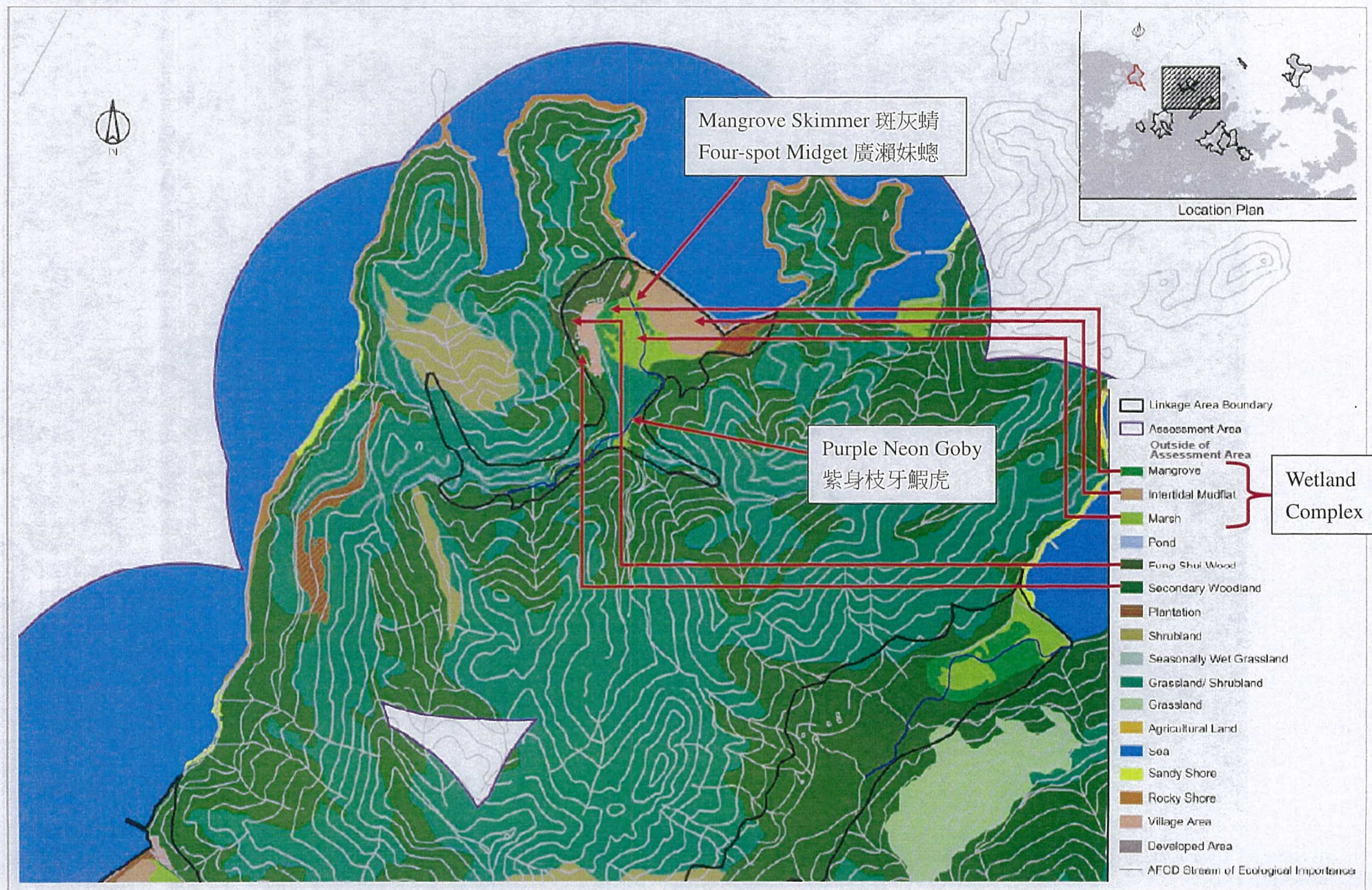
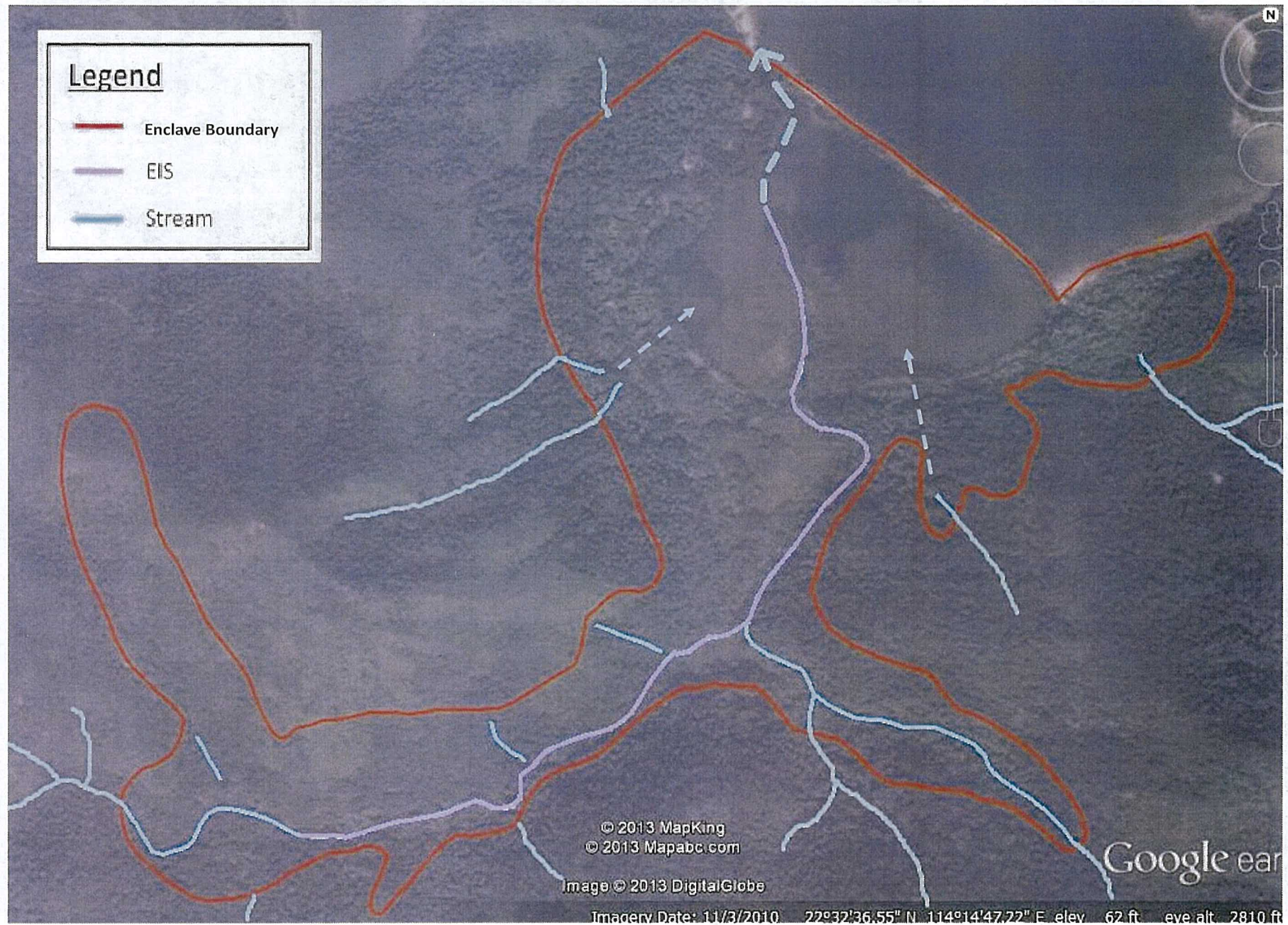


Figure 6. The stream system at Yung Shue Au (dashed lines indicate the direction of water flow)



Fung Hang – Ecological Information

The KFBG's FCA Study in 2003 did not survey this enclave. However, the STK Link Study and the TPB Paper documents some of the ecological information, and during our recent surveys we also recorded some species/ habitats of conservation interest.

There are two wetland complexes in this enclave and they are shown in **Figure 7**. In the wetland complex in front of the village, the Mangrove Skimmer (斑灰蜻) was recorded. According to the TPB Paper No. 9282, there is a large *Fung Shui* Woodland behind the village with some plant species of conservation significance including *Aquilaria sinensis* (土沉香). There are also butterfly species of conservation concern including *Isoteinon lamprospilus lamprospilus* (旖弄蝶) in the area.

As with the settings of Kuk Po and Yung Shue Au, the wetland complexes in this enclave receive freshwater flows from the surroundings. The hydrological linkage of the wetland complex in front of the village is shown in **Figure 8**. Although the watercourse in front of the village is modified, it is still hydrologically linked with the wetland complex (**Figure 9**). The stream network in this enclave as well as the natural stream and the wetland complex in the western part of this enclave are shown in **Figures 10, 11 and 12**, respectively; some wetland fauna were also recorded in this wetland complex (**Figure 12**).

Figure 7. Habitat map of Fung Hang

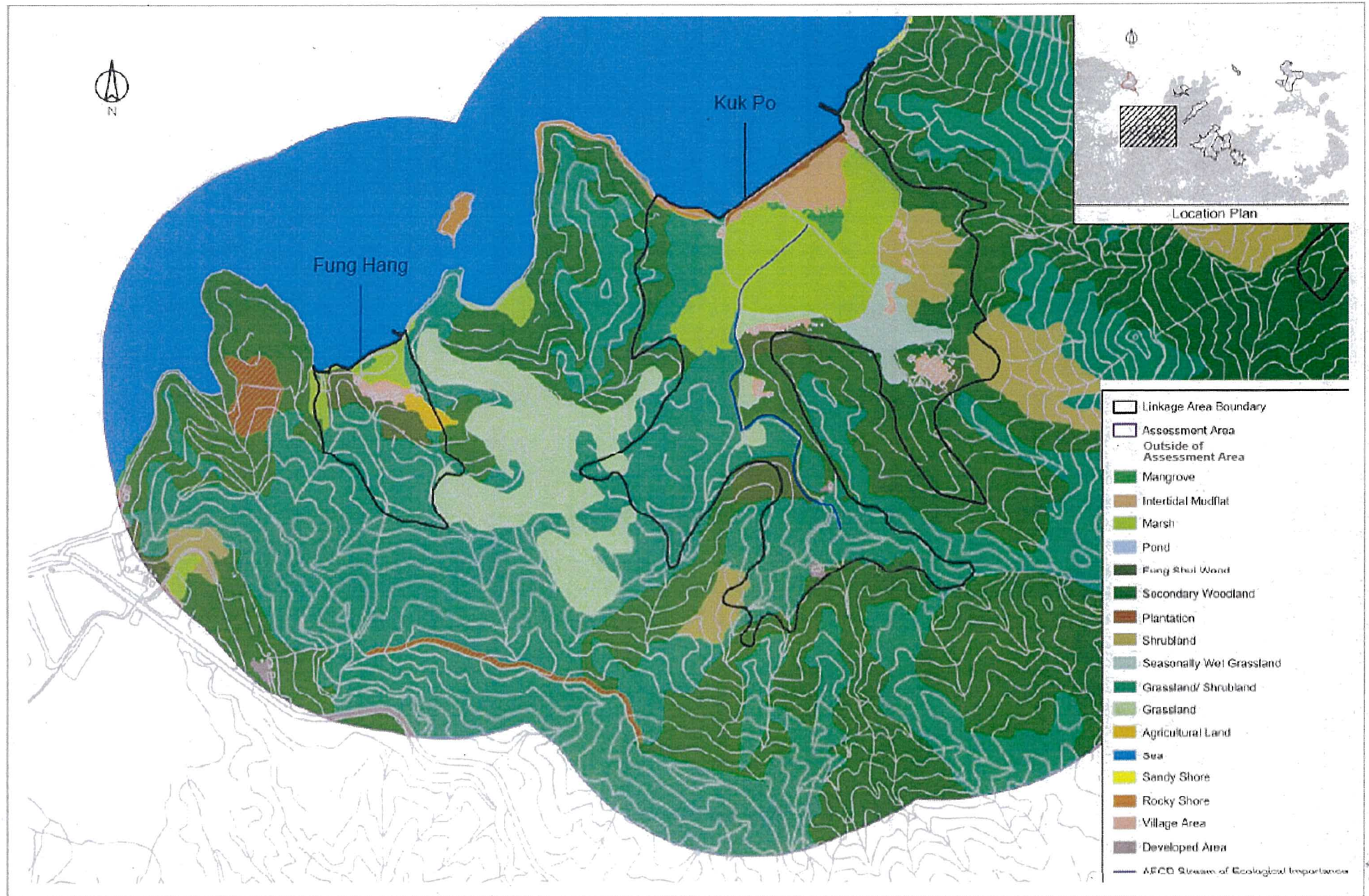


Figure 8. The wetland complex and *Fung Shui* Woodland at Fung Hang (dashed line indicates the freshwater seepage direction through the culverts under the footpath)

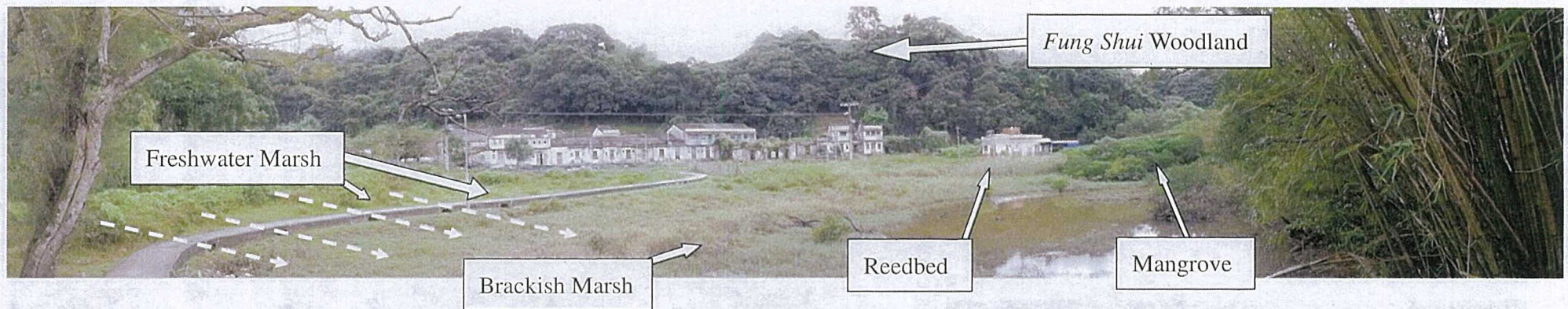


Figure 9. The modified watercourse and the wetland complex in front of Fung Hang village



Figure 10. The stream system at Fung Hang

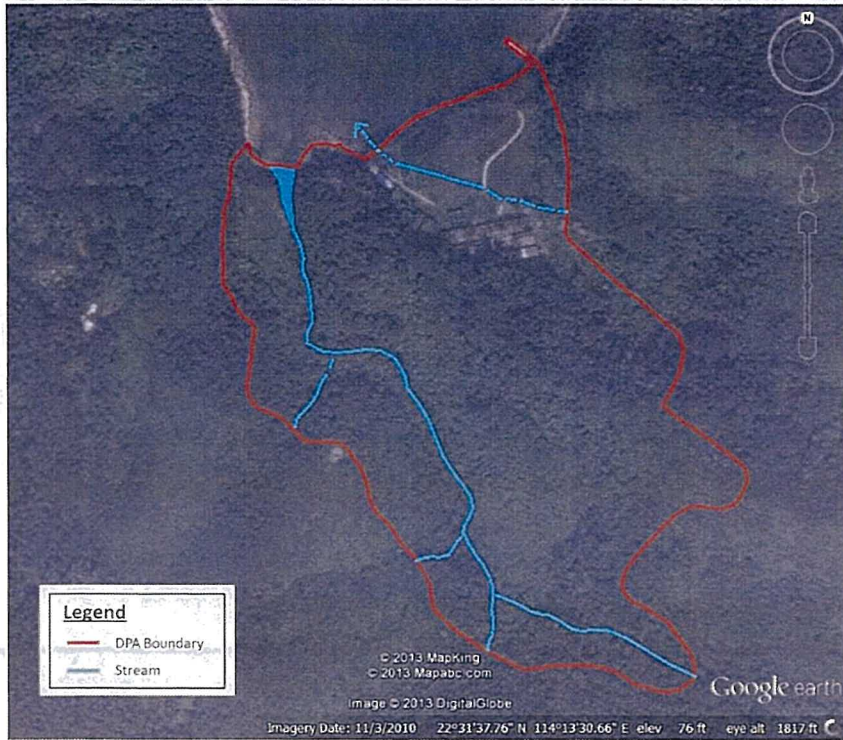
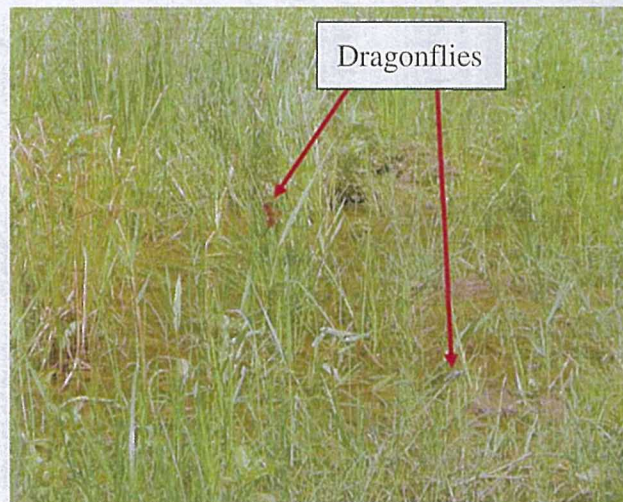
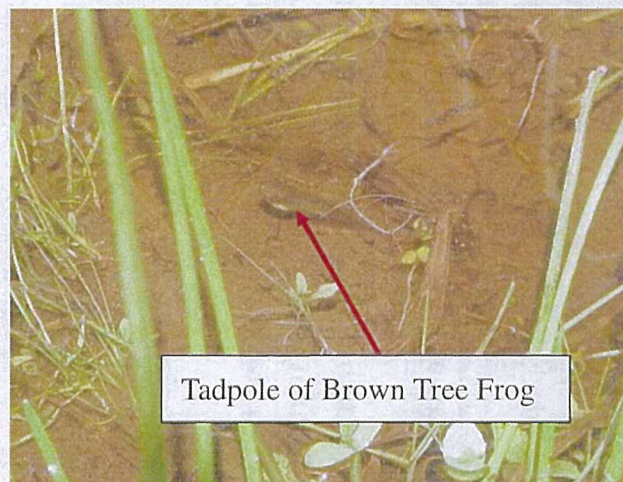


Figure 11. The natural stream in the western part of this enclave



Figure 12. The freshwater marsh and mangrove (the wetland complex) in the western part of this enclave



Recommendations

There are *Fung Shui* Woodlands in these enclaves and they usually contain plant species of conservation interest. In addition, wetland complexes are found in these enclaves, and these wetland habitats support many species of conservation importance. For instance, the TPB Paper No. 9282 states that the wetland complex at Kuk Po is ecologically important. These complexes receive freshwater from the surrounding landscapes and are also influenced by the rising and falling tides in Starling Inlet. However, the water in these wetland complexes is, in general, lentic as there are water gates controlling the water flow. Therefore, any pollutants/ garbage entering these wetland complexes would not be easily carried away by the tide and will be accumulated within the confines of the seawalls.

As repeatedly mentioned in the hearings for CP Enclaves, Septic Tank and Soak-away Systems (STS) would not function appropriately in areas with high groundwater table, waterlogged conditions, periodic flooding or alluvial basins. The village areas in Kuk Po, Fung Hang and Yung Shue Au are all located immediately adjacent to wetlands. Some of the village houses at Kuk Po Lo Wai are even completely surrounded by the seasonally wet grasslands. As indicated in the figures above, the wet areas are interconnected with each other hydrologically, and thus any pollutants (e.g., pollutants from STSs) entering the upstream portions of the hydrological system (e.g., the watercourses/ seasonally wet habitats) would definitely affect the downstream areas (e.g., the wetland complexes). In the presentation for the Hoi Ha enclave, scientists from The University of Hong Kong have demonstrated how man-made pollutants (i.e., chemicals from contraceptive pill) enter the ecosystem and affect the aquatic organisms (i.e., by causing sex change). Other pollutants frequently associated with human sewage (e.g., nitrate, phosphate) and usually appearing during construction works (e.g., water polluted by cement-mix, water with high suspended solids level) would also significantly threaten the wetland systems.

Based on the above, our recommendations are as follows:

1. The *Fung Shui* Woodlands and the secondary woodlands should be zoned CA/ GB(1).
2. The wetland complexes (including the mudflats, mangroves, reedbeds, marshes (freshwater and brackish), seasonally wet grasslands and seasonally wet grassland/ shrubland mosaic) should be zoned CA.
3. The watercourses (including the EISs) and their riparian areas (a minimum of 30 m from the streamsides) should be zoned CA.
4. V zones should not be located in wet areas (the wetland complexes and the seasonally wet habitats), riparian zones and areas immediately adjacent to wetlands.

3rd June, 2015

Ecological Advisory Programme

Kadoorie Farm and Botanic Garden

Appendix VI

Proposal submitted by the Villagers' Group (including Sha Tau Kok District Rural Committee as well as Indigenous Inhabitant Representatives of Kuk Po and Yung Shue Au)

致
城市規劃委員會主席及全體委員：

RECEIVED

2015 AUG 10 P 3: 46

事由：強烈反對規劃署將一個偏離現實，違反地區可持續發展的谷埔，鳳坑及榕樹凹

發展大綱草圖提交城規會審議

我們的反對理據如下：

1. 規劃署完全欠缺宏觀思維，區與區之間的交通規劃欠奉；
2. 規劃「鄉村式發展區」胡亂搬龍門，缺乏客觀標準，比較過去多項規劃，如沙頭角新開放的六條村落及蓮麻坑村等，鄉村式發展區大幅減少甚或零，我們十分懷疑規劃署負責官員祇憑個人喜好和長官意志做事！
事實上，我們完全不能接受祇將舊屋範圍規劃為「鄉村式發展區」而應按各村男丁數目比例規劃，確保偏遠鄉村原居民權益受到尊重。
3. 農地就應定性為農地，荒廢與否皆不能胡亂改變它的本質，我們強烈反對規劃署輕率的劃作保育或綠化，這對鼓勵復耕或尋求非牟利機構參與毫無幫助；
我們作為土生土長的村民及土地持份者，深知及了解周邊動植物情況，愛護不下於環保人士，規劃署應該知道「兼聽則明」的道理！
4. 規劃署不應罔顧大眾利益，應公平公正的，就谷埔，鳳坑及榕樹凹發展審批地區圖（編號 DPA/NE-KP/1）進行諮詢，充考慮村民，村代表，鄉事會及區議會所提出的意見；
我們鄭重表明，規劃署官員祇有以民為本，盡量吸納民間意見，才能將規劃做到「地盡其用」效果，否則將會挑起紛爭，積聚民怨民憤，為特區政府添煩添亂，敬請指示規劃署草擬一個合情合理的大綱草圖才提交城規會考慮！

反對人簽署/團體蓋章：_____

姓 名：_____

電 話：_____

地址：_____

日期：_____

(編號 DPA/NE-KP/1)

致

城市規劃委員會主席及全體委員：

事由：強烈反對規劃署將一個偏離現實，違反地區可持續發展的谷埔，鳳坑及榕樹凹發展大綱草圖提交城規會審議

我們的反對理據如下：

1. 規劃署完全欠缺宏觀思維，區與區之間的交通規劃欠奉；
2. 規劃「鄉村式發展區」胡亂搬龍門，缺乏客觀標準，比較過去多項規劃，如沙頭角新開放的六條村落及蓮麻坑村等，鄉村式發展區大幅減少甚或零，我們十分懷疑規劃署負責官員祇憑個人喜好和長官意志做事！
事實上，我們完全不能接受祇將舊屋範圍規劃為「鄉村式發展區」而應按各村男丁數目比例規劃，確保偏遠鄉村原居民權益受到尊重。
3. 農地就應定性為農地，荒廢與否皆不能胡亂改變它的本質，我們強烈反對規劃署輕率的劃作保育或綠化，這對鼓勵復耕或尋求非牟利機構參與毫無幫助；
我們作為土生土長的村民及土地持份者，深知及了解周邊動植物情況，愛護不下於環保人士，規劃署應該知道「兼聽則明」的道理！
4. 規劃署不應罔顧大眾利益，應公平公正的，就谷埔，鳳坑及榕樹凹發展審批地區圖（編號 DPA/NE-KP/1）進行諮詢，充考慮村民，村代表，鄉事會及區議會所提出的意見；
我們鄭重表明，規劃署官員祇有以民為本，盡量吸納民間意見，才能將規劃做到「地盡其用」效果，否則將會挑起紛爭，積聚民怨民憤，為特區政府添煩添亂，敬請指示規劃署草擬一個合情合理的大綱草圖才提交城規會考慮！



反對人簽署/團體蓋章：

姓 名：

NG MA LUNG

電 話：

地址：

日期：

6th August 2015

(編號 DPA/NE-KP/1)

致

城市規劃委員會主席及全體委員：

事由：強烈反對規劃署將一個偏離現實，違反地區可持續發展的谷埔，鳳坑及榕樹凹發展大綱草圖提交城規會審議

我們的反對理據如下：

1. 規劃署完全欠缺宏觀思維，區與區之間的交通規劃欠奉；
2. 規劃「鄉村式發展區」胡亂搬龍門，缺乏客觀標準，比較過去多項規劃，如沙頭角新開放的六條村落及蓬麻坑村等，鄉村式發展區大幅減少甚或零，我們十分懷疑規劃署負責官員祇憑個人喜好和長官意志做事！
事實上，我們完全不能接受祇將舊屋範圍規劃為「鄉村式發展區」而應按各村男丁數目比例規劃，確保偏遠鄉村原居民權益受到尊重。
3. 農地就應定性為農地，荒廢與否皆不能胡亂改變它的本質，我們強烈反對規劃署輕率的劃作保育或綠化，這對鼓勵復耕或尋求非牟利機構參與毫無幫助；
我們作為土生土長的村民及土地持份者，深知及了解周邊動植物情況，愛護不下於環保人士，規劃署應該知道「兼聽則明」的道理！
4. 規劃署不應罔顧大眾利益，應公平公正的，就谷埔，鳳坑及榕樹凹發展審批地區圖（編號 DPA/NE-KP/1）進行諮詢，充考慮村民，村代表，鄉事會及區議會所提出的意見；
我們鄭重表明，規劃署官員祇有以民為本，盡量吸納民間意見，才能將規劃做到「地盡其用」效果，否則將會挑起紛爭，積聚民怨民憤，為特區政府添煩添亂，敬請指示規劃署草擬一個合情合理的大綱草圖才提交城規會考慮！

反對人簽署/團體蓋章：

歐志雲

姓名：AU CHAI WONG

電話：

地址：

日期：

6th August 2015

致

城市規劃委員會主席及全體委員：

RECEIVED

2015 AUG 10 P 3: 46

事由：強烈反對規劃署將一個偏離現實，違反地區可持續發展的谷埔，鳳坑及榕樹凹

發展大綱草圖提交城規會審議

我們的反對理據如下：

1. 規劃署完全欠缺宏觀思維，區與區之間的交通規劃欠奉；
2. 規劃「鄉村式發展區」胡亂搬龍門，缺乏客觀標準，比較過去多項規劃，如沙頭角新開放的六條村落及蓬麻坑村等，鄉村式發展區大幅減少甚或零，我們十分懷疑規劃署負責官員祇憑個人喜好和長官意志做事！
事實上，我們完全不能接受祇將舊屋範圍規劃為「鄉村式發展區」而應按各村男丁數目比例規劃，確保偏遠鄉村原居民權益受到尊重。
3. 農地就應定性為農地，荒廢與否皆不能胡亂改變它的本質，我們強烈反對規劃署輕率的創作保育或綠化，這對鼓勵復耕或尋求非牟利機構參與毫無幫助；
我們作為土生土長的村民及土地持份者，深知及了解周邊動植物情況，愛護不下於環保人士，規劃署應該知道「兼聽則明」的道理！
4. 規劃署不應罔顧大眾利益，應公平公正的，就谷埔，鳳坑及榕樹凹發展審批地區圖（編號 DPA/NE-KP/1）進行諮詢，充考慮村民，村代表，鄉事會及區議會所提出的意見；
我們鄭重表明，規劃署官員祇有以民為本，盡量吸納民間意見，才能將規劃做到「地盡其用」效果，否則將會挑起紛爭，積聚民怨民憤，為特區政府添煩添亂，敬請指示規劃署草擬一個合情合理的大綱草圖才提交城規會考慮！

反對人簽署/團體蓋章：

姓名：

電話：

地址：

日期：



致

新界沙頭角區鄉事委員會

Sha Tau Kok District Rural Committee, NT

(編號 DPA/NE-KP/1)

城市規劃委員會主席及全體委員：

事由：強烈反對規劃署將一個偏離現實，違反地區可持續發展的谷埔，鳳坑及榕樹凹發展大綱草圖提交城規會審議

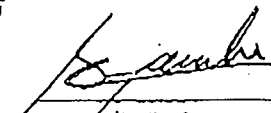
我們的反對理據如下：


1. 規劃署完全欠缺宏觀思維，區與區之間的交通規劃欠奉；
2. 規劃「鄉村式發展區」胡亂搬龍門，缺乏客觀標準，比較過去多項規劃，如沙頭角新開放的六條村落及蓮麻坑村等，鄉村式發展區大幅減少甚或零，我們十分懷疑規劃署負責官員祇憑個人喜好和長官意志做事！
事實上，我們完全不能接受祇將舊屋範圍規劃為「鄉村式發展區」而應按各村男丁數目比例規劃，確保偏遠鄉村原居民權益受到尊重。
3. 農地就應定性為農地，荒廢與否皆不能胡亂改變它的本質，我們強烈反對規劃署輕率的劃作保育或綠化，這對鼓勵復耕或尋求非牟利機構參與毫無幫助；我們作為土生土長的村民及土地持份者，深知及了解周邊動植物情況，愛護不下於環保人士，規劃署應該知道「兼聽則明」的道理！
4. 規劃署不應罔顧大眾利益，應公平公正的，就谷埔，鳳坑及榕樹凹發展審批地區圖（編號 DPA/NE-KP/1）進行諮詢，充考慮村民，村代表，鄉事會及區議會所提出的意見；
我們鄭重表明，規劃署官員祇有以民為本，盡量吸納民間意見，才能將規劃做到「地盡其用」效果，否則將會挑起紛爭，積聚民怨民憤，為特區政府添煩添亂，敬請指示規劃署草擬一個合情合理的大綱草圖才提交城規會考慮！

沙頭角區鄉事委員會主席

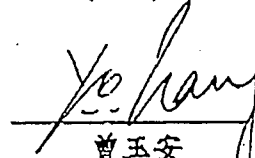


首副主席


李冠洪


李炳華

副主席


曾玉安
2015年8月6日

香港新界沙頭角區沙頭角區鄉事委員會 Sha Tau Kok District Rural Committee, Sha Tau Kok Road, N.T.

電話 TEL: (852) 2674 1070 傳真 FAX: (852) 2674 0691 電郵 E-mail: stkdrc@gmail.com

致

城市規劃委員會主席及全體委員：

RECEIVED

2015 AUG 10 P 3:45

事由：強烈反對規劃署將一個偏離現實，違反地區可持續發展的谷埔，鳳坑及榕樹凹
TOWN PLANNING BOARD

發展大綱草圖提交城規會審議

我們的反對理據如下：

1. 規劃署完全欠缺宏觀思維，區與區之間的交通規劃欠奉；
2. 規劃「鄉村式發展區」胡亂搬龍門，缺乏客觀標準，比較過去多項規劃，如沙頭角新開放的六條村落及蓮麻坑村等，鄉村式發展區大幅減少甚或零，我們十分懷疑規劃署負責官員祇憑個人喜好和長官意志做事！
事實上，我們完全不能接受祇將舊屋範圍規劃為「鄉村式發展區」而應按各村男丁數目比例規劃，確保偏遠鄉村原居民權益受到尊重。
3. 農地就應定性為農地，荒廢與否皆不能胡亂改變它的本質，我們強烈反對規劃署輕率的劃作保育或綠化，這對鼓勵復耕或尋求非牟利機構參與毫無幫助；
我們作為土生土長的村民及土地持份者，深知及了解周邊動植物情況，愛護不下於環保人士，規劃署應該知道「兼聽則明」的道理！
4. 規劃署不應罔顧大眾利益，應公平公正的，就谷埔，鳳坑及榕樹凹發展審批地區圖（編號 DPA/NE-KP/1）進行諮詢，充考慮村民，村代表，鄉事會及區議會所提出的意見；
我們鄭重表明，規劃署官員祇有以民為本，盡量吸納民間意見，才能將規劃做到「地盡其用」效果，否則將會挑起紛爭，積聚民怨民憤，為特區政府添煩添亂，敬請指示規劃署草擬一個合情合理的大綱草圖才提交城規會考慮！

反對人簽署/團體蓋章：

姓名：

電話：

地址：

日期：

2015-8-6

致

城市規劃委員會主席及全體委員：

RECEIVED

2015 AUG 10 P 3:46

事由：強烈反對規劃署將一個偏離現實，違反地區可持續發展的谷埔，鳳坑及榕樹凹

TOWN PLANNING BOARD

發展大綱草圖提交城規會審議

我們的反對理據如下：

1. 規劃署完全欠缺宏觀思維，區與區之間的交通規劃欠奉；
2. 規劃「鄉村式發展區」胡亂搬龍門，缺乏客觀標準，比較過去多項規劃，如沙頭角新開放的六條村落及蓬麻坑村等，鄉村式發展區大幅減少甚或零，我們十分懷疑規劃署負責官員祇憑個人喜好和長官意志做事！
事實上，我們完全不能接受祇將舊屋範圍規劃為「鄉村式發展區」而應按各村男丁數目比例規劃，確保偏遠鄉村原居民權益受到尊重。
3. 農地就應定性為農地，荒廢與否皆不能胡亂改變它的本質，我們強烈反對規劃署輕率的劃作保育或綠化，這對鼓勵復耕或尋求非牟利機構參與毫無幫助；
我們作為土生土長的村民及土地持份者，深知及了解周邊動植物情況，愛護不下於環保人士，規劃署應該知道「兼聽則明」的道理！
4. 規劃署不應罔顧大眾利益，應公平公正的，就谷埔，鳳坑及榕樹凹發展審批地區圖（編號 DPA/NE-KP/1）進行諮詢，充考慮村民，村代表，鄉事會及區議會所提出的意見；
我們鄭重表明，規劃署官員祇有以民為本，盡量吸納民間意見，才能將規劃做到「地盡其用」效果，否則將會挑起紛爭，積聚民怨民憤，為特區政府添煩添亂，敬請指示規劃署草擬一個合情合理的大綱草圖才提交城規會考慮！

反對人簽署/團體蓋章：

姓名：

電話：

地址：

日期：

致

RECEIVED

城市規劃委員會主席及全體委員：

2015 AUG 10 P 3:46

事由：強烈反對規劃署將一個偏離現實，違反地區可持續發展的谷埔，鳳坑及榕樹凹發展大綱草圖提交城規會審議

我們的反對理據如下：

1. 規劃署完全欠缺宏觀思維，區與區之間的交通規劃欠奉；
2. 規劃「鄉村式發展區」胡亂搬龍門，缺乏客觀標準，比較過去多項規劃，如沙頭角新開放的六條村落及蓮麻坑村等，鄉村式發展區大幅減少甚或零，我們十分懷疑規劃署負責官員祇憑個人喜好和長官意志做事！
事實上，我們完全不能接受祇將舊屋範圍規劃為「鄉村式發展區」而應按各村男丁數目比例規劃，確保偏遠鄉村原居民權益受到尊重。
3. 農地就應定性為農地，荒廢與否皆不能胡亂改變它的本質，我們強烈反對規劃署輕率的劃作保育或綠化，這對鼓勵復耕或尋求非牟利機構參與毫無幫助；
我們作為土生土長的村民及土地持份者，深知及了解周邊動植物情況，愛護不下於環保人士，規劃署應該知道「兼聽則明」的道理！
4. 規劃署不應罔顧大眾利益，應公平公正的，就谷埔，鳳坑及榕樹凹發展審批地區圖（編號 DPA/NE-KP/1）進行諮詢，充考慮村民，村代表，鄉事會及區議會所提出的意見；
我們鄭重表明，規劃署官員祇有以民為本，盡量吸納民間意見，才能將規劃做到「地盡其用」效果，否則將會挑起紛爭，積聚民怨民憤，為特區政府添煩添亂，敬請指示規劃署草擬一個合情合理的大綱草圖才提交城規會考慮！

反對人簽署/團體蓋章：

姓名：

電話：

地址：

日期：

6/8/2015

RECEIVED

致

城市規劃委員會主席及全體委員：

2015 AUG 10 P 3: 46

事由：強烈反對規劃署將一個偏離現實、違反地區可持續發展的谷埔，鳳坑及榕樹凹

發展大綱草圖提交城規會審議

我們的反對理據如下：

1. 規劃署完全欠缺宏觀思維，區與區之間的交通規劃欠奉；
2. 規劃「鄉村式發展區」胡亂搬龍門，缺乏客觀標準，比較過去多項規劃，如沙頭角新開放的六條村落及蓮麻坑村等，鄉村式發展區大幅減少甚或零，我們十分懷疑規劃署負責官員祇憑個人喜好和長官意志做事！
事實上，我們完全不能接受祇將舊屋範圍規劃為「鄉村式發展區」而應按各村男丁數目比例規劃，確保偏遠鄉村原居民權益受到尊重。
3. 農地就應定性為農地，荒廢與否皆不能胡亂改變它的本質，我們強烈反對規劃署輕率的劃作保育或綠化，這對鼓勵復耕或尋求非牟利機構參與毫無幫助；
我們作為土生土長的村民及土地持份者，深知及了解周邊動植物情況，愛護不下於環保人士，規劃署應該知道「兼聽則明」的道理！
4. 規劃署不應罔顧大眾利益，應公平公正的，就谷埔，鳳坑及榕樹凹發展審批地區圖（編號 DPA/NE-KP/1）進行諮詢，充考慮村民，村代表，鄉事會及區議會所提出的意見；
我們鄭重表明，規劃署官員祇有以民為本，盡量吸納民間意見，才能將規劃做到「地盡其用」效果，否則將會挑起紛爭，積聚民怨民憤，為特區政府添煩添亂，敬請指示規劃署草擬一個合情合理的大綱草圖才提交城規會考慮！

反對人簽署/團體蓋章：

陳

姓名：

陳桂雲

電話：

地址：

日期：

2015年8月6日

致

城市規劃委員會主席及全體委員：

RECEIVED

2015 AUG 10 P 3:45

事由：強烈反對規劃署將一個偏離現實，違反地區可持續發展的谷埔，鳳坑及榕樹凹

發展大綱草圖提交城規會審議

我們的反對理據如下：

1. 規劃署完全欠缺宏觀思維，區與區之間的交通規劃欠奉；
2. 規劃「鄉村式發展區」胡亂搬龍門，缺乏客觀標準，比較過去多項規劃，如沙頭角新開放的六條村落及蓮麻坑村等，鄉村式發展區大幅減少甚或零，我們十分懷疑規劃署負責官員祇憑個人喜好和長官意志做事！
事實上，我們完全不能接受祇將舊屋範圍規劃為「鄉村式發展區」而應按各村男丁數目比例規劃，確保偏遠鄉村原居民權益受到尊重。
3. 農地就應定性為農地，荒廢與否皆不能胡亂改變它的本質，我們強烈反對規劃署輕率的劃作保育或綠化，這對鼓勵復耕或尋求非牟利機構參與毫無幫助；
我們作為土生土長的村民及土地持份者，深知及了解周邊動植物情況，愛護不下於環保人士，規劃署應該知道「兼聽則明」的道理！
4. 規劃署不應罔顧大眾利益，應公平公正的，就谷埔，鳳坑及榕樹凹發展審批地區圖（編號DPA/NE-KP/1）進行諮詢，充考慮村民，村代表，鄉事會及區議會所提出的意見；
我們鄭重表明，規劃署官員祇有以民為本，盡量吸納民間意見，才能將規劃做到「地盡其用」效果，否則將會挑起紛爭，積聚民怨民憤，為特區政府添煩添亂，敬請指示規劃署草擬一個合情合理的大綱草圖才提交城規會考慮！

反對人簽署/團體蓋章：

張春源

姓 名：

張春源

電 話：

地址：

日期：

6-8-2015

致
城市規劃委員會主席及全體委員：

RECEIVED

2015 AUG 10 P 3:45

事由：強烈反對規劃署將一個偏離現實，違反地區可持續發展的谷埔，鳳坑及榕樹凹

發展大綱草圖提交城規會審議

我們的反對理據如下：

1. 規劃署完全欠缺宏觀思維，區與區之間的交通規劃欠奉；
2. 規劃「鄉村式發展區」胡亂搬龍門，缺乏客觀標準，比較過去多項規劃，如沙頭角新開放的六條村落及蓮麻坑村等，鄉村式發展區大幅減少甚或零，我們十分懷疑規劃署負責官員祇憑個人喜好和長官意志做事！
事實上，我們完全不能接受祇將舊屋範圍規劃為「鄉村式發展區」而應按各村男丁數目比例規劃，確保偏遠鄉村原居民權益受到尊重。
3. 農地就應定性為農地，荒廢與否皆不能胡亂改變它的本質，我們強烈反對規劃署輕率的劃作保育或綠化，這對鼓勵復耕或尋求非牟利機構參與毫無幫助；
我們作為土生土長的村民及土地持份者，深知及了解周邊動植物情況，愛護不下於環保人士，規劃署應該知道「兼聽則明」的道理！
4. 規劃署不應罔顧大眾利益，應公平公正的，就谷埔，鳳坑及榕樹凹發展審批地區圖（編號 DPA/NE-KP/1）進行諮詢，充考慮村民，村代表，鄉事會及區議會所提出的意見；
我們鄭重表明，規劃署官員祇有以民為本，盡量吸納民間意見，才能將規劃做到「地盡其用」效果，否則將會挑起紛爭，積聚民怨民憤，為特區政府添煩添亂，敬請指示規劃署草擬一個合情合理的大綱草圖才提交城規會考慮！

反對人簽署/團體蓋章：

姓名：

電話：

地址：

日期：

6/8/2015

致

城市規劃委員會主席及全體委員：

RECEIVED

2015 AUG 10 P 3:45

事由：強烈反對規劃署將一個偏離現實，違反地區可持續發展的谷埔，鳳坑及榕樹凹發展大綱草圖提交城規會審議

我們的反對理據如下：

1. 規劃署完全欠缺宏觀思維，區與區之間的交通規劃欠奉；
2. 規劃「鄉村式發展區」胡亂搬龍門，缺乏客觀標準，比較過去多項規劃，如沙頭角新開放的六條村落及蓮麻坑村等，鄉村式發展區大幅減少甚或零，我們十分懷疑規劃署負責官員祇憑個人喜好和長官意志做事！
事實上，我們完全不能接受祇將舊屋範圍規劃為「鄉村式發展區」而應按各村男丁數目比例規劃，確保偏遠鄉村原居民權益受到尊重。
3. 農地就應定性為農地，荒廢與否皆不能胡亂改變它的本質，我們強烈反對規劃署輕率的劃作保育或綠化，這對鼓勵復耕或尋求非牟利機構參與毫無幫助；
我們作為土生土長的村民及土地持份者，深知及了解周邊動植物情況，愛護不下於環保人士，規劃署應該知道「兼聽則明」的道理！
4. 規劃署不應罔顧大眾利益，應公平公正的，就谷埔，鳳坑及榕樹凹發展審批地區圖（編號 DPA/NE-KP/1）進行諮詢，充考慮村民，村代表，鄉事會及區議會所提出的意見；
我們鄭重表明，規劃署官員祇有以民為本，盡量吸納民間意見，才能將規劃做到「地盡其用」效果，否則將會挑起紛爭，積聚民怨民憤，為特區政府添煩添亂，敬請指示規劃署草擬一個合情合理的大綱草圖才提交城規會考慮！

反對人簽署/團體蓋章：

姓名：

電話：

地址：

日期：

致

RECEIVED

城市規劃委員會主席及全體委員：

2015 AUG 10 P 3:46

事由：強烈反對規劃署將一個偏離現實且違反地區可持續發展的谷埔，鳳坑及榕樹凹

發展大綱草圖提交城規會審議

我們的反對理據如下：

1. 規劃署完全欠缺宏觀思維，區與區之間的交通規劃欠奉；
2. 規劃「鄉村式發展區」胡亂搬龍門，缺乏客觀標準，比較過去多項規劃，如沙頭角新開放的六條村落及蓬麻坑村等，鄉村式發展區大幅減少甚或零，我們十分懷疑規劃署負責官員祇憑個人喜好和長官意志做事！
事實上，我們完全不能接受祇將舊屋範圍規劃為「鄉村式發展區」而應按各村男丁數目比例規劃，確保偏遠鄉村原居民權益受到尊重。
3. 農地就應定性為農地，荒廢與否皆不能胡亂改變它的本質，我們強烈反對規劃署輕率的劃作保育或綠化，這對鼓勵復耕或尋求非牟利機構參與毫無幫助；
我們作為土生土長的村民及土地持份者，深知及了解周邊動植物情況，愛護不下於環保人士，規劃署應該知道「兼聽則明」的道理！
4. 規劃署不應罔顧大眾利益，應公平公正的，就谷埔，鳳坑及榕樹凹發展審批地區圖（編號 DPA/NE-KP/1）進行諮詢，充考慮村民，村代表，鄉事會及區議會所提出的意見；
我們鄭重表明，規劃署官員祇有以民為本，盡量吸納民間意見，才能將規劃做到「地盡其用」效果，否則將會挑起紛爭，積聚民怨民憤，為特區政府添煩添亂，敬請指示規劃署草擬一個合情合理的大綱草圖才提交城規會考慮！

反對人簽署/團體蓋章：

(陳天送)

陳天送

姓名：

陳天送

電話：

地址：

日期：

06.08.2015

致

城市規劃委員會主席及全體委員：

RECEIVED

2015 AUG 10 P 3 45

事由：強烈反對規劃署將一個偏離現實，違反地區可持續發展的谷埔，鳳坑及榕樹凹

TOWN PLANNING BOARD

發展大綱草圖提交城規會審議

我們的反對理據如下：

1. 規劃署完全欠缺宏觀思維，區與區之間的交通規劃欠奉；
2. 規劃「鄉村式發展區」胡亂搬龍門，缺乏客觀標準，比較過去多項規劃，如沙頭角新開放的六條村落及蓮麻坑村等，鄉村式發展區大幅減少甚或零，我們十分懷疑規劃署負責官員祇憑個人喜好和長官意志做事！
事實上，我們完全不能接受祇將舊屋範圍規劃為「鄉村式發展區」而應按各村男丁數目比例規劃，確保偏遠鄉村原居民權益受到尊重。
3. 農地就應定性為農地，荒廢與否皆不能胡亂改變它的本質，我們強烈反對規劃署輕率的劃作保育或綠化，這對鼓勵復耕或尋求非牟利機構參與毫無幫助；
我們作為土生土長的村民及土地持份者，深知及了解周邊動植物情況，愛護不下於環保人士，規劃署應該知道「兼聽則明」的道理！
4. 規劃署不應罔顧大眾利益，應公平公正的，就谷埔，鳳坑及榕樹凹發展審批地區圖（編號 DPA/NE-KP/1）進行諮詢，充考慮村民，村代表，鄉事會及區議會所提出的意見；
我們鄭重表明，規劃署官員祇有以民為本，盡量吸納民間意見，才能將規劃做到「地盡其用」效果，否則將會挑起紛爭，積聚民怨民憤，為特區政府添煩添亂，敬請指示規劃署草擬一個合情合理的大綱草圖才提交城規會考慮！

反對人簽署/團體蓋章：

姓 名：

電 話：

地址：

日期：

2015 0806

(編號 DPA/NE-KP/1)

致

城市規劃委員會主席及全體委員：

RECEIVED

2015 AUG 10 P 3:45

事由：強烈反對規劃署將一個偏離現實，違反地區可持續發展的谷埔，鳳坑及榕樹凹發展大綱草圖提交城規會審議

我們的反對理據如下：

1. 規劃署完全欠缺宏觀思維，區與區之間的交通規劃欠奉；
2. 規劃「鄉村式發展區」胡亂搬龍門，缺乏客觀標準，比較過去多項規劃，如沙頭角新開放的六條村落及蓮麻坑村等，鄉村式發展區大幅減少甚或零，我們十分懷疑規劃署負責官員祇憑個人喜好和長官意志做事！
事實上，我們完全不能接受祇將舊屋範圍規劃為「鄉村式發展區」而應按各村男丁數目比例規劃，確保偏遠鄉村原居民權益受到尊重。
3. 農地就應定性為農地，荒廢與否皆不能胡亂改變它的本質，我們強烈反對規劃署輕率的劃作保育或綠化，這對鼓勵復耕或尋求非牟利機構參與毫無幫助；
我們作為土生土長的村民及土地持份者，深知及了解周邊動植物情況，愛護不下於環保人士，規劃署應該知道「兼聽則明」的道理！
4. 規劃署不應罔顧大眾利益，應公平公正的，就谷埔，鳳坑及榕樹凹發展審批地區圖（編號 DPA/NE-KP/1）進行諮詢，充考慮村民，村代表，鄉事會及區議會所提出的意見；
我們鄭重表明，規劃署官員祇有以民為本，盡量吸納民間意見，才能將規劃做到「地盡其用」效果，否則將會挑起紛爭，積聚民怨民憤，為特區政府添煩添亂，敬請指示規劃署草擬一個合情合理的大綱草圖才提交城規會考慮！

反對人簽署/團體蓋章：

姓 名：

電 話：

地址：

日期：

(編號 DPA/NE-KP/1)

致

RECEIVED

城市規劃委員會主席及全體委員：

2015 AUG 10 P 3:45

事由：強烈反對規劃署將一個偏離現實，違反地區可持續發展的谷埔，鳳坑及榕樹凹發展大綱草圖提交城規會審議

我們的反對理據如下：

1. 規劃署完全欠缺宏觀思維，區與區之間的交通規劃欠奉；
2. 規劃「鄉村式發展區」胡亂搬龍門，缺乏客觀標準，比較過去多項規劃，如沙頭角新開放的六條村落及蓮麻坑村等，鄉村式發展區大幅減少甚或零，我們十分懷疑規劃署負責官員祇憑個人喜好和長官意志做事！
事實上，我們完全不能接受祇將舊屋範圍規劃為「鄉村式發展區」而應按各村男丁數目比例規劃，確保偏遠鄉村原居民權益受到尊重。
3. 農地就應定性為農地，荒廢與否皆不能胡亂改變它的本質，我們強烈反對規劃署輕率的劃作保育或綠化，這對鼓勵復耕或尋求非牟利機構參與毫無幫助；
我們作為土生土長的村民及土地持份者，深知及了解周邊動植物情況，愛護不下於環保人士，規劃署應該知道「兼聽則明」的道理！
4. 規劃署不應罔顧大眾利益，應公平公正的，就谷埔，鳳坑及榕樹凹發展審批地區圖（編號 DPA/NE-KP/1）進行諮詢，充考慮村民，村代表，鄉事會及區議會所提出的意見；
我們鄭重表明，規劃署官員祇有以民為本，盡量吸納民間意見，才能將規劃做到「地盡其用」效果，否則將會挑起紛爭，積聚民怨民憤，為特區政府添煩添亂，敬請指示規劃署草擬一個合情合理的大綱草圖才提交城規會考慮！

反對人簽署/團體蓋章：

姓名：

電話：

地址：

日期：

(編號 DPA/NE-KP/1)

致
城市規劃委員會主席及全體委員：

事由：強烈反對規劃署將一個偏離現實，違反地區可持續發展的谷埔，鳳坑及榕樹凹
發展大綱草圖提交城規會審議

我們的反對理據如下：

1. 規劃署完全欠缺宏觀思維，區與區之間的交通規劃欠奉；
2. 規劃「鄉村式發展區」胡亂搬龍門，缺乏客觀標準，比較過去多項規劃，如沙頭角新開放的六條村落及蓮麻坑村等，鄉村式發展區大幅減少甚或零，我們十分懷疑規劃署負責官員祇憑個人喜好和長官意志做事！
事實上，我們完全不能接受祇將舊屋範圍規劃為「鄉村式發展區」而應按各村男丁數目比例規劃，確保偏遠鄉村原居民權益受到尊重。
3. 農地就應定性為農地，荒廢與否皆不能胡亂改變它的本質，我們強烈反對規劃署輕率的劃作保育或綠化，這對鼓勵復耕或尋求非牟利機構參與毫無幫助；
我們作為土生土長的村民及土地持份者，深知及了解周邊動植物情況，愛護不下於環保人士，規劃署應該知道「兼聽則明」的道理！
4. 規劃署不應用顧大眾利益，應公平公正的，就谷埔，鳳坑及榕樹凹發展審批地區圖（編號 DPA/NE-KP/1）進行諮詢，充考慮村民，村代表，鄉事會及區議會所提出的意見；
我們鄭重表明，規劃署官員祇有以民為本，盡量吸納民間意見，才能將規劃做到「地盡其用」效果，否則將會挑起紛爭，積聚民怨民憤，為特區政府添煩添亂，敬請指示規劃署草擬一個合情合理的大綱草圖才提交城規會考慮！

反對人簽署/團體蓋章：

姓名：

電話：

地址：

日期：

7-8-2015

(編號 DPA/NE-KP/1)

致

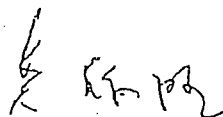
城市規劃委員會主席及全體委員：

事由：強烈反對規劃署將一個偏離現實，違反地區可持續發展的谷埔，鳳坑及榕樹凹發展大綱草圖提交城規會審議

我們的反對理據如下：

1. 規劃署完全欠缺宏觀思維，區與區之間的交通規劃欠奉；
2. 規劃「鄉村式發展區」胡亂撇龍門，缺乏客觀標準，比較過去多項規劃，如沙頭角新開放的六條村落及蓮麻坑村等，鄉村式發展區大幅減少甚或零，我們十分懷疑規劃署負責官員祇憑個人喜好和長官意志做事！
事實上，我們完全不能接受祇將舊屋範圍規劃為「鄉村式發展區」而應按各村男丁數目比例規劃，確保偏遠鄉村原居民權益受到尊重。
3. 農地就應定性為農地，荒廢與否皆不能胡亂改變它的本質，我們強烈反對規劃署輕率的劃作保育或綠化，這對鼓勵復耕或尋求非牟利機構參與毫無幫助；
我們作為土生土長的村民及土地持份者，深知及了解周邊動植物情況，愛護不下於環保人士，規劃署應該知道「兼聽則明」的道理！
4. 規劃署不應罔顧大眾利益，應公平公正的，就谷埔，鳳坑及榕樹凹發展審批地區圖（編號 DPA/NE-KP/1）進行諮詢，充考慮村民，村代表，鄉事會及區議會所提出的意見；
我們鄭重表明，規劃署官員祇有以民為本，盡量吸納民間意見，才能將規劃做到「地盡其用」效果，否則將會挑起紛爭，積聚民怨民憤，為特區政府添煩添亂，敬請指示規劃署草擬一個合情合理的大綱草圖才提交城規會考慮！

反對人簽署/團體蓋章：



姓 名：

晏伯旺

電 話：

地址：

日期：

7-8-2015

(編號 DPA/NE-KP/1)

致
城市規劃委員會主席及全體委員：

事由：強烈反對規劃署將一個偏離現實，違反地區可持續發展的谷埔，鳳坑及榕樹凹

發展大綱草圖提交城規會審議

我們的反對理據如下：

1. 規劃署完全欠缺宏觀思維，區與區之間的交通規劃欠奉；
2. 規劃「鄉村式發展區」胡亂搬龍門，缺乏客觀標準，比較過去多項規劃，如沙頭角新開放的六條村落及蓮麻坑村等，鄉村式發展區大幅減少甚或零，我們十分懷疑規劃署負責官員祇憑個人喜好和長官意志做事！
事實上，我們完全不能接受祇將舊屋範圍規劃為「鄉村式發展區」而應按各村男丁數目比例規劃，確保偏遠鄉村原居民權益受到尊重。
3. 農地就應定性為農地，荒廢與否皆不能胡亂改變它的本質，我們強烈反對規劃署輕率的劃作保育或綠化，這對鼓勵復耕或尋求非牟利機構參與毫無幫助；
我們作為土生土長的村民及土地持份者，深知及了解周邊動植物情況，愛護不下於環保人士，規劃署應該知道「兼聽則明」的道理！
4. 規劃署不應罔顧大眾利益，應公平公正的，就谷埔，鳳坑及榕樹凹發展審批地區圈（編號 DPA/NE-KP/1）進行諮詢，充考慮村民，村代表，鄉事會及區議會所提出的意見；
我們鄭重表明，規劃署官員祇有以民為本，盡量吸納民間意見，才能將規劃做到「地盡其用」效果，否則將會挑起紛爭，積聚民怨民憤，為特區政府添煩添亂，敬請指示規劃署草擬一個合情合理的大綱草圖才提交城規會考慮！



反對人簽署/團體蓋章：

姓名：

電話：

地址：

日期：

(編號 DPA/NE-KP/1)

致

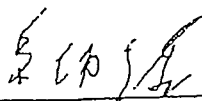
城市規劃委員會主席及全體委員：

事由：強烈反對規劃署將一個偏離現實，違反地區可持續發展的谷埔，鳳坑及榕樹凹發展大綱草圖提交城規會審議

我們的反對理據如下：

1. 規劃署完全欠缺宏觀思維，區與區之間的交通規劃欠奉；
2. 規劃「鄉村式發展區」胡亂搬龍門，缺乏客觀標準，比較過去多項規劃，如沙頭角新開放的六條村落及蓮麻坑村等，鄉村式發展區大幅減少甚或零，我們十分懷疑規劃署負責官員祇憑個人喜好和長官意志做事！
事實上，我們完全不能接受祇將舊屋範圍規劃為「鄉村式發展區」而應按各村男丁數目比例規劃，確保偏遠鄉村原居民權益受到尊重。
3. 農地就應定性為農地，荒廢與否皆不能胡亂改變它的本質，我們強烈反對規劃署輕率的劃作保育或綠化，這對鼓勵復耕或尋求非牟利機構參與毫無幫助；
我們作為土生土長的村民及土地持份者，深知及了解周邊動植物情況，愛護不下於環保人士，規劃署應該知道「兼聽則明」的道理！
4. 規劃署不應罔顧大眾利益，應公平公正的，就谷埔，鳳坑及榕樹凹發展審批地區圖（編號 DPA/NE-KP/1）進行諮詢，充考慮村民，村代表，鄉事會及區議會所提出的意見；
我們鄭重表明，規劃署官員祇有以民為本，盡量吸納民間意見，才能將規劃做到「地盡其用」效果，否則將會挑起紛爭，積聚民怨民憤，為特區政府添煩添亂，敬請指示規劃署草擬一個合情合理的大綱草圖才提交城規會考慮！

反對人簽署/團體蓋章：



姓 名：

吳伯強

電 話：

地址：

日期：

7-8-2015

AG-20150807-WA0004[1].jpg

(編號 DPA/NE-KP/1)

致

城市規劃委員會主席及全體委員：

事由：強烈反對規劃署將一個偏離現實，違反地區可持續發展的谷埔，鳳坑及榕樹凹發展大綱草圖提交城規會審議

我們的反對理據如下：

1. 規劃署完全欠缺宏觀思維，區與區之間的交通規劃欠奉；
2. 規劃「鄉村式發展區」胡亂搬龍門，缺乏客觀標準，比較過去多項規劃，如沙頭角新開放的六條村落及蓮麻坑村等，鄉村式發展區大幅減少甚或零，我們十分懷疑規劃署負責官員祇憑個人喜好和長官意志做事！
事實上，我們完全不能接受祇將舊屋範圍規劃為「鄉村式發展區」而應按各村另丁數目比例規劃，確保偏遠鄉村原居民權益受到尊重。
3. 農地就應定性為農地，荒廢與否皆不能胡亂改變它的本質，我們強烈反對規劃署輕率的劃作保育或綠化，這對鼓勵復耕或尋求非牟利機構參與毫無幫助；
我們作為土生土長的村民及土地持份者，深知及了解周邊動植物情況，愛護不下於環保人士，規劃署應該知道「養驕則明」的道理！
4. 規劃署不應罔顧大眾利益，應公平公正的，就谷埔，鳳坑及榕樹凹發展審批地區圖（編號 DPA/NE-KP/1）進行諮詢，充考慮村民，村代表，鄉事會及區議會所提出的意見；
我們鄭重表明，規劃署官員祇有以民為本，盡量吸納民間意見，才能將規劃做到「地盡其用」效果，否則將會挑起紛爭，積聚民怨民憤，為特區政府添煩添亂，敬請指示規劃署草擬一個合情合理的大綱草圖才提交城規會考慮！



反對人簽署/團體蓋章：

姓 名：

電 話：

地址：

日期：

2015年8月7日

(編號 DPA/NE-KP/1)

致
城市規劃委員會主席及全體委員：

事由：強烈反對規劃署將一個偏離現實，違反地區可持續發展的谷埔，鳳坑及榕樹凹
發展大綱草圖提交城規會審議

我們的反對理據如下：

1. 規劃署完全欠缺宏觀思維，區與區之間的交通規劃欠奉；
2. 規劃「鄉村式發展區」胡亂撇龍門，缺乏客觀標準，比較過去多項規劃，如沙頭角新開放的六條村落及蓮麻坑村等，鄉村式發展區大幅減少甚或零，我們十分懷疑規劃署負責官員祇憑個人喜好和長官意志做事！
事實上，我們完全不能接受祇將舊屋範圍規劃為「鄉村式發展區」而應按各村男丁數目比例規劃，確保偏遠鄉村原居民權益受到尊重。
3. 農地就應定性為農地，荒廢與否皆不能胡亂改變它的本質，我們強烈反對規劃署輕率的劃作保育或綠化，這對鼓勵復耕或尋求非牟利機構參與毫無幫助；
我們作為土生土長的村民及土地持份者，深知及了解周邊動植物情況，愛護不下於環保人士，規劃署應該知道「兼聽則明」的道理！
4. 規劃署不應罔顧大眾利益，應公平公正的，就谷埔，鳳坑及榕樹凹發展審批地區圖（編號 DPA/NE-KP/1）進行諮詢，充考慮村民，村代表，鄉事會及區議會所提出的意見；
我們鄭重表明，規劃署官員祇有以民為本，盡量吸納民間意見，才能將規劃做到「地盡其用」效果，否則將會挑起紛爭，積聚民怨民憤，為特區政府添煩添亂，敬請指示規劃署草擬一個合情合理的大綱草圖才提交城規會考慮！

反對人簽署/團體蓋章：

姓名：

朱德泰

電話：

地址：

日期：

7-8-2015

(編號 DPA/NE-KP/1)

致
城市規劃委員會主席及全體委員：

事由：強烈反對規劃署將一個偏離現實，違反地區可持續發展的谷埔，鳳坑及榕樹凹

發展大綱草圖提交城規會審議

我們的反對理據如下：

1. 規劃署完全欠缺宏觀思維，區與區之間的交通規劃欠奉；
2. 規劃「鄉村式發展區」胡亂搬龍門，缺乏客觀標準，比較過去多項規劃，如沙頭角新開放的六條村落及蓮麻坑村等，鄉村式發展區大幅減少甚或零，我們十分懷疑規劃署負責官員祇憑個人喜好和長官意志做事！
事實上，我們完全不能接受祇將舊屋範圍規劃為「鄉村式發展區」而應按各村男丁數目比例規劃，確保偏遠鄉村原居民權益受到尊重。
3. 農地就應定性為農地，荒廢與否皆不能胡亂改變它的本質，我們強烈反對規劃署輕率的劃作保育或綠化，這對鼓勵復耕或尋求非牟利機構參與毫無幫助；
我們作為土生土長的村民及土地持份者，深知及了解周邊動植物情況，愛護不下於環保人士，規劃署應該知道「兼聽則明」的道理！
4. 規劃署不應罔顧大眾利益，應公平公正的，就谷埔，鳳坑及榕樹凹發展審批地區圖（編號 DPA/NE-KP/1）進行諮詢，充考慮村民，村代表，鄉事會及區議會所提出的意見；
我們鄭重表明，規劃署官員祇有以民為本，盡量吸納民間意見，才能將規劃做到「地盡其用」效果，否則將會挑起紛爭，積聚民怨民憤，為特區政府添煩添亂，敬請指示規劃署草擬一個合情合理的大綱草圖才提交城規會考慮！

反對人簽署/團體蓋章：

姓名：

電話：

地址：

日期：



(編號 DPA/NE-KP/1)

致

城市規劃委員會主席及全體委員：

事由：強烈反對規劃署將一個偏離現實，違反地區可持續發展的谷埔，鳳坑及榕樹凹發展大綱草圖提交城規會審議

我們的反對理據如下：

1. 規劃署完全欠缺宏觀思維，區與區之間的交通規劃欠奉；
2. 規劃「鄉村式發展區」胡亂搬龍門，缺乏客觀標準，比較過去多項規劃，如沙頭角新開放的六條村落及蓬麻坑村等，鄉村式發展區大幅減少甚或零，我們十分懷疑規劃署負責官員祇憑個人喜好和長官意志做事！
事實上，我們完全不能接受祇將舊屋範圍規劃為「鄉村式發展區」而應按各村男丁數目比例規劃，確保偏遠鄉村原居民權益受到尊重。
3. 農地就應定性為農地，荒廢與否皆不能胡亂改變它的本質，我們強烈反對規劃署輕率的劃作保育或綠化，這對鼓勵復耕或尋求非牟利機構參與毫無幫助；
我們作為土生土長的村民及土地持份者，深知及了解周邊動植物情況，愛護不下於環保人士，規劃署應該知道「兼聽則明」的道理！
4. 規劃署不應罔顧大眾利益，應公平公正的，就谷埔，鳳坑及榕樹凹發展審批地區圖（編號 DPA/NE-KP/1）進行諮詢，充考慮村民，村代表，鄉事會及區議會所提出的意見；
我們鄭重表明，規劃署官員祇有以民為本，盡量吸納民間意見，才能將規劃做到「地盡其用」效果，否則將會挑起紛爭，積聚民怨民憤，為特區政府添煩添亂，敬請指示規劃署草擬一個合情合理的大綱草圖才提交城規會考慮！

反對人簽署/~~團體蓋章~~：

吳嘉威



姓 名：

吳嘉威

電

話：

地址：

日期：

7-8-15

(編號 DPA/NE-KP/1)

致

城市規劃委員會主席及全體委員：

事由：強烈反對規劃署將一個偏離現實，違反地區可持續發展的谷埔，鳳坑及榕樹凹

發展大綱草圖提交城規會審議

我們的反對理據如下：

1. 規劃署完全欠缺宏觀思維，區與區之間的交通規劃欠奉；
2. 規劃「鄉村式發展區」胡亂搬龍門，缺乏客觀標準，比較過去多項規劃，如沙頭角新開放的六條村落及蓮麻坑村等，鄉村式發展區大幅減少甚或零，我們十分懷疑規劃署負責官員祇憑個人喜好和長官意志做事！
事實上，我們完全不能接受祇將舊屋範圍規劃為「鄉村式發展區」而應按各村男丁數目比例規劃，確保偏遠鄉村原居民權益受到尊重。
3. 農地就應定性為農地，荒廢與否皆不能胡亂改變它的本質，我們強烈反對規劃署輕率的劃作保育或綠化，這對鼓勵復耕或尋求非牟利機構參與毫無幫助；
我們作為土生土長的村民及土地持份者，深知及了解周邊動植物情況，愛護不下於環保人士，規劃署應該知道「兼聽則明」的道理！
4. 規劃署不應罔顧大眾利益，應公平公正的，就谷埔，鳳坑及榕樹凹發展審批地區圖（編號 DPA/NE-KP/1）進行諮詢，充考慮村民，村代表，鄉事會及區議會所提出的意見；
我們鄭重表明，規劃署官員祇有以民為本，盡量吸納民間意見，才能將規劃做到「地盡其用」效果，否則將會挑起紛爭，積聚民怨民憤，為特區政府添煩添亂，敬請指示規劃署草擬一個合情合理的大綱草圖才提交城規會考慮！



反對人簽署/團體蓋章：

姓名：

電話：

地址：

日期：

2015年8月7日

(編號 DPA/NE-KP/1)

致

城市規劃委員會主席及全體委員：

事由：強烈反對規劃署將一個偏離現實，違反地區可持續發展的谷埔，鳳坑及榕樹凹發展大綱草圖提交城規會審議

我們的反對理據如下：

1. 規劃署完全欠缺宏觀思維，區與區之間的交通規劃欠奉；
2. 規劃「鄉村式發展區」胡亂搬龍門，缺乏客觀標準，比較過去多項規劃，如沙頭角新開放的六條村落及蓮麻坑村等，鄉村式發展區大幅減少甚或零。我們十分懷疑規劃署負責官員祇憑個人喜好和長官意志做事！
事實上，我們完全不能接受祇將舊屋範圍規劃為「鄉村式發展區」而應按各村男丁數目比例規劃，確保偏遠鄉村原居民權益受到尊重。
3. 農地就應定性為農地，荒廢與否皆不能胡亂改變它的本質，我們強烈反對規劃署輕率的創作保育或綠化，這對鼓勵復耕或尋求非牟利機構參與毫無幫助；
我們作為土生土長的村民及土地持份者，深知及了解周邊動植物情況，愛護不下於環保人士，規劃署應該知道「兼聽則明」的道理！
4. 規劃署不應罔顧大眾利益，應公平公正的，就谷埔，鳳坑及榕樹凹發展審批地區圖（編號 DPA/NE-KP/1）進行諮詢，充考慮村民，村代表，鄉事會及區議會所提出的意見；
我們鄭重表明，規劃署官員祇有以民為本，盡量吸納民間意見，才能將規劃做到「地盡其用」效果，否則將會挑起紛爭，積聚民怨民憤，為特區政府添煩添亂，敬請指示規劃署草擬一個合情合理的大綱草圖才提交城規會考慮！

反對人簽署/團體蓋章：

姓名：

電話：

地址：

日期：

8 / 8 / 2015



(編號 DPA/NE-KP/1)

致

城市規劃委員會主席及全體委員：

事由：強烈反對規劃署將一個偏離現實，違反地區可持續發展的谷埔，鳳坑及榕樹凹

發展大綱草圖提交城規會審議

我們的反對理據如下：

1. 規劃署完全欠缺宏觀思維，區與區之間的交通規劃欠奉；
2. 規劃「鄉村式發展區」胡亂搬龍門，缺乏客觀標準，比較過去多項規劃，如沙頭角新開放的六條村落及蓮麻坑村等，鄉村式發展區大幅減少甚或零，我們十分懷疑規劃署負責官員祇憑個人喜好和長官意志做事！
事實上，我們完全不能接受祇將舊屋範圍規劃為「鄉村式發展區」而應按各村男丁數目比例規劃，確保偏遠鄉村原居民權益受到尊重。
3. 農地就應定性為農地，荒廢與否皆不能胡亂改變它的本質，我們強烈反對規劃署輕率的劃作保育或綠化，這對鼓勵復耕或尋求非牟利機構參與毫無幫助！
我們作為土生土長的村民及土地持份者，深知及了解周遭動植物情況，愛護不下於環保人士，規劃署應該知道「兼聽則明」的道理！
4. 規劃署不應罔顧大眾利益，應公平公正的，就谷埔，鳳坑及榕樹凹發展審批地區圖（編號 DPA/NE-KP/1）進行諮詢，充考慮村民，村代表，鄉事會及區議會所提出的意見；
我們鄭重表明，規劃署官員祇有以民為本，盡量吸納民間意見，才能將規劃做到「地盡其用」效果，否則將會挑起紛爭，積聚民怨民憤，為特區政府添煩添亂，敬請指示規劃署草擬一個合情合理的大綱草圖才提交城規會考慮！

反對人簽署/團體蓋章：

姓名：

電話：

地址：

日期：



致

城市規劃委員會主席及全體委員：

事由：強烈反對規劃署將一個偏離現實，違反地區可持續發展的谷埔，鳳坑及榕樹凹發展大綱草圖提交城規會審議

我們的反對理據如下：

1. 規劃署完全欠缺宏觀思維，區與區之間的交通規劃欠奉；
 2. 規劃「□村式發展區」胡亂撥龍門，缺乏客觀標準，比較過去多項規劃，如沙頭角新開放的六條村落及運麻坑村等，□村式發展區大幅減少甚或零，我們十分懷疑規劃署負責官員祇憑個人喜好和長官意志做事！事實上，我們完全不能接受祇將舊屋範圍規劃為「□村式發展區」而應按各村男丁數目比例規劃，確保偏遠□村原居民權益受到尊重。
 3. 農地就應定性為農地，荒廢與否皆不能胡亂改變它的本質，我們強烈反對規劃署輕率的劃作保育或綠化，這對鼓勵復耕或尋求非牟利機構參與毫無幫助；我們作為土生土長的村民及土地持分者，深知及了解周邊動植物情況，愛護不下於環保人士，規劃署應該知道「兼聽則明」的道理！
 4. 規劃署不應罔顧大眾利益，應公平公正的，就谷埔，鳳坑及榕樹凹發展審批地區圖（編號DPA/NE-KP/1）進行諮詢，充考慮村民，村代表，□事會及區議會所提出的意見；
- 我們鄭重表明，規劃署官員祇有以民為本，盡量吸納民間意見，才能將規劃做到「地盡其用」效果，否則將會挑起紛爭，積聚民怨民憤，為特區政府添煩添亂，敬請指示規劃署草擬一個合情合理的大綱草圖才提交城規會考慮！！

反對人簽署/團體蓋章：Tung Kin Sung

姓名：宋羅鳳嬌

電話：

地址：

日期：

8/8/2015

谷埔村原居民

身份證

致

城市規劃委員會主席及全體委員：

事由：強烈反對規劃署將一個偏離現實，違反地區可持續發展的谷埔，鳳坑及榕樹凹發展大綱草圖提交城規會審議

我們的反對理據如下：

1. 規劃署完全欠缺宏觀思維，區與區之間的交通規劃欠奉；
 2. 規劃「□村式發展區」胡亂搬龍門，缺乏客觀標準，比較過去多項規劃，如沙頭角新開放的六條村落及連麻坑村等，□村式發展區大幅減少甚或零，我們十分懷疑規劃署負責官員祇憑個人喜好和長官意志做事！事實上，我們完全不能接受祇將舊屋範圍規劃為「□村式發展區」而應按各村另訂數目比例規劃，確保偏遠□村原居民權益受到尊重。
 3. 農地就應定性為農地，荒廢與否皆不能胡亂改變它的本質，我們強烈反對規劃署輕率的劃作保育或綠化，這對鼓勵復耕或尋求非牟利機構參與毫無幫助；我們作為土生土長的村民及土地持分者，深知及了解周邊動植物情況，愛護不下於環保人士，規劃署應該知道「兼聽則明」的道理！
 4. 規劃署不應罔顧大眾利益，應公平公正的，就谷埔，鳳坑及榕樹凹發展審批地區圖（編號DPA/NE-KP/1）進行諮詢，充考慮村民，村代表，□事會及區議會所提出的意見；
- 我們鄭重表明，規劃署官員祇有以民為本，盡量吸納民間意見，才能將規劃做到「地盡其用」效果，否則將會挑起紛爭，積聚民怨民憤，為特區政府添煩添亂，敬請指示規劃署草擬一個合情合理的大綱草圖才提交城規會考慮！！

反對人簽署/團體蓋章：

姓名：

梁文意

電話：

地址：

日期：

8/8/2015

谷埔村原居民

身份證

(編號 DPA/NE-KP/1)


致

城市規劃委員會主席及全體委員：

事由：強烈反對規劃署將一個偏離現實，違反地區可持續發展的谷埔、鳳坑及榕樹凹發展大綱草圖提交城規會審議

我們的反對理據如下：

1. 規劃署完全欠缺宏觀思維，區與區之間的交通規劃欠奉；
2. 規劃「鄉村式發展區」胡亂撇龍門，缺乏客觀標準，比較過去多項規劃，如沙頭角新開放的六條村落及蓮麻坑村等，鄉村式發展區大幅減少甚或零，我們十分懷疑規劃署負責官員祇憑個人喜好和長官意志做事！
事實上，我們完全不能接受祇將舊屋範圍規劃為「鄉村式發展區」而應按各村另丁數目比例規劃，確保偏遠鄉村原居民權益受到尊重。
3. 農地就應定性為農地，荒廢與否皆不能胡亂改變它的本質，我們強烈反對規劃署輕率的劃作保育或綠化，這對鼓勵復耕或尋求非牟利機構參與毫無幫助；
我們作為土生土長的村民及土地持份者，深知及了解周邊動植物情況，竟護不下於環保人士，規劃署應該知道「兼聽則明」的道理！
4. 規劃署不應罔顧大眾利益，應公平公正的，就谷埔、鳳坑及榕樹凹發展審批地區圖（編號 DPA/NE-KP/1）進行諮詢，充考慮村民、村代表、鄉事會及區議會所提出的意見；
我們鄭重表明，規劃署官員祇有以民為本，盡量吸納民間意見，才能將規劃做到「地盡其用」效果，否則將會挑起紛爭，積聚民怨民憤，為特區政府添煩添亂，敬請指示規劃署草擬一個合情合理的大綱草圖才提交城規會考慮！

反對人簽署/團體蓋章：姓名：

電話：

地址：

日期：9.8.15

致

城市規劃委員會主席及全體委員：

事由：強烈反對規劃署將一個偏離現實，違反地區可持續發展的谷埔，鳳坑及榕樹凹

發展大綱草圖提交城規會審議

我們的反對理據如下：

1. 規劃署完全欠缺宏觀思維，區與區之間的交通規劃欠奉；
2. 規劃「鄉村式發展區」胡亂搬龍門，缺乏客觀標準，比較過去多項規劃，如沙頭角新開放的六條村落及蓮麻坑村等，鄉村式發展區大幅減少甚或零，我們十分懷疑規劃署負責官員祇憑個人喜好和長官意志做事！
事實上，我們完全不能接受祇將舊屋範圍規劃為「鄉村式發展區」而應按各村男丁數目比例規劃，確保偏遠鄉村原居民權益受到尊重。
3. 農地就應定性為農地，荒廢與否皆不能胡亂改變它的本質，我們強烈反對規劃署輕率的劃作保育或綠化，這對鼓勵復耕或尋求非牟利機構參與毫無幫助！
我們作為土生土長的村民及土地持份者，深知及了解周邊動植物情況，愛護不下於環保人士，規劃署應該知道「兼聽則明」的道理！
4. 規劃署不應罔顧大眾利益，應公平公正的，就谷埔，鳳坑及榕樹凹發展審批地區圖（編號 DPA/NE-KP/1）進行諮詢，充考慮村民，村代表，鄉事會及區議會所提出的意見！
我們鄭重表明，規劃署官員祇有以民為本，盡量吸納民間意見，才能將規劃做到「地盡其用」效果，否則將會挑起紛爭，積聚民怨民憤，為特區政府添煩添亂，敬請指示規劃署草擬一個合情合理的大綱草圖才提交城規會考慮！

反對人簽署/團體蓋章：

姓名：

宋運來

電話：

地址：

日期：

9.8.15

致

城市規劃委員會主席及全體委員：

事由：強烈反對規劃署將一個偏離現實，違反地區可持續發展的谷埔，鳳坑及榕樹凹發展大綱草圖提交城規會審議

我們的反對理據如下：

1. 規劃署完全欠缺宏觀思維，區與區之間的交通規劃欠奉；
 2. 規劃「□村式發展區」胡亂搬龍門，缺乏客觀標準，比較過去多項規劃，如沙頭角新開放的六條村落及蓮麻坑村等，□村式發展區大幅減少甚或零，我們十分懷疑規劃署負責官員祇憑個人喜好和長官意志做事！事實上，我們完全不能接受祇將舊屋範圍規劃為「□村式發展區」而應按各村男丁數目比例規劃，確保偏遠□村原居民權益受到尊重。
 3. 農地就應定性為農地，荒廢與否皆不能胡亂改變它的本質，我們強烈反對規劃署輕率的劃作保育或綠化，這對鼓勵復耕或尋求非牟利機構參與毫無幫助；我們作為土生土長的村民及土地持分者，深知及了解周邊動植物情況，愛護不下於環保人士，規劃署應該知道「兼聽則明」的道理！
 4. 規劃署不應罔顧大眾利益，應公平公正的，就谷埔，鳳坑及榕樹凹發展審批地區圖（編號DPA/NE-KP/11）進行諮詢，充考慮村民，村代表，□事會及區議會所提出的意見；
- 我們鄭重表明，規劃署官員祇有以民為本，盡量吸納民間意見，才能將規劃做到「地盡其用」效果，否則將會挑起紛爭，積聚民怨民憤，為特區政府添煩添亂，敬請指示規劃署草擬一個合情合理的大綱草圖才提交城規會考慮！！

反對人簽署/團體蓋章：

姓名：

梁玉生

電話：

地址：

日期：

9/08/2015

谷埔村原居民

身份證

致

城市規劃委員會主席及全體委員：

事由：強烈反對規劃署將一個偏離現實，違反地區可持續發展的谷埔，鳳坑及榕樹凹發展大綱草圖提交城規會審議

我們的反對理據如下：

1. 規劃署完全欠缺宏觀思維，區與區之間的交通規劃欠奉；
 2. 規劃「□村式發展區」胡亂撥龍門，缺乏客觀標準，比較過去多項規劃，如沙頭角新開放的六條村落及蓮麻坑村等，□村式發展區大幅減少甚或零，我們十分懷疑規劃署負責官員祇憑個人喜好和長官意志做事！事實上，我們完全不能接受祇將舊屋範圍規劃為「□村式發展區」而應按各村男丁數目比例規劃，確保偏遠□村原居民權益受到尊重。
 3. 農地就應定性為農地，荒廢與否皆不能胡亂改變它的本質，我們強烈反對規劃署輕率的劃作保育或綠化，這對鼓勵復耕或尋求非牟利機構參與毫無幫助；我們作為土生土長的村民及土地持分者，深知及了解周邊動植物情況，愛護不下於環保人士，規劃署應該知道「兼聽則明」的道理！
 4. 規劃署不應罔顧大眾利益，應公平公正的，就谷埔，鳳坑及榕樹凹發展審批地區圖（編號DPA/NE-KP/1）進行諮詢，充考慮村民，村代表，□事會及區議會所提出的意見；
- 我們鄭重表明，規劃署官員祇有以民為本，盡量吸納民間意見，才能將規劃做到「地盡其用」效果，否則將會挑起紛爭，積聚民怨民憤，為特區政府添煩添亂，敬請指示規劃署草擬一個合情合理的大綱草圖才提交城規會考慮！！

反對人簽署/團體蓋章：



姓名：

梁志恒

電話：

地址：

日期：

9/08/2015

谷埔村原居民

身份證

(編號 DPA/NE-KP/1)

致

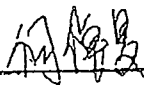
城市規劃委員會主席及全體委員：

事由：強烈反對規劃署將一個偏離現實，違反地區可持續發展的谷埔，鳳坑及榕樹凹發展大綱草圖提交城規會審議

我們的反對理據如下：

1. 規劃署完全欠缺宏觀思維，區與區之間的交通規劃欠奉；
2. 規劃「鄉村式發展區」胡亂搬龍門，缺乏客觀標準，比較過去多項規劃，如沙頭角新開放的六條村落及蓮麻坑村等，鄉村式發展區大幅減少甚或零，我們十分懷疑規劃署負責官員祇憑個人喜好和長官意志做事！
事實上，我們完全不能接受祇將舊屋範圍規劃為「鄉村式發展區」而應按各村男丁數目比例規劃，確保偏遠鄉村原居民權益受到尊重。
3. 農地就應定性為農地，荒廢與否皆不能胡亂改變它的本質，我們強烈反對規劃署輕率的劃作保育或綠化，這對鼓勵復耕或尋求非牟利機構參與毫無幫助；
我們作為土生土長的村民及土地持份者，深知及了解周邊動植物情況，愛護不下於環保人士，規劃署應該知道「兼聽則明」的道理！
4. 規劃署不應罔顧大眾利益，應公平公正的，就谷埔，鳳坑及榕樹凹發展審批地區圖（編號 DPA/NE-KP/1）進行諮詢，充考慮村民，村代表，鄉事會及區議會所提出的意見；
我們鄭重表明，規劃署官員祇有以民為本，盡量吸納民間意見，才能將規劃做到「地盡其用」效果，否則將會挑起紛爭，積聚民怨民憤，為特區政府添煩添亂，敬請指示規劃署草擬一個合情合理的大綱草圖才提交城規會考慮！

反對人簽署/團體蓋章：

姓名：何偉曼

電話：

地址：

日期：10/8/2015

(編號 DPA/NE-KP/1)

致

城市規劃委員會主席及全體委員：

事由：強烈反對規劃署將一個偏離現實，違反地區可持續發展的谷埔，鳳坑及榕樹凹發展大綱草圖提交城規會審議

我們的反對理據如下：

1. 規劃署完全欠缺宏觀思維，區與區之間的交通規劃欠奉；
2. 規劃「鄉村式發展區」胡亂搬龍門，缺乏客觀標準，比較過去多項規劃，如沙頭角新開放的六條村落及蓮麻坑村等，鄉村式發展區大幅減少甚或零，我們十分懷疑規劃署負責官員祇憑個人喜好和長官意志做事！
事實上，我們完全不能接受祇將舊屋範圍規劃為「鄉村式發展區」而應按各村男丁數目比例規劃，確保偏遠鄉村原居民權益受到尊重。
3. 農地就應定性為農地，荒廢與否皆不能胡亂改變它的本質，我們強烈反對規劃署輕率的劃作保育或綠化，這對鼓勵復耕或尋求非牟利機構參與毫無幫助；
我們作為土生土長的村民及土地持份者，深知及了解周邊動植物情況，愛護不下於環保人士，規劃署應該知道「兼聽則明」的道理！
4. 規劃署不應罔顧大眾利益，應公平公正的，就谷埔，鳳坑及榕樹凹發展審批地區圖（編號 DPA/NE-KP/1）進行諮詢，充考慮村民，村代表，鄉事會及區議會所提出的意見；
我們鄭重表明，規劃署官員祇有以民為本，盡量吸納民間意見，才能將規劃做到「地盡其用」效果，否則將會挑起紛爭，積聚民怨民憤，為特區政府添煩添亂，敬請指示規劃署草擬一個合情合理的大綱草圖才提交城規會考慮！

反對人簽署/團體蓋章：

姓名：

電話：

地址：

日期：

10/8/2015

(編號 DPA/NE-KP/1)

市規劃委員會主席及全體委員：

由：強烈反對規劃署將一個偏離現實，違反地區可持續發展的谷埔，鳳坑及榕樹凹發展大綱草圖提交城規會審議

我們的反對理據如下：

規劃署完全欠缺宏觀思維，區與區之間的交通規劃欠奉；

規劃「鄉村式發展區」胡亂搬龍門，缺乏客觀標準，比較過去多項規劃，如沙頭角新開放的六條村落及蓮麻坑村等，鄉村式發展區大幅減少甚或零，我們十分懷疑規劃署負責官員祇憑個人喜好和長官意志做事！

事實上，我們完全不能接受祇將舊屋範圍規劃為「鄉村式發展區」而應按各村男丁數目比例規劃，確保偏遠鄉村原居民權益受到尊重。

農地就應定性為農地，荒廢與否皆不能胡亂改變它的本質，我們強烈反對規劃署輕率的劃作保育或綠化，這對鼓勵復耕或尋求非牟利機構參與毫無幫助；

我們作為土生土長的村民及土地持份者，深知及了解周遭動植物情況，愛護不下於環保人士，規劃署應該知道「養雞則明」的道理！

規劃署不應罔顧大眾利益，應公平公正的，就谷埔，鳳坑及榕樹凹發展審批地區圖（編號 DPA/NE-KP/1）進行諮詢，充考慮村民，村代表，鄉事會及區議會所提出的意見；

我們鄭重表明，規劃署官員祇有以民為本，盡量吸納民間意見，才能將規劃做到「地盡其用」效果，否則將會挑起紛爭，積聚民怨民憤，為特區政府添煩添亂，敬請指示規劃署草擬一個合情合理的大綱草圖才提交城規會考慮！

人簽署/團體蓋章：何卓謙

姓名：何卓謙

電話：[REDACTED]

10/8/2015

(編號 DPA/NE-KP/1)

致

城市規劃委員會主席及全體委員：

事由：強烈反對規劃署將一個偏離現實，違反地區可持續發展的谷埔，鳳坑及榕樹凹發展大綱草圖提交城規會審議

我們的反對理據如下：

1. 規劃署完全欠缺宏觀思維，區與區之間的交通規劃欠奉；
2. 規劃「鄉村式發展區」胡亂搬龍門，缺乏客觀標準，比較過去多項規劃，如沙頭角新開放的六條村落及蓮麻坑村等，鄉村式發展區大幅減少甚或零，我們十分懷疑規劃署負責官員祇憑個人喜好和長官意志做事！
事實上，我們完全不能接受祇將舊屋範圍規劃為「鄉村式發展區」而應按各村男丁數目比例規劃，確保偏遠鄉村原居民權益受到尊重。
3. 農地就應定性為農地，流廢與否皆不能胡亂改變它的本質，我們強烈反對規劃署輕率的劃作保育或綠化，這對鼓勵復耕或尋求非牟利機構參與毫無幫助；
我們作為土生土長的村民及土地持份者，深知及了解周邊動植物情況，愛護不下於環保人士，規劃署應該知道「兼聽則明」的道理！
4. 規劃署不應罔顧大眾利益，應公平公正的，就谷埔，鳳坑及榕樹凹發展審批地區圖（編號 DPA/NE-KP/1）進行諮詢，充考慮村民，村代表，鄉事會及區議會所提出的意見；
我們鄭重表明，規劃署官員祇有以民為本，盡量吸納民間意見，才能將規劃做到「地盡其用」效果，否則將會挑起紛爭，積聚民怨民憤，為特區政府添煩添亂，敬請指示規劃署草擬一個合情合理的大綱草圖才提交城規會考慮！

反對人簽署/團體蓋章：

何偉王

姓 名：

何偉王

電 話：

地址：

日期：

10/8/2015

IG-20150807-WA0004[1].jpg

TP/CPE1

(編號 DPA/NE-KP/1)

致

城市規劃委員會主席及全體委員：

事由：強烈反對規劃署將一個偏離現實，違反地區可持續發展的谷埔，鳳坑及榕樹凹發展大綱草圖提交城規會審議

我們的反對理據如下：

1. 規劃署完全欠缺宏觀思維，區與區之間的交通規劃欠奉；
2. 規劃「鄉村式發展區」胡亂搬籠門，缺乏客觀標準，比較過去多項規劃，如沙頭角新開放的六條村落及蓮麻坑村等。鄉村式發展區大幅減少甚或零，我們十分懷疑規劃署負責官員祇憑個人喜好和長官意志做事！
事實上，我們完全不能接受祇將舊屋範圍規劃為「鄉村式發展區」而應按各村男丁數目比例規劃，確保偏遠鄉村原居民權益受到尊重。
3. 農地就應定性為農地，荒廢與否皆不能胡亂改變它的本質。我們強烈反對規劃署輕率的劃作保育或綠化，這對鼓勵復耕或尋求非牟利機構參與毫無幫助；
我們作為土生土長的村民及土地持份者，深知及了解周邊動植物情況，愛護不下於環保人士，規劃署應該知道「兼聽則明」的道理！
4. 規劃署不應罔顧大眾利益，應公平公正的，就谷埔，鳳坑及榕樹凹發展審批地區圖（編號 DPA/NE-KP/1）進行諮詢，充考慮村民，村代表，鄉事會及區議會所提出的意見；
我們鄭重表明，規劃署官員祇有以民為本，盡量吸納民間意見，才能將規劃做到「地盡其用」效果，否則將會挑起紛爭，積聚民怨民憤，為特區政府添煩添亂，敬請指示規劃署草擬一個合情合理的大綱草圖才提交城規會考慮！

反對人簽署/團體簽章：

姓 名：

Loong Ah Yee Wai-chun

電 話：

地址：

日期：

2015年8月10日



(編號 DPA/NE-KP/1)

致

城市規劃委員會主席及全體委員：

事由：強烈反對規劃署將一個偏離現實，違反地區可持續發展的谷埔，鳳坑及榕樹凹發展大綱草圖提交城規會審議

STP/ CPZ 2

我們的反對理據如下：

1. 規劃署完全欠缺宏觀思維，區與區之間的交通規劃欠奉；
2. 規劃「鄉村式發展區」胡亂搬龍門，缺乏客觀標準，比較過去多項規劃，如沙頭角新開放的六條村落及蓮麻坑村等，鄉村式發展區大幅減少甚或零，我們十分懷疑規劃署負責官員祇憑個人喜好和長官意志做事！
事實上，我們完全不能接受祇將舊屋範圍規劃為「鄉村式發展區」而應按各村男丁數目比例規劃，確保偏遠鄉村原居民權益受到尊重。
3. 農地就應定性為農地，荒廢與否皆不能胡亂改變它的本質，我們強烈反對規劃署輕率的劃作保育或綠化，這對鼓勵復耕或尋求非牟利機構參與毫無幫助；
我們作為土生土長的村民及土地持份者，深知及了解周邊動植物情況，愛護不下於環保人士，規劃署應該知道「兼聽則明」的道理！
4. 規劃署不應罔顧大眾利益，應公平公正的，就谷埔，鳳坑及榕樹凹發展審批地區圖（編號 DPA/NE-KP/1）進行諮詢，充考慮村民，村代表，鄉事會及區議會所提出的意見；
我們鄭重表明，規劃署官員祇有以民為本，盡量吸納民間意見，才能將規劃做到「地盡其用」效果，否則將會挑起紛爭，積聚民怨民憤，為特區政府添煩添亂，敬請指示規劃署草擬一個合情合理的大綱草圖才提交城規會考慮！

反對人簽署/團體蓋章：

宋天來

姓 名：

宋天來

電 話：

地址：

日期：

10-8-2015

致

城市規劃委員會主席及全體委員：

事由：強烈反對規劃署將一個偏離現實、違反地區可持續發展的谷埔，鳳坑及榕樹凹發展大綱草圖提交城規會審議

我們的反對理據如下：

1. 規劃署完全欠缺宏觀思維，區與區之間的交通規劃欠奉；
2. 規劃「□村式發展區」胡亂搬龍門，缺乏客觀標準，比較過去多項規劃，如沙頭角新開放的六條村落及蓮麻坑村等，□村式發展區大幅減少甚或零，我們十分懷疑規劃署負責官員祇憑個人喜好和長官意志做事！事實上，我們完全不能接受祇將舊屋範圍規劃為「□村式發展區」而應按各村男丁數目比例規劃，確保偏遠□村原居民權益受到尊重。
3. 農地就應定性為農地，荒廢與否皆不能胡亂改變它的本質，我們強烈反對規劃署輕率的劃作保育或綠化，這對鼓勵復耕或尋求非牟利機構參與毫無幫助；我們作為土生土長的村民及土地持分者，深知及了解周邊動植物情況，愛護不下於環保人士，規劃署應該知道「兼聽則明」的道理！
4. 規劃署不應罔顧大眾利益，應公平公正的，就谷埔，鳳坑及榕樹凹發展審批地區圖（編號DPA/NE-KP/1）進行諮詢，充考慮村民，村代表，□事會及區議會所提出的意見；

我們鄭重表明，規劃署官員祇有以民為本，盡量吸納民間意見，才能將規劃做到「地盡其用」效果，否則將會挑起紛爭，積聚民怨民憤，為特區政府添煩添亂，敬請指示規劃署草擬一個合情合理的大綱草圖才提交城規會考慮！！

反對人簽署/團體蓋章：

姓名：

鄧志雲 [P460171(1)]

張玉蘭 [V011864(8)]

電話：

地址：

日期：

11-8-2015

(編號 DPA/NE-KP/1)

致
城市規劃委員會主席及全體委員：

事由：強烈反對規劃署將一個偏離現實，違反地區可持續發展的谷埔，鳳坑及榕樹凹

發展大綱草圖提交城規會審議

我們的反對理據如下：

1. 規劃署完全欠缺宏觀思維，區與區之間的交通規劃欠奉；
2. 規劃「鄉村式發展區」胡亂撇龍門，缺乏客觀標準，比較過去多項規劃，如沙頭角新開放的六條村落及蓮麻坑村等，鄉村式發展區大幅減少甚或零，我們十分懷疑規劃署負責官員祇憑個人喜好和長官意志做事！
事實上，我們完全不能接受祇將舊屋範圍規劃為「鄉村式發展區」而應按各村男丁數目比例規劃，確保偏遠鄉村原居民權益受到尊重。
3. 農地就應定性為農地，荒廢與否皆不能胡亂改變它的本質，我們強烈反對規劃署輕率的劃作保育或綠化，這對鼓勵復耕或尋求非牟利機構參與毫無幫助；
我們作為土生土長的村民及土地持份者，深知及了解周邊動植物情況，愛護不下於環保人士，規劃署應該知道「兼聽則明」的道理！
4. 規劃署不應罔顧大眾利益，應公平公正的，就谷埔，鳳坑及榕樹凹發展審批地區圖（編號 DPA/NE-KP/1）進行諮詢，充考慮村民，村代表，鄉事會及區議會所提出的意見；
我們鄭重表明，規劃署官員祇有以民為本，盡量吸納民間意見，才能將規劃做到「地盡其用」效果，否則將會挑起紛爭，積聚民怨民憤，為特區政府添煩添亂，敬請指示規劃署草擬一個合情合理的大綱草圖才提交城規會考慮！

反對人簽署/團體蓋章：

姓名：

Leung Wai Yip

電話：

地址：

日期：

11.8 2015

致

(編號 DPA/NE-KP/1)

城市規劃委員會主席及全體委員：

事由：強烈反對規劃署將一個偏離現實，違反地區可持續發展的谷埔、鳳坑及榕樹凹發展大綱草圖提交城規會審議

我們的反對理據如下：

1. 規劃署完全欠缺宏觀思維，區與區之間的交通規劃欠奉；
2. 規劃「鄉村式發展區」胡亂掛龍門，缺乏客觀標準，比較過去多項規劃，如沙頭角新開放的六條村落及蓬麻坑村等，鄉村式發展區大幅減少甚或零，我們十分懷疑規劃署負責官員祇憑個人喜好和長官意志做事！事實上，我們完全不能接受祇將舊屋範圍規劃為「鄉村式發展區」而應按各村男丁數目比例規劃，確保偏遠鄉村原居民權益受到尊重。
3. 農地就應定性為農地，荒廢與否皆不能胡亂改變它的本質，我們強烈反對規劃署輕率的劃作保育或綠化，這對鼓勵復耕或尋求非牟利機構參與毫無幫助；我們作為土生土長的村民及土地持份者，深知及了解周邊動植物情況，愛護不下於環保人士，規劃署應該知道「兼聽則明」的道理！
4. 規劃署不應罔顧大眾利益，應公平公正的，就谷埔、鳳坑及榕樹凹發展審批地區圖（編號 DPA/NE-KP/1）進行諮詢，充考慮村民、村代表、鄉事會及區議會所提出的意見；我們鄭重表明，規劃署官員祇有以民為本，盡量吸納民間意見，才能將規劃做到「地盡其用」效果，否則將會挑起紛爭，積聚民怨民憤，為特區政府添煩添亂，敬請指示規劃署擬一個合情合理的大綱草圖才提交城規會考慮！

反對人簽署/團體蓋章：

姓 名：

電 話：

地址：

日期：

2015年8月12日

(編號 DPA/NE-KP/1)

致

城市規劃委員會主席及全體委員：

事由：強烈反對規劃署將一個偏僻現實，違反地區可持續發展的谷埔，鳳坑及榕樹凹發展大綱草圖提交城規會審議

我們的反對理據如下：

1. 規劃署完全欠缺宏觀思維，區與區之間的交通規劃欠奉；
2. 規劃「鄉村式發展區」胡亂搬龍門，缺乏客觀標準，比較過去多項規劃，如沙頭角新開放的六條村落及蓬麻坑村等，鄉村式發展區大幅減少甚或零，我們十分懷疑規劃署負責官員祇憑個人喜好和長官意志做事！
事實上，我們完全不能接受祇將舊屋範圍規劃為「鄉村式發展區」而應按各村男丁數目比例規劃，確保偏遠鄉村原居民權益受到尊重。
3. 農地就應定性為農地，荒廢與否皆不能胡亂改變它的本質，我們強烈反對規劃署輕率的劃作保育或綠化，這對鼓勵復耕或尋求非牟利機構參與毫無幫助；
我們作為土生土長的村民及土地持份者，深知及了解周邊動植物情況，食糧不下於環保人士，規劃署應該知道「兼聽則明」的道理！
4. 規劃署不應罔顧大眾利益，應公平公正的，就谷埔，鳳坑及榕樹凹發展審批地區圖（編號 DPA/NE-KP/1）進行諮詢，充考慮村民，村代表，鄉事會及區議會所提出的意見；
我們鄭重表明，規劃署官員祇有以民為本，盡量吸納民間意見，才能將規劃做到「地盡其用」效果，否則將會挑起紛爭，積聚民怨民憤，為特區政府添煩添亂，敬請指示規劃署草擬一個合情合理的大綱草圖才提交城規會考慮！

反對人簽署/團體蓋章： LEE JEE SON姓 名： 李日順

電 話： _____

地址： _____

日期： 2015年8月12日

(編號 DPA/NE-KP/1)

致

城市規劃委員會主席及全體委員：

事由：強烈反對規劃署將一個偏僻現實，違反地區可持續發展的谷埔，鳳坑及榕樹凹發展大綱草圖提交城規會審議

我們的反對理據如下：

1. 規劃署完全欠缺宏觀思維，區與區之間的交通規劃欠奉；
2. 規劃「鄉村式發展區」胡亂搬龍門，缺乏客觀標準，比較過去多項規劃，如沙頭角新開放的六棟村落及蓮麻坑村等，鄉村式發展區大幅減少甚或零，我們十分懷疑規劃署負責官員祇憑個人喜好和長官意志做事！
事實上，我們完全不能接受祇將舊屋範圍規劃為「鄉村式發展區」，而應按各村男丁數目比例規劃，確保偏遠鄉村原居民權益受到尊重。
3. 農地就應定性為農地，荒廢與否皆不能胡亂改變它的本質，我們強烈反對規劃署輕率的劃作保育或綠化，這對鼓勵復耕或尋求非牟利機構參與毫無幫助。
我們作為土生土長的村民及土地持份者，深知及了解周邊動植物情況，愛護不下於環保人士，規劃署應該知道「兼聽則明」的道理！
4. 規劃署不應罔顧大眾利益，應公平公正的，就谷埔，鳳坑及榕樹凹發展審批地區圖（編號 DPA/NE-KP/1）進行諮詢，充考慮村民，村代表，鄉事會及區議會所提出的意見。
我們鄭重表明，規劃署官員祇有以民為本，盡量吸納民間意見，才能將規劃做到「地盡其用」效果，否則將會挑起紛爭，積聚民怨民憤，為特區政府添煩添亂，敬請指示規劃署草擬一個合情合理的大綱草圖才提交城規會考慮！

反對人簽署/團體蓋章：

姓 名：

電 話：

地址：

日期：

2015年 8月 12日

致

城市規劃委員會主席及全體委員：

事由：強烈反對規劃署將一個偏離現實，違反地區可持續發展的谷埔，鳳坑及榕樹凹發展大綱草圖提交城規會審議

我們的反對理據如下：

1. 規劃署完全欠缺宏觀思維，區與區之間的交通規劃欠奉；
 2. 規劃「□村式發展區」胡亂搬龍門，缺乏客觀標準，比較過去多項規劃，如沙頭角新開放的六條村落及速麻坑村等，□村式發展區大幅減少甚或零，我們十分懷疑規劃署負責官員祇憑個人喜好和長官意志做事！事實上，我們完全不能接受祇將舊屋範圍規劃為「□村式發展區」而應按各村男丁數目比例規劃，確保偏遠□村原居民權益受到尊重。
 3. 農地就應定性為農地，荒廢與否皆不能胡亂改變它的本質，我們強烈反對規劃署輕率的劃作保育或綠化，這對鼓勵復耕或尋求非牟利機構參與毫無幫助；我們作為土生土長的村民及土地持分者，深知及了解周邊動植物情況，愛護不下於環保人士，規劃署應該知道「兼聽則明」的道理！
 4. 規劃署不應罔顧大眾利益，應公平公正的，就谷埔，鳳坑及榕樹凹發展審批地區圖（編號DPA/NE-KP/1）進行諮詢，充考慮村民，村代表，□事會及區議會所提出的意見；
- 我們鄭重表明，規劃署官員祇有以民為本，盡量吸納民間意見，才能將規劃做到「地盡其用」效果，否則將會挑起紛爭，積聚民怨民憤，為特區政府添煩添亂，敬請指示規劃署草擬一個合情合理的大綱草圖才提交城規會考慮！！

反對人簽署/團體蓋章：

姓名：邱徐聯好 邱徐聯好
(沙頭角谷埔村居民，身份证号碼)

電話：

地址：

日期：

12/08/2015

TP/ QPZ 1

致

城市規劃委員會主席及全體委員：

事由：強烈反對規劃署將一個偏離現實，違反地區可持續發展的谷埔，鳳坑及榕樹凹發展大綱草圖提交城規會審議

我們的反對理據如下：

1. 規劃署完全欠缺宏觀思維，區與區之間的交通規劃欠奉；
 2. 規劃「□村式發展區」胡亂搬龍門，缺乏客觀標準，比較過去多項規劃，如沙頭角新開放的六條村落及蓮麻坑村等，□村式發展區大幅減少甚或零，我們十分懷疑規劃署負責官員祇憑個人喜好和長官意志做事！事實上，我們完全不能接受祇將舊屋範圍規劃為「□村式發展區」而應按各村男丁數目比例規劃，確保偏遠□村原居民權益受到尊重。
 3. 農地就應定性為農地，荒廢與否皆不能胡亂改變它的本質，我們強烈反對規劃署輕率的劃作保育或綠化，這對鼓勵復耕或尋求非牟利機構參與毫無幫助；我們作為土生土長的村民及土地持分者，深知及了解周邊動植物情況，愛護不下於環保人士，規劃署應該知道「兼聽則明」的道理！
 4. 規劃署不應罔顧大眾利益，應公平公正的，就谷埔，鳳坑及榕樹凹發展審批地區圖（編號DPA/NE-KP/1）進行諮詢，充考慮村民，村代表，□事會及區議會所提出的意見；
- 我們鄭重表明，規劃署官員祇有以民為本，盡量吸納民間意見，才能將規劃做到「地盡其用」效果，否則將會挑起紛爭，積聚民怨民憤，為特區政府添煩添亂，敬請指示規劃署草擬一個合情合理的大綱草圖才提交城規會考慮！！

反對人簽署/團體蓋章：

姓名：邝容發 Yuen Fong
(沙頭角谷埔村原居民) HK 身份證號碼 >

電話：

地址：

日期：

12/18/2015

17.6.15
17.6.15
17.6.15

致

城市規劃委員會主席及全體委員：

事由：強烈反對規劃署將一個偏離現實，違反地區可持續發展的谷埔，鳳坑及榕樹凹發展大綱草圖提交城規會審議

我們的反對理據如下：

1. 規劃署完全欠缺宏觀思維，區與區之間的交通規劃欠奉；
 2. 規劃「□村式發展區」胡亂搬龍門，缺乏客觀標準，比較過去多項規劃，如沙頭角新開放的六條村落及蓮麻坑村等，□村式發展區大幅減少甚或零，我們十分懷疑規劃署負責官員祇憑個人喜好和長官意志做事！事實上，我們完全不能接受祇將舊屋範圍規劃為「□村式發展區」而應按各村男丁數目比例規劃，確保偏遠□村原居民權益受到尊重。
 3. 農地就應定性為農地，荒廢與否皆不能胡亂改變它的本質，我們強烈反對規劃署輕率的劃作保育或綠化，這對鼓勵復耕或尋求非牟利機構參與毫無幫助；我們作為土生土長的村民及土地持分者，深知及了解周邊動植物情況，愛護不下於環保人士，規劃署應該知道「兼聽則明」的道理！
 4. 規劃署不應罔顧大眾利益，應公平公正的，就谷埔，鳳坑及榕樹凹發展審批地區圖（編號DPA/NE-KP/1）進行諮詢，充考慮村民，村代表，□事會及區議會所提出的意見；
- 我們鄭重表明，規劃署官員祇有以民為本，盡量吸納民間意見，才能將規劃做到「地盡其用」效果，否則將會挑起紛爭，積聚民怨民憤，為特區政府添煩添亂，敬請指示規劃署草擬一個合情合理的大綱草圖才提交城規會考慮！！

反對人簽署/團體蓋章：

谷埔原居民
姓名：邱陳倩婷

電話：

地址：

日期：

12/08/15

H.K 身份證 NO：

致

城市規劃委員會主席及全體委員：

事由：強烈反對規劃署將一個偏離現實，違反地區可持續發展的谷埔，鳳坑及榕樹凹發展大綱草圖提交城規會審議

我們的反對理據如下：

1. 規劃署完全欠缺宏觀思維，區與區之間的交通規劃欠奉；
 2. 規劃「□村式發展區」胡亂搬龍門，缺乏客觀標準，比較過去多項規劃，如沙頭角新開放的六條村落及蓮麻坑村等，□村式發展區大幅減少甚或零，我們十分懷疑規劃署負責官員祇憑個人喜好和長官意志做事！事實上，我們完全不能接受祇將舊屋範圍規劃為「□村式發展區」而應按各村男丁數目比例規劃，確保偏遠□村原居民權益受到尊重。
 3. 農地就應定性為農地，荒廢與否皆不能胡亂改變它的本質，我們強烈反對規劃署輕率的劃作保育或綠化，這對鼓勵復耕或尋求非牟利機構參與毫無幫助；我們作為土生土長的村民及土地持分者，深知及了解周邊動植物情況，愛護不下於環保人士，規劃署應該知道「兼聽則明」的道理！
 4. 規劃署不應罔顧大眾利益，應公平公正的，就谷埔，鳳坑及榕樹凹發展審批地區圖（編號DPA/NE-KP/1）進行諮詢，充考慮村民，村代表，□事會及區議會所提出的意見；
- 我們鄭重表明，規劃署官員祇有以民為本，盡量吸納民間意見，才能將規劃做到「地盡其用」效果，否則將會挑起紛爭，積聚民怨民憤，為特區政府添煩添亂，敬請指示規劃署草擬一個合情合理的大綱草圖才提交城規會考慮！！

反對人簽署/團體蓋章：

谷埔原居民

姓名： CHI-WAI YAU

(邱志威)

電話：

地址：

日期：

12/08/15

AK 身份證

NO:

(編號 DPA/NE-KP/1)

致

城市規劃委員會主席及全體委員：

事由：強烈反對規劃署將一個偏離現實，違反地區可持續發展的谷埔、鳳坑及榕樹凹發展大綱草圖提交城規會審議

我們的反對理據如下：

1. 規劃署完全欠缺宏觀思維，區與區之間的交通規劃欠奉；
2. 規劃「鄉村式發展區」胡亂搬龍門，缺乏客觀標準，比較過去多項規劃，如沙頭角新開放的六條村落及蓮麻坑村等，鄉村式發展區大幅減少甚或零，我們十分懷疑規劃署負責官員祇憑個人喜好和長官意志做事！事實上，我們完全不能接受祇將舊屋範圍規劃為「鄉村式發展區」而應按各村男丁數目比例規劃，確保偏遠鄉村原居民權益受到尊重。
3. 農地就應定性為農地，荒廢與否皆不能胡亂改變它的本質，我們強烈反對規劃署輕率的劃作保育或綠化，這對鼓勵復耕或尋求非牟利機構參與毫無幫助；我們作為土生土長的村民及土地持份者，深知及了解周邊動植物情況，愛護不下於環保人士，規劃署應該知道「兼聽則明」的道理！
4. 規劃署不應罔顧大眾利益，應公平公正的，就谷埔，鳳坑及榕樹凹發展審批地區圖（編號 DPA/NE-KP/1）進行諮詢，充考慮村民，村代表，鄉事會及區議會所提出的意見；我們鄭重表明，規劃署官員祇有以民為本，盡量吸納民間意見，才能將規劃做到「地盡其用」效果，否則將會挑起紛爭，積聚民怨民憤，為特區政府添煩添亂，敬請指示規劃署草擬一個合情合理的大綱草圖才提交城規會考慮！

反對人簽署/團體蓋章：李科生姓名：Edward KOBE SANG LEE電話：地址：日期：2015年八月十七日

(編號 DPA/NE-KP/1)

致

城市規劃委員會主席及全體委員：

事由：強烈反對規劃署將一個偏離現實，違反地區可持續發展的谷埔、鳳坑及榕樹凹發展大綱草圖提交城規會審議

我們的反對理據如下：

1. 規劃署完全欠缺宏觀思維，區與區之間的交通規劃欠奉；
2. 規劃「鄉村式發展區」胡亂搬籠門，缺乏客觀標準，比較過去多項規劃，如沙頭角新開放的六條村落及蓮麻坑村等，鄉村式發展區大幅減少甚或零。我們十分懷疑規劃署負責官員祇憑個人喜好和長官意志做事！事實上，我們完全不能接受祇將舊屋範圍規劃為「鄉村式發展區」而應按各村男丁數目比例規劃，確保偏遠鄉村原居民權益受到尊重。
3. 農地就應定性為農地，荒廢與否皆不能胡亂改變它的本質，我們強烈反對規劃署輕率的劃作保育或綠化，這對鼓勵復耕或尋求非牟利機構參與毫無幫助；我們作為土生土長的村民及土地持份者，深知及了解周邊動植物情況，愛護不下於環保人士，規劃署應該知道「兼聽則明」的道理！
4. 規劃署不應罔顧大眾利益，應公平公正的，就谷埔、鳳坑及榕樹凹發展審批地區圖（編號 DPA/NE-KP/1）進行諮詢，充考慮村民、村代表、鄉事會及區議會所提出的意見；我們鄭重表明，規劃署官員祇有以民為本，盡量吸納民間意見，才能將規劃做到「地盡其用」效果，否則將會挑起紛爭，積聚民怨民憤，為特區政府添煩添亂，敬請指示規劃署草擬一個合情合理的大綱草圖才提交城規會考慮！

反對人簽署/團體蓋章：

李科遠

姓 名：

Phillip KOAR YANG LEE

電 話：

地址：

日期：

2015年8月17日

(編號 DPA/NE-KP/1)

致

城市規劃委員會主席及全體委員：

事由：強烈反對規劃署將一個偏離現實，違反地區可持續發展的谷埔，鳳坑及榕樹凹發展大綱草圖提交城規會審議

我們的反對理據如下：

1. 規劃署完全欠缺宏觀思維，區與區之間的交通規劃欠奉；
2. 規劃「鄉村式發展區」胡亂搬龍門，缺乏客觀標準，比較過去多項規劃，如沙頭角新開放的六條村落及蓮麻坑村等，鄉村式發展區大幅減少甚或零，我們十分懷疑規劃署負責官員祇憑個人喜好和長官意志做事！
事實上，我們完全不能接受祇將首屋範圍規劃為「鄉村式發展區」而應按各村男丁數目比例規劃，確保偏遠鄉村原居民權益受到尊重。
3. 農地就應定性為農地，荒廢與否皆不能胡亂改變它的本質，我們強烈反對規劃署輕率的劃作保育或綠化，這對鼓勵復耕或尋求非牟利機構參與毫無幫助；
我們作為土生土長的村民及土地持份者，深知及了解周邊動植物情況，愛護不下於環保人士，規劃署應該知道「兼聽則明」的道理！
4. 規劃署不應罔顧大眾利益，應公平公正的，就谷埔，鳳坑及榕樹凹發展審批地區圖（編號 DPA/NE-KP/1）進行諮詢，充考慮村民，村代表，鄉事會及區議會所提出的意見；
我們鄭重表明，規劃署官員祇有以民為本，盡量吸納民間意見，才能將規劃做到「地盡其用」效果，否則將會挑起紛爭，積聚民怨民憤，為特區政府添煩添亂，敬請指示規劃署草擬一個合情合理的大綱草圖才提交城規會考慮！

反對人簽署/團體蓋章：

姓名：

電話：

地址：

日期：

9. 737615

(Translation)

(No: DPA/NE-KP/1)

To: Chairman and Members
Town Planning Board

Re: Strong objection to the submission of the draft Kuk Po, Fung Hang and Yung Shue Au outline development plan which is detached from reality and contrary to sustainable development of the area by the Planning Department to the Town Planning Board for deliberation

Our objecting comments are on the following grounds:

1. There is a total lack of macro thinking by the Planning Department (PlanD) with no inter-area transport planning;

2. There is messy positioning in planning the "Village Type Development Area" with no objective criteria. When compared with the previous planning items such as the recently opened 6 villages in Sha Tau Kok and Lin Ma Hang Tsuen etc. the number of village type development areas has dropped greatly and even reduced to zero. We are in great doubt that the PlanD officers concerned are performing their duties by way of their personal likes and the will of their supervisors!

In fact, the zoning of only the areas covered by the old house as "village type development areas" is totally unacceptable to us. Instead, planning in accordance with the number of male villagers of the various villages should be made in order to ensure that the right of the indigenous villagers of remote villages would be respected.

3. Agricultural land should be designated as agricultural land. Their nature should not be indiscriminately changed no matter they are abandoned or not. We are strongly opposed to their zoning for conservation or green belt use by the PlanD sloppily. This would not help encourage rehabilitation and participation by the non-profit-making organizations.

As native villagers and land stakeholders, we fully understand the fauna and flora of our surrounding areas and our love to them is no less than that by the environmentalists. The PlanD should "listen to the views of all parties to have a better understanding of the matter".

4. The PlanD should not disregard the interest of the public and consultation on the Development Permission Area Plan of Kuk Po, Fung Hang and Yung Shue Au (No: DPA/NE-KP/1) should be conducted in a fair and impartial way in order to fully consider the views raised by the villagers, village

representatives as well as members of the rural committee and the district council;

We solemnly state that only a people-oriented approach listening to all public views by the PlanD would lead to planning that would "make full utilization of the land", or else there would be disputes and also complaints and grudges bringing more trouble and messiness to the SAR Government. It is hoped that instructions on the making of a reasonable draft outline plan by the PlanD for submission to the Town Planning Board for consideration would be made!

Signature of Objector/Chop of Organization: _____

Name: _____

Phone: _____

Address: _____

Date: _____

**Planning Assessment on the Development Proposals
received in the Course of Preparation of the Plan**

Development Proposals

1. Since the gazettal of the draft DPA Plan on 8.3.2013, no planning application in the Area has been received. In the course of preparing the OZP, some views/proposals were received from concerned parties and they are set out below. KFBG made a submission which contains the ecological information and a land use proposal for the Area on 3.6.2015 (**Appendix V**) and a meeting with the KFBG, Hong Kong Bird Watching Society, Designing Hong Kong Limited, World Wide Fund for Nature Hong Kong and The Conservancy Association was conducted on 16.6.2015 to briefly exchange views on the submission which suggests that:
 - (a) “CA” or “Green Belt (1)” (“GB(1)”) zones should cover the areas of mature woodlands, secondary woodlands, wetland complexes, seasonally wet grassland/shrubland mosaic, the stream courses and their 30m-wide riparian zones; and
 - (b) “V” zones should neither be located in the wetland complexes, seasonally wet habitats and riparian zones, nor immediately adjacent to the wetlands.
2. STKDRC and Indigenous Inhabitant Representatives (IIRs) of Kuk Po and Yung Shue Au and other villagers submitted letters (**Appendix VI**) which propose that “V” zone should be planned in proportion to the number of male indigenous villagers in each village; and agricultural lots should be designated as “AGR” zone, instead of conservation zonings so as to encourage agricultural rehabilitation.

Planning Assessment

Conservation of Natural Environment

1. Surrounded by the Plover Cove Country Park (PCCP) on three sides, and comprising mainly woodland, shrubland, fallow agricultural land, low-lying wetland habitat (including freshwater/brackish marsh, intertidal water pond/mudflat, mangrove, reedbed, seagrass), stream course, estuarine mangrove and rocky/sandy shore, the Area forms part of the wider natural system of the Plover Cove countryside.
2. Woodlands and shrublands mainly cover the inland and uphill parts and include a number of mature woodlands behind the villages, which are generally in good conditions with more diverse tree species. They are ecologically linked with the habitats within the PCCP. There are some plant

- species of conservation significance including *Aquilaria sinensis* (土沉香), *Artocarpus hypargyreus* (白桂木) *Mucuna championii* (港油麻藤), *Ailanthus fordii* (常綠臭椿) *Popowia pisocarpa* (嘉陵花) and *Macaranga sampsonii* (鼎湖血桐); and butterfly species of conservation concern including *Isoteinon lamprospilus lamprospilus* (旖弄蝶), the rare *Aeromachus jhora* (寬鐔弄蝶) and *Cethosia biblis* (紅鋸蛺蝶). The natural woodland and the coastal wetland in Kuk Po provide a good habitat for over 100 species of butterflies.
3. Freshwater/brackish marshes comprising mainly intertidal water pond/mudflat, mangrove, reedbed and seagrass are located along the low-lying coastal areas in the three sub-areas. In Fung Hang, a natural stream with estuarine mangrove is found in the western part. An EIS of 1 km in length flows across Kuk Po. Together with the coastal habitats, the wetland complex supports a high diversity of dragonflies and freshwater fish including *Macropodus hongkongensis* (香港鬥魚), *Oryzias curvinotus* (弓背青鱗) and *Orthetrum poecilops poecilops* (斑灰蜻). Kuk Po is identified as a hotspot for both freshwater fish and butterfly, and wetland plants of conservation concern *Ceratopteris thalictroides* (水蕨) and *Sphenoclea zeylanica* (尖瓣花) are recorded therein. Another EIS of 750m in length flows across Yung Shue Au, which is identified as a hotspot for freshwater fish with records of a rare goby, *Stiphodon atropurpureus* (菲律賓枝牙鰕虎魚). Other species of conservation concern including *Orthetrum poecilops poecilops* (斑灰蜻) are also recorded.
 4. In consultation with Agriculture, Fisheries and Conservation Department (AFCD), it is considered that the mature woodlands behind villages and freshwater/brackish marshes in the three sub-areas, as well as the estuarine mangrove in Fung Hang should be zoned "CA" in order to reflect the ecological importance of these natural habitats and to provide adequate planning protection for these areas whilst "GB" zoning would be appropriate to protect the rest of woodlands, shrublands and the riparian zone of stream courses.
 5. Regarding the ecological information in KFBG's submission, the AFCD advises that: (i) the area along the natural stream in the western part of Fung Hang is not considered as a marsh; (ii) the area to the north of the channelized streamcourse and east of the footpath in Fung Hang is in fact abandoned wet farmland; and (iii) patches of marshy areas are found on the seasonally wet grassland/shrubland mosaic mainly in the eastern part of Kuk Po. AFCD has no comment on the other ecological information and records in the KFBG's submission.

Land for Agriculture

1. Many of the lowland areas in the Area are fallow agricultural lands, which basically spread around the village clusters and occupy the areas of gentle topography and are seasonally wet. AFCD advises that the fallow agricultural lands possess potential for agricultural rehabilitation and those covered with grasses and shrubs could be considered for "AGR" zone from the agricultural

development point of view in order to retain agricultural land and encourage agricultural rehabilitation.

2. With a view to facilitating revitalization of the inhabited villages with agricultural activities and preserving the rural setting in the Area, "AGR" zones are proposed to cover fallow agricultural land without dense vegetation and adjoining to the existing village clusters at more accessible locations. These include some fallow agricultural land mainly covered with grasses and shrubs in front of the existing village cluster in Fung Hang, and those amidst the existing village clusters in Kuk Po Lo Wai.

Village Development

1. From the nature conservation perspective, any direct or indirect impacts to the ecological and landscape resources within the Country Park Enclaves and at the surrounding PCCP, as well as to its natural and rural character, should be avoided.
2. There are a number of recognized villages in the Area. Thus there is a need to designate "V" zones at suitable locations to meet the Small House demand of local villagers after delineating the areas that have to be conserved.
3. Given the natural environment, its ecological and landscape value coupled with its limited accessibility due to lack of vehicular access and potential natural terrain landslide hazards, an incremental approach for designation of "V" zones for Small House development has been adopted with an aim to confining Small House development at suitable locations so as to avoid undesirable disturbances to the natural environment and overtaxing the limited infrastructure in the Area. Discounting the surrounding environmentally sensitive areas, including woodland, shrubland, low-lying wetland habitat, stream course, estuarine mangrove and rocky/sandy shore which should be protected, a total of about 5.88 ha of land is covered by "V" zones including about 0.73 ha in Fung Hang, 3.63 ha in Kuk Po and 1.52 ha in Yung Shue Au. The areas reserved for Small House development mainly cover the existing village clusters and their adjoining fallow agricultural land currently covered with grasses and shrubs.
4. Although the area of the proposed "V" zones could not fully meet the Small House demand, it is sufficient to meet the outstanding demand (i.e. one Small House). Should there be a genuine need to use the land outside the "V" zones for Small House developments, there is provision in the Notes of the draft OZP to allow for application to the Board. Each application would be considered by the Board based on its individual merits.

第 3 項——《谷埔、鳳坑及榕村凹分區計劃大綱草圖編號
S/NE-KP/B》

(委員會文件第 52/2015 號)

24. 主席歡迎下列代表列席會議：

規劃署高級城市規劃師 / 新圖規劃 2 楊倩女士

規劃署城市規劃師 / 新圖規劃 1 蘇美玲女士

25. 楊倩女士利用投影片介紹委員會文件第 52/2015 號。有關投影片載於附件二。

(李國鳳議員於此時離席。)

26. 李冠洪議員提出下列問題、意見和建議：

- (a) 署方人員曾否於草擬上述大綱草圖(下稱「草圖」)的過程中前往有關鄉村實地視察；
- (b) 署方的規劃過於着重環保，忽略了持份者的意見，現時規劃作「自然保育區」的地方以往大多是居民的農地；
- (c) 有關地點近海邊的農地以往設有堤壩阻隔海水流入，但由於堤壩日久失修，加上農地被荒廢，才演變成現今的濕地，這不屬自然現象；
- (d) 署方未有切實考慮居民的需要，整個草圖涵蓋 90.27 公頃土地，其中「自然保育區」和「綠化地帶」已佔約 80 公頃；
- (e) 署方現時的數據未能反映實際人口情況，詢問署方現時劃作「鄉村式發展」的地帶是否足夠讓當區合資格原居民興建新界豁免管制屋宇(下稱「小型屋宇」)；

(f) 他以過往《荔枝窩、小灘及三桠村分區計劃大綱草圖編號 S/NE-LCW/C》諮詢區議會的過程為例，表示署方不應忽略區議會的意見，希望署方確實向城市規劃委員會(下稱「城規會」)反映委員會的意見，並認為署方應重新規劃草圖；

(g) 「自然保育區」地帶應設於一些相對較難作住宅用途的地方，而署方亦應因應有關地方的人口數目調整「鄉村式發展」用地的面積，向受影響居民作出補償；

(h) 草圖涵蓋的地方被郊野公園包圍，而《郊野公園條例》對居民的生活造成不少制肘，適度發展有關土地不會為郊野公園帶來長遠影響，即使在「農業」用地興建小型屋宇亦須經城規會審批，故署方無須將大範圍的土地劃作「自然保育區」；

(i) 希望署方詳細考慮草圖的規劃，並聽取有關持份者的意見。

27. 溫和輝議員表示，署方的規劃將過多土地劃作「綠化地帶」，對原居民不公平。

28. 溫和達議員表示，署方過於着重環保而忽略居民的需要，草圖所涵蓋的土地中約百分之八十九均為「綠化地帶」或「自然保育區」，只有約百分之六的土地劃作「鄉村式發展」。

29. 劉容壽先生指出署方過分重視環保和綠化，認為署方應以人為本作出規劃，並審視草圖的整個諮詢程序，以吸納地區人士的不同意見。

30. 劉國勳議員表示，署方不應藉此將居民的土地直接劃作保育用途，認為這對受影響居民不公平，建議政府成

立保育基金向土地擁有人購入土地，以重新規劃用途。

31. 蘇西智議員指出現時的草圖不利有關地方的未來發展，亦未有根據受影響居民的實際生活需要作出改善。他認為署方過分着重環保，未有善用土地作房屋發展，建議署方審視草圖規劃的諮詢程序。他期望署方對草圖作出修改。

32. 曾玉安先生表示，署方不應忽略持份者的需求。他期望署方撤回現時的草圖，並成立一個包括受影響村民在內的專責小組，聽取各方意見，以重新規劃草圖。

33. 侯金林議員認為草圖內劃作「鄉村式發展」的用地過少，不符合當地人口實際需要，將以往的農地劃作「自然保育區」亦對土地擁有人不公平。他建議署方考慮將部分現時劃作「自然保育區」的用地改為「農業」用地。

34. 姚銘議員表示，以往委員已多次表達對草圖規劃的不滿，希望署方成立一個委員會重新諮詢持份者的意見，避免令發展停滯不前。

35. 廖國華議員認為土地用途的規劃應按村民人數比例重新分配。

36. 主席期望署方聽取委員的意見，並表示委員會強烈反對有關草圖。他表示強烈不滿署方過往只諮詢但未有吸納委員會意見的做法，希望署方作出改善。他認同草圖內劃作「鄉村式發展」的用地過少，阻礙區內居民的生活，亦不利將來的發展。

(侯金林議員和侯漢碩先生於此時離席。)

37. 楊倩女士就委員的意見、建議和提問綜合回應如下：

- (a)現時生效的是《發展審批地區圖》，有關的《分區計劃大綱圖》仍未刊憲，現正處於擬備及諮詢階段；
- (b)署方於今年 5 至 6 月期間曾與沙頭角區鄉事委員會溝通，其後在 8 月 28 日將沙頭角區鄉事委員會、有關村民和原居民代表的意見提交予城規會作初步考慮；
- (c)因應相關意見，署方建議擴大草圖內「鄉村式發展」用地的面積，以及將區內部分農業用地劃作「農業」地帶；
- (d)署方透過相關部門了解到谷埔村民有意於啟才學校的位置設立鄉公所，現時《發展審批地區圖》中啟才學校屬「非指定用途」地區，現建議將草圖內啟才學校的位置劃為「政府、機構或社區」地帶，而在此地帶內鄉公所為其中一項經常准許的土地用途；
- (e)署方感謝和尊重各方的意見，並表示獲沙頭角區鄉事委員會安排稍後與有關村民和原居民代表會面，就草圖上建議土地用途地帶聽取和交流意見。

38. 主席認為署方未有尊重委員會的意見，希望規劃署就此作出改善。

39. 劉容壽先生建議以書面通知規劃署委員會對草圖的反對意見。

(譚見強議員於此時離席。)

40. 主席總結表示，委員會不支持有關草圖，希望署方審慎考慮委員提出的意見並作出相應修訂，及再次向區議會交代有關事宜的進展。委員會將於會後發信向署方表達

秘書處

委員會的反對意見。

(會後按語：秘書處已於 2015 年 12 月 22 日以委員會名義就上述大綱草圖向規劃署作出書面表述。相關信函夾附於附件三。)

(溫和輝議員於此時離席。)

~~第 4 項~~ ~~工程計劃項目編號 9350WF 上水及粉嶺供水改善計劃~~

(委員會文件第 53/2015 號)

41. 主席歡迎下列代表列席會議：

水務署高級工程師 / 設計(3) 郭榮昌先生

水務署工程師 / 設計(12) 溫偉賢先生

泛亞環境國際控股有限公司董事長 劉興達先生

志達顧問有限公司董事 麥達成先生

42. 溫偉賢先生利用投影片介紹委員會文件第 53/2015 號。有關投影片載於附件四。

(劉容壽先生於此時離席。)

43. 廖國華議員表示，署方曾就上述計劃先後諮詢區議會和作出實地考察。隨着北區人口上升，他認為有需要增設區內的配水庫，上述計劃的選址適當，遠離民居又無須徵收私人土地，工程進行期間對周邊環境的影響亦不大。他支持上述計劃，並希望署方與受影響村民協調，以確保施工順利。

~~44. 廖興洪先生指出上述計劃可能影響上水鄉三世祖~~

(Translation)
Extracted Minutes of Meeting of District Minor Works and Environmental Improvement
Committee of the North District Council held on 14.9.2015

Action

Item III - Draft Kuk Po, Fung Hang and Yung Shue Au Outline Zoning Plan No S/NE-KP/B
(Committee Paper no. 52/2015)

24. The Chairman welcomed the following representatives attending the meeting:

Senior Town Planner/CPE 2, Planning Department
Town Planner/CPE 1, Planning Department

Ms. YANG Ching
Ms. SO Mei-ling

25. Ms. YANG Ching briefed Members on Committee Paper no. 52/2015 by means of slideshow. The relevant slides were contained in Annex II.

(Mr. LI Kwok-fung left the meeting at this point)

26. Mr. LEE Koon-hung raised the following questions, comments and proposals:

- (a) Whether staff of PlanD had paid site visits to the villages in question during the course of drafting the captioned Draft Outline Zoning Plan (hereinafter referred to as the "Draft OZP");
- (b) PlanD's zonings had paid too much emphasis on environmental protection and neglected the views of the stakeholders. The areas now zoned as "Conservation Area" used to be farmland of the inhabitants;
- (c) The wetland found today was not a natural landscape. The agricultural land close to the site used to be sheltered by a dam to prevent influx of seawater. The wetland was formed only after the dam had disintegrated with age and the agricultural land was abandoned;
- (d) PlanD had failed to practically consider the inhabitants' need. The Draft OZP covered a total of 90.27 ha of land, of which approximately 80 ha were zoned as "Conservation Area" and "Green Belt";
- (e) The statistics currently held by PlanD did not reflect the actual population situation. He wanted to enquire PlanD if the area now zoned as "Village Type Development" was large enough for the construction of New Territories Exempted House (hereinafter referred to as "Small House") by eligible local indigenous inhabitants;
- (f) He cited the example of the consultation process of the Draft Lai Chi Wo, Siu Tan and Sam A Tsuen Outline Zoning Plan No. S/NE-LCW/C at District

Council level before, and said PlanD should not neglect the views of the District Council. He hoped PlanD would truly reflect the Committee's views

Action

to the Town Planning Board (hereinafter referred to as the "TPB") and considered that PlanD should revise the Draft OZP;

- (g) "Conservation Area" should be zoned at location comparatively hard to be used for residential purpose. Besides, the Government should also adjust the size of "Village Type Development" area in accordance with the number of local inhabitants;
- (h) The area covered by the Draft OZP was surrounded by Country Park. The Country Park Ordinance had created a lot of constraints to the living of the inhabitants. Appropriate development of the site would not bring about negative impact to the Country Park in the long term. As even construction of Small House on "Agriculture" land required permission from the TPB, it was unnecessary for PlanD to zone extensive area of land as "Conservation Area";
- (i) He hoped PlanD would carefully consider the zonings of the Draft OZP and listen to the views of the stakeholders.

27. Mr. WAN Wo-fai expressed that too much land was zoned as "Green Belt" under PlanD's planning, which was unfair to the indigenous inhabitants.

28. Mr. WAN Wo-tat said that PlanD had placed too much emphasis on environmental protection at the expense of the inhabitants' need. Of the land area covered under the Draft OZP, about 89% was zoned as "Green Belt" or "Conservation Area", while only 6% was zoned as "Village Type Development" area.

29. Mr. LAU Yung-sau pointed out that PlanD had tilted towards environmental protection and greening. He believed that PlanD should take a people-oriented approach in planning work and oversee the whole consultation process of the Draft OZP in order to accommodate different local opinions.

30. Mr. LAU Kwok-fan expressed that PlanD should not have zoned the land of the inhabitants direct for conservation purpose. He held that it was unfair for the affected inhabitants and proposed the Government to set up a conservation fund to acquire land from land owners for rezoning purpose.

31. Mr. SO Sai-chi pointed out that the current Draft OZP was not conducive to the future development of the relevant area. Besides, there was no measure to improve the actual living condition of affected inhabitants. In his opinion, PlanD has placed too much emphasis on environmental protection and the land was not well utilized for housing development. He proposed PlanD to re-examine the consultation procedure of the Draft OZP. He hoped PlanD would revise the Draft OZP.

32. Mr. TSANG Yuk-on said that PlanD should not overlook the needs of the stakeholders. He hoped PlanD would withdraw the existing Draft OZP and set up an

ad hoc group comprising representatives of affected inhabitants to solicit views from different parties. He hoped PlanD would revise the Draft OZP.

Action

33. Mr. HAU Kam-lam believed that the land area zoned for “Village Type Development” under the Draft OZP was too small, which did not meet the practical need of the local population. Zoning previously used for agricultural use as “Conservation Area” was unfair to land owners. He proposed PlanD to consider rezoning some of the zoned “Conservation Area” for “Agriculture” use.

34. Mr. YIU Ming said that Members had expressed their discontent to the Draft OZP many times in the past. He hoped PlanD could set up a committee to consult once again the opinions of the stakeholders to avoid keeping development at a standstill.

35. Mr. LIU Kwok-wah held that land use planning should be revised in proportion with the population of the inhabitants.

36. The Chairman hoped that PlanD would listen to the voice of the Members and stated that the Committee strongly opposed to the Draft OZP. He strongly objected to the common practice of PlanD of consulting the Committee but not accepting their views. He hoped PlanD would improve in this respect. He agreed that the land area designated for “Village Type Development” in the Draft OZP was too small, which would adversely affected the livelihood of local inhabitants and hinder the future development.

(Mr. HAU Kam-lam and Mr. HAU Hon-shek left the meeting at this point)

37. Ms. YANG Ching gave a consolidated response regarding Members’ comments, proposals and questions as follows:

- (a) At present, it was the Development Permission Area (DPA) Plan which was in force. The Draft Outline Zoning Plan, which was at its drafting and consultation stage, had yet to be gazetted;
- (b) PlanD had communicated with the Sha Tau Kok Rural Committee during the period from May to June this year. Then later on 28th August, the views of the Sha Tau Kok Rural Committee, relevant inhabitants and Indigenous Inhabitant Representative (IIR) were submitted to the TPB for preliminary consideration;
- (c) Subsequent to the comments received, PlanD had proposed to extend the size of the “Village Type Development” area under the Draft OZP and zone some of the agricultural land within the area as “Agriculture”;
- (d) Through contact with other departments, PlanD understood that inhabitants of Kuk Po Village had intention to set up a Village Office at the location of the former Kai Choi School. Under the existing DPA Plan, the site of Kai Choi School was zoned as “Other Uses”. It was proposed to rezone the site of Kai Choi School to “Government, Institution or Community” use under the Draft OZP. And within G/IC zone, village office is one of the always permitted

uses;

(e) PlanD thanked and respected comments from all parties and stated that the Sha Tau Kok Rural Committee had arranged them to meet the relevant inhabitants and IIR later to solicit and exchange views on the proposed land use zonings of the Draft OZP.

Action

38. The Chairman held that PlanD had not respected the views of the Committee and hoped PlanD could improve themselves.

39. Mr. LAU Yung-sau proposed to inform PlanD in writing about the opposed views of the Committee towards the Draft OZP.

(Mr. TAM Kin-keung left the meeting at this point)

40. In conclusion, the Chairman said that the Council did not support the Draft OZP. He hope PlanD would seriously consider comments raised by Members and make corresponding amendments, then update the Council about the progress of the matter. The Committee would write to PlanD after this meeting to express its opposed comments.

Secretariat

(Post-meeting note: The Secretariat had submitted written representation on the Draft OZP in the name of the Committee on 22.12.2015. The relevant letter was attached at Annex III.)

(Mr. WAN Wo-fai left the meeting at this point)

北區區議會
議事處
辦事處
北角政府合署一樓
北角民政事務處



NORTH DISTRICT COUNCIL
15 NORTH DISTRICT HOUSE
15 North District Government Offices,
3/F, Fung Road,
Kowloon
Fax No. 2676 9105

傳真號碼：2676 9105
電話：Tel 2675 1575

檔號 Ref: (5) in DON(DC)14/1003/2015 Part II

傳真函件

規劃署
香港渣華道 333 號
北角政府合署 17 樓
(傳真號碼：2877 0239 / 2877 0389)

執事先生/ 女士：

《谷埔、鳳坑及榕樹凹分區計劃大綱草圖編號 S/NE-KP/B》

北區區議會地區小型工程及環境改善委員會(下稱「委員會」)曾於 2015 年 9 月 14 日舉行的第 23 次會議上，就《谷埔、鳳坑及榕樹凹分區計劃大綱草圖編號 S/NE-KP/B》(下稱「草圖」)進行討論。在該會議上，委員會對上述草圖表示反對，並決定以書面形式向貴署表達意見。委員會的意見如下：

- (1) 委員會認為草圖規劃過於着重環境保育，將大面積土地劃作「自然保育區」和「綠化地帶」，未有因應居民的需要而調整土地用途規劃，亦不利有關地方的未來發展；
- (2) 要求貴署因應谷埔、鳳坑及榕樹凹擁有丁權居民的數字來規劃「鄉村式發展」用地的面積，以應付當地居民對新界豁免管制屋宇的長遠需求；
- (3) 要求貴署尊重村民的私有財產，在農地保育與鄉村長遠發展兩者之間取得平衡，並向受影響村民作出補償；
- (4) 要求貴署成立專責委員會諮詢有關持份者，重新規劃草圖；以及
- (5) 要求貴署審視分區計劃大綱草圖的規劃程序，廣泛諮詢地區人士，並將委員會的意見確實反映予城市規劃委員會。

委員會 9 月份的會議紀錄有待委員會予以通過，屆時，本處將會向貴署提交相關的會議紀錄，以供參考。

如有任何問題，請致電 2675 1575 與下開代行人聯絡。

北區區議會秘書

(莊煒



代行)

2015 年 12 月 22 日

副本送交：

北區民政事務助理專員(1)

(請交：鄺庭樂女士)

規劃署沙田、大埔及北區規劃專員

(請交：蘇震國先生)

規劃署高級城市規劃師 / 新圖規劃 2

(請交：楊倩女士)

(Translation)

Letterhead: North District Council

Ref.: (5) in DON(DC)14/1003/2015 Part II

By fax

Planning Department
17/F, North Point Government Offices
No. 333, Java Road,
Hong Kong
(Fax no.: 2877 0239 / 2877 0389)

Dated: 22.12.2015

Dear Sir/Madam,

Draft Kuk Po, Fung Hang and Yung Shue Au Outline Zoning Plan No. S/NE-KP/B

At the 23rd meeting of the District Minor Works and Environmental Improvement Committee (hereinafter referred to as "the Committee") of the North District Council held on 14.9.2015, the Committee has discussed the Draft Kuk Po, Fung Hang and Yung Shue Au Outline Zoning Plan No. S/NE-KP/B (hereinafter referred to as "the Draft OZP"). During the meeting, the Committee raised its objection to the Draft OZP and decided to express its views to your Department in writing. The comments of the Committee are as follows:

- (1) The Committee considered that the Draft OZP has placed too much emphasis on environmental protection and a large area of land was zoned for "Conservation Area" (CA) and "Green Belt" (GB). The Draft OZP has made no adjustment of land use in accordance with the inhabitants' need which is also not conducive to future development in the Area;
- (2) The Committee requested your Department to plan the "Village Type Development" zone based on the number of villagers having 'Ting' entitlement in Kuk Po, Fung Hang and Yung Shue Au, in order to meet the long term local inhabitants' demand for New Territories Exempted House;
- (3) The Committee requested your Department to respect the private properties of the villagers, strike a balance between conservation of agricultural land and long-term development of the villages, and provide compensation to affected villagers;
- (4) The Committee requested your Department to set up an ad hoc committee to consult views of the relevant stakeholders and revise the Draft OZP; and

(5) The Committee requested your Department to examine the planning procedure of the Draft OZP and conduct extensive local consultation, then duly reflect the views of the Committee to the Town Planning Board.

The minutes of the September meeting is subject to confirmation by the Committee. We would furnish you with a copy of the minutes of meeting by then for your reference.

Should you have any enquiry, please call 2675 1575 to contact the undersigned.

CHONG Wai (chop stamped)
for North District Council Secretariat

c.c.

Assistant District Officer (North) 1
District Planning Officer/Shia Tin, Tai Po and North
Senior Town Planner/CPE 2

(Attn: Ms KWONG Ting-lok, Maggie)
(Attn: Mr. SOH Chun-kwok)
(Attn: Ms. YANG Ching, Channy)



第二頁 **新界沙頭角區鄉事委員會** Sha Tau Kok District Rural Committee, NT

敬啟者：

『強烈反對規劃署對谷埔、鳳坑及榕樹凹的不合理規劃』

特區政府施政混亂，缺乏方向，自西灣被規劃為郊野公園開始，規劃署規劃 54 幅不包括土地，方向定錯了，既有違以人為本的可持續發展方向，規劃署更明顯扼殺了新界數十條鄉村的生存空間，我們沙頭角鄉委員會屬下的三條上述村落，對規劃署的不合理對待表示強烈不滿並有以下意見：

- 一、 規劃署完全沒有誠意聽取土地持份者的意見；
- 二、 未諮詢鄉事會或個別鄉村村民就提交區議會諮詢，本末倒置，意圖將區議會當成橡皮圖章；
- 三、 農地就是農地，胡亂規劃保育或綠化皆不宜，有違土地本質，離經叛道！
- 四、 規劃署改變了以前的做法，不再為村民規劃建屋土地（鄉村發展區，即 V-ZONE），完全漠視村民的房屋需要；
- 五、 建議根據各村人丁實數，規劃 V-ZONE 面積，三村都有擴大的需要！
- 六、 規劃署似乎完全忘記了基本法尊重原居民傳統權益章節，為規劃而規劃，三村規劃後仍然是孤島，村與村之間沒有交通網絡，實際談不上規劃！
- 七、 谷埔村的 CA 及 GB 面積過大，應多劃農地！
- 八、 榕樹凹完全欠缺農地，有違可持續發展原則，令人費解！
- 九、 我們強烈要求規劃部門與村民代表成立工作小組，參與式重新規劃再提上城規會審議，更請勿再將城規會當作橡皮圖章！

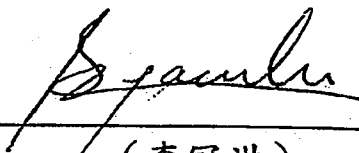


第二頁
新界沙頭角區鄉事委員會
Sha Tau Kok District Rural Committee, NT

此致

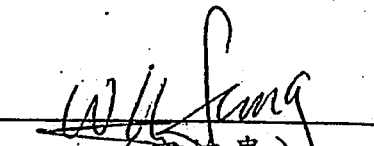
規劃署署長凌嘉勤太平紳士

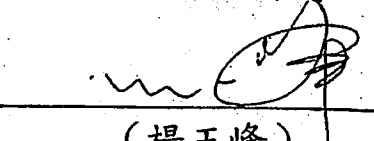
沙頭角區鄉事委員會主席


(李冠洪)

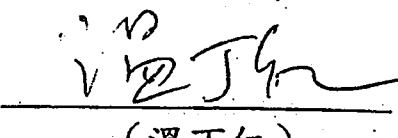


谷埔村村代表

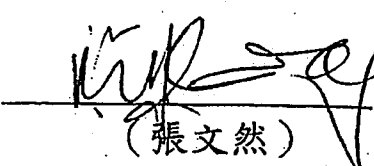

(宋煌貴)


(楊玉峰)

榕樹凹村代表


(溫丁仁)

鳳坑村村代表


(張文然)
謹啟

日期：12/9/2015

聯絡處：

沙頭角區鄉事委員會

電話：26559122

(Translation)

Letterhead: Sha Tau Kok District Rural Committee, NT

To: Mr. LING Kar-kan,
Director of Planning

Dated: 12.9.2015

Dear Sir,

**Strong objection to Planning Department's unreasonable planning for Kuk Po,
Fung Hang and Yung Shue Au**

The policy of the HKSAR Government is chaotic and without direction. From the time Sai Wan was incorporated into Country Park, the Planning Department (PlanD) has planned for 54 enclaves. This direction is wrong. Not only is it against the people-oriented trend of sustainable development, PlanD has obviously taken away the space for survival of several dozens of villages in the New Territories. The above three villages under the Sha Tau Kok District Rural Committee would like to express strong objection to the unreasonable treatment of PlanD and have the following comments:

1. PlanD was not sincere at all in listening to the views of the stakeholders;
2. The proposal was submitted to the District Council for consultation before soliciting the views of the Rural Committee or individual villagers. This is putting the cart in front of the horse, with intention to turn the District Council into a rubber stamp;
3. Agricultural land is agricultural land. Indiscriminate zoning of agricultural land for conservation area or green belt is a heresy, against its inherent nature!
4. PlanD has changed their previous practice. They are no longer planning housing lands for the villagers (village-type development area, i.e. V-zone) and totally disregard the housing need of the villagers;
5. The size of the V-zones should be planned according to the actual number of male indigenous villagers in each village. Expansion of the V-zone is necessary for all the three villages!
6. It seems that PlanD has totally forgotten about the Article in the Basic Law about protection of the lawful traditional rights and interests of the indigenous inhabitants; and just zoned the land for zoning sake. Even after planning, the three villages are still isolated from each other and there is no transportation network to link up the villages. This is actually not planning!
7. The size of the CA and GB in Kuk Po Village is too big. More agricultural land should be zoned.
8. There is no agricultural zone in Yung Shue Au, which is against the principle of sustainable development. How perplexing!
9. We strongly request the planning authority to set up a working group with the village representatives so that they can participate in revising the zonings before the Draft OZP is submitted to the Town Planning Board for consideration. Please stop treating the TPB as a rubber stamp!

(LEE Koon-hung) (Signed)

Chairman, Sha Tau Kok District Rural Committee
(Chop of Sha Tau Kok District Rural Committee stamped)

(SUNG Wong-kwai) (Signed)

(YEUNG Yuk-fung) (Signed)

Village Representative of Kuk Po Village

(WAN Ting-yan) (Signed)

Village Representative of Yung Shue Au Village

(CHEUNG Man-yin) (Signed)

Village Representative of Fung Hang Village

Contact point: Sha Tau Kok District Rural Committee

Tel: 2655 9122

建議書 S/NE-KP/B: 將谷埔村重新修訂規劃建議

敬啟者:

規劃處錯誤地接納 2013 年香港昆蟲學會所提供之資料, 事關 貴處接納該會提供區內人口為 67 人, 其中部份又是女性未能申請丁屋權利, 故你們只批劃極少量土地供發展“V”zone 用途.

現在正確知會 貴處, 在 1911 年 10 月 27 日, 香港政府人口統計處提交了<<香港殖民地 1911 年人口統計報告>>

村莊	男	女	合計
谷埔老圍	140	107	247
谷埔新圍	56	70	126
谷埔二肚	24	23	47
谷埔三肚	19	24	43
谷埔四肚	13	9	22
谷埔南山	23	19	42
大寮涌	14	14	28
谷埔峇下	4	4	8

即當年谷埔村已有男 293 人, 女 270 人, 共 563 人. 現在谷埔村已登記原居民代表選民資格已有 147 位, 亦可向北區民政主任查詢, 而最近一人一信向城規會反對有一百多人, 故貴處應重申調整“V”zone 地一事.

至於規劃了自然保育區, 函蓋大部份農地實在不合理, 同時該片農地是當年村民生活艱巨下用真金白銀購入, 也是本村食糧主要來源, 2015-9-14 北區區議會裡, 沙頭角鄉事會主席李冠洪強烈反映, 詳述反對理由.

現在我村也應保育 / 農業 / 綠化 / 鄉村式發展得以平衡, 建議在近海處長堤壩向村申延 50 米為保育區(不包括私人土地), 其餘維持現狀, 到目前為止我村從未破壞該幅土地.

此致規劃處署長

沙頭角谷埔村全體村民上



日期: 二零一五年十月二日

(副本呈上沙頭角鄉事會主席)

(Translation)

To: Director of Planning

Dated: 2.10.2015

Dear Sir,

Draft OZP S/NE-KP/B: Planning amendments for land use zonings at Kuk Po Village

The Planning Department has wrongly accepted the information provided by the Hong Kong Entomological Society in 2013. The Society stated that the local population is 67, of which some are females who have no right of small house application. You accepted what they said and just granted very little land for "V" zone purpose.

Now we would like to duly inform you about the data contained in the "Report of the Census of the Colony for 1911" submitted by the Census Office, Hong Kong Government on 27.10.1911.

Village	Male	Female	Total
Kuk Po Lo Wai	140	107	247
Kuk Po Sun Wai	56	70	126
Kuk Po Yi To	24	23	47
Kuk Po Sam To	19	24	43
Kuk Po Sze To	13	9	22
Kuk Po Nam Shan	23	19	42
Tai Liu Chung	14	14	28
Kuk Po Che Ha	4	4	8

That means, the total population of Kuk Po Village was already 563, with 293 males and 270 females at that time. At present, the number of registered voters for Indigenous Inhabitant Representatives for Kuk Po Village is 147. You can verify this with the District Officer (North). And the recent submissions to the Town Planning Board through one-person-one-letter is over 100. Therefore, your department should revise the "V" zone.

Regarding the zoning of Conservation Area (CA), it is unreasonable to include vast extent of agricultural lands. Moreover, the agricultural lands were bought by the villagers with their own hard earned money long time ago. They are the main source of food supply for our Village. During the meeting held by the North District Council on 14.9.2015, Mr. LEE Koon-hung, Chairman of the Sha Tau Kok District Rural Committee has raised strong objection and elaborated the grounds for opposition in details.

There should be a right balance in conservation area, agriculture land, green belt and village-type development zone in our Village. We propose to have the area stretching 50m from the long coastal dam to the inshore village designated as CA (excluding private lands), other remain intact. Until now, our Village has never destroyed that piece of land.

All villagers of Kuk Po Village, Sha Tau Kok
(Chop of Kuk Po Village Committee stamped)
(c.c. Chairman, Sha Tau Kok District Rural Committee)

榕樹凹村原居民
丁權登記冊
2015 年 8 月

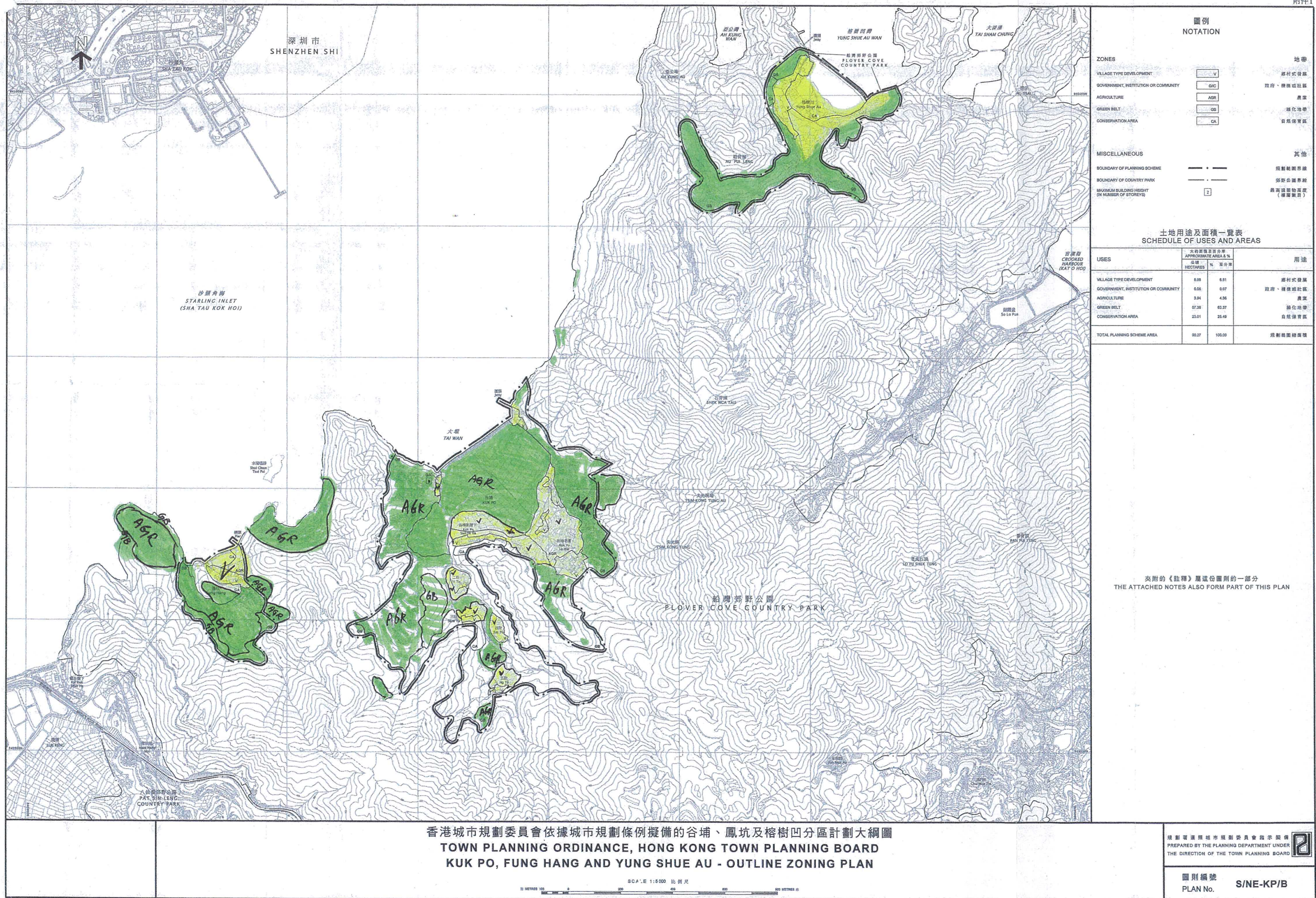
Yung Shu Au Village Indigenous Inhabitants
Ding Entitlement Registration Records
Aug. 2015

榕樹凹村原居民						
Yung Shu Au Village Indigenous Inhabitants						
丁權登記冊						
DING ENTITLEMENT REGISTRATION RECORDS						
2015 年8月						
丁權人姓名	父親姓名	祖父姓名		丁權人姓名	父親姓名	祖父姓名
溫華基	溫一輝(歿)	溫步高(歿)		溫德華	溫耀輝(歿)	溫新高(歿)
溫志雄	溫華基	溫一輝(歿)		溫穎健	溫德華	溫耀輝(歿)
溫志明	溫華基	溫一輝(歿)		溫德榮	溫耀輝(歿)	溫新高(歿)
溫志偉	溫華基	溫一輝(歿)		溫國基	溫德榮	溫耀輝(歿)
溫華茂	溫一輝(歿)	溫步高(歿)		溫偉華	溫耀輝(歿)	溫新高(歿)
溫俊傑	溫華茂	溫一輝(歿)		溫華容	溫玉輝(歿)	溫永高(歿)
溫天佑	溫梅生(歿)	溫其輝(歿)		溫國榮	溫華容	溫玉輝(歿)
溫嘉威	溫天佑	溫梅生(歿)		溫楚斌(忠)	溫欽輝(歿)	溫謨高(歿)
溫玉賢	溫培高(歿)	溫陸光(歿)		溫栢基	溫楚斌(楚忠)	溫欽輝(歿)
溫雨田	溫玉賢	溫培高(歿)		溫國基	溫楚斌(楚忠)	溫欽輝(歿)
溫迪莊	溫玉賢	溫培高(歿)		溫官平	溫雲輝(歿)	溫才高(歿)
溫玉波	溫培高(歿)	溫陸光(歿)		溫偉豪	溫官平	溫雲輝(歿)
溫少凡	溫玉波	溫培高(歿)		溫官皇	溫雲輝(歿)	溫才高(歿)
溫少東	溫玉波	溫培高(歿)		溫宇峰	溫官皇	溫雲輝(歿)
溫秀文	溫魁高(歿)	溫杰光(歿)		溫天園	溫維高(歿)	溫鏡光(歿)
溫偉彬	溫秀文	溫魁高(歿)		溫耀權	溫天園	溫維高(歿)
溫偉雄	溫秀文	溫魁高(歿)		溫耀威	溫天園	溫維高(歿)
溫勇強	溫玉輝(歿)	溫永高(歿)		溫院安	溫訓高(官發)(歿)	溫可福(歿)
溫國良	溫勇強	溫玉輝(歿)		溫劍倫	溫院安	溫訓高(官發)(歿)
溫華清	溫一輝(歿)	溫步高(歿)		溫院強	溫訓高(官發)(歿)	溫可福(歿)
溫志成	溫華清	溫一輝(歿)		溫俊豪	溫院強	溫訓高(官發)(歿)
溫志健	溫華清	溫一輝(歿)		溫俊邦	溫院強	溫訓高(官發)(歿)
溫昇平	溫瑞高(歿)	溫集光(歿)		溫院明	溫訓高(官發)(歿)	溫可福(歿)
溫穎熙	溫昇平	溫瑞高(歿)		溫贊寧	溫院生(歿)	溫訓高(官發)(歿)
溫華平	溫一輝(歿)	溫步高(歿)		溫林芳	溫瑞高(歿)	溫集光(歿)
溫志鵬	溫華平	溫一輝(歿)		溫華凱	溫林芳	溫瑞高(歿)
溫志平	溫華平	溫一輝(歿)		溫華欽	溫林芳	溫瑞高(歿)
溫天生	溫廉輝	溫鳴高(歿)		溫金祥	溫瑞高(歿)	溫集光(歿)
溫天福	溫廉輝	溫鳴高(歿)		溫啓銘	溫金祥	溫瑞高(歿)
溫華業	溫一輝(歿)	溫步高(歿)		溫耀柱	溫梅生(歿)	溫其輝(歿)
溫卓然	溫華業	溫一輝(歿)		溫宇恆	溫耀柱	溫梅生(歿)
溫果楓	溫華業	溫一輝(歿)		溫由恆	溫耀柱	溫梅生(歿)
溫惠生	溫森高(歿)	溫雍光(歿)		溫耀基	溫梅生(歿)	溫其輝(歿)
溫 Hanson	溫惠生	溫森高(歿)		溫家恆	溫耀基	溫梅生(歿)
溫洪貴	溫玉輝(歿)	溫永高(歿)		溫萬成	溫道英(歿)	溫觀壽(歿)
溫國雲	溫洪貴	溫玉輝(歿)		溫華生(米記)	溫應高(歿)	溫合光(歿)
溫國富	溫洪貴	溫玉輝(歿)		溫志誠	溫華生(米記)	溫應高(歿)
溫國祥	溫洪貴	溫玉輝(歿)		溫鉞銘	溫志誠	溫華生(米記)
溫日俊	溫國雲	溫洪貴		溫煌仁	溫應高(歿)	溫合光(歿)
溫全有	溫國雲	溫洪貴		溫志雄	溫煌仁	溫應高(歿)
溫聲金	溫國雲	溫洪貴		溫志揚	溫煌仁	溫應高(歿)
溫年安	溫亞送(歿)	溫新高(歿)		溫天生	溫應高(歿)	溫合光(歿)
溫國文	溫年安	溫亞送(歿)		溫志立	溫天生	溫應高(歿)
溫 Ayato Noah	溫國文	溫年安		溫華東	溫長南(歿)	溫佑高(歿)
溫國輝	溫年安	溫亞送(歿)		溫智健	溫華東	溫長南(歿)
溫慶麟	溫國輝	溫年安		溫顯揚	溫華東	溫長南(歿)
溫馬安	溫東高(林發)(歿)	溫寶光(漢生)(歿)		溫華海	溫長南(歿)	溫佑高(歿)
溫偉康	溫馬安	溫東高(林發)(歿)		溫偉強	溫大妹(歿)	溫佑高(歿)
溫德和	溫偉康	溫馬安		溫偉明	溫大妹(歿)	溫佑高(歿)
溫偉良	溫馬安	溫東高(林發)(歿)		溫華勝	溫細妹(歿)	溫佑高(歿)
溫德明	溫偉良	溫馬安		溫添	溫亞送(歿)	溫新高(歿)
溫偉廉	溫馬安	溫東高(林發)(歿)		溫國亮	溫添	溫亞送(歿)
溫德勤	溫偉廉	溫馬安		溫家倫	溫國亮	溫添
溫德麟	溫偉廉	溫馬安		溫偉新	溫亞送(歿)	溫新高(歿)
溫華安(乙)	溫東高(林發)(歿)	溫寶光(漢生)(歿)		溫國權	溫偉新	溫亞送(歿)
溫子聰	溫華安(乙)	溫東高(林發)(歿)		溫國恆	溫偉新	溫亞送(歿)
溫華興	溫東高(林發)(歿)	溫寶光(漢生)(歿)		溫國浩	溫偉新	溫亞送(歿)
溫子樂	溫華興	溫東高(林發)(歿)		溫亞連	溫忠高(歿)	溫揚光(歿)
溫長發	溫林森(歿)	溫雲高(歿)		溫世明	溫亞連	溫忠高(歿)
溫國忠	溫長發	溫林森(歿)		溫丁發	溫美高(歿)	溫甲(歿)
溫華春	溫林森(歿)	溫雲高(歿)		溫保養	溫瑞明(歿)	溫懋高(歿)
溫振倫	溫華春	溫林森(歿)		溫國全	溫保養	溫瑞明(歿)
溫俊傑	溫華春	溫林森(歿)		溫華榮	溫瑞明(歿)	溫懋高(歿)

溫華彬	溫林森(歿)	溫雲高(歿)		溫國麟	溫華棠	溫瑞明(歿)
溫珈樂	溫華彬	溫林森(歿)		溫華韜(丁權已用)	溫瑞明(歿)	溫懋高(歿)
溫東仁	溫林森(歿)	溫雲高(歿)		溫國泰	溫華韜	溫瑞明(歿)
溫超明	溫維高(歿)	溫鏡光(歿)		溫國揚	溫華韜	溫瑞明(歿)
溫耀東	溫超明	溫維高(歿)		溫文輝(馬庚)	溫端高(歿)	溫壽光(歿)
溫耀軒	溫超明	溫維高(歿)		溫志華	溫文輝(馬庚)	溫端高(歿)
溫偉揚	溫亞苟	溫庭高(歿)		溫浩華	溫文輝(馬庚)	溫端高(歿)
溫偉光	溫亞苟	溫庭高(歿)		溫凱進	溫志華	溫文輝(馬庚)
溫皇生	溫球高(歿)	溫顯光(歿)		溫鶴輝	溫務高(林森)(歿)	溫威光(歿)
溫家榮	溫皇生	溫球高(歿)		溫華曦	溫鶴輝	溫務高(林森)(歿)
溫家華	溫皇生	溫球高(歿)		溫原忠	溫樊高(才)(歿)	
溫亞皇	溫球高(歿)	溫顯光(歿)		溫春源(年雄)	溫樊高(才)(歿)	
溫旭坤	溫亞皇	溫球高(歿)		溫偉安	溫春源(年雄)	溫樊高(才)(歿)
溫旭文	溫亞皇	溫球高(歿)		溫運華	溫忠高(歿)	溫揚光(歿)
溫來友	溫庭高(歿)	溫先光(歿)		溫德明	溫運華	溫忠高(歿)
溫榮為	溫來友	溫庭高(歿)		溫映華	溫志強	溫仁生(歿)
溫國昇	溫榮為	溫來友		溫冠華	溫運生(丁權已用)	溫莽(歿)
溫耀泉	溫煌友(歿)	溫勝高(歿)		溫樹強	溫煌發(歿)	溫勝高(歿)
溫耀忠	溫煌友(歿)	溫勝高(歿)		溫素倫	溫煌發(歿)	溫勝高(歿)
溫智溢	溫耀忠	溫煌友(歿)		溫素康	溫煌發(歿)	溫勝高(歿)
溫華亮	溫蔭	溫彥高(歿)		溫偉榮	溫金輝(歿)	溫榮高(歿)
溫華昆	溫蔭	溫彥高(歿)		溫裕航(丁權已用)	溫偉榮	溫金輝(歿)
溫華聰(丁權已用)	溫蔭	溫彥高(歿)		溫裕誠	溫偉榮	溫金輝(歿)
溫國皓	溫華聰	溫蔭		溫進英	溫輝	溫珍高(歿)
溫進富	溫輝	溫珍高(歿)		溫 Jason	溫進英	溫輝
溫 Martin	溫進富	溫輝		溫嘉駒	溫盤友	溫珍高(歿)
溫 Daniel	溫進富	溫輝		溫華芳(為春)	溫來福(歿)	溫珍高(歿)
溫華彪	溫來福(調、暢輝)	溫柏高(歿)		溫海斌	溫與(歿)	溫碧高(歿)
溫家榮	溫華彪	溫來福(調、暢輝)		溫華仁	溫海斌	溫與(歿)
溫華新	溫欽輝(歿)	溫謨高(歿)		溫華昌	溫海斌	溫與(歿)
溫國榮	溫華新	溫欽輝(歿)		溫華成	溫海斌	溫與(歿)
溫國賢	溫華新	溫欽輝(歿)		溫亞雄	溫純高(歿)	溫先光(歿)
溫華明	溫欽輝(歿)	溫謨高(歿)				

(Translation)

Yung Shue Au Village Indigenous Inhabitants						
Ding Entitlement Registration Records						
August 2015						
<u>Name of Ding Entitlement</u>	<u>Father's Name</u>	<u>Grandfather's Name</u>		<u>Name of Ding Entitlement</u>	<u>Father's Name</u>	<u>Grandfather's Name</u>
96 Names	96 Names	96 Names		95 Names	95 Names	93 Names
(1 entitlement executed)	(29 deceased)	(82 deceased)		(2 entitlement executed)	(44 deceased)	(89 deceased)
					1 entitlement executed)	



SPECIFIC ZONING PROPOSALS RECEIVED ON 2.10.2015 FROM THE SHA TAU KOK DISTRICT RURAL COMMITTEE (STKDR) AS WELL AS INDIGENOUS INHABITANT REPRESENTATIVES (IIRs) OF FUNG HANG, KUK PO AND YUNG SHUE AU VILLAGES

Sample of the Standard Letters received from August to October 2015

(編號 DPA/NE-KP/1)

致

城市規劃委員會主席及全體委員：

事由：強烈反對規劃署將一個偏離現實，違反地區可持續發展的谷埔，鳳坑及榕樹凹發展大綱草圖提交城規會審議

我們的反對理據如下：

1. 規劃署完全欠缺宏觀思維，區與區之間的交通規劃欠奉；
2. 規劃「鄉村式發展區」胡亂搬龍門，缺乏客觀標準，比較過去多項規劃，如沙頭角新開放的六條村落及蓮麻坑村等，鄉村式發展區大幅減少甚或零，我們十分懷疑規劃署負責官員祇憑個人喜好和長官意志做事！
事實上，我們完全不能接受祇將舊屋範圍規劃為「鄉村式發展區」而應按各村男丁數目比例規劃，確保偏遠鄉村原居民權益受到尊重。
3. 農地就應定性為農地，荒廢與否皆不能胡亂改變它的本質，我們強烈反對規劃署輕率的劃作保育或綠化，這對鼓勵復耕或尋求非牟利機構參與毫無幫助；
我們作為土生土長的村民及土地持份者，深知及了解周邊動植物情況，愛護不下於環保人士，規劃署應該知道「兼聽則明」的道理！
4. 規劃署不應罔顧大眾利益，應公平公正的，就谷埔，鳳坑及榕樹凹發展審批地區圖（編號 DPA/NE-KP/1）進行諮詢，充考慮村民，村代表，鄉事會及區議會所提出的意見；
我們鄭重表明，規劃署官員祇有以民為本，盡量吸納民間意見，才能將規劃做到「地盡其用」效果，否則將會挑起紛爭，積聚民怨民憤，為特區政府添煩添亂，敬請指示規劃署草擬一個合情合理的大綱草圖才提交城規會考慮！

反對人簽署/團體蓋章：

姓名：

電話：

地址：

日期：

16/09/15

(Translation)

(No: DPA/NE-KP/1)

To: Chairman and Members
Town Planning Board

Re: Strong objection to the submission of the draft Kuk Po, Fung Hang and Yung Shue Au outline development plan which is detached from reality and contrary to sustainable development of the area by the Planning Department to the Town Planning Board for deliberation

Our objecting comments are on the following grounds:

1. There is a total lack of macro thinking by the Planning Department (PlanD) with no inter-area transport planning;
2. There is messy positioning in planning the "Village Type Development Area" with no objective criteria. When compared with the previous planning items such as the recently opened 6 villages in Sha Tau Kok and Lin Ma Hang Tsuen etc. the number of village type development areas has dropped greatly and even reduced to zero. We are in great doubt that the PlanD officers concerned are performing their duties by way of their personal likes and the will of their supervisors!
In fact, the zoning of only the areas covered by the old house as "village type development areas" is totally unacceptable to us. Instead, planning in accordance with the number of male villagers of the various villages should be made in order to ensure that the right of the indigenous villagers of remote villages would be respected.
3. Agricultural land should be designated as agricultural land. Their nature should not be indiscriminately changed no matter they are abandoned or not. We are strongly opposed to their zoning for conservation or green belt use by the PlanD sloppily. This would not help encourage rehabilitation and participation by the non-profit-making organizations.
As native villagers and land stakeholders, we fully understand the fauna and flora of our surrounding areas and our love to them is no less than that by the environmentalists. The PlanD should "listen to the views of all parties to have a better understanding of the matter".
4. The PlanD should not disregard the interest of the public and consultation on the Development Permission Area Plan of Kuk Po, Fung Hang and Yung Shue Au (No: DPA/NE-KP/1) should be conducted in a fair and impartial way in order to fully consider the views raised by the villagers, village

representatives as well as members of the rural committee and the district council;

We solemnly state that only a people-oriented approach listening to all public views by the PlanD would lead to planning that would "make full utilization of the land", or else there would be disputes and also complaints and grudges bringing more trouble and messiness to the SAR Government. It is hoped that instructions on the making of a reasonable draft outline plan by the PlanD for submission to the Town Planning Board for consideration would be made!

Signature of Objector/Chop of Organization: _____

Name: _____

Phone: _____

Address: _____

Date: _____

From: "Tony Nip"

To:

Cc:

Sent: 2015 年 9 月 22 日, 星期二 上午 11:27:01

Subject: Re: Draft Kuk Po, Fung Hang and Yung Shue Au Outline Zoning Plan No. S/NE-KP/B

Dear All,

I have finished reading the TPB Paper 9982 and the draft plan in it.

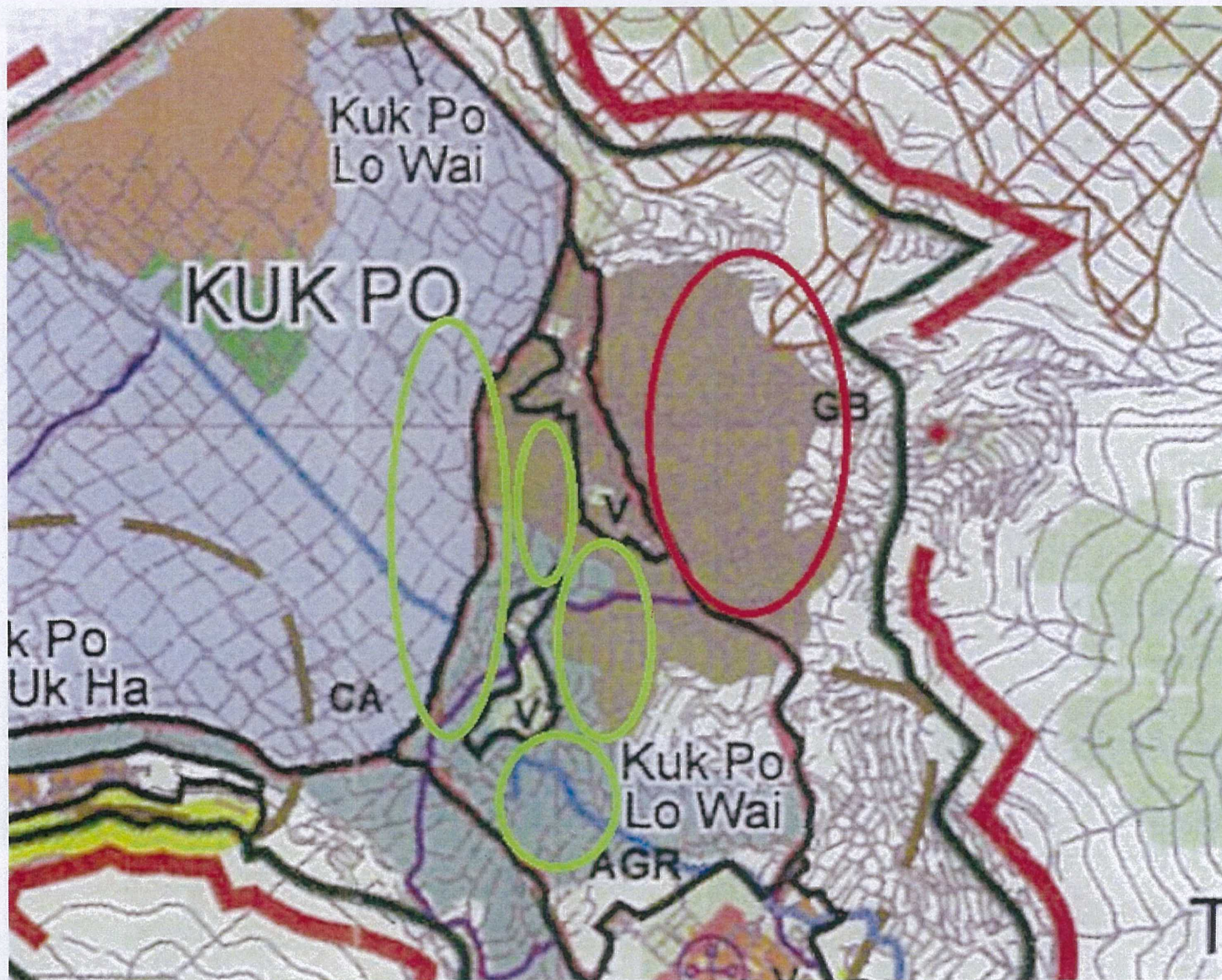
My comments are as follows:

1. I cannot see the rationale of setting up AGR zones in Kuk Po and Fung Hang as now there are no extensive active farmlands in these areas.
2. The AGR zone in Kuk Po Lo Wai makes me feel that it is tailor made to fit the VE. I do not recommend to zone the areas next/ close to the marsh (now covered with CA) with AGR zone (marked in green in the attached), as modern farming activities (i.e., use of pesticides and fertiliser) would affect the marsh and the wetland complex (the areas are hydrologically connected). If AGR zone is a must, I would recommend utilising the shrubland behind the village (marked in red in the attached jpeg file). But as I said above, I do not see the rationale of setting up AGR zone.
3. The woodlands now in these enclaves are mainly covered with GB. However, as revealed from aerial photo, they are highly dense and well connected with the surrounding CP, we recommend that these GBs should be turned to GB(1) to reflect their true value.

The above are my preliminary opinion.

Best Regards,

Tony





長春社 since 1968

The Conservancy Association

會址：香港九龍青山道 476 號百佳商業中心 1 樓 102 室

Add.: Unit 102, 1/F, Park Building, 476 Castle Peak Road, Kowloon, Hong Kong

電話 Tel.: (852) 2728 6781 傳真 Fax.: (852) 2728 5538

30th September 2015

Planning Department
District Planning Branch
New Territories District Planning Division
Sha Tin, Tai Po and North District Planning Office

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

Dear Channy,

Comments on Draft Kuk Po, Fung Hang and Yung Shue Au Outline Zoning Plan (No. S/NE-KP/B)

Following the meeting on 16th June 2015, The Conservancy Association (CA) is writing to highlight various concerns on the captioned.

1. Removing small house from Column 2 of AGR zone

According to the statistics by Development Bureau¹, 286 out of 457 planning applications of building small house in AGR zone were approved within period of 1997-2012. The approval rate is more than 60% which is considered high. Since the proposed AGR zones mostly fall within the VE, CA opines that this would still create false hope for small house application which is definitely non-agricultural use. Therefore, we suggest that "House (New Territories Exempted House only, other than rebuilding of New Territories Exempted House or replacement of existing domestic building by New Territories Exempted House permitted under the covering Notes)" should be excluded from Column 2 of AGR zone.

2. Designating natural stream and riparian zone with GB(1) or Conservation Area ("CA")

Statistics¹ also revealed that 123 out of 216 planning applications of building small house

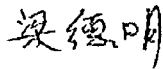
¹ LCQ17: Land reserved for building New Territories small houses,
<http://www.info.gov.hk/gia/general/201302/06/P201302060426.htm>

in GB zone were approved within period of 1997-2012. The approval rate is more than 50%. Therefore, it will again create false hope to villagers. Thus, natural stream especially the important ecologically stream (EIS) and 30m buffer including riparian zone should be designated with conservation zoning such as GB(1) or "CA", similar to the case in Hoi Ha, in order to avoid development particularly in the case of village encroachment. It would also highlight the importance of presumption against development in these areas.

3. Urging for consistency for zoning designation

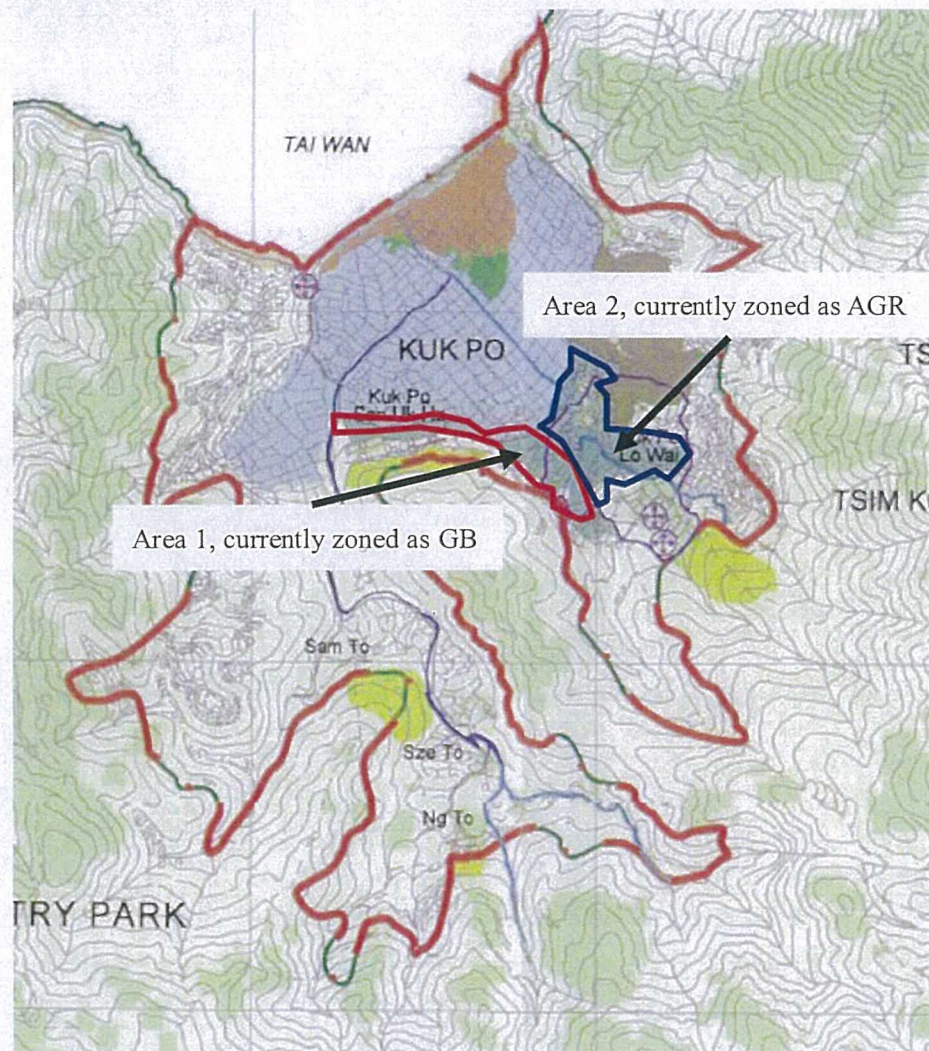
According to the habitat map (see Figure 1), we note that Area 1 and Area 2, with the same habitat (seasonally wet grassland), were protected by AGR and GB respectively. Viewing that seasonally wet grassland can still perform ecological function, CA opines that zonings of these 2 areas should be consistently protected by conservation zoning such as GB or "CA" zone. It would not deprive of the uses always permitted such as farming.

Yours faithfully,



Leung Tak Ming
Campaign officer

Figure 1 Area 1 (marked in red) and Area 2 (marked in dark blue). Both areas are same in habitat but protected by different zonings





WWF for a living planet®

世界自然基金會
香港分會

香港新界葵涌葵昌路8號
萬泰中心15樓
15/F, Manhattan Centre,
8 Kwai Cheong Road,
Kwai Chung, N.T., Hong Kong

WWF-Hong Kong

電話 Tel: +852 2526 1011
傳真 Fax: +852 2845 2764
wwf@wwf.org.hk
wwf.org.hk

Our Ref.: SHK/LDD 10/15
30 Sept 2015

Ms. Channy Yang
Planning Department - District Planning Branch
New Territories District Planning Division
Sha Tin, Tai Po & North District Planning Office
13th floor, Sha Tin Government Offices,
1 Sheung Wo Che Road, Sha Tin
(E-mail: ccyang@pland.gov.hk)

By E-mail ONLY

Dear Donna & Kelvin,

Re: Draft Kuk Po, Fung Hang & Yung Shue Au Outline Zoning Plan No. S/NE-KP/B
Preliminary Consideration of a New Plan

WWF submits herewith our initial comments on the captioned preliminary draft Kuk Po, Fung Hang and Yung Shue Au Outline Zoning Plan (OZP) No. S/NE-KP/B.

“CA” zone in the Plan area

WWF support the proposal of zoning the wetland complexes in Fung Hang, Kuk Po and Yung Shue Au into “CA”. According to ecological information submitted by Kadoorie Farm and Botanic Garden (KFBG)¹, the wetland complexes are of high ecological value as they support various wetland dependent species of conservation concerns such as the odonate species - Four-spot Midget *Mortonagrion hirosei* and Mangrove Skimmer *Orthetrum poecilops*; the freshwater fish species - Hong Kong Paradise Fish *Macropodus hongkongensis* and Rice Fish *Oryzias curvinotus*; and the Globally Endangered² endemic freshwater crab *Somanniathelphusa zanklon*. Thus, we support the proposed “CA” zone to protect the ecologically sensitive wetland complex and the associated species of high conservation value.

¹ Appendix V of the Town Planning Board Meeting Paper No. 9982

² Esser, L. and Cumberlidge, N. 2008. *Somanniathelphusa zanklon*. The IUCN Red List of Threatened Species 2008: e.T134062A3888493. <http://dx.doi.org/10.2305/IUCN.UK.2008.RLTS.T134062A3888493.en>.
Downloaded on 30 September 2015.

贊助人：香港特區行政長官
梁振英先生, GBM, GBS, JP
主席：何潤達先生
行政總裁：羅志翔先生

義務核數師：香港立信德業會計師事務所有限公司
義務公司秘書：嘉信秘書服務有限公司
義務律師：丹士打律師行
義務司庫：匯豐銀行
註冊慈善機構

Patron: The Honourable CY Leung, GBM, GBS, JP
Chief Executive of the HKSAR
Chairman: Mr Edward M Ho
CEO: Mr Adam Koo

Honorary Auditors: BDO Limited
Honorary Company Secretary:
McCabe Secretarial Services Limited
Honorary Solicitors: Mayer Brown JSM
Honorary Treasurer: HSBC
Registered Charity
(Incorporated With Limited Liability)

"AGR" zone in Kuk Po

We are of grave concern on the proposed "AGR" zone in Kuk Po. The "AGR" zone is a seasonally wet grassland³ located entirely within the "Village Environ" ("VE") of Kuk Po Lo Wai and thus is vulnerable to Small House development, which is under Column 2 of "AGR" zone. From 2003 to 2012, the approval rate of Small House application in "AGR" zone is considerably high, i.e. about 62.5%⁴. Since this piece of seasonally wet grassland is directly linked with the adjacent wetland complex in terms of both hydrology and ecology, we gravely concern that effluent discharge from Small House construction and untreated domestic sewage from septic tanks during the operation phase will cause adverse ecological impacts to the seasonally wet grassland and the wetland complex. Therefore, we recommend that the "AGR" zone in Kuk Po should be replaced by "GB(1)" or even "CA" zone to offer sufficient protection to the wetland complex which is of high ecological value.

Riparian zones of natural stream and Ecologically Important Stream (EIS)

Some sections of the natural streams and the EISs in the Plan area are now zoned as "GB" as per the captioned draft OZP. However, we are still of concern that development such as Small House along the streams will cause adverse ecological impacts to the streams themselves and the wetland complex they connected to. As such, we recommend that the riparian zones of the natural streams, in particular those sections within the "VEs" and the EISs including their upper sections, should be protected by "GB(1)" / "CA" to prevent any potential negative ecological impacts from developments to the streams, the EISs and the associated wetland complex of high ecological value.

Woodlands in the Plan area

Since the woodlands within the Plan area are dense, intact and ecologically connected with the Plover Cove Country Park, we consider that the woodlands are of high ecological and landscape value. Therefore, we view that "GB(1)" or even "CA" is more appropriate zoning that can reflect their high ecological value and offer better protection against any development.

³ Appendix V of the Town Planning Board Meeting Paper No. 9982

Thank you for your attention

Yours faithfully,



Andrew Chan

Conservation Officer, Local Biodiversity

Ms. YANG Ching, Channy
 Senior Town Planner/ Country Park Enclaves Team 2
 Sha Tin, Tai Po and North District Planning Office
 14/F, Sha Tin Government Offices,
 1 Sheung Wo Che Road,
 Sha Tin, N.T.
 (E-mail: ccyang@pland.gov.hk)



香港觀鳥會
 THE
 HONG
 KONG
 BIRD
 WATCHING
 SOCIETY
 Since 1957 成立

By email only

2 October 2015

Dear Ms. Yang,

Comments on the draft Kuk Po, Fung Hang and Yung Shue Au Outline Zoning Plan
(S/NE-KP/B)

The Hong Kong Bird Watching Society (HKBWS) would like to thank the Planning Department for consulting environmental NGOs on the draft Kuk Po, Fung Hang and Yung Shue Au Outline Zoning Plan (S/NE-KP/B). Our comments on the draft Plan are detailed below.



國際鳥盟成員

1. Ecological importance of Kuk Po, Fung Hang and Yung Shue Au and the “Conservation Area” (CA) zonings in the draft Plan

As stated in Sections 8.1 – 8.4 of the TPB Paper No. 9982, the Authorities already well-recognized the mature woodlands, wetland habitats (including freshwater/brackish marshes, intertidal water pond/mudflats, mangrove, reedbed and seagrass) and the Ecologically Important Streams are of conservation importance as they support a high diversity of butterflies, dragonflies, freshwater fish and plants of conservation concern. Besides the above faunal groups, the Kadoorie Farm and Botanic Garden (KFBG) also recorded freshwater crabs, amphibians, reptiles and mammals in the Plan Area^{1,2}, including the globally endangered³ and endemic freshwater crab *Somanniathelphusa zanklon*, Chinese Bull Frog of potential regional concern⁴, the rare⁵ Banded Stream Snake *Opisthotropis balteata*, and Malayan

¹ KFBG's submission in Appendix V of the TPB Paper No. 9982.

² Kadoorie Farm and Botanic Garden. 2004. *A Pilot Biodiversity Study of the eastern Frontier Closed Area and North East New Territories, Hong Kong, June-December 2003*. Kadoorie Farm and Botanic Garden Publication Series No.1. Kadoorie Farm and Botanic Garden, Hong Kong Special Administrative Region.

³ Esser, L. and Cumberlidge, N. 2008. *Somanniathelphusa zanklon*. The IUCN Red List of Threatened Species 2008: e.T134062A3888493. <http://dx.doi.org/10.2305/IUCN.UK.2008.RLTS.T134062A3888493.en>

⁴ 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* No. 25, 123-160.

Porcupine of potential global concern⁴. All the above clearly indicates that the Plan Area has a high biodiversity.

A diverse group of birds was also found in the Plan Area, including woodland birds (e.g., flycatchers, warblers and minivets), waterbirds (e.g., egrets, herons, shorebirds and kingfishers), open country birds (e.g., buntings, wagtails and pipits) and raptor species (e.g., eagles). So far, the HKBWS has recorded 104 bird species in the Plan Area, with 31 species of conservation concern and 26 wetland dependent species (Appendix 1). The presence of such a wide range of bird species indicates the Plan Area is with diverse undisturbed natural habitats which are worthy of protection, particularly the woodland, natural streams and wetland habitats.

Moreover, raptor species of conservation concern recorded in the Plan Area include: Black-winged Kite (*Elanus caeruleus*), Crested Serpent Eagle (*Spilornis cheela*), Bonelli's Eagle (*Aquila fasciata*), Besra (*Accipiter virgatus*), White-bellied Sea Eagle (*Haliaeetus leucogaster*) and Eastern Buzzard (*Buteo japonicus*)⁶. Raptors are top predators in the food chain. Their presence indicates that the terrestrial, river and marine ecosystems in the Plan Area is in healthy condition, and should be well-protected from pollution and habitat destruction.

Therefore, the HKBWS supports the CA zonings in the draft Plan for the protection of habitats of high ecological value in Kuk Po, Fung Hang and Yung Shue Au.

2. Potential water pollution caused by village development

With reference to the Guidance Notes on Discharges from Village Houses published by the Environmental Protection Department⁷, a Septic Tank System (STS) "*can only perform well if it has been properly sited, designed, constructed, used, desludged and repaired when necessary....overflow from septic tank or soakaway pit, or direct discharge without passing through a soakaway system, is polluting and should not be permitted*". Since there are no public sewer for Kuk Po, Fung Hang and Yung Shue Au and desludging trucks cannot access the area, we are concerned the septic tanks cannot be properly maintained, and hence the STS itself would become a source of pollution. Moreover, the planned population in the area is 550⁸, the HKBWS is

⁵ Karsen, S. J., Lau, W. N. and Bogadek, A. 1998. *Hong Kong Amphibians and Reptiles*. Urban Council, Hong Kong.

⁶ All the aforementioned raptors are listed under Class II protection in the People's Republic of China List of Wild Animals. Black-winged Kite and Crested Serpent Eagle are listed as Vulnerable in the China Red Data Book, while Bonelli's Eagle is listed as Rare (Zheng, G.M. and Wang, Q.S., 1998).

⁷ http://www.epd.gov.hk/epd/english/environmentinhk/water/guide_ref/files/guide_wpc_dv.pdf

⁸ Section 6 of the Explanatory Statement in Appendix II of the TPB Paper No. 9982

concerned that the soakaway systems required to support such a population would exceed the natural treatment capacity in the area, thus causing water pollution problem. The Drainage Services Department already recognized the environmental and hygiene problem of STS in various publications^{9,10,11}. Furthermore, in all the three sub-areas, the Village Type Development zones are immediately adjacent to the marshes zoned as "CA". HKBWS is concerned the water pollution problem generated from the village development would adversely affect the ecologically sensitive wetland habitats within the CA zones.

3. The "Agriculture" (AGR) zones in the Plan Area

According to the habitat map provided in the TPB Paper No. 9982, the AGR zone at Kuk Po Lo Wai is a seasonally wet grassland/shrubland mosaic and there is a stream passing through the area. This indicates that the AGR zone is hydrologically connected to the wetland habitats in the CA zone. Farming practices (i.e. the use of pesticide, herbicide and chemical fertilizers) may lead to water pollution and loss of wetland habitats (i.e. filling of land for dry farming). Moreover, the approval rates of small houses in AGR zonings is over 60%¹². The small house development may expand into the AGR zone, and the septic tank system in a waterlogged environment would become a source of water pollution. We are concerned both the agricultural activities and village development in the AGR zones would adversely affect the hydrology, habitats and wildlife in the CA zone. **Therefore, we object to the AGR zones in the Plan Area and they should be replaced by "Green Belt (1)" or "Conservation Area" zonings.**

4. Our Recommendations

The HKBWS considers that an "Ecosystem Approach", which is the primary framework for action under the Convention on Biological Diversity¹³, should be adopted to protect the various sensitive habitats in the Plan area. Apart from the freshwater/brackish marshes, **all natural streams (including the Ecological Important Streams) and their tributaries and all seasonal wetlands should be protected by "Green Belt (1)" or "Conservation Area" zone for the comprehensive protection of the wetland complex. At least 30 metres on the two sides of all streams should also be zoned as "Green Belt (1)" or "Conservation Area" zone.**

⁹ http://www.dsd.gov.hk/SC/Files/publications_publicity/publicity_materials/leaflets_booklets_factsheets/Village%20Sewerage.pdf

¹⁰ http://www.dsd.gov.hk/EN/Files/OpenDay2012/PDF/Sewage_Treatment_07.pdf

¹¹ <http://www.legco.gov.hk/yr13-14/english/fc/pwsc/papers/p14-20e.pdf>

¹² Annex of LegCo Question 17 (6 Feb 2013) - Land reserved for building New Territories small houses.

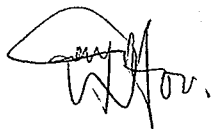
Retrieved from http://gia.info.gov.hk/general/201302/06/P201302060426_0426_106939.pdf

¹³ <https://www.cbd.int/ecosystem/>

Lastly, the introduction of planning control alone could not fully protect the sites from activities such as unauthorized tree felling and vegetation removal. In order to fully protect the ecological and landscape values of the site, as well as the overall value of the surrounding Plover Cove Country Park, the Authority should consider including the Plan Area into the Plover Cove Country Park following detailed assessments and public consultation. HKBWS believes that Kuk Po, Fung Hang, Yung Shue Au and surrounding areas are qualified for such purpose given its significant landscape and ecological value.

Thank you for your kind attention and we hope that the Planning Department and the Town Planning Board would take our comments into consideration.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Woo Ming Chuan', with a large, sweeping initial 'W'.

Woo Ming Chuan
Conservation Officer
The Hong Kong Bird Watching Society

cc.

The Conservancy Association
Designing Hong Kong
Kadoorie Farm and Botanic Garden
WWF – Hong Kong

No.	Common Name ⁽¹⁾	Scientific Name	Level of Concern ⁽⁴⁾	Protection Status in China ⁽⁵⁾	China Red Data Book ⁽⁶⁾	IUCN Red List (Version 2015.2) ⁽⁷⁾
1	Eurasian Teal ⁽⁹⁾	<i>Anas crecca</i>	RC	-	-	-
2	Chinese Francolin	<i>Francolinus pintadeanus</i>	-	-	-	-
3	Black-crowned Night Heron ⁽⁹⁾	<i>Nycticorax nycticorax</i>	(LC)	-	-	-
4	Chinese Pond Heron ⁽⁹⁾	<i>Ardeola bacchus</i>	PRC (RC)	-	-	-
5	Eastern Cattle Egret ⁽⁹⁾	<i>Bubulcus coromandus</i>	(LC)	-	-	-
6	Grey Heron ⁽⁹⁾	<i>Ardea cinerea</i>	PRC	-	-	-
7	Great Egret ⁽⁹⁾	<i>Ardea modesta</i>	PRC (RC)	-	-	-
8	Intermediate Egret ⁽⁹⁾	<i>Egretta intermedia</i>	RC	-	-	-
9	Little Egret ⁽⁹⁾	<i>Egretta garzetta</i>	PRC (RC)	-	-	-
10	Pacific Reef Heron ⁽⁹⁾	<i>Egretta sacra</i>	(LC)	Class II	Rare	-
11	Black-winged Kite ⁽⁸⁾	<i>Elanus caeruleus</i>	LC	Class II	Vulnerable	-
12	Crested Serpent Eagle ⁽⁸⁾	<i>Spilornis cheela</i>	(LC)	Class II	Vulnerable	-
13	Bonelli's Eagle ⁽⁸⁾⁽⁹⁾	<i>Aquila fasciata</i>	(RC)	Class II	Rare	-
14	Besra ⁽⁸⁾	<i>Accipiter virgatus</i>	-	Class II	-	-
15	White-bellied Sea Eagle ⁽⁸⁾⁽⁹⁾	<i>Haliaeetus leucogaster</i>	(RC)	Class II	-	-
16	Eastern Buzzard ⁽⁸⁾⁽⁹⁾	<i>Buteo japonicus</i>	-	Class II	-	-
17	Slaty-breasted Rail ⁽⁹⁾	<i>Gallirallus striatus</i>	RC	-	Rare	-
18	White-breasted Waterhen ⁽⁹⁾	<i>Amaurornis phoenicurus</i>	-	-	-	-
19	Ruddy-breasted Crake	<i>Porzana fusca</i>	LC	-	-	-
20	Common Moorhen ⁽⁹⁾	<i>Gallinula chloropus</i>	-	-	-	-
21	Little Ringed Plover ⁽⁹⁾	<i>Charadrius dubius</i>	(LC)	-	-	-
22	Common Redshank ⁽⁹⁾	<i>Tringa totanus</i>	RC	-	-	-
23	Common Greenshank ⁽⁹⁾	<i>Tringa nebularia</i>	RC	-	-	-
24	Grey-tailed Tattler ⁽⁹⁾	<i>Tringa brevipes</i>	LC	-	-	Near Threatened
25	Common Sandpiper ⁽⁹⁾	<i>Actitis hypoleucos</i>	-	-	-	-
26	Gull-billed Tern ⁽⁹⁾	<i>Gelochelidon nilotica</i>	-	-	-	-
27	Oriental Turtle Dove	<i>Streptopelia orientalis</i>	-	-	-	-
28	Spotted Dove	<i>Streptopelia chinensis</i>	-	-	-	-
29	Oriental Dollarbird	<i>Eurystomus orientalis</i>	-	-	-	-
30	White-throated Kingfisher ⁽⁹⁾	<i>Halcyon smyrnensis</i>	(LC)	-	-	-
31	Black-capped Kingfisher ⁽⁹⁾	<i>Halcyon pileata</i>	(LC)	-	-	-
32	Common Kingfisher ⁽⁸⁾	<i>Alcedo atthis</i>	-	-	-	-
33	Pied Kingfisher ⁽⁹⁾	<i>Ceryle rudis</i>	(LC)	-	-	-
34	Black-winged Cuckoo-shrike	<i>Coracina melaschistos</i>	-	-	-	-
35	Grey-chinned Minivet	<i>Pericrocotus solaris</i>	LC	-	-	-
36	Scarlet Minivet	<i>Pericrocotus speciosus</i>	-	-	-	-
37	Bull-headed Shrike	<i>Lanius bucephalus</i>	-	-	Rare	-
38	Brown Shrike	<i>Lanius cristatus</i>	-	-	-	-
39	Long-tailed Shrike	<i>Lanius schach</i>	-	-	-	-
40	White-bellied Erpornis	<i>Erpornis zantholeuca</i>	LC	-	-	-
41	Black Drongo	<i>Dicrurus macrocercus</i>	-	-	-	-
42	Hair-crested Drongo	<i>Dicrurus hottentottus</i>	-	-	-	-
43	Black-naped Monarch	<i>Hypothymis azurea</i>	-	-	-	-
44	Eurasian Jay	<i>Garrulus glandarius</i>	LC	-	-	-
45	Red-billed Blue Magpie	<i>Urocissa erythrorhyncha</i>	-	-	-	-
46	Grey Treepie	<i>Dendrocitta formosae</i>	LC	-	-	-
47	Collared Crow	<i>Corvus torquatus</i>	LC	-	-	Near Threatened
48	Cinereous Tit	<i>Parus cinereus</i>	-	-	-	-
49	Chinese Penduline-Tit	<i>Remiz consobrinus</i>	RC	-	-	-
50	Red-whiskered Bulbul	<i>Pycnonotus jocosus</i>	-	-	-	-
51	Chinese Bulbul	<i>Pycnonotus sinensis</i>	-	-	-	-
52	Sooty-headed Bulbul	<i>Pycnonotus aurigaster</i>	-	-	-	-
53	Chestnut Bulbul	<i>Hemixos castanonotus</i>	-	-	-	-
54	Barn Swallow	<i>Hirundo rustica</i>	-	-	-	-
55	Pygmy Wren-babbler	<i>Proopyga pusilla</i>	-	-	-	-
56	Mountain Tailorbird	<i>Phyllergates cucullatus</i>	-	-	-	-
57	Japanese Bush Warbler	<i>Horornis diphone</i>	-	-	-	-
58	Manchurian Bush Warbler	<i>Horornis borealis</i>	-	-	-	-
59	Brown-flanked Bush Warbler	<i>Horornis fortipes</i>	-	-	-	-
60	Asian Stubtail	<i>Urosphena squameiceps</i>	-	-	-	-
61	Dusky Warbler	<i>Phylloscopus fuscatus</i>	-	-	-	-
62	Pallas's Leaf Warbler	<i>Phylloscopus proregulus</i>	-	-	-	-
63	Yellow-browed Warbler	<i>Phylloscopus inornatus</i>	-	-	-	-
64	Arctic Warbler	<i>Phylloscopus borealis</i>	-	-	-	-
65	Two-barred Warbler	<i>Phylloscopus plumbeitarsus</i>	-	-	-	-
66	Eastern Crowned Warbler	<i>Phylloscopus coronatus</i>	-	-	-	-
67	Goodson's Leaf Warbler	<i>Phylloscopus goodsoni</i>	LC	-	-	-
68	Russet Bush Warbler	<i>Locustella mandelli</i>	-	-	-	-
69	Zitting Cisticola	<i>Cisticola juncidis</i>	LC	-	-	-
70	Golden-headed Cisticola	<i>Cisticola exilis</i>	LC	-	-	-
71	Yellow-bellied Prinia	<i>Prinia flaviventris</i>	-	-	-	-
72	Plain Prinia	<i>Prinia inornata</i>	-	-	-	-

No.	Common Name ⁽¹⁾	Scientific Name	Level of Concern ⁽⁴⁾	Protection Status in China ⁽⁵⁾	China Red Data Book ⁽⁶⁾	IUCN Red List (Version 2015.2) ⁽⁷⁾
73	Common Tailorbird	<i>Orthotomus sutorius</i>	-	-	-	-
74	Rufous-capped Babbler	<i>Stachyris ruficeps</i>	LC	-	-	-
75	Chinese Hwamei	<i>Garrulax canorus</i>	-	-	-	-
76	Masked Laughingthrush	<i>Garrulax perspicillatus</i>	-	-	-	-
77	Greater Necklaced Laughingthrush	<i>Garrulax pectoralis</i>	-	-	-	-
78	Blue-winged Minla	<i>Minla cyanouroptera</i>	-	-	-	-
79	Chesnut-collared Yuhina	<i>Yuhina castaniceps</i>	(LC)	-	-	-
80	Japanese White-eye	<i>Zosterops japonicus</i>	-	-	-	-
81	Red-billed Starling ⁽⁹⁾	<i>Spodiopsar sericeus</i>	RC	-	-	-
82	White's Thrush	<i>Zoothera aurea</i>	-	-	-	-
83	Grey-backed Thrush	<i>Turdus hortulorum</i>	-	-	-	-
84	Japanese Thrush	<i>Turdus cardis</i>	-	-	-	-
85	Common Blackbird	<i>Turdus merula</i>	-	-	-	-
86	Oriental Magpie Robin	<i>Copsychus saularis</i>	-	-	-	-
87	Dark-sided Flycatcher	<i>Muscicapa sibirica</i>	-	-	-	-
88	Asian Brown Flycatcher	<i>Muscicapa latirostris</i>	-	-	-	-
89	Siberian Rubythroat	<i>Luscinia calliope</i>	-	-	-	-
90	Red-flanked Bluetail	<i>Tarsiger cyanurus</i>	-	-	-	-
91	Blue Whistling Thrush	<i>Myophonus caeruleus</i>	-	-	-	-
92	Red-throated Flycatcher	<i>Ficedula albicilla</i>	-	-	-	-
93	Daurian Redstart	<i>Phoenicurus auroreus</i>	-	-	-	-
94	Stejneger's Stonechat	<i>Saxicola stejnegeri</i>	-	-	-	-
95	Fire-breasted Flowerpecker	<i>Dicaeum ignipectus</i>	-	-	-	-
96	Fork-tailed Sunbird	<i>Aethopyga christinae</i>	-	-	-	-
97	White-rumped Munia	<i>Lonchura striata</i>	-	-	-	-
98	Eastern Yellow Wagtail	<i>Motacilla tschutschensis</i>	-	-	-	-
99	Grey Wagtail	<i>Motacilla cinerea</i>	-	-	-	-
100	White Wagtail	<i>Motacilla alba</i>	-	-	-	-
101	Richard's Pipit	<i>Anthus richardi</i>	-	-	-	-
102	Olive-backed Pipit	<i>Anthus hodgsoni</i>	-	-	-	-
103	Grey-capped Greenfinch	<i>Carduelis sinica</i>	LC	-	-	-
104	Black-faced Bunting	<i>Emberiza spodocephala</i>	-	-	-	-

Note:

Species of conservation interest is in bold type face

(1) All wild birds are Protected under Wild Animal Protection Ordinance (Cap. 170)

(4) Fellowes et al. (2002): GC=Global Concern; LC=Local Concern; RC=Regional Concern; PRC=Potential Regional Concern; PGC: Potential Global Concern.

Letters in parentheses indicate that the assessment is on the basis of restrictedness in nesting and/or roosting sites rather than in general occurrence.

(5) List of Wild Animals Under State Protection (promulgated by State Forestry Administration and Ministry of Agriculture on 14 January, 1989).

[國家重點保護野生動物名錄(1989年1月14日林業局及農業部發佈施行)]

(6) Zheng, G. M. and Wang, Q. S. (1998).

(7) IUCN (2013). IUCN Red List of Threatened Species. Version 2015.2

(8) Protected under Protection of Endangered Species of Animals and Plants Ordinance (Cap. 586)

(9) Wetland-dependent species (including wetland-dependent species and waterbirds)

創建 Designing Hong Kong 香港 .com

Hong Kong, 2 October 2015

Ms. Channy Yang

Planning Department - District Planning Branch
 New Territories District Planning Division
 Sha Tin, Tai Po & North District Planning Office
 13rd floor, Sha Tin Government Offices,
 1 Sheung Wo Che Road, Sha Tin
 E-mail: ccyang@pland.gov.hk

Dear Ms. Channy Yang,

Comments on the Draft Kuk Po, Fung Hang and Yung Shue Au Outline Zoning Plan No. S/NE-KP/B

Designing Hong Kong would like to thank the Planning Department for consulting environmental NGOs on the Draft Kuk Po, Fung Hang and Yung Shue Au Outline Zoning Plan No. S/NE-KP/B.

Our initial comments on the draft Plan are as follows:

1. We support the zoning intention in the draft plan to "retain fallow arable land for agricultural purposes and encourage agricultural rehabilitation". However, the right to build small houses in "Agriculture" zone will lead to development threat to the area, which is against the zoning intention "to preserve the rural setting in the Area".¹
2. To ensure the land reserved for farming is protected for that use, we urge for the right to build houses on land zoned for agriculture as well as green belt uses to be removed from the notes for these zones:
 - a. To protect the value of the land reserved for farming, the haphazard development of houses under the small house policy should be avoided;
 - b. As can be seen throughout the New Territories, the expectation that approval may at a future stage be granted for development of houses, often results in the wilful destruction of the ecology to lower the conservation values of the land;
 - c. With the expectation of future development set out in the zoning, there is a less incentive for the landowners to pursue and invest in sustainable farming operations.
 - d. According to the habitat map provided by KFBG and Planning Department², the "Agriculture" zone in Kuk Po is seasonally wet grassland which is ecologically linked with the adjacent marsh and wetland complex. The subject area is not suitable for farming activities using pesticides and fertiliser.
3. We proposed to change the Agriculture zoning to the "AGR(1)" zoning proposed by Green Groups for the draft Lai Chi Wo, Siu Tan and Sam A Tsuen Outline Zoning Plan (No. S/NE-LCW/1) and remove "House (NETH only)" from column 2 or to replace Agriculture zones with Green Belt (1) or CA zoning.

¹Town Planning Board meeting paper No. 9982 p.13: 10.3.2
http://www.info.gov.hk/tpb/en/papers/TPB/1092-tpb_9982.pdf

²Town Planning Board meeting paper No. 9982 Plan 3, Appendix V
http://www.info.gov.hk/tpb/en/papers/TPB/1092-tpb_9982.pdf

創建 Designing Hong Kong 香港 .com

4. We note that there are no existing or planned farming activities in Kuk Po and Fung Hang. However, recent tree felling has been observed.
5. Any development on the proposed "Agriculture" and "Green Belt" is likely to cause adverse impact on a larger area with pollution and unauthorized development.
6. Access to the area is limited to a pedestrian road and piers. Any new development will create demand for new infrastructure which will impact the surrounding country park areas.
7. Any developments in "Green Belt" will cause impact on the environment, ecology and landscape to the adjacent Country Park area. Following the precedent of Hoi Ha, the areas reserved for green belt should be zoned as GB (1) or CA to protect the conservation value of the area and Plover Cove Country Park.
8. Most of the areas along the two Ecological Important Stream (EIS) are zoned as "Green Belt". The EIS located on Kuk Po is adjacent to V zone ("Sze To" village). The riparian zones of the natural stream and tributaries along the EIS should be protected by "CA" zone to prevent the ecological impact by potential development.

Here we submitted for your consideration.

Designing Hong Kong Limited
October 2015