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TOWN PLANNING BOARD

**TPB Paper No. 9430
For Consideration by
the Town Planning Board on 13.9.2013**

**DRAFT HOI HA OUTLINE ZONING PLAN NO. S/NE-HH/D
FURTHER CONSIDERATION OF A NEW PLAN**

DRAFT HOI HA OUTLINE ZONING PLAN NO. S/NE-HH/D
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 Tai Po District Council (TPDC) and the Sai Kung North District Rural Committee (SKNRC), and other public views on the draft Hoi Ha Outline Zoning Plan (OZP) No. S/NE-HH/D; and
- (b) seek Members' agreement that the draft Hoi Ha OZP No. S/NE-HH/D, 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 30.9.2010, the draft Hoi Ha DPA Plan No. DPA/NE-HH/1 was exhibited for public inspection under section 5 of the Ordinance. In accordance with section 20(5) of the Ordinance, the DPA Plan is effective for three years until 30.9.2013 unless an extension is obtained from the Chief Executive in Council. On 28.6.2013, the Town Planning Board (the Board) gave preliminary consideration to the draft Hoi Ha OZP No. S/NE-HH/C (TPB Paper No. 9368) and agreed that the draft OZP was suitable for submission to the TPDC and SKNRC for consultation, subject to the refinement of the "V" zone boundary following the principles that the abandoned wet agricultural land be excluded from the "V" zone, a 20m wide buffer from the rocky stream be allowed and the existing topographical features and paddy field boundaries be followed. An extract of the minutes of the Board's meeting held on 28.6.2013 and TPB Paper No. 9368 are at **Annexes IV** and **V** respectively for Members' reference.
- 2.2 On 12.7.2013, the Board considered a Matter Arising (MA) Paper (1) and noted the revised boundary of the "V" zone in the draft Hoi Ha OZP No. S/NE-HH/D, which had been submitted to the TPDC and the SKNR for consultation. An extract of the minutes of the Board's meeting held on 12.7.2013 and the MA Paper (1) are at

Annexes VI and VII respectively for Members' reference.

- 2.3 For Members' easy reference, as compared to the approved Hoi Ha DPA Plan where all the land is designated as "Unspecified Use", about 66% (5.6 ha) of the land under the draft OZP (No. S/NE-HH/D) is allocated to conservation zonings (including "Green Belt" ("GB"), "Conservation Area" ("CA") and "Coastal Protection Area" ("CPA") zones), while 2.6 ha (about 31%) has been reserved for village development (**Plan 1**). The remaining 3% of land is designated for other uses including a water sports recreation centre. Major land use proposals of the draft OZP have been highlighted in the TPB Paper No. 9368 and recapitulated below:

"CA" Zone (3.97 ha and 46.98%)

- (a) The native woodlands located in the eastern and southern parts of the Hoi Ha area (the Area), and at the western end of the Area, consist of relatively undisturbed, native woodland which are ecologically-linked with the wide stretch of vegetation in the Sai Kung West (SKW) Country Park (**Plans 2 and 3**). Protected plant species including *Aquilaria sinensis* (土沉香), *Pavetta hongkongensis* (香港大沙葉), and *Neottopteris nidus* (巢蕨), and notable plant species including *Morinda cochinchinensis* (大果巴戟) and *Sargentodoxa cuneata* (大血藤) have been recorded in these woodlands. A number of animal species of conservation concern have also been recorded in the subject area or in its vicinity, including *Thoressa monastyrskyi* (黑斑陀弄蝶), *Troides aeacus* (金裳鳳蝶), *Troides helena* (裳鳳蝶) and the Chinese Pangolin (穿山甲) (**Plan 4 of Annex V**). Hence, these areas are proposed to be zoned "CA" to protect and retain the existing natural landscape, ecological or topographical features for conservation, educational and research purposes and to separate sensitive natural environment such as Country Park from the adverse effects of development.

"CPA" Zone (0.98 ha and 11.6%)

- (b) The coastal area consists of mangroves, mangrove-associated plants and backshore vegetation (**Plans 2 and 3**). The "CPA" zone is designated to serve as a buffer between the village area and the Hoi Ha Wan (HHW) Marine Park as well as to protect and retain the coastlines and the sensitive coastal environment.

“GB” Zone (0.65 ha and 7.69%)

- (c) The rocky stream along the northwestern edge of the Area and the estuarine are considered a type of significant landscape resource of this area that should not be negatively affected. The stream is largely natural with a moderate diversity of freshwater and brackish fish, and its estuarine area supports mangroves and a moderate diversity of coastal fauna. To protect the stream, the area to its south is designated as “GB” to serve as a buffer between village development and the stream.

“Village Type Development” (“V”) Zone (2.60 ha and 30.77%)

- (d) Considering the HHW Marine Park in the north, the undisturbed native woodlands with *fung shui* woodland in the east, south and west, and the rocky stream as a significant landscape resource, an incremental approach for designation of a “V” zone for Small House development has been adopted with an aim to consolidate Small House developments at suitable locations so as to avoid undesirable disturbances to the natural environment, taking into account the required land for meeting the Small House demand. Thus, about 2.6 ha of land mainly comprising the existing village settlements with its surrounding areas have been reserved for Small House development, including an area to the west of the village cluster consisting of, according to DAFC, relatively disturbed, young woodland on abandoned agricultural land.

*“Other Specified Uses (Water Sports Recreation Centre)” Zone (“OU(WSRC)”)
(0.03 ha and 0.36%)*

- (e) This zone is to reflect the existing use of the land at the western part of the Area currently occupied by a water sports recreation centre (the Tolo Adventure Centre¹) to the north of Hoi Ha Road. The Centre is operated by a religious organization to provide water sports training facilities and overnight accommodation for teenagers.

3. Local Consultation

- 3.1 The SKNRC and TPDC were consulted on the draft OZP on 8.7.2013 and 10.7.2013 respectively. While they expressed appreciation that a “V” zone has been designated

¹ According to DLO/TP, the Tolo Adventure Centre was originally subject to Government Land Licence (GLL) commencing on 1.1.1982. The GLL was subsequently cancelled and replaced by Short Term Tenancy commenced on 30.6.1988.

on the draft OZP to address the concern that they raised earlier (during the gazettal of the Hoi Ha DPA and the preparation of the draft OZP), they found the size of the “V” zone inadequate as it would only provide land to meet 67% of the 10-year Small House demand, and too little of the “V” area is Government land, thus making it harder for them to develop Small Houses (**Plan 4**).

- 3.2 The minutes of the TPDC meeting and submissions from the Village Representatives (VRs) and an indigenous villager are at **Annexes VIII, IX (a) and IX (b)** respectively. Their comments and proposals are summarized below:

Central Sewage Treatment System

- (a) To achieve a win-win situation of development and conservation, a micro central sewage treatment system should be provided in Hoi Ha Village, so that land close to streams and HHW Marine Park could be made available for Small House development.

“V” Zone Designation

- (b) Although about 2.6 ha of land (30.8% of the Area) is proposed to be zoned “V”, the “V” zone is smaller than the village environs (‘VE’) which is about 2.9 ha. Furthermore, due to a lower percentage of Government land in the “V” zone than in ‘VE’, and due to Environmental Protection Department (EPD)’s requirements to provide setback from the stream and the HHW Marine Park when installing the septic tanks and soakaway system, the actual area available for villagers to build Small Houses is insufficient to address the 10-year Small House demand in the village. In order to cater for the Small House demand in the coming 10 years, the VRs suggest that the “V” zone should be enlarged by extending its boundary westward to cover part of the area currently proposed as “CA” (**Plan 5a**).

Public Utility Installation

- (c) A TPDC member proposes that the “Public Utility Installation” use in the Notes of the “V” zone be changed from a Column 2 use to a Column 1 use, as villagers may need to install an electrical transformer room for Small Houses, but the need to prepare and submit a design plan when submitting the application adds cost to the installation.

- 3.3 A villagers/residents meeting was held at the village on 2.8.2013. While there was general support of the conservation zonings on the draft OZP, concerns were raised about land ownership in the proposed “V” zone. Villagers were concerned that most of the land within the “V” zone was owned by developers, which might not be made available for the indigenous villagers to build Small Houses. Also, there was a concern that if the “GB” zone were to be allowed to be developed in future, the rocky stream, water quality and even the coastal environment would be adversely affected. There was also a view that the entire Hoi Ha should be designated as Country Park as the priority in the planning for Hoi Ha was to protect the HHW Marine Park and the SKW Country Park.
- 3.4 Comments from Kadoorie Farm and Botanic Garden Corporation (KFBG), Professional Commons, and a couple of local concern groups² and 32 individuals have been received (**Annexes X-1 to 35**). In general, some support the “CA” and “CPA” zones, but consider the “V” zone too large and that the “GB” zone would be prone to future development. Some hold the view that except a minimal “V” zone to accommodate the existing village, the entire Hoi Ha should be designated as Country Park. Their comments and proposals (**Plan 6**) are summarized as follows :

Country Park/Conservation Area Designation

- (a) Since there are no solid scientific justifications for the delineation of the proposed “GB”, “CA” and the “CPA” zones, all areas of the Area, except that zoned for the village and its expansion, should be designated as Country Park.
- (b) Some members of the public object to any property development in Hoi Ha as it would cause damage to the environment in Sai Kung. They urge the Government to include the remaining country park enclaves in the country parks or zone them as conservation area to preserve the environment.

Rezoning from “GB” to “CA”

- (c) KFBG and Friends of Hoi Ha (FOHH) are of the view that the “GB” zone, with parts of it only 20m wide, does not provide proper protection to the rocky stream, the riparian zone, and the HHW Marine Park. As it allows for Small House development through planning applications, it will not adequately

² Local concern groups include Friends of Hoi Ha (FOHH) and Hoi Ha Action Group. FOHH has also submitted similar comments to a Legislative Councilor in August 2013.

protect the stream, the upper stretch of which is an ecologically important stream. The stream and its riparian zone³ should be zoned “CA” rather than “GB” to provide a more meaningful protection for the stream (**Plan 6**).

Rezoning from “V” to “CA”

- (d) The “V” zone will undermine the “High” landscape value of Hoi Ha, threaten the water quality of HHW Marine Park, strain the limited infrastructure and services, and impact on a secondary woodland to the west of the village, which is ecologically linked to the SKW Country Park. Furthermore, since the proposed “V” zone covers an area mostly owned by developers, it would not benefit the indigenous villagers. Besides, the 10-year forecast demand for Small Houses is based solely on the VR’s figure and has not been verified. The Board should not make major planning decisions based on the unverified figures.
- (e) The western part of the “V” zone should be zoned “CA” to protect the secondary woodland which was assessed by FOHH as having moderate to high ecological value. New village expansion areas could be considered in areas to the south of the mini roundabout and westward, along the south side of Hoi Ha Road (**Plan 6**).
- (f) The seasonal streams in Hoi Ha flow through the proposed “V” zone into HHW, posing danger of polluting the HHW Marine Park (**Plan 6**). These streams should be afforded protection as part of the DPA/OZP process.

Rezoning from “V” and “CA” to “Comprehensive Development Area” (“CDA”)

- (g) On 9.9.2013, the Professional Commons submitted a proposal (**Annex XI**) on future development in Hoi Ha. They propose that the existing village and a suggested village expansion area (to the east and south of the village) be designated as “CDA” (**Plan 5b**), within which planning restrictions should apply when applications for improvement and developments are made to ensure that the potential environmental impacts are properly addressed. They also suggested land swap with the villagers so that land in the centre of the village can be released for provision of supporting facilities (e.g., playground), whereas government land in the east and south can be developed for Small Houses.

³ KFBG suggested that this zone should not be less than 15m while FOHH advised a 30m buffer zone along the entire length of the Hoi Ha Stream.

“CPA” boundary

- (h) FOHH is of the view that since the Marine Park boundary is not fixed⁴, the proposed CPA boundary should be contiguous with the marine park, moving along with the marine park boundary in response to natural changes in the coastline. However, the landward boundary of the CPA will be fixed on the OZP. The actual buffer provided by the zone between the sensitive HHW Marine Park and the “V” zone is too narrow under the draft plan and not adequate to protect the coastal environment. The zone should therefore be widened by moving the landward boundary inland. This may result in including the old Hoi Ha Village in the “CPA” zone (**Plan 6**), and this would be an added benefit as the “CPA” zone would help to protect this area.

Recreation, Education, Eco-tourism

- (i) The Professional Commons proposes that recreation, education and eco-tourism uses Hoi Ha (including Hoi Ha Wan) should be encouraged but be undertaken in a sustainable way, and to this end, some key infrastructure⁵ need to be developed or improved.

3.5 On 27.8.2013 the Tolo Adventure Centre (**Annex XII**) submitted the following proposals :

- (a) to extend the “OU” zone by 20m to the northeast to cater for their future expansion⁶ (**Plan 5c**);
- (b) to extend the “OU” zone by 3m along the boundaries to allow for maintenance of the surrounding vegetation in order to prevent hill fire hazard and mosquitoes; and

⁴ According to FOHH, the marine park boundary is not fixed on a map but covers the beach, the intertidal sand dunes and mudflats and responds to changes in the coastline caused by natural forces.

⁵ For examples, the constructions of the AFCD Education Facility, a proper set of educational nature trails, a proper toilet and changing area near the beach, a proper waste water system, etc.; improvement works on the footpaths, parking, boat ramp, mooring buoys, etc. Training should be provided so that local residents should be encouraged in eco-tourism and nature-tourism. Also, eco-based projects need to be established, including bird-watching, rubbish collection, etc.

⁶ According to the Tolo Adventure Centre, at present, in an area of 700 sq feet, the building is packed with 24 beds, 1 activity room, 1 kitchen and 1 repair workshop. In the last 5 years, the number of events held at the Centre, and the number of users, have increased significantly (from 29 to 40 events per year; from 956 to 1134 users per year). From time to time, over 30 people use the Centre at the same time.

- (c) to rezone the footpath leading to the Centre to “OU” or “Government, Institution or Community” (“G/IC”) to allow for maintenance and repair.

4. **Planning Department’s Responses**

- 4.1 In consultation with departments concerned, the Planning Department (PlanD)’s responses to the comments/proposals raised by the aforementioned groups are as follows:

“V” zone Designation

- (a) The local villagers/residents have expressed concern that most of the land in the western part of the proposed “V” zone is owned by developers and there is inadequate land for indigenous villagers to build Small Houses. The VRs propose to extend the “V” zone westward to cover the government land for Small House development. However, others hold conflicting views that the “V” zone should be substantially reduced and most part of it should be rezoned to “CA” to protect the ecosystem in the old paddy fields and along the banks of the rocky stream. Some suggest to extend the “V” zone to the south of Hoi Ha Road and the round-about and to the south-eastern part of the Area.
- (b) Hoi Ha is the only recognized village in the Area and is mainly concentrated on the lower hillslope in the central part of the Area. Its ‘VE’ covers an area of about 3.01 ha (2.92 ha within the Area) (**Plan 4**). District Lands Officer/Tai Po (DLO/TP) has advised that the 10-year forecast for Small House demand for the Area is 84 and the number of outstanding Small House applications is 15⁷. Based on PlanD’s preliminary estimate, the total land required for meeting the total Small House demand of 94⁸ is about 2.35 ha. The boundaries of the “V” zone are drawn up having regard to the ‘VE’, 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. The proposed “V” zone is about 2.6 ha, of which about 1.58 ha of land is still available for Small House development, meeting 67% of the Small House demand. A summary of Small House demand for Hoi Ha Village is as

⁷ 5 of these 15 applications have received planning approval from the Board.

⁸ Small House demand (94) = 10-year demand forecast (84) + outstanding applications (15) – approved planning applications (5)

follows:

Table 1: Small House Demand for Hoi Ha Village

Small House Demand Figure in 2010		Small House Demand Figure in 2012		‘VE’ Area in DPA (ha)	“V” zone on draft OZP (ha)	Required land to meet new demand (ha) for 94 numbers	Available land to meet new demand figure (ha)	Percentage of the new demand met by available land (%)
Outstanding demand	10-year forecast (2010 – 2019)	Outstanding demand	10-year forecast (2013-2022)					
19	85	15	84	2.92	2.60	2.35	1.58	67

- (c) Despite the deficiency of land to fully meet the future demand (deficit of 0.77 ha or 31 Small House sites), it should be noted that the 10-year Small House demand forecast figures provided by the VR have not been verified. An incremental approach for designation of “V” zone for Small House development has been adopted in view of the development constraints of the area and inadequate infrastructural provision. Nevertheless, there is provision under the OZP for planning application for Small House development which would be considered by the Board on individual merits.
- (d) Regarding the concern on the private land ownership in the western part of the proposed “V” zone, it should be noted that land ownership is subject to change. The planning intention of the “V” zone, as set out in the Notes of the draft OZP, is primarily for development of Small Houses by indigenous villagers. If an application for Small House is received on the private land, the applicant’s status⁹ would be ascertained.
- (e) On specific proposals to extend the “V” zone, DAFC advises that the proposed sites at the western end of the Area (**Plan 5a**), and to the south of Hoi Ha Road and the round-about (**Plan 6**), consist of relatively undistributed native woodland that is contiguous with the adjoining SKW Country Park. To preserve the native woodland and maintain a buffer between the village area and the adjoining SKW Country Park, expansion of the “V” zone into

⁹ Under the Small House Policy, an applicant who applies to build a Small House on private land must be an individual person (excluding a company, tong, tso, clan and the like) and the lessee of an agricultural land held under the Block Government Lease; is an indigenous villager who has not previously received any Small House Grant and; the site applied for is within the environs or extension of a recognized village. Further checking of the applicant’s status, among other, would be conducted upon receipt of the Small House application.

these areas is not supported from nature conservation point of view. These areas are therefore proposed to be zoned “CA”.

- (f) Regarding the proposal to rezone the western part of the “V” to “CA” zone to protect the ecosystem and the banks of the rocky stream (**Plan 6**), DAFC advises that the western part of the existing village consists of relatively disturbed, young woodland that has developed from abandoned agricultural land, and the proposed “V” zone is considered acceptable to cater for village expansion.
- (g) The need to avoid potential impacts on the stream courses to the HHW Marine Park is noted. In this regard, paragraph 9.1.5 of the Explanatory Statement (ES) of the draft OZP (**Annex III**) already sets out that in accordance with the Environmental, Transport and Works Bureau’s Technical Circular (Works) (ETWBTC(W)) No. 5/2005, under the current administrative practice, for development proposals/submissions that may affect natural streams/rivers, the approving/processing authorities should consult and collate comments from the AFCD and relevant authorities and incorporate relevant comments/advice as conditions of approval wherever possible. Also, for protection of the water quality in the Area, the design and construction of on-site septic tank system for any development proposals/submissions need to comply with relevant standards and regulations, such as EPD’s Guidelines (i.e. Practice Notes for the Professional Person) ProPECC No. 5/93. DLO/TP when processing Small House applications in close proximity to existing stream course will consult concerned departments including EPD, AFCD and PlanD to ensure that all relevant departments would have adequate opportunity to review and comment on the applications.

Rezoning from “V” and “CA” to “Comprehensive Development Area” (“CDA”)
(Plan 5b)

- (h) Regarding the Professional Commons’ proposal to rezone the existing village (“V”) and an adjacent area to the east and south (zoned “CA”) to “CDA” so that planning restrictions can be imposed to safeguard the environment, for the area zoned “V”, DLO/TP, when processing Small House applications in close proximity to existing stream course will consult concerned departments including EPD, DAFC and PlanD. Requirements to safeguard the environment, including those prescribed in ETWBTC(W) No. 5/2005 and ProPECC No. 5/93, will be observed. For the area zoned “CA”, it should be noted that according to DAFC, these areas consist of relatively undisturbed,

native woodland where plant species of conservation interest such as *Aquilaria sinensis* (土沉香) and *Morinda cochinchinensis* (大果巴戟) can be found, and as such, it is appropriate to zone this area as “CA”. The zoning will also serve as a buffer between the village area and the Sai Kung West Country Park adjoining the OZP boundary.

- (i) Regarding the Professional Commons’ proposals to allow villagers to swap land in the centre of village for government land in the village expansion area for Small House development under the Small House Policy, it should be noted that formulation of land policy and revision to the Small House Policy are outside the purview of the Board.

Rezoning from “GB” to “CA” (Plan 6)

- (j) On the proposal to rezone the western part of the Area from “GB” to “CA”, it should be noted that there is a general presumption against development within the “GB” zone. Any Small House development shall require planning permission from the Board, and each case shall be considered on its individual merits, taking into account views of various departments. Besides, DAFC confirms his earlier advice that the proposed “GB” zone is considered appropriate since the area consists of relatively disturbed, young woodland that has developed from abandoned agricultural land. The “GB” zone will serve as a buffer between the rocky stream and village development.

“CPA” boundary

- (k) Regarding FOHH’s concern that the coverage of the proposed “CPA” boundary should move along with the marine park boundary in response to natural changes in the coastline, and the proposal to widen the “CPA” by extending its boundary on the landward side to include the old Hoi Ha Village (**Plan 6**), DAFC advises that the boundary of HHW Marine Park is shown in the gazetted map approved by the Chief Executive in Council under the Marine Parks Ordinance in 1996¹⁰. The northern boundary of the “CPA” coincides with the HHW Marine Park boundary (**Plan 2**) while the landward boundary of the “CPA” zone has been drawn up, making reference to the boundary of the existing village cluster, existing topographic features and site

¹⁰ The boundary of the Marine Park was drawn making reference to the high water mark but is not exactly the same as the high water mark. Also, the coverage of the Marine Park would take into account the ecological characteristics of the shoreline. In this regard, the boundary of the Marine Park is purposely drawn to include the beaches and sand dunes at Hoi Ha for better protection of the coastal ecology.

conditions, including footpath and trails. The proposed “CPA” consists of sandy beaches, rock features, mangroves, mangrove-associated plants and backshore vegetation and the planning intention is to protect natural coastal features. DAFC advises that the current “CPA” zoning along the northern boundary of the OZP is considered appropriate from nature conservation point of view and is sufficient to form a buffer between the village and HHW Marine Park, and FOHH’s proposal to extend the “CPA” to cover the old Hoi Ha village has not been substantiated with sufficient justifications.

Rezoning the area surrounding the Tolo Adventure Centre from “CA” to “OU”
(Plan 5c)

- (l) Regarding the proposal to rezone the footpath leading to the Tolo Adventure Centre for easier maintenance and repair of the footpath, it should be noted that flexibility has been provided in the covering Notes of the draft OZP for maintenance or repair of road (including footpath), which is always permitted in the “CA” zone. Besides, DAFC advises that the area surrounding the Tolo Adventure Centre consists of relatively undistributed, native woodland. The proposal to extend the Centre to the surrounding area would encroach onto the woodland which is not favoured from nature conservation perspectives. Notwithstanding the above, minor relaxation of the development parameters of the Centre for future development, if required, could be considered by the Board through planning application system.

Country Park/Conservation Area Designation

- (m) According to the Policy Address 2010-11, the Government will either include the country park enclaves into country parks, or determine their proper uses through statutory planning. PlanD is following up on the 2010-11 Policy Address to prepare statutory town plans for country park enclaves that are considered suitable for determining their proper uses through statutory planning and will prepare DPA plans, with replacement OZPs to follow. During preparation of the draft OZP, detailed land use proposals would be prepared with incorporation of comments and views from relevant departments and stakeholders in order to strike a balance between conservation and development.
- (n) The proposed incorporation of the entire Area (or part of) as “Country Park” is under the jurisdiction of the Country and Marine Parks Board (CMPB) under the Country Parks Ordinance (Cap. 208) which is outside the purview of the

Board. DAFC comments that whether a site is suitable for designation as a Country Park should be assessed against the established principles and criteria, which include conservation value, landscape and aesthetic value, recreation potential, size, proximity to existing Country Parks, land status and existing land use. Advice of the CMPB should be sought as necessary on the most appropriate measure to protect the natural environment of Hoi Ha and other Country Park enclaves, as well as whether there would be justifications for incorporating them as part of the Country Park.

Recreation, Education, Eco-tourism

- (o) The sustainable use of Hoi Ha for recreation, education and eco-tourism uses is supported. For the proposed works to enhance such uses, e.g., improvements on nature trails, footpaths, etc., flexibility has been provided in the covering Notes of the draft OZP in that local public works, road works, environmental improvement works, and such other public works co-ordinated or implemented by Government, are always permitted on land falling within the boundaries of the draft OZP. Also, as some of the proposals, such as the AFCD Education Centre, training programs for the local villagers, eco-based projects, etc., fall within the remit of relevant Government departments such as Tai Po District Office, AFCD, etc., they have been referred to these departments for consideration.

Central Sewage Treatment system

- (p) There is no existing sewer or planned public sewer for the Area. At present, each house is typically served with its own on-site septic tanks and soakaway system. The design and construction of on-site septic tanks and soakaway system for any development proposals/submissions need to comply with relevant standards and regulations, such as EPD's Practice Note for Professional Person (ProPECC) 5/93. Accordingly, LandsD when processing Small House grant and applications in close proximity to existing stream courses and the HHW Marine Park, would consult concerned departments including EPD, AFCD and PlanD to ensure that all relevant departments would have adequate opportunity to review and comment on the applications.
- (q) Regarding the proposed Central Sewage Treatment system, EPD advises that it is normally not the Government's policy to build Sewage Treatment Plant (STP) for private developments. Should a private STP be considered by the

villagers, it should be constructed at their own costs and the proponent has to pay for the maintenance expenses. Besides the fulfillment of statutory requirements of Water Pollution Control Ordinance (WPCO) regarding design and operation of the STP, there should be a mechanism to guarantee the STP installation and proper maintenance of the plant for sewage treatment in compliance with WPCO.

Public Utility Installation

- (r) Flexibility has been provided in the covering Notes of the draft OZP for small scale pillars or meter boxes for the supply of electricity, as they can be regarded as 'Public Utility Pipeline' ('PUP') and according to the Covering Notes, the 'PUP' use is always permitted on land within the Area.

4.2 In summary, no zoning amendments have been proposed and the land use zonings on the draft OZP (**No. S/NE-HH/D**) are considered appropriate.

5. Land Use Zonings (Annex I)

Having regard to the above, the proposed land use zonings of the draft Hoi Ha OZP No. S/NE-HH/D are as follows:

"Village Type Development": Total Area 2.60 ha

- 5.1 About 2.60 ha of land are zoned "V" to cover the Hoi Ha existing village cluster and its village expansion areas at the central and western parts of the Area. The boundaries of the "V" zone are drawn up having regard to the village 'environs', 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.
- 5.2 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.

“Government, Institution or Community” : Total Area 0.01 ha

- 5.3 To reflect the main existing GIC facilities in the Area, i.e., a single storey permanent flushing toilet and a single storey refuse collection point, about 0.01 ha of land is zoned “G/IC”.

Other Specified Uses (Water Sports Recreation Centre) : Total Area 0.03 ha

- 5.4 To reflect the existing use of the land at the western part of the Area currently occupied by a water sports recreation centre (the "Tolo Adventure Centre") to the north of Hoi Ha Road, about 0.03 ha of land is zoned “OU(WSRC)”.

“Green Belt”: Total Area 0.65 ha

- 5.5 To define 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, about 0.65 ha of land are zoned “GB”.
- 5.6 The “GB” covers mainly the area near the rocky stream that flows along the northwestern boundary of the Area, which mainly consists of abandoned agricultural lands either on gentle slope overgrown with trees forming a young but disturbed woodland, or on low-lying area overgrown with grass and weeds. The “GB” zone would serve as an ecological buffer between village development and the stream, and would help to prevent the significant landscape resource of this area from being negatively affected.

“Conservation Area”: Total Area (3.97 ha)

- 5.7 A total of about 3.97 ha of land are zoned “CA” 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.
- 5.8 The “CA” zoning covers the native woodlands on the hillsides behind (east and south) of the Hoi Ha Village, and on the gentle slope at the western end of the Area. These woodlands are quite natural in character and are ecologically-linked with the wide stretch of vegetation in the SKW Country Park. There is a variety of protected plant species and animal species of conservation concern. It is intended that with stringent planning control imposed under this zoning, the rich ecological and biological features in the areas can be protected and preserved.

- 5.9 There is a strip of land for traditional burial ground at the southern part of the hillslopes within this zone. It has been in existence for many years, which are considered as an existing use and intended for burial places of deceased indigenous villagers in the Area. To respect the local ritual and tradition, burial activities within this zone are generally tolerated.

Coastal Protection Area : Total Area (0.98 ha)

- 5.10 About 0.98 ha of the Area is zoned “CPA” to protect and retain the coastlines and the sensitive coastal environment, including attractive geological features, physical landform or area of high landscape, scenic or ecological significance, with a minimum of built development.
- 5.11 “CPA” zone is designated for the coastal area abutting the HHW Marine Park. It consists of sandy beaches, rock features, estuarine, mangroves, mangrove-associated plants, backshore vegetation, shrubs and vegetated slopes. The “CPA” zone serves as a buffer between the village area and the HHW Marine Park, sheltering disturbance from nearby developments.

6. Consultation

The TPDC and SKNRC will be consulted after the Board’s agreement to the publication of the draft Hoi Ha OZP under section 5 of the Ordinance during the exhibition period of the OZP.

7. Decision Sought

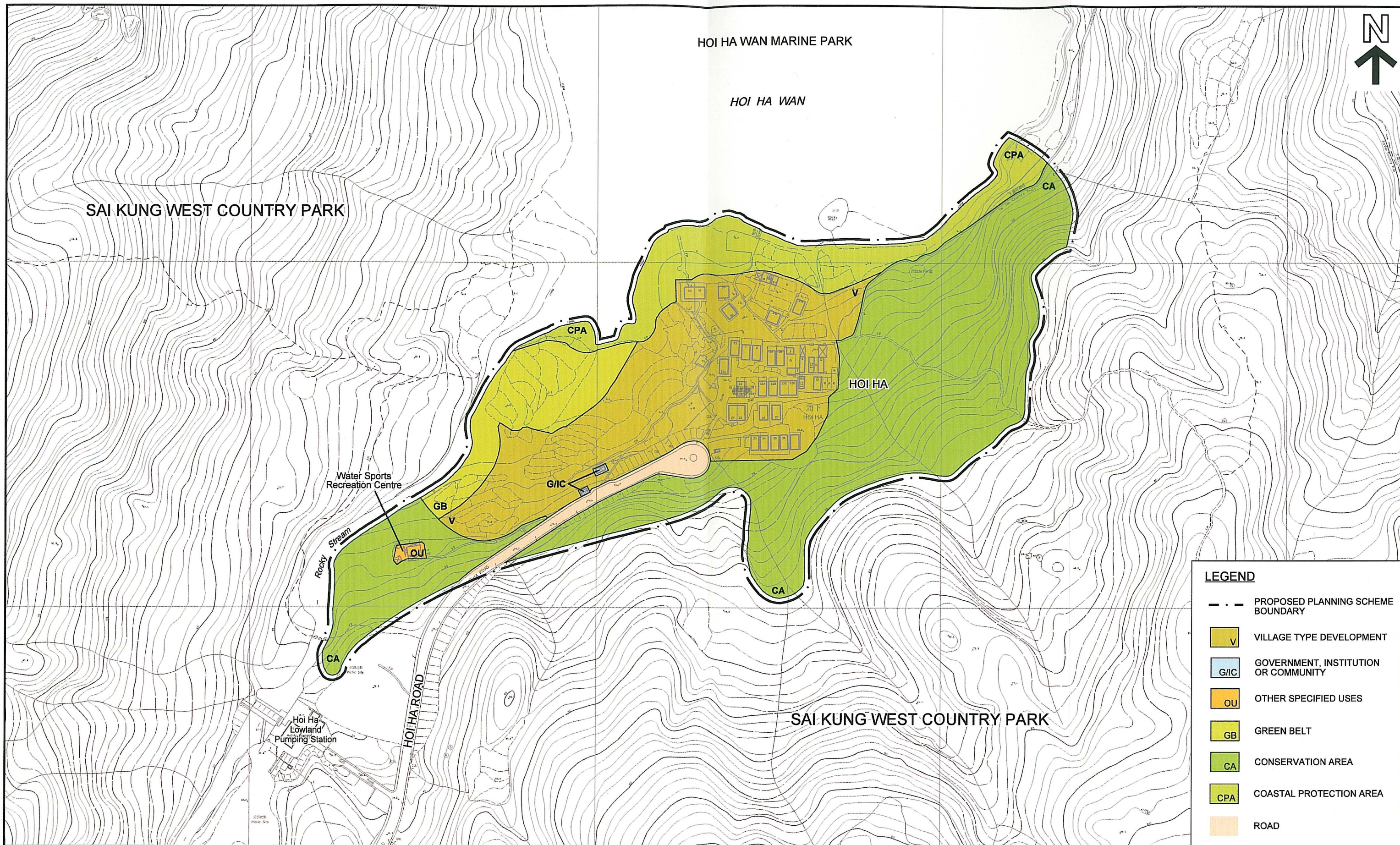
Members are invited to:

- (a) note the comments from and responses to the TPDC, the SKNRC, local villagers, residents, environmental and local concern groups, other organizations and public views on the draft Hoi Ha OZP No. S/NE-HH/D;
- (b) agree that the draft Hoi Ha OZP (to be renumbered as S/NE-HH/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 Explanatory Statement (**Annex III**) as an expression of the planning intentions and objectives of the Board for various land use zonings of the draft Hoi Ha OZP No. S/NE-HH/D; and

- (d) agree that the Explanatory Statement is suitable for exhibition for public inspection together with the draft OZP and issued under the name of the Board.

8. Attachments

Plan 1	Proposed land uses for Hoi Ha
Plan 2	Village 'Environs' and Existing Physical Features
Plan 3	Aerial Photo of Hoi Ha
Plan 4	Land Ownership and Village 'Environs' in Hoi Ha
Plan 5(a)	Proposal from Villages Representatives – Site Plan
Plan 5(b)	Proposal from the Professional Commons – Site Plan
Plan 5(c)	Proposals from Tolo Adventure Centre – Site Plan
Plan 6	Proposals from Kadoorie Farm, Friends of Hoi Ha and members of the public– Site Plan
Annex I	Draft Hoi Ha OZP No. S/NE-HH/D
Annex II	Notes of the Draft Hoi Ha OZP No. S/NE-HH/D
Annex III	Explanatory Statement of the Draft Hoi Ha OZP No. S/NE-HH/D
Annex IV	Extract of Minutes of the Town Planning Board Meeting held on 28.6.2013
Annex V	TPB Paper No. 9368 (considered by the Board on 28.6.2013)
Annex VI	Extract of Minutes of the Town Planning Board Meeting held on 12.7.2013
Annex VII	Matter Arising Paper (1) (considered by the Board on 12.7.2013)
Annex VIII	Minutes of Tai Po District Council meeting
Annex IX (a) and (b)	Letter from the Village Representatives and email from an indigenous villager
Annex X-1	Submission from Kadoorie Farm and Botanic Garden Corporation
Annex X-2 (a), (b) and (c)	Submission from Friends of Hoi Ha
Annex X-3	Hoi Ha Action Group
Annexes X-4 to X-35	Submissions from members of the public
Annex XI	Submission from the Professional Commons
Annex XII	Submission from Tolo Adventure Centre



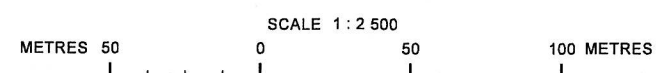
PROPOSED LAND USES

HOI HA

PLANNING DEPARTMENT



EXTRACT PLAN PREPARED ON 3.9.2013
BASED ON SURVEY SHEETS No. 8-NW-5A/B/C/D



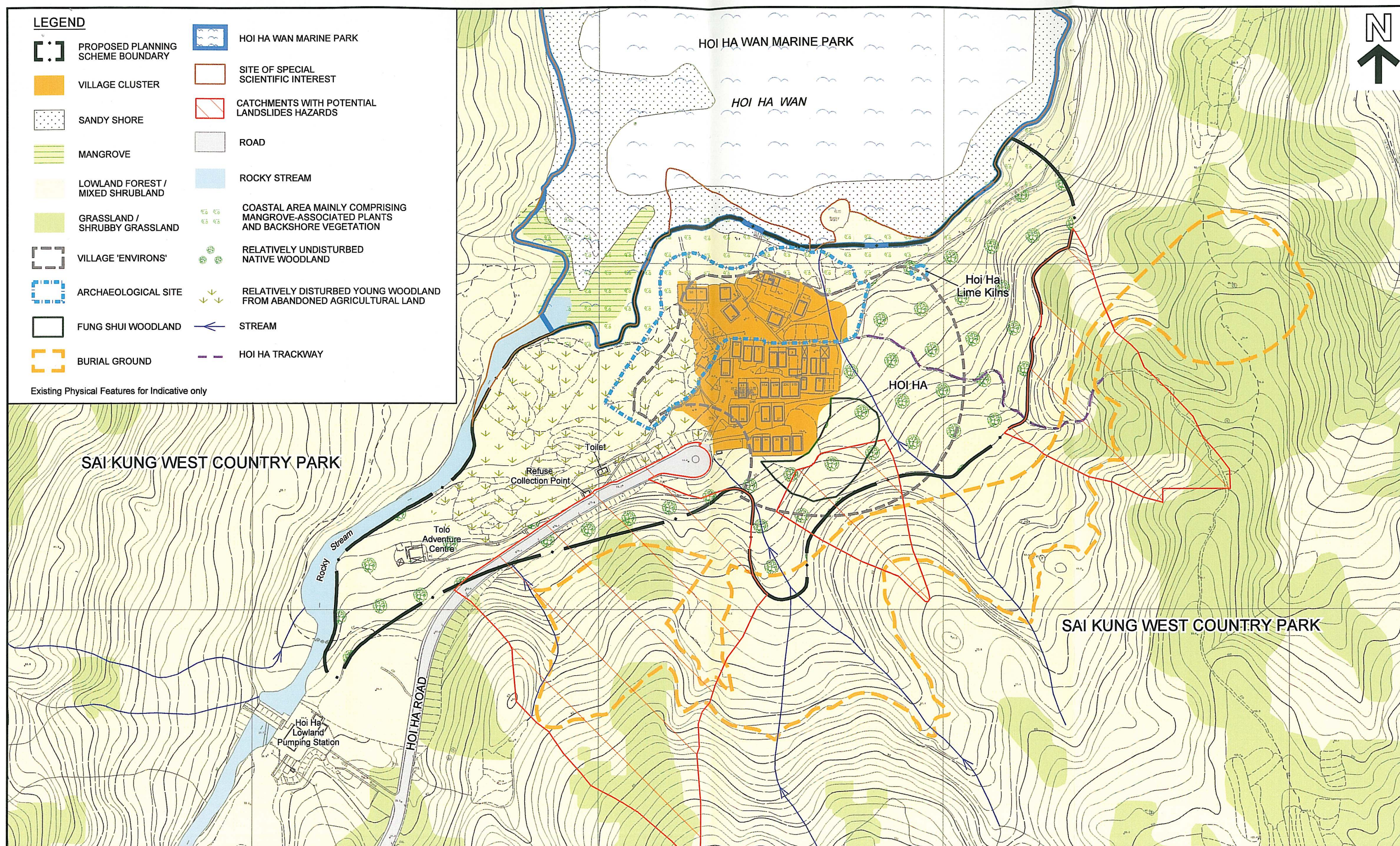
REFERENCE No.
M/NP/HH/13/10

PLAN
1

LEGEND

- | | | | |
|--|-----------------------------------|--|------------------------------------------------------------------------------------|
| | PROPOSED PLANNING SCHEME BOUNDARY | | HOI HA WAN MARINE PARK |
| | VILLAGE CLUSTER | | SITE OF SPECIAL SCIENTIFIC INTEREST |
| | SANDY SHORE | | CATCHMENTS WITH POTENTIAL LANDSLIDES HAZARDS |
| | MANGROVE | | ROAD |
| | LOWLAND FOREST / MIXED SHRUBLAND | | ROCKY STREAM |
| | GRASSLAND / SHRUBBY GRASSLAND | | COASTAL AREA MAINLY COMPRISING MANGROVE-ASSOCIATED PLANTS AND BACKSHORE VEGETATION |
| | VILLAGE 'ENVIRONS' | | RELATIVELY UNDISTURBED NATIVE WOODLAND |
| | ARCHAEOLOGICAL SITE | | RELATIVELY DISTURBED YOUNG WOODLAND FROM ABANDONED AGRICULTURAL LAND |
| | FUNG SHUI WOODLAND | | STREAM |
| | BURIAL GROUND | | HOI HA TRACKWAY |

Existing Physical Features for Indicative only



VILLAGE 'ENVIRONS' AND EXISTING PHYSICAL FEATURES

HOI HA

EXTRACT PLAN PREPARED ON 3.9.2013
BASED ON SURVEY SHEETS No. 8-NW-5A/B/C/D

SCALE 1 : 2 500
METRES 50 0 50 100 METRES

PLANNING DEPARTMENT





REFERENCE No.
M/NP/HH/13/10

PLAN
2



LEGEND

-  PROPOSED PLANNING SCHEME BOUNDARY
-  COUNTRY PARK BOUNDARY

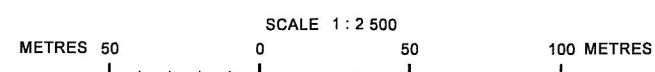
AERIAL PHOTO

HOI HA

PLANNING DEPARTMENT

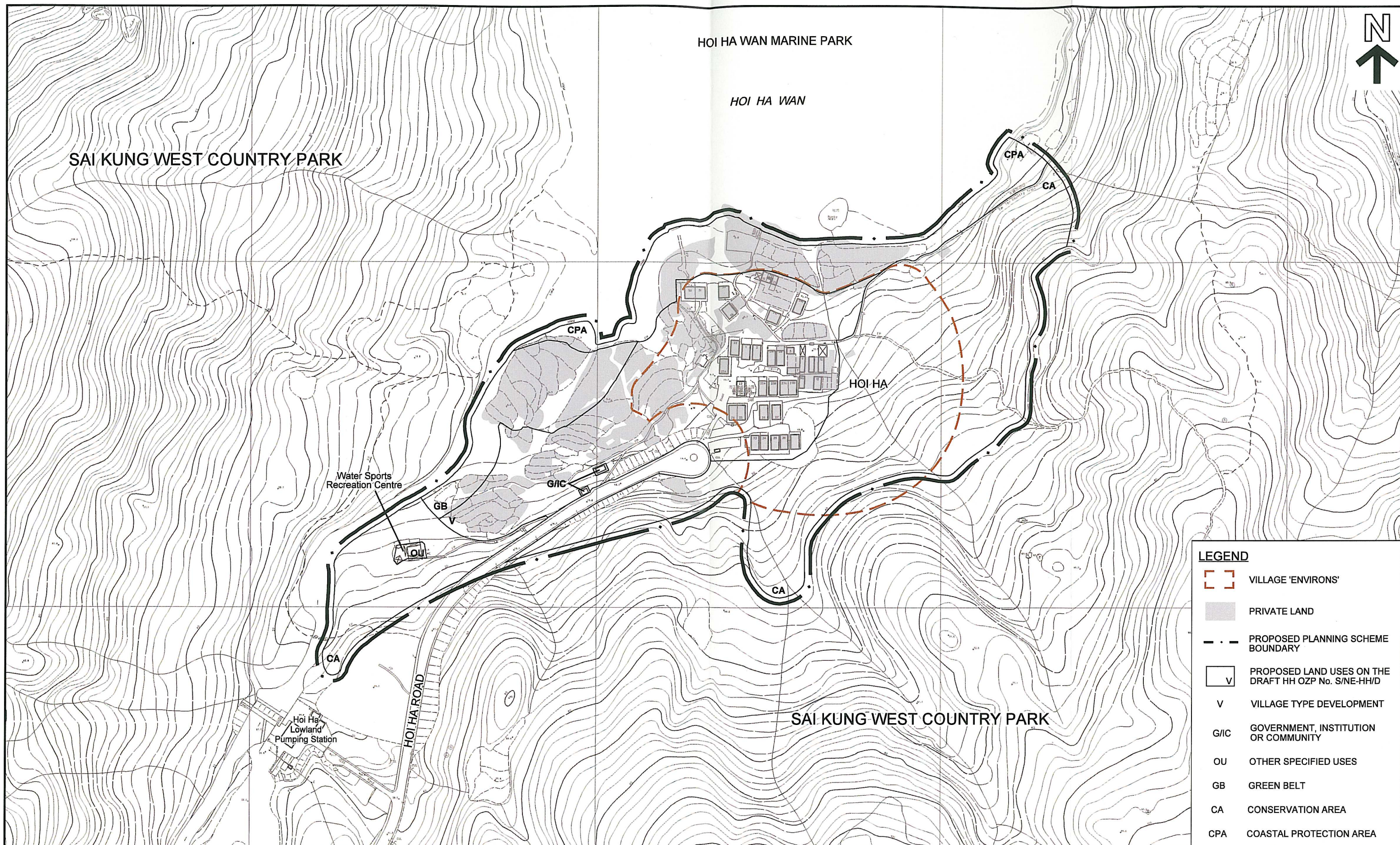


EXTRACT PLAN PREPARED ON 3.9.2013
BASED ON AERIAL PHOTOS No. CW97133-35
TAKEN ON 10.5.2012 BY LANDS DEPARTMENT



REFERENCE No.
M/NP/HH/13/10

PLAN
3



LEGEND	
	VILLAGE 'ENVIRONS'
	PRIVATE LAND
	PROPOSED PLANNING SCHEME BOUNDARY
	PROPOSED LAND USES ON THE DRAFT HH OZP No. S/NE-HH/D
V	VILLAGE TYPE DEVELOPMENT
G/I/C	GOVERNMENT, INSTITUTION OR COMMUNITY
OU	OTHER SPECIFIED USES
GB	GREEN BELT
CA	CONSERVATION AREA
CPA	COASTAL PROTECTION AREA

LAND OWNERSHIP AND VILLAGE 'ENVIRONS'

HOI HA

PLANNING DEPARTMENT

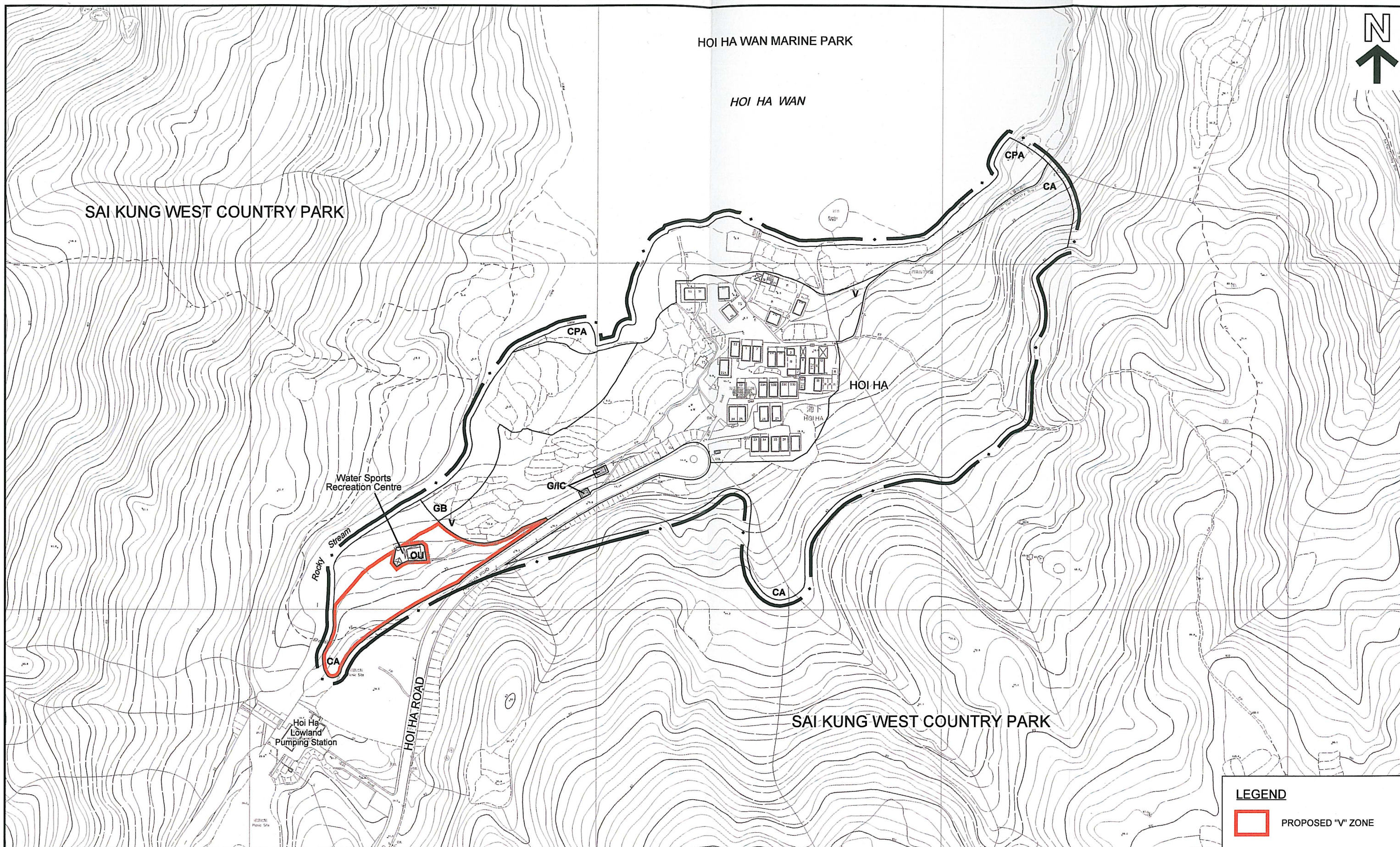


EXTRACT PLAN PREPARED ON 3.9.2013
BASED ON SURVEY SHEETS No. 8-NW-5A/B/C/D



REFERENCE No.
M/NP/HH/13/10

PLAN
4



SITE PLAN

PROPOSAL FROM HOI HA VILLAGER REPRESENTATIVES

PLANNING DEPARTMENT

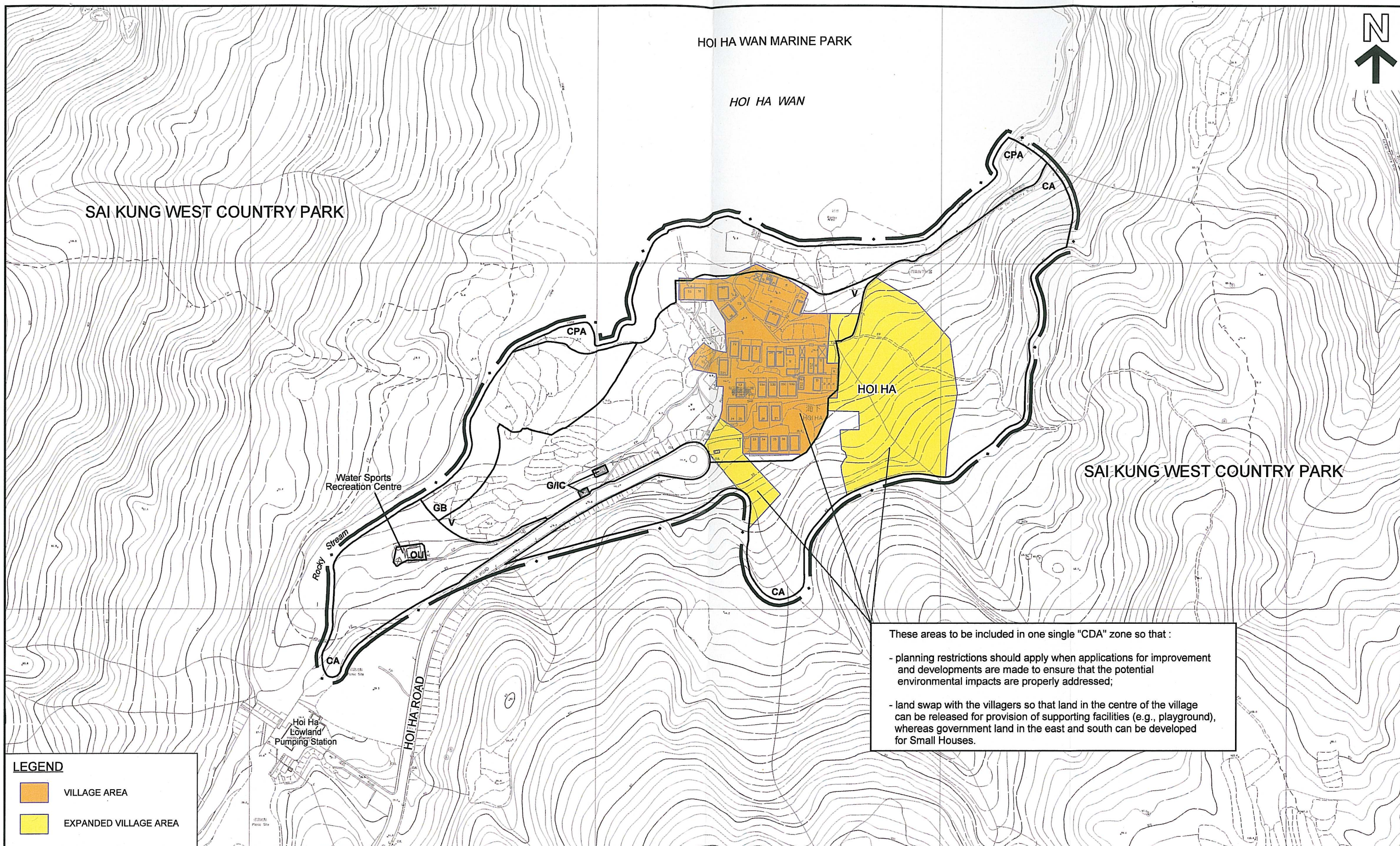


EXTRACT PLAN PREPARED ON 10.9.2013
BASED ON SURVEY SHEETS No. 8-NW-5A/B/C/D

SCALE 1 : 2 500
METRES 50 0 50 100 METRES

REFERENCE No.
M/NP/HH/13/10

PLAN
5a



SITE PLAN

PROPOSAL FROM PROFESSIONAL COMMONS

PLANNING DEPARTMENT

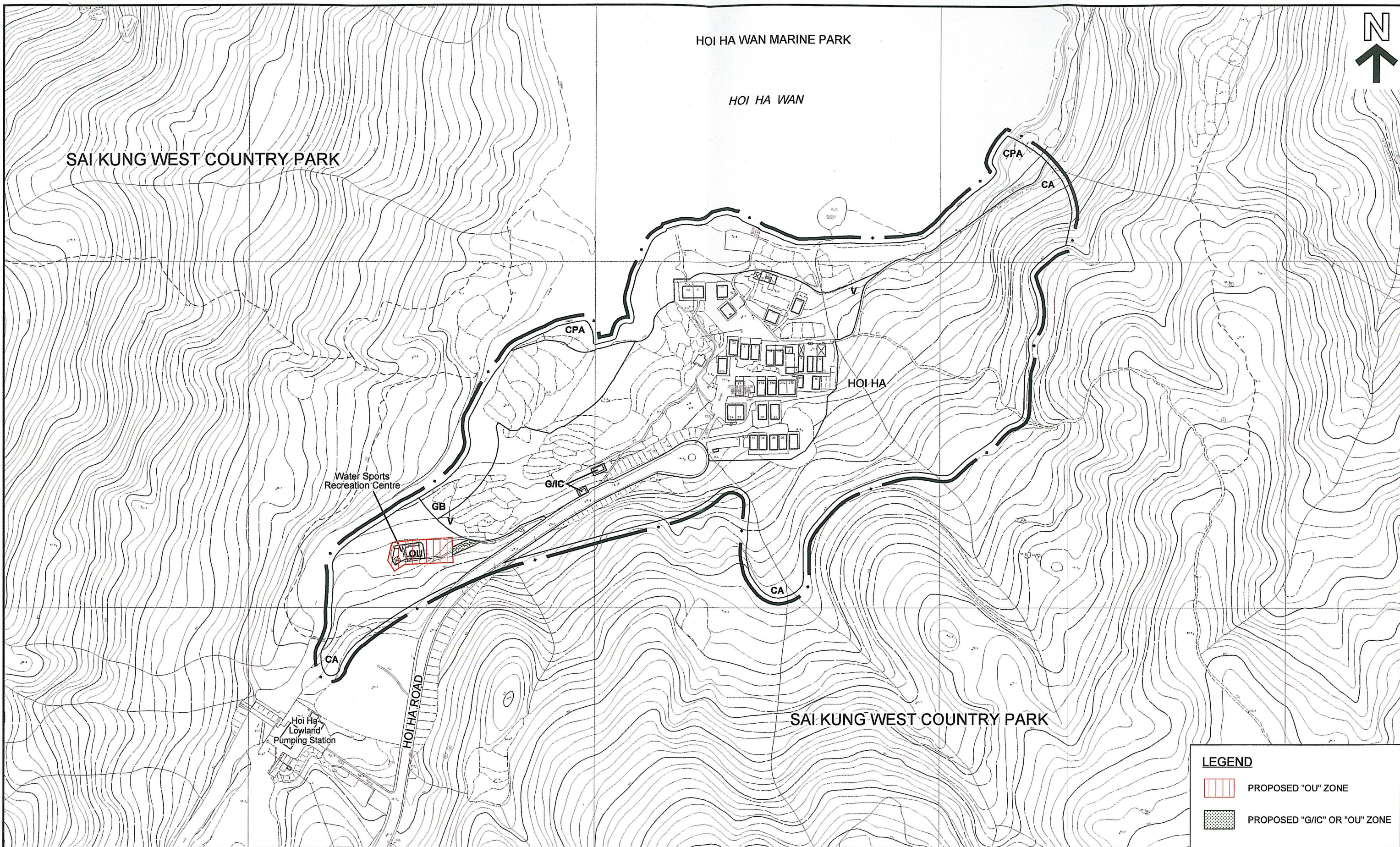


EXTRACT PLAN PREPARED ON 10.9.2013
BASED ON SURVEY SHEETS No. 8-NW-5A/B/C/D

SCALE 1 : 2 500
METRES 50 0 50 100 METRES

REFERENCE No.
M/NP/HH/13/10

PLAN
5b



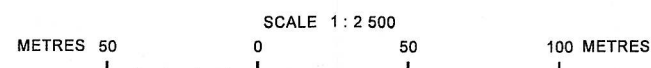
SITE PLAN

PROPOSAL FROM TOLO ADVENTURE CENTRE

PLANNING DEPARTMENT

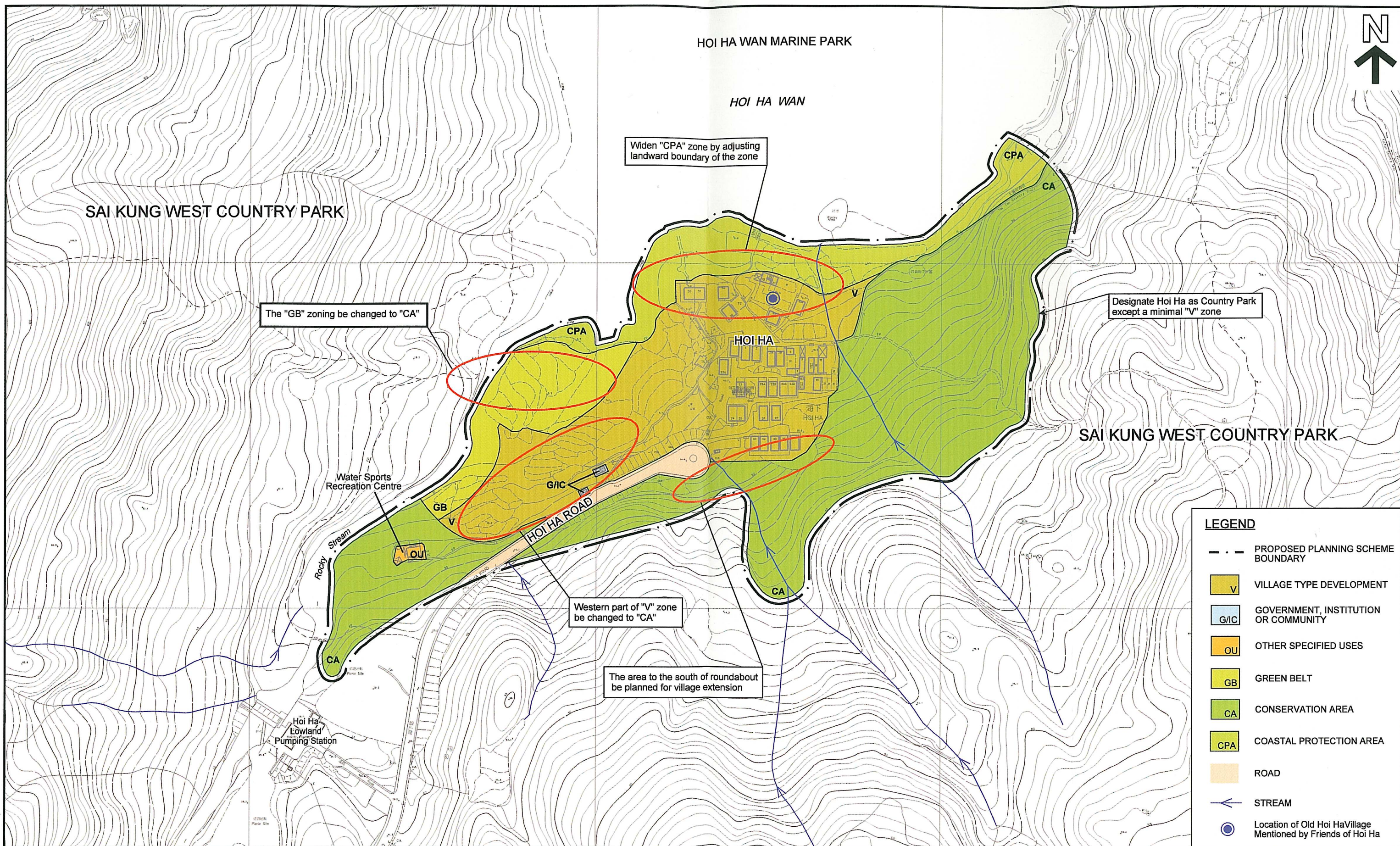


EXTRACT PLAN PREPARED ON 10.9.2013
BASED ON SURVEY SHEETS No. 8-NW-5A/B/C/D



REFERENCE No.
M/NP/HH/13/10

PLAN
5c



SITE PLAN

PROPOSALS FROM KADOORIE FARM AND BOTANIC GARDEN CORPORATION,
FRIENDS OF HOI HA, HOI HA ACTION GROUP AND MEMBERS OF PUBLIC

EXTRACT PLAN PREPARED ON 3.9.2013
BASED ON SURVEY SHEETS No. 8-NW-5A/B/C/D

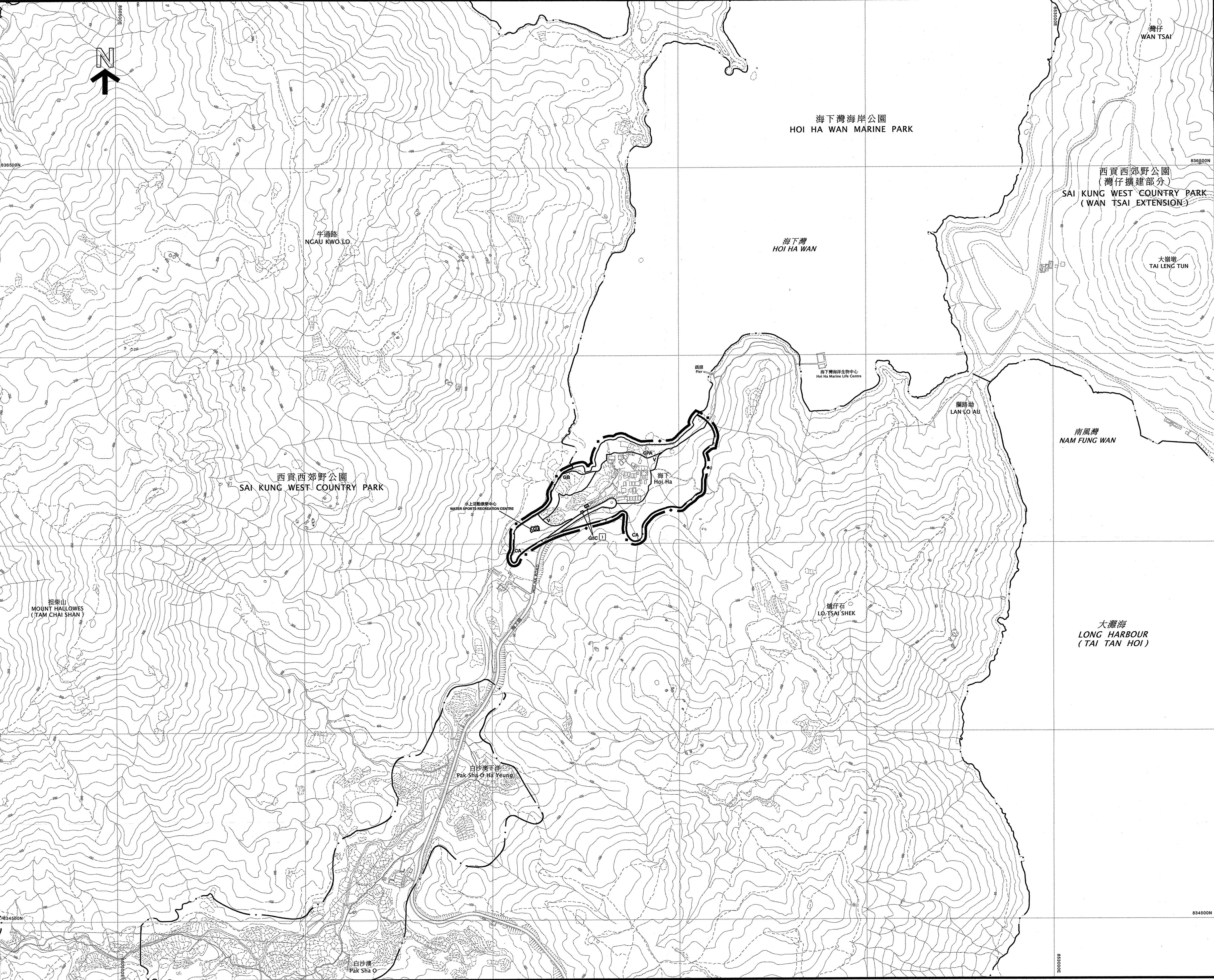
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PLANNING DEPARTMENT



REFERENCE No.
M/NP/HH/13/10

PLAN
6



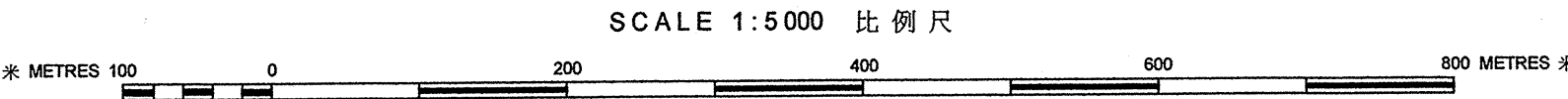
圖例
NOTATION

ZONES		地帶
VILLAGE TYPE DEVELOPMENT	V	鄉村式發展
GOVERNMENT, INSTITUTION OR COMMUNITY	G/I/C	政府、機構或社區
OTHER SPECIFIED USES	OU	其他指定用途
GREEN BELT	GB	綠化地帶
CONSERVATION AREA	CA	自然保育區
COASTAL PROTECTION AREA	CPA	海岸保護區
COMMUNICATIONS		交通
MAJOR ROAD AND JUNCTION		主要道路及路口
MISCELLANEOUS		其他
BOUNDARY OF PLANNING SCHEME		規劃範圍界線
BOUNDARY OF COUNTRY PARK / SPECIAL AREA		郊野公園 / 特別地區界線
MAXIMUM BUILDING HEIGHT (IN NUMBER OF STOREYS)	1	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	2.60	30.77		鄉村式發展
GOVERNMENT, INSTITUTION OR COMMUNITY	0.01	0.12		政府、機構或社區
OTHER SPECIFIED USES	0.03	0.36		其他指定用途
GREEN BELT	0.65	7.69		綠化地帶
CONSERVATION AREA	3.97	46.98		自然保育區
COASTAL PROTECTION AREA	0.98	11.60		海岸保護區
MAJOR ROAD ETC.	0.21	2.48		主要道路等
TOTAL PLANNING SCHEME AREA	8.45	100.00		規劃範圍總面積

香港城市規劃委員會依據城市規劃條例擬備的海下分區計劃大綱圖
TOWN PLANNING ORDINANCE, HONG KONG TOWN PLANNING BOARD
HOI HA - OUTLINE ZONING PLAN



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-HH/D

DRAFT HOI HA OUTLINE ZONING PLAN NO. S/NE-HH/D

(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) Road junctions, 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” or “Coastal Protection 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” or “Coastal Protection 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" or "Coastal Protection 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" or "Coastal Protection 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 HOI HA OUTLINE ZONING PLAN NO. S/NE-HH/D

Schedule of Uses

	<u>Page</u>
VILLAGE TYPE DEVELOPMENT	1
GOVERNMENT, INSTITUTION OR COMMUNITY	3
OTHER SPECIFIED USES	5
GREEN BELT	7
CONSERVATION AREA	9
COASTAL PROTECTION AREA	11

VILLAGE TYPE DEVELOPMENT

<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>Agricultural Use</p> <p>Government Use (Police Reporting Centre, Post Office only)</p> <p>House (New Territories Exempted House only)</p> <p>On-Farm Domestic Structure</p> <p>Religious Institution (Ancestral Hall only)</p> <p>Rural Committee/Village Office</p>	<p>Burial Ground</p> <p>Eating Place</p> <p>Flat</p> <p>Government Refuse Collection Point</p> <p>Government Use (not elsewhere specified) #</p> <p>Hotel (Holiday House only)</p> <p>House (not elsewhere specified)</p> <p>Institutional Use (not elsewhere specified) #</p> <p>Market</p> <p>Place of Recreation, Sports or Culture</p> <p>Private Club</p> <p>Public Clinic</p> <p>Public Convenience</p> <p>Public Transport Terminus or Station</p> <p>Public Utility Installation #</p> <p>Public Vehicle Park</p> <p>(excluding container vehicle)</p> <p>Religious Institution (not elsewhere specified) #</p> <p>Residential Institution #</p> <p>School #</p> <p>Shop and Services</p> <p>Social Welfare Facility #</p> <p>Utility Installation for Private Project</p>

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 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 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 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 redevelopment, 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.

OTHER SPECIFIED USESFor “Water Sports Recreation Centre” only

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
Holiday Camp Place of Recreation, Sports or Culture (Water Sports Recreation Centre only)	Eating Place Government Refuse Collection Point Government Use (not elsewhere specified) Place of Recreation, Sports or Culture (not elsewhere specified) Private Club Public Vehicle Park (excluding container vehicle) Religious Institution Shop and Services Social Welfare Facility Utility Installation not Ancillary to the Specified Use

Planning Intention

This zone is intended to designate land for the purposes of accommodating water sports recreational uses.

(Please see next page)

OTHER SPECIFIED USES (Cont'd)

For "Water Sports Recreation Centre only"

Remarks

- (a) No redevelopment, including alteration and/or modification, of an existing building shall result in a total redevelopment in excess of the plot ratio, site coverage and 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.
- (c) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the plot ratio, site coverage and building height restrictions stated in paragraph (a) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.

GREEN BELT

<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>Agricultural Use</p> <p>Barbecue Spot</p> <p>Government Use (Police Reporting Centre only)</p> <p>Nature Reserve</p> <p>Nature Trail</p> <p>On-Farm Domestic Structure</p> <p>Picnic Area</p> <p>Public Convenience</p> <p>Tent Camping Ground</p> <p>Wild Animals Protection Area</p>	<p>Animal Boarding Establishment</p> <p>Broadcasting, Television and/or Film Studio</p> <p>Burial Ground</p> <p>Columbarium (within a Religious Institution or extension of existing Columbarium only)</p> <p>Crematorium (within a Religious Institution or extension of existing Crematorium only)</p> <p>Field Study/Education/Visitor Centre</p> <p>Government Refuse Collection Point</p> <p>Government Use (not elsewhere specified)</p> <p>Helicopter Landing Pad</p> <p>Holiday Camp</p> <p>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)</p> <p>Petrol Filling Station</p> <p>Place of Recreation, Sports or Culture</p> <p>Public Transport Terminus or Station</p> <p>Public Utility Installation</p> <p>Public Vehicle Park (excluding container vehicle)</p> <p>Radar, Telecommunications Electronic Microwave Repeater, Television and/or Radio Transmitter Installation</p>

(Please see next page)

GREEN BELT (cont'd)

<hr/> <p>Column 1</p> <p>Uses always permitted</p> <hr/>	<p>Column 2</p> <p>Uses that may be permitted with or without conditions on application to the Town Planning Board</p> <hr/>
	<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) Nature Reserve Nature Trail On-Farm Domestic Structure Wild Animals Protection Area	Barbecue Spot 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 Columns 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.

COASTAL PROTECTION 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 Use 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 conserve, protect and retain the natural coastlines and the sensitive coastal natural environment, including attractive geological features, physical landform or area of high landscape, scenic or ecological value, with a minimum of built development. It may also cover areas which serve as natural protection areas sheltering nearby developments against the effects of coastal erosion.

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)

COASTAL PROTECTION 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 Columns 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 HOI HA
OUTLINE ZONING PLAN NO. S/NE-HH/D

EXPLANATORY STATEMENT

DRAFT HOI HA OUTLINE ZONING PLAN NO. S/NE-HH/D

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	3
7. OPPORTUNITIES AND CONSTRAINTS	3
8. GENERAL PLANNING INTENTION	6
9. LAND-USE ZONINGS	
9.1 Village Type Development	6
9.2 Government, Institution or Community	7
9.3 Other Specified Uses	8
9.4 Green Belt	8
9.5 Conservation Area	9
9.6 Coastal Protection Area	10
9.7 Cultural Heritage	10
10. COMMUNICATIONS	11
11. UTILITY SERVICES/INFRASTRUCTURAL PROVISIONS	11
12. IMPLEMENTATION	11
13. PLANNING CONTROL	11

DRAFT HOI HA OUTLINE ZONING PLAN NO. S/NE-HH/D

(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 Hoi Ha Outline Zoning Plan (OZP) No. S/NE-HH/D. 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 1 September 2010, under the power delegated by the Chief Executive (CE), the Secretary for Development (SDEV) 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 Hoi Ha area.
- 2.2 On 30 September 2010, the draft Hoi Ha DPA Plan No. DPA/NE-HH/1 was exhibited for public inspection under section 5 of the Ordinance. During the plan exhibition period, a total of 18 representations were received. On 10 December 2010, the Board published the representations for public comment and, in the first three weeks of the publication period, no comment was received. After giving consideration to the representations on 8 April 2011, the Board decided not to meet the representations and not to propose any amendment to the draft DPA Plan.
- 2.3 On 4 October 2011, the CE in Council (CE in C), under section 9(1)(a) of the Ordinance, approved the draft Hoi Ha DPA Plan, which was subsequently renumbered as DPA/NE-HH/2. On 14 October 2011, the approved Hoi Ha DPA Plan No. DPA/NE-HH/2 was exhibited for public inspection under section 9(5) of the Ordinance.
- 2.4 On 11.1.2013, under the power delegated by the CE, the SDEV directed the Board, under section 3(1)(a) of the Ordinance, to prepare an OZP to cover the Hoi Ha area.
- 2.5 On 6.5.2013, under the power delegated by the CE, the SDEV directed the Board, under section 3(1)(a) of the Ordinance, to revise the planning scheme boundary of the future OZP, by excluding the areas lying within the Hoi Ha Wan (HHW) Marine Park, which is protected under the Marine Parks Ordinance (Cap. 476), so as to provide certainty and avoid duplication of controlling authorities.

- 2.5 On XXXX 2013, the draft Hoi Ha OZP No. S/NE-HH/1 (the Plan) was exhibited for public inspection under section 5 of the Ordinance.

3. OBJECT OF THE PLAN

- 3.1 The object of the Plan is to indicate the broad land-use zonings for the area of Hoi Ha so that development and redevelopment within the area of Hoi Ha 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 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 area of about 8.45 ha, is located at the northern coast of Sai Kung peninsula, and accessible by vehicle via Hoi Ha Road. It is encircled by the Sai Kung West (SKW) Country Park on three sides, opening towards the scenic HHW, which is a designated Marine Park as well as an SSSI.
- 5.2 The area abutting the HHW Marine Park, along the northern coast of the Area, consists of sandy beaches, sand dunes, rock outcrops and sea side vegetations including mangroves. Dense native woodlands, including a *Fung Shui* Woodland, spread on the hill slopes in the eastern and southern parts of the Area, as well as at its western end. Such mature woodlands give the Area a distinct natural character.
- 5.3 The Hoi Ha village, lying between HHW in the north and the hill slopes on the south, is the only recognized village in the Area, consisting of about 30 houses and two *tsz tongs*. The houses are mostly three-storeys, occupied, and in fair or

good condition. Provision stores can be found on the ground floor of some of the houses, and the HHW Marine Park Warden Post of the Agriculture, Fisheries and Conservation Department (AFCD) occupies the ground floor of one house. The Hoi Ha Site of Archaeological Interest, the Hoi Ha Lime Kilns and part of the Hoi Ha Trackway are heritage features located in the Area. An area to the immediate west of the village is occupied by a young but disturbed woodland on abandoned agricultural land.

- 5.4 The Hoi Ha Road approaches the village from west to east, terminating just outside the village. A privately run water sports recreation centre, a public toilet, and a refuse collection point can be found along the north side of the road. Further east along the coast is the Hoi Ha Marine Life Centre operated by WWF Hong Kong.

6. **POPULATION**

According to the 2011 Census, the total population of the Area was about 110 persons. It is expected that the total planned population of the area would be about 590 persons mainly attributed to the village expansion.

7. **OPPORTUNITIES AND CONSTRAINTS**

7.1 Opportunities

7.1.1 Conservation and Natural Landscape

Amid the SKW Country Park, the Area has high scenic and landscape value which complements the natural landscape of the surrounding SKW Country Park and the HHW Marine Park. The natural landscape and the coastal environment of the Area, as well as the area along the rocky stream on the northwest side, are worthy of conservation while the scale of the village development should be compatible with the rural setting and surrounding landscape. Any expansion of village development to the native woodlands (including the *Fung Shui* woodland) that are ecologically linked to the SKW Country Park, the coastal environment near the HHW Marine Park is not recommended.

7.1.2 Tourism Potential

HHW, with its scenic sea bay, sandy beach, clear water, and coral communities, as well as direct vehicular access, is popular for divers, snorkelers and kayakers, particularly during holidays and weekends. The HHW Nature Trail, used frequently by hikers, traverses the Area from east to west, connecting to other trails and footpaths of the SKW Country Park. Heritage features such as the Hoi Ha Lime Kilns also attract visitors to the Area. The AFCD operates an ecotour service from a Warden Post office within the village, and there is a privately run water recreation/sports centre located in the western part of the Area

close to Hoi Ha Road. Kayak rentals, provision stores and shower stands catering to visitors can be found on the beach or within the village. It is expected HHW will remain a popular local tourism destination.

7.1.3 Transportation

The Area is accessible by vehicles via Hoi Ha Road, although at present, Pak Tam Road is a restricted road and vehicles entering it have to apply for permits from relevant departments. There is a mini-bus route operating between Hoi Ha and Sai Kung Town Pier. Marine access is available via the pier located in HHW Marine Park along the coast to the northeast of the Area. A trail runs along the coast from west to east connecting to trails of the surrounding Country Park.

7.2 Constraints

7.2.1 Ecological Significance

Whilst most of the flora and fauna recorded in the Area and the adjacent SKW Country Park are common species, the native woodlands on the hillsides behind (east and south) of the Hoi Ha Village and on the gentle slope at the western end of the Area, are quite natural in character and are ecologically-linked with the wide stretch of vegetation in the SKW Country Park. In particular, protected plant species including *Aquilaria sinensis*, *Pavetta hongkongensis*, and *Neottopteris nidus* have been recorded in these woodlands, and for the woodlands on the east side, notable plant species including *Morinda cochinchinensis* and *Sargentodoxa cuneata* have also been recorded. A number of fauna species of conservation concern have also been recorded in the subject area or in its vicinity. These include *Thoressa monastyrskyi* (a rare butterfly species found only in Sai Kung), *Troides aeacus* (a rare butterfly species with conservation concern), *Troides helena* (an uncommon and protected butterfly species) and the Chinese Pangolin (an endangered and protected species with restricted distribution). Also, the large rocky stream that abuts the Area on the northwestern side is natural with a moderate diversity of freshwater and brackish fish, and its estuarine area supports mangroves and a moderate diversity of coastal fauna. In general, natural streams of significant size are regarded as ecologically important habitats in the territory.

7.2.2 Landscape Character

The Area contains extensive areas of high quality natural landscape. The HHW valley faces the scenic and landscape sensitive HHW Marine Park and SKW Country Park. The landscape comprises a juxtaposition of distinct landscape character areas. Due to the topography and the low level of existing development, development in the area will have impact on the present landscape character. In order to ensure minimal deterioration of the existing landscape quality, the existing ridgelines

should be retained and development should not encroach upon slopes, and the *Fung Shui* woods, secondary woodlands and stream courses should not be affected. Also, the rocky stream and the mangrove estuarine are considered a type of significant landscape resource of this area and it should also not be affected. Development should be confined to the lower ground village areas where human-scale buildings are traditional and in harmony with the existing character. Open vista from the waterfront to the mountain backdrop should be preserved.

7.2.3 Sewerage

There is no existing sewer or planned public sewer for the Area, and at present, each house is typically served with its own on-site septic tanks and soakaway (STS) system. Any increase in population, number of visitors to the Area or further recreation/residential developments would require additional facilities in accordance with relevant laws and regulations.

7.2.4 Site of Archaeological Interest and Cultural Heritage

The Hoi Ha Site of Archaeological Interest, the Hoi Ha Lime Kilns and part of the Hoi Ha Trackway are located within the Area. The Antiquities and Monuments Office (AMO) of the Leisure and Cultural Services Department should be consulted on any development proposals which might affect the above sites of archaeological interest and their immediate environs.

7.2.5 Geotechnical Constraint

The Head of Geotechnical Engineering Office (GEO) of the Civil Engineering and Development Department advises that the southern part of the proposed “V” zone is in an area close to the natural hillside and may be affected by potential natural terrain landslide hazards. For future development in this area, the developer(s) 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.

7.2.6 Infrastructure and Utility Services

The Area is supplied with electricity and telephone services. In respect of other utility services, potable water supply to existing facilities and villagers of the Area is provided, but there are no committed/ planned sewerage and drainage systems nor gas supply projects for the Area.

8. **GENERAL PLANNING INTENTION**

- 8.1 The general planning intention for the Area is to conserve its natural landscape and conservation value, to protect its natural and rural character, its cultural heritage, and to make provision for future Small House development for the indigenous village of Hoi Ha.
- 8.2 In the designation of various zones for the Area, considerations have been given to protect the ecological and landscape significance of the Area, which includes the Hoi Ha *Fung Shui* woodland that forms the wider natural system of the SKW Country Park and the HHW Marine Park. Considerations have also been given to delineate the area for future Small House development.

9. **LAND-USE ZONINGS**

9.1 **“Village Type Development” (“V”) : Total Area 2.60 ha**

- 9.1.1 The planning intention of this zone is to designate both 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 Board.
- 9.1.2 Hoi Ha is a recognized village and the only recognized village in the Area. The boundaries of the “V” zone are drawn up having regard to the village ‘environs’, 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.
- 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 (8.23 m) or the height of the building which was in existence on the date of 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.
- 9.1.5 There is no existing sewer or planned public sewer for the Area, and at present, each house is typically served with its own on-site STS system. In accordance with the Environmental, Transport and Works Bureau's Technical Circular (Works) No. 5/2005, 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 DAFC and relevant authorities and incorporate relevant comments/advice as conditions of approval wherever possible. Also, for the protection of the water quality of the HHW Marine Park, the design and construction of on-site STS system for any development proposals/submissions need to comply with relevant standards and regulations, such as Environmental Protection Department (EPD)'s Practice Note for Professional Person (ProPECC) 5/93. Accordingly, LandsD when processing Small House grant and applications in close proximity to existing stream courses and the HHW Marine Park, should consult concerned departments including EPD, AFCD and Planning Department (PlanD) to ensure that all relevant departments would have adequate opportunity to review and comment on the applications.
- 9.1.6 The Head of Geotechnical Engineering Office (GEO) of the Civil Engineering and Development Department advises that the southern part of the proposed "V" zone is in an area close to the natural hillside and may be affected by potential natural terrain landslide hazards. For future development in this area, the developer(s) 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.
- 9.2 "Government, Institution or Community" ("G/IC") : Total Area 0.01 ha
- 9.2.1 The planning intention of this zone is primarily for the provision of GIC facilities serving the needs of the local residents and 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 main existing GIC facilities under this zone include a single storey permanent flushing toilet and a single storey refuse collection point at the western part of the Area.
- 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., one storey) or the height of the building

which was in existence on the date of first publication in the Gazette of the notice of the draft DPA plan, whichever is greater.

- 9.2.4 To provide design flexibility for particular development, 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 Other Specified Uses (Water Sports Recreation Centre) (“OU(WSRC)”) : Total Area 0.03 ha

- 9.3.1 This zone is intended primarily to reflect the existing use of the land at the western part of the Area currently occupied by a water sports recreation centre (the "Tolo Adventure Centre") to the north of Hoi Ha Road. The club is operated by a religious organization for over 30 years to provide water sports training facilities and overnight accommodation for teenagers. According to LandsD, there are 2 existing structures on the site under Short Term Tenancy with a total built-over area of about 71.5m².

- 9.3.2 The following planning controls are applicable to this zone:

- (a) no redevelopment, including alternation and/or modification, of an existing building shall result in a total redevelopment in excess of the plot ratio, site coverage and 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, and
- (b) based on the individual merits of a development or redevelopment proposal, minor relaxation of the plot ratio, site coverage and building height restrictions stated in paragraph (a) above may be considered by the Board on application under section 16 of the Ordinance.

9.4 “Green Belt” (“GB”) : Total Area 0.65 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” covers mainly the area near the rocky stream that flows along the northwestern boundary of the Area, which mainly consists of abandoned agricultural lands either on gentle slope overgrown with trees forming a young but disturbed woodland, or on wet and low-lying areas overgrown with grass and weeds. The “GB” zone would serve as an ecological buffer between village development and the stream, and would help to prevent the significant landscape resource of this area from being negatively affected.

9.4.3 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. 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.

9.5 “Conservation Area” (“CA”) : Total Area 3.97 ha

9.5.1 This zone 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 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” zoning covers the woodlands on the hillsides to the east and south of the Hoi Ha Village, as well as a woodland at the western end of the Area, on the north side of Hoi Ha Road. These woodlands are quite natural in character and are ecologically-linked with the wide stretch of vegetation in the SKW Country Park. There is also a variety of protected plant and animal species of conservation concern. It is intended that with stringent planning control imposed under this zoning, the rich ecological and biological features in the areas can be protected and preserved.

9.5.3 There is a strip of land for traditional burial ground at the southern part of the hillslopes within this zone. It has been in existence for many years, which are considered as an existing use and intended for burial places of deceased indigenous villagers in the Area. To respect the local ritual and tradition, burial activities within this zone are generally tolerated.

9.5.4 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 of the DPA Plan.

9.5.5 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.

9.6 Coastal Protection Area (“CPA”): Total Area 0.98 ha

- 9.6.1 This zone is intended to protect and retain the coastlines and the sensitive coastal environment, including attractive geological features, physical landform or area of high landscape, scenic or ecological significance, with a minimum of built 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.
- 9.6.2 “CPA” zone is designated for the coastal area abutting the HHW Marine Park. It consists of sandy beaches, rock features, estuarine, mangroves, mangrove-associated plants, backshore vegetation, shrubs and vegetated slopes. The “CPA” zone serves as a buffer between the village area and the HHW Marine Park, sheltering disturbance from nearby developments.
- 9.6.3 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 of the DPA Plan.
- 9.6.4 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.

9.7 Cultural Heritage

The Hoi Ha Site of Archaeological Interest, the Hoi Ha Lime Kilns and part of the Hoi Ha Trackway are located within the Area. The AMO of the Leisure and Cultural Services Department should be consulted on any development proposals which might affect the sites and their immediate environs. If disturbance to the archaeological site is unavoidable, a detailed Archaeological Impact Assessment (AIA) conducted by a professional archaeologist is required for development works within the site. The archaeologist shall apply for a license to conduct the AIA under the Antiquities and Monuments Ordinance (Cap. 53). A proposal of the AIA shall be submitted to the AMO for agreement prior to applying for a license.

10. COMMUNICATIONS

Road/Transport Network

The Area is accessible by vehicles via Hoi Ha Road. Marine access is available via the pier located in HHW Marine Park along the coast to the northeast of the Area.

11. UTILITY SERVICES/INFRASTRUCTURAL PROVISIONS

The Area is supplied with electricity and telephone services. In respect of other utility services, potable water supply to existing facilities and villagers of the Area is provided, but there are no committed / planned sewerage and drainage systems nor gas supply projects for the Area.

12. IMPLEMENTATION

- 12.1 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.
- 12.2 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 public and private sectors.
- 12.3 Notwithstanding the above, minor improvement works, e.g., access improvements and laying of roads, utility services installation and public works projects will be implemented through the Public Works Programme and the Rural Public Works Programme subject to priority and resource availability. Private developments will be effected principally through private sector initiatives in accordance with the zoned uses indicated on the Plan, provided that their proposals meet Government requirements.

13. PLANNING CONTROL

- 13.1 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.

- 13.2 Uses of land or building which were in existence immediately before the first publication in the Gazette of the notice of the 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.
- 13.3 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.
- 13.4 Any development, other than those referred to in paragraph 13.1 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" and "CPA".

Extract of Minutes of the Town Planning Board

Meeting held on 28.6.2013

Agenda Item 9

[Open Meeting]

Preliminary Consideration of the Draft Hoi Ha Outline Zoning Plan NO. S/NE-HH/C
(TPB Paper No. 9368)

[The meeting was conducted in Cantonese.]

86. The following representatives of Planning Department (PlanD) were invited to the meeting at this point:

- | | |
|-----------------|------------------------------------------------------------------------|
| Ms. Jacinta Woo | - District Planning Officer/Shu Tin, Tai Po and North (DPO/STN), PlanD |
| Mr. David Ng | - Senior Town Planner/New Plans (STP/NP), PlanD |

87. The Chairman extended a welcome and invited the representatives of PlanD to brief Members on the Paper.

88. With the aid of a Powerpoint presentation, Mr. David Ng, STP/NP, made the following main points as detailed in the Paper:

Background

- (a) on 30.9.2010, the draft Hoi Ha Development Permission Area (DPA) Plan No. DPA/NE-HH/1 was exhibited for public inspection under section 5 of

the Town Planning Ordinance (the Ordinance). Pursuant to section 20(5) of the Ordinance, the Hoi Ha DPA Plan was effective only for a period of three years until 30.9.2013. As such, an Outline Zoning Plan (OZP) had to be prepared to replace the DPA Plan in order to maintain statutory planning control over the Hoi Ha area (the Area) upon expiry of the DPA Plan;

- (b) on 11.1.2013, under the power delegated by the Chief Executive (CE), the Secretary for Development (SDEV) directed the Town Planning Board (the Board), under section 3(1)(a) of the Ordinance, to prepare an OZP to cover the Area;
- (c) on 6.5.2013, under the power delegated by the CE, the SDEV directed the Board, under section 3(1)(a) of the Ordinance, to revise the planning scheme boundary of the proposed OZP by excluding the areas of the DPA Plan lying within the Hoi Ha Wan (HHW) Marine Park, which was protected under the Marine Parks Ordinance (Cap. 476), so as to provide certainty and avoid duplication of controlling authorities;

The Planning Scheme Area

- (d) the Area, covering a total area of about 8.45 ha (according to the revised scheme boundary), was located at the northern coast of Sai Kung peninsula, and accessible by vehicle via Hoi Ha Road. It was encircled by the Sai Kung West (SKW) Country Park on three sides, with its northern side opening towards the scenic HHW, which was a designated Marine Park as well as a Site of Special Scientific Interest (SSSI);
- (e) the Area abutting the HHW Marine Park, along the northern coast of the Area, consisted of sandy beaches, sand dunes, rock outcrops and sea side vegetations including mangroves. Dense native woodlands, including a *Fung Shui* Woodland, spread on the hill slopes in the eastern and western parts of the Area, as well as its western end;

- (f) Hoi Ha Village was the only recognised village in the Area, with about 30 houses. About 24% were private land, comprising mainly the central Area and flat lands. According to the 2011 Census, the total population of the Area was about 110 persons;
- (g) the houses in Hoi Ha Village were mostly three-storey, occupied, and in fair or good condition. Provision stores could be found on the ground floor of some of the houses, and the HHW Marine Park Warden Post of the Agriculture, Fisheries and Conservation Department (AFCD) occupied the ground floor of one of these houses, providing guiding tours for tourists during weekend;
- (h) the Hoi Ha Site of Archaeological Interest, the Hoi Ha Trackway and the Hoi Ha Lime Kilns were heritage features in the Area;
- (i) existing government, institution and community facilities included a permanent flushing toilet and a refuse collection point at the western part of the Area;
- (j) the Tolo Adventure Centre was a water sports recreation centre located in the western part of the Area. It had been operated by a religious organisation to provide water sports training facilities and overnight accommodation for teenagers for more than 20 years. According to the Lands Department, the site covered an area of about 250 m² and the two existing structures were under Short Term Tenancy (STT) on the basis of a 5-year but annually renewable;
- (k) the woodlands on the hillsides to the east and south of the Hoi Ha Village, as well as a woodland at the western end of the Area were quite natural in character and, with a variety of protected plant species and animal species of conservation concern, those woodlands were ecologically-linked with the wide stretch of vegetation in the SKW Country Park;
- (l) coastal area abutting the HHW Marine Park consisted of sandy beaches,

rocky features, estuarine, mangroves, mangrove-associated plants, backshore vegetation, shrubs and vegetated slopes. The estuarine mangrove and rocky stream near HHW Marine Park were considered a type of significant landscape resource of this area;

- (m) amid the SKW Country Park, the Area had high scenic and landscape value which complemented the natural landscape of the surrounding SKW Country Park and HHW Marine Park;
- (n) according to the Director of Agriculture, Fisheries and Conservation (DAFC), protected plant species including *Aquilaria sinensis* (土沉香), *Pavetta hongkongensis* (香港大沙葉), and *Neottopteris nidus* (巢蕨), notable plant species including *Morinda cochinchinensis* (大果巴戟) and *Sargentodoxa cuneata* (大血藤) and a number of fauna species of conservation concern, including *Thoressa monastyrskyi* (黑斑陀弄蝶) (a rare butterfly species found only in Sai Kung), *Troides aeacus* (金裳鳳蝶) (a rare butterfly species with conservation concern), *Troides helena* (裳鳳蝶) (an uncommon and protected butterfly species) and the Chinese Pangolin (穿山甲) (an endangered and protected species with restricted distribution), had been recorded in the Area or in its vicinity;

Issues Arising from Consideration of the DPA Plan

- (o) during the two-month plan exhibition period, a total of 18 representations were received. The local villagers suggested that the coastal area of the Area should be zoned “Coastal Protection Area” (“CPA”) (“CPA”) to provide a protection buffer for the HHW Marine Park/SSSI. The area to the east of the village cluster and an area extending to the western end of the DPA should be zoned “Village Type Development” (“V”) to provide sufficient land to meet the future demand for Small House development. Slope areas at the western end and southern tip of the DPA as well as on both sides of Hoi Ha Road should be zoned “Green Belt” (“GB”) to provide protection buffer for the SKW Country Park;

- (p) the environmental and local concern groups suggested that the coastal area should be zoned “CPA” as it formed an integral part of the marine ecosystem and should be protected. The woodlands in the eastern and western portions of the Area should be zoned “CA” as these woodlands harboured valuable habitats for the native fauna and flora species. Areas to the south and southeast of the existing village should be zoned for future village expansion;

The Board’s Decisions and Instructions

- (q) on 8.4.2011, while the Board decided not to meet the representations and not to propose any amendment to the draft DPA Plan, it was agreed that there was a need to strike a balance between environmental conservation and sustainable development of the Area which would be taken into account in the preparation of the OZP;

Development Proposals Received in the Course of Preparation of the OZP

- (r) since the gazettal of the draft DPA Plan on 30.9.2010, and in the course of preparing the OZP, two planning proposals and 37 planning applications had been received;
- (s) the proposal submitted by the Village Representative (VR) of Hoi Ha Village proposed that the areas to the east and west of the existing village should be zoned “V” for Small House development;
- (t) another proposal submitted by The Friends of Hoi Ha (FOHH) (a environmental and local concern group) proposed that the coastal area should be zoned “CPA” to protect HHW Marine Park, the woodland should be zoned “CA”, the “V” zone should only include existing village and its adjacent area, and the septic tank and soakaway system should be not allowed within 150m of HHW Marine Park/SSSI and within 30m of a stream;

- (u) so far, there had been 37 planning applications at the Area, with 29 for New Territories Exempted Houses (NTEH) (Small House) (including one application for NTEH (Small House) to be considered by the Board on 5.7.2013), 3 for rebuilding of NTEH (non-Small House), 5 for water recreation centre cum holiday camp, and one for restaurant. Amongst these, 6 planning applications for Small House developments and 2 NTEHs (non-Small Houses) development had been approved with conditions. Other Small House applications had mostly been withdrawn, or rejected by the Board. Other applications for rebuilding of NTEH (non-Small House), for water recreation centre cum holiday camp, or for restaurant use, had all been withdrawn by the applicants;

Land Use Planning Considerations

Environmental and Conservation Considerations

- (v) according to DAFC, the coastal area consisted of mangroves, mangrove-associated plants and backshore vegetation, and the “CPA” zone was considered appropriate from nature conservation perspectives to serve as a buffer between the village area and the HHW Marine Park. Hence, the coastal area along the HHW Marine Park was proposed to be zoned “CPA” to protect and retain the coastlines and the sensitive coastal environment;
- (w) according to DAFC, the native woodlands located in the eastern and southern parts of the Area, and at the western end of the Area, consisted of relatively undisturbed, native woodland which were ecologically-linked with the wide stretch of vegetation in the SKW Country Park. Besides, protected plant species including *Aquilaria sinensis* (土沉香), *Pavetta hongkongensis* (香港大沙葉), and *Neottopteris nidus* (巢蕨), and notable plant species including *Morinda cochinchinensis* (大果巴戟) and *Sargentodoxa cuneata* (大血藤) had been recorded in these woodlands. A number of animal species of conservation concern had also been

recorded in the Area or in its vicinity, including *Thoressa monastyrskyi* (黑斑陀弄蝶), *Troides aeacus* (金裳鳳蝶), *Troides helena* (裳鳳蝶) and the Chinese Pangolin (穿山甲). Hence, these areas were proposed to be zoned “CA” to protect and retain the existing natural landscape, ecological or topographical features for conservation, educational and research purposes and to separate sensitive natural environment such Country Park from the adverse effects of development;

- (x) the Chief Town Planner/Urban Design and Landscape, PlanD (CTP/UD&L, PlanD) advised that the rocky stream along the northwestern edge of the Area and the estuarine were considered a type of significant landscape resource of this area that should not be negatively affected. DAFC advised that the stream was largely natural with a moderate diversity of freshwater and brackish fish, and its estuarine area supported mangroves and a moderate diversity of coastal fauna. In view of the above, it was recommended that the area to the south of the rocky stream be designated as “GB” to serve as a buffer between village development and the stream;

Land for Village Development

- (y) Hoi Ha Village was the only recognised village in the Area and its village ‘environs’ (‘VE’) covered an area of about 3.01 ha (2.92 ha within the area). Hoi Ha Village was mainly concentrated on the lower hillslope in the central part of the Area. Land within the ‘VE’, which occupied mainly the eastern and central parts of the area, comprised not only an existing village cluster and ruin structures of Hoi Ha Village, but also some hilly slopes and fung shui wood within its eastern and southern portions, as well as some fallow agricultural land in its western portion;
- (z) the latest information on the 10-year forecast for Small House demand had been obtained from the District Lands Officer/Tai Po (DLO/TP). DLO/TP had advised that according to the VR of Hoi Ha Village, the 10-year forecast for Small House demand (2013-2022) for Hoi Ha area

was 84 (the previous figure in 2010 was 85). DLO/TP also advised that the number of outstanding Small House applications was 15. However, 5 of these 15 applications had received planning approval from the Board. Based on PlanD's preliminary estimate, the total land required for meeting the Small House demand of 94 was about 2.35 ha;

- (aa) with reference to the Small House demand and 'VE' for the recognised village as enumerated above, PlanD had analysed the conditions of the area within 'VE' taking account of the existing village cluster, environmental conditions and natural terrain and topography of the area. Throughout the plan-making process, relevant departments' comments had been duly taken into account in the delineation of the "V" zone for the existing village cluster and potential areas for village expansion;
- (bb) considering the HHW Marine Park in the north, the undisturbed native woodlands with fung shui woodland in the east, south and west, and the major rocky stream with significant landscape resource, an incremental approach for designation of a "V" zone for Small House development had been adopted with an aim to consolidating Small House development at suitable locations so as to avoid undesirable disturbances to the natural environment, taking into account the required land for meeting the Small House development. Thus, about 2.50 ha of land mainly comprising the existing village settlements with its surrounding areas had been reserved for Small House development, including an area to the west of the village cluster consisting of, according to AFCD, relatively disturbed, young woodland on abandoned agricultural land. Within the proposed "V" zone, about 1.50 ha of land was available (or equivalent to about 60 Small House sites);
- (cc) although there was insufficient land to meet the 10-year Small House demand (deficit of about 0.85 ha of land or equivalent to about 34 Small House sites), the demand figure had not been verified. Besides, planning application provided another means for the villagers to apply for Small House development within the proposed "GB" zone and each case could

be considered by the Board on its individual merits;

[Professor P.P. Ho left the meeting at this point.]

Planning Intention

- (dd) the general planning intention for the Area was to conserve its natural landscape and conservation value, to protect its natural and rural character, its cultural heritage, and to make provision for future Small House development for the indigenous village of Hoi Ha;

Land Use Zonings

“Village Type Development” (“V”) (2.50ha)

- (ee) the planning intention of this zone was to designate both existing recognised villages and areas of land considered suitable for village expansion. The boundaries of the “V” zone were drawn up having regard to the village ‘environs’, the number of outstanding Small House applications, Small House demand forecast, local topography and site constraints;

Coastal Protection Area (“CPA”) (0.98 ha)

- (ff) this zone was intended to protect and retain the coastlines and the sensitive coastal environment, including attractive geological features, physical landform or area of high landscape, scenic or ecological significance, with a minimum of built development. There was a general presumption against development in this zone;
- (gg) “CPA” zone was designated for the coastal area abutting the HHW Marine Park. It consisted of sandy beaches, rock features, estuarine, mangroves, mangrove-associated plants, backshore vegetation, shrubs and vegetated slopes. The “CPA” zone served as a buffer between the village area and the HHW Marine Park, sheltering disturbance from nearby developments;

- (hh) new residential development was not permitted under this zone. Redevelopment of existing houses might be permitted on application to the Board. Diversion of streams, filling of land/pond or excavation of land within this zone required permission from the Board;

“Conservation Area” (“CA”) (3.97ha)

- (ii) this zone was 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 Country Park from the adverse effects of development. There was a general presumption against development in this zone;
- (jj) the “CA” zoning covered the native woodlands on the hillsides behind (east and south) of the Hoi Ha Village, and on the gentle slope at the western end of the Area. These woodlands were quite natural in character and were ecologically-linked with the wide stretch of vegetation in the SKW Country Park. There was a variety of protected plant species and animal species of conservation concern;
- (kk) there was a strip of land for traditional burial ground at the southern part of the hillslopes within this zone. To respect the local ritual and tradition, burial activities within this zone were generally tolerated;
- (ll) new residential development was not permitted under this zone. Redevelopment of existing houses might be permitted on application to the Board. Diversion of streams, filling of land/pond or excavation of land within this zone required permission from the Board;

“Green Belt” (“GB”) (0.74ha)

- (mm) the planning intention of this zone was 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 was a general presumption against development within this zone.

- (nn) the “GB” covered mainly the area adjacent to the rocky stream that flows along the northwestern boundary of the Area, which was mostly abandoned agricultural lands either on gentle slope overgrown with trees forming a young but disturbed woodland, or on low-lying area overgrown with grass and weeds. The “GB” zone would serve as a buffer between village development and the stream;
- (oo) there was a strip of land for traditional burial ground at the southern part of the hillslopes within this zone. To respect the local ritual and tradition, burial activities within this zone were generally tolerated;
- (pp) there was a general presumption against development within this zone. Development in this zone would be strictly controlled. Development proposals would be considered by the Board on individual merits. Diversion of streams, filling of land or excavation of land within this zone required permission from the Board;

“Government, Institution or Community” (“G/IC”) (0.01 ha)

- (qq) the planning intention of this zone was primarily for the provision of GIC facilities serving the needs of the local residents and a wider district, region or the territory;
- (rr) the “G/IC” zone was to reflect the existing single storey permanent flushing toilet and a single storey refuse collection point at the western part of the Area;

“Other Specified Uses” annotated “Water Sports Recreation Centre” (“OU(WSRC)”) (0.03 ha)

- (ss) this zone was intended primarily to reflect the existing use of the land at the western part of the area currently occupied by a water sports recreation centre (the “Tolo Adventure Centre”) to the north of Hoi Ha Road;

Consultation

- (tt) government bureaux and departments had been consulted on the draft OZP No. S/NE-HH/C and their comments had been incorporated, as appropriate; and
- (uu) subject to the agreement of the Board, the draft OZP No. S/NE-HH/C would be submitted to the Tai Po District Council (TPDC) and Sai Kung North Rural Committee (SKNRC) for consideration. Comments from the TPDC and SKNRC would be submitted to the Board for further consideration prior to the publication of the draft OZP under section 5 of the Ordinance.

89. Mr. David Ng informed Members that comments were received from a local resident and an environmental concern group on the Hoi Ha OZP on 27.6.2013. Their comments together with other comments to be received at consultation with TPDC and SKNRC would be submitted to the Board in due course.

90. As the representatives of PlanD had finished the presentation on the draft Hoi Ha OZP, the Chairman invited questions from Members.

91. The Chairman noted that according to the 10-year Small House demand forecast, only about 64% of the Small House demand could be met by the available land within “V” zone under the current OZP. The Chairman enquired whether there was scope to expand the “V” zone by extending the northwestern boundary of the “V” zone into the “GB” zone. Ms. Jacinta Woo, DPO/STN, said that the “V” zone was generally delineated following the natural features. Considering the HHW Marine Park in the north, the undistributed native woodlands with fung shui woodland in the east, south and west, and the major rocky stream with significant landscape resource (requiring a buffer zone of 20m wide), an incremental approach for designation of the “V” zone for Small House development had been adopted. According to DLO/TP, the number of outstanding Small House application was 15 and five of them had received planning approvals from the Board. The outstanding demand for Small Houses could be met for the time being. While there was insufficient land to meet the 10-year Small House demand (a deficit of

about 0.85 ha or 34 Small House sites), the situation would be kept under monitoring. On the other hand, villagers could apply for planning applications for Small House development within the proposed “GB” zone and each case could be considered by the Board on its individual merits.

92. The Chairman pointed out that a consistent approach should be adopted in delineating the “V” zone boundary. Reference should also be made to the 10-year Small House demand forecast and not just the number of outstanding applications.

93. The Chairman asked how the boundary between the “V” zone and the “GB” zone was delineated on the OZP. By referring to the aerial photo and site photos shown in the slides of the Powerpoint, Ms. Jacinta Woo said that the boundary of the northwestern part of the “V” zone was drawn to exclude the abandoned wet agricultural land with ecological value. For the western end of the “V” zone, a minimum of 20m wide buffer from the rocky stream had been allowed in accordance with the advice of CTP/UD&L.

94. Apart from the abandoned wet agricultural land and the 20m wide buffer, the Chairman invited Members’ views on the boundary of the “V” zone. A Member considered that the current proposal was not unacceptable provided that the “V” zone boundary was drawn up by making reference to topographical features, natural features or paddy field boundaries. It was important to strike a balance between conservation and the needs for development. However, noting that the 10-year demand for Small House development could not be fully met, this Member said that strong justifications should be provided to support the current proposal.

95. Ms. Jacinta Woo said that since there were no specific natural features that could help delineate the middle part of the northwestern boundary of the “V” zone as revealed in the aerial photo or site photos, a further site visit might need to be conducted to obtain more information about the conditions of the site in order to refine the boundary of the “V” zone in greater details.

96. The Secretary asked whether there was sufficient time for PlanD to conduct a further site visit and then report back to the Board before consultation with TPDC,

SKNRC and the Green Groups. In response, Ms. Jacinta Woo said that the OZP had to be gazetted no later than 30.9.2013 before the expiry of the DPA Plan. In this regard, the current draft OZP had to be submitted to TPDC for consideration at its meeting on 10.7.2013.

97. Upon the Secretary's invitation, Mr. David Ng further clarified the rationale for defining the northwestern boundary of the "V" zone in greater details. Mr. Ng said that the "V" zone boundary had basically allowed a 20m wide buffer from the rocky stream and had excluded the abandoned wet agricultural land that had ecological value. Apart from the above, it had generally followed the paddy field boundaries. DAFC had no particular comments on the current proposal.

98. A Member asked about the conservation value of the wet agricultural land. Mr. David Ng said that the abandoned wet agricultural land could be a breeding and foraging ground for various fauna and flora, including butterfly and dragonfly species.

99. A Member considered that the general principles presented by Mr. David Ng were reasonable and acceptable. This Member supported using the above principles in delineating the "V" zone boundary in the subject case. Another Member shared the same view and said that if the principles could be strictly adhered to, the boundaries of the "V" zone and "GB" zone could be well justified.

100. Noting the urgency to submit the draft OZP for consultation with TPDC and others, the Secretary asked Members to consider whether the three principles in delineating the "V" zone as discussed were acceptable, i.e. the abandoned wet agricultural land be excluded from the "V" zone, a 20m wide buffer from the rocky stream be allowed and the existing topographical features and paddy field boundaries be followed. If Members considered them acceptable, PlanD could be requested to adjust the "V" zone boundary following more closely the agreed principles before consultation with TPDC and others. Members agreed to request PlanD to amend the "V" zone boundary in accordance with the above principles.

101. After deliberation, the Board:

- (a) adopted the updated Explanatory Statement as an expression of the planning intension and objectives of the Board for various land use zonings of the draft Hoi Ha Outline Zoning Plan No. S/NE-HH/C; and
- (b) agreed that the draft Hoi Ha Outline Zoning Plan No. S/NE-HH/C together with its Notes and Explanatory Statement at Appendices I to III of the Paper were suitable for submission to the Tai Po District Council and Sai Kung North Rural Committee for consultation.

102. The Chairman thanked the representatives of PlanD for attending the meeting. They left the meeting at this point.

103. The meeting was adjourned for lunch break at 12:25 p.m.

TOWN PLANNING BOARD

TPB Paper No. 9368
For Consideration by
the Town Planning Board
on 28.6.2013

DRAFT HOI HA OUTLINE ZONING PLAN (OZP) NO. S/NE-HH/C
PRELIMINARY CONSIDERATION OF A NEW PLAN

DRAFT HOI HA OUTLINE ZONING PLAN (OZP) NO. S/NE-HH/C
PRELIMINARY CONSIDERATION OF A NEW PLAN

1. Purpose

The purpose of this paper is to present to Members the draft Hoi Ha OZP No. S/NE-HH/C (the Plan) and to seek Members' agreement that the Plan is suitable for submission to the Tai Po District Council (TPDC) and the Sai Kung North Rural Committee (SKNRC) for consideration.

2. Background

- 2.1 On 1.9.2010, under the power delegated by the Chief Executive (CE), the Secretary for Development (SDEV) directed the Town Planning Board (the Board), under section 3(1)(b) of the Town Planning Ordinance (the Ordinance), to prepare a Development Permission Area (DPA) Plan for the Hoi Ha area (the Area).
- 2.2 On 30.9.2010, the draft Hoi Ha DPA Plan No. DPA/NE-HH/1 was exhibited for public inspection under section 5 of the Ordinance. During the plan exhibition period, a total of 18 representations were received. On 10.12.2010, the Board published the representations for public comment and in the first three weeks of the publication period, no comment was received. After giving consideration to the 18 representations on 8.4.2011, the Board decided not to meet the representations and not to propose any amendment to the draft DPA Plan.
- 2.3 On 4.10.2011, the Chief Executive in Council (CE in C), under section 9(1)(a) of the Ordinance, approved the draft Hoi Ha DPA Plan, which was subsequently renumbered as DPA/NE-HH/2. On 14.10.2011, the approved Hoi Ha DPA Plan No. DPA/NE-HH/2 (**Plan 1**) was exhibited for public inspection under section 9(5) of the Ordinance.
- 2.4 Pursuant to section 20(5) of the Ordinance, the Hoi Ha DPA Plan is effective only for a period of 3 years until 30.9.2013. As such, 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.

- 2.5 On 11.1.2013, under the power delegated by the CE, the SDEV directed the Board, under section 3(1)(a) of the Ordinance, to prepare an OZP to cover the Area.

3. Planning Context

- 3.1 The Area is located at the northern coast of Sai Kung peninsula, encircled by the Sai Kung West (SKW) Country Park on three sides, with its north side opening towards the scenic Hoi Ha Wan (HHW), which is a designated Marine Park and a Site of Special Scientific Interest (SSSI). The Area is accessible by vehicles via Hoi Ha Road leading to Pak Tam Road which is a restricted road and vehicles entering it have to apply permits from relevant departments. Marine access is available via the pier located in HHW Marine Park along the coast to the northeast of the Area. A trail runs along the coast from west to east connecting to trails of the surrounding Country Park.
- 3.2 With reference to the Landscape Value Mapping of Hong Kong (2005), the Area is enclosed by the HHW Marine Park and the SKW Country Park. The landscape comprises a rolling valley with woodland and scrub vegetation on slopes, rocky streams, village houses, abandoned farmland, sandy beach, and mangroves. With its simple, tranquil and coherent rural character, the Area is rated with “High (qualified)” landscape value.

4. Issues Arising from Consideration of the DPA Plan

During the 2 months’ plan exhibition period, a total of 18 representations were received and the Board decided not to meet the representations and not to propose any amendment to the draft DPA Plan. Those major land use proposals arising from the representations are recapitulated below:

- (a) Environmental concerned groups¹ and local residents groups² suggested that the coastal area be zoned “Coastal Protection Area” (“CPA”) as it formed an integral part of the marine ecosystem and should be protected. The woodlands in the eastern and western portions of the Area be zoned “Conservation Area” (“CA”) as these woodlands harbored valuable habitats

¹ Environmental concerned groups include WWF Hong Kong, Designing Hong Kong, Kadoorie Farm & Botanic Garden Corporation, and The Conservancy Association.

² Friends of Hoi Ha and Friends of Sai Kung

for the native fauna and flora species. Areas to the south and southeast of the existing village be zoned for future village expansion. Also, the Hoi Ha Site of Archaeological Interest and the Hoi Ha Lime Kilns should be covered by a special zoning, such as “Other Specified Use” annotated “Heritage Site”, for protection.

- (b) The Village Representative (VR) also suggested that the coastal area of the Area be zoned “CPA” to provide a protection buffer for the HHW Marine Park / SSSI. The area to the east of the village cluster and an area extending to the western end of the DPA be zoned as “Village Type Development” (“V”) to provide sufficient land to meet the future demand for Small House development. Slope areas at the eastern end and southern tip of the DPA, as well as on both sides of Hoi Ha Road, be zoned “Green Belt” (“GB”) to provide protection buffer for the SKW Country Park.

5. Town Planning Board’s Decisions and Instructions

On 8.4.2011, while the Board decided not to meet the representations and not to propose any amendment to the draft DPA Plan, it was agreed that there was a need to strike a balance between environmental conservation and sustainable development of the Area. Detailed land use zonings would be worked out during the OZP stage taking account of the representers’ proposals and the results of relevant technical assessments/studies in various aspects including ecology, archaeological interest, traffic, sewerage, landscape and geotechnical, etc.

6. 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.

7. Need to Revise the Boundary of the Planning Scheme Area

- 7.1 In the course of preparing the Plan, the Director of Agriculture, Fisheries and Conservation (DAFC) advised that two areas³ that are currently within the

³ The areas consist mainly of sandy beach, sand dunes and rock outcrop. DAFC advised that the coverage of the Marine Park would take into account the ecological characteristics of the shoreline.

boundaries of the Hoi Ha DPA Plan should be excluded from the planning scheme boundary of the proposed OZP to avoid duplication of controlling authorities as these two areas fell within the HHW Marine Park where all uses and developments require consent from the Country and Marine Parks Authority (**Plan 2**).

- 7.2 On 6.5.2013, under the power delegated by the CE, the SDEV directed the Board, under section 3(1)(a) of the Ordinance, to revise the planning scheme boundary of the proposed OZP by excluding the areas of the DPA Plan lying within the HHW Marine Park, which is protected under the Marine Parks Ordinance (Cap. 476), so as to provide certainty and avoid duplication of controlling authorities.

8. The Planning Scheme Area (Plan 3)

- 8.1 The Area, covering a total area of about 8.45 ha (according to the revised scheme boundary), is located at the northern coast of Sai Kung peninsula, and accessible by vehicle via Hoi Ha Road. It is encircled by the SKW Country Park on three sides, with its northern side opening towards the scenic HHW, which is a designated Marine Park as well as an SSSI. Stream courses flow passed or through the Area to the Marine Park, including two on either side of the Hoi Ha Village (**Plan 3 and Figures 5b to 5e of Planning Report at Appendix IV**). The northwestern boundary of the Area abuts a major rocky stream that flows through estuarine mangroves into HHW. The boundary of the Area is shown by a heavy broken line on the plan at **Appendix I**.
- 8.2 The Area mainly consists of woodlands, village houses, sandy beaches and fallow agricultural land. The Hoi Ha village, located in the middle part of the Area, is the only recognized village in the Area, with about 30 houses and two *tze tongs*. The houses are mostly three-storeys, occupied, and in fair or good condition. Provision stores can be found on the ground floor of some of the houses, and the HHW Marine Park Warden Post of the AFCD occupies the ground floor of one of these houses, providing guiding tours for tourists during weekend (**Figures 6b and 6c of Planning Report at Appendix IV**). The Hoi Ha Road terminates just outside the village. According to the 2011 Census, the total population of the Area was about 110 persons.

In this regard, the boundary of the Marine Park is purposely drawn to include the beaches and sand dunes at Hoi Ha for better protection of the coastal ecology.

- 8.3 DAFC advises that most of the flora and fauna recorded in the Area and the adjacent SKW Country Park are common species. Although the terrestrial habitats therein are not exceptional in terms of biodiversity, the native woodlands on the hillsides behind (east and south) Hoi Ha Village and on the gentle slope at the western end of the Area, are quite natural in character and are ecologically-linked with the wide stretch of vegetation in the SKW Country Park. Within these woodlands, protected plant species including *Aquilaria sinensis* (土沉香), *Pavetta hongkongensis* (香港大沙葉), and *Neottopteris nidus* (巢蕨) have been found, and for the woodlands on the east side, notable plant species including *Morinda cochinchinensis* (大果巴戟) and *Sargentodoxa cuneata* (大血藤) have been recorded. A number of fauna species of conservation concern, including *Thoressa monastyrskyi* (黑斑陀弄蝶) (a rare butterfly species found only in Sai Kung), *Troides aeacus* (金裳鳳蝶) (a rare butterfly species with conservation concern), *Troides helena* (裳鳳蝶) (an uncommon and protected butterfly species) and the Chinese Pangolin (穿山甲) (an endangered and protected species with restricted distribution) (**Plans 3 and 4**), have been recorded in the area or in its vicinity.
- 8.4 In the western part of the Area, between the native woodland at the western end and the Hoi Ha Village, are mostly abandoned agricultural lands, either on gentle slope overgrown with trees forming a young but disturbed woodland, or on low-lying area overgrown with grass and weeds (**Plans 5**). The Hoi Ha Road approaches the village from west to east, terminating just outside the village. A privately run water sports/recreation centre (the “Tolo Adventure Centre”), a public toilet, and a refuse collection point can be found along the north side of the road. The water sports/recreation centre, on a Short Term Tenancy (STT) status, is run by a religious non-profit organization, and has been in existence for over 20 years (**Plan 3 and Figures 6e and 6f of Planning Report at Appendix IV**).
- 8.5 The Hoi Ha Site of Archaeological Interest, the Hoi Ha Trackway and the Hoi Ha Lime Kilns are heritage features in the Area. Prehistoric pottery shreds, stone implements and ceramic shreds of Tang, Ming and Qing periods have been found. The Hoi Ha Lime Kilns reflects one of the oldest industries in Hong Kong which refined lime from either oyster shells or coral skeleton for construction and agricultural uses. The once prospering industry in HHW area reflects the history and longevity of coral communities in the Area. The boulder-paved Hoi Ha Trackway starts at Hoi Ha village and originally served to connect the neighboring villages (**Plan 3 and Figure 6d of Planning Report at Appendix**

IV).

9. Development Proposals Received in the Course of Preparation of the Plan

9.1 Since the gazettal of the draft DPA Plan on 30.9.2010, and in the course of preparing the Plan, two planning proposals⁴ and 37 planning applications have been received. Also, some views/proposals were received from informal meetings/site visits with concerned parties.

(a) The Friends of Hoi Ha (FOHH) submitted a proposal to PlanD regarding the future land use proposal for the Area (**Figures A of Appendix V**). Their major points are as follows :

- (i) a 15 - 45 metre-wide coastal area of mangroves and back-mangroves that forms an integral part of the marine ecosystem, should be zoned “CPA” to protect Hoi Ha’s unique environment and landscape value.
- (ii) The *fung shui* Woodland and secondary woodlands surrounding the existing village of Hoi Ha, with the presence of the rare or very rare flora species and ecologically important insects, mammals and reptiles, should be zoned as “CA” for protection.
- (iii) A “V” zone should be delineated to include only the existing village and adjacent areas that are deemed not necessary to be covered by conservation zonings.
- (iv) In compliance with relevant Government regulations such as the ProPECC PN 5/93, and due to HHW’s rare and environmentally sensitive marine life that worth the most rigorous protection, septic tank and soakaway systems should be prohibited within 150 metres of the HHW Marine Park / SSSI, and within 30 metres of a stream.

(b) The VR proposes that the areas to the east and west of the existing village should be designated as “V” for Small House development (**Figures B of Appendix V**).

9.2 Planning assessment of the above are in **Appendix V**. Since the Area is part of the wider natural system of the SKW Country Park, Small House development

⁴ From Friends of Hoi Ha (FOHH) and the VR

will be concentrated at suitable location so as to preserve the rural character of the Area. In preparing the draft Hoi Ha OZP and delineating the various zones such as “CPA”, “CA”, “GB”, “V”, etc., the views conveyed in these proposals have been taken into account. Details will be explained in Para. 10 below.

- 9.3 So far, there have been 37 planning applications at the Area, with 29 for NTEH (Small House) (including *one application for NTEH (Small House) to be considered by the Board on 5.7.2013*), 3 for rebuilding of NTEH (non-Small House), 5 for water recreation centre cum holiday camp, and one for restaurant. Amongst these, 6 planning applications for Small House developments and 2 NTEHs (non-Small Houses) development have been approved with conditions, mainly on the consideration that the applications complied with the “Interim Criteria for Consideration of Application for NTEH/Small House in New Territories”, in that the proposed Small House was located entirely within the ‘VE’ of Hoi Ha Village and it was compatible with surrounding village houses, and concerns raised by relevant departments could be addressed by imposing an approval condition. Other Small House applications have mostly been withdrawn, or rejected by the Board mainly on, inter alia, adverse environmental and landscape impacts on the surrounding areas. Other applications for rebuilding of NTEH (non-Small House), for water recreation centre cum holiday camp, or for restaurant use, have all been withdrawn by the applicants. Details of the applications are summarized at **Annex A of Appendix IV**.

10. Land Use Planning Considerations

Environmental and Conservation Considerations (Plan 5 and Figures 5b to 5e of Planning Report at Appendix IV)

- 10.1 According to DAFC, the coastal area consists of mangroves, mangrove-associated plants and backshore vegetation, and the “CPA” zone is considered appropriate from nature conservation perspectives to serve as a buffer between the village area and the HHW Marine Park. Hence, the coastal area along the HHW Marine Park is proposed to be zoned “CPA” to protect and retain the coastlines and the sensitive coastal environment. This is generally in line with the FOHH and VR’s proposal for a “CPA” zone in the coastal area, serving as a buffer between their proposed “V” zone and the HHW Marine Park.
- 10.2 According to DAFC, the native woodlands located in the eastern and southern parts of the Area, and at the western end of the Area, consist of relatively

undisturbed, native woodland which are ecologically-linked with the wide stretch of vegetation in the SKW Country Park. Besides, protected plant species including *Aquilaria sinensis* (土沉香), *Pavetta hongkongensis* (香港大沙葉), and *Neottopteris nidus* (巢蕨), and notable plant species including *Morinda cochinchinensis* (大果巴戟) and *Sargentodoxa cuneata* (大血藤) have been recorded in these woodlands. A number of animal species of conservation concern have also been recorded in the subject area or in its vicinity, including *Thoressa monastyrskyi* (黑斑陀弄蝶), *Troides aeacus* (金裳鳳蝶), *Troides helena* (裳鳳蝶) and the Chinese Pangolin (穿山甲). Hence, these areas are proposed to be zoned “CA” to protect and retain the existing natural landscape, ecological or topographical features for conservation, educational and research purposes and to separate sensitive natural environment such Country Park from the adverse effects of development.

- 10.3 The Chief Town Planner/Urban Design and Landscape, PlanD (CTP/UD&L, PlanD) advises that the rocky stream along the northwestern edge of the Area and the estuarine are considered a type of significant landscape resource of this area that should not be negatively affected. DAFC advises that the stream is largely natural with a moderate diversity of freshwater and brackish fish, and its estuarine area supports mangroves and a moderate diversity of coastal fauna. In view of the above, it is recommended that the area to the south of the rocky stream be designated as “GB” to serve as a buffer between village development and the stream and DAFC considers the proposed “GB” zone appropriate.

Land for Village Development

- 10.4 The replacement OZP will reflect, amongst others, the existing recognized village and designate areas considered suitable for village expansion. For the subject OZP, Hoi Ha is a recognized village and the only recognized village in the Area and its ‘VE’ covers an area of about 3.01 ha (2.92 ha within the Area) (**Plan 3**). Since the publication of the DPA Plan, the VR has been asking for zoning a major part of the Area to “V”, covering lands both within and outside the ‘VE’. For the part of the proposed “V” zone within ‘VE’ (at the eastern end of the Area), the VR is of the view that such zoning is in line with the established policy that land within ‘VE’ of a recognized village should primarily be reserved for Small House development under the Small House Policy. For the parts outside ‘VE’ (from the western edge of the village to the western end of the Area), the VR holds that this area, being contiguous to the ‘VE’, is largely made up of flat agricultural lands mostly of private ownership and is thus also considered

suitable for Small House development (**Figure 7 of Planning Report at Appendix IV**).

- 10.5 Environmental concerned groups and the FOHH, on the other hand, suggest that the “V” zone should cover only the existing village plus the adjacent areas remaining after the environmentally, aesthetically and archaeologically sensitive areas have been appropriately zoned so as to prevent negative impacts.
- 10.6 The latest information on the 10-year forecast for Small House demand has been obtained from the District Lands Officer/Tai Po (DLO/TP). DLO/TP has advised that according to the VR of Hoi Ha Village, the 10-year forecast for Small House demand (2013-2022) for Hoi Ha area is 84 (the previous figure in 2010 was 85). DLO/TP also advises that the number of outstanding Small House applications is 15. However, 5 of these 15 applications have received planning approval from the Board (**Plan A of Annex A of Planning Report at Appendix IV**). Based on Planning Department’s (PlanD) preliminary estimate, the total land required for meeting the Small House demand of 94⁵ is about 2.35 ha.
- 10.7 With reference to the Small House demand and ‘VE’ for the recognized village as enumerated above, PlanD has analyzed the conditions of the area within ‘VE’ taking account of the existing village cluster, environmental conditions and natural terrain and topography of the area. It should be noted that the Hoi Ha Village is mainly concentrated on the lower hillslope in the central part of the Area (**Figure 5b of Planning Report at Appendix IV**). Land within the ‘VE’, which occupies mainly the eastern and central parts of the Area, comprises not only an existing village cluster and ruin structures of Hoi Ha Village, but also some hilly slopes and *fung shui* wood within its eastern and southern portions, as well as some fallow agricultural land in its western portion. Throughout the plan-making process, relevant departments’ comments have been duly taken into account in the delineation of the “V” zone for the existing village cluster and potential areas for village expansion.
- 10.8 Considering the HHW Marine Park in the north, the undisturbed native woodlands with *fung shui* woodland in the east, south and west, and the major rocky stream with significant landscape resource, an incremental approach for designation of a “V” zone for Small House development has been adopted with

⁵ Small House demand (94) = 10-year demand forecast (84) + outstanding applications (15) – approved planning applications (5)

an aim to consolidating Small House development at suitable locations so as to avoid undesirable disturbances to the natural environment, taking into account the required land for meeting the Small House development. Thus, about 2.50 ha of land mainly comprising the existing village settlements with its surrounding areas have been reserved for Small House development, including an area to the west of the village cluster consisting of, according to AFCD, relatively disturbed, young woodland on abandoned agricultural land (**Plans 5**). Within the proposed “V” zone, about 1.50 ha of land is available (or equivalent to about 60 Small House sites⁶) (**Table 1**).

Table 1: Small House Demand for Hoi Ha Village

Small House Demand Figure in 2010		Small House Demand Figure in 2012		‘VE’ Area in DPA (ha)	“V” zone on draft OZP (ha)	Required land to meet new demand (ha) for 94 numbers	Available land to meet new demand figure (ha)	Percentage of the new demand met by available land (%)
Outstanding demand	10-year forecast (2010 – 2019)	Outstanding demand	10-year forecast (2013-2022)					
19	85	15 ⁷	84	2.92	2.50	2.35	1.50	64

10.9 Although there is insufficient land to meet the 10-year Small House demand (deficit of about 0.85 ha⁸ of land or equivalent to about 34 Small House sites⁹), the demand figure has not been verified. Besides, planning application provides another means for the villagers to apply for Small House development within the proposed “GB” zone and each case can be considered by the Board on its individual merits.

10.10 With reference to FOHH’s concern on potential impacts of developments in particular Small Houses within “V” zones on the existing stream courses in the Area, it should be noted that in accordance with the Environmental, Transport and Works Bureau’s Technical Circular (Works) No. 5/2005, 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 DAFC and

⁶ Available land (1.50 ha) x 40 = available Small House sites (60)

⁷ DLO/TP advises that the number of outstanding Small House applications is 15. However, 5 of these 15 applications have received planning approval from the Board.

⁸ Required land to meet new demand for 94 numbers (2.35 ha) - Available land to meet new demand figure (1.50 ha) = 0.85 ha

⁹ Shortfall of land (0.85 ha) x 40 = shortfall of Small House sites (34)

relevant authorities and incorporate relevant comments/advice as conditions of approval wherever possible. Also, for the protection of the water quality of the HHW Marine Park, the design and construction of on-site septic tanks and soakaway system for any development proposals/submissions need to comply with relevant standards and regulations, such as Environmental Protection Department (EPD)'s Practice Note for Professional Person (ProPECC) 5/93. Accordingly, LandsD when processing Small House grant and applications in close proximity to existing stream courses and the HHW Marine Park, should consult concerned departments including DAFC, EPD and PlanD to ensure that all relevant departments would have adequate opportunity to review and comment on the applications. It is also suggested to clearly state this requirement in the Explanatory Statement of the "V zone that when processing Small House grant and applications in close proximity to existing stream courses and the HHW Marine Park, relevant departments including EPD, DAFC and PlanD should be consulted.

Land designated for water sports recreation centre

- 10.11 There is an existing water sports recreation centre (the Tolo Adventure Centre) for teenagers located in the western part of the Area, to the north of Hoi Ha Road, with a site area of about 250 m². It has been operated by a religious organization for more than 20 years on the basis of a 5-year but annually renewable Short Term Tenancy (STT). There are two structures on site providing a dining/activity room, a kitchen, storage rooms and beds for overnight accommodation. According to the STT, the total built-over area is about 71.5m² and the maximum heights of the structures are about 2.13m and 4.26m respectively.

11. Planning Intention

- 11.1 The general planning intention for the Area is to conserve its natural landscape and conservation value, to protect its natural and rural character, its cultural heritage, and to make provision for future Small House development for the indigenous village of Hoi Ha.
- 11.2 In the designation of various zones for the Area, considerations have been given to protect the ecological and landscape significance of the Area, which includes the Hoi Ha *fung shui* woodland, and is part of the wider natural system of the SKW Country Park and the HHW Marine Park. Considerations have also been

given to delineate the area for future Small House development.

12. Land Use Zonings

“Village Type Development” (“V”) : Total Area 2.50 ha

- 12.1 The planning intention of this zone is to designate both 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 Board.
- 12.2 Hoi Ha is a recognized village and the only recognized village in the Area. The boundaries of the “V” zone are drawn up having regard to the village ‘environs’, the number of outstanding Small House applications, Small House demand forecast, local topography and site constraints. Areas of difficult terrain, dense vegetation, *fung shui* woodland, ecologically sensitive areas, stream courses and burial grounds have been avoided as far as possible.
- 12.3 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.
- 12.4 The Head of Geotechnical Engineering Office (GEO) of the Civil Engineering and Development Department advises that the southern part of the proposed “V” zone is in an area close to the natural hillside and may be affected by potential natural terrain landslide hazards. For future development in this area, the developer(s) 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.

“Government, Institution or Community” (“G/IC”) : Total Area 0.01 ha

- 12.5 The planning intention of this zone is primarily for the provision of GIC facilities serving the needs of the local residents and 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.
- 12.6 The main existing GIC facilities under this zone include a single storey permanent flushing toilet and a single storey refuse collection point at the western part of the Area.

Other Specified Uses (Water Sports Recreation Centre) (“OU(WSRC)”) : Total Area 0.03 ha

- 12.7 This zone is intended primarily to reflect the existing use of the land at the western part of the Area currently occupied by a water sports recreation centre (the "Tolo Adventure Centre") to the north of Hoi Ha Road. The club is operated by a religious organization for over 20 years to provide water sports training facilities and overnight accommodation for teenagers. According to LandsD, there are 2 existing structures on the site under Short Term Tenancy with a total built-over area of about 71.5m².
- 12.8 The following planning controls are applicable to this zone:
- (a) no redevelopment, including alternation and/or modification, of an existing building shall result in a total redevelopment in excess of the plot ratio, site coverage and 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, and
 - (b) based on the individual merits of a development or redevelopment proposal, minor relaxation of the plot ratio, site coverage and building height restrictions stated in paragraph (a) above may be considered by the Board on application under section 16 of the Ordinance.

“Green Belt” (“GB”) : Total Area 0.74 ha

- 12.9 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.

- 12.10 The “GB” covers mainly the area adjacent to the rocky stream that flows along the northwestern boundary of the Area, which is mostly abandoned agricultural lands either on gentle slope overgrown with trees forming a young but disturbed woodland, or on low-lying area overgrown with grass and weeds. The “GB” zone would serve as a buffer between village development and the stream.
- 12.11 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. As diversion of streams, filling of land 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.

“Conservation Area” (“CA”) : Total Area 3.97 ha

- 12.12 This zone 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 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.
- 12.13 The “CA” zoning covers the native woodlands on the hillsides behind (east and south) of the Hoi Ha Village, and on the gentle slope at the western end of the Area. These woodlands are quite natural in character and are ecologically-linked with the wide stretch of vegetation in the SKW Country Park. There is a variety of protected plant species and animal species of conservation concern. It is intended that with stringent planning control imposed under this zoning, the rich ecological and biological features in the areas can be protected and preserved.
- 12.14 There is a strip of land for traditional burial ground at the southern part of the hillslopes within this zone. It has been in existence for many years, which are considered as an existing use and intended for burial places of deceased indigenous villagers in the Area. To respect the local ritual and tradition, burial activities within this zone are generally tolerated.

- 12.15 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.

Coastal Protection Area (“CPA”): Total Area 0.98 ha

- 12.16 This zone is intended to protect and retain the coastlines and the sensitive coastal environment, including attractive geological features, physical landform or area of high landscape, scenic or ecological significance, with a minimum of built 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.
- 12.17 “CPA” zone is designated for the coastal area abutting the HHW Marine Park. It consists of sandy beaches, rock features, estuarine, mangroves, mangrove-associated plants, backshore vegetation, shrubs and vegetated slopes. The “CPA” zone serves as a buffer between the village area and the HHW Marine Park, sheltering disturbance from nearby developments.
- 12.18 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 of the DPA Plan.
- 12.19 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.

13. Cultural Heritage

The Hoi Ha Site of Archaeological Interest, the Hoi Ha Lime Kilns and part of the Hoi Ha Trackway are located within the Area. The Antiquities and Monuments Office (AMO) of the Leisure and Cultural Services Department

should be consulted on any development proposals which might affect the sites and their immediate environs. If disturbance to the archaeological site is unavoidable, a detailed Archaeological Impact Assessment (AIA) conducted by a professional archaeologist is required for development works within the site. The archaeologist shall apply for a licence to conduct the AIA under the Antiquities and Monuments Ordinance (Cap. 53). A proposal of the AIA shall be submitted to the AMO for agreement prior to applying for a license.

14. Detailed land use zoning proposals

14.1 Detailed land use zoning proposals are described in Section 9 of the Explanatory Statement (ES) (**Appendix III**) and Section 4.4 of the Planning Report (**Appendix IV**).

14.2 As compared to the approved Hoi Ha DPA Plan where all the land are designated as “Unspecified Use”, about 68% of land uses in the draft Hoi Ha OZP have been allocated to conservation zonings (including about 11.60% for “CPA” zone, about 47% for “CA” zone, and about 9% for “GB” zone) due to the large area of environmental and ecological significance (e.g. the *fung shui* woodland, secondary woodlands, estuarine, sandy beaches, rock outcrops, mangrove areas, vegetated slopes, etc.), while about 30% have been reserved for village development.

15. Notes of the Plan

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 in particular zones and which may be permitted by the Board, with or without conditions, on application. The Notes of the Plan are prepared in accordance with the Master Schedule of Notes to Statutory Plans endorsed by the Board, taking account of local circumstances, and the planning intention of various zones. 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.

16. Consultation

16.1 The draft OZP No. S/NE-HH/C together with its Notes and ES and the Planning Report have been circulated to relevant Government bureau and departments for comments. Comments received have been incorporated into the draft OZP, its

Notes and ES and the Planning Report as appropriate.

- 16.2 Subject to the agreement of the Board, the draft OZP No. S/NE-HH/C will be submitted to the TPDC and SKNRC for consideration. Comments from the TPDC and SKNRC will be submitted to the Board for further consideration prior to the publication of the draft OZP under section 5 of the Ordinance.

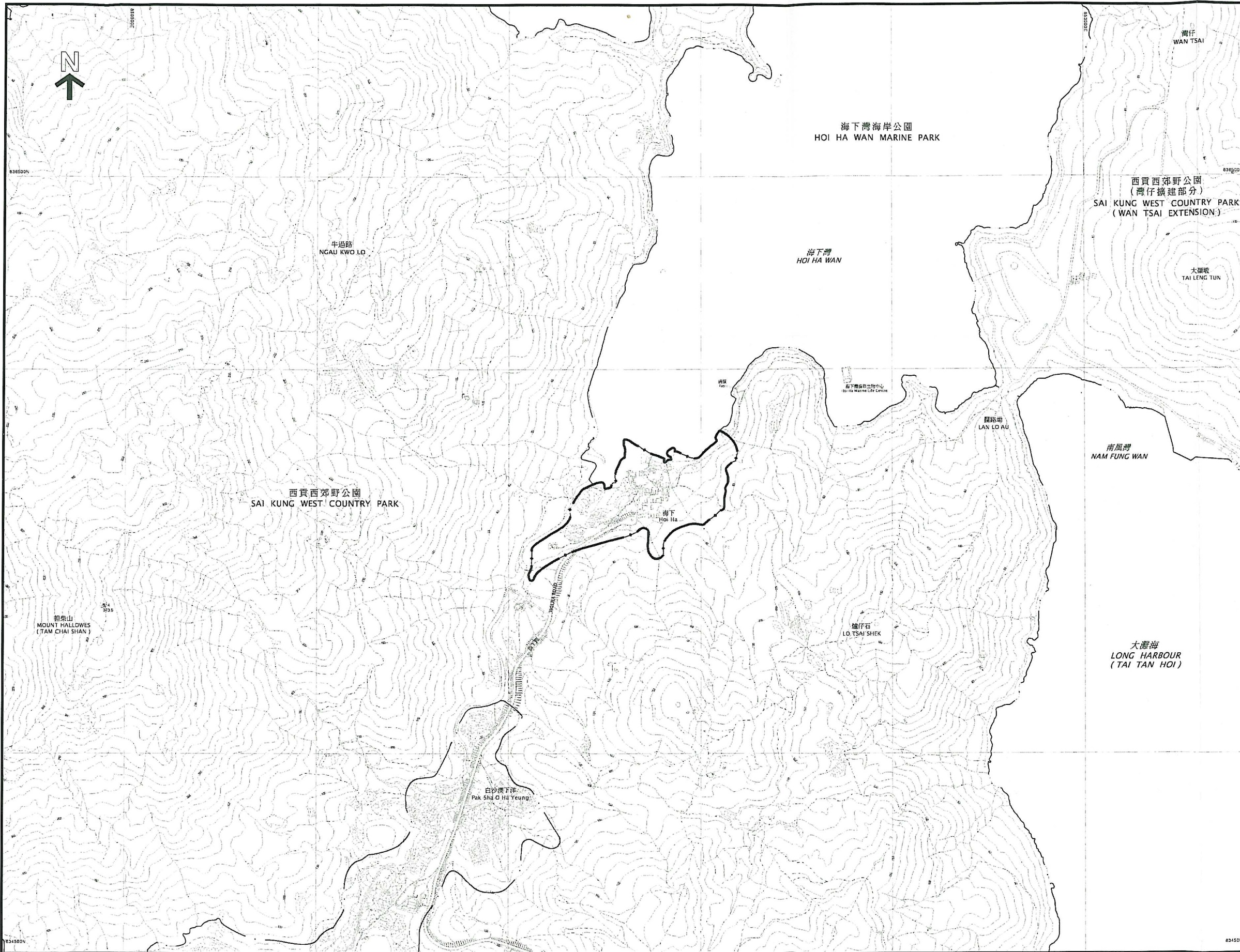
17. Decision Sought

Members are invited to:

- (a) consider the draft Hoi Ha Outline Zoning Plan No. S/NE-HH/C (**Appendix I**) together with its Notes and ES (**Appendices II and III**) and the Planning Report (**Appendix IV**);
- (b) adopt the updated ES as an expression of the planning intension and objectives of the Board for various land use zonings of the draft Hoi Ha Outline Zoning Plan No. S/NE-HH/C; and
- (c) agree that the draft Hoi Ha Outline Zoning Plan No. S/NE-HH/C together with its Notes and ES (**Appendices I to III**) are suitable for submission to the TPDC and SKNRC for consultation.

Attachments

Plan 1	Ho Ha Development Permission Area Plan
Plan 2	Revised Planning Scheme Boundary Hoi Ha
Plan 3	Village Environs and Existing Physical Features of Hoi Ha
Plan 4	Species of Conservation Interests in Hoi Ha
Plan 5	Indicative Major Vegetation Types in Hoi Ha
Appendix I	Draft Hoi Ha Outline Zoning Plan No. S/NE-HH/C
Appendix II	Notes of the Draft Hoi Ha Outline Zoning Plan No. S/NE-HH/C
Appendix III	Explanatory Statement of the Draft Hoi Ha Outline Zoning Plan No. S/NE-HH/C
Appendix IV	Planning Report on Hoi Ha
Appendix V	Planning Assessments on the Development Proposals Received in the Course of Preparation of the Plan



圖例
NOTATION

MISCELLANEOUS		其他
BOUNDARY OF DEVELOPMENT PERMISSION AREA	— • —	發展審批地區界線
BOUNDARY OF COUNTRY PARK	— • —	郊野公園界線

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	% PERCENT	
UNSPECIFIED USE	8.76	100.00	非指定用途
TOTAL AREA OF DEVELOPMENT PERMISSION AREA	8.76	100.00	發展審批地區總面積

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

HOI HA
DEVELOPMENT PERMISSION AREA PLAN

PLANNING DEPARTMENT



EXTRACT PLAN PREPARED ON 21.5.2013
BASED ON DEVELOPMENT PERMISSION
AREA PLAN No. DPA/NE-HH/2 APPROVED ON 4.10.2011



REFERENCE No.
M/NP/HH/13/1

PLAN
1



HOI HA WAN MARINE PARK

HOI HA

HOI HA ROAD

LEGEND



Proposed OZP Boundary



Areas to be Excluded from
the Planning Scheme Boundary



Hoi Ha Wan Marine Park

EXTRACT PLAN PREPARED ON 21.5.2013
BASED ON SURVEY SHEETS No.
4-SW-25C/D AND 8-NW-5A/B/C/D

**REVISED PLANNING SCHEME BOUNDARY FOR
HOI HA**

**PLANNING
DEPARTMENT**



REFERENCE No.

M/NP/HH/13/1

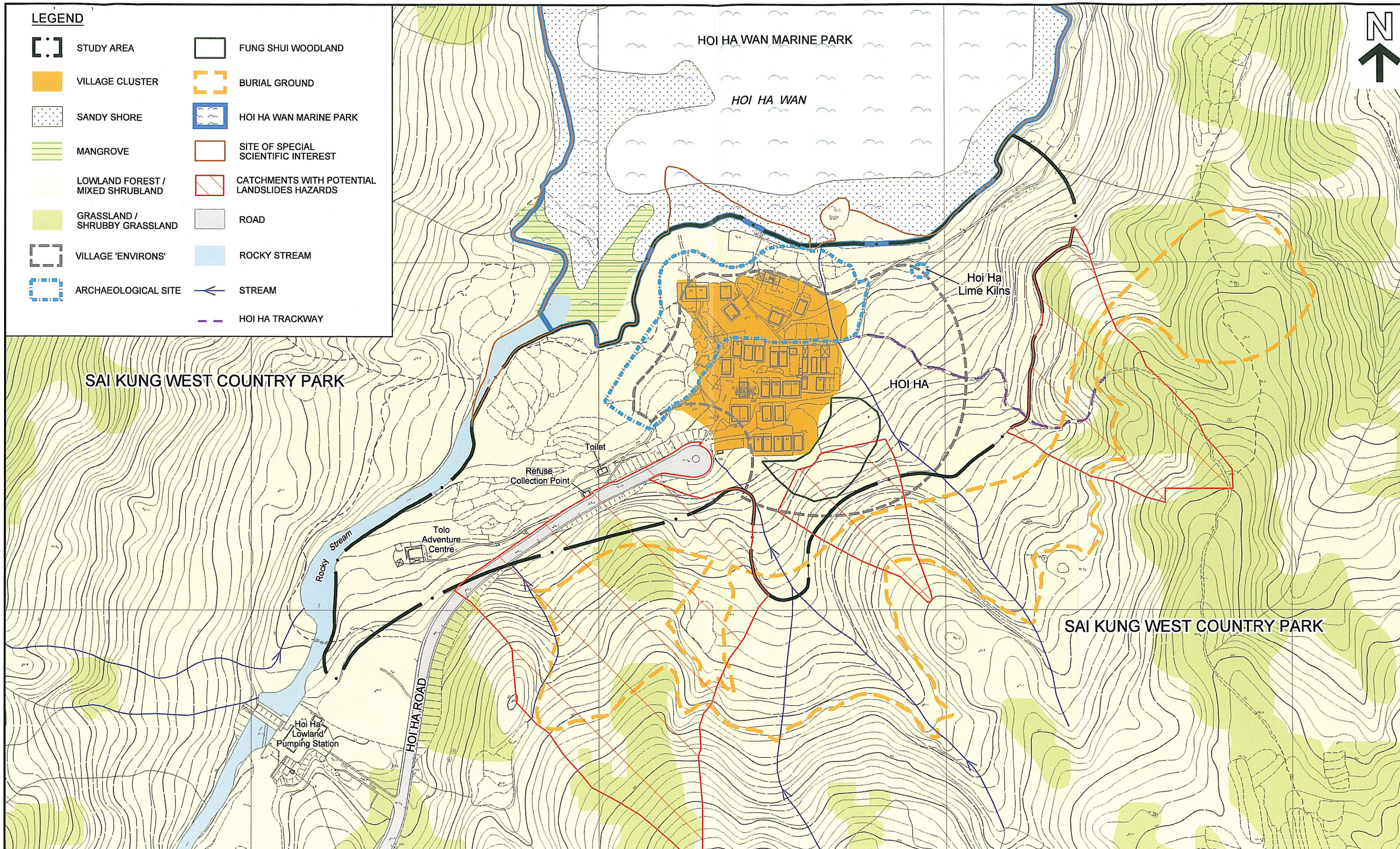
PLAN

2

SCALE 1 : 5 000
METRES 100 0 100 200 METRES

LEGEND

- | | | | |
|-----------------------------------------------------------------------------------|----------------------------------|-----------------------------------------------------------------------------------|----------------------------------------------|
|  | STUDY AREA |  | FUNG SHUI WOODLAND |
|  | VILLAGE CLUSTER |  | BURIAL GROUND |
|  | SANDY SHORE |  | HOI HA WAN MARINE PARK |
|  | MANGROVE |  | SITE OF SPECIAL SCIENTIFIC INTEREST |
|  | LOWLAND FOREST / MIXED SHRUBLAND |  | CATCHMENTS WITH POTENTIAL LANDSLIDES HAZARDS |
|  | GRASSLAND / SHRUBBY GRASSLAND |  | ROAD |
|  | VILLAGE 'ENVIRONS' |  | ROCKY STREAM |
|  | ARCHAEOLOGICAL SITE |  | STREAM |
| | |  | HOI HA TRACKWAY |



VILLAGE 'ENVIRONS' AND EXISTING PHYSICAL FEATURES

HOI HA

EXTRACT PLAN PREPARED ON 18.6.2013
BASED ON SURVEY SHEETS No. 8-NW-5A/B/C/D

SCALE 1 : 2 500
METRES 50 0 50 100 METRES

PLANNING DEPARTMENT



REFERENCE No.
M/NP/HH/13/1

PLAN
3



HOI HA WAN MARINE PARK

HOI HA WAN



Troides aeacus 金裳鳳蝶



Thoressa monastyrskyi
黑斑陀弄蝶

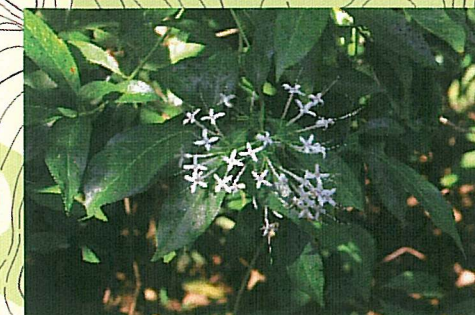


Aquilaria sinensis 土沉香

SAI KUNG WEST COUNTRY PARK



Troides helena 裳鳳蝶



Pavetta hongkongensis 香港大沙葉



Chinese Panglin 穿山甲



Neottopteris nidus 巢蕨



Sargentodoxa cuneata 大血藤



Morinda cochinchinensis 大果巴戟

SAI KUNG WEST COUNTRY PARK

LEGEND

[]	STUDY AREA		LOWLAND FOREST / MIXED SHRUBLAND
	VILLAGE CLUSTER		GRASSLAND / SHRUBBY GRASSLAND
	SANDY SHORE		ROCKY STREAM
	MANGROVE		ROAD

SPECIES OF CONSERVATION INTEREST IN HOI HA

EXTRACT PLAN PREPARED ON 18.6.2013
BASED ON SURVEY SHEETS No. 8-NW-5A/B/C/D

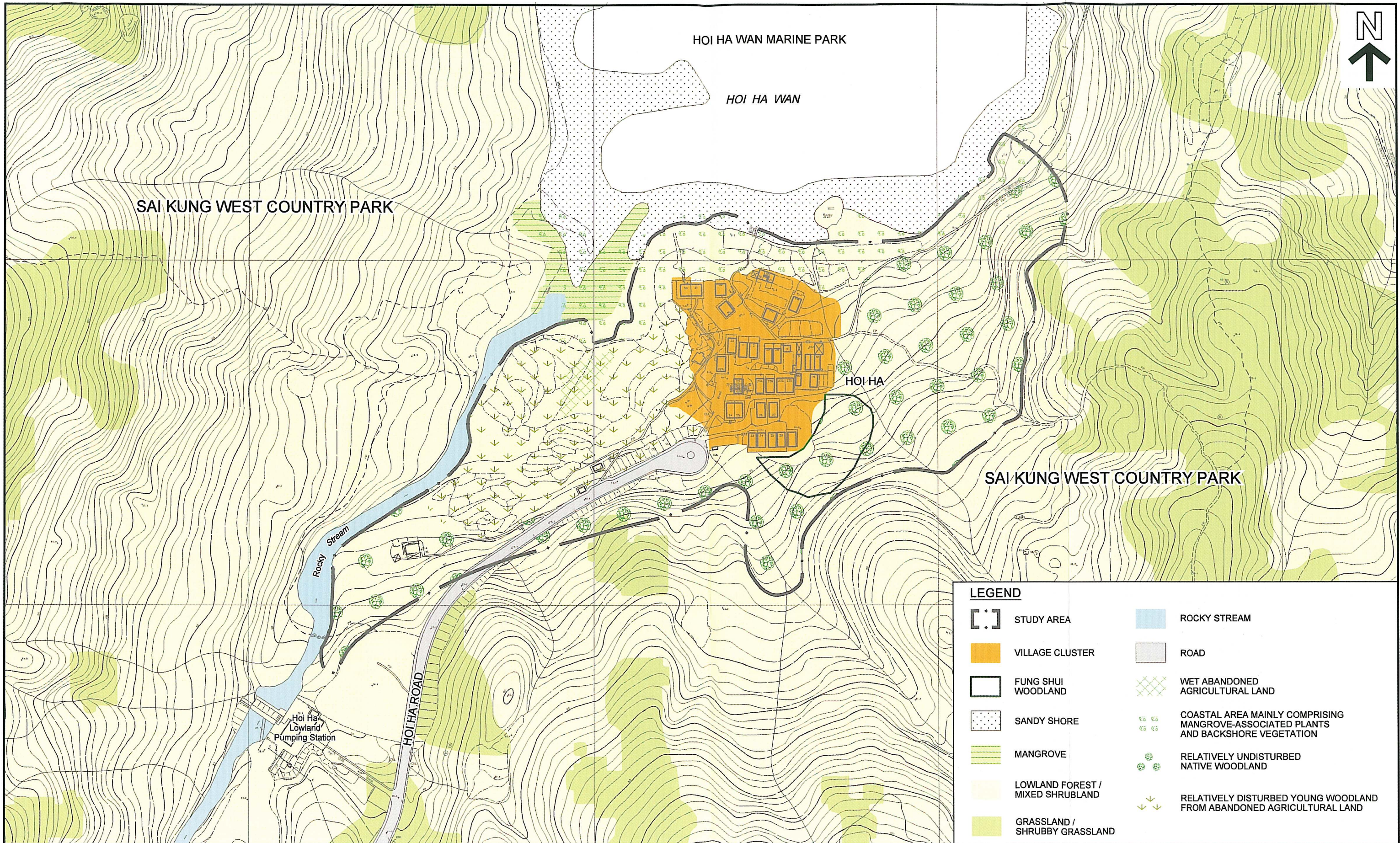
SCALE 1 : 2 500
METRES 50 0 50 100 METRES

PLANNING DEPARTMENT



REFERENCE No.
M/NP/HH/13/1

PLAN
4

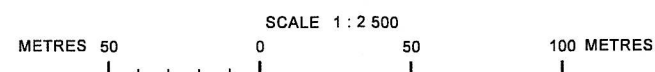


INDICATIVE MAJOR VEGETATION TYPES IN HOI HA

PLANNING DEPARTMENT

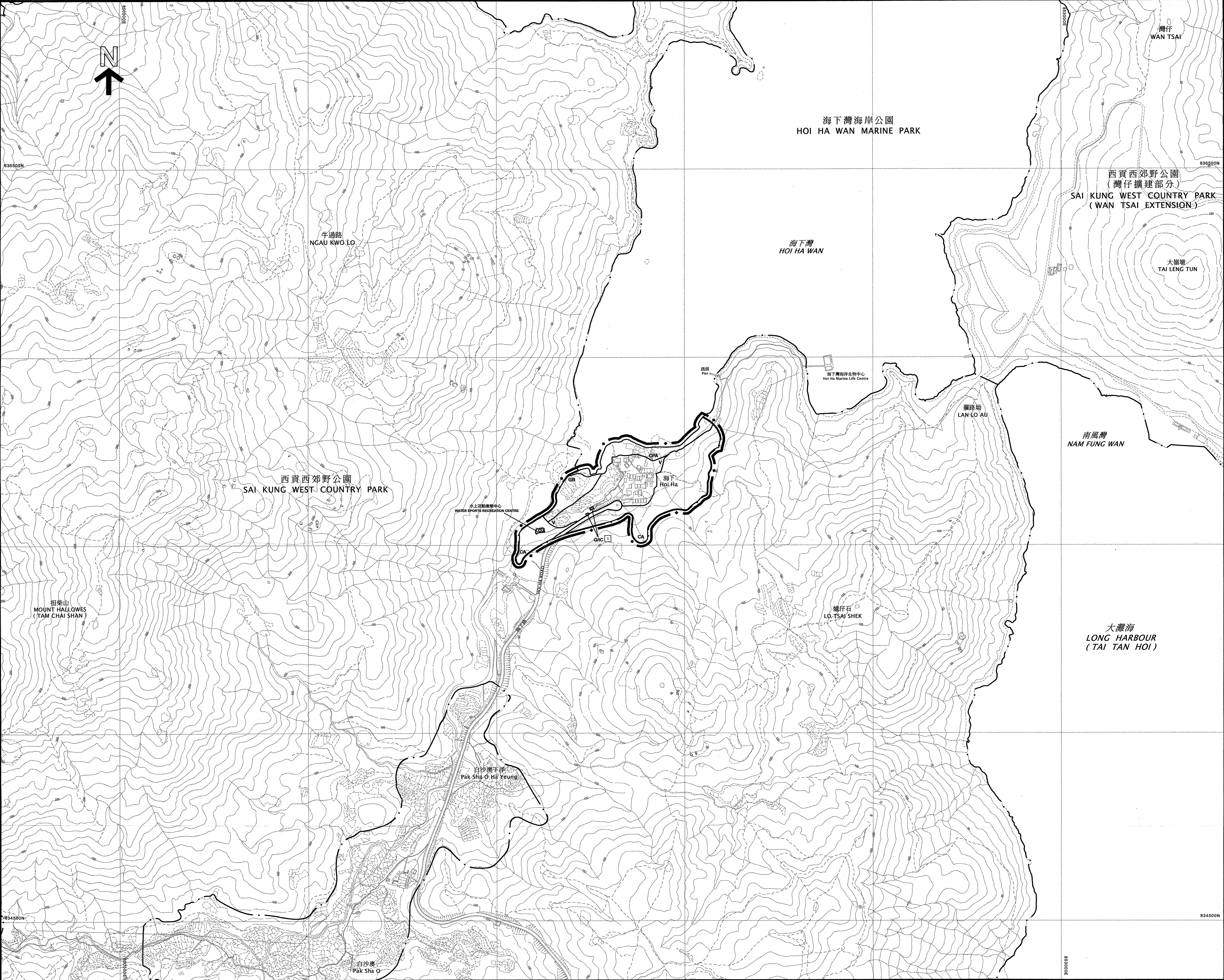


EXTRACT PLAN PREPARED ON 18.6.2013
BASED ON SURVEY SHEETS No. 8-NW-5A/B/C/D



REFERENCE No.
M/NP/HH/13/1

PLAN
5



圖例
NOTATION

ZONES

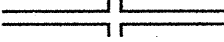
- VILLAGE TYPE DEVELOPMENT V
- GOVERNMENT, INSTITUTION OR COMMUNITY G/I/C
- OTHER SPECIFIED USES OU
- GREEN BELT GB
- CONSERVATION AREA CA
- COASTAL PROTECTION AREA CPA

地帶

- 鄉村式發展
- 政府、機構或社區
- 其他指定用途
- 綠化地帶
- 自然保育區
- 海岸保護區

COMMUNICATIONS

MAJOR ROAD AND JUNCTION



交通

主要道路及路口

MISCELLANEOUS

- BOUNDARY OF PLANNING SCHEME
- BOUNDARY OF COUNTRY PARK / SPECIAL AREA
- MAXIMUM BUILDING HEIGHT (IN NUMBER OF STOREYS)

其他

- 規劃範圍界線
- 郊野公園 / 特別地區界線
- 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	2.50	29.59	鄉村式發展
GOVERNMENT, INSTITUTION OR COMMUNITY	0.01	0.12	政府、機構或社區
OTHER SPECIFIED USES	0.03	0.36	其他指定用途
GREEN BELT	0.74	8.76	綠化地帶
CONSERVATION AREA	3.97	46.98	自然保育區
COASTAL PROTECTION AREA	0.98	11.60	海岸保護區
MAJOR ROAD ETC.	0.22	2.59	主要道路等
TOTAL PLANNING SCHEME AREA	8.45	100.00	規劃範圍總面積

香港城市規劃委員會依據城市規劃條例擬備的海下分區計劃大綱圖
TOWN PLANNING ORDINANCE, HONG KONG TOWN PLANNING BOARD
HOI HA - OUTLINE ZONING PLAN

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-HH/C

SCALE 1:5 000 比例尺
米 METRES 100 0 200 400 600 800 METRES 米

DRAFT HOI HA OUTLINE ZONING PLAN NO. S/NE-HH/C

(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) Road junctions, 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” or “Coastal Protection 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” or “Coastal Protection 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" or "Coastal Protection 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" or "Coastal Protection 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 HOI HA OUTLINE ZONING PLAN NO. S/NE-HH/C

Schedule of Uses

	<u>Page</u>
VILLAGE TYPE DEVELOPMENT	1
GOVERNMENT, INSTITUTION OR COMMUNITY	3
OTHER SPECIFIED USES	5
GREEN BELT	7
CONSERVATION AREA	9
COASTAL PROTECTION AREA	11

VILLAGE TYPE DEVELOPMENT

<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>Agricultural Use</p> <p>Government Use (Police Reporting Centre, Post Office only)</p> <p>House (New Territories Exempted House only)</p> <p>On-Farm Domestic Structure</p> <p>Religious Institution (Ancestral Hall only)</p> <p>Rural Committee/Village Office</p>	<p>Burial Ground</p> <p>Eating Place</p> <p>Flat</p> <p>Government Refuse Collection Point</p> <p>Government Use (not elsewhere specified) #</p> <p>Hotel (Holiday House only)</p> <p>House (not elsewhere specified)</p> <p>Institutional Use (not elsewhere specified) #</p> <p>Market</p> <p>Place of Recreation, Sports or Culture</p> <p>Private Club</p> <p>Public Clinic</p> <p>Public Convenience</p> <p>Public Transport Terminus or Station</p> <p>Public Utility Installation #</p> <p>Public Vehicle Park</p> <p>(excluding container vehicle)</p> <p>Religious Institution (not elsewhere specified) #</p> <p>Residential Institution #</p> <p>School #</p> <p>Shop and Services</p> <p>Social Welfare Facility #</p> <p>Utility Installation for Private Project</p>

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 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 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 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 redevelopment, 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.

OTHER SPECIFIED USESFor “Water Sports Recreation Centre” only

<hr/> <p>Column 1</p> <p>Uses always permitted</p> <hr/>	<hr/> <p>Column 2</p> <p>Uses that may be permitted with or without conditions on application to the Town Planning Board</p> <hr/>
<p>Holiday Camp</p> <p>Place of Recreation, Sports or Culture (Water Sports Recreation Centre only)</p>	<p>Eating Place</p> <p>Government Refuse Collection Point</p> <p>Government Use (not elsewhere specified)</p> <p>Place of Recreation, Sports or Culture (not elsewhere specified)</p> <p>Private Club</p> <p>Public Vehicle Park (excluding container vehicle)</p> <p>Religious Institution</p> <p>Shop and Services</p> <p>Social Welfare Facility</p> <p>Utility Installation not Ancillary to the Specified Use</p>

Planning Intention

This zone is intended to designate land for the purposes of accommodating water sports recreational uses.

(Please see next page)

OTHER SPECIFIED USES (Cont'd)

For "Water Sports Recreation Centre) only

Remarks

- (a) No redevelopment, including alteration and/or modification, of an existing building shall result in a total redevelopment in excess of the plot ratio, site coverage and 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.
- (c) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the plot ratio, site coverage and building height restrictions stated in paragraph (a) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.

GREEN BELT

<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>Agricultural Use</p> <p>Barbecue Spot</p> <p>Government Use (Police Reporting Centre only)</p> <p>Nature Reserve</p> <p>Nature Trail</p> <p>On-Farm Domestic Structure</p> <p>Picnic Area</p> <p>Public Convenience</p> <p>Tent Camping Ground</p> <p>Wild Animals Protection Area</p>	<p>Animal Boarding Establishment</p> <p>Broadcasting, Television and/or Film Studio</p> <p>Burial Ground</p> <p>Columbarium (within a Religious Institution or extension of existing Columbarium only)</p> <p>Crematorium (within a Religious Institution or extension of existing Crematorium only)</p> <p>Field Study/Education/Visitor Centre</p> <p>Government Refuse Collection Point</p> <p>Government Use (not elsewhere specified)</p> <p>Helicopter Landing Pad</p> <p>Holiday Camp</p> <p>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)</p> <p>Petrol Filling Station</p> <p>Place of Recreation, Sports or Culture</p> <p>Public Transport Terminus or Station</p> <p>Public Utility Installation</p> <p>Public Vehicle Park (excluding container vehicle)</p> <p>Radar, Telecommunications Electronic Microwave Repeater, Television and/or Radio Transmitter Installation</p>

(Please see next page)

GREEN BELT (cont'd)

<hr/> <p>Column 1</p> <p>Uses always permitted</p> <hr/>	<p>Column 2</p> <p>Uses that may be permitted with or without conditions on application to the Town Planning Board</p> <hr/>
	<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) Nature Reserve Nature Trail On-Farm Domestic Structure Wild Animals Protection Area	Barbecue Spot 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 Columns 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.

COASTAL PROTECTION 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 Use 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 conserve, protect and retain the natural coastlines and the sensitive coastal natural environment, including attractive geological features, physical landform or area of high landscape, scenic or ecological value, with a minimum of built development. It may also cover areas which serve as natural protection areas sheltering nearby developments against the effects of coastal erosion.

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)

COASTAL PROTECTION 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 Columns 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 HOI HA
OUTLINE ZONING PLAN NO. S/NE-HH/C

EXPLANATORY STATEMENT

DRAFT HOI HA OUTLINE ZONING PLAN NO. S/NE-HH/C

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	3
7. OPPORTUNITIES AND CONSTRAINTS	3
8. GENERAL PLANNING INTENTION	6
9. LAND-USE ZONINGS	
9.1 Village Type Development	6
9.2 Government, Institution or Community	7
9.3 Other Specified Uses	8
9.4 Green Belt	8
9.5 Conservation Area	9
9.6 Coastal Protection Area	10
9.7 Cultural Heritage	10
10. COMMUNICATIONS	11
11. UTILITY SERVICES/INFRASTRUCTURAL PROVISIONS	11
12. IMPLEMENTATION	11
13. PLANNING CONTROL	11

DRAFT HOI HA OUTLINE ZONING PLAN NO. S/NE-HH/C

(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 Hoi Ha Outline Zoning Plan (OZP) No. S/NE-HH/C. 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 1 September 2010, under the power delegated by the Chief Executive (CE), the Secretary for Development (SDEV) 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 Hoi Ha area.
- 2.2 On 30 September 2010, the draft Hoi Ha DPA Plan No. DPA/NE-HH/1 was exhibited for public inspection under section 5 of the Ordinance. During the plan exhibition period, a total of 18 representations were received. On 10 December 2010, the Board published the representations for public comment and, in the first three weeks of the publication period, no comment was received. After giving consideration to the representations on 8 April 2011, the Board decided not to meet the representations and not to propose any amendment to the draft DPA Plan.
- 2.3 On 4 October 2011, the CE in Council (CE in C), under section 9(1)(a) of the Ordinance, approved the draft Hoi Ha DPA Plan, which was subsequently renumbered as DPA/NE-HH/2. On 14 October 2011, the approved Hoi Ha DPA Plan No. DPA/NE-HH/2 was exhibited for public inspection under section 9(5) of the Ordinance.
- 2.4 On 11.1.2013, under the power delegated by the CE, the SDEV directed the Board, under section 3(1)(a) of the Ordinance, to prepare an OZP to cover the Hoi Ha area.
- 2.5 On 6.5.2013, under the power delegated by the CE, the SDEV directed the Board, under section 3(1)(a) of the Ordinance, to revise the planning scheme boundary of the future OZP, by excluding the areas lying within the Hoi Ha Wan (HHW) Marine Park, which is protected under the Marine Parks Ordinance (Cap. 476), so as to provide certainty and avoid duplication of controlling authorities.

- 2.5 On XXXX 2013, the draft Hoi Ha OZP No. S/NE-HH/1 (the Plan) was exhibited for public inspection under section 5 of the Ordinance.

3. OBJECT OF THE PLAN

- 3.1 The object of the Plan is to indicate the broad land-use zonings for the area of Hoi Ha so that development and redevelopment within the area of Hoi Ha 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 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 area of about 8.45 ha, is located at the northern coast of Sai Kung peninsula, and accessible by vehicle via Hoi Ha Road. It is encircled by the Sai Kung West (SKW) Country Park on three sides, opening towards the scenic HHW, which is a designated Marine Park as well as an SSSI.
- 5.2 The area abutting the HHW Marine Park, along the northern coast of the Area, consists of sandy beaches, sand dunes, rock outcrops and sea side vegetations including mangroves. Dense native woodlands, including a *Fung Shui* Woodland, spread on the hill slopes in the eastern and southern parts of the Area, as well as at its western end. Such mature woodlands give the Area a distinct natural character.
- 5.3 The Hoi Ha village, lying between HHW in the north and the hill slopes on the south, is the only recognized village in the Area, consisting of about 30 houses and two *tsz tongs*. The houses are mostly three-storeys, occupied, and in fair or

good condition. Provision stores can be found on the ground floor of some of the houses, and the HHW Marine Park Warden Post of the Agriculture, Fisheries and Conservation Department (AFCD) occupies the ground floor of one house. The Hoi Ha Site of Archaeological Interest, the Hoi Ha Lime Kilns and part of the Hoi Ha Trackway are heritage features located in the Area. An area to the immediate west of the village is occupied by a young but disturbed woodland on abandoned agricultural land.

- 5.4 The Hoi Ha Road approaches the village from west to east, terminating just outside the village. A privately run water sports recreation centre, a public toilet, and a refuse collection point can be found along the north side of the road. Further east along the coast is the Hoi Ha Marine Life Centre operated by WWF Hong Kong.

6. **POPULATION**

According to the 2011 Census, the total population of the Area was about 110 persons.

7. **OPPORTUNITIES AND CONSTRAINTS**

7.1 **Opportunities**

7.1.1 **Conservation and Natural Landscape**

Amid the SKW Country Park, the Area has high scenic and landscape value which complements the natural landscape of the surrounding SKW Country Park and the HHW Marine Park. The natural landscape and the coastal environment of the Area, as well as the area along the rocky stream on the northwest side, are worthy of conservation while the scale of the village development should be compatible with the rural setting and surrounding landscape. Any expansion of village development to the native woodlands (including the *Fung Shui* woodland) that are ecologically linked to the SKW Country Park, the coastal environment near the HHW Marine Park is not recommended.

7.1.2 **Tourism Potential**

HHW, with its scenic sea bay, sandy beach, clear water, and coral communities, as well as direct vehicular access, is popular for divers, snorkelers and kayakers, particularly during holidays and weekends. The HHW Nature Trail, used frequently by hikers, traverses the Area from east to west, connecting to other trails and footpaths of the SKW Country Park. Heritage features such as the Hoi Ha Lime Kilns also attract visitors to the Area. The AFCD operates an ecotour service from a Warden Post office within the village, and there is a privately run water recreation/sports centre located in the western part of the Area close to Hoi Ha Road. Kayak rentals, provision stores and shower stands catering to visitors can be found on the beach or within the

village. It is expected HHW will remain a popular local tourism destination.

7.1.3 Transportation

The Area is accessible by vehicles via Hoi Ha Road, although at present, Pak Tam Road is a restricted road and vehicles entering it have to apply for permits from relevant departments. There is a mini-bus route operating between Hoi Ha and Sai Kung Town Pier. Marine access is available via the pier located in HHW Marine Park along the coast to the northeast of the Area. A trail runs along the coast from west to east connecting to trails of the surrounding Country Park.

7.2 Constraints

7.2.1 Ecological Significance

Whilst most of the flora and fauna recorded in the Area and the adjacent SKW Country Park are common species, the native woodlands on the hillsides behind (east and south) of the Hoi Ha Village and on the gentle slope at the western end of the Area, are quite natural in character and are ecologically-linked with the wide stretch of vegetation in the SKW Country Park. In particular, protected plant species including *Aquilaria sinensis*, *Pavetta hongkongensis*, and *Neottopteris nidus* have been recorded in these woodlands, and for the woodlands on the east side, notable plant species including *Morinda cochinchinensis* and *Sargentodoxa cuneata* have also been recorded. A number of fauna species of conservation concern have also been recorded in the subject area or in its vicinity. These include *Thoressa monastyrskyi* (a rare butterfly species found only in Sai Kung), *Troides aeacus* (a rare butterfly species with conservation concern), *Troides helena* (an uncommon and protected butterfly species) and the Chinese Pangolin (an endangered and protected species with restricted distribution). Also, the large rocky stream that abuts the Area on the northwestern side is natural with a moderate diversity of freshwater and brackish fish, and its estuarine area supports mangroves and a moderate diversity of coastal fauna. In general, natural streams of significant size are regarded as ecologically important habitats in the territory.

7.2.2 Landscape Character

The Area contains extensive areas of high quality natural landscape. The HHW valley faces the scenic and landscape sensitive HHW Marine Park and SKW Country Park. The landscape comprises a juxtaposition of distinct landscape character areas. Due to the topography and the low level of existing development, development in the area will have impact on the present landscape character. In order to ensure minimal deterioration of the existing landscape quality, the existing ridgelines should be retained and development should not encroach upon slopes, and the *Fung Shui* woods, secondary woodlands and stream courses

should not be affected. Also, the rocky stream and the mangrove estuarine are considered a type of significant landscape resource of this area and it should also not be affected. Development should be confined to the lower ground village areas where human-scale buildings are traditional and in harmony with the existing character. Open vista from the waterfront to the mountain backdrop should be preserved.

7.2.3 Sewerage

There is no existing sewer or planned public sewer for the Area, and at present, each house is typically served with its own on-site septic tanks and soakaway (STS) system. Any increase in population, number of visitors to the Area or further recreation/residential developments would require additional facilities in accordance with relevant laws and regulations.

7.2.4 Site of Archaeological Interest and Cultural Heritage

The Hoi Ha Site of Archaeological Interest, the Hoi Ha Lime Kilns and part of the Hoi Ha Trackway are located within the Area. The Antiquities and Monuments Office (AMO) of the Leisure and Cultural Services Department should be consulted on any development proposals which might affect the above sites of archaeological interest and their immediate environs.

7.2.5 Geotechnical Constraint

The Head of Geotechnical Engineering Office (GEO) of the Civil Engineering and Development Department advises that the southern part of the proposed “V” zone is in an area close to the natural hillside and may be affected by potential natural terrain landslide hazards. For future development in this area, the developer(s) 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.

7.2.6 Infrastructure and Utility Services

The Area is supplied with electricity and telephone services. In respect of other utility services, potable water supply to existing facilities and villagers of the Area is provided, but there are no committed/ planned sewerage and drainage systems nor gas supply projects for the Area.

8. GENERAL PLANNING INTENTION

- 8.1 The general planning intention for the Area is to conserve its natural landscape and conservation value, to protect its natural and rural character, its cultural heritage, and to make provision for future Small House development for the indigenous village of Hoi Ha.
- 8.2 In the designation of various zones for the Area, considerations have been given to protect the ecological and landscape significance of the Area, which includes the Hoi Ha *Fung Shui* woodland that forms the wider natural system of the SKW Country Park and the HHW Marine Park. Considerations have also been given to delineate the area for future Small House development.

9. LAND-USE ZONINGS

9.1 “Village Type Development” (“V”) : Total Area 2.50 ha

- 9.1.1 The planning intention of this zone is to designate both 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 Board.
- 9.1.2 Hoi Ha is a recognized village and the only recognized village in the Area. The boundaries of the “V” zone are drawn up having regard to the village ‘environs’, 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.
- 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 (8.23 m) or the height of the building which was in existence on the date of 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.
- 9.1.5 There is no existing sewer or planned public sewer for the Area, and at present, each house is typically served with its own on-site STS system. In accordance with the Environmental, Transport and Works Bureau's Technical Circular (Works) No. 5/2005, 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 DAFC and relevant authorities and incorporate relevant comments/advice as conditions of approval wherever possible. Also, for the protection of the water quality of the HHW Marine Park, the design and construction of on-site STS system for any development proposals/submissions need to comply with relevant standards and regulations, such as Environmental Protection Department (EPD)'s Practice Note for Professional Person (ProPECC) 5/93. Accordingly, LandsD when processing Small House grant and applications in close proximity to existing stream courses and the HHW Marine Park, should consult concerned departments including EPD, AFCD and Planning Department (PlanD) to ensure that all relevant departments would have adequate opportunity to review and comment on the applications.
- 9.1.6 The Head of Geotechnical Engineering Office (GEO) of the Civil Engineering and Development Department advises that the southern part of the proposed "V" zone is in an area close to the natural hillside and may be affected by potential natural terrain landslide hazards. For future development in this area, the developer(s) 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.
- 9.2 "Government, Institution or Community" ("G/IC") : Total Area 0.01 ha
- 9.2.1 The planning intention of this zone is primarily for the provision of GIC facilities serving the needs of the local residents and 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 main existing GIC facilities under this zone include a single storey permanent flushing toilet and a single storey refuse collection point at the western part of the Area.
- 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., one storey) or the height of the building

which was in existence on the date of first publication in the Gazette of the notice of the draft DPA plan, whichever is greater.

- 9.2.4 To provide design flexibility for particular development, 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 Other Specified Uses (Water Sports Recreation Centre) (“OU(WSRC)”) : Total Area 0.03 ha

- 9.3.1 This zone is intended primarily to reflect the existing use of the land at the western part of the Area currently occupied by a water sports recreation centre (the "Tolo Adventure Centre") to the north of Hoi Ha Road. The club is operated by a religious organization for over 20 years to provide water sports training facilities and overnight accommodation for teenagers. According to LandsD, there are 2 existing structures on the site under Short Term Tenancy with a total built-over area of about 71.5m².

- 9.3.2 The following planning controls are applicable to this zone:

- (a) no redevelopment, including alternation and/or modification, of an existing building shall result in a total redevelopment in excess of the plot ratio, site coverage and 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, and
- (b) based on the individual merits of a development or redevelopment proposal, minor relaxation of the plot ratio, site coverage and building height restrictions stated in paragraph (a) above may be considered by the Board on application under section 16 of the Ordinance.

9.4 “Green Belt” (“GB”) : Total Area 0.74 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” covers mainly the area near the rocky stream that flows along the northwestern boundary of the Area, which mainly consists of abandoned agricultural lands either on gentle slope overgrown with trees forming a young but disturbed woodland, or on low-lying area overgrown with grass and weeds. The “GB” zone would serve as a buffer between village development and the stream.

- 9.4.3 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. As diversion of streams, filling of land 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.

9.5 “Conservation Area” (“CA”) : Total Area 3.97 ha

- 9.5.1 This zone 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 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” zoning covers the woodlands on the hillsides to the east and south of the Hoi Ha Village, as well as a woodland at the western end of the Area, on the north side of Hoi Ha Road. These woodlands are quite natural in character and are ecologically-linked with the wide stretch of vegetation in the SKW Country Park. There is a variety of protected plant species and animal species of conservation concern. It is intended that with stringent planning control imposed under this zoning, the rich ecological and biological features in the areas can be protected and preserved.
- 9.5.3 There is a strip of land for traditional burial ground at the southern part of the hillslopes within this zone. It has been in existence for many years, which are considered as an existing use and intended for burial places of deceased indigenous villagers in the Area. To respect the local ritual and tradition, burial activities within this zone are generally tolerated.
- 9.5.4 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.

9.6 Coastal Protection Area (“CPA”): Total Area 0.98 ha

- 9.6.1 This zone is intended to protect and retain the coastlines and the sensitive coastal environment, including attractive geological features, physical landform or area of high landscape, scenic or ecological significance, with a minimum of built 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.
- 9.6.2 “CPA” zone is designated for the coastal area abutting the HHW Marine Park. It consists of sandy beaches, rock features, estuarine, mangroves, mangrove-associated plants, backshore vegetation, shrubs and vegetated slopes. The “CPA” zone serves as a buffer between the village area and the HHW Marine Park, sheltering disturbance from nearby developments.
- 9.6.3 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 of the DPA Plan.
- 9.6.4 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.

9.7 Cultural Heritage

The Hoi Ha Site of Archaeological Interest, the Hoi Ha Lime Kilns and part of the Hoi Ha Trackway are located within the Area. The AMO of the Leisure and Cultural Services Department should be consulted on any development proposals which might affect the sites and their immediate environs. If disturbance to the archaeological site is unavoidable, a detailed Archaeological Impact Assessment (AIA) conducted by a professional archaeologist is required for development works within the site. The archaeologist shall apply for a licence to conduct the AIA under the Antiquities and Monuments Ordinance (Cap. 53). A proposal of the AIA shall be submitted to the AMO for agreement prior to applying for a license.

10. COMMUNICATIONS

Road/Transport Network

The Area is accessible by vehicles via Hoi Ha Road. Marine access is available via the pier located in HHW Marine Park along the coast to the northeast of the Area.

11. UTILITY SERVICES/INFRASTRUCTURAL PROVISIONS

The Area is supplied with electricity and telephone services. In respect of other utility services, potable water supply to existing facilities and villagers of the Area is provided, but there are no committed/ planned sewerage and drainage systems nor gas supply projects for the Area.

12. IMPLEMENTATION

- 12.1 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.
- 12.2 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 public and private sectors.
- 12.3 Notwithstanding the above, minor improvement works, e.g., access improvements and laying of roads, utility services installation and public works projects will be implemented through the Public Works Programme and the Rural Public Works Programme subject to priority and resource availability. Private developments will be effected principally through private sector initiatives in accordance with the zoned uses indicated on the Plan, provided that their proposals meet Government requirements.

13. PLANNING CONTROL

- 13.1 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.

- 13.2 Uses of land or building which were in existence immediately before the first publication in the Gazette of the notice of the 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.
- 13.3 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.
- 13.4 Any development, other than those referred to in paragraph 13.1 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 REPORT ON HOI HA



SHA TIN, TAI PO & NORTH
DISTRICT PLANNING OFFICE
PLANNING DEPARTMENT
FEBRUARY 2013



PLANNING REPORT ON HOI HA

June 2013

<u>CONTENT</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
1.2 Background	1	4.2 Planning Objectives
1.3 Need to Revise the Boundary of the Planning Scheme Area	2	4.3 Planning Principles
		4.4 Land Use Proposals
2. THE STUDY AREA		5. IMPLEMENTATION
2.1 Location	2	
2.2 Natural Features	2	
2.3 Historical Development	4	
2.4 Population and Employment	4	
2.5 Existing Land Uses	4	
2.6 Land Ownership	5	
2.7 Transportation and Access	5	
2.8 Infrastructure and Utility Services	5	
3. PLANNING ANALYSIS		
3.1 Planning Context	5	
3.2 Environmental and Conservation	6	
3.3 Development Constraints	6	
3.4 Development Opportunities	8	
3.5 Development Pressure	8	
3.6 Development Proposals Received in the Course of Preparation of the Plan	9	
		Table 1: Small House Demand for Hoi Ha Village

List of Figures

Figure 1	Location Plan
Figure 2a	Hoi Ha Development Permission Area Plan
Figure 2b	Revised Planning Scheme Boundary
Figure 3	Study Area of Hoi Ha
Figure 4	Aerial Photo of Hoi Ha
Figure 5a	Existing Physical Features
Figure 5b – 5e	Site Photos - Existing Physical Features
Figure 6a	Existing Land Uses
Figure 6b – 6f	Site Photos - Existing Land Uses
Figure 7	Land Ownership and Village ‘Environ’
Figure 8	Existing GIC, Infrastructural and Tourism-related Facilities
Figure 9	Ecological and Cultural Heritage Resources
Figure 10	Development Constraints
Figure 11	Proposed Land Uses

Attachments

Annex A	Summary of the planning applications in the Area
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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 Hoi Ha 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 is located at the northern coast of Sai Kung peninsula about 15 km to the northeast of Sai Kung Town, and is accessible by vehicle via Hoi Ha Road. The Area is encircled by the Sai Kung West (SKW) Country Park on three sides and fronted onto Hoi Ha Wan (HHW) off the Tolo Channel (**Figure 1**). HHW is a designated Marine Park (HHW Marine Park) as well as a Site of Special Scientific Interest (SSSI).

1.2.2. With a scenic setting, the Area is rural in character mainly comprising beaches with coastal vegetation, fallow agricultural land covered with grass, shrubs and trees, woodlands and land occupied by village houses and temporary uses. Although excluded from the boundary of the SKW Country Park, the Area forms part of the wider natural system of the

Sai Kung countryside. Hoi Ha Village is the only recognized village in the Area.

1.2.3. There have been great public concerns that the Area is subject to development threats by the private landowners. As the Area is rural in character with a scenic setting, any large-scale and uncontrolled development may affect the natural environ of Hoi Ha and threaten the marine ecology and overall value of the HHW Marine Park and the SSSI. Under the power delegated by the Chief Executive, on 1.9.2010 the Secretary for Development (SDEV) directed the Town Planning Board (the Board) to prepare a draft plan designating the Area as a development permission area (DPA) plan.

1.2.4. The draft Hoi Ha DPA Plan No. DPA/NE-HH/1 was exhibited for public inspection on 30.9.2010. During the plan exhibition period, 18 representations were received. After giving consideration to the representations and comments on 8.4.2011, the Board decided not to propose any amendment to the draft DPA plan to meet the representations.

1.2.5. On 4.10.2011, the Chief Executive in Council (CE in C) approved the draft Hoi Ha DPA Plan, which was subsequently renumbered as DPA/NE-HH/2 (**Figure 2a**). On 14.10.2011, the approved Hoi Ha DPA Plan No. No. DPA/NE-HH/2 was exhibited for public inspection under section 9(5) of the Town Planning Ordinance (the Ordinance).

- 1.2.6. Pursuant to section 20(5) of the Ordinance, the DPA Plan is effective for three years until 30.9.2013. On 11.1.2013, the Chief Executive (CE), pursuant to section 3(1)(a) of the Ordinance, directed the Board to prepare an OZP for the Area.

1.3. Need to Revise the Boundary of the Planning Scheme Area

- 1.3.1. In the course of preparing the OZP, the Director of Agriculture, Fisheries and Conservation (DAFC) advised that two areas¹ that are currently within the boundaries of the Hoi Ha DPA Plan should be excluded from the planning scheme boundary of the proposed OZP to avoid duplication of controlling authorities as these two areas fell within the HHW Marine Park where all uses and developments require consent from the Country and Marine Parks Authority (**Plan 2b**)
- 1.3.2. On 6.5.2013, under the power delegated by the CE, the SDEV directed the Board, under section 3(1)(a) of the Ordinance, to revise the planning scheme boundary of the proposed OZP by excluding the areas of the DPA Plan lying within the HHW Marine Park, which is protected under the Marine

Parks Ordinance (Cap. 476), so as to provide certainty and avoid duplication of controlling authorities.

2. THE STUDY AREA

2.1. Location

The Area covers about 8.45 ha of land. It is encircled by the SKW Country Park on three sides and fronts onto HHW off the Tolo Channel. The location of the Area is shown in **Figure 3**.

2.2. Natural Features

Physical Setting and Topography (Figures 4 and 5a)

- 2.2.1. An overview of the Area is shown in **Figure 4**. The Area is located at the northern coast of Sai Kung peninsula, encircled by the Sai Kung West (SKW) Country Park on three sides, with its north side opening towards the scenic HHW. The Area can broadly be divided into 3 portions, namely the central, eastern and western portions. The eastern portion is taken up by a densely vegetated slope that stretches eastwards and southwards uphill, merging with the SKW Country Park. The central portion of the Area is mostly a gentle slope against the steeper SKW Country Park on its south, stretching northward and meeting the sea with sandy beaches. A few rows of village houses occupy this area, mixed in with fallow farm lands, vacant lands and a few house ruins. The western

¹ The areas consist mainly of sandy beach, sand dunes and rock outcrop. DAFC advised that the coverage of the Marine Park would take into account the ecological characteristics of the shoreline. In this regard, the boundary of the Marine Park is purposely drawn to include the beaches and sand dunes at Hoi Ha for better protection of the coastal ecology.

portion of the Area is also mostly on gentle slopes, bordering the sea on its north side and a major rocky stream on its west.

Natural Habitats (Figures 4, 5b – 5e, 6b)

2.2.2. DAFC advises that most of the flora and fauna recorded in the Area and the adjacent SKW Country Park are common species. Although the terrestrial habitats therein are not exceptional in terms of biodiversity, the native woodlands, particularly those in the eastern part of the Area, are quite natural in character and are ecologically-linked with the wide stretch of vegetation in the SKW Country Park. Protected and notable plant species have been recorded in these woodlands, and a number of animal species of conservation concern have also been recorded in the subject area or in its vicinity. Details of the natural habitats are listed below:

(a) Woodland/shrubland (**Figure 4, Photos 1-3 of Figures 5b and 5c**)

Protected plant species including *Aquilaria sinensis* (土沉香), *Pavetta hongkongensis* (香港大沙葉), and *Neottopteris nidus* (巢蕨) have been recorded in these woodlands, and for the woodlands on the east side, notable plant species including *Morinda cochinchinensis* (大果巴戟) and *Sargentodoxa cuneata* (大血藤) have also been recorded. A number of animal species of conservation

concern have also been recorded in the subject area or in its vicinity. These include *Thoressa monastyrskyi* (黑斑陀弄蝶) (a rare butterfly species found only in Sai Kung), *Troides aeacus* (金裳鳳蝶) (a rare butterfly species with conservation concern), *Troides helena* (裳鳳蝶) (an uncommon and protected butterfly species) and the Chinese Pangolin (穿山甲) (an endangered and protected species with restricted distribution).

(b) Fallow agricultural land (**Photo 4 of Figure 5c, Photo 12 of Figure 6b**)

Fallow agricultural land is located mainly to the west of the village. With the decline of agricultural activities, agricultural land has been left fallow overgrown with grasses and shrubs, forming a young but disturbed woodland.

(c) Stream Course/Sandy Beach (**Photos 5 - 9 of Figures 5d and 5e**)

There is a natural and large rocky stream running along the western boundary of the Area, passing through some abandoned terraces which have become overgrown into woodlands. Estuarine mangrove and mudflat habitats with a sandy beach are found along the coast fronting HHW Marine Park. Also, two small streams flow by the sides of the Hoi Ha Village, down to the HHW Marine Park.

2.3. Historical Development

- 2.3.1. Hoi Ha village is a recognized village in the area of Sai Kung North Heung. A cluster of village houses in fair to good condition is located mainly at the central part of the Area. There is no declared monument and graded historic building within the Area. The Hoi Ha Site of Archaeological Interest, part of the Hoi Ha Trackway and the Hoi Ha Lime Kilns are located within the Area (**Figure 6a** and **Photos 17-19** of **Figure 6d**).
- 2.3.2. Prehistoric pottery shreds, stone implements and ceramic shreds of Tang, Ming and Qing periods were found. The Hoi Ha Lime Kilns reflects one of the oldest industries in Hong Kong which refined lime from either oyster shells or coral skeleton for construction and agricultural uses. The once prospering industry in HHW area reflects the history and longevity of coral communities in the Area. The boulder-paved Hoi Ha Trackway starts at Hoi Ha village and originally served to connect the neighboring villages.

2.4. Population and Employment

In 2011 Population By-census, the total population in the Area was about 110 persons. Since the Area has become a popular destination for diving and eco-tourism, in particular during Sundays and Public Holidays, there are a number of existing restaurants/provision shops offering diving and kayaking equipment and fresh water shower

stalls for swimmers at Hoi Ha Village. Besides, there is a HHW Marine Park Warden Post of the AFCD providing guiding tours for tourists during weekend (**Photos 15** and **16** of **Figure 6c**).

2.5. Existing Land Uses (Figures 6a – 6e)

- 2.5.1. The major existing land uses include the following:

Village Type Development (Figures 6b and 6c)

- 2.5.2. The Hoi Ha village, lying between HHW in the north and the hill slopes on the south, is a recognized village and the only recognized village in the Area, consisting of about 30 houses and two *tsz tongs*. The houses are mostly three-storeys, occupied, and in fair or good condition. Provision stores can be found on the ground floor of some of the houses.

Government, Institution or Community (GIC) Facilities (Figure 6e)

- 2.5.3. Major GIC facilities in the Area to meet the community needs include a permanent flushing toilet and a refuse collection point at the western part of the Area, and the HHW Marine Park Warden Post of the AFCD within the village cluster of the Area.

Site of Archaeological Interest (Figure 6d)

- 2.5.4. The Antiquities and Monuments Office (AMO) of

the Leisure and Cultural Services Department (LCSD) advises that the Hoi Ha Site of Archaeological Interest, the Hoi Ha Lime Kilns and part of the Hoi Ha Trackway are located within the Area. Prehistoric pottery shreds, stone implements and ceramic shreds of Tang, Ming and Qing periods were found in the site of archaeological interest.

Others (Figure 6f)

2.5.5. Other existing uses in the Area include some temporary structures near the sandy beach offering kayaking equipment and other related diving facilities. Besides, there is a Short Term Tenancy (STT) at the western part of the Area for “Tolo Adventure Centre” water sports recreational uses operating for more than 20 years on non-profit generating basis by a religious organization.

2.6. Land Ownership

The majority of land in the Area (about 76%) is Government land. The remaining 24% is private land comprising mainly agricultural lots and some building lots with New Territories Exempted Houses (NETs) in the central and western parts of the Area (**Figure 7**).

2.7. Transportation and Access (Figure 8)

The Area is accessible by vehicles via Hoi Ha Road leading to Pak Tam Road which is a restricted road and

vehicles entering it have to apply for permits from relevant departments. There is a mini-bus route operating between Hoi Ha and Sai Kung Town Pier. Marine access is available via the pier located in HHW Marine Park along the coast to the northeast of the Area. A trail runs along the coast from west to east connecting to trails of the surrounding Country Park.

2.8. Infrastructure and Utility Services

The Area is supplied with electricity and telephone services. In respect of other utility services, potable water supply to existing facilities and villagers of the Area is provided, but there are no committed/ planned sewerage and drainage systems nor gas supply projects for the Area.

3. PLANNING ANALYSIS

3.1. Planning Contexts

3.1.1. The Area, located at the northern coast of Sai Kung peninsula, is encircled by the SKW Country Park on three sides and fronted onto HHW, which is a designated marine park as well as a SSSI. HHW is one of the best sea areas in Hong Kong with good water quality and diverse marine lives. Coral communities in HHW Marine Park is most famous, in terms of species diversity and richness. Mangroves and various marine organisms are also recorded in HHW Marine Park.

3.1.2. Amid the SKW Country Park, the Area is part of the wider natural system of the Sai Kung countryside. Due to the high sensitivity of the Area

and its surrounding Country and Marine Parks, the planning framework for the Area should fundamentally be the preservation of the rural setting of the natural environment. Extensive and large scale development is not recommended to minimize disturbance to the existing landscape and adjoining Country and Marine Parks.

- 3.1.3. With reference to the Landscape Value Mapping of Hong Kong (2005), the Area is of rural landscape character which comprises mainly a rolling valley with woodland vegetation excluding the existing village and access road connection at the central part of the Area. A large rocky stream flows down the centre of the valley passing through some abandoned terraces which have become overgrown with woodland. The mouth of the valley consists of an area of mangrove and mudflats reaching out into HHW with a sandy beach to the east. The Area with high and qualified landscape and the simple, tranquil and coherent rural landscape character. The Area is rated with “High (qualified)” landscape value.

3.2. Environment and Conservation (Figure 9)

- 3.2.1 The Area is encircled by the SKW Country Park on three sides and fronts onto HHW Marine Park. With a scenic setting, the Area is rural in character mainly comprising beaches with coastal vegetation, fallow agricultural land covered with grass, shrubs and some trees, woodlands and land occupied by village houses and temporary uses. A natural and

large rocky stream running along the northwestern boundary of the Area, and two small streams flow by the sides of the Hoi Ha Village, down to the HHW Marine Park.

- 3.2.2 Although most of the flora and fauna recorded in the Area and the adjacent SKW Country Park are common species, and the terrestrial habitats therein are not considered exceptional in terms of biodiversity, the woodlands at the eastern and western parts of the Area are natural in character and ecologically-linked with wide stretch of vegetation in the SKW Country Park. Also, HHW Marine Park is located immediately to the north of the Area with diverse marine lives as well as rich coral communities. The native woodlands, particularly those in the eastern part of the Area, are quite natural in character and are ecologically-linked with the wide stretch of vegetation in the SKW Country Park. Protected and notable plant species have been recorded in these woodlands, and a number of fauna species of conservation concern have also been recorded in the subject area or in its vicinity.

3.3. Development Constraints (Figure 10)

Ecological Significance

- 3.3.1. The native woodlands at the eastern and western parts of the subject area are quite natural in character and are ecologically-linked with the SKW Country Park, and protected and notable

plant species, as well as a number of animal species of conservation concern have been recorded in the subject area or in its vicinity. The HHW Marine Park that the Area faces is of high ecological significance, supporting rich and diverse coastal / marine life and ecological habitats, and a natural and large rocky stream running along the western boundary of the Area, and in general, natural streams of significant size are regarded as ecologically important habitats in the territory. Also, two small streams flow by the sides of the Hoi Ha Village, down to the HHW Marine Park. Care should be taken not to cause any direct or indirect impacts to its water quality and to the coastal / marine ecological resources, and developments that may adversely affect the general rural character and the adjacent ecologically sensitive areas should be avoided.

Landscape Character

- 3.3.2. The Area contains extensive areas of high quality natural landscape. The HHW valley faces the scenic and landscape sensitive HHW Marine Park and SKW Country Park. The landscape comprises a juxtaposition of distinct landscape character areas. Due to the topography and the low level of existing development, development in the area will have impact on the present landscape character. In order to ensure minimal deterioration of the existing landscape quality, the existing ridgelines should be retained and development should not encroach upon slopes, and the Fung Shui woods, secondary

woodlands and stream courses should not be affected. Also, the rocky stream and the mangrove estuarine are considered a type of significant landscape resource of this area and it should also not be affected. Development should be confined to the lower ground village areas where human-scale buildings are traditional and in harmony with the existing character. Open vista from the waterfront to the mountain backdrop should be preserved.

Sewerage

- 3.3.3. There is no existing sewer or planned public sewer for the Area, and at present, each house is typically served with its own on-site septic tanks and soakaway (STS) system. Any increase in population, number of visitors to the Area or further recreation/residential developments would require additional facilities.

Site of Archaeological Interest and Cultural Heritage

- 3.3.4. The Hoi Ha Site of Archaeological Interest, the Hoi Ha Lime Kilns and part of the Hoi Ha Trackway are located within the Area. The AMO of the Leisure and Cultural Services Department should be consulted on any development proposals which might affect the above sites of archaeological interest and their immediate environs.

Geotechnical

3.3.5. The Head of Geotechnical Engineering Office (GEO) of the Civil Engineering and Development Department advises that the southern part of the proposed “V” zone is in an area close to the natural hillside and may be affected by potential natural terrain landslide hazards. For future development in this area, the developer(s) 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 Potential*

3.4.1. Amid the SKW Country Park, the Area has high scenic and landscape value which complements the natural landscape of the surrounding SKW Country Park and the HHW Marine Park. The natural landscape and the coastal environment of the Area is worthy of conservation while the scale of the village development should be compatible with the rural setting and surrounding landscape. Any expansion of village development to the *Fung Shui* woodland, the heavily wooded slopes connected to the SKW Country Park, the coastal environment near the HHW Marine Park, and the natural rocky stream in the west is not recommended.

Tourism Potential (Figure 8)

3.4.2. HHW, with its scenic sea bay, sandy beach, clear water, and coral communities, as well as direct vehicular access, is popular for divers, snorkelers and kayakers, particularly during Sundays and Public Holidays. The HHW Nature Trail, used frequently by hikers, traverses the Area from east to west, connecting to other trails and footpaths of the SKW Country Park. Heritage features such as the Hoi Ha Lime Kilns also attract visitors to the Area. AFCD operates an ecotour services from a Warden Post office within the village, and there is a privately run water recreations/sports centre located in the western part of the Area close to Hoi Ha Road. Kayak rentals, provision stores and shower stands catering to visitors can be found on the beach or within the village. It is expected HHW will remain a popular local tourism destination.

3.5. Development Pressure

Since the gazettal of the DPA Plan, there have been 37 planning applications at the Area, with 28 for NTEH (Small House) (including *one application for NTEH (Small House) will be considered by the Board on 5.7.2013*), 3 for rebuilding of NTEH (non-Small House), 5 for water recreation centre cum holiday camp, and one for restaurant. Amongst these, 6 approved planning applications for Small House developments and 2 NTEHs (non-Small Houses) development have been approved with conditions. Other Small House applications have mostly been withdrawn, or rejected by the Board. Other

applications for rebuilding of NTEH (non-Small House), for water recreation centre cum holiday camp, or for restaurant use, have all been withdrawn by the applicants. Details of the applications are summarized at **Annex A**.

3.6. Development Proposals Received in the Course of Preparation of the Plan

3.6.1. In the course of preparing the Plan, two planning proposals² have been received. Also, some views/proposals were received from informal meetings/site visits with concerned parties.

3.6.2. The Friends of Hoi Ha (FOHH) submitted a proposal to PlanD regarding the future land use proposal for the Area. Their major points are as follows :

- (a) a 15 - 45 metre-wide coastal area of mangroves and back-mangroves that forms an integral part of the marine ecosystem, should be zoned “CPA” to protect Hoi Ha’s unique environment and landscape value.
- (b) The *Fung Shui* Woodland and secondary woodlands surrounding the existing village of Hoi Ha, with the presence of the rare or very rare flora species and ecologically important insects, mammals and reptiles, should be zoned as “CA” for protection.

(c) A “Village Type Development” (“V”) zone should be delineated to include only the existing village and adjacent areas that are deemed not necessary to be covered by conservation zonings.

(d) In compliance with relevant Government regulations such as the ProPECC PN 5/93, and due to HHW’s rare and environmentally sensitive marine life that worth the most rigorous protection, septic tank and soakaway systems should be prohibited within 150 metres of the HHW Marine Park / SSSI, and within 30 metres of a stream.

3.6.3. The Village Representative (VR) also suggested that the coastal area of the Area be zoned “CPA” to provide a protection buffer for the HHW Marine Park / SSSI. The area to the east of the village cluster and an area extending to the western end of the DPA be zoned as “V” to provide sufficient land to meet the future demand for Small House development. Slope areas at the eastern end and southern tip of the DPA, as well as on both sides of Hoi Ha Road, be zoned “Green Belt” (“GB”) to provide protection buffer for the SKW Country Park.

² From Friends of Hoi Ha (FOHH) and the Village Representative

4. PLANNING PROPOSALS

4.1. The Outline Zoning Plan

The draft Hoi Ha 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 Hoi Ha DPA Plan No. DPA/NE-HH/2, which was exhibited for public inspection under section 9(5) of the Ordinance on 14.10.2011. 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 development 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; and
- (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 part of the wider natural system of the Sai Kung countryside. Due to its high sensitivity and its surrounding Country and Marine Parks, the rural setting and the natural landscape and environment of the Area should be preserved and protected.
- (b) Small House development in 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 11)

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 (2.50 ha or 29.59%)

- (a) The planning intention of this zone is to designate both 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 Board.

- (b) Hoi Ha is a recognized village and the only recognized village in the Area. The boundaries of the “V” zone are drawn up having regard to the village ‘environs’, the number of outstanding Small House applications, Small House demand forecast, local topography and site constraints. Areas of difficult terrain, dense vegetation, fung shui woodland, ecologically sensitive areas, stream courses and burial grounds have been avoided as far as possible.
- (c) The latest information on the 10-year forecast for Small House demand has been obtained from the District Lands Officer/Tai Po (DLO/TP). DLO/TP has advised that according to the VR of Hoi Ha Village, the 10-year forecast for Small House demand (2013-

2022) for Hoi Ha area is 84 (the previous figure in 2010 was 85). DLO/TP also advises that the number of outstanding Small House applications is 15. However, 5 of these 15 applications have received planning approval from the Board. Based on Planning Department’s (PlanD) preliminary estimate, the total land required for meeting the Small House demand of 94 is about 2.35ha.

- (d) With reference to the Small House demand and ‘VE’ for the recognized village as enumerated above, PlanD has analyzed the conditions of the area within ‘VE’ taking account of the existing village cluster, environmental conditions and natural terrain and topography of the area. It should be noted that the Hoi Ha Village is mainly concentrated on the lower hillslope in the central part of the Area. Land within the ‘VE’, which occupies mainly the eastern and central parts of the Area, comprises not only an existing village cluster and ruin structures of Hoi Ha Village, but also some hilly slopes within its eastern and southern portions, as well as some fallow agricultural land in its western portion. Throughout the plan-making process, relevant departments’ comments have been duly taken into account in the delineation of the “V” zone for the existing village cluster and potential areas for village expansion.

- (e) According to DAFC, the relatively undisturbed native woodlands at the eastern and southern parts, as well as the western end, of the Area are natural in character and are ecologically-linked with the wide stretch of vegetation in the SKW Country Park, and should be protected to serve as a buffer between the village and the Country Park. From landscape value point of view, the CTP/UD&L, PlanD advises that the landscape value of the Area, now rated “High (qualified)”, should not be negatively affected. The area along the northern coast line, with its mangroves, mangrove-associated plants, backshore vegetation, beaches, sand dunes and rock features, should also be protected to separate the HHW Marine Park from village cluster. Also, the northwestern rocky stream is considered a type of significant landscape resource of this area that should not be negatively affected.
- (f) Considering the HHW Marine Park in the north, the undisturbed native woodlands with fung shui woodland in the east, south and west, and the major rocky stream with significant landscape resource, an incremental approach for designation of a “V” zone for Small House development has been adopted with an aim to consolidating Small House development at suitable locations so as to avoid undesirable disturbances to the natural environment, taking into account the required land for meeting the Small House development. Thus, about 2.50 ha of land mainly comprising the existing village settlements with its surrounding areas have been reserved for Small House development, including an area to the west of the village cluster consisting of, according to AFCD, relatively disturbed, young woodland on abandoned agricultural land. Within the proposed “V” zone, about 1.50 ha of land is available (or equivalent to about 60 Small House sites) (**Table 1**).
- (g) Although there is insufficient land to meet the 10-year Small House demand (deficit of about 0.85 ha of land or equivalent to about 34 Small House sites), the demand figure has not been verified. Besides, planning application provides another means for the villagers to apply for Small House development within the proposed “GB” zone and each case can be considered by the Board on its individual merits.
- (h) 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 (8.23 m) or the height of the building which was in existence on the date of first publication in the Gazette of the notice of the draft DPA plan, whichever is the greater.

- (i) 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.
- (j) There is no existing sewer or planned public sewer for the Area, and at present, each house is typically served with its own on-site STS system. In accordance with the Environmental, Transport and Works Bureau's Technical Circular (Works) No. 5/2005, 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 DAFC and relevant authorities and incorporate relevant comments/advice as conditions of approval wherever possible. Also, for the protection of the water quality of the HHW Marine Park, the design and construction of on-site STS system for any development proposals/submissions need to comply with relevant standards and regulations, such as EPD's ProPECC 5/93. Accordingly, the Lands Department (LandsD) when processing Small House grant and applications in close proximity to existing stream courses and the HHW Marine Park, should consult concerned departments including EPD, AFCD and PlanD to ensure that all relevant departments would have adequate opportunity to review and comment

on the applications.

- (k) GEO of the Civil Engineering and Development Department advises that the southern part of the proposed "V" zone is in an area close to the natural hillside and may be affected by potential natural terrain landslide hazards. For future development in this area, the developer(s) 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.

4.4.3. Government, Institution or Community ("G/IC") (0.01 ha or 0.12%)

- (a) The planning intention of this zone is primarily for the provision of GIC facilities serving the needs of the local residents and 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 existing GIC facilities under this zone include a single storey permanent flushing toilet and a single storey refuse collection point at the western part of the Area.
- (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., one storey) or the height of the building which was in existence on the date of first publication in the Gazette of the notice of the draft DPA plan, whichever is greater.

4.4.4. Other Specified Uses (Water Sports Recreation Centre) (“OU(WSRC)”) (0.03 ha or 0.36 %)

- (a) This zone is intended primarily to reflect the existing use of the land at the western part of the Area currently occupied by a water sports recreation centre (the "Tolo Adventure Centre") to the north of Hoi Ha Road. The club is operated by a religious organization for over 20 years to provide water sports training facilities and overnight accommodation for teenagers. According to LandsD, there are 2 existing structures on the site under Short Term Tenancy (STT) with a total built-over area of about 71.5m². The heights of the permitted structures are about 2.13m and 4.26m. The STT is for a term of 5 years and thereafter annually.
- (b) The following planning controls are applicable to this zone:
 - (i) no redevelopment, including alternation and/or modification, of an existing building shall result in a total redevelopment in excess of the plot ratio,

site coverage and 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 .

- (ii) based on the individual merits of a development or redevelopment proposal, minor relaxation of the plot ratio, site coverage and building height restrictions stated in paragraph (i) above may be considered by the Board on application under section 16 of the Ordinance.

4.4.5. Green Belt (“GB”) (0.74 ha or 8.76%)

- (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” covers mainly the area near the rocky stream that flows along the northwestern boundary of the Area, which mainly consists of abandoned agricultural lands either on gentle slope overgrown with trees forming a young but disturbed woodland, or on low-lying area overgrown with grass and weeds. The “GB” zone would serve as a buffer between village development and the stream.

- (c) 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. As diversion of streams, filling of land 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.

4.4.6. Conservation Area (“CA”) (3.97 ha or 46.98%)

- (a) This zone 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 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” zoning covers the woodlands on the hillsides to the east and south of the Hoi Ha Village, as well as a woodland at the western

end of the Area, on the north side of Hoi Ha Road. These woodlands are quite natural in character and are ecologically-linked with the wide stretch of vegetation in the SKW Country Park. There is a variety of protected plant species and animal species of conservation concern. It is intended that with stringent planning control imposed under this zoning, the rich ecological and biological features in the areas can be protected and preserved.

- (c) There is a strip of land for traditional burial ground at the southern part of the hillslopes within this zone. It has been in existence for many years, which are considered as an existing use and intended for burial places of deceased indigenous villagers in the Area. To respect the local ritual and tradition, burial activities within this zone are generally tolerated.
- (d) 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.

4.4.7. Coastal Protection Area (“CPA”) (0.98 ha or 11.60%)

- (a) This zone is intended to protect and retain the coastlines and the sensitive coastal environment, including attractive geological features, physical landform or area of high landscape, scenic or ecological significance, with a minimum of built 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) “CPA” zone is designated for the coastal area abutting the HHW Marine Park. It consists of sandy beaches, rock features, estuarine, mangroves, mangrove-associated plants, backshore vegetation, shrubs and vegetated slopes. The “CPA” zone serves as a buffer between the village area and the HHW Marine Park, sheltering disturbance from nearby developments.
- (c) 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 of the DPA Plan.

- (d) 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 supplied with electricity and telephone services. In respect with other utility services, potable water supply to existing facilities and villagers of the Area is provided. There are no committed/ planned sewerage and drainage systems nor gas supply projects for 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.

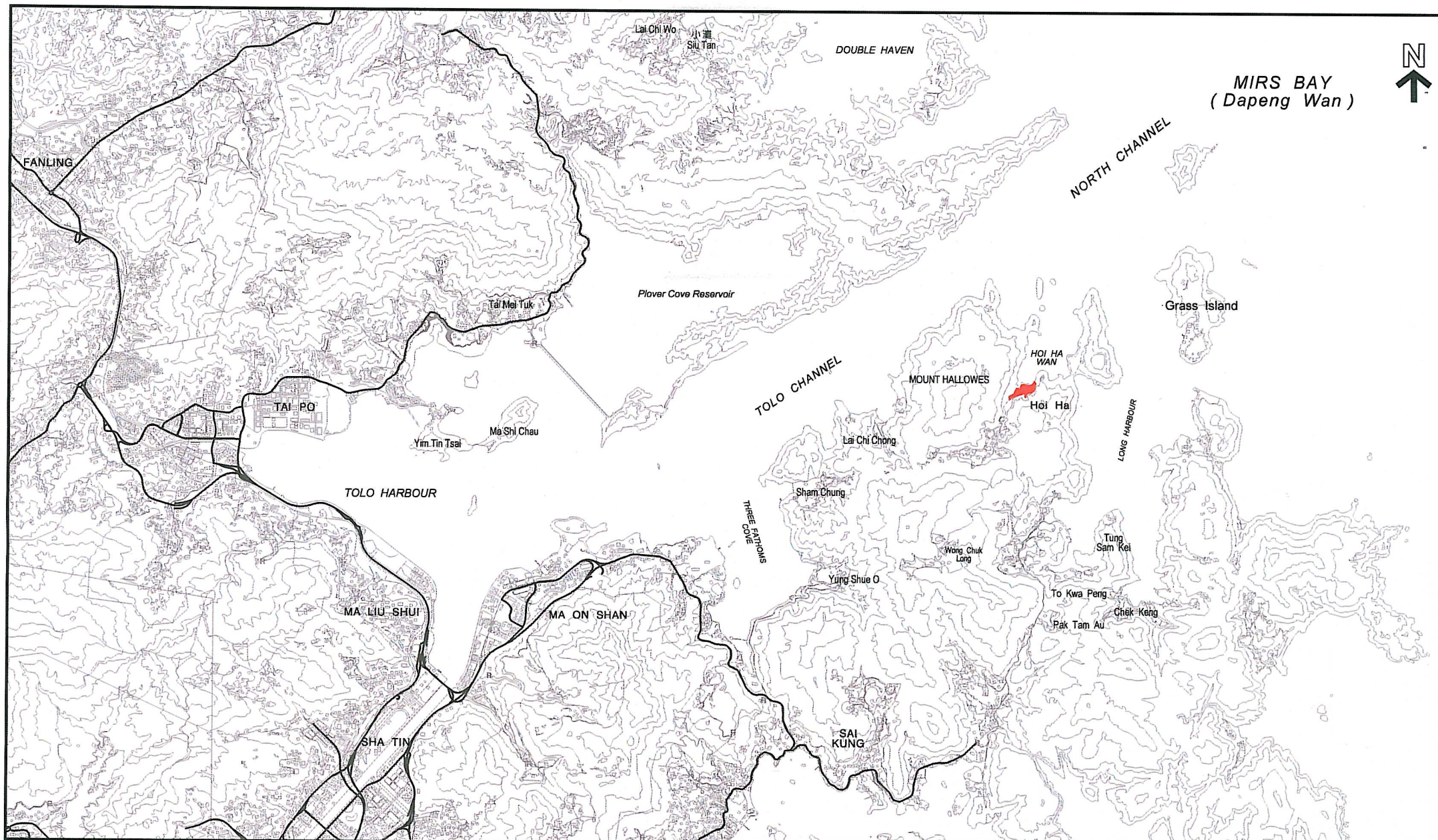
- 5.4. Notwithstanding the above, minor improvement works, e.g., access improvements and laying of roads, utility services installation and public works projects will be implemented through the Public Works Programme and the Rural Public Works Programme subject to priority and resource availability. Private developments will be effected principally through private sector initiatives in accordance with the zoned uses indicated on the Plan, provided that their proposals meet Government requirements.
- 5.5. Any development, other than those referred to in paragraph 5.1 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
June 2013

Table 1: Small House Demand for Hoi Ha Village

Small House Demand Figure in 2010		Small House Demand Figure in 2012		'VE' Area in DPA (ha)	"V" zone on draft OZP (ha)	Required land to meet new demand (ha) for 94 ¹ numbers	Available land to meet new demand figure (ha)	Percentage of the new demand met by available land (%)
Outstanding demand	10-year forecast (2010 – 2019)	Outstanding demand	10-year forecast (2013 – 2022)					
19	85	15 ¹	84	2.92	2.50	2.35	1.50	64

¹ DLO/TP advises that the number of outstanding Small House applications is 15. However, 5 of these 15 applications have received planning approval from the Board.



STUDY AREA

EXTRACT PLAN PREPARED ON 25.4.2013
BASED ON SURVEY SHEET SERIES HM100C

LOCATION PLAN

HOI HA

SCALE 1 : 100 000

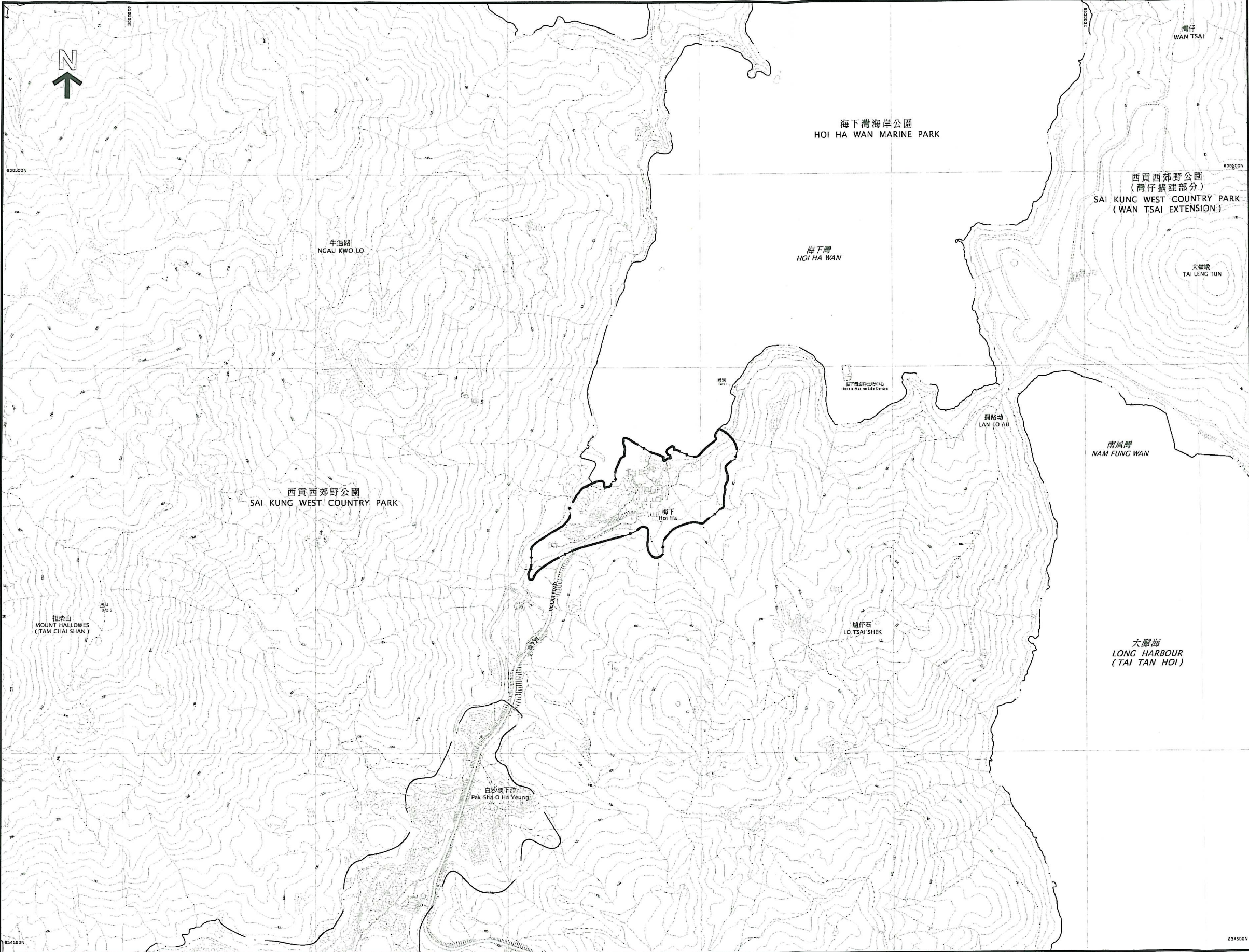
KILOMETRES 2 0 2 4 KILOMETRES

PLANNING
DEPARTMENT



REFERENCE No.
M/NP/HH/12/3

FIGURE
1



圖例
NOTATION

MISCELLANEOUS		其他
BOUNDARY OF DEVELOPMENT PERMISSION AREA	— + —	發展審批地區界線
BOUNDARY OF COUNTRY PARK	— . —	郊野公園界線

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	
UNSPECIFIED USE	8.76	100.00		非指定用途
TOTAL AREA OF DEVELOPMENT PERMISSION AREA	8.76	100.00		發展審批地區總面積

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

HOI HA
DEVELOPMENT PERMISSION AREA PLAN

PLANNING DEPARTMENT

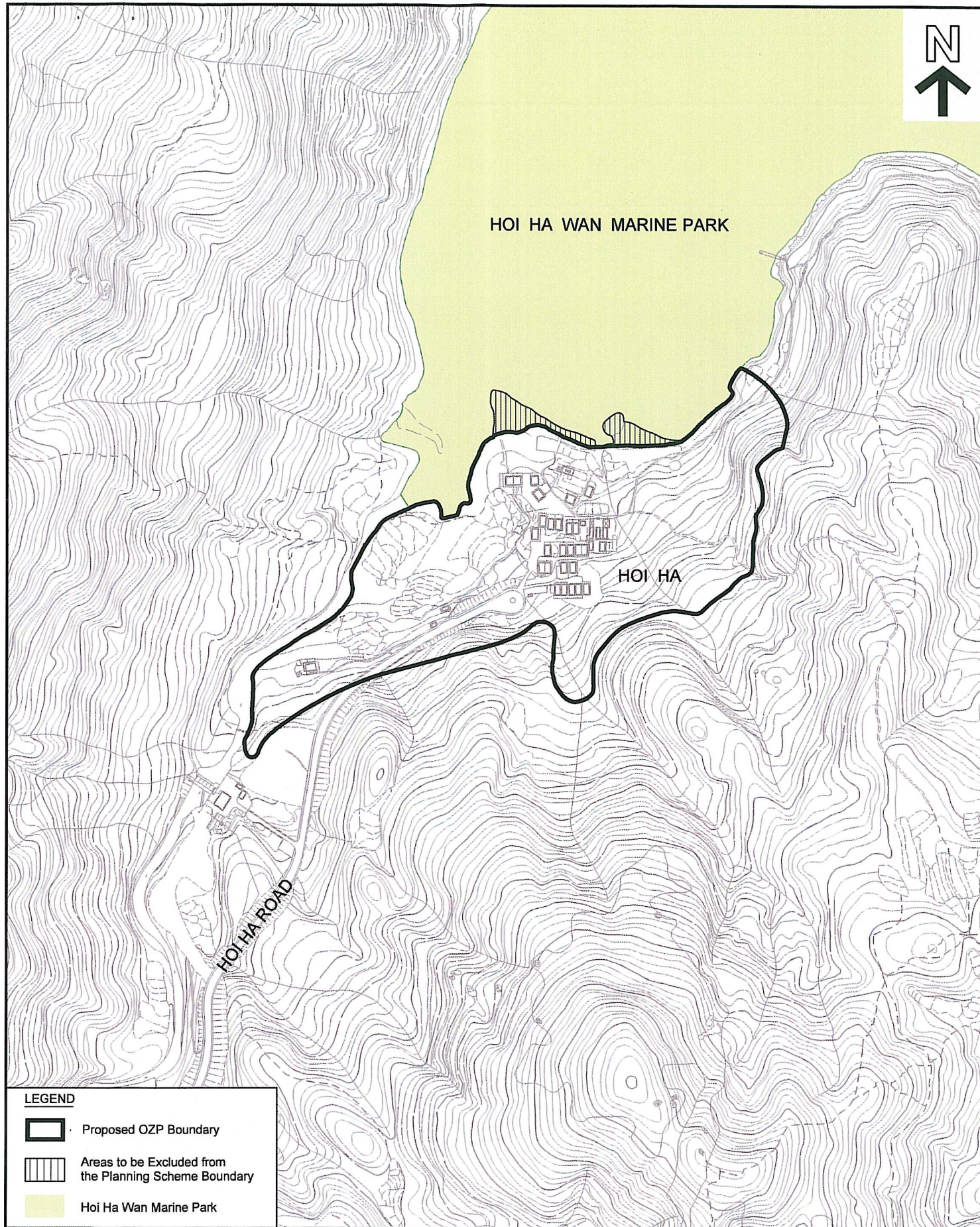


EXTRACT PLAN PREPARED ON 14.5.2013
BASED ON DEVELOPMENT PERMISSION
AREA PLAN No. DPA/NE-HH/2 APPROVED ON 4.10.2011



REFERENCE No.
M/NP/HH/12/3

FIGURE
2a



REVISED PLANNING SCHEME BOUNDARY FOR HOI HA

PLANNING
DEPARTMENT



EXTRACT PLAN PREPARED ON 14.5.2013
BASED ON SURVEY SHEETS No.
4-SW-25C/D AND 8-NW-5A/B/C/D

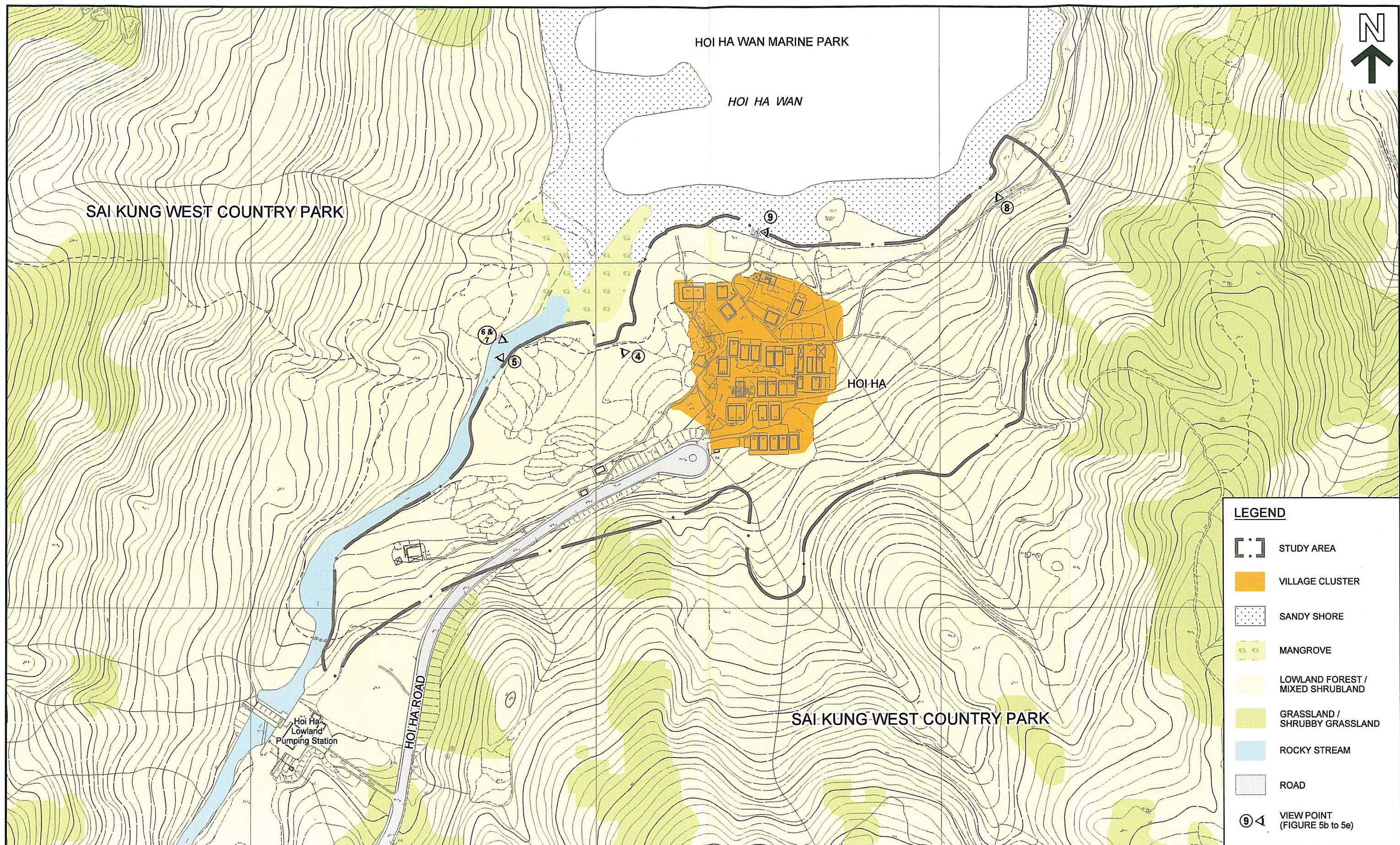
SCALE 1 : 5 000

METRES 100 0 100 200 METRES

REFERENCE No.

M/NP/HH/12/3

FIGURE
2b



EXISTING PHYSICAL FEATURES

HOI HA

PLANNING DEPARTMENT

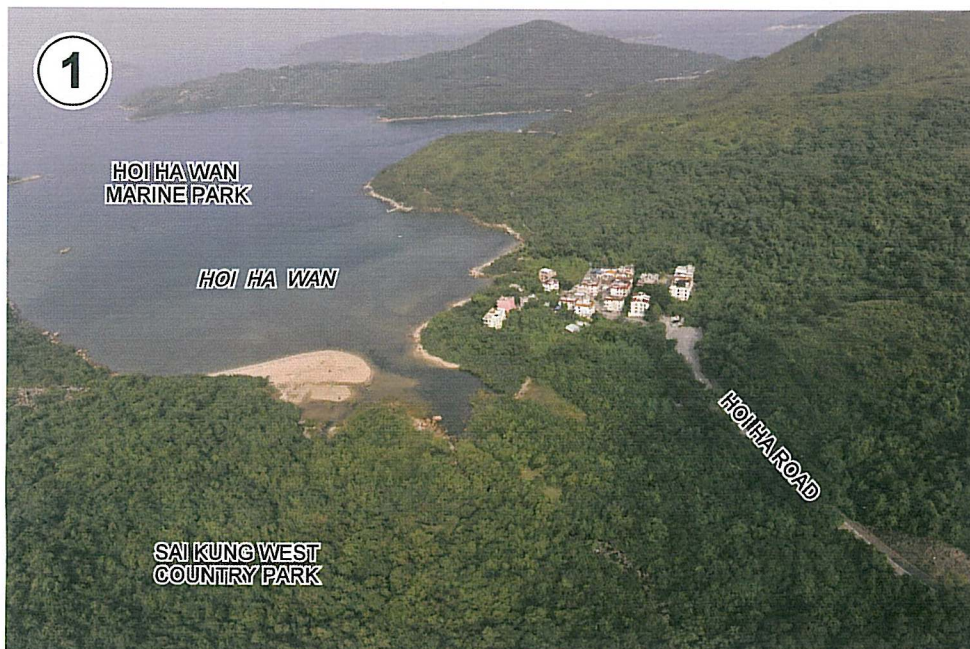


EXTRACT PLAN PREPARED ON 13.6.2013
BASED ON SURVEY SHEETS No. 8-NW-5A/B/C/D



REFERENCE No.
M/NP/HH/12/3

FIGURE
5a



PHOTOS 1 & 2 TAKEN FROM HELICOPTER

OVERVIEW OF THE AREA

SITE PHOTOS - EXISTING PHYSICAL FEATURES

HOI HA

PLANNING
DEPARTMENT



REFERENCE No.
M/NP/HH/12/3

FIGURE
5b

EXTRACT PLAN PREPARED ON
21.5.2013 BASED ON SITE PHOTOS
TAKEN ON 19.10.2011

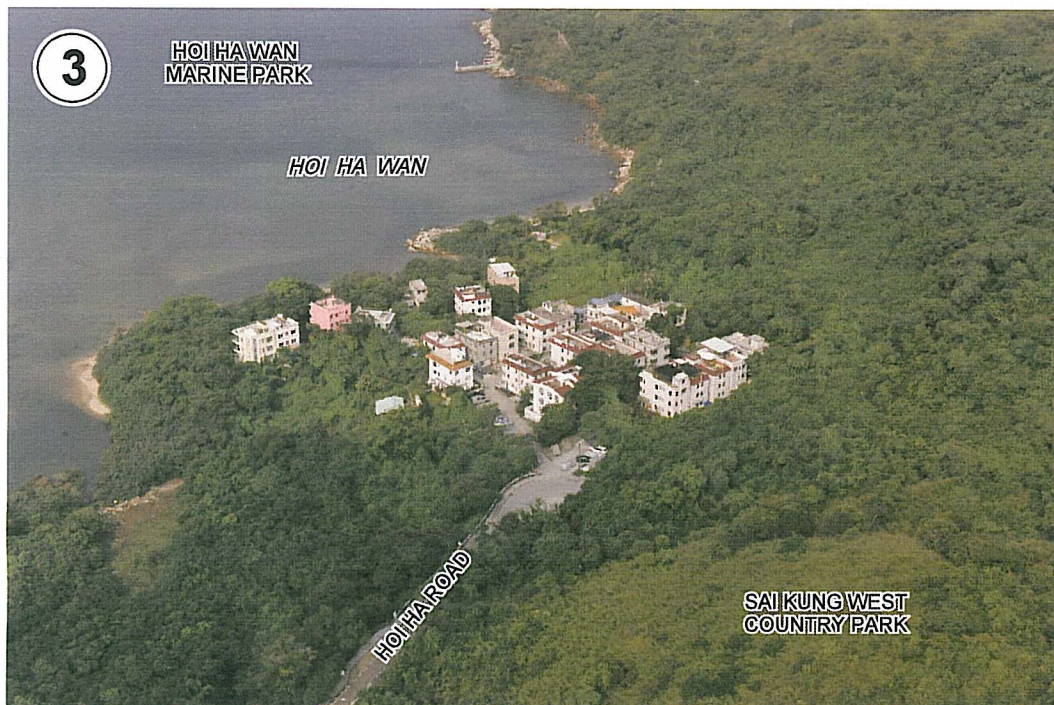


PHOTO 3 TAKEN FROM HELICOPTER

WOODLAND/SHRUBLAND AND FUNG SHUI WOOD WITH SOME FALLOW AGRICULTURAL LAND AT HOI HA

EXTRACT PLAN PREPARED ON
31.5.2013 BASED ON SITE PHOTOS
TAKEN ON 19.10.2011 AND 8.10.2012

SITE PHOTOS - EXISTING PHYSICAL FEATURES

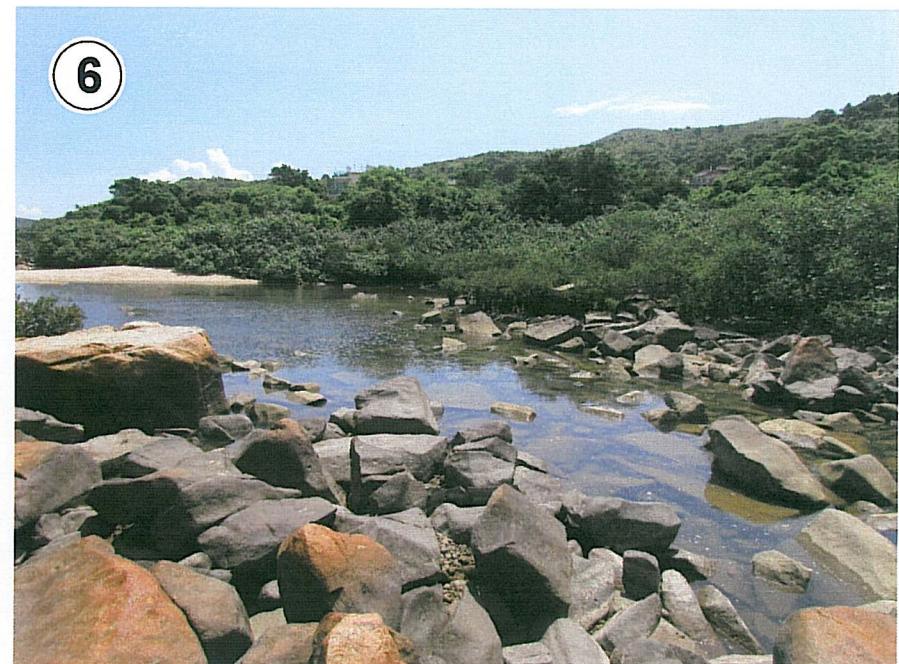
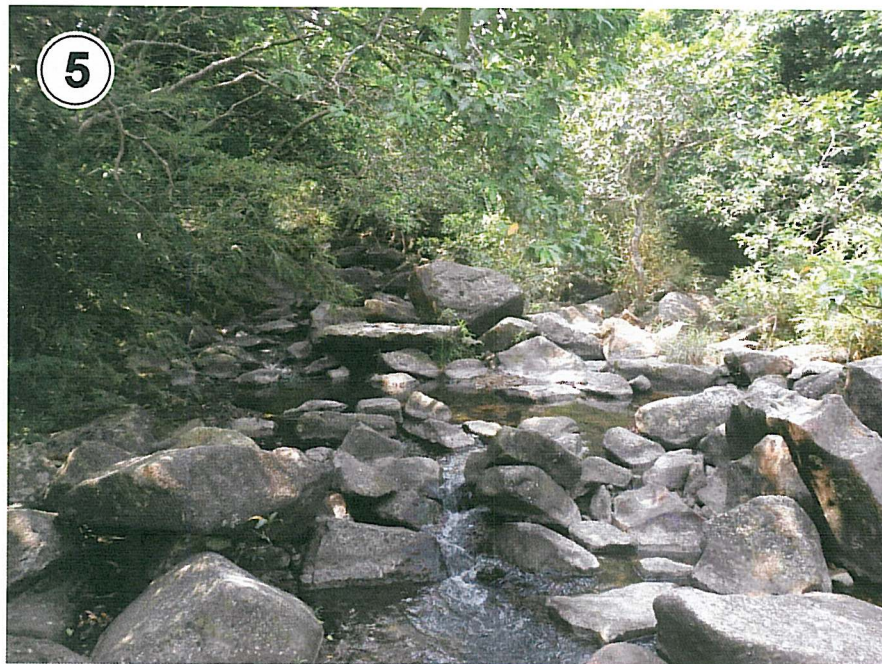
HOI HA

PLANNING
DEPARTMENT



REFERENCE No.
M/NP/HH/12/3

FIGURE
5c



ESTUARINE MANGROVE AND A NATURAL STREAM NEAR HOI HA WAN MARINE PARK

SITE PHOTOS - EXISTING PHYSICAL FEATURES

HOI HA

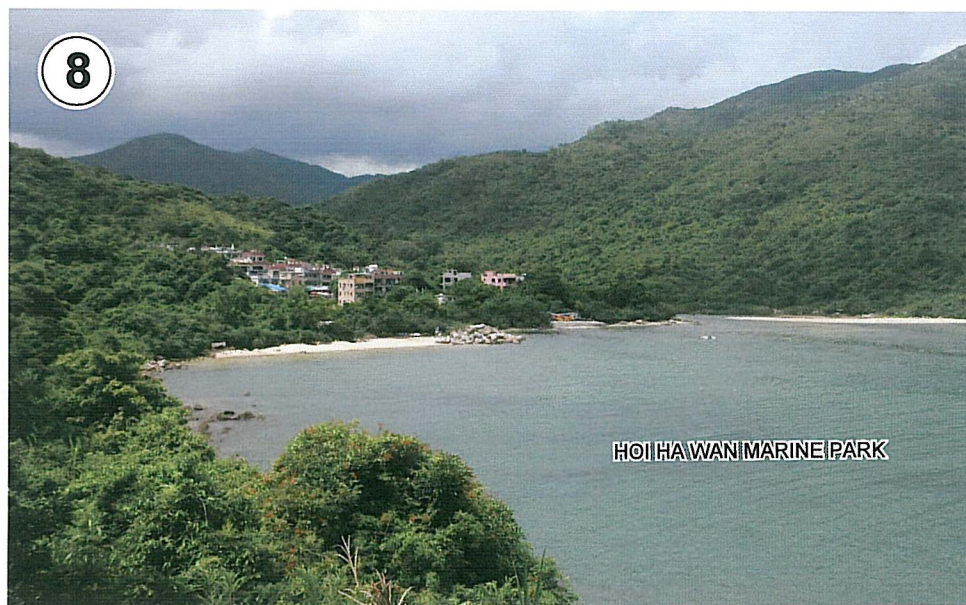
PLANNING
DEPARTMENT



REFERENCE No.
M/NP/HH/12/3

FIGURE
5d

EXTRACT PLAN PREPARED ON
14.6.2013 BASED ON SITE PHOTOS
TAKEN ON 22.8.2011 AND 9.10.2012



HOI HA WAN MARINE PARK AND THE COASTAL AREA

SITE PHOTOS - EXISTING PHYSICAL FEATURES

HOI HA

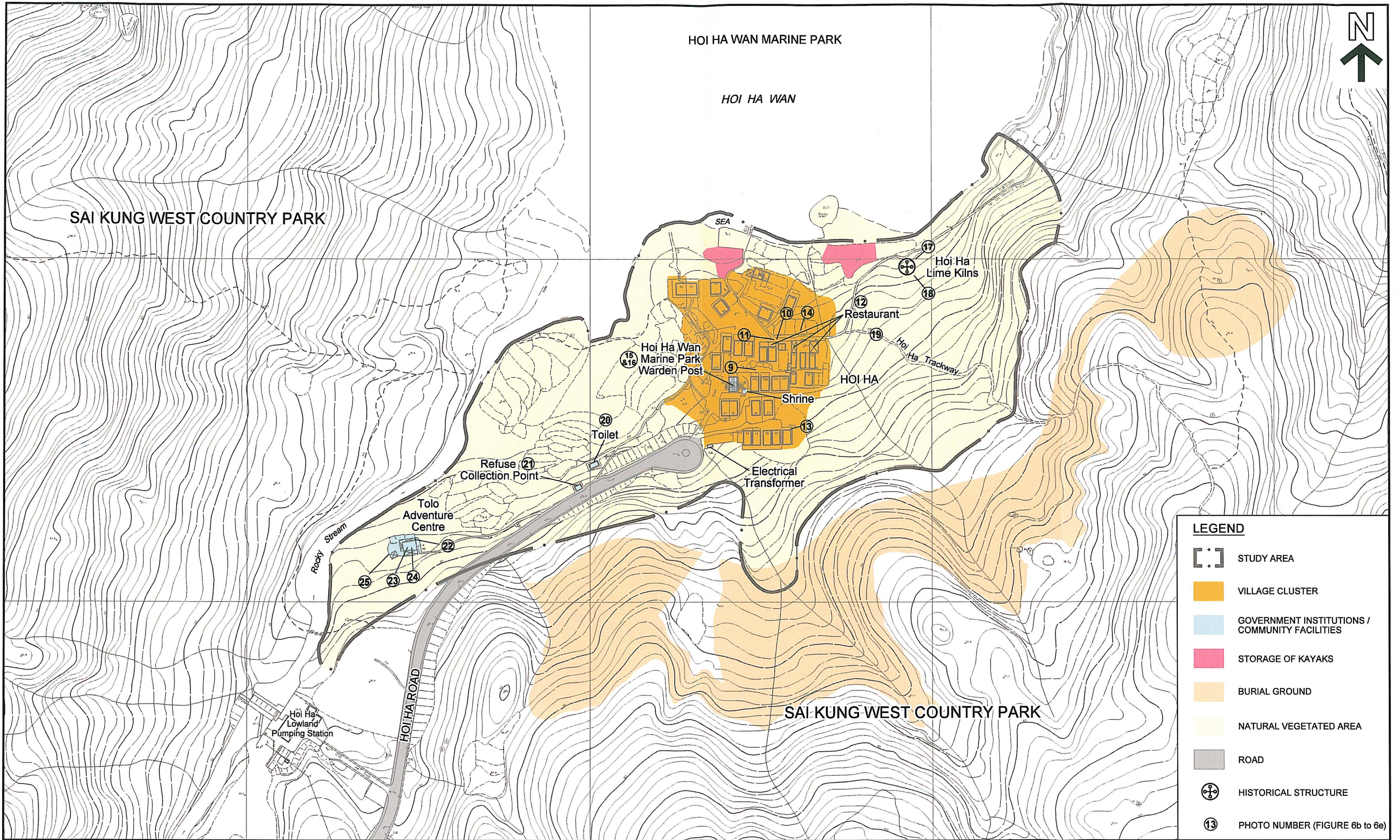
PLANNING
DEPARTMENT



REFERENCE No.
M/NP/HH/12/3

FIGURE
5e

EXTRACT PLAN PREPARED ON
26.4.2013 BASED ON SITE PHOTOS
TAKEN ON 22.8.2011 AND 7.9.2012



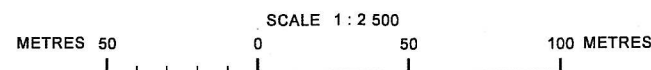
EXISTING LAND USES

HOI HA

PLANNING DEPARTMENT



EXTRACT PLAN PREPARED ON 19.6.2013
BASED ON SURVEY SHEETS No. 8-NW-5A/B/C/D



REFERENCE No.
M/NP/HH/12/3

FIGURE
6a



SOME RESTAURANTS/PROVISION SHOPS AT THE VILLAGE CLUSTER OF HOI HA VILLAGE

SITE PHOTOS - EXISTING LAND USES

HOI HA

PLANNING
DEPARTMENT



REFERENCE No.
M/NP/HH/12/3

FIGURE
6b

EXTRACT PLAN PREPARED ON
29.4.2013 BASED ON SITE PHOTOS
TAKEN ON 20.5.2011 AND 4.9.2012



VILLAGE CLUSTERS AND THE EXISTING HOI HA WAN MARINE PARK WARDEN POST OF AFCD

SITE PHOTOS - EXISTING LAND USES

HOI HA

EXTRACT PLAN PREPARED ON
19.4.2013 BASED ON SITE PHOTOS
TAKEN ON 20.5.2011 AND 4.9.2012

PLANNING
DEPARTMENT



REFERENCE No.
M/NP/HH/12/3

FIGURE
6c



HOI HA LIME KILNS



HOI HA TRACKWAY

SITE PHOTOS - EXISTING LAND USES

HOI HA

PLANNING
DEPARTMENT



REFERENCE No.
M/NP/HH/12/3

FIGURE
6d

EXTRACT PLAN PREPARED ON
21.5.2013 BASED ON SITE PHOTOS
TAKEN ON 4.9.2012 AND 13.11.2012



TOILET



REFUSE COLLECTION POINT

**SITE PHOTOS -
EXISTING LAND USES**

HOI HA

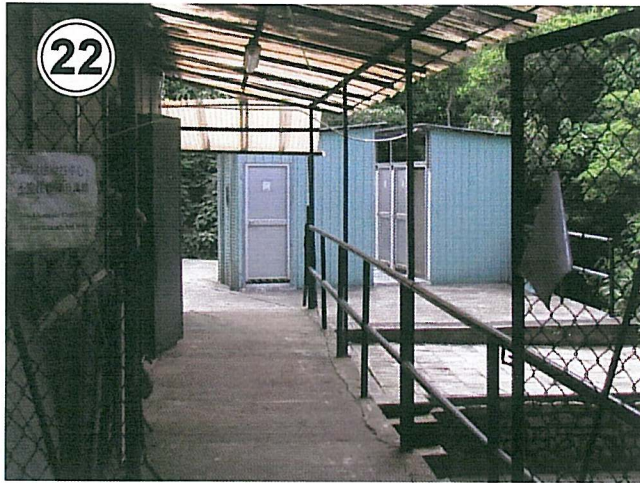
**PLANNING
DEPARTMENT**



EXTRACT PLAN PREPARED ON
13.6.2013 BASED ON SITE PHOTOS
TAKEN ON 4.9.2012

REFERENCE No.
M/NP/HH/12/3

FIGURE
6e



TOLO ADVENTURE SPORT CENTRE

SITE PHOTOS - EXISTING LAND USES

HOI HA

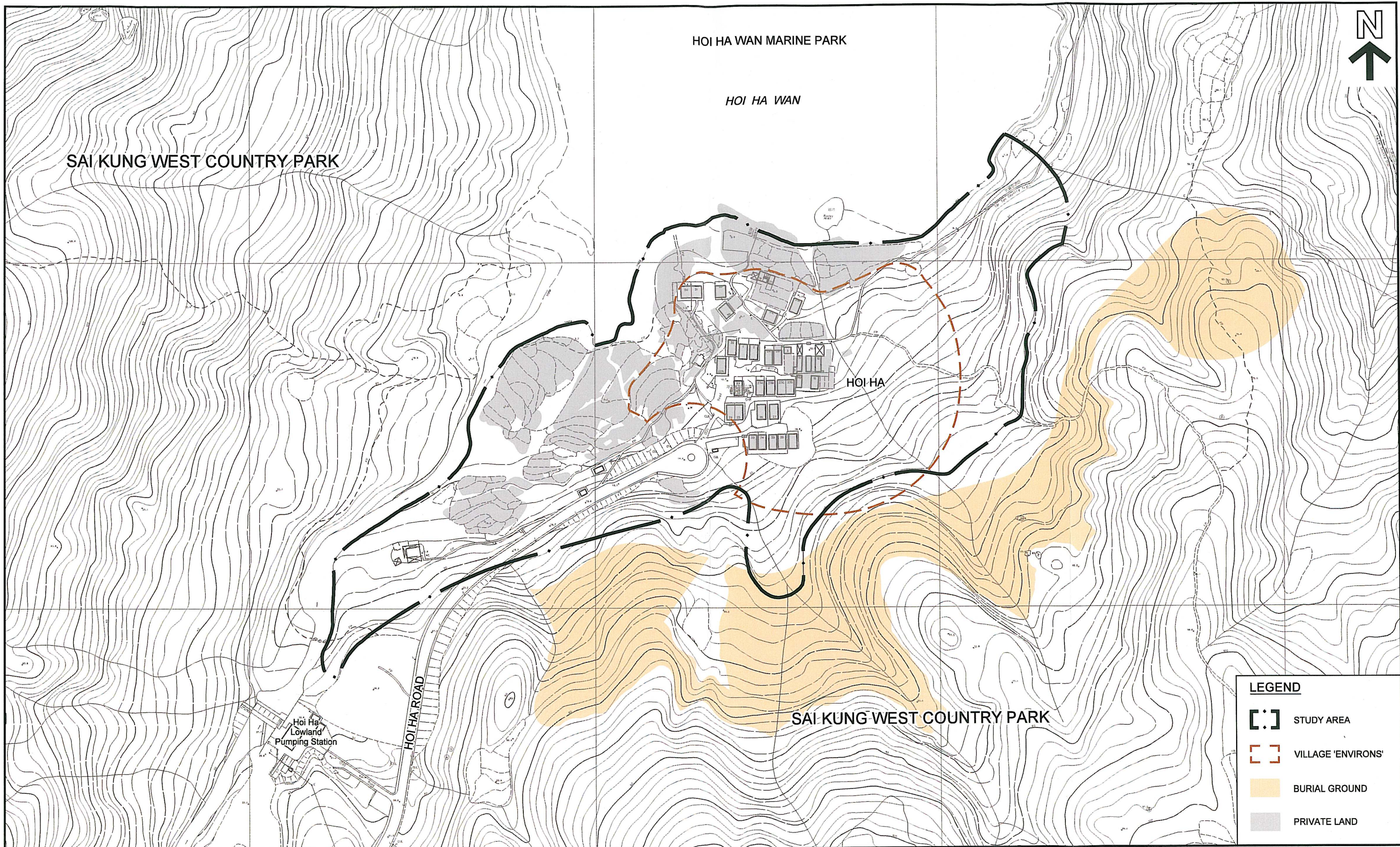
PLANNING
DEPARTMENT



REFERENCE No.
M/NP/HH/12/3

FIGURE
6f

EXTRACT PLAN PREPARED ON
21.5.2013 BASED ON SITE PHOTOS
TAKEN ON 17.8.2011, 6.7.2012 AND 7.9.2012



LAND OWNERSHIP AND VILLAGE 'ENVIRONS'

HOI HA

PLANNING DEPARTMENT

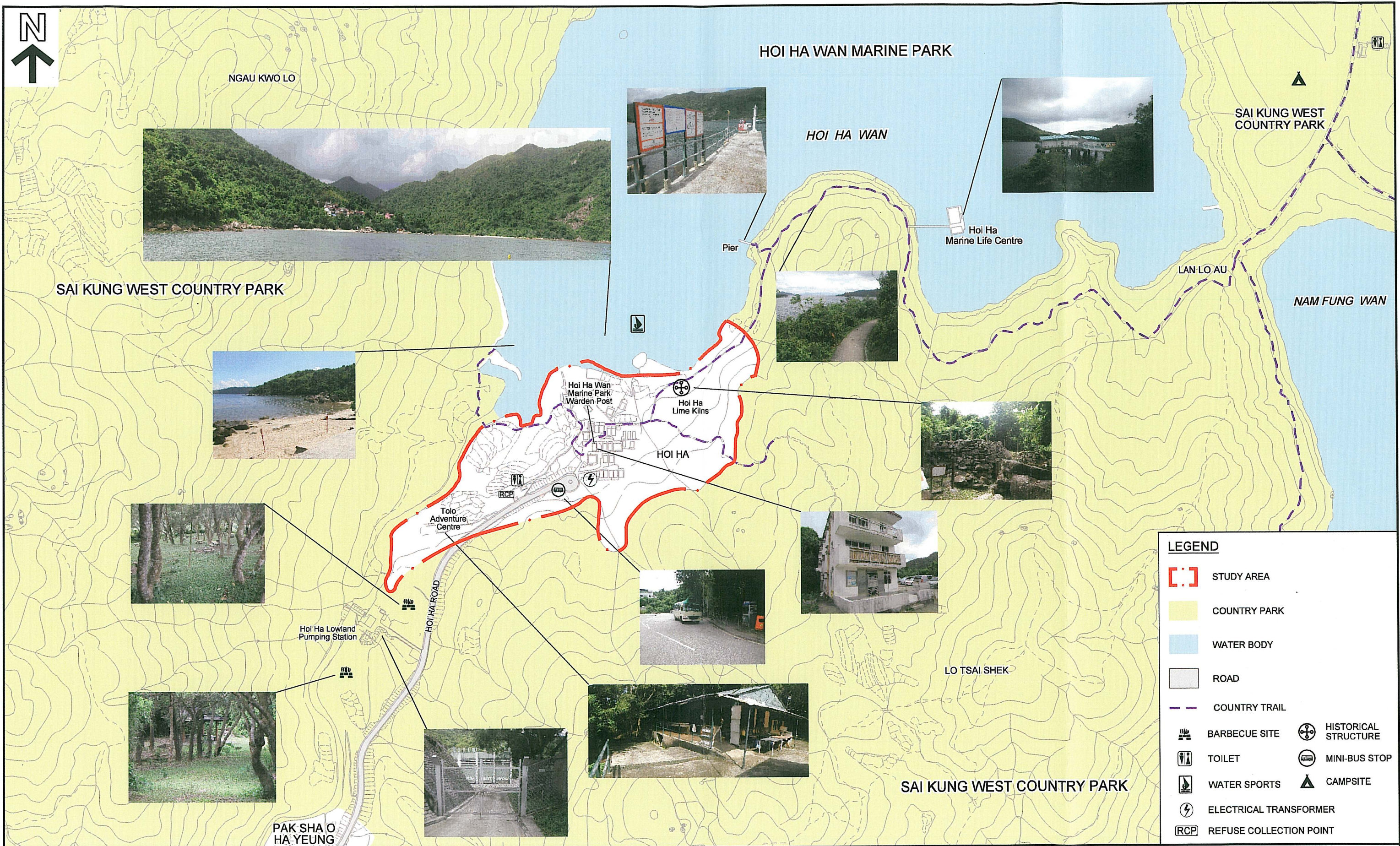


EXTRACT PLAN PREPARED ON 26.4.2013
BASED ON SURVEY SHEETS No. 8-NW-5A/B/C/D



REFERENCE No.
M/NP/HH/12/3

FIGURE
7



EXISTING GIC, INFRASTRUCTURAL AND TOURISM-RELATED FACILITIES

HOI HA

EXTRACT PLAN PREPARED ON 17.62013
BASED ON SURVEY SHEETS No. 4-SE-C / SW-D AND 8-NE-A / NW-B

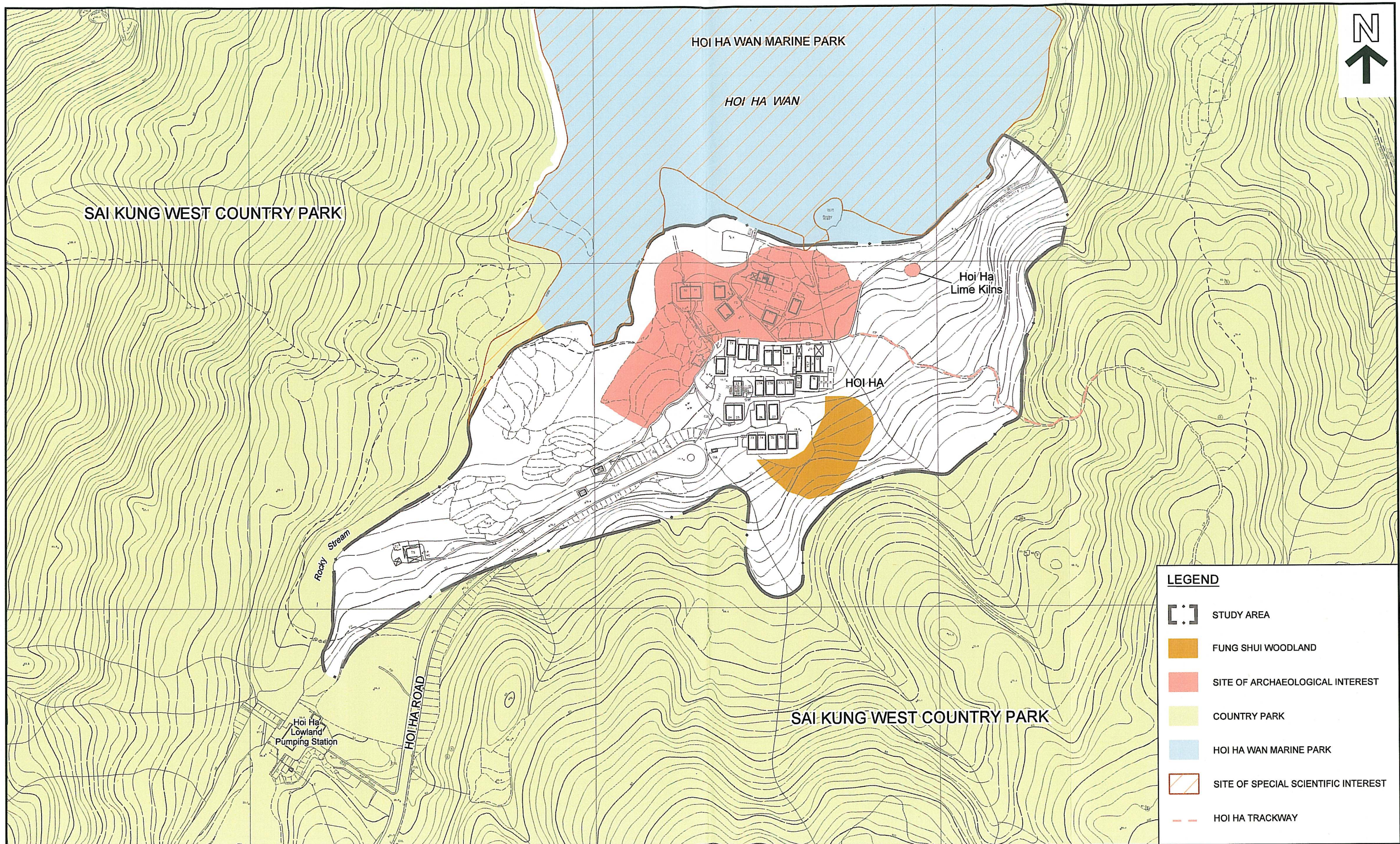
SCALE 1 : 5 000
METRES 100 0 100 200 METRES

PLANNING DEPARTMENT



REFERENCE No.
M/NP/HH/12/3

FIGURE
8



ECOLOGICAL AND CULTURAL HERITAGE RESOURCES

HOI HA

PLANNING DEPARTMENT



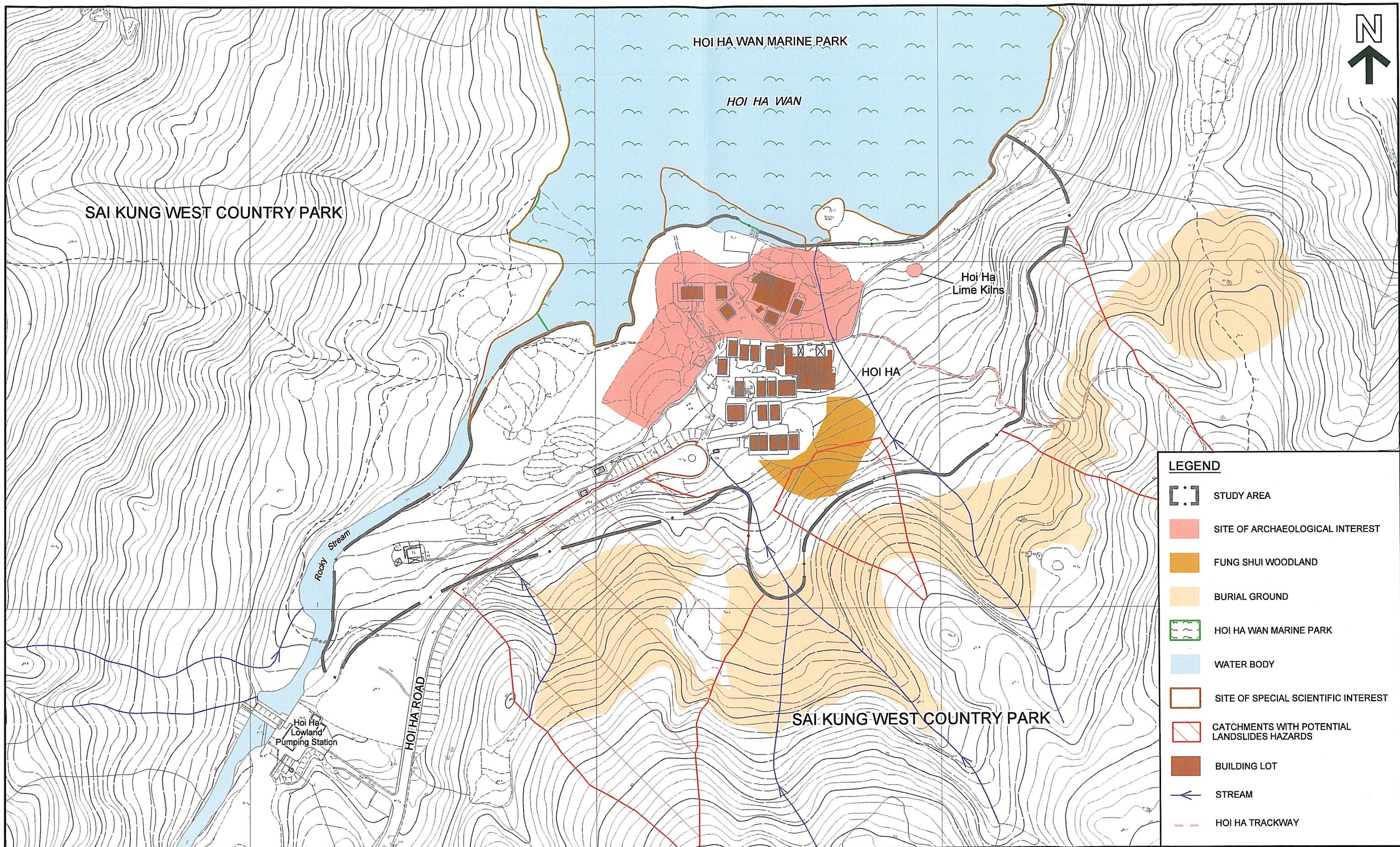
EXTRACT PLAN PREPARED ON 26.4.2013
BASED ON SURVEY SHEETS No. 8-NW-5A/B/C/D

SCALE 1 : 2 500

METRES 50 0 50 100 METRES

REFERENCE No.
M/NP/HH/12/3

FIGURE
9



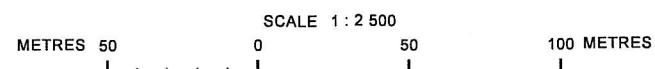
DEVELOPMENT CONSTRAINTS

HOI HA

PLANNING DEPARTMENT

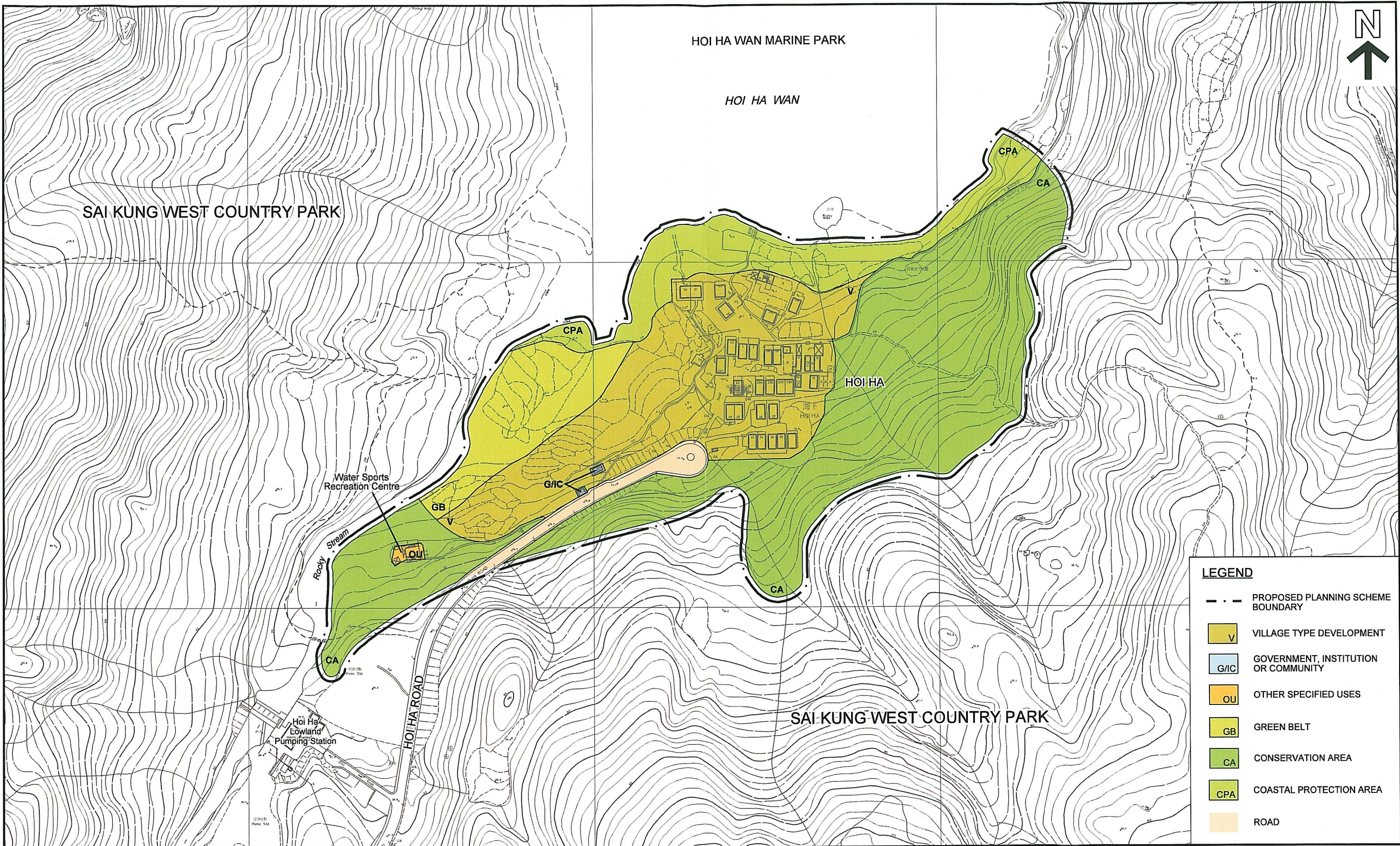


EXTRACT PLAN PREPARED ON 13.6.2013
BASED ON SURVEY SHEETS No. 8-NW-5A/B/C/D



REFERENCE No.
M/NP/HH/12/3

FIGURE
10



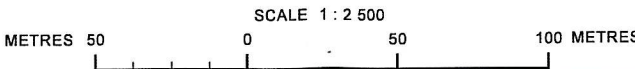
PROPOSED LAND USES

HOI HA

PLANNING DEPARTMENT



EXTRACT PLAN PREPARED ON 19.6.2013
BASED ON SURVEY SHEETS No. 8-NW-5A/B/C/D



REFERENCE No.
M/NP/HH/12/3

FIGURE
11

Summary of the Planning Applications
in the Hoi Ha (as at 21.6.2013)

Hoi Ha (Approved Hoi Ha Development Permission Area Plan No. DPA/NE-HH/2)

Total number of planning applications since the gazetting of the draft DPA Plan on 30.9.2010	37
1. Number of approved planning applications (a)	7
2. Number of rejected planning applications (b)	4
3. Number of deferred planning applications (c)	1
4. Number of withdrawn planning applications (d)	24
5. Number of planning application pending decision*	1

*Application No. A/DPA/NE-HH/37 for NTEH (Small House) will be considered by RNTPC on 5.7.2013

(a) Approved Applications

No.	Application No.	Proposed Development	Date of Consideration	Approval Conditions
1.	A/DPA/NE-HH7	Proposed House (New Territories Exempted House (NTEH) - Small House)	3.6.2011	A1 to A2
2.	A/DPA/NE-HH/10	Proposed Rebuilding of 2 Houses (2 NTEHs)	6.12.2011	A1 to A2
3.	A/DPA/NE-HH/11	Proposed House (NTEH - Small House)	24.2.2012	A1 to A3
4.	A/DPA/NE-HH/24	Ditto	21.9.2012	A2 & A4
5.	A/DPA/NE-HH/33	Ditto	7.12.2012	A4
6.	A/DPA/NE-HH/34	Ditto	21.12.2013	A4
7.	A/DPA/NE-HH/35	Ditto	11.1.2013	A4

Approval Conditions

- A1. The submission and implementation of drainage proposal to the satisfaction of the Director of Drainage Services or of the TPB.
- A2. The provision of fire fighting access, water supplies and fire service installations to the satisfaction of the Director of Fire Services or of the TPB.
- A3. The design and provision of sewage disposal facilities for the application site and measures to protect the stream to the satisfaction of the Director of Environmental Protection or of the TPB..
- A4. The submission and implementation of drainage proposal, including proposal to ensure that the proposed Small House would neither obstruct overland flow nor adversely affect existing natural streams, village drains, ditches and the adjacent areas, to the satisfaction of the Director of Drainage Services or of the TPB.

(b) Rejected Applications

No.	Application No.	Proposed Development	Date of Consideration	Main Reason(s) for Rejection
1.	A/DPA/NE-HH/5	Proposed House (NTEH – Small House)	7.12.2012	R2,R3
2.	A/DPA/NE-HH/6	Ditto	7.12.2012	R2,R3
3.	A/DPA/NE-HH/29	Ditto	23.11.2012	R1,R3
4.	A/DPA/NE-HH/36	Ditto	15.3.2013	R1,R3

Main Reason for Rejection:

- R1 The application does not comply with the “Interim Criteria for Consideration of Application for New Territories Exempted House (NTEH)/Small House in New Territories”, on the grounds of its adverse impact on the landscape character of the area, on the existing trees and vegetation, and on the existing boulder footpath which is of archaeological interest.

- R2 The application does not comply with the “Interim Criteria for Consideration of Application for New Territories Exempted House (NTEH)/Small House in New Territories”, on the ground that the proposed development was not compatible with the rural and woodland character of the area, and would have adverse impact on the landscape character of the area and on the existing trees and vegetation, including some that are of conservation interest.
- R3 Approval of the application would set an undesirable precedent for other similar applications in the area, the cumulative impact of which would have adverse impacts on the vegetation and the natural environment.

(c) Deferred Applications

	Application No.	Proposed Development	Date of Consideration	Result
1.	A/DPA/NE-HH/15	Proposed House (NTEH – Small House)	18.5.2012	Deferred

(d) Withdrawn Applications

	Application No.	Proposed Development
1.	A/DPA/NE-HH/1	Proposed House (NTEH - Small House)
2.	A/DPA/NE-HH/2	Proposed House (NTEH - Small House)
3.	A/DPA/NE-HH/3	Proposed House (NTEH - Small House)
4.	A/DPA/NE-HH/4	Proposed House (NTEH - Small House)
5.	A/DPA/NE-HH/8	Water Recreation / Sports Centre
6.	A/DPA/NE-HH/9	Water Recreation / Sports Centre
7.	A/DPA/NE-HH/12	Proposed House (NTEH - Small House)

8.	A/DPA/NE-HH/13	Proposed Rebuilding of 2 Houses (New Territories Exempted Houses)
9.	A/DPA/NE-HH/14	Proposed Rebuilding of 2 Houses (New Territories Exempted Houses)
10.	A/DPA/NE-HH/16	Place of Recreation, Sports or Culture (water recreation/sports centre)
11.	A/DPA/NE-HH/17	Place of Recreation, Sports or Culture (water recreation/sports centre compatible with holiday camp)
12.	A/DPA/NE-HH/18	Proposed Eating Place (Restaurant)
13.	A/DPA/NE-HH/19	Proposed Place of Recreation, Sports or Culture (water recreation/sports centre cum holiday camp)
14.	A/DPA/NE-HH/20	Proposed House (NTEH - Small House)
15.	A/DPA/NE-HH/21	Proposed House (NTEH - Small House)
16.	A/DPA/NE-HH/22	Proposed House (NTEH - Small House)
17.	A/DPA/NE-HH/23	Proposed House (NTEH - Small House)
18.	A/DPA/NE-HH/25	Proposed House (NTEH - Small House)
19.	A/DPA/NE-HH/26	Proposed House (NTEH - Small House)
20.	A/DPA/NE-HH/27	Proposed House (NTEH - Small House)
21.	A/DPA/NE-HH/28	Proposed House (NTEH - Small House)
22.	A/DPA/NE-HH/30	Proposed House (NTEH - Small House)
23.	A/DPA/NE-HH/31	Proposed House (NTEH - Small House)
24.	A/DPA/NE-HH/32	Proposed House (NTEH - Small House)

HOI HA WAN



UNSPECIFIED USE

HOI HA

VILLAGE 'ENVIRONS'

SAI KUNG WEST COUNTRY PARK

LEGEND

STUDY AREA

s16 Application Sites

Approved

Pending

Deferred

Outstanding Case with Planning Approval

Rejected

11 Application No. A/DPA/NE-HH/11

**SUMMARY OF
THE PLANNING APPLICATIONS IN THE AREA**

HOI HA

PLANNING DEPARTMENT



REFERENCE No.
M/NP/HH/13/1

PLAN
A

EXTRACT PLAN PREPARED ON 14.6.2013
BASED ON SURVEY SHEETS No. 8-NW-5A AND B

SCALE 1 : 1 000
METRES 20 0 20 40 METRES

**Planning Assessments on the Development Proposals
Received in the Course of Preparation of the Plan**

Introduction

1. In December 2012, The Friends of Hoi Ha (FOHH) submitted a planning report titled “Proposal for the Zoning of Hoi Ha Development Permission Area” to PlanD regarding the future land use proposal for the Area (**Figure A**). Their major points are as follows :
 - (i) The coastal zone of mangroves and back-mangroves form an integral part of the marine ecosystem as well as providing Hoi Ha with its unique landscape value. The degradation of this belt of vegetation, which acts as a physical and landscape barrier between Hoi Ha Wan and the village of Hoi Ha would irrevocably change the area both in landscape value as well as in environmental terms and, therefore, the imposition of a Coastal Protection Area covering this area is deemed essential. It recommends a 15 - 45 metre-wide Coastal Protection Area, extending from the northern edge of the DPA, where it adjoins the SSSI and/or Marine Park, to a line which encompasses the marine-based ecosystem to the landward side.
 - (ii) The south and east of the village is closely surrounded by Fung Shui Woodland, which has protected status in Hong Kong and has been assessed as having moderate to high ecological value. In addition, the Secondary Woodland is also recognised as an environment which has moderate to high ecological value because of the variety of plant species, the relative maturity of the woodland, the fact that the woodlands are part of a much greater area of woodland within the Country Park and hold several locally rare or very rare flora species. In addition, the Secondary Woodland contains habitat for several ecologically important insects, mammals and reptiles. Therefore, the areas of Fung Shui and Secondary Woodland surrounding the existing village of Hoi Ha should be zoned as Conservation Area.

- (iii) The area of the old, ruined village and its adjacent open land is of significant landscape, archaeological and social history value as well as being home to mature trees, which help to define the character of the village. The area is close to sea level, only 10 metres from the beach and would be in danger of inundation in the event of a tidal surge. Any development in this area would have adverse effects on the Hoi Ha Wan SSSI and any building with a significant vertical footprint would severely degrade the landscape value of the area both from within the village and from the seaward side. This area has been assigned as Conservation Area.
 - (iv) In compliance with relevant Government regulations such as the ProPECC PN 5/93, and due to Hoi Ha Wan's rare and environmentally sensitive marine life that worth the most rigorous protection, septic tank and soakaway systems (STS) should be prohibited within 150 metres of the HWM of the Hoi Ha Wan SSSI, and within 30 metres of a stream.
2. The Village Representative (VR) also suggested in February 2013 that the coastal area of the Area be zoned "CPA" to provide a protection buffer for the HHW Marine Park / SSSI. The area to the east of the village cluster and an area extending to the western end of the DPA be zoned as "Village Type Development" ("V") to provide sufficient land to meet the future demand for Small House development. Slope areas at the eastern end and southern tip of the DPA, as well as on both sides of Hoi Ha Road, be zoned "Green Belt" ("GB") to provide protection buffer for the SKW Country Park (**Figure B**) .

Planning Assessment

Environmental and Conservation Considerations

3. According to DAFC, the coastal area consists of mangroves, mangrove-associated plants and backshore vegetation, and the "CPA" zone is considered appropriate from nature conservation perspectives to serve as a buffer between the village area and the HHW Marine Park. Hence, the coastal area along the HHW Marine Park is proposed to be zoned "CPA" to protect and retain the coastlines and the sensitive coastal environment. This is generally in

line with the FOHH and VR's proposal for a "CPA" zone in the coastal area, serving as a buffer between their proposed "V" zone and the HHW Marine Park.

4. According to DAFC, the native woodlands located in the eastern and southern parts of the Area, consist of relatively undisturbed, native woodland which are ecologically-linked with the wide stretch of vegetation in the SKW Country Park. Besides, protected plant species including *Aquilaria sinensis* (土沉香), *Pavetta hongkongensis* (香港大沙葉), and *Neottopteris nidus* (巢蕨) have been recorded in these woodlands, and for the woodlands on the east side, notable plant species including *Morinda cochinchinensis* (大果巴戟) and *Sargentodoxa cuneata* (大血藤) have also been recorded. A number of animal species of conservation concern have also been recorded in the subject area or in its vicinity. These include *Thoressa monastyrskyi* (黑斑陀弄蝶) (a rare butterfly species found only in Sai Kung), *Troides aeacus* (金裳鳳蝶) (a rare butterfly species with conservation concern), *Troides helena* (裳鳳蝶) (an uncommon and protected butterfly species) and Chinese Pangolin (穿山甲) (an endangered and protected species with restricted distribution). Hence, these areas are proposed to be zoned "CA" to protect and retain the existing natural landscape, ecological or topographical features for conservation, educational and research purposes and to separate sensitive natural environment such Country Park from the adverse effects of development.
5. A major rocky stream flows along the northwestern edge of the Area, out through estuarine mangroves into HHW. The Chief Town Planner/Urban Design and Landscape, PlanD (CTP/UD&L, PlanD) advises that the rocky stream and the estuarine are considered a type of significant landscape resource of this area that should not be negatively affected. DAFC advises that the stream is largely natural with a moderate diversity of freshwater and brackish fish, and its estuarine area supports mangroves and a moderate diversity of coastal fauna. In view of the above, it is recommended that the area to the south of the stream be designated as "GB" to serve as a buffer between village development and the stream and DAFC considers the proposed "GB" zone appropriate..

Land for Village Development

6. For the subject OZP, Hoi Ha is a recognized village and the only recognized village in the Area. Since the publication of the DPA Plan, the VR has been asking for zoning a major part of the Area to "V", covering lands both within

and outside the 'VE'. For the part of the proposed "V" zone within 'VE' (at the eastern end of the Area), the VR is of the view that such zoning is in line with the established policy that land within 'VE' of a recognized village should primarily be reserved for Small House development under the Small House Policy. For the parts outside 'VE' (from the western edge of the village to the western end of the Area), the VR holds that this area, being contiguous to the 'VE', is largely made up of flat agricultural lands mostly of private ownership and is thus also considered suitable for Small House development.

7. With reference to the Small House demand and 'VE' for the recognized village as enumerated above, PlanD has analyzed the conditions of the area within 'VE' taking account of the existing village cluster, environmental conditions and natural terrain and topography of the area. It should be noted that the Hoi Ha Village is mainly concentrated on the lower hillslope in the central part of the Area. Land within the 'VE', which occupies mainly the eastern and central parts of the Area, comprises not only an existing village cluster and ruin structures of Hoi Ha Village, but also some hilly slopes within its eastern and southern portions, as well as some fallow agricultural land in its western portion. Throughout the plan-making process, concerned departments have been closely liaised to ensure that their input and comments be duly taken into account in the delineation of the "V" zone for the existing village cluster and potential areas for village expansion.
8. According to DAFC, the relatively undisturbed native woodlands at the eastern and southern parts, as well as the western end, of the Area are natural in character and are ecologically-linked with the wide stretch of vegetation in the SKW Country Park, and should be protected to serve as a buffer between the village and the Country Park. To the south and east of the Area are hillside slopes, and the Head of Geotechnical Engineering Office, Civil Engineering and Development Department advises that potential natural terrain landslide hazards exist against the southern part of the "V" zone proposed by the VR. From landscape value point of view, the Chief Town Planner/Urban Design and Landscape, PlanD (CTP/UD&L, PlanD) advises that the landscape value of the Area, now rated "High (qualified)", should not be negatively affected. The area along the northern coast line, with its mangroves, mangrove-associated plants, backshore vegetation, beaches, sand dunes and rock features, should also be protected to separate the HHW Marine Park from village cluster.

9. Considering the HHW Marine Park in the north, the undisturbed native woodlands with fung shui woodland in the east, south and west, and the major rocky stream with significant landscape resource, an incremental approach for designation of a “V” zone for Small House development has been adopted with an aim to consolidating Small House development at suitable locations so as to avoid undesirable disturbances to the natural environment, taking into account the required land for meeting the Small House development. Thus, about 2.50 ha of land mainly comprising the existing village settlements with its surrounding areas have been reserved for Small House development, including an area to the west of the village cluster consisting of, according to AFCD, relatively disturbed, young woodland on abandoned agricultural land. Within the proposed “V” zone, about 1.20 ha of land is available (or equivalent to about 21 Small House sites) (Table 1).

Table 1: Small House Demand for Hoi Ha Village

Small House Demand Figure in 2010		Small House Demand Figure in 2012		‘VE’ Area in DPA (ha)	“V” zone on draft OZP (ha)	Required land to meet new demand (ha) for 94 numbers	Available land to meet new demand figure (ha)	Percentage of the new demand met by available land (%)
Outstanding demand	10-year forecast (2010 – 2019)	Outstanding demand	10-year forecast (2013 – 2022)					
19	85	15 ¹	84	2.92	2.50	2.35	1.50	64

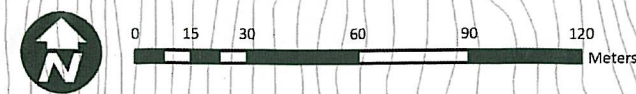
10. With reference to FOHH’s concern on potential impacts of developments in particular Small Houses within “V” zones on the existing stream courses in the Area, it should be noted that in accordance with the Environmental, Transport and Works Bureau’s Technical Circular (Works) No. 5/2005, under the 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 DAFC and relevant authorities and incorporate relevant comments/advice as conditions of approval wherever possible. Also, for the protection of the water quality of the HHW Marine Park, the design and construction of on-site septic tanks and soakaway system for any development proposals/submissions need to comply

¹ DLO/TP advises that the number of outstanding Small House applications is 15. However, 5 of these 15 applications have received planning approval from the Board.

with relevant standards and regulations, such as Environmental Protection Department (EPD)'s Practice Note for Professional Person (ProPECC) 5/93. Accordingly, LandsD when processing Small House grant and applications in close proximity to existing stream courses and the HHW Marine Park, should consult concerned departments including DAFC, EPD and PlanD to ensure that all relevant departments would have adequate opportunity to review and comment on the applications.

Attachment

- | | |
|----------|----------------------------------------------------|
| Figure A | Zoning Plan Proposed by Friends of Hoi Ha |
| Figure B | Zoning Plan Proposed by the Village Representative |



Site of Archaeological Interest

Boulder footpath

Lime Kiln

Legend

- Stream
- 10m Stream buffer
- 30m Stream buffer
- SSSI boundary
- 100m SSSI buffer
- 150m SSSI buffer
- CA
- CPA
- Village
- Road



Figure Title:

Recommended Zoning for Hoi Ha

EXTRACT PLAN PREPARED ON 14.6.2013

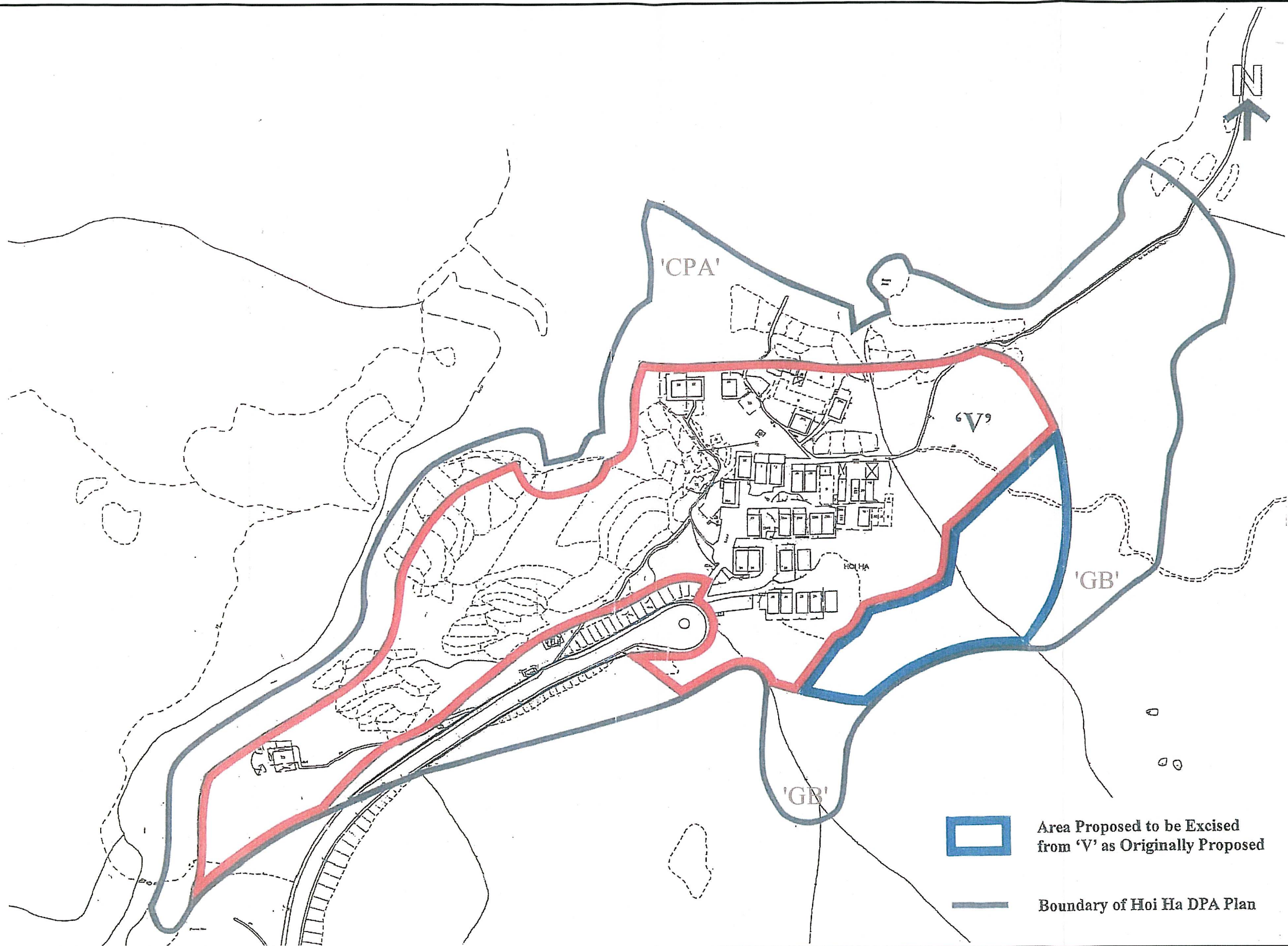
ZONING PLAN PROPOSED BY FRIENDS OF HOI HA

PLANNING DEPARTMENT



REFERENCE No.
M/NP/HH/13/1

FIGURE
A



EXTRACT PLAN PREPARED ON 14.6.2013

ZONING PLAN PROPOSED BY VILLAGE REPRESENTATIVE

PLANNING DEPARTMENT



REFERENCE No.
M/NP/HH/13/1

FIGURE
B

Extract of Minutes of the Town Planning Board

Meeting held on 12.7.2013

Confirmation of Minutes of the 1036th Meeting held on 28.6.2013

[This item was conducted in Cantonese.]

1. The minutes of the 1036th Meeting held on 28.6.2013 were confirmed without amendments.

Agenda Item 2

[Open Meeting]

Matters Arising

[This item was conducted in Cantonese]

(i) Draft Hoi Ha Outline Zoning Plan No. S/NE-HH/D - Preliminary Consideration of a New Plan

2. The Secretary reported that on 28.6.2013, the Board gave preliminary consideration to the draft Hoi Ha Outline Zoning Plan (OZP) No. S/NE-HH/C and expressed concern on the delineation of the common boundary between the “Green Belt” (“GB”) and the “Village Type Development” (“V”) zones. Noting that the proposed “V” zone would not be able to meet the estimated outstanding and 10-year Small House demands, whereas the rocky stream at the western fringe of the planning scheme area and the wet abandoned agricultural land adjacent to the proposed “V” zone would have ecological attributes, the Board directed that the “GB”/“V” zoning boundary be verified, taking into consideration the following principles:

- (a) a minimum of 20m wide buffer to be allowed between the “V” zone and the rocky stream;
- (b) the boundary should follow the existing topography and paddy field lines where appropriate; and

(c) the wet abandoned agricultural land to be excluded from the “V” zone.

3. Taking into account the above principles, the boundary of the “V” zone on the draft OZP had been revised as follows (as shown in Plans 2 and 3 of the Paper):

(a) the southern part of the boundary was defined by allowing a minimum of 20m wide buffer between the rocky stream and the “V” zone;

(b) the northern part of the boundary was delineated to exclude the wet abandoned agricultural land; and

(c) the two (southern and northern) parts of the boundary were joined up by following the existing topography and paddy field lines.

4. Compared with the draft OZP considered by the Board on 28.6.2013, the area of the “V” zone had increased from 2.5 ha to 2.6 ha, with 1.59 ha of land available for Small House development (63 Small House) meeting 68% of the Small House demand.

5. Members noted the revised boundary of the “V” zone of the draft Hoi Ha OZP No. S/NE-HH/C (now renumbered as No.S/NE-HH/D) which had been submitted to the Tai Po District Council and the Sai Kung North Rural Committee for consultation and that their views would be reported to the Board in due course.

(ii) Draft Lin Ma Hang Outline Zoning Plan No. S/NE-LMH/D - Further Consideration of a New Plan

6. The Secretary reported that on 28.6.2013, the Board gave further consideration to the draft Lin Ma Hang Outline Zoning Plan (OZP) No. S/NE-LMH/D and agreed that the Plan and its Notes were suitable for exhibition for public inspection under section 5 of the Town Planning Ordinance (the Ordinance). Upon further checking, it was found that there were some typographical mistakes in the Notes for the “Green Belt (1)” (“GB(1)”) and “Conservation Area” (“CA”) zones. There was a need to seek the Board’s agreement to rectify the mistakes before gazetting of the draft OZP.

MA Paper (1)

**For Consideration by
the Town Planning Board on 12.7.2013**

**DRAFT HOI HA OUTLINE ZONING PLAN (OZP) NO. S/NE-HH/D
PRELIMINARY CONSIDERATION OF A NEW PLAN**

Draft Hoi Ha Outline Zoning Plan No. S/NE-HH/D
Preliminary Consideration of a New Plan

1. Purpose

The purpose of the paper is to provide information to the Town Planning Board (the Board) on the revised boundary of the “Village Type Development” (“V”) zone on the draft Hoi Ha Outline Zoning Plan (OZP) No. S/NE-HH/D.

2. Background

On 28.6.2013, the Board gave preliminary consideration to the draft Hoi Ha Outline Zoning Plan (OZP) No. S/NE-HH/C (**Plan 1**) and expressed concern on the delineation of the common boundary between the “Green Belt” (“GB”) and the “Village Type Development” (“V”) zones, which lies in the central western part of the area. Noting that the proposed “V” zone would not be able to meet the estimated outstanding and 10-year Small House demands, whereas the rocky stream at the western fringe of the planning scheme area and the wet abandoned agricultural land adjacent to the proposed “V” zone would have ecological attributes, the Board directed that the “GB”/“V” zoning boundary be verified, taking into consideration the following principles :

- (a) a minimum of 20m wide buffer to be allowed between the “V” zone and the rocky stream;
- (b) the boundary should follow existing topography and paddy field lines where appropriate;
- (c) the wet abandoned agricultural land to be excluded from the “V” zone.

3. Revision of the Western Boundary of the “V” zone (Plans 2 and 3)

3.1 Taking into account of the above principles, the draft OZP has been revised (**Plans 2 and 3**), as follows :

- the southern part of the boundary is defined by allowing a minimum of 20m wide buffer between the rocky stream and the “V” zone;
- the northern part of the boundary is delineated to exclude the wet abandoned agricultural land; and
- the two (southern and northern) parts of the boundary are joined up by following existing topography and paddy field lines.

- 3.2 Compared with the draft OZP considered by the Board on 28.6.2013, the area of the “V” zone will be increased from 2.50 ha to 2.60 ha, with 1.59 ha of land available for Small House development (63 Small Houses) meeting 68%¹ of the Small House demand.

4. Advice Sought

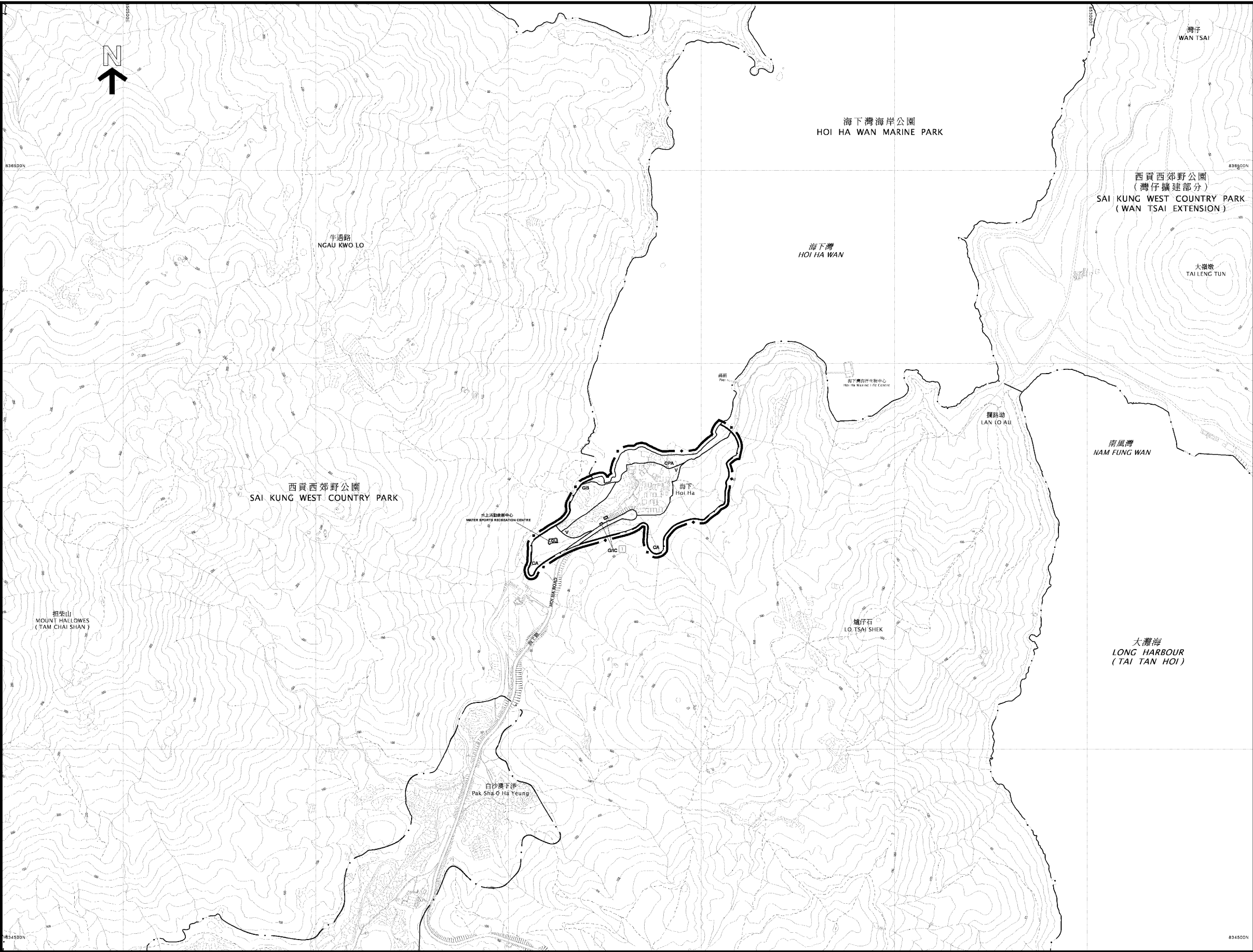
Members are invited to note the revised boundary of the “V” zone of the draft Hoi Ha OZP No. S/NE-HH/C (now renumbered as No. S/NE-HH/D) in **Annex I** which has been submitted to the Tai Po District Council and the Sai Kung North Rural Committee for consultation. Their views will be reported to the Board in due course.

Attachments

Plan 1	Hoi Ha OZP No. S/NE-HH/C (considered by the Board on 28.6.2013)
Plan 2	Hoi Ha OZP No. S/NE-HH/D (“GB”/“V” zoning boundary adjusted)
Plan 3	Site Plan - Revision to the “GB”/“V” zoning boundary

**PLANNING DEPARTMENT
JULY 2013**

¹ According to District Lands Office/Tai Po, the total new Small House demand (including 10-year + outstanding) = 94;
Available land to meet new demand figure (1.59 ha) ÷ Required land to meet new demand for 94 numbers (2.35 ha) = 68%



圖例
NOTATION

ZONES

VILLAGE TYPE DEVELOPMENT	V
GOVERNMENT, INSTITUTION OR COMMUNITY	G/I/C
OTHER SPECIFIED USES	OU
GREEN BELT	GB
CONSERVATION AREA	CA
COASTAL PROTECTION AREA	CPA

地帶

鄉村式發展
政府、機構或社區
其他指定用途
綠化地帶
自然保育區
海岸保護區

COMMUNICATIONS

MAJOR ROAD AND JUNCTION	
-------------------------	--

交通

主要道路及路口

MISCELLANEOUS

BOUNDARY OF PLANNING SCHEME	
BOUNDARY OF COUNTRY PARK / SPECIAL AREA	
MAXIMUM BUILDING HEIGHT (IN NUMBER OF STOREYS)	

其他

規劃範圍界線
郊野公園 / 特別地區界線
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	2.50	29.59		鄉村式發展
GOVERNMENT, INSTITUTION OR COMMUNITY	0.01	0.12		政府、機構或社區
OTHER SPECIFIED USES	0.03	0.36		其他指定用途
GREEN BELT	0.74	8.76		綠化地帶
CONSERVATION AREA	3.87	46.98		自然保育區
COASTAL PROTECTION AREA	0.98	11.60		海岸保護區
MAJOR ROAD ETC.	0.22	2.59		主要道路等
TOTAL PLANNING SCHEME AREA	8.45	100.00		規劃範圍總面積

DRAFT HOI HA OUTLINE ZONING PLAN

PLANNING DEPARTMENT

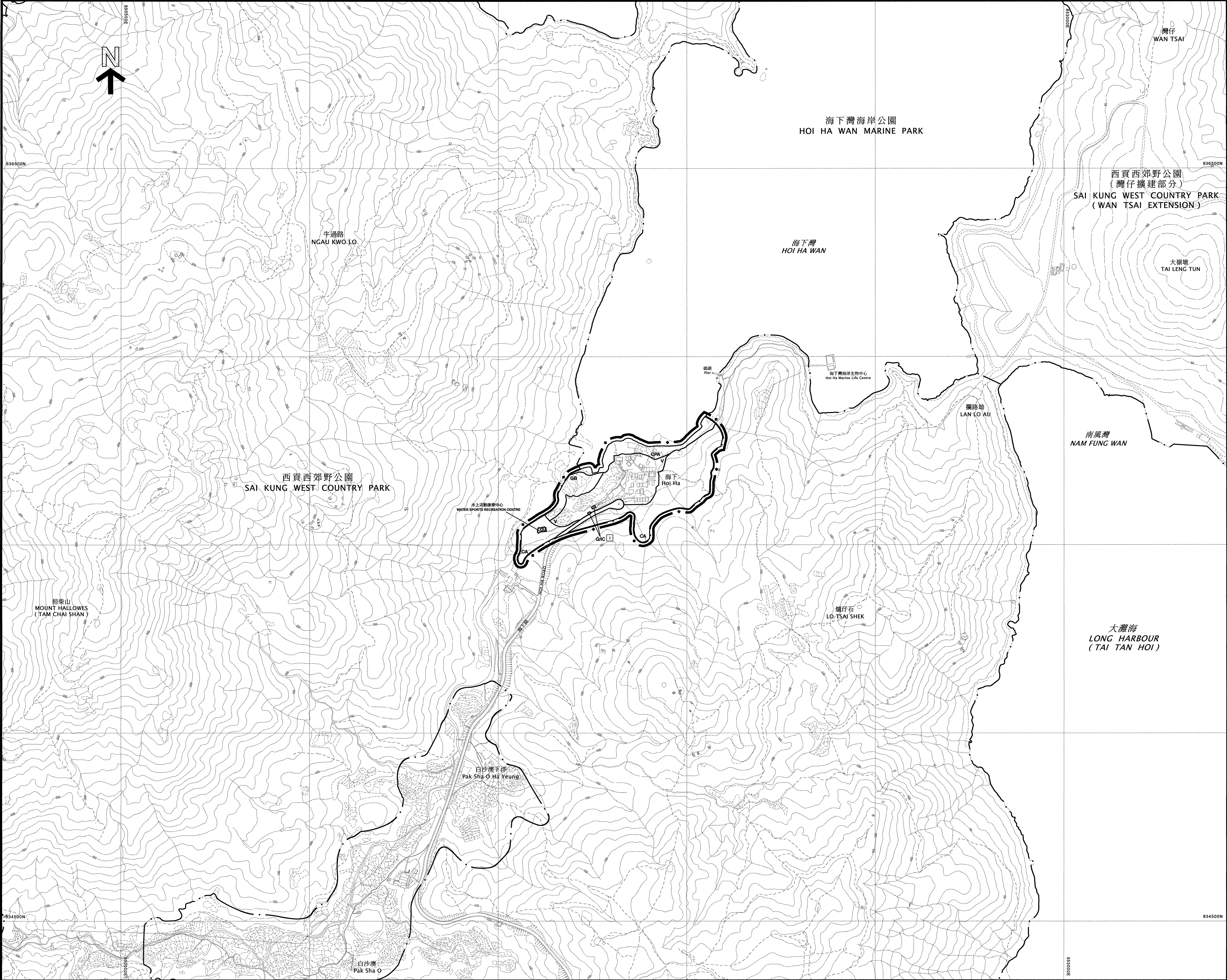


EXTRACT PLAN PREPARED ON 3.7.2013
BASED ON DRAFT OUTLINE ZONING PLAN No. S/NE-HH/C



REFERENCE No.
M/NP/HH/13/7

PLAN
1



圖例
NOTATION

ZONES

- VILLAGE TYPE DEVELOPMENT
- GOVERNMENT, INSTITUTION OR COMMUNITY
- OTHER SPECIFIED USES
- GREEN BELT
- CONSERVATION AREA
- COASTAL PROTECTION AREA

V

G/I/C

OU

GB

CA

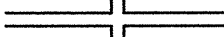
CPA

地帶

- 鄉村式發展
- 政府、機構或社區
- 其他指定用途
- 綠化地帶
- 自然保育區
- 海岸保護區

COMMUNICATIONS

- MAJOR ROAD AND JUNCTION



交通

- 主要道路及路口

MISCELLANEOUS

- BOUNDARY OF PLANNING SCHEME
- BOUNDARY OF COUNTRY PARK / SPECIAL AREA
- MAXIMUM BUILDING HEIGHT (IN NUMBER OF STOREYS)

— ♦ —

— . —

1

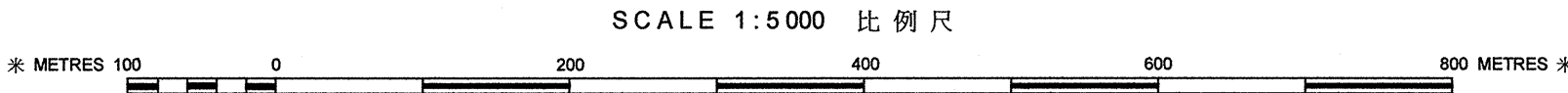
其他

- 規劃範圍界線
- 郊野公園 / 特別地區界線
- 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	2.60	30.77		鄉村式發展
GOVERNMENT, INSTITUTION OR COMMUNITY	0.01	0.12		政府、機構或社區
OTHER SPECIFIED USES	0.03	0.36		其他指定用途
GREEN BELT	0.65	7.69		綠化地帶
CONSERVATION AREA	3.97	46.98		自然保育區
COASTAL PROTECTION AREA	0.98	11.60		海岸保護區
MAJOR ROAD ETC.	0.21	2.48		主要道路等
TOTAL PLANNING SCHEME AREA	8.45	100.00		規劃範圍總面積

香港城市規劃委員會依據城市規劃條例擬備的海下分區計劃大綱圖
TOWN PLANNING ORDINANCE, HONG KONG TOWN PLANNING BOARD
HOI HA - OUTLINE ZONING PLAN

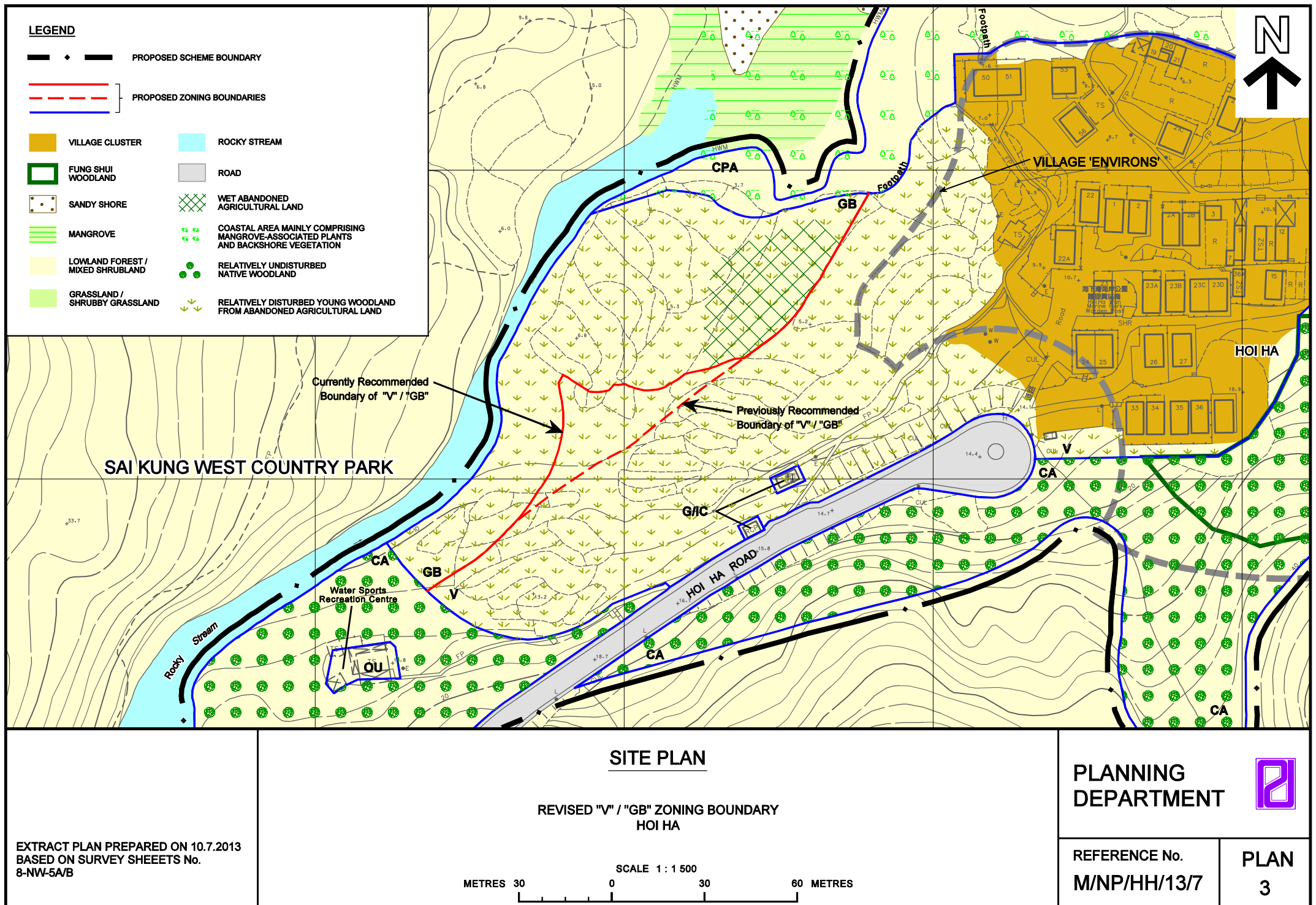


規劃署遵照城市規劃委員會指示擬備
PREPARED BY THE PLANNING DEPARTMENT UNDER
THE DIRECTION OF THE TOWN PLANNING BOARD



圖則編號
PLAN No.

S/NE-HH/D



擬稿

大埔區議會
環境、房屋及工程委員會
2013 年第四次會議記錄 (節錄)

日期：2013 年 7 月 10 日(星期三)

時間：下午 2 時 30 分

地點：大埔區議會會議室

II. 海下分區計劃大綱草圖編號 S/NE-HH/D

(大埔區議會文件 EHW 39/2013 號)

3. 主席歡迎規劃署高級城市規劃師吳育民先生及城市規劃師譚大偉先生就是項議程出席會議。

4. 譚大偉先生介紹上述文件。

5. 主席表示，西貢北約鄉事委員會(“西貢北約鄉委會”)早前去信委員會就上述草圖提出反對，有關信件置於會議桌上，供委員參閱。

6. 委員第一輪的意見及提問如下：

- (i) 有委員反對草圖。他贊同西貢北約鄉委會的意見，並指草圖中的鄉村式發展用地只有 2.6 公頃，不足以滿足村民興建小型屋宇的需要。他續指村民雖然可向城市規劃委員會(“城規會”)申請在綠化地帶興建小型屋宇，但由於城規會須顧及環境保護等因素，因此申請並不容易。他認為整個規劃對海下的村民不公平。
- (ii) 有委員指基於環保理由，海岸公園 150 米及河溪 30 米的範圍內不可設置化糞池。他建議有關部門容許村民設置環保化糞池或小型污水處理設施，此舉既可方便村民，亦可保護環境。另外，他詢問申請在認可鄉村範圍內的綠化地帶發展小型屋宇有何限制。
- (iii) 有委員同樣反對草圖。他指過去 37 宗根據《城市規劃條例》第 16 條提出的規劃申請中，只有七宗獲批，成功率很低。他表示，除非規劃署重新規劃該區以滿足村民的需要，否則他不會支持草圖。
- (iv) 有委員查詢綠化地帶有否包括認可鄉村範圍。另外，他指海下分區計劃大綱草圖東面及南面遍植大樹，較適合劃為自然保育區。他續指有關部門應研究如何補償持有自然保育區內的私人土地的人士。他促請有關部門在該區設置中央排污系統，以回應環保人士及村

民的訴求。

7. 吳育民先生及譚大偉先生回應如下：

- (i) 該區東面及南面的山區全為政府土地，並且連接西貢西郊野公園，甚具生態價值，故漁農自然護理署認為有必要將這些山區劃為自然保育區。
- (ii) 海岸公園 150 米及河溪 30 米的範圍內不可設置化糞池及滲水井只是地區環保人士的要求。規劃署在擬備草圖時已考慮不同持份者及相關部門的意見，務求在保育和社會發展之間取得平衡。
- (iii) 在海下發展審批地區圖的範圍內，一共收到 37 宗根據《城市規劃條例》第 16 條提出的規劃申請，其中七宗(涉及八間小型屋宇)獲批，四宗遭拒，兩宗延期辦理，其餘 24 宗是撤回的申請。由此可見，並非全部申請均不獲批准。
- (iv) 關於設置中央排污系統的建議，規劃署認為該區被自然環境包圍，及面對海岸公園，長遠來說，可考慮在鄉村式發展地帶設置中央排污系統。規劃署已向環境保護署(“環保署”)轉達該項建議，以供考慮。
- (v) 草圖中的綠化地帶包括一小部份認可鄉村範圍。村民可向城規會提出在綠化地帶內發展小型屋宇的規劃申請，城規會會根據相關的規劃指引及其他因素予以考慮。規劃署一直與村民溝通，草圖中的鄉村式發展地帶已包括以往在海下發展審批地區圖範圍內獲批的申請。另外，要在鄉村式發展地帶內興建小型屋宇，村民只須向地政總署提出申請而無需另外再向城規會提出申請。
(會後補註：規劃署更正，草圖中的綠化地帶並不包括認可鄉村範圍。)
- (vi) 規劃署會繼續與村民溝通，並會向城規會轉達他們的意見。

8. 委員第二輪的意見及提問如下：

- (i) 有委員指他理解設置化糞池及滲水井方面的限制，但認為有關部門應採納設置小型污水處理設施的建議。他指西貢區某鄉村的公廁已設置類似設施。
- (ii) 有委員質疑規劃署現階段為何不按村民的意見修改草圖。他又指村民現時在鄉村式發展範圍內設置電力變壓房須向城規會申請，並須按屋宇署要求遞交設計圖則等資料，所涉成本甚高，他們或因此而以不安全的方法駁電。有見及此，他建議規劃署將公用事業設施裝置改為“經常准許的用途”。

9. 主席認為西貢北約鄉委會所提出擴充草圖中鄉村式發展土地的建議非常合理，因該處已修建道路，並且只佔整個西貢西郊野公園極小範圍。他認同環保的重要性，但強調應尊重原居民的意見。

10. 主席總結，委員會尊重西貢北約鄉委會的意見並反對上述草圖。他請規劃署繼續與西貢北約鄉委會及持分者溝通，之後再徵詢委員會的意見。

(Translation)

Draft

Minutes of the 4th meeting in 2013 of the Environment, Housing and Works Committee (EHWC)
Tai Po District Council (TPDC)
(excerpt)

Date: 10th July 2013 (Wednesday)

Time: 2:30 pm

Venue: Conference Room, Tai Po District Council

II. Draft Hoi Ha Outline Zoning Plan (OZP) No. S/NE-HH/D
(TPDC paper no. EHW 39/2013)

3. The Chairman welcomed Mr. NG Yuk-man, Senior Town Planner of Planning Department (PlanD) and Town Planner Mr. Tan Dawei to the meeting for the discussion of this agenda item.
4. Mr. Tan Dawei briefed members about the captioned paper.
5. The Chairman said that the Sai Kung North Rural Committee (“SKN Rural Committee”) has written to EHWC earlier on to raise its objection to the captioned Draft Plan. The relevant letter was tabled for members’ information.
6. Members’ first round comments and questions were as follows:
 - (i) A member objected to the Draft Plan. He agreed with the views of the SKN Rural Committee and pointed out that the “Village Type Development” Zone (“V” zone) on the Draft Plan only covered 2.6 hectares of land, which falls short of the villagers’ need for development of small house. He added that though the villagers can apply to the Town Planning Board (“TPB”) for the construction of small houses within the Green Belt, as TPB has to take into account factors like environment protection, it is not easy to obtain planning permission. He considered the entire planning unfair to Hoi Ha villagers.
 - (ii) A member pointed out that for environmental protection reason, no septic tank is allowed within 150m from the Marine Park and 30m from rivers and streams. He proposed the relevant departments to allow the villagers to set up environmental friendly septic tank or small scale sewage treatment facility. This can help to facilitate the villagers as well as protect the environment. Besides, he enquired

about the restrictions applied to application for development of small house on Green Belt within the village environs.

- (iii) Another member also opposed to the Draft Plan. He referred to 37 previous planning applications filed in accordance with S.16 of the Town Planning Ordinance and said only 7 of them were granted permission. The success rate was very low. He said that unless the PlanD re-planned the area to meet the needs of the villagers, otherwise he would not support the Draft Plan.
- (iv) A member asked whether the Green Belt has covered any village environs. Moreover, he stated that the area east and south to the Draft Plan were fully grown with big trees, so it is desirable to zone the area as Conservation Area. He added that the relevant departments should examine how to compensate the title owners of private lands within the Conservation Area. He urged the relevant departments to set up a central sewerage system in the area in response to the demands of environmentalists and villagers.

7. Mr. NG Yuk-man and Mr. Tan Dawei responded as follows:

- (i) The mountainous areas east and south of the zone are all government land adjoining the Sai Kung West Country Park. Those lots are of high ecological value, so the Agriculture, Fisheries and Conservation Department deems it necessary to zone those mountainous areas as Conservation Area.
- (ii) No septic tank or soakaway pit within 150m from the Marine Park and 30m from rivers and streams is just a demand raised by local environmentalists. In preparing the Draft Plan, the PlanD has already taken into account various views of the stakeholders and different departments, in order to strike a right balance between conservation and social development.
- (iii) Within the planning scheme areas of the Draft Hoi Ha Development Permission Area (DPA), a total of 37 planning applications filed in accordance with S.16 of the Town Planning Ordinance were received. Of them, 7 (involving 8 small houses) were granted approval. Four applications were turned down and two were deferred for processing. The remaining 24 applications were withdrawn. From this, it can be seen that not all applications were rejected.
- (iv) Regarding the proposal of setting up a central sewage system, the PlanD considered that as the area was surrounded by natural landscape and facing the Marine Park, so a central sewage system can be considered within the “V” zone in the long run. The PlanD has related the proposal to the Environmental Protection Department (“EPD”) for their consideration.

- (v) The Green Belt at the Draft Plan covers a small part of the recognized village environs. Villagers can file planning application to the TPB for small house development within the Green Belt. The TPB would consider these applications in accordance with relevant planning guidelines and other factors. The PlanD has been communicating with the villagers. The “V” zone on the Draft Plan has already incorporated the approved small house applications covered in the previous Hoi Ha DPA Plan. Besides, for construction of small house within the “V” zone, villagers only need apply to the Lands Department and further application to the TPB is not required.

(Post-meeting note: The PlanD corrected that the Green Belt on the Draft Plan does not cover any recognized village environs.)

- (vi) The PlanD would continue to communicate with the villagers and relate their views to the TPB.

8. Members’ second round comments and questions were as follows:

- (i) A member said that he understood the restriction on construction of septic tanks and soakaway pits. Nevertheless, he considered that the relevant departments should adopt the proposal of setting up a small scale sewage treatment facility. He said that a similar facility was provided for the public toilet of a particular village in Sai Kung.
- (ii) A member questioned why the PlanD refused to amend the Draft Plan at this stage according to the views of the villagers. He also pointed out that under prevailing regulation, villagers have to apply to the TPB in case they want to provide an electrical transformer room within the “V” zone and submit particulars such as a design plan as required by the Buildings Department. Therefore, the cost involved is very high. As a result, they might tap electricity by unsafe means. In view of this, he suggested the PlanD to change Utility Installations to “uses always permitted”.

9. The Chairman found that the SKN Rural Committee’s proposal to extend the “V” zone on the Draft Plan very reasonable because the road at that site has been reconstructed and this takes only a very small portion of land compared to the whole Sai Kung West Country Park. He shared the importance of environmental protection, but stressed the need to respect the views of the indigenous inhabitants.

10. The Chairman concluded that EHWC respected the views of the SKN Rural Committee and its opposition to the captioned Draft Plan. He urged the PlanD to continue communication with the SKN Rural Committee and the stakeholders first, and then solicit the views of the EHWC again.

致西貢北約鄉事委員會
新界原居民權益關注組
沙田，大埔及北區規劃署

關於海下分區計劃大綱圖之海下村民意見書

為制定海下村分區計劃大綱圖，長達三年的規劃過程終告完成，在此本村十分感激各界的關注與支持。於現有的圖則中，海下村雖已有一個佔地約 **2.59**公頃的鄉村式發展區，但村民仍有不少疑慮，當中包括下列各項：

1.現有於海下村所規劃的 **V-Zone**，可用作建屋的土地，大部份都集中於村內西面的私人土地。但大部分村內的私人土地都因業權分散，致使村民難以用作發展。同時亦解釋了，為何現於海下村已建的 **30** 多棟丁屋，全數都興建在政府土地之上。

2.其次，位於村中心附近那些仍可用作建屋的 **V-Zone** 地，因為接近被劃為 **SSSI** 的海灘或近於村內的非食用水溪澗等因素；縱使村民曾經於這些地方申請丁屋，但最終都因為化糞池等污水處理問題，而難以獲得環保署的批准，致使許多申請最終不果。

3.雖然規劃署於報告中指出現有的 **V-Zone** 地，約有 **1.58**公頃的土地可供作 **60** 間丁屋的發展，但綜合上述兩項因數，現有於海下村確實可供村民發展丁屋的空間，其實遠比 **60** 間為之小。故此，當比較海下村未來十年的丁屋需求--約 **94** 間丁屋時，以現有的 **V-Zone** 內的土地更是遠遠不足以應付需求。

海下村原有村界佔地約 **2.92** 公頃，而現有 **V-Zone** 則為 **2.59**公頃，可見現有 **V-Zone** 仍比原有村界細小。此外，現有於海下村的綠化地與可發展用地為 **6:4** 的比例，故此相信仍有空間去擴展現有的 **V-Zone**。

4.沿海的地方現被劃為海岸保護區，在該區域之上均有地方放置著村民或福音團體的獨木舟及船隻。村民擔心現在規劃了海岸保護區後，現放置船隻，獨木舟的地方會被受影響。故希望規劃專員解釋，當大綱圖刊憲後，村民往日如常的租艇活動，會否受到影響？

總結上述各項，村民希望規劃署能採納下列建議：

1.舊日於海下村的村界內，扣除已建屋的政府土地，仍可供村民申請丁屋的政府土地，約佔整個村界的 3 成土地。而現有 V-Zone 內，仍可供村民申請丁屋的政府土地則跌至少於整個 V-Zone 的 1 成。雖然現有於 V-Zone 內，私人土地的部份增加至約整個 V-Zone 的 6 成；但如前文所述，私人土地的業權問題複雜，遠不及村民於政府土地申請丁屋來得簡單。故村民懇切希望可增加現有 V-Zone 的政府土地。

最後，為求能著實地滿足村民於未來十年的建屋需求，村民希望規劃署可將現有西面的 V-Zone 地擴充至大綱圖西面的邊界。(詳情請見於附圖)

2.海下村對開之海下灣，於 1996 年被政府劃為海岸公園。從此以後，近岸可供申請的土地，都因化糞池需要離 SSSI 海灘 100 米外，或化糞池需離溪流 30 米外等的污水問題；而致使許多申請最終不果，白白浪費了許多可供建屋的土地。

長遠而言，若政府真的有心保育海洋，村民希望規劃專員可向環境局，渠務署等部門反映；為海下村興建小型的中央污水處理系統，除了能為保護海洋出力之外；又能藉以真正做到鄉郊的可持續發展，達至發展與保育並存的雙贏局面。

最後，海下村所有居民希望借此會議的機會，感謝曾為本村規劃事宜奔波勞累；以及關注關心海下的每一位。與此同時，希望規劃專員能從善如流，採納村民之建議。

海下村原居民村代表
翁煌發先生

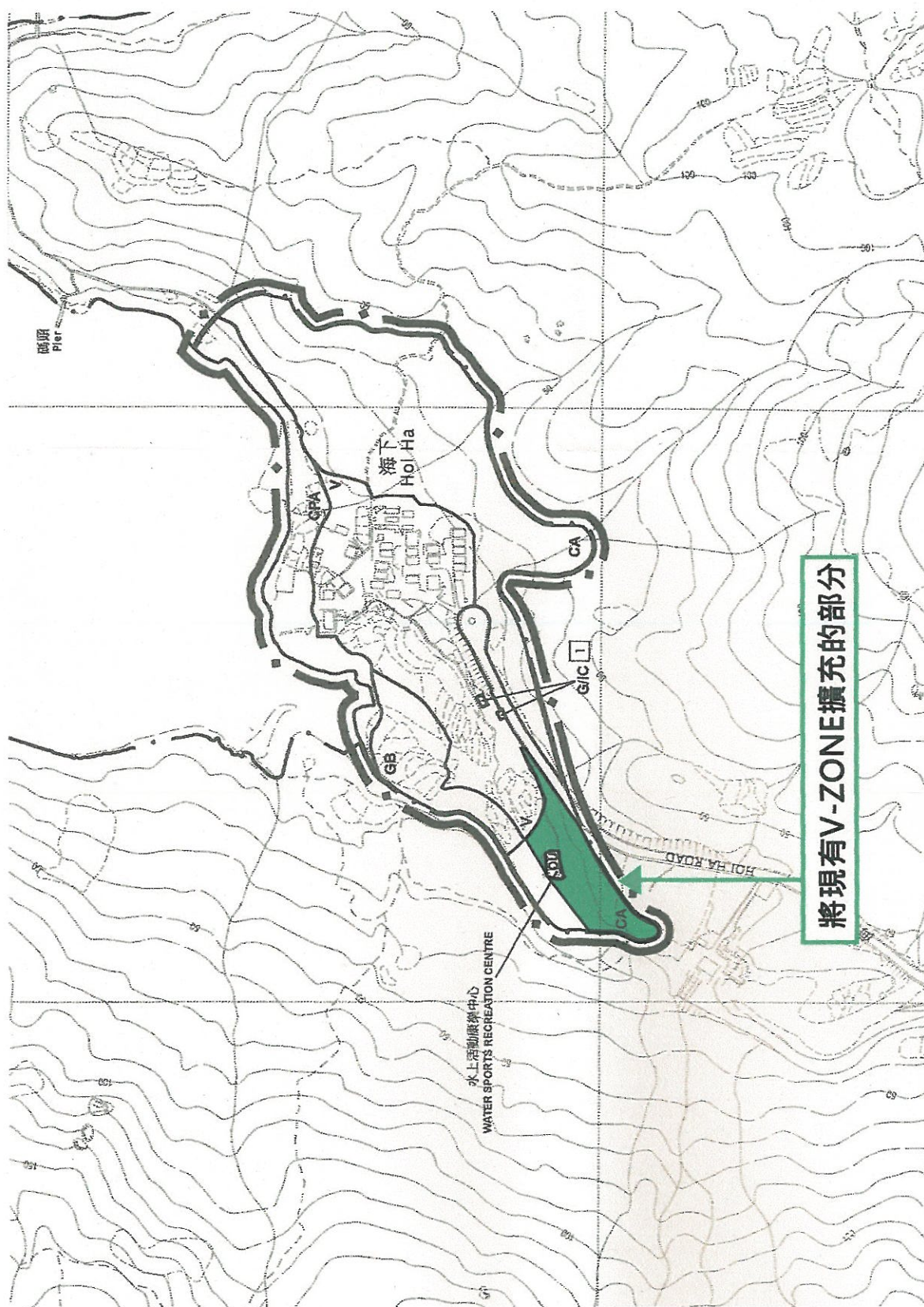
海下村居民村代表
翁天生先生

簽署： 翁煌發

簽署： 翁天生

日期:2013年7月8日

附圖



(Translation)

Dated: 8.7.2013

To: Sai Kung North Rural Committee
Concern Group on the Rights of New Territories Indigenous Inhabitants
Shatin, Tai Po & North District Planning Office

Comments by Hoi Ha Villagers on the DRAFT HOI HA OUTLINE ZONING PLAN

The three-year long planning process to prepare the Hoi Ha Outline Zoning Plan has finally come to an end. Our Village would like to express our deep gratitude to the concern and support rendered by different sectors. Under the present plan, though a Village Type Development Zone (V zone) of 2.59 hectares is set for Hoi Ha Village, the inhabitants are still very skeptical about this. Their area of concern covers the following:

1. The land suitable for small house development within the planned V-zone mainly located at the private lots west of the Village. However, ownership of most private lots within the Village is scattered. Thus, inhabitants find it hard to use them for development. It logically explains why the 30 plus small houses at Hoi Ha Village are all built on Government land.
2. Besides, those V-zone areas located near the Village centre available for housing development are too close to the beach designated as Site of Special Scientific Interest (SSSI) or non-drinking water streams within the Village. Therefore, housing development applications by inhabitants at these areas were largely turned down as the Environmental Protection Department withholds consent in the end over sewage treatment issue like septic tank.
3. Though the Planning Department has pointed out in the report that approximately 1.58 hectares of land within the current V-zone can be used for the development of 60 small houses, the actual area available for small house development at Hoi Ha Village is much less than the cited figure due to the above said two factors. It is envisaged that the demand for small house development would increase to about 94 in the coming 10 years. Therefore, the existing V-zone area has fallen far short of demand.

The original village environs of Hoi Ha Village is about 2.92 hectares, while the V-zone under planning now is 2.59 hectares. We can see that the planned V-zone is smaller than the original village environs. Moreover, the current ratio of Green Belt and developable land at Hoi Ha Village is 6:4. Therefore, we believe there is room to extend the planned V-zone.

4. The coastal area has been zoned as marine reserve. At present, there are canoes and vessels of inhabitants or gospel groups lying on that area. The inhabitants worry that the area that are currently used for putting vessels and canoes would be affected after the marine reserve is zoned. They hope the District Planning Officer can explain to them whether their usual activity of boat renting would be affected after the OZP is gazetted.

In summary, the inhabitants hope that the Planning Department can adopt the following suggestions:

1. In the past, the Government land (exclusive of the built area) still available for small house application takes up about 30% of the whole village environs of Hoi Ha Village. However, the Government land still available for small house application has now dropped to just 10% of the entire V-zone. Though the percentage of private lots has increased to some 60% within the planned V-zone, it is much simpler for inhabitants to apply small house on Government land due to complex ownership issue on private lots as mentioned earlier. Hence, the inhabitants sincerely hope that the proportion of Government land within the planned V-zone could be increased.

Lastly, in order to cater for the housing demand in the coming 10 years, the inhabitants hope that the Planning Department could extend the western part of the V-zone as far as the western boundary of the OZP (please see the annex for details).

2. Hoi Ha Bay off the Hoi Ha Village was designated as marine reserve in 1996. Since then, housing application on the land along the coastal area were mostly turned down due to sewage treatment issues - like septic tank has to be located 100 m away from the SSSI beach or 30 m away from the stream. As a result, much housing land is wasted.

In the long term, should the Government really wants to conserve the sea, the inhabitants hope the District Planning Officer can reflect to the Environmental Protection Bureau and Drainage Department about the construction of a micro central sewage treatment system in Hoi Ha Village. Not only can this help to protect the sea, it would also facilitate sustainable development in rural area. A win-win situation of development and conservation would then be achieved.

Last but not least, inhabitants of the Hoi Ha Village would like to take this opportunity to thank all those who have taken pains in the planning process and given us consideration. At the same time, we hope the District Planning Officer could listen to us and adopt our proposals.

Indigenous Inhabitant Representative Mr. YUNG, WONG FAT (signed)
Resident Representative Mr. YUNG Tin-sang (signed)

The attached plan:

The extension area of the existing “V” zone

tpbpd@pland.gov.hk

寄件者: "c yung" <cyung168@yahoo.ca>
收件者: <tpbpd@pland.gov.hk>
副本: "chester" <cyung168@yahoo.ca>
傳送日期: 15/08/2013 上午 11:17
附加檔案: Letter responding to proposed Hoi Ha Outline Zoning Plan 2013June.pdf
主旨: Response to Proposed Hoi Ha Village Outline Zoning Plan - No. S/NE-HH/C, TPB Paper No. 9368

Dear Sir/Madam:

Re: Draft Hoi Ha Outline Zoning Plan No. S/NE-HH/C, TPB Paper No. 9368

After reviewing the proposed Zoning Plan dated 28 June 2013, I wish to point out that it contains contradictions of its intention and purpose within the document itself, and hence should be reconsidered and revised.

While the purpose and intention to bring about the Zoning Plan is clear; however, the solution is contradictory. It states the planning intention was to make provision for future Small House development for the indigenous villagers of Hoi Ha, yet the proposed "V" zone contains little or no suitable government land for which the villagers to build their Small House.

The current proposed "V" zone contains mainly private farmland own by developers in the western and southern part of the village, and little government land to meet the indigenous villagers' need for Small House. This clearly does NOT and will NOT solve the problem of lacking suitable land for the indigenous villagers to construct their Small House, and contradicts the government's mission statement "Land within this zone is primarily intended for the development of Small Houses by Indigenous villagers."

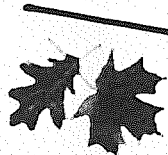
The Paper further states "The Head of Geotechnical Engineering Office (GEO) of the Civil Engineering and Development Department advises that the southern part of the proposed "V" zone is in an area close to the natural hillside and may be affected by potential natural terrain landslide hazards. For future development in this area, the DEVELOPER(S) 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."

These statements illustrate the government's lack of sincerity to provide suitable land in the "V" zone for future Small House development by the indigenous villagers, at the same time, fully aware that it is allowing only the developers to build within the "V" zone. The government should be ashamed and embarrassed in failing miserably to meet the Objective of its Plan, and should reconsider the proposed "V" to include more government land that is suitable for development.

Sincerely,

Yung Yuk Man (indigenous villager)

15/08/2013



David TW
TAM/PLAND/HKSARG
08/08/2013 下午 02:39

To
cc
bcc
Subject 轉寄：Public comments received today on the draft Hoi Ha OZP
☐ High importance ☐ Return receipt ☐ Sign ☐ Encrypt

----- Forwarded by David YM NG/PLAND/HKSARG on 27/06/2013 下午 05:27 -----



"Tony Nip"
<[REDACTED]>
27/06/2013 下午 01:08

To <tpbpd@pland.gov.hk>
<dymng@pland.gov.hk>
cc "'Ming Chuan Woo'" <[REDACTED]>
<mailbox@afcd.gov.hk>
Subject Concerns on the Draft Hoi Ha OZP (S/NE-HH/C)

☒ High importance

Dear Sir/ Madam,

We would like to express our concerns regarding the draft Hoi Ha OZP.

We appreciate that the coastal area and some of the woodlands have been covered with CPA and CA zones, respectively. However, we are concerned that the main Hoi Ha Stream cannot be well protected under the proposed zoning.

Hoi Ha Stream

Now the riparian zone of the lower section of the main Hoi Ha Stream is largely covered with GB zone. Although we understand that GB zone is considered to be a conservation zoning and in general development is not permitted, we have observed in many other places in Hong Kong that small house applications could be approved by the Board within this zone. This simply means that this zone is not fully protected.

The main Hoi Ha Stream is connected to the Pak Sha O Stream, which has been designated as an Ecologically Important Stream (EIS) by the AFCD (http://www.epd.gov.hk/epd/english/boards/advisory_council/files/ncsc_paper01_2011.pdf). We have observed diadromous species of conservation interest, including Giant Mottled Eel and Stiphodon gobies, in the Pak Sha O Stream and also the middle section of the Hoi Ha Stream. These species definitely need to pass through the stream section adjacent to the Hoi Ha Country Park (CP) enclave during the migratory period. These species have also been considered to be of conservation concern by the AFCD (

http://www.epd.gov.hk/epd/english/boards/advisory_council/files/ncsc_paper01_2011.pdf).

In order to protect these species, their migratory pathway should be well protected. If the stream section adjacent to the Hoi Ha CP enclave cannot be protected from development, we are highly concerned that the ecological function provided by the whole Hoi Ha Stream would be affected, and the EIS at Pak Sha O would also be affected, too. We urge that the riparian zone of the main Hoi Ha Stream should be covered with a CA zone, and the width of this zone should not be less than 15 m (15 m is the minimum distance between a septic tank and a natural watercourse as mentioned in the EPD practice note ProPECC PN 5/93).

In addition, we would like to remind the Board and the Planning Department that now KFBG is liaising with the AFCD for the designation of EIS, under the circumstance that an international convention – The Convention on Biological Diversity has been extended to Hong Kong. We would like to mention that KFBG would discuss with AFCD for how to better protect the main Hoi Ha Stream.

To conclude, we urge that the riparian zone of the main Hoi Ha Stream should be covered with CA zone.

Woodland

We can observe from the draft plan that the area to the northwest of the Hoi Ha Road has been covered with a V zone. We consider that this is not appropriate.

Please refer to Figure 2 at page 9 of the KFBG Hoi Ha Report (http://www.kfbg.org.hk/content/0/26/1/Vegetation&MothSurvey_2012Sep.pdf). We would like to remind the Board that this area is covered with a secondary woodland which is ecologically linked to the Sai Kung Country Park. We urge the Board and the Planning Department to seriously consider the potential impacts that would be caused by covering this area with a V zone.

Thank you.

Best Regards,

Tony Nip
Senior Ecologist
Ecological Advisory Programme
Kadoorie Farm and Botanic Garden Corporation
Lam Kam Rd., Tai Po, N.T., Hong Kong.

c.c.: AFCD, Designing Hong Kong, Conservancy Association, Friends of Hoi Ha, Friends of Sai Kung, WWF-HK,

----- Forwarded by David YM NG/PLAND/HKSARG on 27/06/2013 下午 05:27 -----



Dominic Powers

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27 July 2013

Mr Thomas CHOW
Chairman
Town Planning Board
15/F, North Point Government Offices
333 Java Road
North Point
Hong Kong

Dear Mr Chow

COMMENTS ON THE DRAFT ZONING PROPOSAL FOR HOI HA DEVELOPMENT
PERMISSION AREA

1. **Introduction.**

- a. Although the draft OZP for the Hoi Ha DPA contains some reasonable provisions, it does not meet the general planning intention, to:

“.. protect its high landscape value which complements the overall natural quality and the landscape beauty of the surrounding Sai Kung West Country Park and the Hoi Ha Marine Park”. Hoi Ha DPA Plan DPA/NE-HH/2, Explanatory Statement, paragraph 7.2.

Furthermore, the draft plan does not take note of the need for planning controls required because:

“... any large scale and uncontrolled development may affect the natural environs of Hoi Ha and threaten the marine ecology and overall value of the MP and SSSI”. Hoi Ha DPA Plan DPA/NE-HH/2, Explanatory Statement, paragraph 6.

- b. The Planning Report attached to the draft OZP contains, at paragraph 4.2, the Planning 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: and

c. To preserve the natural and rural character of the Area.”

c. The Planning Report goes on to state, in paragraph 4.3, the Planning Principles:

“a. The Area is part of the wider natural system of the Sai Kung countryside. Due to its high sensitivity and its surrounding Country and Marine Parks, the rural setting and the natural landscape and environment of the Area should be preserved and protected.

b. Small House development in recognised 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.”

d. Thus, the overriding objectives and principles guiding the formulation of the OZP are the preservation of the environment and landscape, **not** to provide land for housing developments. These factors should be borne in mind when reading the following.

2. Conservation Area.

The Conservation Area delineated by the draft plan to the east and south of the existing village is welcome and will afford protection to the natural environment and *fung shui* woodland in that area. In addition, the Conservation Area to the south-west of the village is the correct zoning for this area. These areas agree with FOHH’s recommendations contained in our letter of 10 December 2012.

3. Coastal Protection Area.

a. It is gratifying to see that the principle of a Coastal Protection area, as suggested by FOHH and others, has been accepted and endorsed by both the AFCD and the Village Representative. This area will ensure that the iconic shoreline of Hoi Ha Wan is afforded protection. However, the CPA line has been drawn on an inaccurate map, which does not reflect the contemporary shoreline. The approximate present position of the High Tide Mark and boundary of the beach are shown on the annotated map enclosed. In particular, you will note that the plots of agricultural land, annotated in red on the enclosed map, no longer exist, as they now form part of the beach and are regularly submerged by the sea. I would remind you that it is not proper practice to use inaccurate maps and that the maps used by TPB should indicate the current land situation. Before any meaningful planning decisions are made concerning the protection of the coastline at Hoi Ha, it is essential that accurate maps are used and this needs to be corrected before the CPA zoning boundary is finalised and the OZP is published.

b. In making the alteration to the original DPA boundary by moving the northern edge of the DPA landwards to exclude the Marine Park, the TPB have drawn a line around the edge of coastal vegetation as seen in a satellite photograph of the area in an attempt to define the

coastline at this point. However, this delineation does not take into account the fact that the coastal vegetation consists of mangroves and mangrove-associates, which live with their roots embedded in the sandy beach and some of their roots submerged in water for some of the time. Therefore, the High Tide Mark and beach come much further to the south and closer to the existing village than shown on the planning map. Notwithstanding the actual boundary of the Marine Park, the boundary of the Hoi Ha Wan Site of Special Scientific Interest (SSSI) is on the High Tide Mark.

- c. In particular, the area in front of the old village deserves attention. On the TPB map, the CPA is shown to be quite broad at this point, with agricultural lots between the old village and the shoreline. The reality is, as previously stated, that the agricultural lots are now under water or obliterated by the beach and the High Tide Mark is much closer to the old village than shown on the map. The beach at this point actually comes within 10 metres of the old village walls. Therefore, the effective buffer zone between the sensitive marine environment and the V-zone is extremely narrow under the draft plan and will not adequately protect the coastal environment.
- d. Because of the risk of pollution to Hoi Ha Wan from building works and subsequent habitation of houses in the area of the old village, this area should **not** be within the area designated as V-zone. In addition, any new building in this area will be perilously close to the beach, which has been subject to severe coastal erosion over the past decades. Any changes to the geology or hydrology of the area occasioned by new building works may induce further coastal erosion which might threaten the new buildings. It is noted that CPA status would not prevent the redevelopment of the ruined buildings within the existing footprint of the buildings. This solution might allow the sensitive, environmentally friendly rebuilding of the old village in a way which would be in keeping with the landscape. Limited development might make the environmental risk to Hoi Ha Wan acceptable, whereas the alternative – that of packing in numerous 3-storey village houses in the area - would be unacceptable in environmental and landscape terms.
- e. The landscape impact of allowing development in front of the existing village, a key part of the stated planning intention, has not been properly assessed. To quote from the Landscape Assessment in our letter to the TPB of 12 December 2012, which assessed the overall Landscape Value of the village as “High”:

“... new development will be immediately apparent.....It is important that any new development is in tune with the scale and appearance of the existing built environment.....Capacity for further development limited if the aesthetic and spatial quality of the landscape character is to be maintained...”

In addition, the Explanatory Statement attached to the draft OZP states, in paragraph 7.2.2, that:

“... the open vista from the waterfront to the mountain backdrop should be preserved”.

This landscape factor has not been considered when delineating land at the front of the village as V-zone, where a row, or even 2 rows, of 3-storey village houses could be built, which would completely alter the landscape of the village as viewed from the sea and interrupt the view of the mountains, as well as cutting off the views of Hoi Ha Wan from the centre of the village, where the village restaurants and village temple are located.

4. Green Belt.

- a. Based on a comprehensive assessment of the environs of Hoi Ha presented in our letter of 12 December 2012, a buffer zone of 30 metres was recommended for the Hoi Ha Stream in order to preserve the stream itself and the riparian zone – both of which contain flora and fauna of ecological significance. The Planning Report attached to the draft OZP states the following at paragraph 3.3.1:

“...natural streams of significant size are regarded as ecologically important habitats.”

In addition, paragraph 3.3.2 of the Planning Report goes on to state:

“... the rocky stream and the mangrove estuarine are considered a type of significant landscape resource....and it should also not be affected. “

Thus, both your Planning Report and the FOHH studies of the ecology and landscape of the area recognise the importance of the Hoi Ha Stream in terms of its ecological and landscape significance.

- b. The draft plan offers no meaningful buffer to the stream whatsoever. The Green Belt, which is placed between the V-zone and the stream, offers totally inadequate protection, as it is explicitly stated in the draft OZP that this area is seen as an area suitable for future development and, indeed, individual applications could be made for building in this zone at any time. To quote from the Planning Report attached to the draft OZP, paragraph 4.4.2 (d):

“planning application provides another means for the villagers to apply for Small House development within the proposed “GB” zone and each case can be considered by the Board on its individual merits.”

- c. Thus, if the provisions of the draft OZP are carried forward, development will eventually occur right up to the banks of the Hoi Ha Stream. Without proper protection and an effective buffer zone of at least 30 metres, Hoi Ha Stream is liable to become polluted by building works and subsequent habitation and this will, in turn, lead to pollution of Hoi Ha Wan. In addition, building along the Hoi Ha Stream will have a negative impact on the landscape of the area. Once again, the landscape assessment has not been taken into account despite the mandate of the DPA. It is significant that even the Hoi Ha Village Representative’s submission to the TPB gave protection to the stream by extending the CPA right up the valley. **That the TPB has failed to put a meaningful barrier to further development along the banks of the Hoi Ha Stream is a serious failure.**

- d. The TPB has ignored the ecological value of the old agricultural area within the Green Belt and has not afforded it CA status because, according to statements made at the TPB meeting of 28 June 2012, the area consists of neglected farmland rather than a totally natural environment. However, this view does not acknowledge the fact that areas of neglected farmland, especially areas of wetland, are an important natural resource and can be of considerable ecological importance. The Ecological Assessment contained within our letter of 12 December 2012 shows that the marshland habitat alongside the Hoi Ha stream is of ecological significance, containing, amongst other flora and fauna, 11 species of butterfly and 15 dragonfly species. **GB zoning offers totally inadequate protection for this area, which should be classified as Conservation Area, as per our recommendations.**
- e. The Green Belt also contains a significant area of Secondary Woodland. The ecological significance of this Secondary Woodland, as opposed to Modified Woodland, which covers another part of the area, was explained within our Ecological Assessment. The Secondary Woodland was assessed as having moderate to high ecological value and was shown to contain several rare species of flora and fauna. Some areas of Secondary Woodland, to the west and north of the DPA have been incorporated within Conservation Areas; the areas of Secondary Woodland within the proposed Green Belt deserve to become CA for the same reasons, as GB designation offers totally inadequate protection for areas of moderate to high ecological value. The Planning Report attached to the draft OZP states the following in paragraph 3.3.2:

*“Development in the Area will have impact on the present landscape character..... development should not encroach upon slopes, and the Fung Shui woods, **secondary woodlands** and stream courses should not be affected.”*

By placing these Secondary Woodlands within a Green Belt, TPB are accepting the probability that, sooner or later, the areas will be built on, in contradiction to the statement in your own Planning Report.

5. V-Zone.

- a. The boundary of the V-zone to the east and south of the village agree with our recommendations of 12 December 2012. The boundary to the north of the village has been discussed under Coastal Protection Zone above.
- b. The proposed V-zone to the west of the existing village is a large, roughly triangular area extending a considerable distance along Hoi Ha Road. This area consists largely of private agricultural land and most lots have been sold to a private developer by indigenous villagers, some of whom have, subsequently, applied for land grants for Small Village Houses. Thus, this area, which is being proposed as suitable for development, is likely to be the site of a large, private housing complex. The original rationale for the imposition of a DPA at Hoi Ha was to counter the threat from a large, private housing complex. Many people felt that Hoi Ha was not suitable for building on such a scale, on the grounds that it would damage

the environment, would destroy the landscape of a beautiful part of Hong Kong and would overwhelm the existing infrastructure. It would seem that the TPB is now sanctioning the building of a complex which the DPA was meant to prevent. Providing land for private development is not included in the Planning Objectives or Principles attached to the OZP.

- c. The Planning report attached to the draft OZP contains the following statement, at paragraph 4.4.2 (a):

“.... Land within this zone is primarily intended for development of Small Houses by indigenous villagers ...”

This large extension to the V-zone will not help the indigenous villagers who might apply for a grant of land under the Small House Policy – little or no Government land exists in this area which would be available for Small House grants. In addition, nearly all of the agricultural plots which might have been available to provide housing for indigenous villagers have been sold to a private developer. Thus, this extension to the V-zone will not be to the benefit of indigenous villagers, to village inhabitants or to the many visitors to Hoi Ha. The only person who will benefit from this destruction of the Hoi Ha environment and landscape will be the developer.

- d. Hoi Ha possesses no mains sewage system and public transport is extremely limited, leading to a high rate of car ownership within the community. The Planning Report attached to the draft OZP states the following, at paragraph 3.3.3:

“There is no existing sewer or planned public sewerAny increase in population, number of visitors to the Area or further recreational/residential developments would require additional facilities.”

The Planning Report goes on to say, in paragraph 4.3(b):

“Small House development in recognised villages will be concentrated at suitable locations so as to preserve the rural character of the Area. “

- e. Paragraph 4.3(b) goes on to say:

“Future development and redevelopment should also demonstrate such a low-rise characteristic and not to overtax the limited infrastructure.”

The TPB does not explain how “low rise” housing will be enforced. NTEHs are invariably 3 storeys high – higher than the original buildings at Hoi Ha – and there is no simple mechanism by which a low-rise building, designed to fit into the landscape, could be granted planning permission.

- f. When making major planning decisions, it is simply unacceptable for the TPB not to quantify and assess the planning constraints linked to the limited infrastructure in the area. In addition, it is vital for a proper planning assessment to consider the cumulative impact of building numerous new houses in an area. The draft OZP envisages a more than tripling of the size of the village population without considering whether or not the available

infrastructure, in terms of public transport, car parking, sewage disposal etc. is capable of absorbing such a large influx. To say that such aspects can be covered as individual applications occur is absolutely ridiculous and makes a mockery of any semblance of a planning process; it is also a complete abrogation of the Government's responsibilities to the people of Hong Kong.

- g. Paragraph 3.1.2 of the Planning Report attached to the draft OZP states:

“Due to the high sensitivity of the Area and its surrounding Country and Marine Parks, the planning framework for the Area should fundamentally be the preservation of the rural setting of the natural environment. Extensive and large scale development is not recommended.....”

To provide a large space for development, which will more than triple the size of the village, will not preserve the rural setting of the village – it will make Hoi Ha into a small town. The provision of such a large V-zone is contrary to the intent of the DPA/OZP process.

- h. One of the Planning Objectives of the OZP is:

“To provide a comprehensive planning framework to guide the development on an integrated and co-ordinated basis.”

To not properly assess the cumulative infrastructure requirements and impact of such a large development, in co-ordination with other Government departments, does not show an “integrated and co-ordinated” approach and makes a mockery of at least one of the Planning Objectives.

6. Demand for Housing.

- a. The TPB appears somewhat apologetic that they can “only” provide space for 60 houses out of a demand for 94 houses in the next 10 years. The Planning Report attached to the draft OZP states the following at paragraph 4.4.2 (c):

“The latest information on the 10-year forecast has been obtained by District Lands Officer/Tai Po. DLO/TP has advised that according to the VR of Hoi Ha Village, the 10-year forecast for Small House demand (2013-2022) for the Hoi Ha area is 84. Based on Planning Department's preliminary estimate, the total land required for meeting the Small House demand of 94 is about 2.35ha.”

Paragraph (d) states:

“The demand figure has not been verified.”

- b. Thus, the forecast demand for housing, which is at the core of TPB's planning decisions, is based solely on the Village Representative's figure and has not been vetted or independently assessed by anyone. This figure is likely to be grossly exaggerated and is probably based on an assessment of the total number of male descendants of the village worldwide. The demand has been subject to no review or audit and is based solely on the word of an

individual who, inevitably, will have a conflict of interests. In the last 20 years, there have been 7 new houses constructed at Hoi Ha and another 5 applications have been approved. None of these houses are occupied by indigenous villagers. Is it really likely that all 84 “sons of Hoi Ha” are going to return to Hoi Ha within the next 10 years, homeless, in order to farm the land – which is the intent and purpose of the Small House Policy? In any case, the “farming” land has been sold to a developer. The figure of 84 houses forms absolutely no basis whatsoever to make planning decisions which will affect one of Hong Kong’s most important natural resources and a site of outstanding natural beauty. That the TPB should be making major planning decisions based on the unverified estimate of demand from a small group of people whose main interest is in making money out of the Small House Policy is a complete abrogation of their responsibilities to the people of Hong Kong.

- c. A more realistic estimate for the demand for housing by legitimate applications under the Small House Policy would be in the region of 10 houses in the next 10 years – a much more environmentally sustainable figure and one which could be incorporated within a considerably smaller V-zone than that proposed by the draft OZP.

7. Seasonal Stream.

The Hoi Ha DPA contains several natural seasonal streams and one modified stream. The ecological importance of these streams was outlined in our 12 December 2012 submission and buffer zones were suggested in order to prevent the streams themselves from being polluted by building works and subsequent habitation, and the riparian zones protected from disturbance. Paragraph 3.3.1 of the Planning Report attached to the Draft OZP states the following:

“..... two small streams flow by the sides of the Hoi Ha village, down to the HHW Marine Park. Care should be taken not to cause any direct or indirect impacts to its water quality and to the coastal/marine ecological resources, and developments that might adversely affect the general rural character and the adjacent ecologically sensitive areas should be avoided.”

The streams in question flow directly into Hoi Ha Wan and any pollution entering the streams will be rapidly transported into the Marine Park. Notwithstanding the recognition of the importance of conserving these streams, the draft OZP contains no reference at all to them. These seasonal streams should be afforded protection as part of the DPA/OZP process.

8. International Obligations.

Hong Kong is a signatory to the Convention on Bio-Diversity. Article 8 of the Convention, “In-situ Conservation” states that:

“Each Contracting Party shall, as far as possible and as appropriate:

- (a) Establish a system of protected areas or areas where special measures need to be taken to conserve biological diversity;*

.....

- (e) Promote environmentally sound and sustainable development in areas adjacent to protected areas with a view to furthering protection of these areas;”*

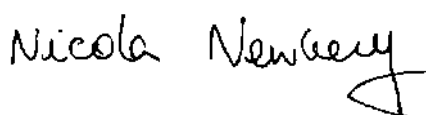
Thus, the Government has a remit to ensure that areas adjacent to the “protected areas” of Sai Kung Country Park and Hoi Ha Wan Marine Park / SSSI are subject to environmentally sound and sustainable development. The village of Hoi Ha is precisely the sort of area covered by Article 8(e); the draft OZP for Hoi Ha does not promote environmentally sound and sustainable development and needs to be modified in order to fulfill Hong Kong’s international obligations.

9. Conclusion.

- a. Although the draft OZP for Hoi Ha might be seen as a good first step towards the formulation of a plan which fulfils the remit of the DPA, it is seriously flawed in several respects:
 - i. The draft plan uses out-of-date maps, which distorts the boundaries of the CPA.
 - ii. The proposed V-zone has an insufficient buffer zone between the old village and Hoi Ha Wan.
 - iii. The Green Belt offers no effective protection to the environmentally sensitive Hoi Ha Stream, the adjacent wetland and the Secondary Woodland, all of which have moderate to high ecological value.
 - iv. The impact on the landscape of Small House-type developments on the boundaries of the V-zone has not been properly assessed. The Landscape impact of developments is a key planning principle contained within the DPA schedule.
 - v. The extension to the V-zone to the west of the existing village does not assist in helping indigenous villagers to meet their aspirations.
 - vi. The DPA was explicitly set up to counter a proposal to build a large, private housing complex. The draft plan allows for just this type of proposal without providing any benefit to indigenous villagers, to village inhabitants or to the tourist industry.
 - vii. In an area with limited infrastructure, it is unacceptable that the TPB can allow the tripling in size of a village without considering the cumulative impact of such a plan on the environment and landscape.
 - viii. Planning decisions are being based on a grossly inflated figure for the 10-year housing demand, submitted by a single individual, with no attempt made by Government to verify this figure.
 - ix. The draft OZP does not comply with the remit of the DPA and does not fulfil its Planning Objectives and Principles.
- b. The final solution for the area surrounding the village of Hoi Ha may well be the incorporation of this land into the surrounding Country Park. However, we realise that this decision is not one which is within the remit of the TPB to make and so, in the meantime,

the TPB should alter the zoning of the OZP to ensure the proper protection of the environmentally sensitive areas until such time as a debate on the subsumation of land into the Country Park can take place.

- c. Finally, the draft plan should have been published at the beginning of 2013, in order to allow a proper public consultation on the draft before its scheduled gazetting in October. That the TPB delayed the publication of the draft until late June and did so without informing interested parties, requires explanation. The delay in publishing the draft has made meaningful public consultation on the draft extremely difficult, if not impossible. The gazetting of the final OZP needs to be delayed and a proper consultation process arranged with interested parties as a matter of urgency.



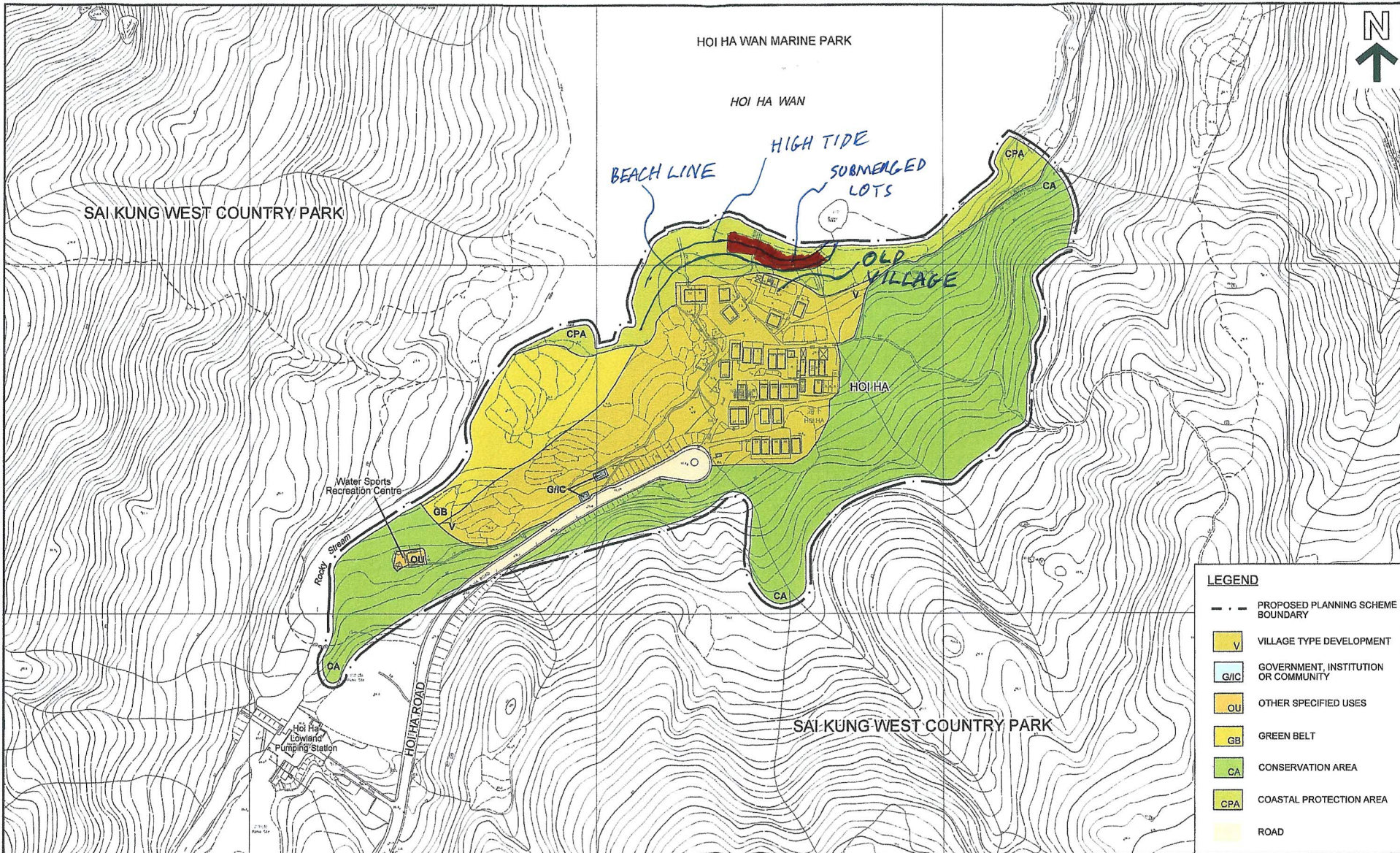
Nicola NEWBERY
Chair, Friends of Hoi Ha



David NEWBERY
Secretary, Friends of Hoi Ha

Encs

cc: Secretary for Development
Secretary for the Environment
Director of Lands
Director of Environmental Protection
Director of Agriculture, Fisheries and Conservation
Tai Po District Officer
Antiquities and Monuments Office
Country and Marine Parks Board
LegCo Panel on Environmental Affairs
Hon. Emily LAU, Legislative Councillor
Kadoorie Farm
Swire Institute
WWF Hong Kong
Civic Exchange
Green Power
Friends of the Earth
Conservancy Association
Designing Hong Kong
Friends of Sai Kung



LEGEND	
---	PROPOSED PLANNING SCHEME BOUNDARY
V	VILLAGE TYPE DEVELOPMENT
G/I/C	GOVERNMENT, INSTITUTION OR COMMUNITY
OU	OTHER SPECIFIED USES
GB	GREEN BELT
CA	CONSERVATION AREA
CPA	COASTAL PROTECTION AREA
---	ROAD

PROPOSED LAND USES

HOI HA

PLANNING DEPARTMENT



REFERENCE No.
M/NP/HH/12/3

FIGURE
11

EXTRACT PLAN PREPARED ON 19.6.2013
BASED ON SURVEY SHEETS No. 8-NW-SA/B/C/D

SCALE 1:2 500
METRES 50 0 50 100 METRES

FRIENDS OF HOI HA
21C Hoi Ha Village
Sai Kung Country Park
New Territories
HONG KONG



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Fax: (+852) 2791 6454
Email:
newbs@netvigator.com

03 August 2013

Mr Thomas CHOW
Chairman
Town Planning Board
15/F, North Point Government Offices
333 Java Road
North Point
Hong Kong

Dear Mr Chow

HOI HA MARINE PARK BOUNDARY

1. The exact mapping of the boundary of Hoi Ha Marine Park has been a subject which has concerned FOHH for many years. In 2010, we wrote to AFCD, enquiring as to the gazetted boundary of the Marine Park. We were given the attached reply, which shows that the boundary had been fixed on a line on an out-of-date map (even in 1996, when the Marine Park was gazetted). This map, as has been pointed out previously, did not acknowledge the dynamic nature of the coastline and, in particular, the inundation of the agricultural plots which occurred after sand was dredged from Hoi Ha Wan and its beaches to support New Town building. The Marine Parks Designation Order in respect of Hoi Ha Marine Park makes no mention of the High Tide Mark and the boundary appears to be fixed on the line on the map as provided by AFCD.
2. In the draft Hoi Ha OZP, you state that:

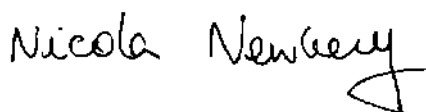
“...two areas that are currently within the boundaries of the Hoi Ha DPA should be excluded from the planning scheme boundary of the proposed OZP to avoid duplication of controlling authorities as these two areas fell within the HHW Marine Park...”
3. The implication of this statement is that the boundary of the Marine Park lies on the line shown on Plan 2 of the draft OZP (enclosed). Closer examination of this new delineation of the DPA along the coastline appears to show that it has been drawn along a line which coincides with the boundary of the vegetation along the shoreline as seen from a Google Map satellite photograph. The vegetation at this point of the shore is mangrove and/or mangrove-associate vegetation which exist with their root systems partially or totally embedded into the beach and are sometimes covered with water at high tides. Therefore, the new boundary does not seem to coincide with the High Tide Mark, nor does it delineate the boundary of the beach or of the marine ecosystem. Most importantly, the line does not appear to coincide with the gazetted boundary of the Marine Park as provided by AFCD.
4. Please could you advise us what is the exact boundary of the Marine Park – is it the High Tide Mark, the edge of the vegetation as seen from a satellite photograph or an arbitrary line on the

map? What is the official, **legally enforceable** boundary of the Marine Park? Was the map given to us in 2010 by AFCD in error?

5. The fixing of the exact boundary of the Marine Park and its relationship to the boundary of the proposed Coastal Protection Area is important for 2 reasons:
 - a. Is it the intention to make the boundary of the Hoi Ha Wan Marine Park and the CPA contiguous – i.e. with no gaps in between? The answer to this question is important because of the existence of several private lots of previous agricultural land which are now inundated by the sea. These plots, which were, originally, paddy fields, now form part of the sandy beach in front of the old village. The areas cut from the original DPA are, indeed, covered by sea continuously or at high tides; however, if the **gazetted** mapping of the Marine Park is as delineated on AFCD's map and the boundary of the DPA is as shown on the draft OZP Plan 2, then the 2 areas cut from the draft OZP, which include several of these plots of agricultural land, are in an ambiguous situation. These areas are presently under water for much of the time; however, if they were to be reclaimed either by natural processes or by the owners of the plots, then could they be subject to development? If, however, we can be assured that these areas will be fully covered by **statutory, legally enforceable protection** as Marine Park or CPA and/or legal title to these areas has lapsed because of inundation, then we can have some confidence that there are no loopholes in the proposed OZP which might allow building along the coastline which will seriously interfere with the intentions of the DPA. In most legal jurisdictions, if a plot of land is inundated by sea on a regular basis, then title of the land reverts to the Government. Does this process apply in Hong Kong? Please could you tell us what is the exact legal status of the areas cut from the DPA with reference to the gazetted boundary of the Marine Park?
 - b. The coastline at Hoi Ha is dynamic. Over the previous 30 or so years, the trend has been that the coastline has been severely eroded and that the sea has encroached upon the land by up to about 80 metres. However, it is possible that the situation may be reversing itself and there may be, at the moment, a net gain of land – albeit slowly. It is not only vital to ensure that there are no holes in the coverage between the Marine Park and the CPA but, also, that the legislation is robust enough to cope with whatever happens to the dynamic coastline in future years. To this end, a fixed line on a map may not stand the test of time.
6. There are 2 solutions to this problem:
 - a. One solution is to delineate the boundary such that everything to the seaward side of the High Tide Mark is Marine Park (this would make the Marine Park boundary coincidental with the SSSI) and to make everything to the landward side of the High Tide Mark, CPA. The boundary of the CPA can be a line plotted on an accurate, up-to-date map, as this should not be subject to change. However, we are far from convinced that the boundary of the Marine Park has been **gazetted** in a way which would support this delineation and the subject may have to be re-visited by Legislators to better define the Marine Park boundary.
 - b. Given that the gazetted boundary of the Marine Park may require amendment by legislators, it may be appropriate to move the boundary of the Marine Park so as to cover the CPA – in other words, to extend the Marine Park boundary to the edge of the marine-influenced ecosystem. This extension of the Marine Park to encompass the beaches and the mangrove and mangrove-associate vegetation would acknowledge that these areas form an integral part of the marine ecosystem and protection of these areas is vital to ensure the long-term health

of Hoi Ha Wan Marine Park. We realise that it is beyond the remit of the TPB to award Marine Park status to any area; however, in your discussions with AFCD, this possibility could be discussed and, perhaps, incorporated as a recommendation in the final OZP.

7. Given the development pressure on Hoi Ha, it is vitally important that there are no loopholes in the legislation which will allow development which is expressly against the aims of the DPA. It may be that the Marine Park boundary will require legislation to amend the Marine Parks Designation Order in respect of Hoi Ha Marine Park in accordance with the Marine Parks Ordinance (CAP 476).
8. We realise that sorting out this problem will involve co-ordination between several Government departments – AFCD, LandsD and the DoJ - and that time is short before the OZP is due for publication. However, it is vitally important for the future of Hoi Ha and entirely consistent with the aims of the DPA that this boundary issue should be clarified and that the coastline is fully protected by legally enforceable legislation that is robust enough to not only reflect the present situation but, also, to withstand future changes in the coastline due to natural causes.



Nicola NEWBERY
Chair, Friends of Hoi Ha



David NEWBERY
Secretary, Friends of Hoi Ha

Encs

cc: Secretary for the Environment
Director of Agriculture, Fisheries and Conservation
Director of Lands
Country and Marine Parks Board
LegCo panel on Environmental Affairs
Hon. Emily LAU, Legislative Councillor
Kadoorie Farm
Swire Institute
WWF Hong Kong
Civic Exchange
Green Power
Friends of the Earth
Conservancy Association
Designing Hong Kong
Friends of Sai Kung

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長沙灣政府合署六樓



Agriculture, Fisheries & Conservation
Department

Cheung Sha Wan Government Offices
303 Cheung Sha Wan Road 6th floor
Kowloon, Hong Kong

本署檔號 OUR REF: (12) AF GR MPA 02/8/1 Pt.5

來函檔號 YOUR REF:

電話 TEL NO.: (852) 2150 6871

圖文傳真 Faxline No: (852) 2152 0060

21 C Hoi Ha Village
Sai Kung Country Park
New Territories
HONG KONG

Attn: Mr. David Newbery

11 March 2010

Dear Mr. Newbery

Change of Coastline at Hoi Ha Wan

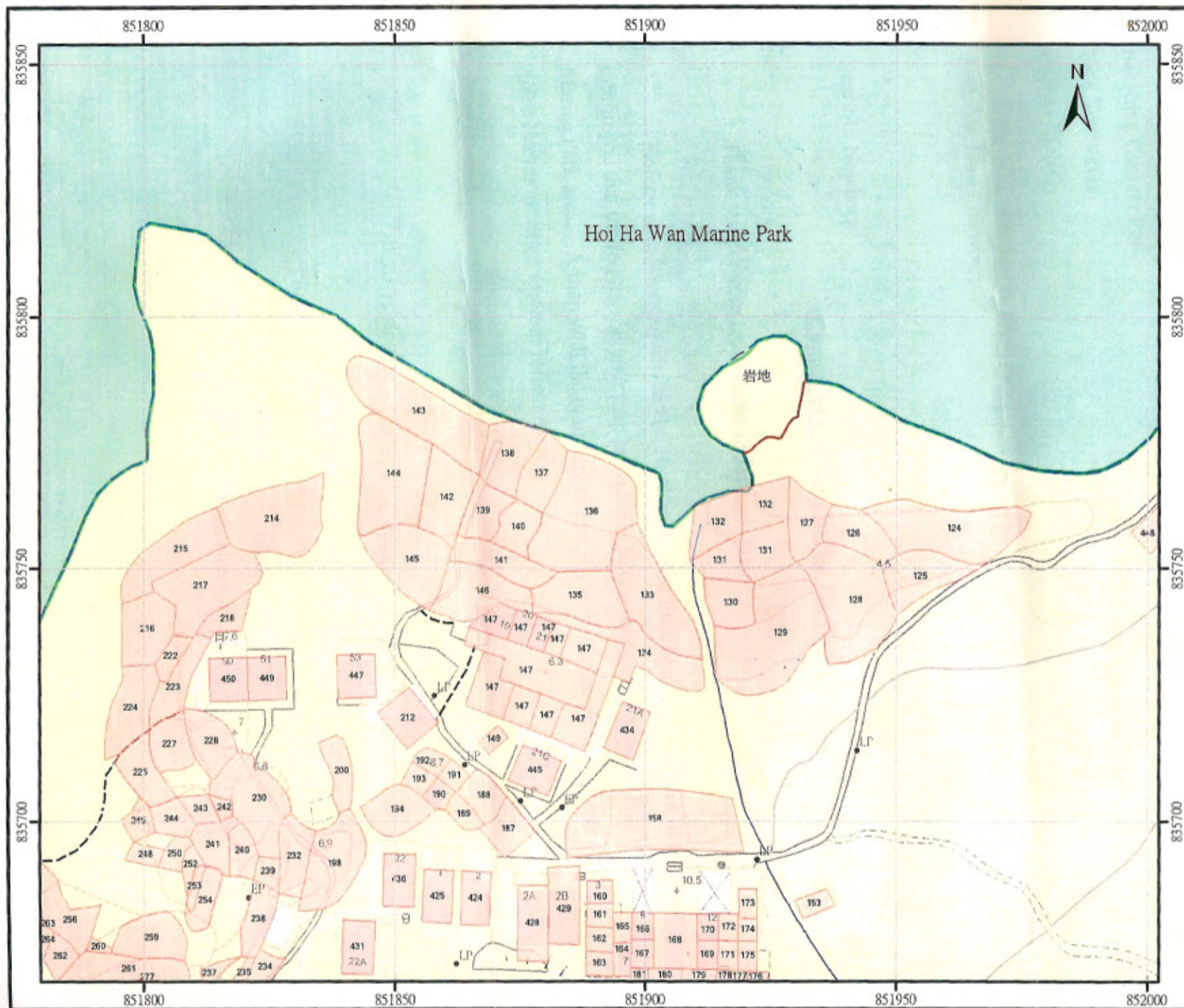
Thank you for your letter dated 13 January 2010.

Referring to your enquiry on Hoi Ha Wan Marine Park boundary, I would like to inform you that the red line on your map provided is falling outside the gazetted Hoi Ha Wan Marine Park area. A map with the boundary of Hoi Ha Wan Marine Park (delineated in green line) is attached for your reference.

Yours faithfully,

(Patrick LAU)

for Director of Agriculture, Fisheries and Conservation

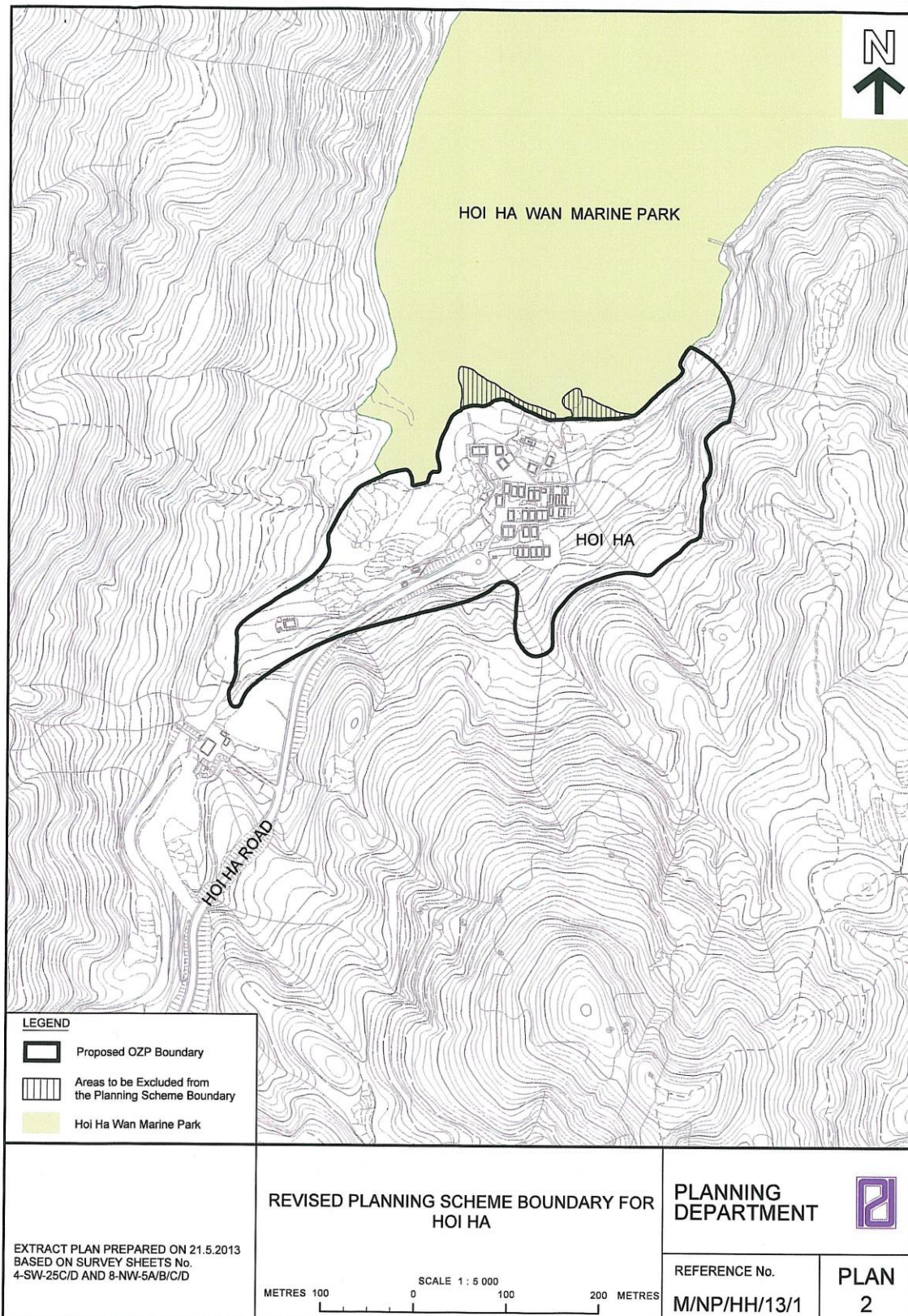


Notes :
1. CO-ORDINATES ARE OF HONG KONG 1980 GRID SYSTEM.

Legend

- Hoi Ha Wan Marine Park
- Lot
- Modify Lot
- Licence
- Coastal

No.	date	description	initial
REVISION			
1		name	date
1		surveyed	
1		designed	
1		drawn	K. T. CHAN
1		checked	4/3/2010
approved			
		SENIOR ENGINEER	_____
		LAND SURVEYOR	_____
contract no.			
file no. AF GR MPA 02/8/1 PT. 5			
project no.			
Contract			
MARINE PARKS & MARINE RESERVES HOI HA WAN MARINE PARK			
Drawing title			
COASTAL EROSION AND LAND OWNERSHIP - HOI HA WAN MP			
Drawing no. AFD-LS-2010-11		revision	Scale 1:1,000
Office ENGINEERING DIVISION			
 AGRICULTURE FISHERIES & CONSERVATION DEPARTMENT			



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01 November 2013

Mr Alan WONG, Chi-Kong JP
 Director, Agriculture, Fisheries and Conservation
 5/F, Cheung Sha Wan Government Offices
 303 Cheung Sha Wan Road
 Kowloon

Dear Mr Wong

HOI HA DRAFT OUTLINE ZONING PLAN

You will be aware that the draft Outline Zoning Plan (OZP) for the Hoi Ha Development Permission Area has been issued by the Town Planning Board, who are seeking comments. I am enclosing a map of the draft plan for reference (Appendix 1) and of FOHH's suggested zoning plan which formed part of a detailed paper submitted to the TPB in December 2012 (Appendix 2). The full FOHH paper can be viewed at <http://www.friendsofhoiha.com>. It is pleasing that some of the recommendations in our December 2012 paper have been adopted and we would like to thank AFCD for their assistance in supporting the concepts of a Conservation Area and a Coastal Protection Area in parts of the DPA. However, there are still several problems with the draft plan which we believe should be taken up by the AFCD with a view to improving the draft OZP and better protecting the fragile environment surrounding Hoi Ha. The concerns centre on the **Green Belt**, the large extension of the **V-Zone** to the west of the village and the **Coastal Protection Area boundary**.

GREEN BELT

1. **Green Belt and the Hoi Ha stream**
 - a. The TPB draft OZP shows a large Green Belt area stretching from the enlarged V-zone to the borders of the Hoi Ha stream. Green Belt designation offers little real protection against future development and the TPB has already talked about this area being a reservoir of land for future development. In addition to the possible opening up of the Green Belt for development at some time in the future, individual applications for development are allowed within Green Belts. Green Belt has not proven to be a robust barrier to development in Hong Kong. This designation offers the possibility that **future housing development could take place right up to the borders of the Hoi Ha stream**.
 - b. In our December 2012 paper, the Hoi Ha stream and the riparian area surrounding the stream was assessed by our consultants, AEC Ltd., as having **Moderate to High Ecological Value**. In its upper reaches, AFCD classifies the stream as **Ecologically Important**. The stream and its associated riparian borders provide valuable habitat for flora and fauna and it has importance as one of a dwindling number of undisturbed stream habitats in Hong Kong with an uninterrupted run to the sea (See Appendix 3).
 - c. The Planning Report attached to the draft OZP states the following at paragraph 3.3.1:

“....natural streams of significant size are regarded as ecologically important habitats.”

In addition, paragraph 3.3.2 of the Planning Report goes on to state:

“... the rocky stream and the mangrove estuarine are considered a type of significant landscape resource.....and it should also not be affected. “

- d. Subsequent to the publishing of the FOHH paper, scientists working in the upper reaches of the Hoi Ha Stream believe that they have discovered a rare catadromous fish species of **conservation concern** – a species that needs to migrate between the sea and the upper stream areas to breed. Should the sightings be confirmed, then, in order to protect it, the stream-ocean corridor should remain unimpeded, stream flow and stream bed should remain natural, and encroachment or disturbance of the stream course or its riparian corridor should be avoided. If the discovery is confirmed, AFCD will be informed.
- e. The Hoi Ha stream is not only important in its own right; it must be acknowledged that the stream flows directly into Hoi Ha Wan Marine Park, a Site of Special Scientific Interest. Therefore, any pollution entering the stream in the form of run-off from building works, domestic activities and effluent from septic tanks will pollute Hoi Ha Wan and, potentially, damage its sensitive flora and fauna.
- f. In the FOHH paper, AEC recommended a buffer zone of at least 30 metres between the Hoi Ha stream and any possible sources of disturbance. The provision of a Green Belt right up to the stream itself does not adequately protect the stream and we believe that it is vital that a definite barrier be set up around the stream by extending the Conservation Area to the west of the area to join up with the Coastal Protection Area, giving at least a **30 metre buffer zone** along the entire length of the Hoi Ha stream. In previous submissions to the TPB, both FOHH and the Village Representative included a buffer zone for the river – in the case of FOHH, a Conservation Area, and the Indigenous Village Representative suggested Coastal Protection Area.

2. Green Belt and the Marsh Habitat

The marsh habitat adjacent to the stream was assessed in the FOHH report as having **ecological significance**, especially for the range of butterfly and dragonfly species found in the area. This area warrants a greater level of protection than that afforded by Green Belt.

3. Green Belt and Secondary Woodland

The remainder of the proposed Green Belt is composed of Secondary Woodland, which was assessed as having **Moderate to High Ecological Value** in the FOHH report and contained a large number of rare and protected species. Once again, Green Belt designation offers scant protection for this area of ecological significance.

4. Green Belt and Landscape

In the Landscape Report by ADI Ltd. in the FOHH paper, the landscape within the proposed Green Belt was assessed as having **High Scenic Value** and *“Capacity for further development limited if the aesthetic and spatial quality of the landscape character is to be maintained.”*

5. Conclusion

The inevitable conclusion of the above is that the proposed **Green Belt offers totally inadequate protection** for the sensitive environmental areas it contains and offers no real protection against future development. The obvious better classification of this area would be as **Conservation Area** and we would urge the AFCD to advise the TPB that Green Belt is unacceptable and that Conservation Area offers the most appropriate protection for this area.

WESTERN EXTENSION TO THE V-ZONE

6. Species Diversity

The large western extension to the V-zone covers mainly Secondary Woodland which was assessed in the FOHH study as having **Moderate to High Ecological Value** because of the species diversity of the woodland and the presence of rare and protected flora and fauna. The AEC study identified specimens of *Pavetta hongkongensis*, a species of **conservation concern**, within the area, which would, inevitably, be destroyed by any development. The area consists of mainly abandoned farmland but this should not detract from its ecological value, which should be assessed on its species diversity and importance rather than on previous use. (Appendix 4).

7. Inter-Connectivity

The western extension to the V-zone is in an area which connects the terrestrial ecosystems of the Country Park to the riparian and coastal ecosystems of the Hoi Ha stream and Hoi Ha Wan. Thus, the area is a vital transit area for many species. There is evidence emerging that mammals use the area as a transit corridor between the stream and coast and the Country Park. Any development in this area could have serious impacts on the migratory and foraging routes of terrestrial fauna.

8. Landscape

The present landscape in this area has been assessed by ADI in the FOHH paper as having **High Scenic Value**. To construct a large housing estate on this area would completely alter the aesthetic qualities of the entire area, as seen from the hills, the valley and the sea, and would irrevocably alter the landscape characteristics of the surrounding Marine and Country Parks.

9. Cumulative Impact

The agricultural lots in the large area proposed as V-zone to the west of the village have been almost entirely bought by property developers. Therefore, it is to be expected that if this area remains on the OZP, there will be applications to build numerous houses in this area,

probably integrated into a large housing scheme. In assessing the impact of such a development, it is vital that the cumulative impact of building a large number of houses in this area is considered, rather than assessing the impact of the houses as individual applications. The cumulative impact on the environment, landscape and infrastructure (sewage disposal, transport, and parking) of a large housing development will be considerably more than the sum of the individual houses and it would be a travesty if the cumulative impact of building more than 50 houses in such an area were not to be considered as part of the planning process.

10. Conclusion

The large western extension to the V-zone present in the draft OZP is unwarranted in terms of fulfilling any genuine need for housing in the area. In addition, the development of this area will cause irreparable damage to an environment assessed as having **High to Moderate ecological value and High Scenic Value**, and will involve the destruction of protected species in the area. The area is also highly likely to be used as a transit corridor for native animals and its development will interfere with terrestrial mammalian behaviour. The western extension to the V-zone and its potential use for a large-scale housing development is, therefore, likely to cause unacceptable environmental damage and we would urge the AFCD to advise the TPB to re-classify this area as **Conservation Area**.

COASTAL PROTECTION ZONE

11. Concept

The concept of a Coastal Protection Zone has been almost universally accepted by all respondents to the TPB. AFCD's support of this concept is welcomed as we believe that a CPA offers the best protection to Hoi Ha Wan by incorporating the coastline and maritime-influenced mangrove/associate mangrove belt within the areas of protection. You cannot adequately protect a marine park without protecting its shoreline and this shoreline protection has, up to now, been lacking. (Appendix 5).

12. Marine Park/CPA Boundary

There was, at one time, some confusion about the landward boundary of the Hoi Ha Wan Marine Park and we note that the boundary of the Hoi Ha DPA has been adjusted in the draft OZP. We understand that the boundary of the marine park is not fixed on a map but covers the beach, the intertidal sand dunes and mudflats and responds to changes in the coastline caused by natural forces. We also understand that the proposed CPA will have a contiguous boundary with the marine park, moving, as required, along with the marine park boundary, in response to natural changes in the coastline. However, we understand that the landward boundary of the CPA will be fixed on the map.

13. Actual Marine Park Boundary

We note that the map showing the Marine Park boundary and, thus, the boundary between the Marine Park and the CPA is for illustrative purposes only, as the Marine Park boundary is not fixed. However, the map used by the TPB is misleading in that it shows the CPA boundary much further away from the village than is the reality – thus the buffer zone between the Marine Park and village development is much narrower than portrayed on the map. The area in question is in front of the old, now ruined village as shown on the enclosed

map (Appendix 6), where the actual Mean High Tide Mark and boundary of the beach in front of the village have been plotted. The sea inundated the previous agricultural land (which is still shown on Government maps) in the 1970s, when sand was removed for building purposes. The Spring Tides come much higher than the Mean Tide (Appendix 7) which, in combination with storm surges and typhoons explains why the agricultural land has been replaced by beach beyond the present High Tide Mark and up to within a few metres of the old village. The OZP map gives the impression that the CPA is approximately 40 metres wide at this point and consists of agricultural plots; however, in reality, coastal erosion has washed away the soil from the agricultural land in this area and sand has been deposited, leading to a situation where **the beach now comes to within 10 metres of the old village walls**. Thus, using the accepted definition of the Marine Park boundary, the CPA is less than 10 metres wide at this point, as shown in Appendix 8.

14. Future of the Old Village Site

If the old village is incorporated within the V-zone, it is likely that there will be plans to completely re-develop the old village, with the old walls being demolished and several new NTEHs being built on the site (Appendix 9). With only a 10 metre buffer zone between the site and the marine park, it is almost inevitable that pollution from building works and domestic activities and effluent from septic tanks will enter Hoi Ha Wan Marine Park. If such a development goes ahead, the old walls of the village will be demolished and the hydrology of the area altered, which may lead to more coastal erosion – erosion which has been stabilised by the associate mangroves along the coast and the old village walls. It is also highly likely that the associate-mangroves in front of the site would be (illegally) cut to improve the view from the houses and access to the beach, as has been done at other parts of the coastline at Hoi Ha (Appendix 10). **Such a major re-development should not be permitted within a mere 10 metres of the Marine Park.**

15. Conclusion

We believe that the CPA should be considerably wider than 10 metres in an area which is likely to be subject to major building activities, in order to provide an effective buffer zone to prevent pollution of Hoi Ha Wan Marine Park. We would ask the AFCD to suggest to the TPB that the **old village be included within the boundary of the Coastal Protection Area** as shown on the attached FOHH proposal (Appendix 11). You will note that the CPA boundary to the east and west of the village has not been re-drawn; however in the area where the farmland has been eroded such that the beach and, therefore, the marine park comes much further inland than is indicated by the TPB map, the boundary has been moved to the south to include the old, ruined village, so as to ensure that the CPA acts as an effective buffer zone between the V-zone and the Marine Park. This classification of the old village area would prevent the complete re-development of the site, with its attendant risk of pollution and damage to the coastline but would allow sympathetic and environmentally friendly re-building activities which would not exceed, in horizontal or vertical extent, the existing footprint of the original 1.5-storey boulder cottages and would allow the incorporation and retention of the old village walls into any building works, which would limit the potential damage to the coastline and landscape and prevent pollution to the marine park.

COUNTER PROPOSALS

16. We believe that a counter-proposal will soon be tabled which will involve the suggestion that the V-zone be considerably expanded to the east of the village – into the area assessed by

FOHH in our December 2012 paper as being Fung Shui Forest (Appendix 12). As this would open up a large area for Small Houses, any incursion into this ecologically important area requires a full survey of the flora and fauna to be carried out in order to ensure that it is environmentally acceptable. Certainly, any development in this area would have a considerable detrimental effect on the landscape value of the village as seen from the coast and sea. We would ask AFCD to ensure due diligence in commenting on this proposal and to vigorously oppose the scheme unless authoritative evidence is obtained to prove that unacceptable environmental and landscape damage will not be caused by a large development in this area. Undisturbed Fung Shui Forest is becoming a rarity in Southern China and Hong Kong's areas are amongst the best and most accessible. The preservation of Hong Kong's remaining Fung Shui Forests should be seen as a high priority by AFCD.

THE FUTURE

17. Country/Marine Park Incorporation

The correct zoning of the Hoi Ha DPA can be seen as a good first step in providing adequate protection for the environmentally sensitive areas surrounding the village. However, to provide the best standard of protection for the area, which will permanently preserve and conserve this area which is of outstanding natural beauty as well as containing a rich and diverse flora and fauna, we believe that the Director AFC, as the Country and Marine Parks Authority, should task the Country and Marine Parks Board to investigate the possibility of subsuming some or all of the Hoi Ha DPA into the Country and Marine Parks. To incorporate the CPA within the Marine Park would seem to be an excellent first step – this would make scientific sense, it would clear up any remaining confusion as to the exact boundary of the marine park, it would protect the shoreline as well as the sea areas within the same framework and may well encounter less opposition from vested interests than the incorporation of large areas of the DPA into the Country Park, which could follow at a later date.

CONCLUSION

18. Advice to the Town Planning Board

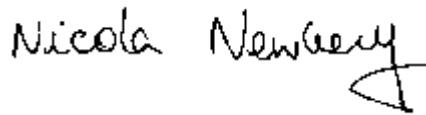
The draft OZP for the Hoi Ha DPA, whilst containing some good points, falls short of what is required to adequately protect the environmentally sensitive environs of Hoi Ha village. We believe that the AFCD should, in accordance with its remit and Hong Kong's responsibilities under the Convention on Bio-Diversity, advise the TPB to make the following changes to the draft OZP:

- Re-zone the proposed Green Belt as Conservation Area.
- Re-zone the proposed western extension to the V-zone as Conservation Area.
- Incorporate the old village site within the Coastal Protection Area.

19. Internal Actions

We would request the DAFC to instruct the Country and Marine Parks Board to investigate the possibility of incorporating some or all of the Hoi Ha DPA within the Country and Marine Parks.

Yours sincerely

A handwritten signature in black ink that reads "Nicola Newbery". The signature is written in a cursive style, with the first name "Nicola" and the last name "Newbery" clearly legible. There is a small, stylized flourish at the end of the signature.

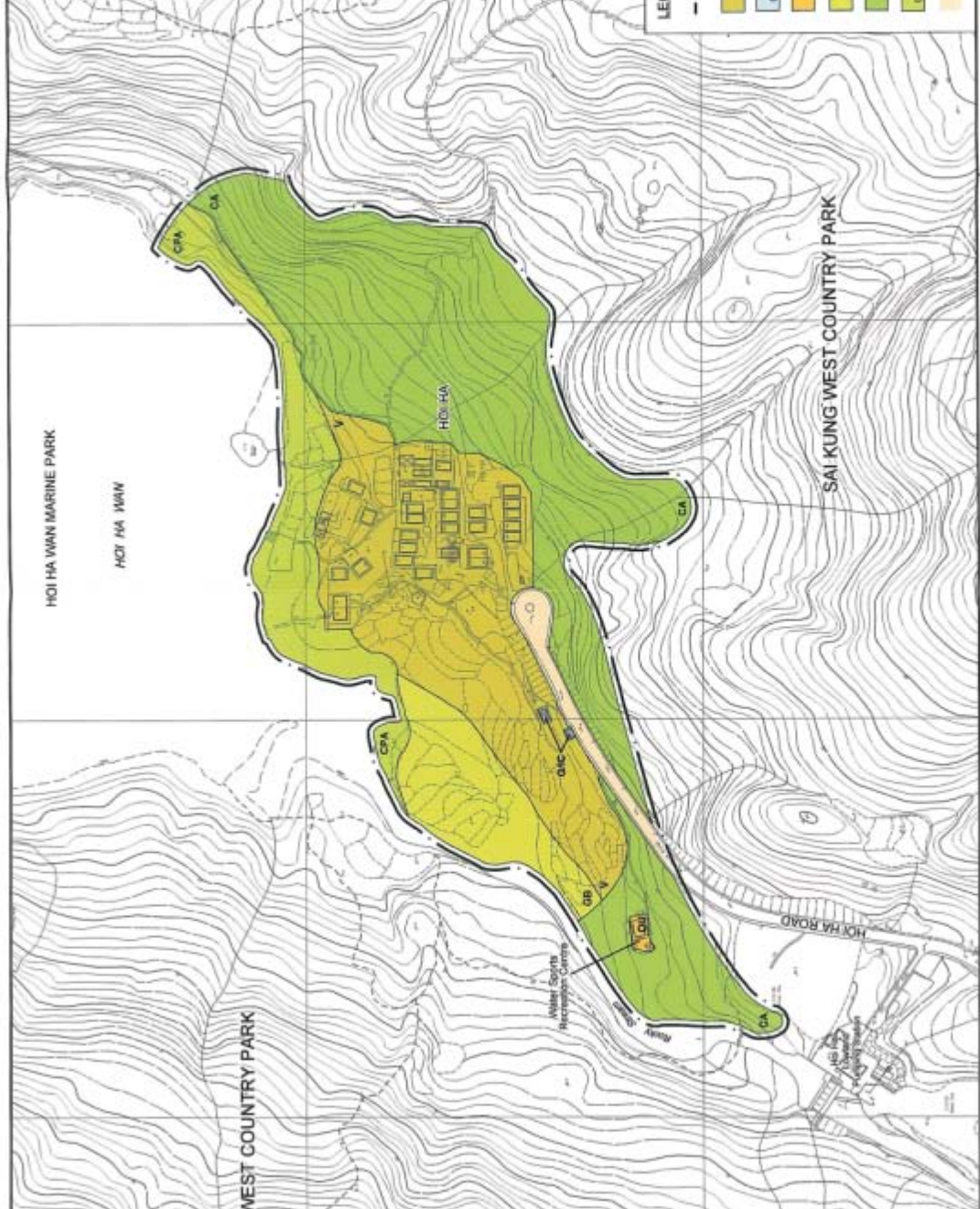
Nicola NEWBERY
Chair, Friends of Hoi Ha

Encs.

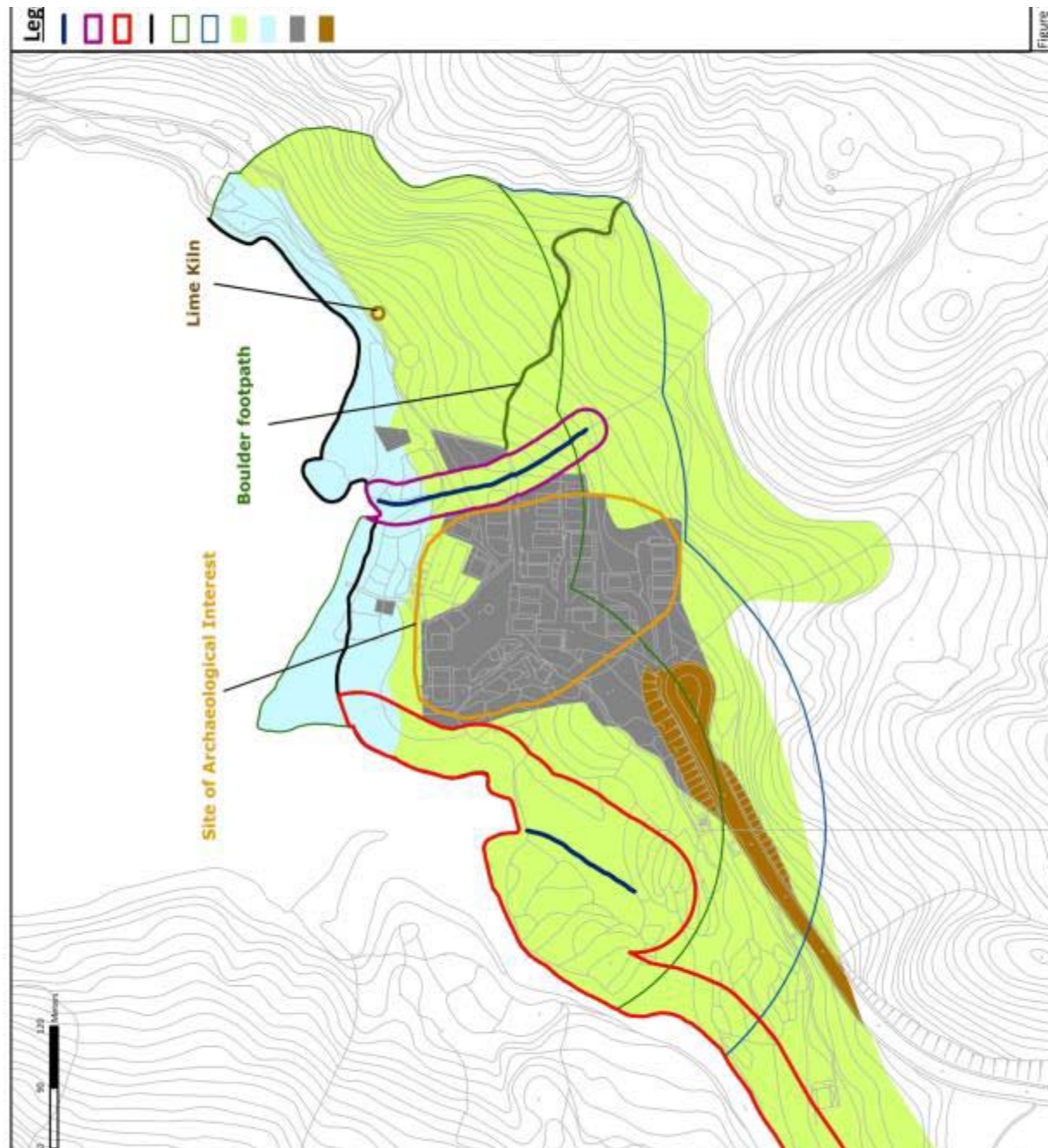
Cc.

Town Planning Board

Country and Marine Parks Board



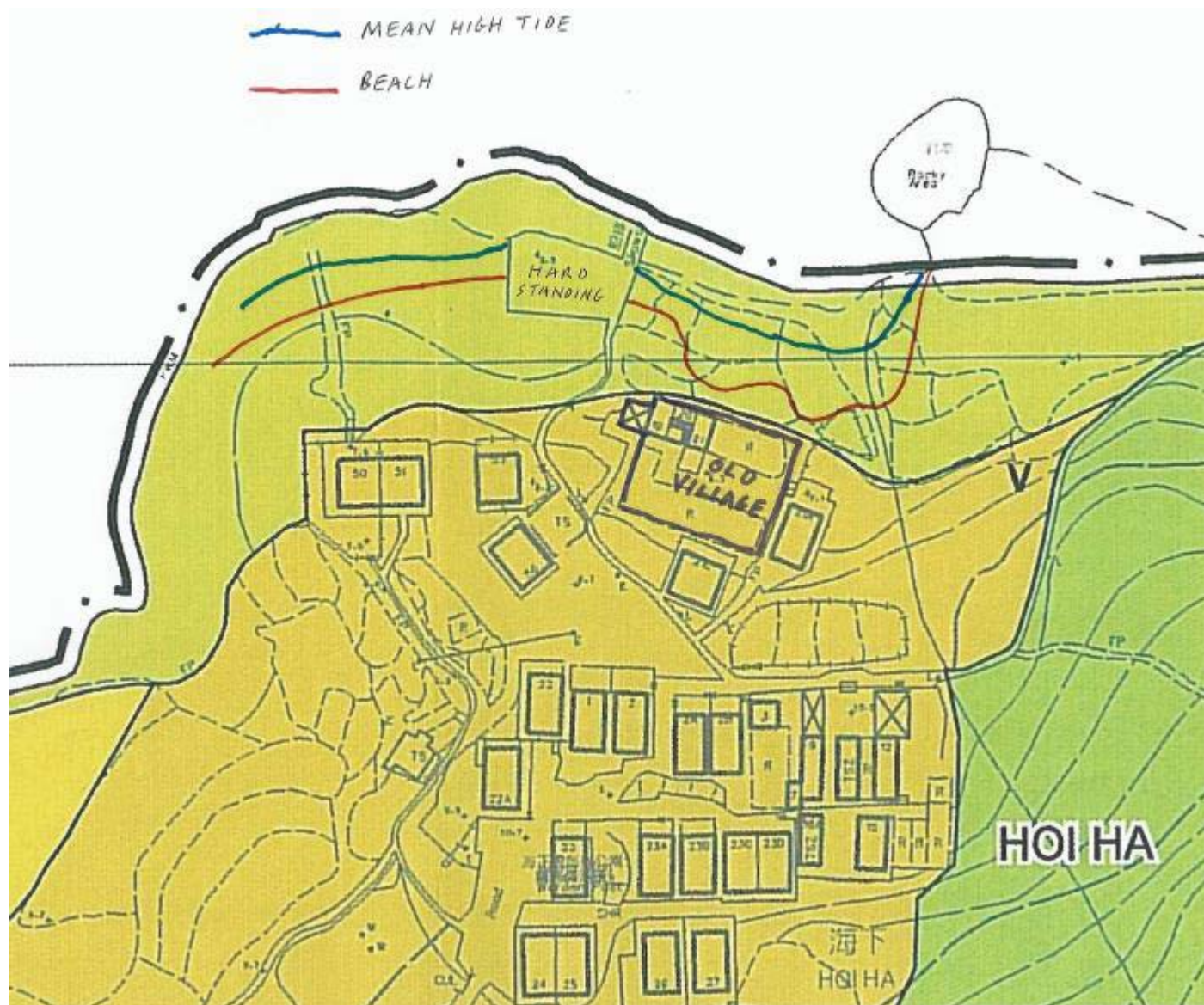
PROPOSED LAND USES		PLANNING DEP
HOI HA		REFERENCE NO.























Hoi Ha Action Group

Press statement: for immediate release

11 August 2013

Opposition to Outline Zoning Plan for Hoi Ha mounts

Following our last public statement, as well as coverage from that in the media, opposition to the Planning department's draft Outline Zoning Plan for Hoi Ha is mounting. In our last statement we pointed out numerous factual and scientific errors in the Planning Department's (PD's) submission to the Town Planning Board. We recognize that these errors were caused by the PD's reliance on wrong scientific data submitted by various self-interested parties. The problem is that both the PD and the Agricultural, Fisheries and Conservation Department (AFCD) were not presented with a proper proposal for the preservation of the area, supported by proper data, based upon the unique ecological value of the Pak Sha O River estuary and the beach. Now that PD are getting inputs of correct data from well-known and respected scientists and environmentalists, we expect a revised OZP to be based on more factual evidence. Hoi Ha Action Group supports these submissions.

However we have become concerned that the unique nature of each Country Park enclave is not being recognized. Three enclaves in Sai Kung Country Park have been in the new lately – each one has different planning concerns; solutions for one cannot be used for another. For example Tai Long Wan has unique landscaping value and it deserves to be conserved because of this. For Hoi Ha Wan it is the ecological value. For Pak Sha O it is the cultural and historical value. In the Hoi Ha case, this was not highlighted properly and this has allowed the developers an opportunity to come in a wreck not only the village but the surrounding Country Park and the Hoi Ha Wan Marine Park..

The Hoi Ha Action Group is currently working with several groups (including the majority of the residents) to address the inadequacies of what was presented, by other parties, to the Authority for decision making. The Planning Department is also working with us to re-evaluate the OZP based upon more concise, clear and relevant data. We welcome this effort. From the data that has been collected, since the late 1980's and the intensive sets collect over the last two years, the correct zonings for the Hoi Ha enclave area is (extended) Village Zone and Country Park. No other zoning will protect the area concerned, allow for the village culture of Hoi Ha to remain and to be supported by science in a court of law.

What we need is support from the public to help with this process. We don't need money, but rather an email or fax to AFCD and Planning Department to support the preservation of this special wild place.

Hoi Ha does not need the property developers to move in. The Government needs to know this. Please help us tell them.

Please also support the Defend Hoi Ha FaceBook page

(<https://www.facebook.com/groups/194768324020365/>) by joining it and expressing your views. You are free to express your views on this group page run mainly by concerned local students and academics.

Please send your emails to

(1) Mr Wong Chi-Kong Director of the Agriculture, Fisheries and Conservation Department (Fax 2311 3731 or email dafcoffice@afcd.com.hk) and

(2) Mr. Thomas Chow, Chairman of the Town Planning Board (Fax 2522 8426 or email tbbpd@pland.gov.hk)

For more information contact Tafu Yamamoto on : 6412 5060 or email defender@hhag.org

Defend Hoi Ha website: www.hhag.org

Tim Hallworth <[REDACTED]>

02/09/2013 上午 07:34

To "tspd@pland.gov.hk" <tspd@pland.gov.hk>
 cc "dymng@pland.gov.hk" <dymng@pland.gov.hk>
 "dafcoffice@afcd.com.hk" <dafcoffice@afcd.com.hk>
 "tpbpd@pland.gov.hk" <tpbpd@pland.gov.hk>

Subject: Objection to Draft Outline Zoning Plan for Hoi Ha No
 t S/NE-HH/C

Dear sir

I refer to the Draft Outline Zoning Plan for Hoi Ha No S/NE-HH/C.

I object to the OZP for Hoi Ha Wan for the following reasons:-

1. It does not protect the area or provide for the future generations.
2. The area opposite a marine park. Where will all the rubbish, construction materials, surface water (from hard standings around the houses) and effluent eventually end up ? The answer the sea (marine park).
3. I understand that 95% of the area zoned for village expansion under the OZP is owned by developers - they will start clearing the land as soon as TPB OK this OZP. This will happen in a ecologically sensitive area in the enclave.
4. The Coastal Protection Area, the Green Belt and the Conservation Area assignments do not go far enough to protect this area. All have enough loop-holes built in for developers to start destroying the area.

Hoi Ha is a place that has a special natural beauty and should remain that way. Your newly-approved OZP not only destroys the area, but also creates an unsustainable model for the future.

The plan does not benefit the environment or villagers of Hoi Ha, but only benefits outside developers who will make big profits. You are not following the wishes or needs of the Hong Kong people with your plan.

Please reconsider your plan into having a small village area surrounding by a zoned Country Park.

The Hoi Ha Village Enclave OZP should contain zoning for an acceptable Village

Area (V-zone) and the remaining area become Country Park. Not only will this protect the area from self-profiting legal challenges, but also kick out developers who are aiming to exploit the Hoi Ha that we love so dearly.

Kind regards
Tim Hallworth
Sai Kung resident

David Howell



02/09/2013 下午 12:00

To tspd@pland.gov.hk

cc dtwtam@pland.gov.hk

dymng@pland.gov.hk

dafcoffice@afcd.com.hk

Subj Hoi Ha Development

ect

Dear Sirs,

I do not agree with the OZP for Hoi Ha. It does not protect the area or provide for the future.

You have let outside developers in. You also have given no solid scientific justification for things like the Green Belt, Conservation Area or the Coastal Protection Area.

You are advised to reconsider this plan to having a small village area and the rest zoned as Country Park.

This will protect this area from legal challenges and kick out the developers.

You are not following the wishes or needs of the Hong Kong people with your plan.

Kind regards,

David Howell

Dominic Powers <[REDACTED]> 27/06/2013
下午 04:36

To trbpd@pland.gov.hk
dymng@pland.gov.hk

[REDACTED]
cc

Subj Comments : Hoi Ha Draft OZP for Town Planning Board
ect Meeting June 28th

Town Planning Board
Hong Kong

June 27th 2013

Re: Hoi Ha Draft OZP

Dear Sir / Madam

I am, purely by chance, in receipt of the Draft OZP for Hoi Ha and the notification of the Town Planning Board meeting on Friday June 28th where this will be discussed.

First of all I must express my concern at the manner in which this draft was released and the related meeting publicised, particularly given the level of attention this has had from interested parties. I would have thought that at the very least a notice would have been posted on the village notice board. **Can you provide insight into why this was not the case?**

In addition to the above I have the following comments, questions and suggestions:

1. A DPA presupposes conservation before development, however with the size and location of the V Zone to the west of Hoi Ha Village it is clear that this is not the case with the Draft OZP.
2. The V Zone and the adjacent GB Zone do not do enough to protect the delicate ecosystem that is present in the old paddy fields and along the banks of the river that lead into Hoi Ha Wan (HHW). Much of the V area in the rainy season turns into a seasonal marsh with additional streams forming as mountain water runs into the mangrove area. Construction here would lead to increased effluent in the valley and almost guarantee the pollution of HHW.
3. Any future building in the V area, and the GB area (we are all very clear I am sure that building has and will continue to take place in green belt areas in the New Territories), will be within 100m of HHW, an area of special scientific interest and therefore not be permitted. **Given current EDP guidelines on sewage and soakaways,**

why create a V zone that will not permit the construction of houses under the Small House Policy?

4. Most if not all of the land in the suggested V and GB Zones has been sold to a developer, and was, as I am sure you aware, the impetus behind the original DPA.

Why is it then that this very area is now being suggested as the V Zone when by the very fact it has been sold limit the possibility of houses under the SHP?

5. The Town Plan Board and Lands Department continue to use outdated maps that show plots of land that are currently under water. The high tide mark is far beyond where it is currently indicated. We would recommend an immediate survey of the high tide to ensure any further draft OZPs are accurate, and do not show an over exaggerated Coastal Protection Area (CPA) that in reality is far too 'thin' and does not stretch far enough along the coast both east and west.

Suggested revisions:

1. A CA should replace the GB and V zones to the west of the village, and should include the current network of old pathways and village walls that currently touch the path leading down to HHW. This would limit the V zone to the current 'actual' boundary of houses on the west of the village

2. The V zone should be extended south of the mini roundabout and west along Hoi Ha Road. This would avoid the Feng Shui trees, would meet the 100m requirement for development in relation to areas of special scientific interest, and reduce the high chance of pollution running into HHW through the ground waters along the riverside.

3. This would provide an area for eligible SHP applications, of which there are only very few given the conditions of residency in the village, and at the same time prevent full scale 'commercial' development of residential properties in an area of outstanding natural beauty and high ecological and scientific value.

4. We believe this would prevent the abuse of the SHP by those who only seek to make financial gain from the Government and the tax-paying people's of Hong Kong by putting their properties immediately on the market for sale.

I trust that the above comments and suggestions will be afforded full consideration during the creating of the OZP.

Please let me know if you have any questions.

Regards
Dominic Powers

Paul Hodgson
 <[REDACTED]>
 cc
 07/07/2013 下午 10:51 Subj The Draft OZP for Hoi Ha
 ect
 To "tpbpd@pland.gov.hk" <tpbpd@pland.gov.hk>
 "dymng@pland.gov.hk" <dymng@pland.gov.hk>

Dear Sirs,

I have gone through the draft OZP and am completely dissatisfied with it. In my opinion you will destroy this special area if you proceed.

You have not protected any of the green areas with any science, you have proposed a Coastal Protection Area that is not only useless, but also may be overturned in a court of law.

The green belt and the Conservation Area are not justified with any science, just supposition. It seems that you may not aware of the sensitive areas within the DPA.

You have let the developers into one of the most sensitive areas of the DPA, the river valley. Building on that semi-flood plane, near the Pak Sha O River will allow sediment runoff into the Marine Park during the construction time. Science also shows that the speed of the runoff is a crucial factor in the preservation of the beach. You change this by adding residential drainage and the beach disappears.

You need to shrink the village area on the western side, allow provision for limited house building on the south-eastern side and assign the rest of the DPA Country Park. This includes the entire coastal area.

I would like to know when the consultation meeting is to happen so I can voice my strong objection.

Please note that the above judgment is based upon my experience as a Director of a local environmental company. We have been collecting data on this area for 25 years and intensively over the last 24 months. I have consulted my company's Environmental Team for this decision. This team includes one Post Doctoral Scientist.

Yours very disappointed,

Paul Hodgson.
 Director - Oceanway Corporation Limited

[REDACTED]
 [REDACTED]



Paul Hodgson

<[REDACTED]@[REDACTED]>

10/07/2013 下午 05:33

To: "dtwtam@pland.gov.hk" <dtwtam@pland.gov.hk>

cc

bcc

Subject: RE: Draft Hoi Ha OZP - your email of 7.7.2013

☐ High importance
 ☐ Return receipt
 ☐ Sign
 ☐ Encrypt

Dear David,

Thank you for this email.

I was very disappointed by this proposal. It does little for the necessary conservation in the area, proposes all sorts of zones that simply are not supported by valid science, and opens the way for the most sensitive area within the OZP, the Pak Sha O valley, to be developed. Any form development here will directly impact the Marine Park. This is due to pollution entering via the Pak Sha O river and the change of the hydrology of the area due to the physical structures themselves. Please refer to the HKU Paper on the beach of 1992.

I should also point out that this is also the view of many others, over 600 on a new Facebook site in two days. Including two LegCo Members on the Environmental Panel.

I have maintained that you cannot assign multi zones in this DPA. My data on this area shows clearly that you need to have two; village area and Country Park. The proper published science clearly supports this.

You are also aware via Prof. Bradbeer that there will be another submission. This is based upon science. The delay has been due to the necessary checking the pseudo science from the so called environmental groups involved with this proposal. It turns out that neither Friends of Hoi Ha (FoHH) or Friends of Sai Kung (FoSK) are bone-fide conservation organizations registered with the EPD. This puts doubt upon their actions, motives and the apparent support you are giving them.

I know that you have already had one round of discussion with the indigenous villagers. I would like to know when the consultation with the residents will occur. I expect to be able to attend this meeting. Kindly inform me of the date by return.

Kind regards,

Paul Hodgson.

Director - Oceanway Corporation Limited.

To: [REDACTED]

CC: tpbpd@pland.gov.hk; dymng@pland.gov.hk

Subject: Draft Hoi Ha OZP - your email of 7.7.2013



Leo Chiu-Leung

<leung@pland.gov.hk>

>

Sent by:

<leung@pland.gov.hk>

[REDACTED]

To tbbpd@pland.gov.hk
 dymng@pland.gov.hk
 cc dtwtam@pland.gov.hk

bcc

Subject OZP for Hoi Ha

09/07/2013 下午 08:45

☐ High importance ☐ Return receipt ☐ Sign ☐ Encrypt

Dear Sirs and/or Madams,

I do not agree with the OZP for Hoi Ha. The plan itself does not take note of current areas of interest within Hoi-Ha nor does it take into account the opinions of those that make the most use of it the indigenous peoples.

This OPZ allows developers access to the Hoi-Ha Wan area, which is most certainly not needed for Hoi-Ha as an ecological attraction. On that front, the report contains no solid scientific justification for things like the Green Belt, Conservation Area or the Coastal Protection Area in this plan.

I would advise you to reconsider this plan to having a small village area and the rest zoned as Country Park.

This will protect this area from legal challenges and kick out the developers.

The wishes and needs of the Hong Kong people are ignored with this plan.

Would you not agree that Hoi-Ha is more valueable as a solid ecological example of what Hong Kong can do rather than how we allow for mass development within a country park?

Kind regards,
 Leo Chiu-Leung



Lorenzo Borje

Sent by:

08/07/2013 下午 06:03

To tpbpd@pland.gov.hk
dymng@pland.gov.hk
dtwtam@pland.gov.hk

cc

bcc

Subject Hoi Ha OZP

☐ High importance ☐ Return receipt ☐ Sign ☐ Encrypt

To whom it may concern,

I cannot in good conscience stand idly by and let the planned development under the OZP for Hoi Ha proceed without voicing my objections. The OZP for Hoi Ha does not protect the area or provide for its future. You are not following the wishes or needs of the Hong Kong people with your plan.

By opening up the village to outside developers, you risk tearing up the village fabric and jeopardising the very qualities that make the village such a wonderful place to visit and experience.

The plan also does not go far enough in ensuring the protection of the village's ecology. While the Green Belt, Conservation Area or the Coastal Protection Area are laudable in the sense that they address the issue, they must be expanded and made more stringent.

As a teenager, I had trained for scuba diving in and around Hoi Ha on many wonderful occasions and had learned to appreciate the beauty of the village, which, if handled poorly, will be lost to future generations of Hongkongers if the development plan for Hoi Ha Wan was to proceed.

I urge you to please reconsider this plan and limit the area to be developed to be much smaller and have the rest zoned as Country Park. This will protect this area from legal challenges and kick out the developers.

Very best,

Lorenzo Borje

phil Woodhead

<[REDACTED]>

15/07/2013 上下 09:04

To : tpbpd@pland.gov.hk

dymng@pland.gov.hk

Cc :

Subject : Objection to OZP for Hoi Ha

To the Government of Hong Kong,-

I do not agree with the OZP for Hoi Ha. It does not protect the area or provide for the future.

You have let outside developers in. You also have given no solid scientific justification for things like the Green Belt, Conservation Area or the Coastal Protection Area.

You are advised to reconsider this plan to having a small village area and the rest zoned as Country Park.-This will protect this area from legal challenges and kick out the developers.

You are not following the wishes or needs of the Hong Kong people with your plan.

Hoi Ha is a special place where young children to adults get to enjoy and learn more about Marine Life. By damaging this piece of treasure in Hong Kong you are taking this treasure away from our future generations.-

Please can you reconsider as your actions will have significant consequences for the future of Hong Kong.-

Kind regards,

Philip Woodhead

wilfred leung

To "tpbpd@pland.gov.hk" <tpbpd@pland.gov.hk>
"dymng@pland.gov.hk" <dymng@pland.gov.hk>

11/07/2013 上午 09:15

cc "[REDACTED]"
"[REDACTED]"

Subj No Further Development in Hoi Ha

Dear sirs,

I do not agree with the OZP for Hoi Ha. It does not protect the area or provide for the future.

You have let outside developers in. You also have given no solid scientific justification for things like the Green Belt, Conservation Area or the Coastal Protection Area.

You are advised to reconsider this plan to having a small village area and the rest zoned as Country Park.

This will protect this area from legal challenges and kick out the developers.

You are not following the wishes or needs of the Hong Kong people with your plan.

Kind regards,

Wilfred LEUNG

From: Sam Cooke
To: enquire@pland.gov.hk ; ~~XXXXXXXXXXXX~~
Sent: Sunday, July 14, 2013 11:54 PM
Subject: Planned development of Hoi Ha

Dear City U and Hong Kong planning department
My name is Sam Cooke and I have been following the case for the development of Hoi ha quite closely. Thus I have a few question which I hope you may be able to answer.

- 1/ Why are you supporting a proposal that gives developers sole building rights in Hoi Ha?
- 2/ Exactly what key protected flora and fauna along the foreshore immediately in front of the village that will be better protected by a CPA in lieu of Country park or Marine Park status of this area?
- 3/ Are you aware that a CPA assignment will increase certain property price values back from the foreshore? This increase will be 5~10%.
- 4/ Are you aware that much of the existing business currently occurring along the foreshore like the renting of canoes and snorkelling gear will have to be phased out once the area is allocated a CPA.
- 5/ Are you aware that any planned beach improvement facilities will not be able to be built on existing cleared areas near to the main beach at Hoi Ha.
- 6/ The proposal you support allows the intensive development of parts of the Pak Sha O river valley, essentially directly threatening the Hoi Ha Wan Marine Park.
- 7/ Building on point 6 were will all the wast created from the development of Hoi Ha be dumped and what measures have been taken to make sure that the flora and fauna in the area will not be harmed during the development of the area? ie) So it doesn't threaten Hoi Ha Wan Marine Park

Best Regards
Sam Cooke

From: Sam COOKE [13N2]

To: enquire@pland.gov.hk ; [REDACTED]

Sent: Monday, July 15, 2013 12:01 AM

Subject: Hoi Ha Wan development plan

Dear City U and Hong Kong planning department

My name is Sam and I have been following the case for the development of Hoi ha quite closely. Thus I have a few question which I hope you may be able to answer. Especially concerning the information on the Friends of Hoi Ha (FoHH) Website supporting submissions to the Town Planning Department.

1/ The mangrove area at Hoi Ha has been studied since 1992 and no great loss of mangroves in this protected area has been recorded in science. In fact the population is documented to have increased. May I know what loss you are referring to, with reference to science?

2/ Are you aware that the proposal you are supporting will not change the current status of the mangrove area at Hoi Ha Wan? This area is already protected.

Regards

Sam



Tjasa Boh

<[REDACTED]>

11/07/2013 下午 04:22

[REDACTED]
 [REDACTED]
 [REDACTED]

To "tpbpd@pland.gov.hk" <tpbpd@pland.gov.hk>
 "dymng@pland.gov.hk" <dymng@pland.gov.hk>
 "dtwtam@pland.gov.hk" <dtwtam@pland.gov.hk>

cc

bcc

Subject OZP for Hoi Ha

☐ High importance ☐ Return receipt ☐ Sign ☐ Encrypt

Dear sirs,

I have been living in HK for 10 years now, and it saddens me to see that people, like yourself do not care about protecting last few green and clean places that are left in Hong Kong. That is your job, isn't it? Have you really become so greedy that you only care about your wallets and not the future of your children? I do hope you love your children, as your actions now are proving quite the opposite. The legacy you are leaving behind for them is scorched earth, development and pollution. Is that what you want for your kids and grandkids, for the price of a brand new car? Shame on you. Needless to say, I do not agree with the OZP for Hoi Ha. It does not protect the area or provide for the future. You have let outside developers in, which will destroy Hoi Ha, and the beautiful bay. You also have given no solid scientific justification for things like the Green Belt, Conservation Area or the Coastal Protection Area.

You are advised to reconsider this plan to having a small village area and the rest zoned as Country Park.

This will protect this area from legal challenges and kick out the developers.

You are not following the wishes or needs of the Hong Kong people with your plan. It is sad that you, who are meant to be protecting it, are actually destroying it. All for the sake of few dollars! The best legacy you can leave for your children and grandchildren is untouched nature, not more development. When they ask you years down the line 'daddy/grandad, what was your proudest moment' - what is your answer going to be? Protecting nature or telling them of the destruction of the last few beautiful bays? Think about that.

Kind regards,

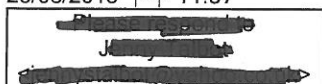
Tjasa Boh Whiteman
 Researcher, Scientist and above all, a Mother that cares.

Life on Earth is expensive, but it does include a free trip around the Sun.



Jenny Talbot

23/08/2013 下午 11:37



To "tspd@pland.gov.hk" <tspd@pland.gov.hk>
 cc "dymng@pland.gov.hk" <dymng@pland.gov.hk>
 "dtwtam@pland.gov.hk" <dtwtam@pland.gov.hk>
 "dafcoffice@afcd.com.hk" <dafcoffice@afcd.com.hk>

bcc

Subject Response to Draft Outline Zoning Plan for Hoi Ha No
 S/NE-HH/C

☐ High importance ☐ Return receipt ☐ Sign ☐ Encrypt

To whom it may concern,

I am writing this email to you to state my objection to the OZP for the Hoi Ha Wan area. We are residents of Hoi Ha and love its natural beauty and educational potential for our children and for the children of Hong Kong.

I object to the area being opened up for development. The area being opened for development is the most ecologically sensitive area in the enclave. There has been no scientific justification for the Green Belt, Conservation Area or the Coastal Protection Area and they do not go far enough to protect this area.

I strongly recommend that the plan be revised to a reasonable village area that accounts for the expansion needs of the indigenous villagers and that the remaining area becomes Country Park. This will save this beautiful part of Hong Kong from destruction and provide it with a sustainable future.

Please take into account these concerns when deciding whether this plan should go ahead.

Regards
 Jenny Talbot

"My life has a superb cast but I can't figure out the plot."~ Ashleigh Brilliant

tpbpd@pland.gov.hk

寄件者: "Tafu Yamamoto"
收件者: <tpbpd@pland.gov.hk>
副本: <dymng@pland.gov.hk>
傳送日期: 07/07/2013 下午 11:01
主旨: Hoi Ha OZP

copied

To whom it may concern,

I am a recent high school graduate, and I am emailing you today to inform you about the recent OZP for Hoi Ha.

Hoi Ha is a place that has a special place in my heart because it is where I first learnt to scuba dive and interact with the marine environment. Your newly-approved OZP not only destroys the area, but also creates an unsustainable model for the future.

I hope you realize that your plan doesn't benefit the environment or villagers of Hoi Ha, but only benefits outside developers who are aiming to earn some quick bucks.

Please reconsider your plan into having a small village area surrounding by a zoned Country Park.

Not only will this protect the area from self-profiting legal challenges, but also kick out developers who are aiming to exploit the Hoi Ha that we love so dearly.

Thanks for your time,

Tafu Yamamoto=

08/07/2013

TOTAL P.001



Thomas De Nil

08/07/2013 上午 04:06

To tpbpd@pland.gov.hk
dymng@pland.gov.hk
dtwtam@pland.gov.hk

cc

bcc

Subject Hoi Ha

☐ High importance ☐ Return receipt ☐ Sign ☐ Encrypt

Dear sirs,

I am a current high school student, and I am emailing you to inform you about my views on the recent OZP for Hoi Ha. It does not protect the area or provide for the future.

You have let outside developers in. You also have given no solid scientific justification for things like the Green Belt, Conservation Area or the Coastal Protection Area.

You are advised to reconsider this plan to having a small village area and the rest zoned as Country Park. This will protect this area from legal challenges and kick out the developers.

You are not following the wishes or needs of the Hong Kong people with your plan.

Kind regards,

Thomas De Nil



"[REDACTED]"
[REDACTED]

13/07/2013 下午 05:48

To tpbpd@pland.gov.hk
dymng@pland.gov.hk
tpbpd@pland.gov.hk

cc "[REDACTED]"

Subject I write to object to the Outline Zone Planning (OZP) for Hoi Ha

Dear Sir,

I write to object to the Outline Zone Planning (OZP) for Hoi Ha. This plan has not protected the environment and future development of Hoi Ha. You plan has invited property developer to intervene to worsen the environment of this area.

You have not presented a sound scientific evidential support to the Green Belt, Conservation Area, and the Coastal Protection Area. I urge you to reconsider this project plan, with a perspective to reallocate the village cluster and the protection areas. This is the proper approach to avoid legal disputes and challenges on the zoning of this area, and driving property developers out of the area.

We need a plan that takes the rights and needs of Hoi Ha and Hong Kong people seriously and the OZP fails to perform.

Regards,
SC Leung

ffffbd ffffe7 ffffb6 To "tpbpd@pland.gov.hk" <tpbpd@pland.gov.hk>
ffffa7 "dymng@pland.gov.hk" <dymng@pland.gov.hk>
<[REDACTED]> "tpbpd@pland.gov.hk" <tpbpd@pland.gov.hk>
cc
09/07/2013 上午 11:50 Subj 反對海下灣建築區劃

尊敬的先生們，

我並不同意現在的海下灣建築區劃(OZP)。我認為此項計劃並沒有保護到當地的自然環境和未來。你們的決定，使得外部的房地產開發商介入了。你們對**Green Belt, Conservation Area, 和 Coastal Protection Area**給出了不科學的證據。

我建議你們重新考慮此項計劃，對村落和自然保護區的進行重新規劃。

我相信這會使得這塊土地免受法律上的挑戰，並且可以使得房地產開發商自動退出。

我認為這項提案忽略了香港人民的權利和需要。

敬啓：

ching chan

TRANSLATION

Sirs,

I do not agree to the present Hoi Ha OZP. I think this plan does not protect the local natural environment and its future. Your decision leads to the coming-in of the developers. You cannot provide scientific evidence for the Green Belt, Conservation Area and Coastal Protection Area.

I suggest you re-consider this plan, to re-plan the village and nature protection areas.

I think this would prevent this area be subject to legal challenge, and would make the developers back away voluntarily.

I think this proposal ignores the right and need of Hong Kong people.

Sincerely

Ching Chan

yun yun To "dymng@pland.gov.hk" <dymng@pland.gov.hk>
<[REDACTED]> "tpbpd@pland.gov.hk" <tpbpd@pland.gov.hk>
[REDACTED] cc
11/07/2013 下午 12:25 Subj 有關海下灣建築區劃

尊敬的先生們，

我並不同意現在的海下灣建築區劃(OZP)。我認為此項計劃並沒有保護到當地的自然環境和未來。你們的決定，使得外部的房地產開發商介入了。你們對Green Belt, Conservation Area,和Coastal Protection Area給出了不科學的證據。

我建議你們重新考慮此項計劃，對村落和自然保護區的進行重新規劃。

我相信這會使得這塊土地免受法律上的挑戰，並且可以使得房地產開發商自動退出。

我認為這項提案忽略了香港人民的權利和需要。

敬啓：

Ng King Yun

TRANSLATION

Sirs,

I do not agree to the present Hoi Ha OZP. I think this plan does not protect the local natural environment and its future. Your decision leads to the coming-in of the developers. You cannot provide scientific evidence for the Green Belt, Conservation Area and Coastal Protection Area.

I suggest you re-consider this plan, to re-plan the village and nature protection areas.

I think this would prevent this area be subject to legal challenge, and would make the developers back away voluntarily.

I think this proposal ignores the right and need of Hong Kong people.

Sincerely

Ng King Yun

b頁 1 - 1(B)

tpbpd@pland.gov.hk

寄件者: "Cheung Family" [REDACTED]
收件者: <dafcoffice@afod.gov.hk>; <tpbpd@pland.gov.hk>
傳送日期: 17/08/2013 下午 07:58
主旨: Opposition against real estate development in Hoi Ha, Sai Kung, N. T.

p e i d o c

Dear Mr Wong & Mr Chow,

I am writing to express my staunch opposition to any property development in Hoi Ha, Pak Lak or Pak Sha O, N.T. because such development will cause severe irreversible damage to the environment in Sai Kung. In this connection, I sincerely request the Government to include the related 77 enclaves in the pertinent country park or conservation area to save the environment for our future generations.

With regards,
Joyce Cheung

19/08/2013

TOTAL P.001

P.001

TO 31040240

FROM STNDPO OF PLANNING DEPT

20-AUG-2013 09:39

頁 1 - 1(B)

tpbpd@pland.gov.hk

寄件者: "Cheung Family" <[REDACTED]>
收件者: <dafcoffice@afcd.gov.hk>; <tpbpd@pland.gov.hk>
傳送日期: 15/08/2013 下午 07:51
主旨: Citizen's opposition against real estate development in Hoi Ha, Sai Kung

copied

Dear Sirs,

I write in the capacity of a private citizen to express my vehement opposition against any property development inside any Hong Kong country parks, especially in Hoi Ha. These parks provide valuable breathing space to Hong Kong people who mostly live in tiny flats or rooms.

With regards,
CHEUNG Chin-hung

PS: This e-mail will be forwarded to Save Hoi Ha for reference.

20-AUG-2013 21:04 FROM TOWN PLANNING BOARD

TO DPO/STN

P.001/001

頁 1 - 1(B)

ANNEX X-22

tpbpd@pland.gov.hk

寄件者: "Cheung Family" <[REDACTED]>
收件者: <daifcoffice@afcd.gov.hk>; <tpbpd@pland.gov.hk>
傳送日期: 19/08/2013 下午 10:42
主旨: Please save Hoi Ha, Sai Kung

copied

Dear Sirs,

I wish to state my strong disagreement to any property development in Hoi Ha and its neighbouring area because such development would inevitably cause serious irreversible damage to the environment in Sai Kung. For the same reason, I urge the Government to include the related 77 enclaves in the pertinent country park or conservation area to preserve the environment.

Clement Cheung

[REDACTED]

b頁 1-1(B)

tpbpd@pland.gov.hk

寄件者: "Cheung Family" <[REDACTED]>
收件者: <dafcoffice@afcd.gov.hk>; <tpbpd@pland.gov.hk>
傳送日期: 15/08/2013 下午 08:02
主旨: 反對海下灣發展私人住宅

copied

敬啟者:

本人極力反對容許海下灣發展私人住宅。

Ms Lau Mo Bing Winnie

16/08/2013

TOTAL P.001

TRANSLATION

To whom this concerns,

I strongly object to allowing development of private houses in Hoi Ha Wan.

Ms Lau Mo Bing Winnie

tpbpd@pland.gov.hk

copied

黃惠嫻

TRANSLATION

I object to developments in Pak Lap, Hoi Ha and Pak Sha O. The 77 enclaves should be incorporated into country park.

Housing development should be based on a comprehensive population policy and long-term land use planning. There should be comprehensive planning and consultation.

Vivian Wong

b頁 1-1(B)

mpbd@pland.gov.hk

寄件者: "Dah Chung" <[REDACTED]>
收件者: <dafcoffice@afcd.gov.hk>; <mpbd@pland.gov.hk>
傳送日期: 16/08/2013 下午 01:57
主旨: 反對在西貢郊野公園內發展地產

copied

致: 漁農署署長黃志光先生及
規劃署主席周達明先生

本人堅決反對在西貢郊野公園內發展地產，要求把所有77幅enclaves內的土地
歸納入郊野公園土地 (country park) 或列入保護區 (conservation area)。

尹德玲

電話: 2898-9718

16/08/2013

TRANSLATION

To : Mr. WONG Chi Kong, Alan, Director of Agriculture, Fisheries and Conservation

Mr. CHOW Tat Ming, Thomas, Chairman of the Town Planning Board

I strongly OBJECT to real estate development in the Sai Kung Country Parks, and request that all the 77 enclaves be incorporated into country park or be zoned as conservation area.

尹德玲

15-AUG-2013 18:55

FROM TOWN PLANNING BOARD

TO DPO/STN

ANNEX X-26

tpbpd@pland.gov.hk

寄件者: PHOEBE CHEUNG
收件者: <daftoffice@afed.gov.hk>; <tpbpd@pland.gov.hk>
傳送日期: 15/08/2013 上午 11:13
主旨: 反對在郊野公園內發展地產
黃志光先生, 周達明先生,

copied

全香港市民要求把所有刀欄小區內的土地歸納入郊野公園土地(COUNTRY PARK)或列入保護區, 堅決反對在郊野公園內發展地產。

請尊重民意及重顧香港僅餘的郊野公園!!

謝謝!

香港小市民 - 小非

15/08/2013

P.003

TO 31040240

FROM STNDPO OF PLANNING DEPT

16-AUG-2013 14:53

TRANSLATION

Mr. WONG Chi Kong, Alan

Mr. CHOW Tat Ming

All Hong Kong citizens request that all the 77 enclaves be incorporated into Country Park or be zoned as conservation area, strongly objecting to real estate development in Country Parks.

Please respect public views and values Hong Kong's remaining Country Parks !

Thank you!

A Small Citizen of Hong Kong -小非

b頁 1-1(B)

ANNEX X-27

tpbpd@pland.gov.hk

寄件者: "Roy Man" <[REDACTED]>
收件者: <dafcoffice@sfd.gov.hk>; <tpbpd@pland.gov.hk>
傳送日期: 15/08/2013 下午 01:52
主旨: 堅決反對在郊野公園內發展地產
黃志光先生/ 周達明先生

copied

本人強烈要求兩位能夠保護郊野公園，
堅決反對在郊野公園內發展地產，把所有77幅小區enclaves內的
土地歸納入郊野公園土地 (country park)或列入保護區 (conservation area)

文智來上



TRANSLATION

Mr. WONG Chi Kong, Alan

Mr. CHOW Tat Ming

I strongly request that you protect the Country Parks.

I strongly oppose real estate development in Country Parks, and request that the 77 enclaves be incorporated into the Country Parks or be zoned as conservation areas.

文智來



"Dr. Paul Shin"

09/07/2013 下午 06:27

To "tpbpd@pland.gov.hk" <tpbpd@pland.gov.hk>

cc "dymng@pland.gov.hk" <dymng@pland.gov.hk>

"dtwtam@pland.gov.hk" <dtwtam@pland.gov.hk>

bcc

Subject Hoi Ha OZP

☐ High importance ☐ Return receipt ☐ Sign ☐ Encrypt

Dear Sirs,

Sometimes ago I sent a letter to the Friends of Hoi Ha in supporting the general idea of protection of mangrove habitat at Hoi Ha. This letter was not intended for any formal support of specific OZP at Hoi Ha, which, I am just told, is in a proposal stage.

Thank you for your attention.

Yours sincerely,

Dr. Paul Shin
Associate Professor,
Department of Biology and Chemistry,
City University of Hong Kong

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Christian Masset To dtwtam@pland.gov.hk
<[REDACTED]> cc enquire@pland.gov.hk
[REDACTED]
02/09/2013 下午 07:58 Subj Re: 轉寄: Fw: 轉寄: Protect Hoi Ha Wan
ect

Dear Mr Tam,

I would like to withdraw my comments with immediate effect.
I now realize the exact motive of this plan, and that I have been fooled, like many people into supporting it.

Note that I am completely objecting to it now.
This plan is not acceptable, and I stand with its opponents.

Best regards,

Christian Masset
ex chairman of CLEAR THE AIR charity
www.cleartheair.org.hk



Edwina Cheung

28/08/2013 下午 03:35

To "tpbpd@pland.gov.hk" <tpbpd@pland.gov.hk>

cc

bcc

Subject Response to Draft Outline Zoning Plan for Hoi Ha No S/NE-HHVC

☐ Urgent ☐ Return receipt ☐ Sign ☐ Encrypt

Dear Sir,

I do not agree with the OZP for Hoi Ha. It does not protect the area or provide for the future.

You have let outside developers in. You also have given no solid scientific justification for things like the Green Belt, Conservation Area or the Coastal Protection Area.

You are advised to reconsider this plan to having a small village area and the rest zoned as Country Park.

This will protect this area from legal challenges and kick out the developers.

You are not following the wishes or needs of the Hong Kong people with your plan.

Kind regards,

Edwina Cheung



Nigel Barrett

25/08/2013 上午 09:55

To "dafcoffice@afcd.gov.hk" <dafcoffice@afcd.gov.hk>
"tpbpd@pland.gov.hk" <tpbpd@pland.gov.hk>

cc

bcc

Subject Development plans for Hoi Ha Village

☐ Urgent ☐ Return receipt ☐ Sign ☐ Encrypt

Dear Sir/Madam

I write to object to the draft OZP Hoi Ha (S/NE-HH/C TPB- 9368).

I however support the zoning of unused land in the various enclaves as conservation areas or have the land incorporated as part of the country parks.

The government must keep property development out of country parks which should be used for recreational purposes only.

I studied the draft OZP for Hoi Ha document published by TPB. This report is very ill conceived. It is abundantly clear the HK government has sold itself out to the property developers once again. The size of the V zone is large enough to build 100 houses. To put things in perspective, 7 new houses have been built in Hoi Ha village during the last 20 years. TPB has now used a figure of 94 houses as being required in the village in the next 10 years. This figure is based on a number supplied by the Village Representative and has not been audited in any way. One cannot help but wonder if the government is more interested in appeasing property developers and Heung Yee Kuk or preserving our country parks so we and our children can have access to recreational space in the years to come.

Therefore,

- I request TPB not to allow any commercial property development projects in Hoi Ha. The extended V zone west of the existing village and the Green Belt zone—as shown on the draft OZP— must be eliminated. These should be rezoned as CA (conservation area).
- I request TPB to provide a reduced V zone to allow for indigenous residents of Hoi Ha to build a reasonable and realistic number of houses in a less ecologically sensitive area if genuine need can be proven.
- I request TPB to zone all land (not yet built on) in the remaining 76 Country Park enclaves as Conservation Areas or have them incorporated within the existing Country Parks for future generation's enjoyment.

Regards

Christine Fialay

tpbpd@pland.gov.hk

寄件者: "Doel, Mark" <mark.doel@atkins.com>
收件者: <tspd@pland.gov.hk>
副本: <tpbpd@pland.gov.hk>; <dafcoffice@afcd.com.hk>; <dymng@pland.gov.hk>
傳送日期: 02/09/2013 下午 12:27
主旨: Objection to Draft Outline Zoning Plan for Hoi Ha No S/NE-HH/C
Dear sir

I refer to the Draft Outline Zoning Plan for Hoi Ha No S/NE-HH/C.

I object to the OZP for Hoi Ha Wan for the following reasons:-

1. It does not protect the area or provide for the future generations.
2. The area opposite a marine park. Where will all the rubbish, construction materials, surface water (from hard standings around the houses) and effluent eventually end up? The answer the sea (marine park).
3. I understand that 95% of the area zoned for village expansion under the OZP is owned by developers – they will start clearing the land as soon as TPB OK this OZP. This will happen in a ecologically sensitive area in the enclave.
4. The Coastal Protection Area, the Green Belt and the Conservation Area assignments do not go far enough to protect this area. All have enough loop-holes built in for developers to start destroying the area.

Hoi Ha is a place that has a special natural beauty and should remain that way. Your newly-approved OZP not only destroys the area, but also creates an unsustainable model for the future.

The plan does not benefit the environment or villagers of Hoi Ha, but only benefits outside developers who will make big profits.

You are not following the wishes or needs of the Hong Kong people with your plan.

Please reconsider your plan into having a small village area surrounding by a zoned Country Park.

The Hoi Ha Village Enclave OZP should contain zoning for an acceptable Village Area (V-zone) and the remaining area become Country Park

Not only will this protect the area from self-profiting legal challenges, but also kick out developers who are aiming to exploit the Hoi Ha that we love so dearly.

Kind regards
Mark Doel
Sai Kung resident

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Consider the environment. Please don't print this e-mail unless you really need to.

02/09/2013

02-SEP-2013 19:26

P.001



周達明先生—規劃署主席：

本人堅決反對在公園內發展地產，併
要求把所有77幅小區 ENCLAVES 內的土地
歸納入郊野公園土地 (COUNTRY PARK) 或
列入保護區 (CONSERVATION AREA)。

如果你想把香港人的郊野公園保護
住，令你下一代都能享用的話，祈望周先
生能接納以上建議！

香港一市民
郭遠霖上

02-SEP-2013 18:05

P.006

03-SEP-2013 14:14 FROM STNDPO OF PLANNING DEPT TO 31040240

TRANSLATION

Mr. WONG Chi Kong, Alan

Mr. CHOW Tat Ming, Thomas

I strongly OBJECT to real estate development in Country Parks, and request that all the 77 enclaves be incorporated into the Country Park or be zoned as conservation area.

If you want to protect Hong Kong people's Country Parks, and allow the next generation to enjoy them, I request that you adopt the above recommendations.

Hong Kong citizen

郭逸霖

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寄件日期: Wednesday, August 14, 2013 15:56

收件者: dafcoffice@afcd.com.hk; tbbpd@pland.gov.hk; 1823 Call Centre

主旨: Hoi Ha Outline Zoning Plan

I am writing to complain about the lack of vision, scientific inadequacy and absence of common sense in the Hoi Ha Outline Zoning Plan. The three areas are very different and so the reasons for conserving them are equally different although equally compelling. Tai Long Wan is a unique landscape, worth preserving for aesthetic reasons. Hoi Ha Wan is a valuable ecological area and Pak Sha O has special cultural and historic significance.

I trust that the OZP can be revised to take into account the varied natures of these areas.

Jane Ram



Galileo Cheng

<[REDACTED]>

03/09/2013 下午 12:47

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cc

bcc

Subject Response to Draft Outline Zoning Plan for Hoi Ha No
S/NE-HH/C

☐ High importance ☐ Return receipt ☐ Sign ☐ Encrypt

Dear Sirs,

I am writing to raise my objection with the OZP for Hoi Ha.

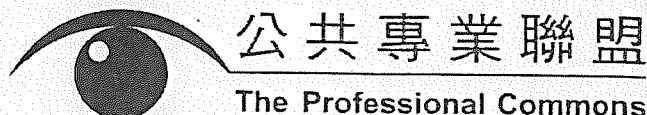
Being friend of indigenous resident of Mr. and Mrs Yung there, I argue the need to expand further Village Area, aka V-zone. As 95% of the area zoned for V expansion is now owned by developers, I see there's huge conflict in conservation and development - which I see no possibility of any villager development could help conserving the coastal coral reef and future country park area.

Thus, Coastal Protection Area, the Green Belt and the Conservation Area assignments are simply NOT ENOUGH for conservation - we NEED it zoned as COUNTRY PARK.

Being friend of indigenous resident of Mr. and Mrs Yung there, again, they have stated there's no further need of expanding the village, for their child feel current small housing is enough for them.

I hereby suggest the zone will be zoned as Country park and retain current V zone area

Kind regards,
Galileo Cheng Lok Hang



Planning Department
27 FL, Tsuen Wan Government Offices
38 Sai Lau Kok Road, Tsuen Wan
New Territories, Hong Kong
Attention: Mr David Y. M. Ng and Mr David T. W. Tam

9 September 2013

Dear Mr Ng and Mr Tam,

Response to Draft Outline Zoning Plan for Hoi Ha (Ref: No. S/NE-HH/C)

On behalf of The Professional Commons, we fully support the 'Proposals for the Future Planning of Hoi Ha' which is a detailed report in response to the Draft Outline Zoning Plan (OZP) published by Planning Department in June 2013.

Our recommendations can be summarized as:

- All areas of the current Development Permission Area (the status of the enclave before an OZP is gazetted), except that zoned for the village and its expansion, be integrated into the Country Park;
- That the current village and the suggested village expansion area be subject to further planning restrictions relating to environmental impact when applications for improvement and development are made, both being part of a Comprehensive Development Area;
- That villager owned land in the centre of the village be swapped for land in the extended village zone so that coordinated and properly planned improvement of village facilities can be made, as part of this coordinated effort.

The Proposals are backed by many other policy and environmental groups in Hong Kong, that all enclaves be integrated in the Country Parks, whilst allowing for legitimate expansion of the village areas and following strict environmental safeguards and proper planning.

We would appreciate your consideration and look forward to working with you in this and other measures to further develop the Future Planning of Hoi Ha.

Yours faithfully,

Charles Mok
Chairman, The Professional Commons

Submission to Planning Department

Response to Draft Outline Zoning Plan for Hoi Ha No S/NE-HH/C

August 2013

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Acknowledgement of Professional Commons is also required.

Executive Summary

On 28 June 2013, The Planning Department published its Draft Outline Zoning Plan (OZP) for Hoi Ha. Unfortunately many of the statements made in the Draft OZP do not match with the data collected by Professional Commons members during their studies of the area dating back nearly twenty years, and especially with the results of an intense two year study that has just been completed as part of a report on the integration of Country Park enclaves. This response to the Draft OZP includes much of the data collected over this period.

Section 10 details our recommendations. These can be summarised as:

- All areas of the Development Permission Area (the status of the enclave before an OZP is gazetted), except any area appropriately zoned for the village be designated as Country Park:
- Any designated Village area be subject to further planning restrictions relating to environmental impact when applications for any building are made;
- That villager owned land in the centre of the village be swapped for land within the designated village area so that co-ordinated improvement of village facilities can be made.

We note that the draft OZP calls for a 'Balkanisation' of the village by dividing it into a number of different zones, none of which is supported by accurate scientific data, as well as opening it up to massive development by outside developers.

Paul Hodgson
Robin Bradbeer

The Professional Commons

Table of Contents

1. Background.....	1
2. Methodology of the research	5
3. An overview of the Hoi Ha area	6
4. Laws and Ordinances	8
5. Existing Village Business	10
6. Land Use Classification and Usage	11
6.1 Overview	11
6.2 Hong Kong's Landscaping Classification System	11
6.3 The Whole of Hong Kong	11
6.4 Hoi Ha	11
6.5 Existing Land Usage at Hoi Ha Wan.	11
7. Land ownership.....	15
8. Ecology	17
8.1 Wooded Area	17
8.1.1 Overview.....	17
8.2 Mangrove Community	19
8.2.1 Overview.....	19
8.2.2 Makeup of the Mangrove Community in the DPA.....	21
8.3 Coastal Forest	21
8.3.1 Overview.....	21
8.4 Fung Shui Woodland.....	22
8.4.1 Overview.....	22
8.5 Swamp Areas	23
8.5.1 Overview.....	23
8.6 Area Flora.....	23
8.6.1 Overview.....	23
8.7 The Marine Park.....	24
8.7.1 Overview.....	24
8.7.2 Coral Health.....	25
8.7.3 Anthropogenic coral damage.	26
8.7.4 Fish Populations	27
8.7.5 Water Quality	28
8.7.6 Identified Pollution Sources	30
8.8 The Beach	32

8.8.1 Overview.....	32
8.8.2 Wave Action	34
8.8.2 Tides	36
8.8.3 Storm Surges.....	36
8.9.1 Overview.....	37
8.10 Animal Encroachment.	39
8.10.1 Overview.....	39
9. Hoi Ha Visitor Loadings	43
9. Hoi Ha Visitor Loadings	44
9.1 Overview	44
10. Proposal considerations.....	48
10.1 Land usage.....	49
10.2 Access to the village.....	50
10.3 Outline Zoning Plan Proposals.....	50
10.4 Proposal Rational	51
11. References:.....	56
Appendix A - Plant Species Recorded in the Hoi Ha Area	59
12. Acknowledgements.....	62

1. Background

The Professional Commons has been working for some time on a report on the integration and development of village enclaves that are within the Country Parks. Whilst this report was being prepared, on 28 June 2013, The Planning Department (PlanD) published its Draft Outline Zoning Plan (OZP) for Hoi Ha, one of the enclaves in Sai Kung West Country Park that was chosen as one of the two case studies for the report.

Hoi Ha was chosen as a case study as it is one of the more dynamic Country Park village enclaves, as well as being one of the few villages with both a strong indigenous villager presence, thriving eco-tourism/ecological education enterprises, as well as being the stopping point for visitors to Hoi Ha Wan Marine Park. It also has a number of well-established small businesses and the potential for improvement.

However, many of the statements made in the Draft OZP do not correlate with the results of the data collected by Professional Commons members during their two year study of the area. This response to the Draft OZP includes much of the data collected over this period as well as that previously analysed by team members over a 20 year period of research.

Consequently some of the proposals made at the end of this submission are very different from those made in the Draft OZP. However, we are confident that the science behind our proposals is more accurate and robust than that used by the PlanD to justify their proposals to the Town Planning Board (TPB).

The main report on the future of Country Park enclaves considers the following:

- The question of conservation and/or preservation.
- How to allow the growth of village enclaves without destroying the surrounding protected areas or the aesthetics of the village itself.
- How to cater for the increasing number of local and overseas tourists that are visiting the village enclaves and its environs?
- Deciding what should and should not be allowed in terms of improvement and village expansion development.
- How to speed up the integration of the enclaves into the Country Parks without overriding the existing consultation procedures.

This report, to be published, recommends that all Country Park enclave areas be zoned as a science supported mixture of either Village (V zone), and/or Comprehensive Development Areas (CDA) and Country Park (CP zone). In other words, all land not designated as V zone or CDA will be absorbed into the surrounding Country Park. It also proposes that limited land swaps be arranged so that fragmented land ownership in the villages can be consolidated under government ownership for facilities improvement where necessary, and that any planned development in village areas (V-zone or CDA) be subject to a revised environmental impact assessment.

Figure 1.1 shows the Draft Outline Zoning Plan for Hoi Ha as proposed by PlanD in their report to Town Planning Board No S/NE-HH/C. We consider this to be a flawed plan, mainly because the science that supports this design it is either incomplete or occasionally incorrect. There are many factual errors in the draft report. In this submission we do not address these errors individually, but present a correct and holistic assessment of the area so that an alternative OZP can be drawn up, one that fully recognises the uniqueness of the area and its important and sensitive ecological nature, as well as meeting the needs of both the local community and the wider Hong Kong community that not only funds the maintenance of the area (approximately several million dollars each year), but also sustainably enjoys its natural amenities.

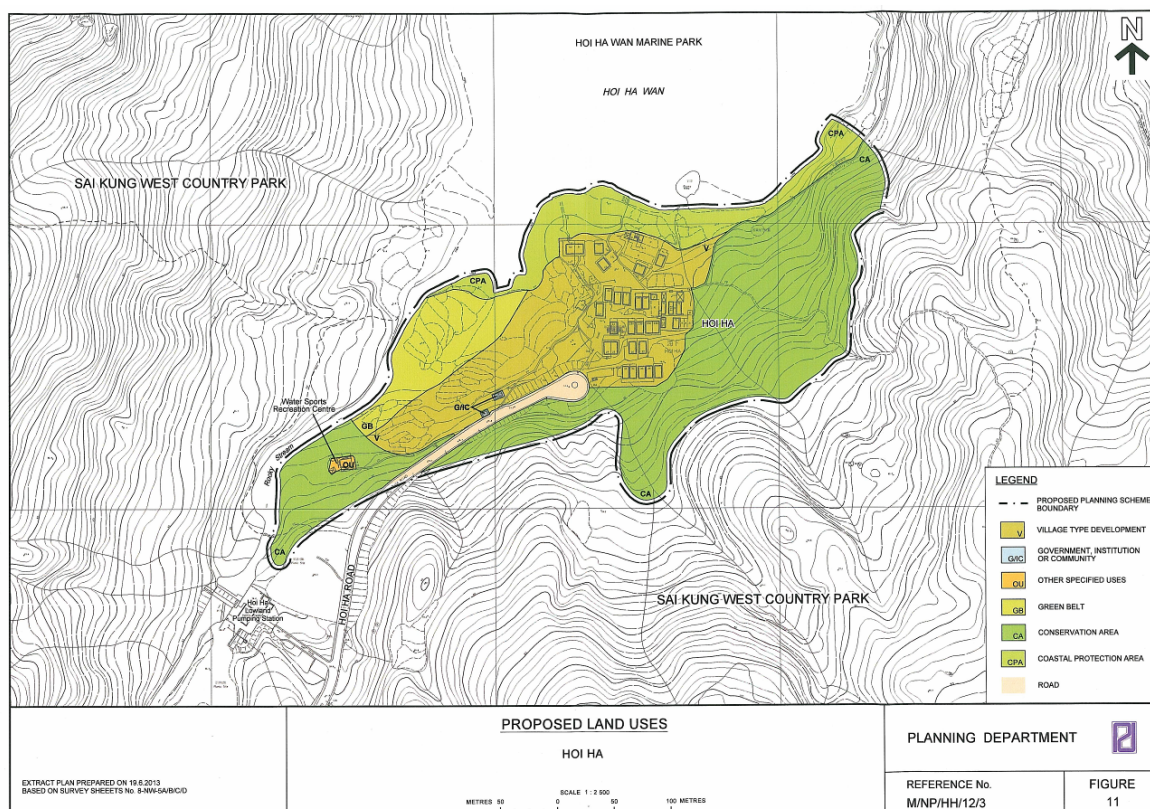


Figure 1.1 The draft Outline Zoning Plan map for Hoi Ha

As an example, two of the errors in the draft OZP from the land usage map are highlighted in Figure 1.2 below. We have overlaid this map with recent (2013) scaled aerial photos of the same area. It can be seen that what PlanD describe as mangrove in the north-east corner of the village is in fact river, and that what they describe as Fung Shui Woodland is at least 1/3 cleared land – possibly abandoned farmland. Many other errors have been pointed out in other submitted responses to this draft OZP.

Each Country Park enclave is unique and they all need individual assessment before their integration into the surrounding country park can take place. The proposed OZP for Hoi Ha perpetuates the entire enclave area as a series of rezoned areas. In other areas, for example, Tai Long Wan the area is of outstanding beauty so the key consideration is the conservation of the landscape. The proposed zoning is Country Park.

Hoi Ha Wan is a marine area of high conservation value. It stands to reason (and can be shown scientifically) that the terrestrial area bordering it is also of high ecological value. This is especially true for the Pak Sha O River valley interface to the Hoi Ha Marine Park. For a gazetting as a Country Park an area needs to have either a high landscaping or ecological value or both.

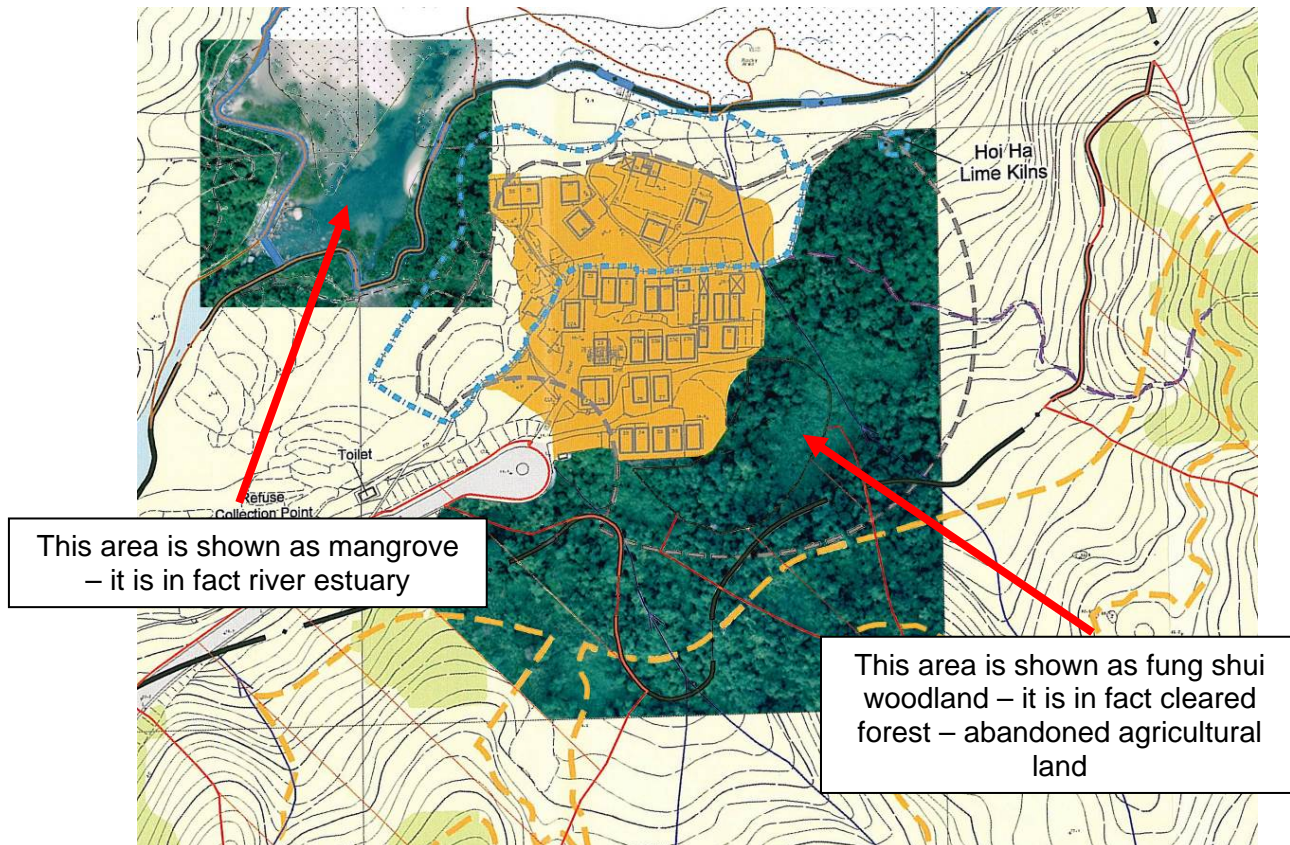


Figure 1.2 Overlay of aerial photos on to the Planning Department Land Usage map showing two major errors.

Pak Sha O is an abandoned village with a high antiquities and heritage value, but the Pak Sha O River connection to the Hoi Ha Marine Park illustrates a connectivity that also needs to be considered. A development in the Pak Sha O village, would also impact the Hoi Ha Marine Park. The same is also true for the nearby village of Nam Shan Tung.

Any boundaries need to be carefully considered with regards to fixed assignments in an ever changing ecological area. Shorelines change, sometimes quickly, after a single severe weather event, sometimes slowly over time. Rivers also change their banks over time and deposit silt at their entrances, in the case of Hoi Ha, this is at the beach lagoon.

The recent changes in education in Hong Kong now include Liberal Studies. Part of the syllabus has to include nature, conservation, ecology etc. This adds significant value to the argument regarding the need for country parks in Hong Kong. The added value of a field trip over a class lecture is common knowledge. There is a real need for infrastructure improvement in the country parks to provide for a new increasing local trend – mainstream education.

A final overall consideration is the reason why the Country parks were established in the first place. These areas were set aside to establish and maintain areas of high ecological and landscaping values but mainly to protect these areas from future development. The basic argument was to allow local people, the basic right of enjoying and experiencing nature and natural places. With the increasing leisure time available to local people it is not surprising to know that there is a growing number of visitors to the country parks in Hong Kong. It is important that this healthy trend continues and is further encouraged.

2. Methodology of the research

This submission is based upon the standard IUCN Agenda 21 approaches to Sustainable Development. A detailed Environmental Impact Assessment has been conducted on the area regarding the current and proposed future activities suggested for Hoi Ha. This study has been carried out by a group of people who are connected to both the indigenous and non-indigenous communities within the village but do not have any investment within this village. This is to avoid conflict of interest and to produce a series of suggestions that contain no bias. The study also is based upon scientific data to allow a foundation to formulate a legal basis for the recommendations.

Hoi Ha is an example of the living, evolving New Territories village because:

- There is a substantial amount of peer reviewed science published on this area highlighting this.
- Scientific data has been collected in this area by several sources since the late 1980's.
- There is an established tourist industry at this location.
- There is an established, very heavily utilised, marine education facility, bordering this village, run by WWF.
- There is a small contingent of local non-indigenous residents being very vocal about any village activity. They want to preserve the area. They have additionally amassed a reasonably large group of followers (~200) to support their demands.
- The indigenous villagers want to see the village develop in terms of size and economics.
- The village has protected Country Park on three sides, and a Marine Park on one side of its boundary.
- There is a river (by Hong Kong standards) and several streams that run through this enclave. So the hydrology has almost all of the possibilities of Hong Kong; rivers, streams, soaks, sandbars, beaches, rocky shore, etc.
- There are beaches with recreational facilities already in place that have the potential for further development.
- There are building applications for village houses currently pending.
- The current ambience of the village is "Third World" and the infrastructure needs improvement so that the area can reach its full potential as an educational and a sustainable ecological resource.

The research data shown in this submission has been collected under rigorous scientific methodology over a period of at least two years. Students from universities and schools in Hong Kong have been tasked with collecting data supervised by well-known academics and environmental professionals. Where conflict with published data has been found a second assessment by independent groups was made. Only data that is verifiable and replicable is shown. Where similar data has been published in refereed scientific publications and/or reports from reputable organisations is available, we have cross-referenced our data against this. This follows standard scientific methodology.

3. An overview of the Hoi Ha area

Much has been published about the history of Hoi Ha, the marine Park and its environs. We will not repeat it here. This will only be a short overview to give context to the data that follows.

Hoi Ha village was established around 150 years ago. The area was settled by two Hakka clans – the Tongs and the Yungs. The villagers are represented by two *tze tongs*. Until the development of the new towns and emigration to the UK in the 1960s much of the local population was engaged in farming and fishing. From the mid 1960s onwards the village effectively became depopulated by the indigenous villagers, although some remained, and some returned after retiring from their work overseas. Many of the existing houses in the village built under the Government's Small House Policy (SHP) are rented to non-indigenous residents, although a number of indigenous families run small businesses in the area.

The northern most part of the village has some ruined buildings, remnants of the original village. This area close to the beach has been designated a Site of Archaeological Interest, together with the lime kilns to the north east of the area.

Hoi Ha is at the northern end of the Sai Kung West Country Park. It is strategically located at the estuary of the small Pak Sha O River and Hoi Ha Wan. Its location and the unspoiled surroundings have made it a tourist destination as well as the starting point for hikers, campers and divers/water sports enthusiasts. Since the establishment of the Hoi Ha Wan Marine Park, and then the WWF Marine Education Centre, the village has become a centre for environmental and marine education, with many school and university parties visiting the area each day.

Hoi Ha is at the head of the Pak Sha O Valley. This valley is essentially a self-contained ecosystem that feeds into the Marine Park. The valley and the Marine Park should, ecologically, be considered as one whole area when planning, development or improvement is considered. Hoi Ha Village cannot be considered in isolation from its surroundings, and neither can its two adjacent villages of Pak Sha O and Nam Shan Tung, also both Country Park Enclaves – the former now under Development Permission Area (DPA) protection, the latter still unprotected from development and ecological disturbance. We consider that the three enclaves should be considered holistically, and fear that any criteria used to zone Hoi Ha will predicate what is zoned for Pak Sha O and Nam Shan Tung.

The extent of the Pak Sha O River Valley system is shown in Fig 3.1 below. It can be seen clearly that all the watershed rivers and stream feed directly into the Marine Park. Research (Bradbeer, Hodgson *et al*, 2008) has shown that fresh water springs in the Marine Park itself are fed by the water table supplied from wetlands in Pak Sha O. As will be shown in this report, recent re-instatement of abandoned agricultural land in Pak Sha O is already having an effect on the water quality entering the Marine Park.

A detailed analysis of the land usage, ecology and ownership is given in sections below.



4. Laws and Ordinances

Many laws and ordinances apply to the area under discussion. These include the following:

- **Land (Miscellaneous Provisions) Ordinance (Cap. 28)**
This ordinance, enacted in 1972, makes it illegal for anyone to occupy or remove materials from unleased land without a license, and allow provides control over the excavations in unleased land.
- **Waterworks Ordinance (Cap. 102)**
This ordinance, enacted in 1974, provides an overview of the duties and powers of the water authority over the use of the waterworks.
- **Building Ordinance (Cap. 123)**
This ordinance, enacted in 1955, specifies the appointments of professionals to commence work as well as both the specified requirements for building structures and the action taken against buildings that may be dangerous or defective etc.
- **Foreshore and Sea-Bed (Reclamations) Ordinance (Cap. 127)**
This ordinance, enacted in 1985, specifies the control over reclamations upon the foreshore and sea-bed.
- **Town Planning Ordinance (Cap. 131)**
This ordinance, enacted in 1950, provides the control over the town planning board, including possible refusal of approved plans.
- **Public Health and Municipal Services Ordinance (Cap. 132)**
This ordinance, enacted in 1935, provides control over the sanitation and cleanliness within sewers, drains and bathhouses.
- **Summary Offences Ordinance (Cap. 228)**
This ordinance, enacted in 1932, makes it illegal for marine littering, lion dances with exception from Chief of Executive, and offences relating to vessels, seamen and merchandise.
- **Air Pollution Control Ordinance (Cap. 311)**
This ordinance, enacted in 1983, regulates the air quality and pollution.
- **Water Pollution Control Ordinance (Cap. 358)**
This ordinance, enacted in 1980, controls the water quality in water control zones and makes illegal for any persons to pollute the waters of Hong Kong.
- **Road Traffic Ordinance (Cap. 374)**
This ordinance, enacted in 1982, is a safety ordinance that regulates what vehicles and traffic can do.

- Noise Control Ordinance (Cap. 400)

This ordinance, enacted in 1988, controls the noise level of daily activities and construction sites.

- Dumping at Sea Ordinance (Cap. 466)

This ordinance, enacted in 1995, regulates marine dumping areas, marine pollution control at sea.

- Marine Parks Ordinance (Cap. 476)

This ordinance, enacted in 1995, specifies the duties of the Marine Parks Authority and the functions of the Marine Park Board. Repair works and new developments need approval for the project to proceed.

- Protection of Endangered Species of Animals and Plants Ordinance (Cap. 586)

This ordinance is mainly the local implementation of the CITES Convention regarding the trade of endangered species, with reference to requiring a licence to possess endangered species locally.

5. Existing Village Business

Hoi Ha is a relatively flourishing, small village, at least compared to most of the other villages in the Sai Kung Country Park. Whereas the others are basically dormitory villages for non-indigenous villagers (NIVs), Hoi Ha has a number of small enterprises centred on its residents, both indigenous (IV) and non-indigenous. Coupled with its popularity and beautiful surroundings, Hoi Ha should be a poster child for ecological and environmental based education and science.

The major business in the village is a small general store cum restaurant run by two IVs and their son. This is the only such business now left in the village, though in the past there were a total of three restaurants. As such, currently some IVs wish to complement the sole existing restaurant with another. As can be seen from the tourist loading of the village in peak times (Section 9 below) there is enough potential business to accommodate another food outlet. Unfortunately some antagonism from a few NIVs in the village has stopped this initiative.

There is a small boat/kayak rental business also run by a resident IV from temporary structures near the boat ramp in the middle of the village. This business is very popular with visitors all through the year.

Many residents use their houses for either telecommuting and/or office/workshops, many also focused on ecologically based activities. For example, Oceanway uses a ground floor flat to provide facilities for its diving activities and research work, and Dragonfly use one of the houses for its Hoi Ha based outward bound type activities as well as temporary accommodation for its staff. Other businesses include NIRs running dog kennels, carpet cleaning business, engineering consultancy and some other small hobby businesses.

Of course, the major business in the village is the rental of housing to NIVs. Of the 30 houses providing 40 dwellings, only five are occupied by their IV owners. Available Land Department records (2012) show three of the houses and one land lot are owned by NIVs. Thirteen houses and/or lots are owned by companies. In this respect, Hoi Ha is like other Country Park villages. However, it being a base for so many enterprises is quite unusual.

There are also a number of voluntary Christian based groups using facilities within the village. The main one occupies a small holiday camp within the DPA higher up Hoi Ha Road from the village, but they do store much of their boating equipment on one of the two beaches within the DPA.

Finally, The World Wide Fund for nature, WWF, is based just outside the village in the WWF HSBC Jockey Club Marine education Centre. All of this entrepreneurship must be considered when making any planning proposals.

6. Land Use Classification and Usage

6.1 Overview

Landscaping and aesthetics are an important consideration. The PlanD of Hong Kong has adopted a hybrid standard for this purpose, merging the applicable categories from several systems currently in use around the world. It is very important that any detailed landscaping data be collected and presented in the adopted format for clarity and to ensure that the area can fit into the standard established models that already exist in Hong Kong. It is also important that the actual existing land usage also be determined and shown separately.

6.2 Hong Kong's Landscaping Classification System

The area of Hoi Ha Wan is listed as Up-land and Low-land Countryside by the PlanD. The full list of classified landscaping categories is included in Table 6.1. It is interesting to note that there is no protection categories listed, so the status of the land classification is not separated in the Hong Kong Landscaping classification system.

6.3 The Whole of Hong Kong

Figure 6.2 shows the result of the 2005 landscaping study carried out by the PlanD using the classifications shown in Table 6.1.

6.4 Hoi Ha

The Hoi Ha DPA and surrounding area contains Local Level Classifications from all three Regional Level Classification categories. Table 6.3 lists the category classifications applicable to the Hoi Ha and the surrounding areas.

Figure 6.4 is the result of applying these standard classifications for landscaping to the Hoi Ha area at a higher resolution. The data was collected from site visits and the most recent 2012 aerial photograph of the area.

6.5 Existing Land Usage at Hoi Ha Wan.

There is a distinction between the landscape data and the land use data, particularly with regards to the village area. This land has zoned uses, like dwellings, roads and footpaths. Other land uses include car parks, orchards, gardens, storage of boats, tables for the restaurant, outdoor showers, outdoor changing rooms, temporary structures, etc. Some of the buildings have specific uses as well. Typically these are used for refuse collection, public toilets, outdoor activities, etc. Some structures are vacant. This data is very useful when deciding upon future land use for specific areas. The land use map is shown in Figure 8.2 below.

REGIONAL LEVEL	SUB-REGIONAL LEVEL	DISTRICT LEVEL	LOCAL LEVEL
Countryside - R	Upland Countryside - Rh	Peaks - Rh(k)	Grassy peaks and ridges - Rh(k)1
			Scrub-covered peaks and ridges - Rh(k)2
		Undulating Uplands and Hillsides - Rh(b)	Grassy undulating uplands and hillsides - Rh(b)1
			Scrub-covered undulating uplands and hillsides - Rh(b)2
			Wooded undulating uplands and hillsides - Rh(b)3
		Miscellaneous Uplands - Rh(y)	Boulder field - Rh(y)1
			Former upland agriculture - Rh(y)2
			Badlands - Rh(y)3
		Upland Valleys - Rh(a)	Scrub-covered upland valley - Rh(a)1
			Wooded upland valley - Rh(a)2
	Lowland Countryside - Rl	Lowland Plains - Rl(p)	Plains and isolated hills - Rl(p)1
			Coastal plain farmland - Rl(p)2
			Coastal plain farmland with other uses - Rl(p)3
			Disused coastal plain farmland - Rl(p)4
			Fish ponds - Rl(p)5
			Salt pans - Rl(p)6
		Lowland Valleys - Rl(a)	Lowland valley farmland - Rl(a)1
			Lowland valley farmland with other uses - Rl(a)2
			Scrub-covered lowland valley sides - Rl(a)3
			Wooded lowland valley sides - Rl(a)4
Development - D	Urban Landscapes - Du	Commercial Urban Landscapes - Du(c)	High-rise commercial urban landscape - Du(c)1
			Medium-rise commercial urban landscape - Du(c)2
			Retail mall - Du(c)3
		Institutional Urban Landscapes - Du(x)	Historic institutional urban landscape - Du(x)1
		Residential Urban Landscapes - Du(r)	High-rise housing estate - Du(r)1
			Intermittent high-rise residential urban landscape - Du(r)2
			Low-rise residential urban landscape - Du(r)3
		Mixed Urban Landscapes - Du(m)	Low-density mixed urban landscape - Du(m)1
			High-density mixed urban landscape - Du(m)2
			Historic mixed urban landscape - Du(m)3
			Reclaimed mixed urban landscape - Du(m)4
		Park Urban Landscapes - Du(o)	Urban park - Du(o)1
		Industrial Urban Landscapes - Du(i)	Warehousing and factories - Du(i)1
			Industrial estate - Du(i)2
		Urban Waterfront Landscapes - Du(w)	Institutional/commercial waterfront - Du(w)1
			High-rise waterfront housing - Du(w)2
			Docklands/container terminal - Du(w)3
			Waterfront park - Du(w)4
			Marina - Du(w)5
			Typhoon shelter - Du(w)6
	Urban Fringe Landscapes - Df	Residential Urban Fringe Landscapes - Df(r)	Undeveloped and ongoing reclamation - Du(w)7
			Low-rise residential suburb - Df(r)1
			Low-rise suburban housing estates - Df(r)2
		Miscellaneous Urban Fringe Landscapes - Df(y)	Mixed urban fringe landscape - Df(y)1
			Transportation corridor - Df(y)2
			Rail depot - Df(y)3
		Institutional Urban Fringe Landscapes - Df(x)	Institutions in vegetated settings - Df(x)1
			Cemetery - Df(x)2
		Waterfront Urban Fringe Landscapes - Df(w)	Airport - Df(w)1
	Rural Fringe Landscapes - Dg	Residential Rural Fringe Landscapes - Dg(r)	Scattered developments and countryside - Dg(r)1
			Resort-type development - Dg(r)2
		Village Landscapes - Dg(v)	Consolidated village - Dg(v)1
			Expanded village - Dg(v)2
			Historic villages and environs - Dg(v)3
			Walled village - Dg(v)4
			Squatter settlement - Dg(v)5
			Waterfront village - Dg(v)6
		Waterfront Rural Fringe Landscapes - Dg(w)	Power station - Dg(w)1
		Miscellaneous Rural Fringe Landscapes - Dg(y)	Ash lagoon - Dg(w)2
Coasts - C	Natural and Semi-natural Coastlines - Cn	Inter-tidal Coastlines - Cn(t)	Quarry - Dg(y)1
			Landfill - Dg(y)2
			Military Camp - Dg(y)3
			Golf Course - Dg(y)4
			Reservoir - Dg(y)5
			Salt marsh - Cn(t)1
			Mud flat - Cn(t)2
			Mangrove - Cn(t)3
			Gei wai - Cn(t)4
		Islands - Cn(d)	Rocky island - Cn(d)1
			Isolated island group - Cn(d)2
	Coastal Waters - Cw	Natural Shorelines - Cn(s)	Cliff - Cn(s)1
			Rocky shoreline - Cn(s)2
			Beach - Cn(s)3
		Urban Coastal Waters - Cw(u)	Urban harbour - Cw(u)1
		Maritime Offshore Waters - Cw(q)	Anchorage - Cw(q)1
			Shipping lane - Cw(q)2
		Miscellaneous Coastal Waters - Cw(y)	Tranquil coastal waters - Cw(y)1
			Fish farm - Cw(y)2

Table 6.1. The Landscape category classifications used in Hong Kong

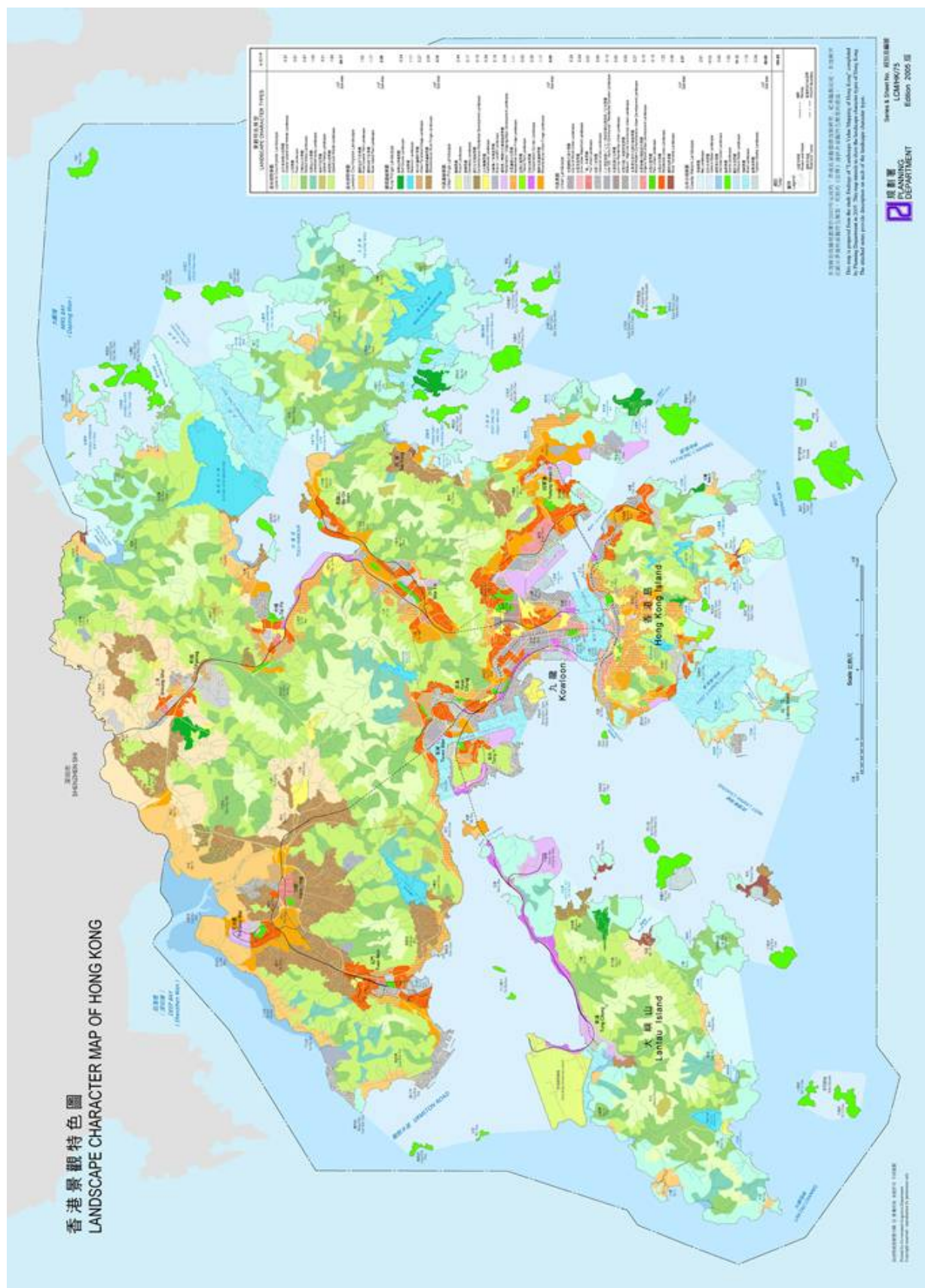


Figure 6.2 The Landscape Character Map of Hong Kong based upon Standard Categories

REGIONAL LEVEL	SUB-REGIONAL LEVEL	DISTRICT LEVEL	LOCAL LEVEL
Countryside - R	Lowland Countryside - RI	Lowland Planes RI(p)	Plains and isolated hills - RI(p)1
			Coastal plain farmland - RI(p)2
			Coastal plain farmland with other uses - RI(p)3
			Disused coastal plain farmland - RI(p)4
		Lowland Valleys RI(a)	Lowland valley farmland - RI(a)1
			Lowland valley farmland with other uses - RI(a)2
			Scrub-covered lowland valley sides - RI(a)3
			Wooded lowland valley sides - RI(a)4
			Lowland valley floor farmland - RI(a)5
			Lowland valley floor farmland with other uses - RI(a)6
Development - D	Rural Fringe Landscapes - Dg	Residential Rural Fringe Landscapes - D(r)	Scattered Developments and countryside Dg(r)1
		Village Landscapes - Dg(v)	Consolidated Village - Dg(v)1
			Expanded village - Dg(v)2
			Historic villages and environs Dg(v)3
Coasts - C	Natural and semi-natural coastlines - C(n)	Inter-tidal Coastlines - Cn(t)	Mangrove - Cn(t)3
		Natural shorelines - Cn(s)	Rocky shoreline - Cn(s)2
			Beach - Cn(s)3

Table 6.3. Landscaping classifications applicable to the Hoi Ha DPA and environs.

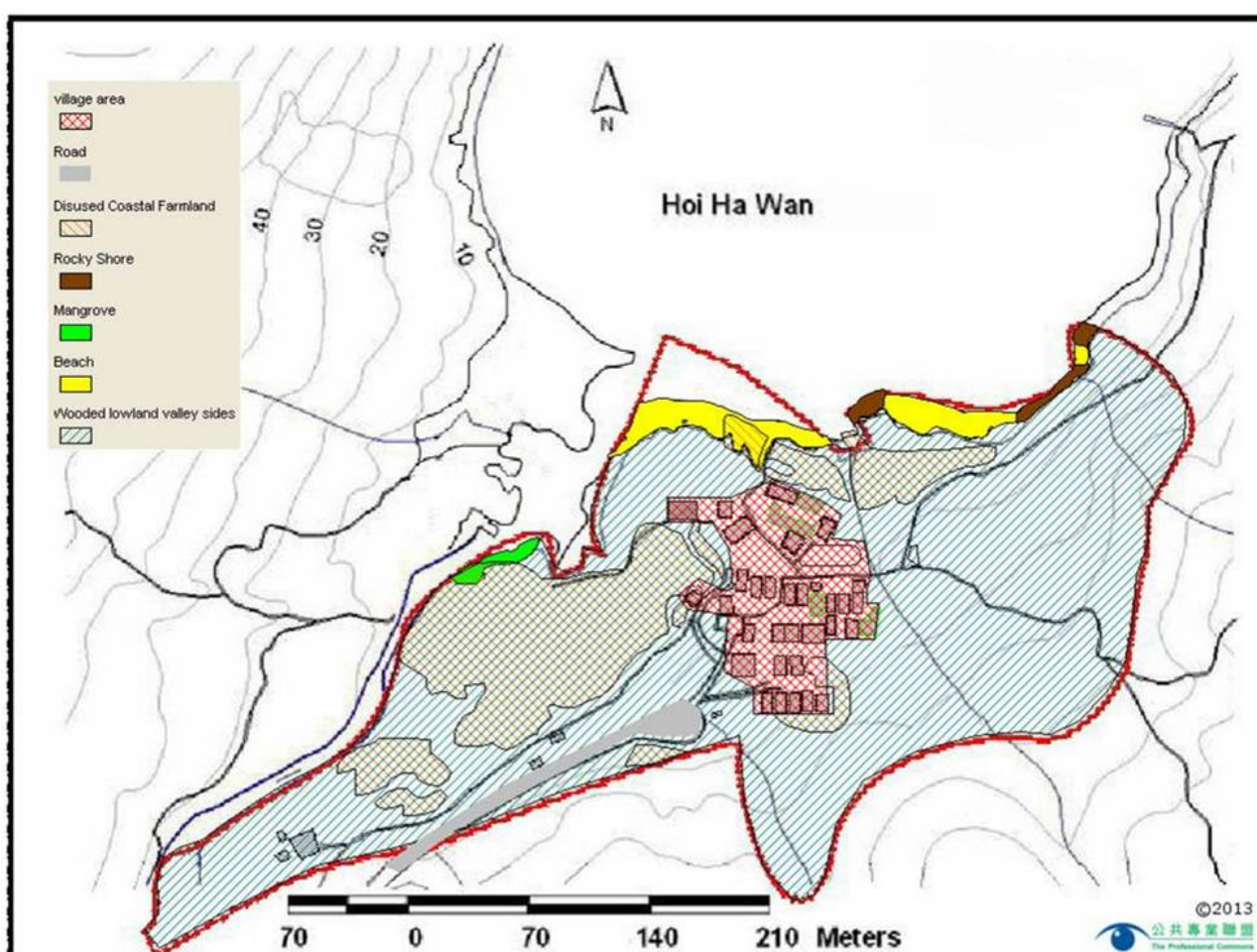


Figure 6.4. The Landscape Character Map of the Hoi Ha area based upon Standard Categories

Details of the key fixed existing land use are shown in Figure 8.2 below. This figure also shows the location of the special areas around the village like the Fung Shui Woodland and the location of known endangered flora in the enclave.

7. Land ownership

One of the major problems identified is a conflict of interests between those who want to develop an area (usually indigenous residents) with those who want to preserve it (usually non-indigenous residents). Other complications involve the large scale developers trying to take advantage of the increasing number of people wanting to live away from the city. There are also groups who want the area further developed for recreation and education and require proper facilities to do this.

A survey of the Land Registry for the central part of the DPA shows clearly the interests of outside developers in the village. We estimate that 95% of the non Government land outside the current V area is either owned outright, or controlled via Agreement to Sell encumbrances, by five major developers. These are Vantix Ltd., Group Wise Investment Development Ltd., Eastern Island Land Development Co. Ltd., Xinhua Bookshop Xiang Jiang Group Ltd., Sino Joint Ltd., and Ever Luck Development Ltd. The majority of this land is currently abandoned agricultural land and can be cleared for reinstatement at any time by the owners. This is happening in Pak Sha O now. As we will show below, in Hoi Ha much of this abandoned farmland is ecologically highly sensitive. It is imperative that this area be monitored for any attempt to do this.

A similar search through Companies House register of companies shows that at least three of these developers share either the same registered offices or have directors in common. We suspect that all five are connected behind the scenes, especially as lots have been, and continue to be, traded between them.

Some indication of the increasing value of the land can be seen from the rapid increase in price for a group of lots recently traded by developers amongst themselves. Sold by IVs in 2008 for around \$600,000, they sold for around \$1,800,000 in 2010, then \$7,800,000 in 2012.

With more than 300 lots in the DPA it is difficult to understand who owns what. Figure 7.1 is a graphical representation of the lot ownership in the main part of the area. Similar patterns can be seen in the lot ownership outside of the map below.

Comparing the Figure 7.1 with Figure 6.4 shows that some of the developer owned lots are currently beach or under water. However, as shown below, sand accreted from the Pak Sha O River, means that much of the land, that is currently underwater, will be totally uncovered some time in the not too distant future. This will shift the high tide mark further out into the Marine Park area affording this "new" unprotected area no protection from any ecological harmful activities. It is clear that some protection must be given to this area to stop any future development from being carried out there.

We should also consider that much of the land zoned as either Green Belt or Coastal Protection Area in the draft OZP is in fact owned or controlled by developers and is abandoned agricultural land. Reinstatement of this for agriculture is a permitted activity under the relevant ordinances. Thus, there is no adequate protection for these areas in the draft OZP.

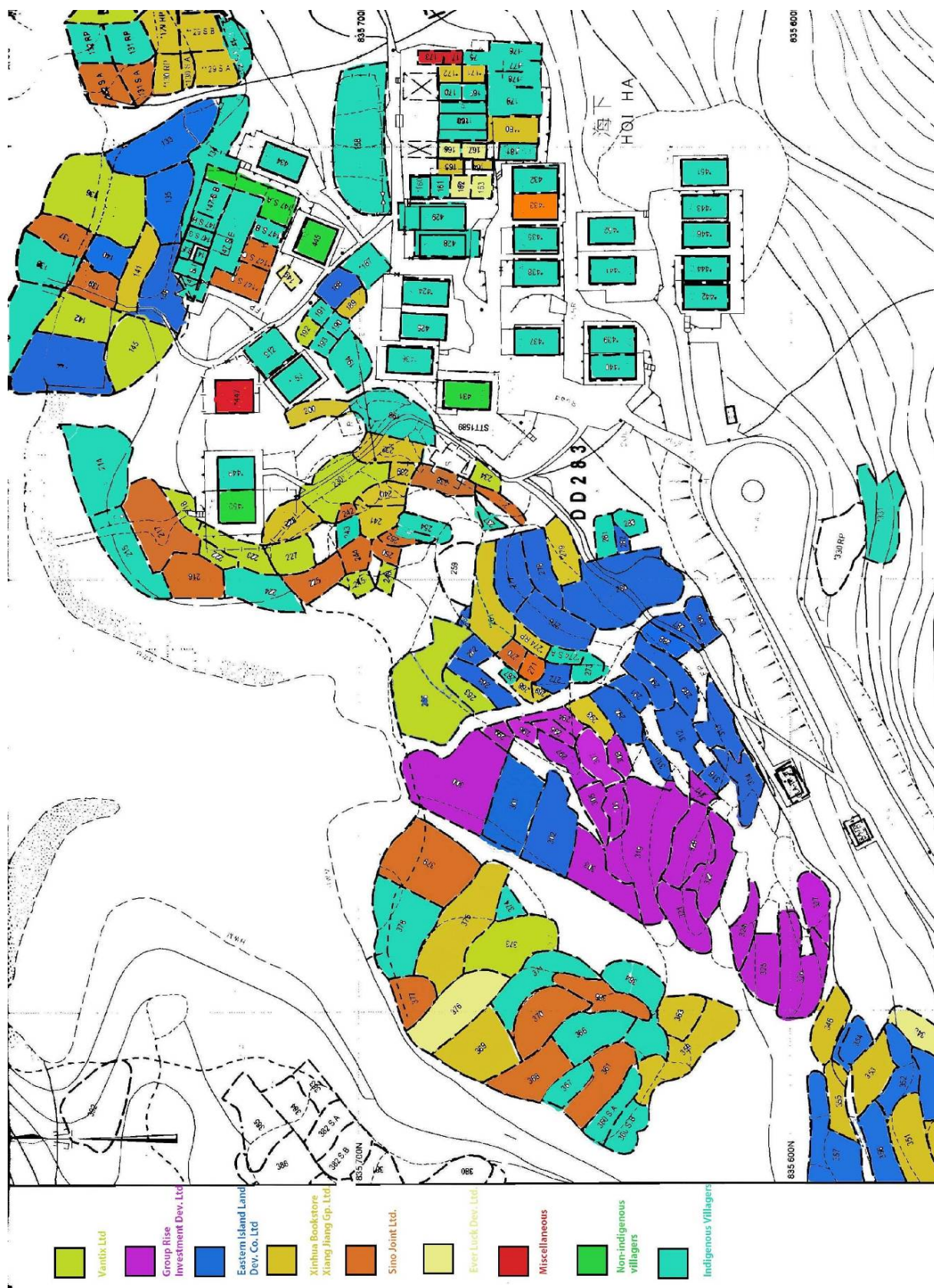


Figure 7.1 Lot ownership for centre of Hoi Ha

8. Ecology

The ecology at Hoi Ha is multifaceted; there are wooded areas, mangrove, coastal forest, estuarine, marine, orchard, farmland, grassland, and beach areas within the DPA or immediately outside it. All of the areas outside the DPA are in the Sai Kung Country Park or the Hoi Ha Wan Marine Park are protected. This report concerns the woodland areas within the DPA zone and the surrounding Sai Kung Country Park area. For the DPA the area breakdown, in terms of square metre is shown in Table 8.1 The land use within the area is shown in Figure 8.2.

Area Type	Area (m ²)	Ratio (%)
Forest	61,081	71.9%
Beach	2,131	2.5%
Mangrove	286	0.3%
Coastal Forest	7,046	8.3%
Swamp	713	0.8%
Degraded Forest	870	1.0%
Village	9,191	10.8%
Road	938	1.1%
Fung Shui Woodland	2,706	3.2%
	84,962	100.0%

Table 8.1 The size and ratios of the areas within the DPA for Hoi Ha

8.1 Wooded

Area

8.1.1 Overview

This report refers to forests and woodlands. These terms should be differentiated for the purpose of clarity. A woodland is smaller than a forest and is usually associated with agriculture. The canopy density of woodland can be less than a forest (Thomas and Pakham 2007). This report follows the wooded area naming conventions of the Hong Kong Authority, the Agriculture, fisheries and Conservation Department (AFCD).

One important finding in the wooded areas of the DPA is the lack of large mature trees. Before the Second World War, the village had a thriving lime manufacturing facility that burned coral in four kilns (Morton 1992a). Almost all of the trees in the OZP and areas surrounding the village were burnt in these kilns to provide for this industry (Morton 1992a). Furthermore, extensive parts of the Pak Sha O river valley, within the OZP, were cleared for agriculture. These activities raise questions concerning the amount of real primary forest or woodland in any part of the DPA. Aerial photographs, of Hoi Ha, taken in 1961 show very little wooded area around the village (Sortie No. :F43/81A/RAF/625). From these early photographs even the survival of most of the original village Fung Shui Woodland is deemed questionable.

Field work carried out in that area did not locate any 20~30m high mature Fung Shui woodland species trees in the area reported to be the Fung Shui Woodland of Hoi Ha. The low diversity, small reported size (3177m²) and even smaller surveyed size (2706m²) suggest that more work may be required to confirm the details and state of this area.

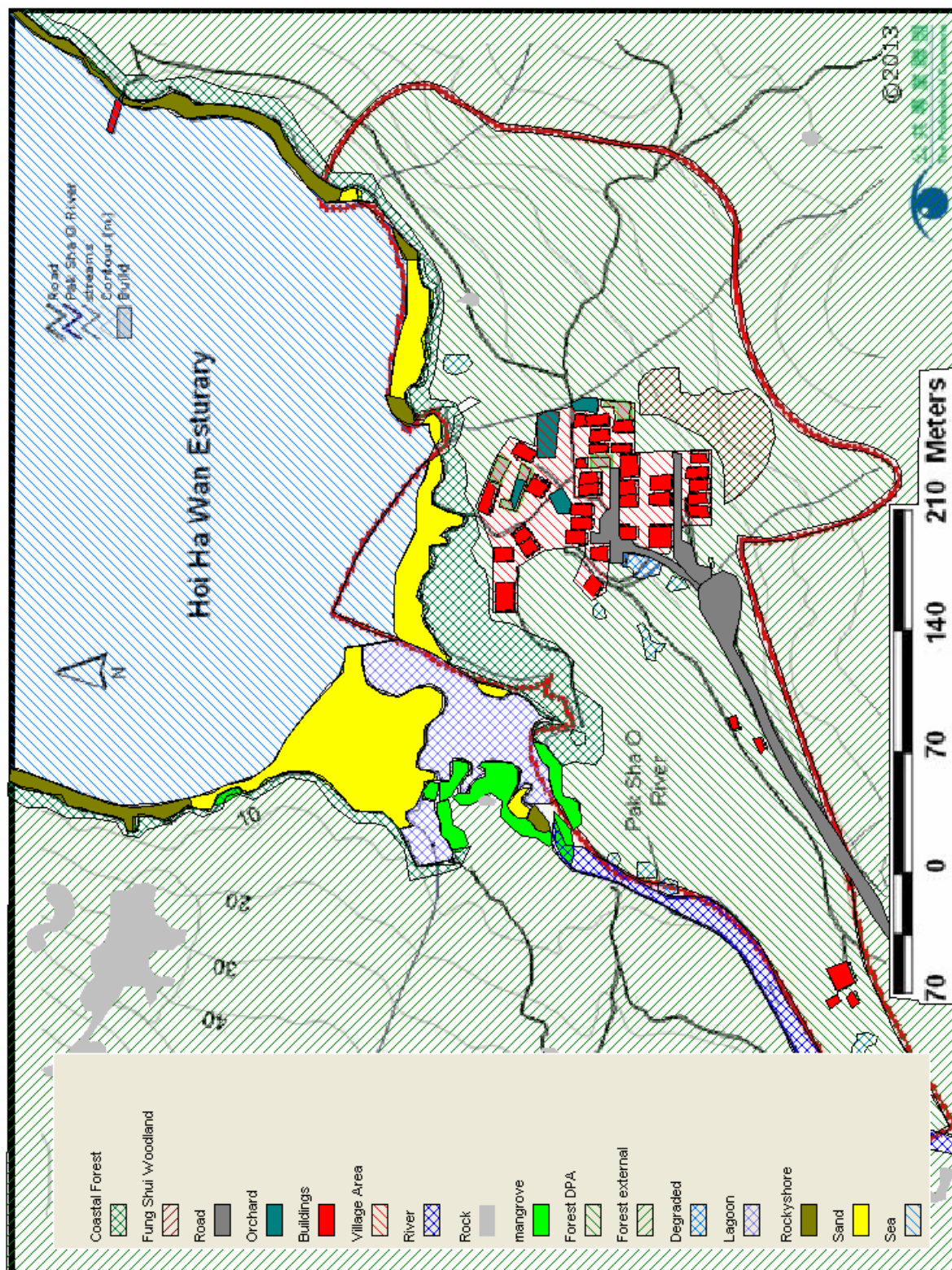


Figure 8.2. The land use in and around the area

There is substantial re-growth of the forest into the areas that were once cleared for agriculture. It is difficult to distinguish many of these cleared areas given the more than 40 years recovery time. Whilst past records show extensive clearing was carried out within the valley area in the DPA, early aerial photographs clearly show patches of forest that were never cleared (Sortie No. :F43/81A/RAF/625; Morton and Ong 1992). Anyhow, the recovery was natural.

In order to determine the quality of the wooded areas within the DPA, standard forest canopy surveys were carried out within the boundary of the DPA and the results were compared with equivalent surveys carried in nearby surrounding country park areas. In all 10 numbers of 100m random transect surveys were carried out under the forest canopy in each area. Points of 5m distance were chosen. The results are shown in Table 8.3.

During the forest surveys carried out for this report, it was noted that, as with the surrounding country park area, there is a need to carry out some reforestation work in within the OZP area. Areas identified for this need were areas of the coastal forest along the foreshore in front of the village, the Fung Shui Woodland and several degraded areas shown in Figure 8.1. It is important that suitable native species and tree density be maintained.

Area	uEinstein (m-2sec-1)	Standard Error	Standard Deviation	Range
Inside the DPA Area				
Mean Light Flux Density - Under the Canopy	44.9	1.9	26.2	93.5
In the Country Park				
Mean Light Flux Density - Under the Canopy	43.3	1.7	24.2	91.4

Table 8.3. The result of the Forest Canopy Surveys for Hoi Ha Wan (n=400)

Irrespective of the origin or the age of the forest within the DPA Area, the area is equivalent to the surrounding forest in terms of canopy parameters. This has implications with regards to carbon absorption, aesthetics and general quality. The area's species makeup is complicated, with dominant species decided by macro conditions occurring in the forest floor. A two day survey recorded 96 species of common Hong Kong plants and trees in the DPA. This list is not exhaustive either.

Of the protected species recorded within both areas, mainly *Aquilaria sinensis*, *Gnetum luofuense*, *Neottopteris nidus*, *Pavetta hongkongensis* and *Sargentodoxa cuneata* were present. These are listed under IUCN, Mainland Chinese or local Hong Kong endangered species protection lists. However, all of the protected species recorded were not along the coast and away from the beach area or rocky shore.

8.2 Mangrove Community

8.2.1 Overview

There has been a lot of controversy regarding the extent of the mangrove community at Hoi Ha. It is very important that all forest areas are correctly described and delineated in order to consider protect and restore them properly. Different forest

types have different flora and fauna associated with them. To protect an area of coastal forest/beach forest as a mangrove area is not correct and would not allow proper consideration for the fauna that would and could exist there. Consequently we will take a closer look at the scientific definitions as well as the results of a number of surveys carried out along the coastal area.

In the wildlife surveys carried out in this report, there was an obvious lack of animals recorded around the immediate village area. Key identified reasons include the lack of food and suitable forest habitat. It is possible to mitigate this and make areas more attractive for specific suitable species to re-occupy these areas. For this to happen, for the forest to be properly protected and any forest improvement to be successful, the forest community must be identified and described correctly.

The definition of a mangrove area is clear and is quoted below verbatim below the expert authority Dr. Peter J. Hogarth in his 2012 book *The biology of Mangroves and Sea grasses* (p2):

“Mangroves are defined as woody trees and shrubs which flourish in mangrove habitats (or mangals), which is almost, but not quite, a tautology. True, or exclusive, mangroves are those which occur only in such habitats or only rarely elsewhere. There is in addition a loosely defined group of species often described as mangrove associates, or non-exclusive mangrove species. These comprise a large number of species typically occurring on the landward margin of the mangal, and often in non-mangal habitats such as rainforest, salt marsh, or lowland fresh water swamps.”(Page 2).

“Typical mangrove habitats are periodically inundated by the tides. Mangrove trees therefore grow in soil that is more or less permanently waterlogged, and in water whose salinity fluctuates and, with evaporation may be even higher than that of the open sea.” (Page 8).

Mangal areas also have associated plant and animal species associated with it. This can also be used to confirm an area. Again from Dr Peter Hogarth's book:

“A mangrove community is more than just an assemblage of trees physiologically adapted to living in brackish water. Living in, on or around the mangrove trees is a heterogeneous community of organisms, which depend on them for attachment, shelter or nutrients. The mangrove trees may suffer or benefit from their presence. They may be permanent residents or occupy a mangal temporary, either seasonally or for part of their life cycles.” (page 71).

This mangrove area is contained within and surrounded by coastal forest that contains tree species typically associated with mangroves like *Hibiscus tiliaceus*, but the forest area is not intertidal, nor is it periodically flooded with salt water and so also contains species that are not associated with mangrove communities as well like *Ficus microcarpa*. Further along the beach at the rocky outcrop that divides the beach, there have been efforts by a local environmental group to change this environs' ecology by planting *Kandelia obovata* mangroves in front of the coastal forest assemblage. This was to make a typical mangrove ecosystem with a back mangrove area out of the existing coastal forest. This type of activity should be

discouraged. It is important that the original composition and structure of an ecologically sensitive area in terms of species distribution and spacing between trees should be considered before any restoration work is carried out.

The main mangrove area at Hoi Ha Wan is located in the intertidal mud and sand around the back of a lagoon formed as a result of the Pak Sha O river crossing the beach. This mangrove community consists of five species, *Aegiceras corniculatum*, *Avicenna marina*, *Bruguiera gymnorhiza*, *Excoecaria agallocha* and *Kandelia obovata*. It is non-zonal and does not have the usually associated back mangrove area (Chan 1992; Tam 2012); this feature was a key deciding factor to make it SSSI number 48 in 1989. A detailed study of the mangrove area was carried out by K. Y. Chan in 1992 and by Oceanway in 2009 and 2012. The latter two surveys were to look at reinforcing the area with reforestation. The results of these surveys are shown in Table 8.4.

Species / Year	1992	2009	2012
<i>Aegiceras corniculatum</i>	833	831	842
<i>Kandelia obovata</i>	125	129	134
<i>Avicenna marina</i>	1	3	3
<i>Bruguiera gymnorhiza</i>	83	85	85
<i>Excoecaria agallocha</i>	26	28	28
Unidentified seedlings	0	0	17
Total :	1068	1076	1109

Table 8.4. The number of mangroves near Hoi Ha Village

Note that *Acanthus ilicifolus* of the 1992 survey was identified as *Bruguiera gymnorhiza* in later surveys.

Four other mangrove areas have been identified within the bay, but these are smaller, e.g. Lan Lo Au. All of the mangrove areas in Hoi Ha fall within the Marine Park Boundary and are thus protected under the Marine Park Ordinance.

8.2.2 Makeup of the Mangrove Community in the DPA

The area of mangrove within the DPA is only 398m² (1% of the total area). The number of mangrove trees in the area is shown in Table 8.5.

Species / Year	1992	2009	2012
<i>Aegiceras corniculatum</i>	298	271	306
<i>Kandelia obovata</i>	2	3	3
<i>Avicenna marina</i>	0	0	0
<i>Bruguiera gymnorhiza</i>	75	85	85
<i>Excoecaria agallocha</i>	5	3	8
Unidentified seedlings	0	0	0
Total :	380	362	402

Table 8.5. The number of mangroves in the DPA at Hoi Ha

8.3 Coastal Forest

8.3.1 Overview

The total Coastal Forest Area also known as Beach Forest (under IUCN guidelines), within the DPA constitutes almost 25% of the total DPA; this is very typical of coastal

areas in Hong Kong. It comprises two main assemblages, one associated with rocky shores and another associated with sandy beaches. Coastal Forest is also shown on other flora reports (There were no protected species recorded in a survey of the shoreline extending into and away from Hoi Ha village. The coastal forest community at Hoi Ha is not intertidal and only experiences salt water ingress during severe weather conditions. Large areas do experience periodic flooding by fresh water runoff during heavy rainfall or from the Pak Sha O river overflow.

One tree species is missing from the sandy beach, the she-oak pine *Casuarina equisetifolia*. Most nearby beaches have this species as part of their coastal forest assemblage. It is likely the wood from any such species was used by the village for building in the past. The Coastal Forest assemblage on the west side of the village is quite developed with a significant canopy. Other areas are severely degraded and in need of restoration.

Some of this area is currently being mistakenly referred to as a mangrove area. However, it is not intertidal and lacks the associated indicator species. This is clearly demonstrated by the non-salt tolerant flora species present in the area and the lack of bivalves (Lam and Morton 2004) and gastropods on the root structure of the trees and shrubs of the area. There is also a lack crustacean species associated with Hoi Ha mangroves (Choi 1992) and other nearby mangrove areas. This area does flood during storm surges however the salinity of the water during such occasions is very low indicating that the source of flooding is in fact the river and not the sea. One solitary specimen of the species *Agiceras coniculatus* on the beach and several species of Oligochaeta in the beach sand in this area indicates that the area is being flooded with fresh water (Chan 1992; Erseus 1992.).

We can definitely state that based on the science outlined above, the coastal strip along the beach north of the village is not a mangrove area but is clearly beach/coastal forest.

8.4 Fung Shui Woodland

8.4.1 Overview

In Hong Kong, a Fung Shui Woodland is an area of woodland that was preserved by village settlers for reasons of Fung Shui and good prosperity. These woodlands are located at the back of villages. Visually, these areas have a "natural physiognomy" (Chan 2000). They consist of a dense and tall diverse canopy structure with thick undergrowth. They have a very small amount of recent disturbance. These areas are made up of native shade tolerant old trees and vines. Fruit trees and other useful plants were also planted along the edge to maximize the benefits of these areas. Table 8.6 (from AFCD 2002) differentiates key characteristics of Fung Shui Woodlands from other wooded areas.

Today, these woodlands are still seen behind some villages. Hoi Ha is reported as one such village. The oldest recorded Fung Shui Woodland is more than 300 years old. The existing Fung Shui Woodland at Hoi Ha Wan is quoted as being 3,177m² in size (AFCD 2002). Fieldwork carried out as part of this report recorded an area of only 2706m² of wooded area within the boundary shown as Fung Shui Woodland.

This result corresponded to recent (2013) aerial photograph images of the area. The main characteristic of this woodland, dense and tall canopy structure, is also lacking. This suggests that this area of forest may not have survived the wood demands of the lime industry, or it has been degraded in some way over time. The area of Fung Shui Woodland takes up 3.2% of the DPA.

	Fung shui Woodland	Low land Secondary Forest	Forest Plantation
History	Old mature woodland Can be up to 300 years old	Majority developed naturally from grasslands after World War II	Forested areas mainly planted after World War II
Canopy	Dense and tall (20~30m)	Dense but shorter	Sparse
Undergrowth	Dense	Dense but shorter	Sparse
Tree Sizes	Old trees and large vines	Trees of all sizes	Uniform size
Plant Species	Diverse with native shade tolerant species	Diverse range of mainly native sun-loving species	Low species diversity. Mixture of exotic and native species

Table 8.6 The Characteristics of specific woodland/forest types in Hong Kong

Environmental Protection Department records show it has a species richness of only 13 (EPD 2006). Given the size of the area, such species diversity indicates that this area is the same as the surrounding areas of forest. Out of the 116 Fung Shui Woodland remaining in Hong Kong, the Hoi Ha Fung Shui Woodland is not rated very highly (AFCD 2002). Especially when compared with the Fung Shui Woodland at Nam Fung Road, which has a species richness of 156 with an area of 38,346m². In reality, the Fung Shui Woodland at Hoi Ha is not a protected area, nor does it contain any protected or endangered flora. However, it should be noted that some seedlings have been planted in the area supposed to be Fung Shui Woodland. We can only guess who by and for what reason.

8.5 Swamp Areas

8.5.1 Overview

Several small areas within the DPA are waterlogged for most of year. These are all fed from small streams with the largest being supplied water from a small flood plain tributary of the Pak Sha O river. The total area comprises approximately 2.6%, but this increases during times of heavy rain. It is common to see birds, other animals and insects around the edges of these areas during daytime especially the Asian Porcupine (*Hystrix branchyura*), and the common Reeves' Turtle (*Chinemys reevesii*). These areas also provide suitable habitat for species of dragon flies and butterflies to congregate.

8.6 Area Flora

8.6.1 Overview

A list of the flora recorded in the area is in Appendix A. This includes all areas within the DPA (wooded or not) in and around the village. Table 8.7 shows a summary of the different species recorded in Appendix A separated in the main areas within the DPA.

Area Type	Area (m ²)	Plant Species
Forest	61081	149
Beach	2131	7
Mangrove	286	5
Coastal Forest	7046	83
Swamp	713	43
Degraded Forest	870	47
Village	9191	31
Road	938	0
Fung Shui Woodland	2706	86

Table 8.7 The number of flora species recorded in the different areas of Hoi Ha

It is important to note that the classifications of primary and secondary forests is not totally applicable to the wooded areas within the DPA. Areas within the farmland area, on the perimeter and edges of the farming plots, were never cleared and therefore still are primary forest. To apply a blanket category of "Secondary Woodland" for this area is, therefore, not correct. Since the farming stopped, most of the once cleared land has naturally re-seeded back to natural forest. This process started fifty years ago. There are many very mature trees in this area. The farmland was originally cleared because of its high productivity value as well as its proximity to the village and water. The fact that it was determined as high productivity places it in a category above normal woodland. The land in the river valley is part of a small but effective flood plain. Hence the lack of indigenous built residences in the past. Flood plains are the most productive botanical areas in the world. This makes there areas very suitable habitats for animals. The botanical productivity equates to a good reliable source of food and water. The animal distribution sighting records for Hoi Ha clearly show this. See Figure 8.10 and 8.11 below for details.

Based on this science, there is nothing special or particular about this area that would not make it suitable for a Country Park Assignment. This is particularly the case given that protected animal species regularly visit the area for food and possibly water. Any human disturbance allowed to occur here would directly impact endangered species.

8.7 The Marine Park

8.7.1 Overview

The Hoi Ha Wan Marine Park is a sheltered bay comprising 260Ha of sea surface area. It is formally known as Site of Special Scientific Interest (SSSI) No. 48 and Marine Park No. 2. Physically, it is located in the Northwest of the Sai Kung Country Park. The bay contains ecologically significant incipient coral areas scattered around its periphery (Cope and Morton 1988; Zou et al. 1992; Oceanway 2002, 2005, 2010, 2013) as well as several undersea areas populated with *Antipathes* spp. There are also several small non-zoned mangrove areas (Chan 1992; Tam 2012) and a small lagoon kept in place by a dynamic beach and a series of sand bars and spits (Morton et al. 1992) directly in front of a small village. Figure 8.7 show the location of the four main coral areas of Hoi Ha Wan. These are Pier Area, Coral Beach, Moon Island and Gruff Head.

The World Wide Fund for Nature runs and maintains an Education Centre in a small bay on the western side of the park. This centre is primarily used for primary and secondary school education with students receiving marine conservation and awareness education. On average 7,000 students attend this facility each year. It is currently running at maximum student capacity, with a waiting list of schools trying to visit the centre.

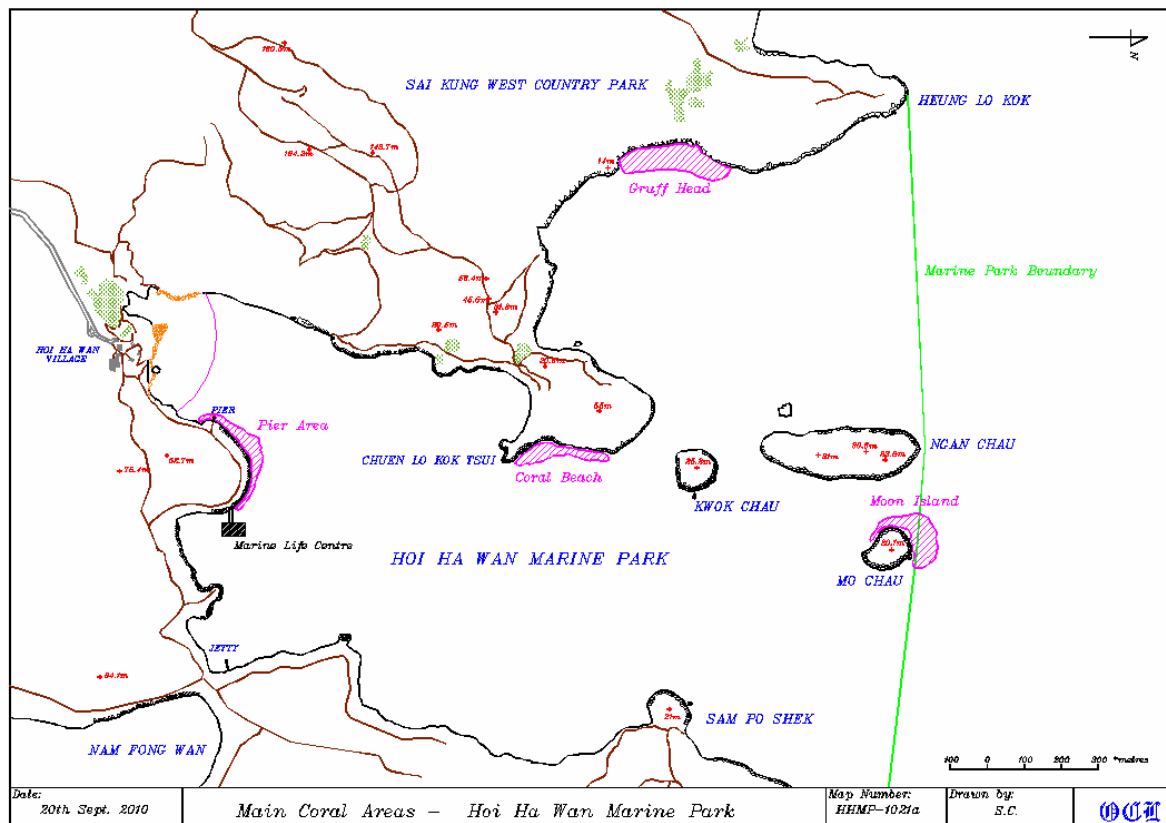


Figure 8.7. Map showing the location of the four main coral areas of Hoi Ha Wan

The Marine Park area receives impact from the bordering Hoi Ha Village primarily in the form of rubbish and water pollution. The main areas impacted are the beach, coastal and marine area immediately out from the village. We are considering the Marine Park in some detail as any zoning planned for the village area will have a high degree of impact.

8.7.2 Coral Health

The general health of a coral area is a very good indicator of the level of impact in that area. A total of 64 coral species are represented within the park, out of a possible 84 locally recorded species. The hard coral areas in the Hoi Ha Wan Marine Park are classified as "B" class areas. The Coral Beach area has the highest recorded density of coral cover in Hong Kong making this area a local ecologically important area. A total of 64 coral species are represented within the park, out of a possible 84 locally recorded species. Coral Watch has been carried out as a coral health monitoring tool at Hoi Ha Wan since 2005. It follows an ordinate scale of 0 to 5, with 0 (white) representing totally bleached and 5 (dark green) representing no bleaching. Graph bars are scaled to show the combined ordinate Cumulative

Average. The Cumulative Average result for Hong Kong corals normally ranges from 3.2 to 4.1, for areas with mediocre areas to the best. Areas with values recorded below 3.2 are considered to be overstressed. Figure 8.8 shows the result of the Coral Watch Surveys of the corals in Hoi Ha Wan.

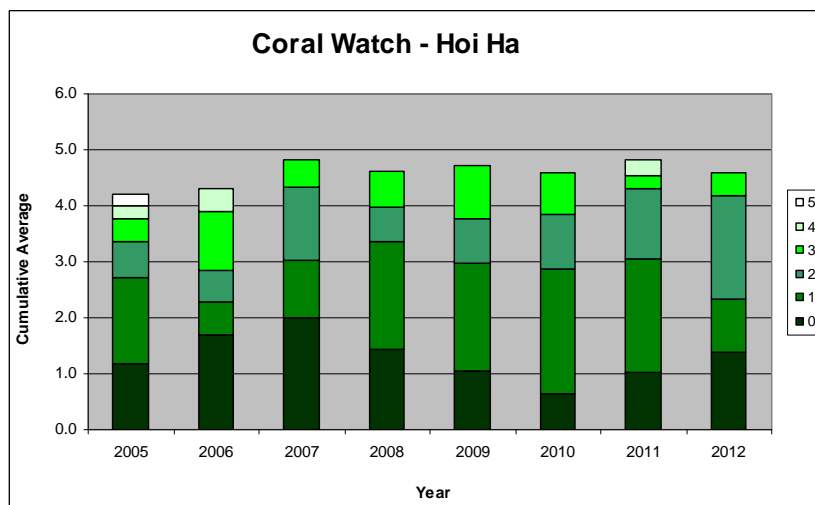


Figure 8.8. Ordinate Coral Health (Coral Watch) for all of the main coral areas at Hoi Ha Wan.

Of the four coral areas within the Marine park, the Pier Coral Area, by virtue of its proximity, is the most likely to be impacted by the Hoi Ha Village. The Coral Watch data for the Pier Area is presented in Figure 8.9. Since 2009, the coral health at the Pier Area has been less than the average for all areas. Furthermore the ratio of unbleached coral at the Pier Area has been less than the average since 2007. The low value in 2005 was due to an abnormal hypoxic event that impacted the whole of Mirs Bay.

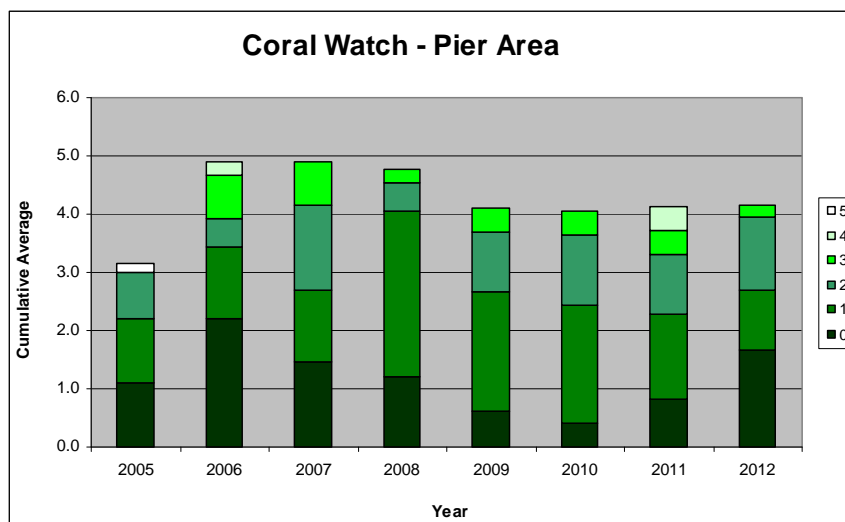


Figure 8.9. The Cumulative Average Value for the Pier Area near Hoi Ha Wan Marine Park.

8.7.3 Anthropogenic coral damage.

All of these coral areas are frequently visited by divers and snorkelers, raising the issue of visitor damage. This in turn relates to acceptable number of people in an area. Almost one third of the visitors to Hoi Ha Village visit the marine park (Table

9.2a). The average anthropogenic damage to the four main coral areas at Hoi Ha Wan are given in Table 8.10.

Area	2010	2011	2012
Pier Area	2.10%	2.00%	2.10%
Gruff Head	2.30%	2.40%	2.20%
Moon Island	2.10%	2.10%	2.00%
Coral Beach	5.10%	4.85%	5.00%

Table 8.10. Measured Anthropogenic coral damage in the 4 main coral areas of Hoi Ha Wan.

These figures are consistent with figures measured in other protected areas in Thailand and Malaysia, some receiving far fewer visitors than the coral areas at Hoi Ha Wan. The higher value at Coral Beach is due to the fragile nature of the dominant species, *Pavona decussata*, at that location, the average yearly coral growth rate over the past eight years has been measured to exceed, match or double these damage figures.

8.7.4 Fish Populations

The reef fish populations within the Marine Park have been increasing over the past two years. This trend was the result of two separate surveys; WWF (Cornish 2009) and Oceanway (Oceanway 2013) The Oceanway data is in Figure 8.11. The number of reef fish recorded has almost doubled year on year.

It is expected that the population of reef fish will increase further given that there has been a ban on inshore trawling and the number of valid commercial fishing permits for the Hoi Ha Marine Park decreases further. The reef fish populations within the bay indicate general trends about the general ecology of the bay.

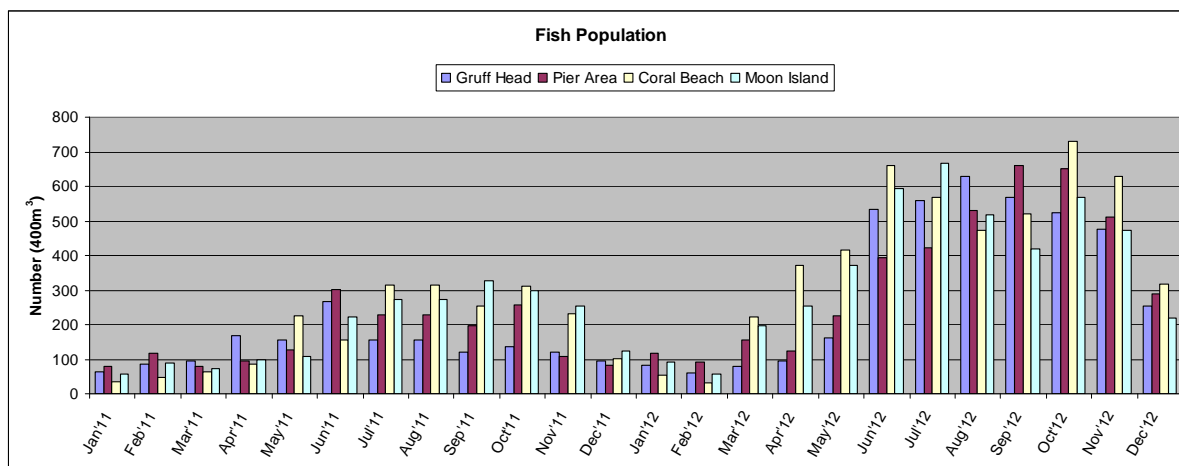


Figure 8.11. The fish population in the four coral areas of Hoi Ha Wan.

8.7.5 Water Quality

The water quality in the Hoi Ha Wan Marine Park is moderate, compared to other areas of Hong Kong. Currently water quality parameters are measured by AFCD on a quarterly basis at three locations. There are several important indicators of pollution by human habitation. One of these is the amount of faecal coliform measured in the water column on the surface and just above the seabed. Typical faecal coliform figures for Hoi Ha Wan are in Figure 8.12. See Figure 8.7 for locations of the measuring locations.

A faecal coliform gradient from the village to the outer regions of the marine park would indicate a strong impact of sewage originating from the village area. During measured peaks and recently this has been the case with regards to the Annual Bottom Faecal Coliform. See Figure 8.2 for details. However it is likely that this issue may also involve pollution in the Pak Sha O River as well.

For Hoi Ha Wan, the Water Quality Objectives set the levels of *E. coli* at a maximum level of 180 per 100mL calculated as the mean for all samples collected from March to October inclusive. This is set by the Water Pollution Control Ordinance (WPCO). From the measured results, the amount was below set limits for most of the time. The peak in the second quarter of 2012 cannot be explained.

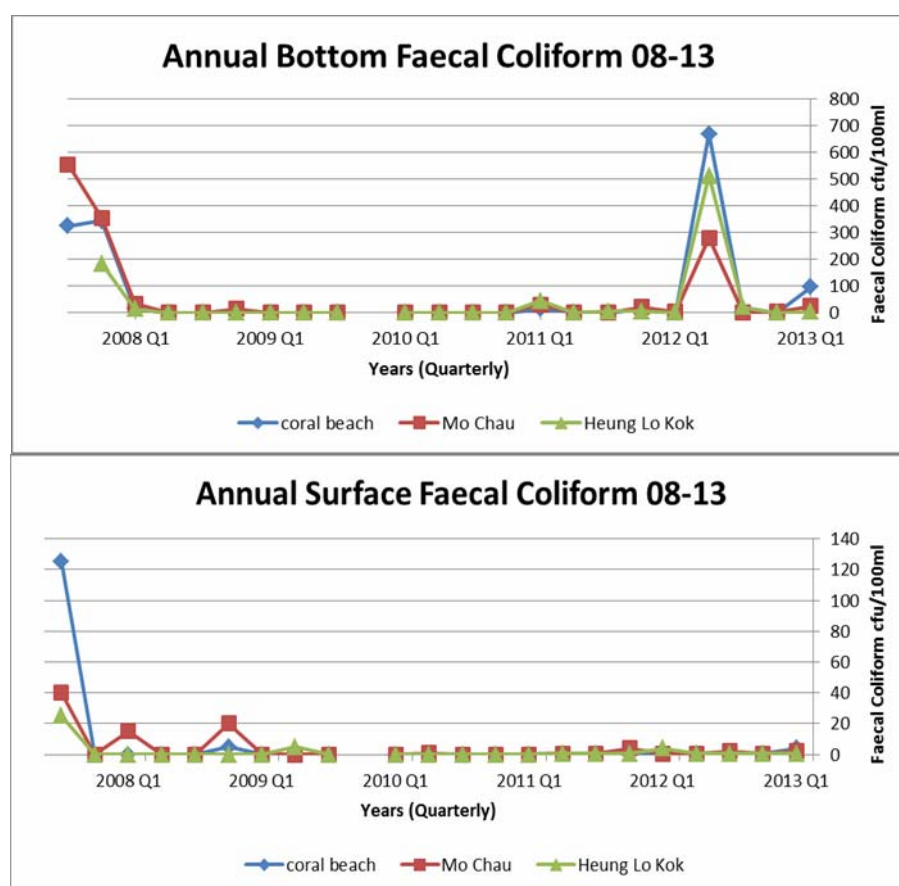


Figure 8.12 Typical faecal coliform parameters of Hoi Ha Wan.

The amount of chlorophyll-a in the water column is an indirect indicator of the plant nutrients in the water. An excess of chlorophyll-a indicates an algal bloom that may reduce water clarity and deplete dissolved oxygen levels. The locations of the measurements taken are the same as those measured for Faecal Coliform. The results are in Figure 8.13.

For the values obtained from Hoi Ha we can see that the innermost station at coral beach is shown to be higher than the values measured in other areas; further away from Hoi Ha. It is likely that this indicates a possible pollution source from the village. Typically this pollution originates from agriculture activity and the recent farming activities at Pak Sha O are implicated as a possible source. However the overall decrease in overall values is suggestive of an overall reduction of the total chlorophyll-a pollution.

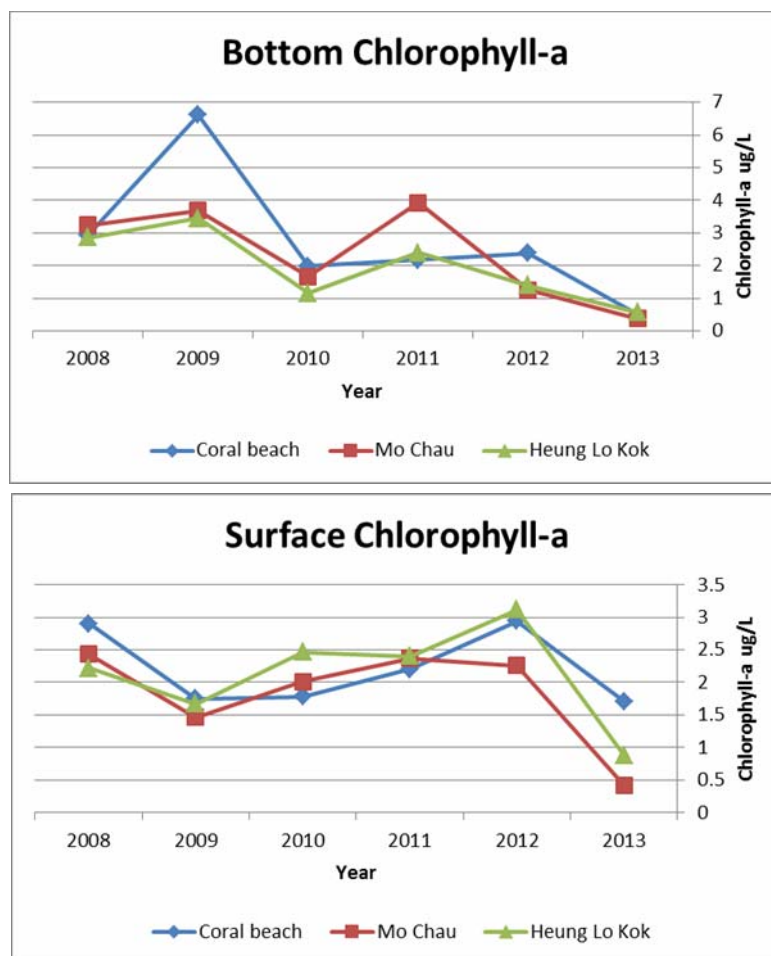


Figure 8.13 Typical chlorophyll-a parameters of Hoi Ha Wan.

8.7.6 Identified Pollution Sources

One of the direct impacts on any Marine Protected Area, such as the Hoi Ha Wan Marine Park, is the water pollution entering the area. For Hoi Ha Wan two key potential sources of water pollution have been identified:

- Water pollution from the village (grey, runoff and sewage).
- Water pollution entering Hoi Ha Wan from the Pak Sha O River (total dissolved solids, grey water, sewage).

The influence of the Tolo Channel and the outer marine areas can be separated by considering the concentration gradient of the substance being measured to see the directional flow. There are other sources of anthropogenic pollution but these can be considered as being associated with the *E. coli* being measured. Figures 8.14 indicates a gradient extending out from Coral Beach. Since the nearest settlement to this is Hoi Ha then it is logical to assume that the source is either from the village, the Pak Sha O River or both.

Regarding the *E. coli* data for the beach at Hoi Ha, points C, D and E have the most likely source from the village. The dips are probably due to drops in leakage after septic tank clearing, ground water flushing, or times when residents leave the area for holidays overseas.

International standards put the safe beach levels of *E. coli* at 400 per 100mL of water. Hong Kong Water Quality Standards allocates a maximum average of 180 per 100mL, for multiple testing. The measurements taken at Hoi Ha are single measurements, so it is best to apply international standards for analysis. This is currently exceeded at points C, D & E. The source of the *E. coli* at G is from the river valley and maybe up as far as Pak Sha O, and is just under the 400 limit. An inspection of Pak Sha O revealed several septic tanks within 10m of the river. The building near the existing BBQ area, and the BBQ areas themselves may also be a source of this pollution. But neither has been checked for confirmation of this.

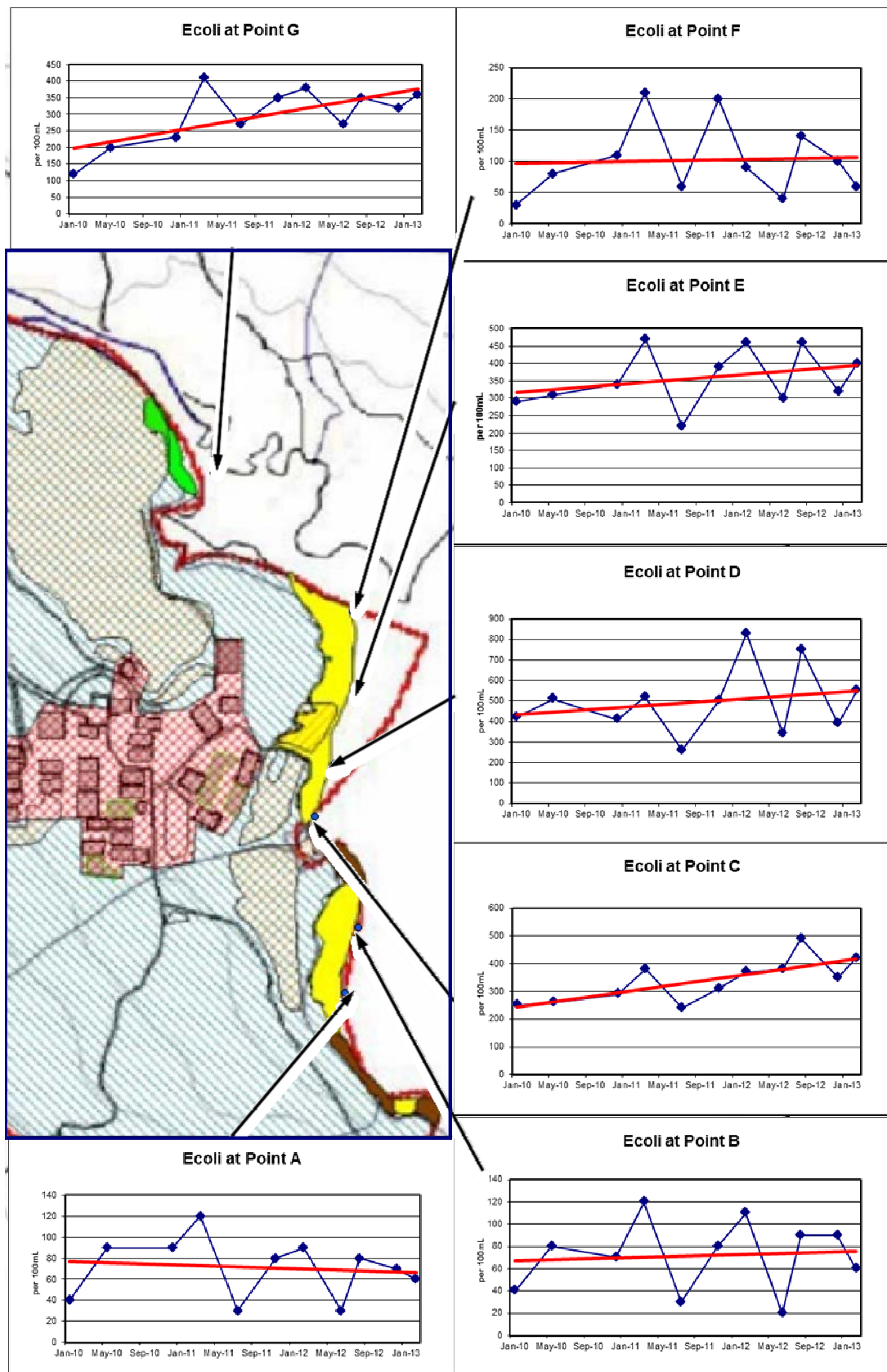


Figure 8.14. The levels of *E. coli* measured at low tide from ground water seepage at the beach

Village houses are designed with wastewater systems that require both water conservation and maintenance to work properly. The systems rely on an anaerobic process (hypoxic) meaning faecal matter and waste water needs to remain inside until bacteria can process it before discharge through an overflow pipe. Household disinfectants like chlorine bleach should not be mixed with any waste water entering a septic tank as this also kills off the bacteria within the tank, effectively rendering the process ineffective for a period of time. Bacteria friendly sterilizers should be used instead. Observations at Hoi Ha suggest that chlorine bleach is being used for household disinfecting.

However, the biggest problem is the seemingly infinite source of available water now available to households. In the past, the limited supply of village water meant that washing machine, and shower use was somewhat restricted. That changed when the Water Supplies Department connected to the houses at Hoi Ha. Now the volume of waste water requiring processing from houses has exceeded the design capacity of the tanks in many cases. The unlimited water for dishwashers, washing machines, and Jacuzzis means that the septic tank systems may overflow more frequently before waste water processing has satisfactorily completed.

With an increase in houses planned for the area, either by the developers or by the SHP, there will be a time when a central sewage system will be practical. Until then there needs to be some sort of revamp using bacterial additives or aerobic conversions for sewage processing to minimize the *E. coli* recorded at the beaches. It is possible that self control regarding the use of water may be sufficient to stop the increasing trends.

8.8 The Beach

8.8.1 Overview

Hoi Ha Wan is a protected bay, opening in a northerly direction into Mirs Bay. The opening faces the coast of Mainland China, some 12km away. The beach at Hoi-Ha is a mobile estuarine beach, typical of other estuarine beaches in Hong Kong. The majority of the movement is a resultant of fluvial flow, wave action and typhoons have much less of an impact on the beach (Morton, and Ong Che 1992). The two islands, Moon Island (Mo Chau) and Flat Island (Ngan Chau) protect the entrance of the bay; they refract waves entering the bay, dissipating most of the wave energy. Tide-Pole Point and the Hoi Ha Pier also protect the main beach from wave energy.

The waves that do enter the bay are reflected from the eastern rocky shore towards the west. This sets up a weak long-shore current flow across the beach, subjecting it to low energy constructional waves, moving material in an east-west direction and the influence of the stream cutting through the sand spit causing fluvial deposition (Morton, and Ong Che 1992). These two forces sustained and maintained the beach at Hoi-Ha in a very mobile fashion. The result of this is the accumulation of sand on the western section of the beach the sand on the western side of the bay the eastern side accumulation is from the sand sediment washed down from the Pak Sha O River. Water data from the river indicate that in 2011 the beach accreted at least 7 cubic meters of sand in 2012 the amount was estimated at 11 cubic meters. Aerial photographs of the beach indicate an increase in the water flow from the river from

1954 – now. They cannot however, be used to estimate the size and sand movement at the beach mainly because the profile of the sand areas cannot be determined from an aerial photograph. In addition, non-consistent tide and visibility data mean that, only the general shape of the beach is successive years can be determined from this data. The beach has an overall mean particle size of 0.14mm, fairly typical of Hong Kong beaches (Morton, and Ong Che 1992).

There has been a lot of scientific controversy regarding the stabilization role the mangroves and Coastal Forest play in this and some other areas as well. It is known that mangrove and coastal forests reduce water flow energy behind them during periods of high wave action. However such periods are very short at Hoi Ha and the wave action is not that significant. Waves of 9m were recorded at Nine Pins during the passage of Vicente (Chiu-Leung 2013). The corresponding height at Hoi ha was only 2.1m for just over 2 hours. Typhoon Vicente was a statistically once in ten year occurrence. It is therefore doubtful that beach is being shaped by the flora present. The lack of back mangroves (Chan 1992, Tam 2013) also indicate that the normal stabilization via successive flora processes is not occurring along the beach at Hoi Ha. This means that there are other factors controlling the beach structure. Experts suggest that the river plays a far more important role in providing a constant source of sand for beach accretion and the river flow changing the shape of the beach (Morton and Ong Che 1992). This means that the flow rate of the river is a critical factor in determining the shape of the beach. It can be observed from past aerial photographs that the beach underwent two significant shape changes in recent time. One was the building of the road in and the dredging of the bay the 1980s (Chan 1992). It has been accepted that the change caused by the road was due to the increase in water flow caused by the change in surface hydrology brought about by the drainage of the road (Morton 1992). This corresponded to an increase in the rate of water flowing from the river during periods of heavy rain.



Figure 8.15 The beach at Hoi Ha at low tide. (PH 2013)

The result of this is that the hydrology of the river valley is crucial in maintaining the beach. Any changes in the river valley will change the flow rate of the river. If the change is significant, then the lagoon will wash out, the beach will decrease in size, the mangrove community will thin and the ecology of the area will change. It is also highly likely that the current coastal forest area will decrease in size.



Figure 8.16. A photo of the beach area and an aerial photograph showing the accretion material washed down by the Pak Sha O River. (Google Earth 2012)

8.8.2 Wave Action

Hoi Ha Wan is a protected bay (Morton 1983). Wave data for Mirs Bay was collected during the entire of 2012 by Teledyne ADCP's. This data is shown in Figure 8.17. The northward facing entrance to the bay and the barrier islands excludes much of the wave action present in Mirs Bay, but certain directions will pass the barrier islands. From this data the majority of the wave direction in Mirs Bay is from the west, south-west direction (Chiu-Leung 2014, Yamamoto 2014). Internal reflections from the rocky shore would restrict the wave directional spread to 90 degrees centred on the north direction. Wave data recorded for Mir's Bay in 2012 shows that less than 1% of the time the recorded significant wave height in the 0.3m band originating at an angle that could enter the bay and strike the beach (Figure 8.18). From this data the majority of the wave action in Mirs Bay is mainly from the south-east direction. Hoi Ha Wan is naturally protected from these waves first by Tap Mun (Grass Island) and the Wan Chai Peninsula.

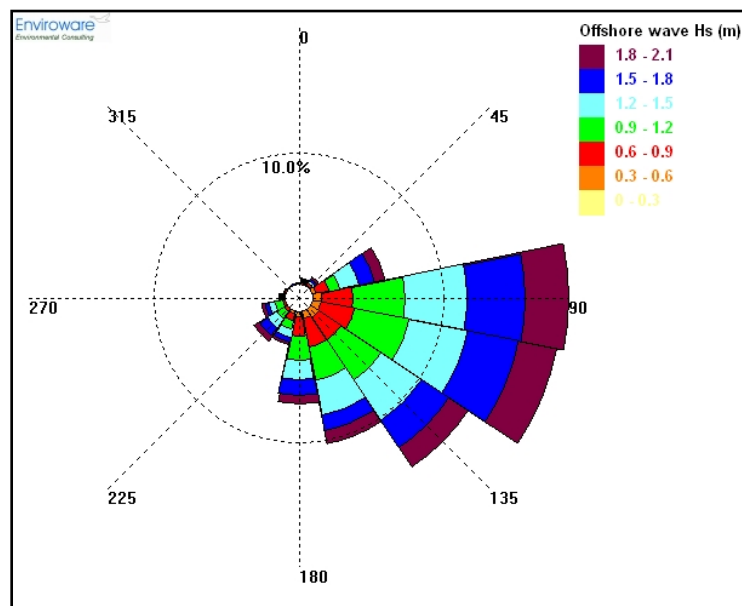


Figure 8.17 The Significant Wave Height Data for Mirs Bay during 2012.

Considering Hoi Ha Wan itself, Table 8.18 contains the data recorded during 2012 for the bay. A maximum significant wave height of 2.18m was measured during a force 10 typhoon. The average wave in the bay is only 1.76 cm. Further analysis of that specific wave spread from 315 to 45 degrees, basically the wave spread that could enter the bay, allows a more detailed analysis and this is shown in Table 8.19.

Description	Value
Average Significant Wave Height	17.63 centimeter
Percentage with Significant Waves >1metre	0.58 %
Total time with Significant Waves >1metre	50.9 Hours
Maximum Significant Wave Height (Hs)	2.18 Metre
Duration of maximum Significant Waves	1.1 Hours
Maximum Significant Wave Period	10.2 Seconds
Average Significant Wave Period	7.0 Seconds

Table 8.18. Significant Wave Height results for Hoi Ha during 2012.

The maximum values were measured during the Typhoon Vicente in June 2012. Whilst these conditions can be considered extreme and occurring once every 10 years (HKO 2011), the result is significant and shows the worst case situation. The maximum significant wave height recorded, excluding the data from Typhoon Vicente, was 1.47m. The duration for this maximum was 3.2 hours.

The function of the waves striking the beach at Hoi Ha is to reconstruct the beach after the rain water runoff has washed some of the sand from the beach to the sand bar immediately in front of the beach. These waves also set up the mild long-shore current that moves the sand washed down by the Pak Sha O River to the eastern beach, increasing the sand at this location.

The wave data for Hoi Ha is shown graphically in Figure 8.19. This clearly shows that for 98.8% of 2012, the wave size in Hoi Ha Wan was less than 0.5m. The bar chart breakdown of the remaining 1.2% of the time details the period of time that the beach is subject to a wave action that can cause impact. Such data is fairly typical of sheltered, protected bays in Hong Kong.

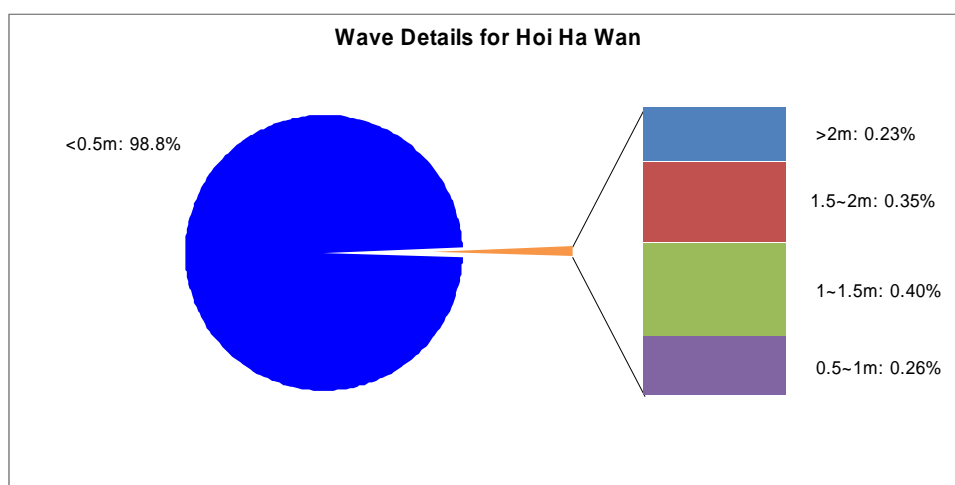


Figure 8.19 General wave data for Hoi Ha Wan (2012)

8.8.2 Tides

Hoi Ha Wan is impacted by normal Hong Kong mixed tides. These are sometimes called micro-tides and are mainly semi-diurnal. This means that there are two high and two low tides a day, with two maximum high and minimum low tide heights each month. The nearest Hong Kong Observatory tide gauge is located 4km east at Kau Lo Wan, in the adjacent Long Harbour area. Tide data is collected every 10 minutes. Long Harbour is a semi-protected bay.

The WWF Hoi Ha Wan Marine Life Centre has a Teledyne OPM tide gauge fitted with all data streamed to the internet as part of the DataBuoy Project. Data is collected every 5 minutes. Typical tide data collected is shown in Figure 8.20. There is a slight time lag in terms of maximum times and heights when compared to more exposed areas of Hong Kong. This is to be expected. Yearly tide gauge summary data for 2012 is shown in Table 8.21 below.

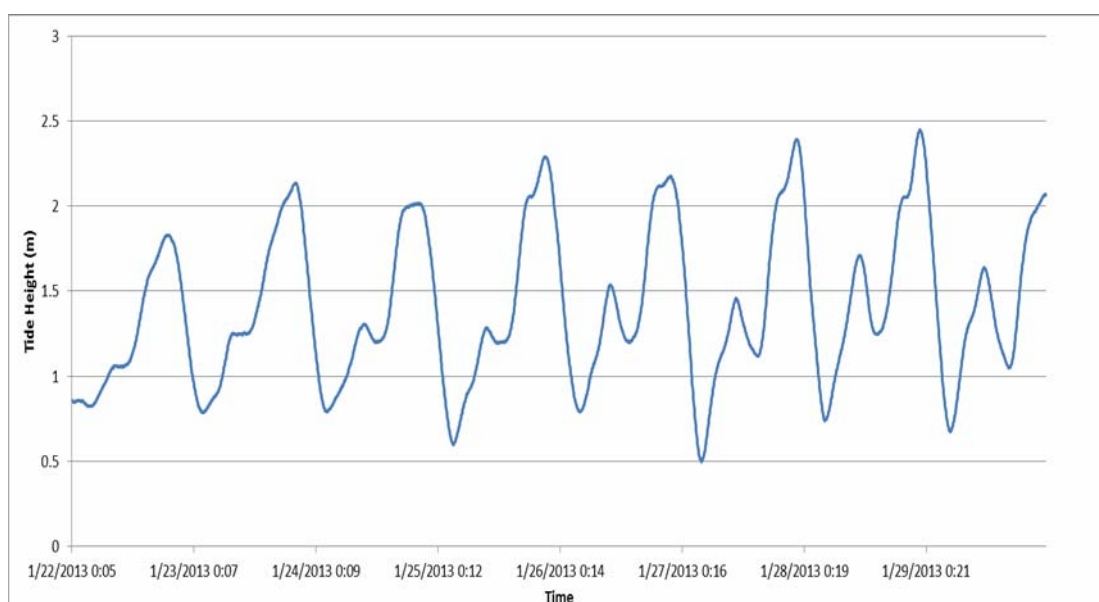


Figure 8.20. Typical tide data for Hoi Ha Wan (22nd ~ 29th January 2013).

Annual Tide data for HHW (2012)

Tide figures (m)	
Max	2.512
Min	0.211
Average	1.323

Tide data during typhoon Vicente in HHW

Tide figures (m)	
Max	2.402
Min	0.516
Average	1.452

Table 8.21 Tide gauge data for Hoi Ha Wan - 2012.

8.8.3 Storm Surges

A storm surge is defined as the increase above the calculated tide in a given area. These phenomena are always associated with a storm, typically a typhoon. During 2012, Typhoon Vicente created the largest storm surge recorded in Hong Kong in 10 years. The tide gauge measured the maximum deviation from the calculated tide height as 1.197m. Figure 8.22 shows a graph of the predicted tide height compared with the measured height. This was slightly less than the levels measured in other

areas of Hong Kong. For example the surge was measured at 1.47m at Shek Pik on Lantau. See Table 8.23 for more locations.

The storm surge data for Hoi Ha suggests that the area receives less impact than many other areas of Hong Kong. This is probably due to the sheltered nature of the bay. The storm surge condition can be exacerbated by high waves. Again the sheltered position of Hoi Ha suggests that the impacts would be far less than other areas like Big Wave Bay for example.

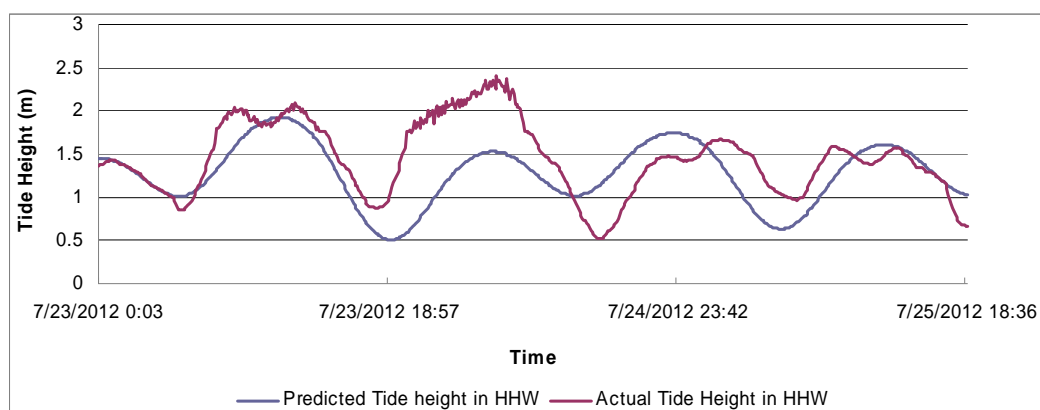


Table 8.22 Typhoon Vicente Storm Surge Data for Hoi Ha Wan - 2012.

Station	Maximum sea level (above chart datum)			Maximum storm surge (above astronomical tide)		
	Height (m)	Date/Month	Time	Height (m)	Date/Month	Time
Shek Pik	3.19	24/7	2:08	1.47	24/7	2:08
Tai Miu Wan	2.78	24/7	1:45	1.19	24/7	1:45

Table 8.23 Typhoon Vicente Storm Surge Data for other areas of Hong Kong - 2012.

8.9 Pak Sha O River

8.9.1 Overview

The Pak Sha O River has a significant impact on the Hoi Ha Wan Marine Park. It is a source of fresh water, sand and pollution. It also is the major architect of the beach on the western side of the village. The hydrology of this system is a balance of forces between the stability of the beach and the energy of the water during and after periods of heavy rains. Typical river water parameters are shown in Figure 8.24.

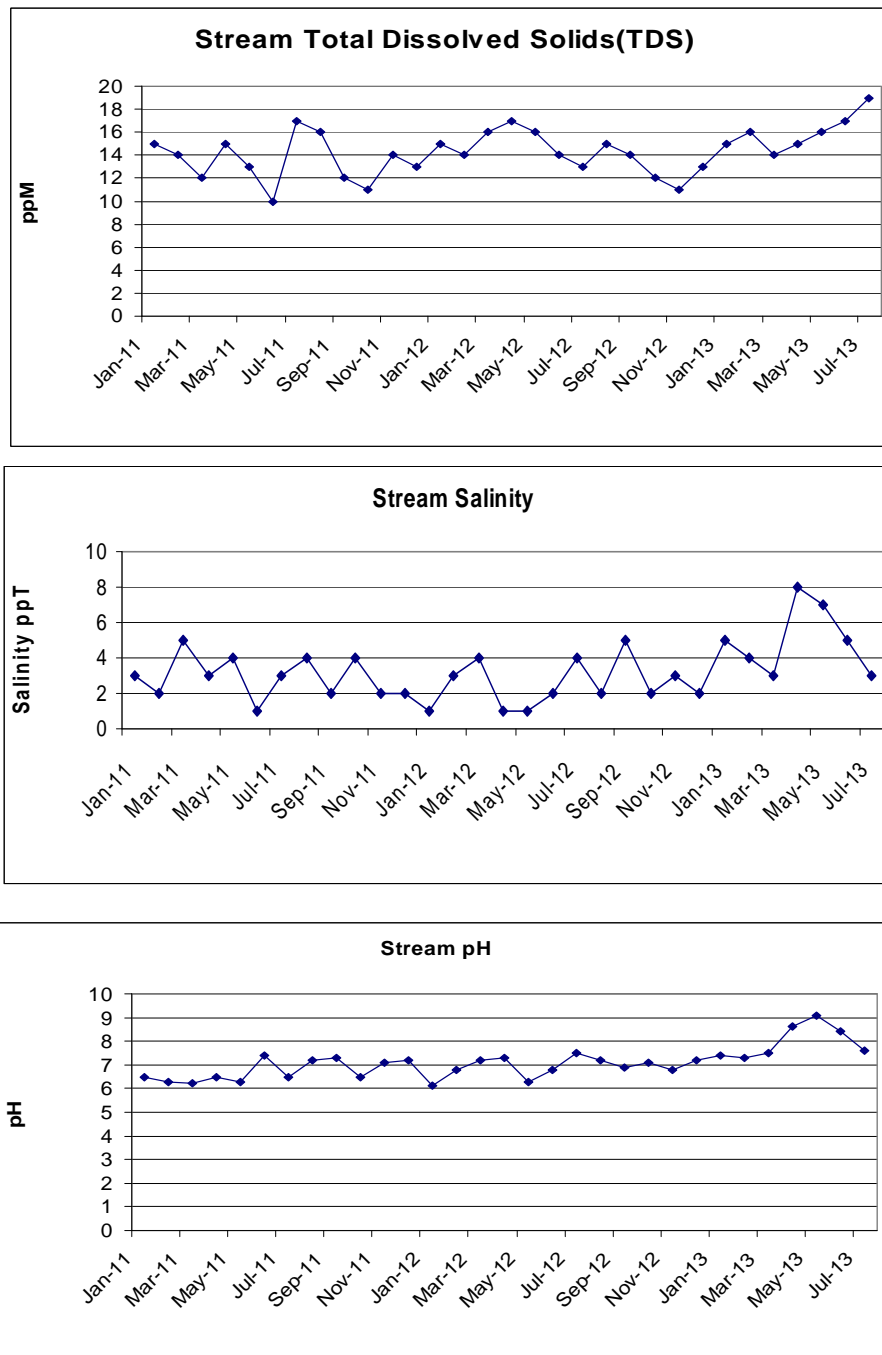


Figure 8.24 Typical water parameters of the Pak Sha O River

Other parameters measured included *E. coli* measured twice every year. Six measurements were recorded and the average determined from the results. This was deemed as being the minimum data needed to pick up a gradual change. The result is shown in Figure 8.25.

The trend line shows an increase from January 2011 of just over 35%. All river parameters are gradually increasing. This is a slightly worrying trend and the river should be monitored further with the view of finding the source of these changes.

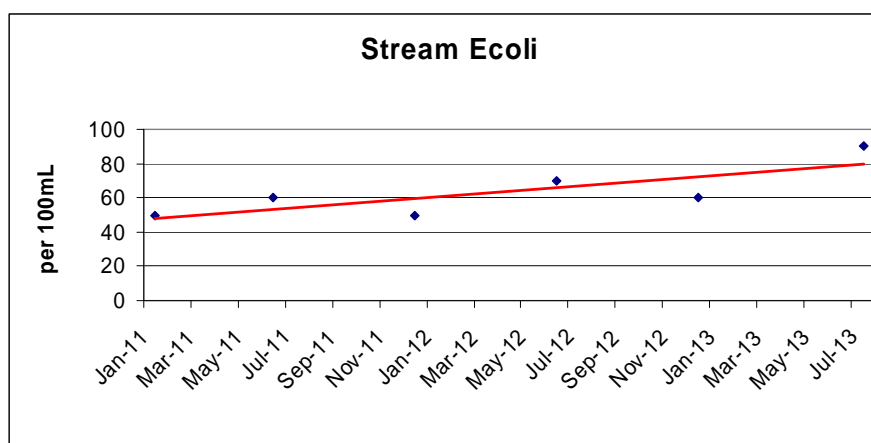


Figure 8.25. The E. coli results for the Pak Sha O River at the Hoi Ha Estuary

8.10 Animal Encroachment.

8.10.1 Overview

Animals do not recognize boundaries and always utilize areas as they require. For this reason any area proposed as possible receivers for village houses need to consider sites of frequent visitation as well as animal corridors. From 2010 and 2013 a total of 182 camera surveys of two months each were conducted in areas that had shown some evidence of animal visitation. This consisted of scat, ground scratching or food remains. Twenty Doppler Radar movement activated cameras were ever in the field at the same time, and all were fitted with lights for night time recording as well. The units were configured to detect movement within 5m of the units and all units were aimed at the ground with a 10 second recording period and a 5 minute hysteresis set.

The cameras were set up 0.75m above ground level, facing slightly downwards towards the ground. Cameras were kept at least 15m from areas containing rubbish bins and other human food sources that would unnaturally attract animals. All of the images of the primate *Macaca mulatta* used for data were only of this mammal naturally foraging amongst the undergrowth at ground level. Actually this monkey spends most of its time off the ground in trees. Preliminary area observations carried out before the survey started recorded *M. mulatta* and a small population of wild boar (*Sus scrofa*) regularly feeding from rubbish bins. Selective data was used for *S. scrofa* as well. The unused data collected for these two species may be useful at a later period to determine ways to prevent the animals from foraging human rubbish for food. The camera units had attached lights allowing for records to be made during night time.

The data was divided into 5 categories. The data is shown in Table 8.26, with a breakdown to species level in Table 8.27. All mammals, with the exception of the wild boar (*Sus scrofa*) are protected species in Hong Kong.

Category	Records	Percent (%)
Mammals	265	12.6%
Rodents	694	33.0%
Snakes	8	0.4%
Birds	718	34.1%
Misc	419	19.9%
Total :	2104	100.0%

Table 8.26 Total results of the camera survey.

This data represents visitation data rather than population data. It is highly likely that repeat records were taken of the same animal. Birds made up the majority of the records. These animals were foraging on the ground in front of the cameras.

Protected mammal data were separated from the records. A total of 265 records were extracted. A total of 12 species of mammal were recorded. The majority of the sightings were *Macaca mulatta* with these animals frequently seen within the DPA probably foraging for food around the rubbish bins in the area. As stated above, the cameras were located away from rubbish bins and other possible sources of human food to avoid skewing of the data set.

Species	Sightings	Percent (%)
<i>Melogale moschata</i>	33	12.5%
<i>Hystrix brachyura</i>	58	21.9%
<i>Crocidura attenuata</i>	12	4.5%
<i>Niviventer fulvescens</i>	39	14.7%
<i>Macaca mulatta</i>	79	29.8%
<i>Viverricula indica</i>	15	5.7%
<i>Sus scrofa</i>	12	4.5%
<i>Muntiacus muntjak</i>	2	0.8%
<i>Herpestes javanicus</i>	4	1.5%
<i>Prionailurus bengalensis</i>	1	0.4%
<i>Paguma larvata</i>	9	3.4%
<i>Herpestes urva</i>	1	0.4%
Total :	265	100.0%

Table 8.27 Breakdown of the Mammals recorded by the Camera Survey.

The sightings were concentrated around water sources. Previously, before the back row of houses were constructed, animals were frequently seen around areas near the Fung Shui Woodland. The water sources in this area are either filled in to stop mosquito breeding or changes in the hydrology in this area have removed the water. This in turn has led to a shift in the location of animals to the valley of the Pak Sha O river. It is now common to see foraging marks and scat of mammals in the valley area.

Birds and other flying animals are also frequently sighted in the area. Bats are probably originating from the nearby disused mines at Pak Sha O. No bats were recorded in the photographic survey.



Figure 8.28a. Photograph of a foraging area and associated scat taken in the DPA near the stream.



Figure 8.28b. Photograph of a foraging area inside the DPA, near the Hoi Ha road

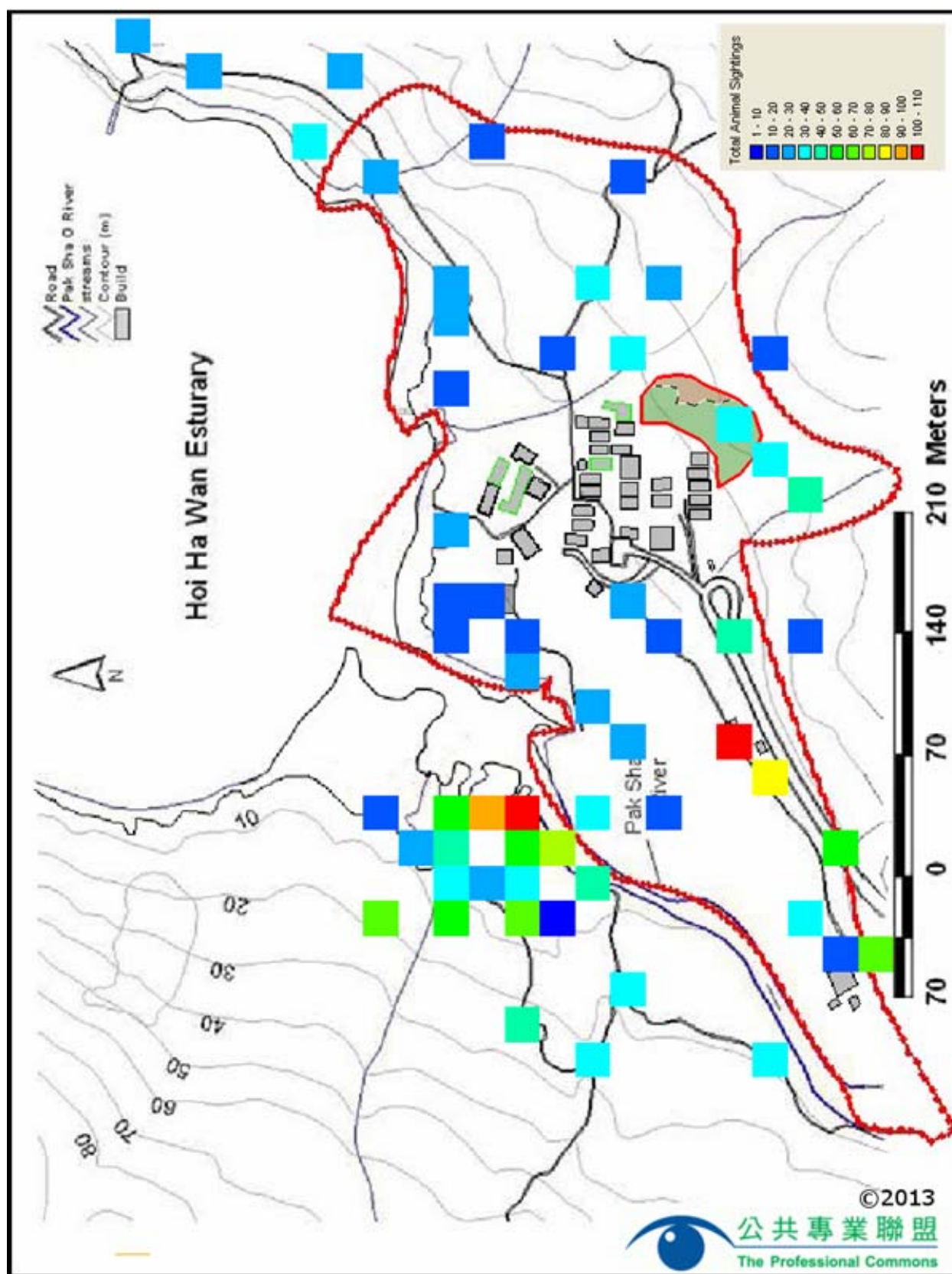


Figure 8.29. Photo records of animals taken over a two month period at Hoi Ha Wan

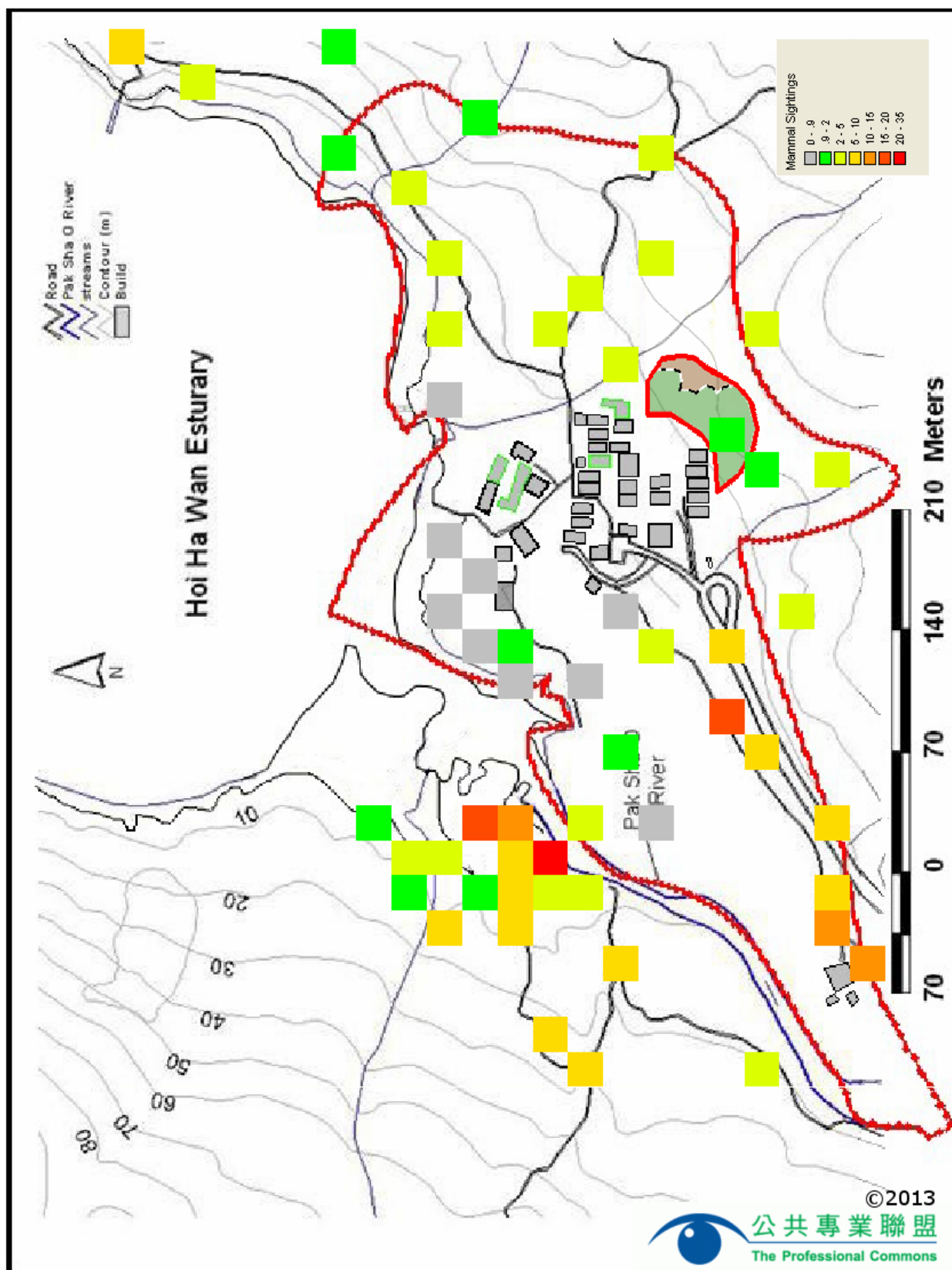


Figure 8.30. Photo records of protected mammals taken over a two month period at Hoi Ha Wan

9. Hoi Ha Visitor Loadings

9.1 Overview

Hoi Ha is a tourist area; visitors are attracted to the village for numerous reasons. Table 9.1 shows a general breakdown based upon statistics collected from 580 people over a week period in July 2012.

Destination	Ratio (%)
Hoi Ha Wan Marine Park	32.0%
Wan Chai Camping Ground	43.0%
Hiking in the area	18.0%
Misc	7.0%
Total :	100.0%

Table 9.1. Visitor intended destination for Hoi Ha Village. (n=980).

AFCD Statistics estimated that approximately 90,000 people visited Hoi Ha in 2012. This figure is based upon many factors and is an indication only. Some of the visitors do not actually enter Hoi Ha Village and have destinations that include the BBQ and camping areas along the Hoi Ha Road, or are visiting Pak Sha O. Others were residents seeking temporary permits for access to the Hoi Ha Road.

There has been considerable concern about acceptable visitor loading for the village. Visitor data has been collected by Doppler Occupancy Meters over a period of 24 months. Ten units were installed for 12 months, with the remaining 10 units installed for multiple periods of 2 months. A total of 91 key facility and resource locations were investigated. Data was divided into two main groups, public holidays (including weekends) and weekdays. Each of these categories was further sub-divided into categories based upon weather. In all cases the period of data used was between 8:00am to 6:00pm. This is the period when the bulk of the visitations occurred. Table 9.2 summarises the data collected.

Area Condition	60min Maximum Average	Daily Average
Holiday Fine Weather	0.481	0.101
Holiday Overcast (>6 Octets)	0.291	0.053
Holiday Wet	0.21	0.036
Holiday temp <20C	0.121	0.012
Totals	0.141	0.051
Weekday Fine Weather	0.266	0.005
Weekday Overcast (>6 Octets)	0.053	0.003
Holiday Wet	0.038	0.005
Weekday temp <20C	0.006	0.001
Totals	0.091	0.004

Table 9.2. Visitor Usage of Infrastructure and Facilities for Hoi Ha Village between 8:00am to 6:00pm.

There are several ways of interpreting this data. The most holistic is perhaps the old notion of Carrying Capacity, and the more applicable to Hoi Ha is the Visitor Impact Assessment (Ceballos-Lascrain 1996). Using the IUCN specification of an

acceptable maximum total average area facility loading not exceeding 0.85 as the sustainable and enjoyable limit, it is clear that most of the Hoi Ha Village areas and facilities are currently underutilized. There are also no exceedances of any of the natural resources in the area. This can be determined by the beach peak usage (~22%) the yearly damage to the nearby coral area, measured as 5%. This figure is less than the growth rate of the coral in the area. Needless to say, there are some hot spots with regards to facilities that may be improved with by adding to, or increasing access to, these resources

The distribution of this fine weather infrastructure and facility loading over the points investigated are in Figure 9.3 (Holiday Period) and Figure 9.4 (Weekday). The facility usage values can be determined from the results and from Figures 9.3 and 9.4. The facilities that can be improved are listed below:

- The toilet facility
- The minibus facility
- The area notice board facility
- The AFCD Centre facility
- The single restaurant facility

It should also be mentioned that when considering the ecological loading of an area, due consideration should also be given to any ecologically sensitive receivers. Hoi Ha Wan was set up to protect the coral and mangrove communities within the bay. Currently the damage, impact and pollution levels associated with visitors to the area do not show exceedances in either area or even an increasing trend as would be expected if the area was overloaded.

In terms of the old carrying capacity figures and notion, the visitors to the area, during the peak times (weekends/holidays with good weather) could increase by about 20% at peak times before maximum limits would be reached. During weekdays, this figure increases to 40% more loading. This report does not suggest that this area be further exploited; however, it is worthwhile to show that the area is currently being underutilized. Needless to say an EIA on the current visitation and its impact on the area would be necessary to determining more detailed information.

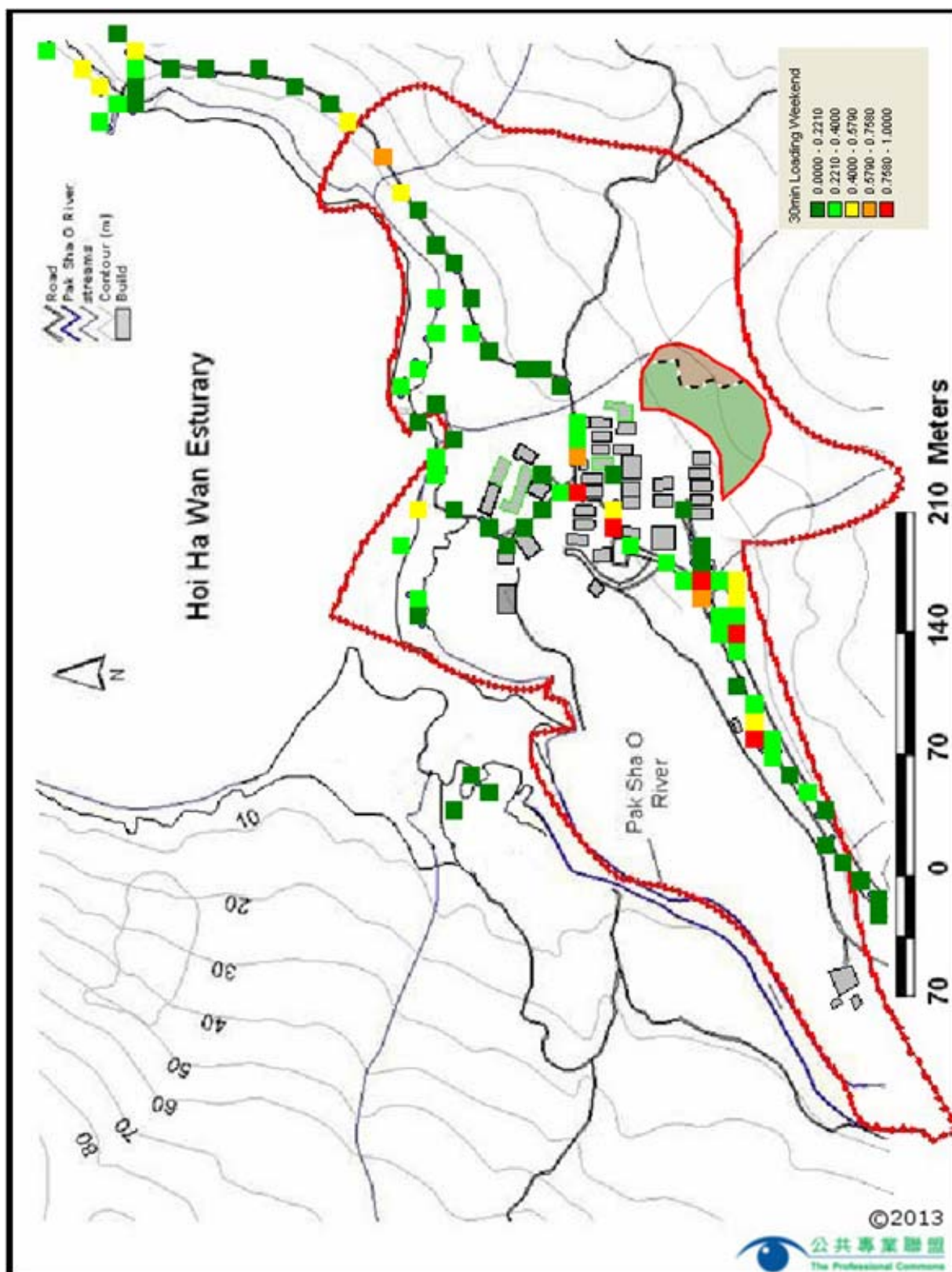


Figure 9.3. 60 Minute Infrastructure and Facility Loading, Fine Holiday, for Hoi Ha Village.

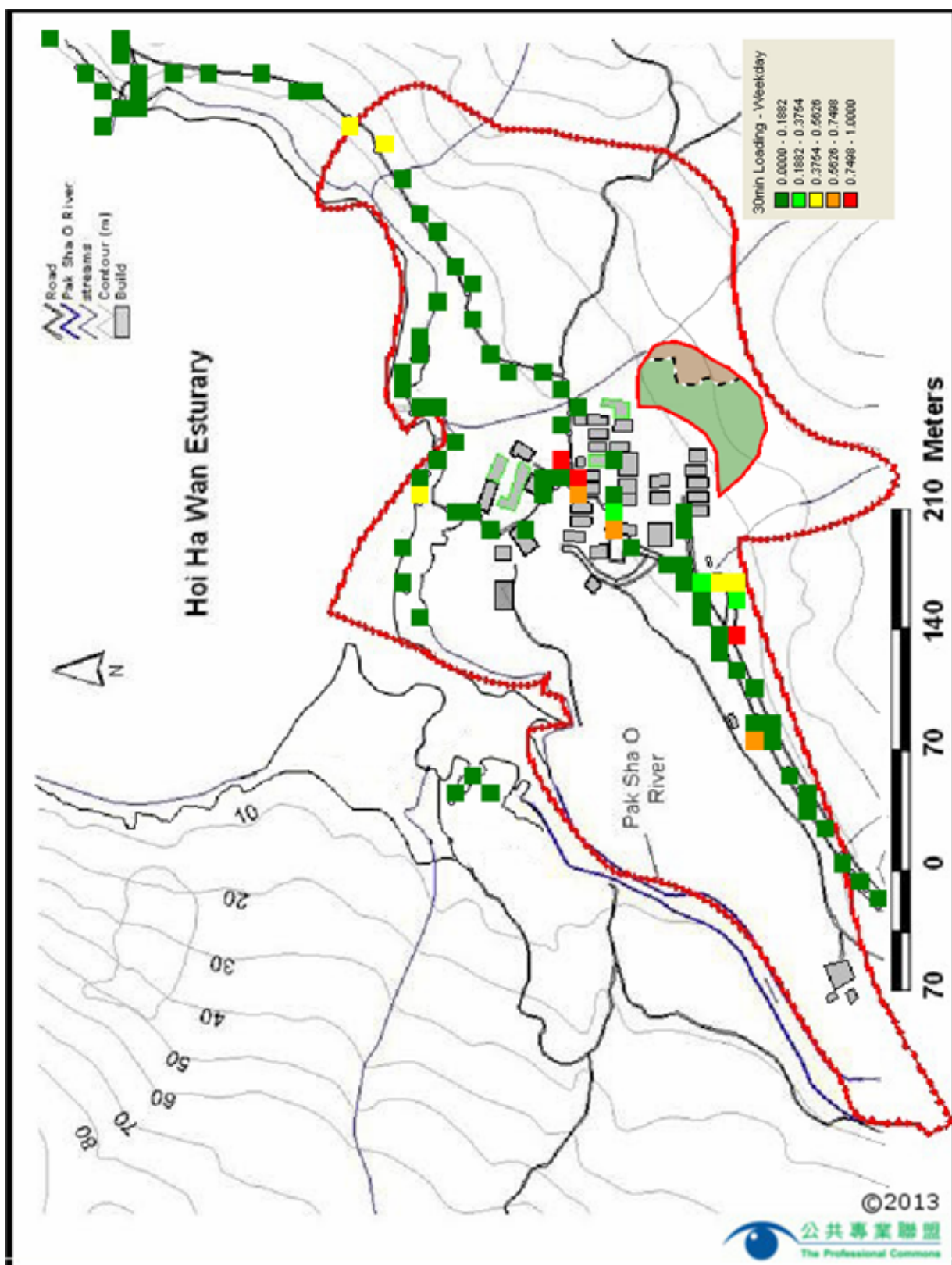


Figure 9.4. 60 Minute Infrastructure and Facility Loading, Fine Weekday, for Hoi Ha Village.

10. Proposal considerations

A key consideration with the future planning and allocation of areas within the DPA is the intended use. There must be a balance established between the preservation, conservation and advance of the village and environs. Hong Kong does not have a lot of areas like Hoi Ha Village so maximum sustainable use needs to be the prime directive of any such recommendation. It is also very important that all aspects of the village and the village area needs be considered. This not only includes the landscaping, the aesthetics, but also the livelihood of the residents who rely on the area for income. As well as these considerations, whatever is proposed will have to be a compromise, a balance between the three major issues that must be balanced for a practical and workable result. It therefore must be based upon fact, science, follow local standards and be able to be justified in a court of law, so the area can be protected now and in the future.

Whether the village undergoes natural expansion or not will be decided by the relevant authorities, this report has identified areas that have less total ecological sensitivity on the southern boundary and south-eastern boundary of the current village area, if expansion will be permitted. It should be pointed out that even within these less sensitive areas, there are ecological considerations that need to be respected. This includes the edge of a wildlife corridor, the edge of the Fung Shui Woodland, several protected flora species, an historical village pathway, and several intermittent flowing streams. In this report we propose an area that is the maximum allowable size that can ever be allocated for any village expansion. The authority should adjust the boundaries to reflect the calculated need. We also suggest an EIA be conducted for the whole area allocated indicating suitable areas within for the construction of houses. A further EIA should be conducted for each building approved within the assigned area. Under the recommended CDA zoning for this area, utilities, infrastructure services, access and other such requirements are a part of the conditions stipulated for this type of zoning.

Property development for profit must be prevented. Any building, if ever allowed, must be restricted to necessary village expansion by the local IV resident population only. For the IV residents, this should be by the application under the Small House Policy (SHP). The data collected for this report shows that the least sensitive ecologically areas are not at locations where there is IV resident owned land.

Considering all of the data presented, the key deciding factors are the protection of the sensitive habitats in the area and the protection of the marine park. This protection needs to be complete and not subject to the issues that shifting coastlines and sub-dividing ecosystems present and changes to PlanD area assignment laws. It is pointless marking lines on paper without considering ecosystems, macro-ecosystems and habitats. Wildlife corridors are also a key consideration.

Given that reports already submitted clearly show the areas that need protection from an ecological perspective, the landscaping value of the area is basically ensured, since any expansion of the village will be small, given that only the future needs of the village need to be accommodated. Discussions with the IV representatives indicate that it is expected that an area that will accommodate an absolute maximum of 30 additional houses needs to be reserved for this purpose

(the figure of 94 quoted in the draft OZP report is clearly a fiction from the Land's Department). This will satisfy the needs of SHP applications until 2047 when it is generally accepted that the SHP will expire. This puts a cap on the number of successful applications that can ever be accommodated.

Another key issue is the need to cater for the visitors to this village. Given the increasing leisure time of Hong Kong people, areas like Hoi Ha will become more important. At this time there is an increasing trend towards the area being suitable for education and recreation. Both of these activities can be instilled into this area in a form that is both sustainable and eco-friendly. If this is to be promoted then some support infrastructure needs to be confirmed and expanded as necessary. From the area carrying capacity figures measured so far, the area is currently underutilized as a whole, with some facility bottlenecks that need to be addressed. It should be fairly obvious that the village livelihood issues that exist need to be directed towards sustainable activities. This means that the local residents who are currently deriving their income from the area, need to be given incentive and encouragement to either remain or become environmentally sustainable.

10.1 Land usage

Referring to Figure 6, the land ownership map above, it is clear that any improvements to the village are made more difficult by the fractured ownership of the land. For example, the village currently has many young children, but there are no facilities for play, other than the car parks or the beach. The owners of one of the larger lots in the centre of the village has, for example, offered the land as a playground/village open area. However this is near impossible to put into practice owing to the fragmented ownership of the land adjacent to it. Similarly, development and improvement of the ruined buildings in the centre of the village is also made more difficult by the fragmented ownership.

We therefore propose that there be a limited land swap, if possible, so that the government resumes the land in the centre of the village so that it can be used for improved facilities. The IV owners would then be given some government land in the expanded V zone area to the south east. The ruined buildings could then be rebuilt in their original style, for example, and used as an Information Centre for the village and the area, maybe even housing an AFCD Wardens Post. Proper shower facilities and toilets could also be accommodated (as long as they are not the usual LSD block houses). However, no co-ordinated improvements in the village can even be contemplated whilst so many different owners have so many different vested interests.

We also support the building of the AFCD Education Centre on part of the under-used barbecue area along the Hoi Ha Road.

Furthermore we also need to consider road access to the village, and the control of cars, buses, minivans etc. At the moment this is also under fragmented jurisdiction, as some of Hoi Ha Road is in Country Park, and thus under AFCD control, and the rest is in the enclave and under Police control. This needs to be regularised so that proper planning and control of access, parking and permits is achieved. Zoning the

entire road issues and parking within the Country Park will allow resident AFCD wardens to monitor the area.

10.2 Access to the village

One benefit of zoning the area to the south west of the village as Country Park is that negotiating with the owners of the land for alternative footpath access to the village becomes possible. Currently, the original pedestrian access to the village, as shown on all Lands Department maps, is blocked as it traverses privately owned land. When this was owned by the IV residents there was no problem, but since it was sold to outside developers no access has been allowed and the footpath finishes halfway from the road to the village. It is clear for Figures 24 and 25 that access to the village needs improvement.

10.3 Outline Zoning Plan Proposals

The proposed OZP shown in Figure 26 delineates a maximum size and approximate position of an area suitable for extending the village. This is the least sensitive, within the OZP area, for allowing for village expansion. The use of, and the amount to be used will be determined by the Authority. The area includes the remnant Fung Shui Woodland area, an area that needs to be preserved, and is woodland. The notion that it is primary woodland is not correct. The whole of the wooded area around the village was cut down for use in making lime. This activity only stopped after the Japanese Invasion of Hong Kong. So great was the demand for wood, it is recorded that the indigenous villagers (Yungs) had to rent more forested hillside land from the Tongs in order to keep the production going.

The area fringes, but does not totally occupy on an occasionally used wildlife corridor that extends from the pier along the southern section of the village. This corridor would have to remain. Note that protected species were recorded along the southern edge of the DPA boundary. To allow the village to expand along the Pak Sha O river valley would be ecologically disastrous to the fauna in the area. A small, but significant population of protected animal species use this area for foraging and are frequent visitors to this area. It is highly likely that the reliable supply of fresh water and the very diverse ecology of the area provides for the needs of these animals. Data suggests that this is the termination of a wildlife corridor so plays a significant role in the life cycle of the animals present

in the Pak Sha O River valley area. Note that some of the habitats in the Pak Sha O river valley, and inside the DPA are unique to the area. The flood plain and the permanent marsh area are clear examples of this. The mangrove area on the eastern side of the estuary is not common with the mangrove community on the opposite side of the river. This is in terms of species make-up and structure. Furthermore, the soil substratum in these areas is also very different, with the eastern side comprising of mud and the western area comprising of sand.

The river provides a convenient vehicle for silt and pollution to travel to the Hoi Ha Marine Park. The hydrology of this low lying area would allow for a very short soil hydrological barrier between anthropogenic pollution sources and the river leading straight to the Marine Park. The proposed area for village expansion, if decided by

the Authority, is on the southern side of the DPA and would present a much greater hydrological barrier to similar sources of pollution provided due consideration was given to the possibility of polluting streams in the area.

Finally, the change in surface run-off rate during periods of heavy rainfall would change the hydrology of the river. Research has shown that the paved road connecting Hoi Ha Village to the Pak Tam Chung Road impacted the river flow rate and thus changed the shape of the estuary. Currently the mangrove community within the Pak Sha O River estuary relies on the lagoon to control the salinity, water outflow rate and for protection from wave action. An increase in maximum flow rate may remove the lagoon structure and thus cause a severe impact to this community and the shape of the beach.

10.4 Proposal Rational

There are several key environmental factors regarding the OZP that need to be considered with regards to any allowed increasing of the number of houses in the area. The key objective here, for the Authority to consider, is the conservation of the village and its surrounding areas to give the best possible chance for a modernized traditional village atmosphere to have a chance and to be encouraged at Hoi Ha Village. The alternative is a passage towards a dead and abandoned village like we see scattered throughout the New Territories. Any planning considerations for the village areas should look at the existing village area and any allowed proposed extension as a unitary whole, i.e. any CDA should encompass the whole V area.

The key factors for the proposed OZP are:

1. The protection of a major ecologically sensitive area; the section of the Pak Sha O River valley that falls within the DPA boundary, is a primary concern. Science recorded the highest levels of sightings and species diversity of protected animals within the river valley as compared the other areas within the DPA. Furthermore, the data suggested that the wildlife corridor terminates at the opposite estuary. This indicates that an easy animal passage to what seems to be a termination point of a major wildlife corridor needs to be a basic consideration of the protection of this area. The data suggests that the animals are trying to get to and from the river estuary and lagoon.
2. Placing any development along any perennial river or stream, in this case the Pak Sha O River, is just providing a vehicle for sediment, and anthropogenic generated pollution to be carried downstream. In this case, the very close Hoi Ha Marine Park, this will not solely occur during construction works, but also during the human occupancy.
3. Future houses, if allowed, should be placed as far away from any year-active pollution transporting vehicles as possible, like a river. Furthermore, it is important that waste water, after processing, is discharged into the ground away from areas that flood and in areas where gravity will encourage this water downwards into a further natural processing process. This allows surface water, like in small intermittent streams to flow over the top of this on the surface. This effectively separates the two, minimizing overall impact. The key factor here is to ensure that

adequate waste water treatment is provided for each household, given that an increased water supply means more water can potentially be used by each household.

4. From a simplified landscaping prospective there is a small village, Hoi Ha Village, nestled into the side of a hillside at the head of a bay, with a river to one side and a beach in front of it. All of this combined to form a natural ambience that makes the village, beach and surrounding area photogenic. This proposal strives to continue that character by keeping any possible expansion of the village small and still in the picture.

5. There are some scattered endangered plant species recorded in the DPA. Some are seedlings. An effort should be made to protect these or relocate these to a more suitable location.

6. The recommended maximum extended village area provision contains an intermittent flowing stream as well as some protected species and established trees. The area was sized to cater for this and to allow for sufficient infrastructure to be installed into the area for successful SHP applicants. The concept here is to avoid the indiscriminate cramming of houses into an area and opt for a more planned approach to the extended village area. Overseas data indicates that clusters of five houses are an appropriate size for minimization of land needed for domestic infrastructure needs.

7. The maximum allowable extended village area was sized to cater for limited land swap for IV resident land that is located in key areas within the village area proper. The Hoi Ha Village needs to have some village common areas established. There is also some restoration of the crumbling masses of falling down rubble that were once proud traditional village houses. These need to be rebuilt to serve as village facilities, including a possible Marine Park Warden's sub-post.

8. The area and possibly the exact position of the Fung Shui Woodland was undetermined. It is shown in different places and as different sizes on several of the maps from different authorities. Previous deforestation, mainly as a result of the lime industry, impacted all of the forested areas around the village. The low recorded species richness (13), suggests that this woodland is a much degraded forest area as well. Early aerial photographs of the village confirm extensive deforestation with only small clumps of trees at the back of the village. It is highly likely that the Fung Shui Woodland of Hoi Ha was mostly cut down. It is expected that it will become a restoration project for the village and/or eco-tourist visitors, once the real boundary and extent is determined. This will not impact the novelty of such an area however, since it was common for villagers, in the past, to plant trees in this area to sustain this special area forest.

9. Currently, the village part of the road is in the village area. Inclusion into the country park will allow Country and Marine Park Warden's to police this area in terms of traffic and pedestrian control. Currently the area is designated as being in Tai Po so falls under the jurisdiction of the Police, giving the AFCD Wardens no actual authority over this area.

Suggested procedure for achieving the proposed zoning

There is a legal and political process involved in carrying out the recommended zoning. There are several considerations to this process that need to be considered.

1. The Town Planning Board (TPB) cannot zone Country Park into an area. They can only make a strong recommendation that this be done. The TPB can zone the Village Zone (V-zone) and the Comprehensive Development Area (CDA) as recommended by this report.
2. It is the responsibility of the Agriculture, Fisheries and Conservation Department (AFCD) to do the applications for gazettment and present these for further government approval.
3. There is some concern regarding the protection of the area whilst this process is occurring. It is possible that the TPB and the AFCD to issue a stay on all building/improvement activities until this is done. This was the case at Tai Long Wan, and to some extent it worked. The success of such hold of work, depends upon public support for the conservation of the area.
4. There is also the problematic issue of an incomplete OZP if the recommendation of proposing all of the unassigned area, within the OZP, to CP is not deemed as a proper land use. This should only be a technicality, however since actually there was a recommended zoning.

Suggested future development of Hoi Ha

Any planning recommendation needs to cater for future use. This report recommends that the area of Hoi Ha and Hoi Ha Wan only be allowed to be exploited in a sustainable way for either recreation, educational, nature-tourism or eco-tourism resource. The current bus loads of local, mainland and overseas tourists should be discouraged, mainly because the area is not set up to cater for them, nor does it have anything to offer them in terms of value for money.

However in order to cater for a future sustainable use future, some key infrastructure is required. This is listed below:

For Recreation:

1. The old boat ramp needs attention and stabilization.
2. The village footpaths need to be made more wheelchair friendly.
3. Another mooring buoy needs to be added to the single one in front of the second beach.
4. A proper toilet block and changing area needs to be built near the main beach at Hoi Ha.
5. A pathway to the second BBQ site needs to be opened up in front of the existing water works pumping station at Hoi Ha.

For Education:

1. The long overdue AFCD Education Facility needs to be finalized and construction begun immediately.
2. A proper reserve for the Asian porcupine needs to be established near the AFCD Centre.
3. A proper set of Educational nature trails needs to be set up to support this facility.

For Nature-Tourism:

1. A planned set of nature trails need suitable for this need.
2. Training should be provided so that local residents can be informed about the area and they should be encouraged to be involved in Nature-Tourism and Eco-Tourism.

For Eco-tourism:

1. A series of proper eco based projects need to be established in this area. These should be supported by the government and run by the local villagers and other green NGOs. Typically such activities as bird watching, rubbish collection, re-forestation of damaged areas, etc.

For village infrastructure:

1. An alternative footpath access to the village.
2. Additional fire hydrants need to be added to this village.
3. A proper waste water system should be designed and installed for this village.
4. A more village suitable public transport schedule for the minibus to the village.
5. The parking situation at the village, especially during times of peak visitation should be resolved by using half of the road for parallel parking.

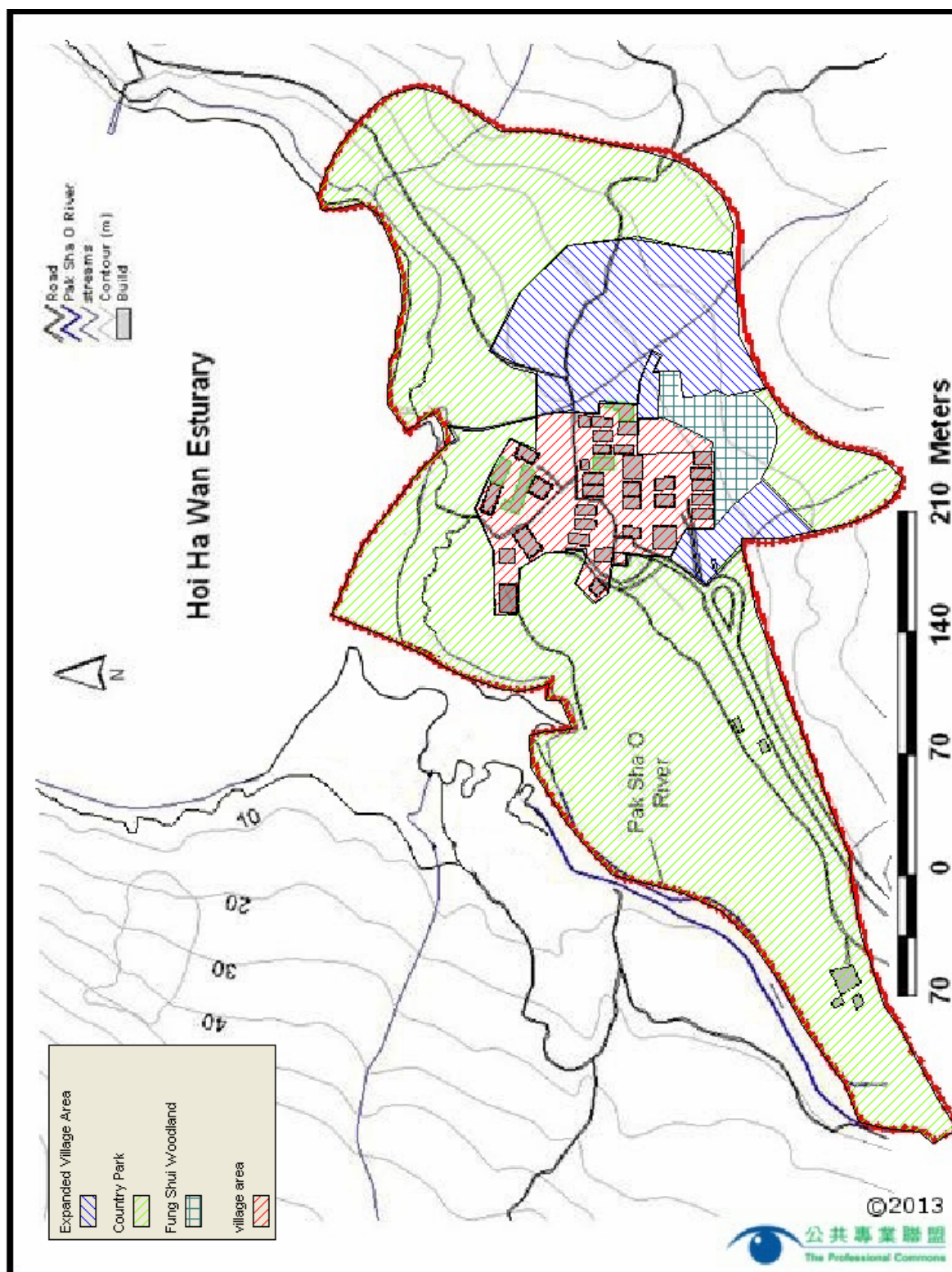


Figure 26 Proposed zoning map for Hoi Ha

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Appendix A - Plant Species Recorded in the Hoi Ha Area

Scientific Name	Chinese Common Name	Growth Form	Distribution and status in HK	Abundance
<i>Abrus mollis</i>	毛相思子	Climber	Restricted	1
<i>Acacia confusa</i>	台灣相思	Tree	Exotic, Common	1
<i>Achyranthes aspera</i>	土牛膝	Herb	Common	1
<i>Acorus gramineus</i>	石菖蒲	Herb	Very common	1
<i>Adiantum flabellulatum</i>	扇葉鐵線蕨	Herb	Very common	1
<i>Aegiceras corniculatum</i>	桐花樹	Shrub	Commonnnn	2
<i>Ageratum conyzoides</i>	藿香薷, 勝紅薷	Herb	Exotic, very common	1
<i>Alangium chinense</i>	八角楓	Tree	Common	2
<i>Albizia lebbbeck</i>	大葉合歡	Tree	Exotic, Common	1
<i>Alchornea trewioides</i>	紅背山麻桿	Shrub	Common	1
<i>Alocasia cucullata</i>	尖尾芋	Herb	Restricted	1
<i>Alocasia macrorrhizos</i>	海芋	Herb	Very common	1
<i>Alternanthera philoxeroides</i>	空心蓮子草	Herb	Exotic, Common	1
<i>Antidesma bunius</i>	五月茶, 五味子	Tree	Common	1
<i>Aporosa dioica</i>	銀柴	Tree	Very common	3
<i>Aquilaria sinensis</i>	土沉香	Tree	Common, Protected under Cap. 586	2
<i>Archidendron clypearia</i>	猴耳環	Tree	Common	1
<i>Ardisia crenata</i>	大羅傘	Shrub	Common	1
<i>Ardisia lindleyana</i>	山血丹	Shrub	Common	1
<i>Ardisia quinqueгона</i>	羅傘	Small tree	Very common	1
<i>Asclepias curassavica</i>	馬兜筋	Herb	Exotic, Common	1
<i>Asparagus cochinchinensis</i>	天門冬	Shrub	Common	1
<i>Atalantia buxifolia</i>	灌漑	Shrub	Common	1
<i>Axonopus compressus</i>	地錢草	Herb	Exotic, Common	1
<i>Bambusa spp.</i>	竹屬	Bamboo	Common	1
<i>Bauhinia championii</i>	缺裂藤	Climber	Common	1
<i>Bauhinia glauca</i>	粉葉羊蹄甲, 羊蹄甲藤	Climber	Very common	3
<i>Blechnum orientale</i>	烏毛蕨	Herb	Very common	1
<i>Breynia fruticosa</i>	黑面神	Shrub	Very common	1
<i>Bridelia tomentosa</i>	土蜜樹	Tree	Very common	2
<i>Brucea javanica</i>	珊瑚子, 苦參子	Tree	Common	1
<i>Byttneria aspera</i>	刺果藤	Climber	Very common	3
<i>Callicarpa kochiana</i>	枇杷葉珊瑚	Shrub	Common	1
<i>Canavalia lineata</i>	狹刀豆	Climber	Common	1
<i>Carica papaya</i>	番木瓜	Tree	Exotic, Planted	1
<i>Cayratia corniculata</i>	角化烏蕨	Climber	Very common	1
<i>Celtis timorensis</i>	假玉桂, 樟葉朴	Tree	Restricted	1
<i>Centella asiatica</i>	蘭大碗	Herb	Very common	1
<i>Centotheca lappacea</i>	假沙竹葉	Herb	Common	1
<i>Cerbera manghas</i>	海芒果	Tree	Common	1
<i>Chrysopogon aciculatus</i>	竹節草, 假雀麥	Herb	Very common	3
<i>Cleistocalyx nervosum</i>	水翁	Tree	Common	3
<i>Clerodendrum inerme</i>	苦郎樹, 假茉莉	Shrub	Common	1
<i>Colocasia esculenta</i>	芋	Herb	Cultivated	1
<i>Commelina diffusa</i>	錦蔴草	Herb	Common	2
<i>Cratoxylum cochinchinense</i>	黃牛木	Tree	Very common	1
<i>Crinum asiaticum var. sinicum</i>	文殊蘭	Herb	Exotic, Common	1
<i>Cyclosorus interruptus</i>	闊葉毛蕨	Herb	Common	1
<i>Cyclosorus parasiticus</i>	華毛蕨	Herb	Very common	1
<i>Cyperus difformis</i>	異型莎草	Herb	Very common	1
<i>Cyperus haspan</i>	鴨嘴莎草	Herb	Common	1
<i>Cyrtococcum patens</i>	己果黍	Herb	Very common	1
<i>Dalbergia benthamii</i>	兩廣黃檀	Climber	Common	1
<i>Daphniphyllum calycinum</i>	牛耳楓	Tree	Common	1
<i>Dendrotrophe varians</i>	寄生藤	Parasite	Very common	1
<i>Derris trifoliata</i>	魚藤	Climber	Common	1
<i>Desmodium triflorum</i>	三犁金	Herb	Very common	1
<i>Desmos chinensis</i>	假樹乳	Climber	Common	2
<i>Dicranopteris pedata</i>	芒萁	Herb	Very common	1
<i>Digitaria ciliaris</i>	升馬唐	Herb	Very common	1
<i>Dimocarpus longan</i>	龍眼, 桂圓	Tree	Exotic, Restricted	1
<i>Dioscorea bulbifera</i>	黃獨	Climber	Common	1
<i>Diploclisia glaucescens</i>	蒼白秤钩風, 防己	Climber	Common	1
<i>Dischidia chinensis</i>	眼鈴蓮, 瓜子金	Climber	Restricted	1
<i>Ehretia longiflora</i>	長花野葛樹	Tree	Restricted	1
<i>Elaeagnus loureirii</i>	雞骨鐵藤, 羅氏胡桐子	Climber	Common	2
<i>Eleocharis ochrostachys</i>	假香薷, 假馬蹄	Herb	Restricted	2
<i>Elephantopus scaber</i>	地膽草	Herb	Common	1
<i>Elephantopus tomentosus</i>	白花地膽草	Herb	Common	1
<i>Eleusine indica</i>	牛筋草	Herb	Exotic, very common	1
<i>Eleutherococcus trifoliatus</i>	白前	Climber	Restricted	1
<i>Emilia sonchifolia</i>	一盤紅	Herb	Very common	1
<i>Entada phaseoloides</i>	槿藤	Climber	Very rare	2
<i>Eriocaulon truncatum</i>	菲草, 鐵線草	Herb	Common	1
<i>Excoecaria agallocha</i>	海葵	Tree	Common	2
<i>Ficus hirta</i>	粗葉榕	Shrub	Common	1

Scientific Name	Chinese Common Name	Growth Form	Distribution and status in HK	Abundance
<i>Ficus hispida</i>	雙葉榕	Tree	Very common	2
<i>Ficus microcarpa</i>	細葉榕	Tree	Common	1
<i>Ficus pumila</i>	薛荔	Climber	Very common	1
<i>Ficus pyriformis</i>	船形榕	Shrub	Common	1
<i>Ficus tinctoria</i>	斜葉榕	Tree	Restricted	1
<i>Fimbristylis nutans</i>	點草	Herb	Restricted	1
<i>Fimbristylis sieboldii</i>	繡線草	Herb	Common	1
<i>Floscopa scandens</i>	紫花草	Herb	Common	1
<i>Gardenia jasminoides</i>	梔子	Shrub	Common	1
<i>Glochidion eriocarpum</i>	毛果算盤子	Tree	Very common	1
<i>Glochidion hirsutum</i>	厚葉算盤子	Tree	Common	1
<i>Gnetum luofuense</i>	羅浮圓網藤	Climber	Common, IUCN Near Threatened	2
<i>Gymnanthera oblonga</i>	海島藤	Climber	Widely established	1
<i>Gynura bicolor</i>	兩色三七草	Herb	Exotic, Common	1
<i>Hedyotis diffusa</i>	白花蛇舌草	Herb	Very common	1
<i>Hibiscus tiliaceus</i>	黃槿	Tree	Common	4
<i>Hypericum japonicum</i>	地耳草	Herb	Very common	1
<i>Hypserpa nitida</i>	夜花藤	Climber	Very common	1
<i>Ilex asprella</i>	梅葉冬青	Shrub	Very common	1
<i>Impatiens chinensis</i>	華鳳仙	Herb	Common	3
<i>Ipomoea triloba</i>	三葉菜薯	Climber	Exotic, Common	1
<i>Kyllinga brevifolia</i>	短葉水蜈蚣	Herb	Common	1
<i>Kyllinga nemoralis</i>	單穗水蜈蚣	Herb	Very common	1
<i>Kyllinga polyphylla</i>	香根水蜈蚣	Herb	Exotic, Common	1
<i>Lantana camara</i>	馬纓丹	Shrub	Exotic, very common	1
<i>Leucaena leucocephala</i>	銀合歡	Tree	Exotic, very common	1
<i>Ligustrum sinense</i>	山指甲	Shrub	Common	1
<i>Lindernia crustacea</i>	母草	Herb	Restricted	1
<i>Lindernia rotundifolia</i>	迷你虎耳草	Herb	Restricted	1
<i>Lindsaea orbiculata</i>	圓葉鐵線蕨	Herb	Very common	1
<i>Liriope spicata</i>	山麥冬, 麥門冬	Herb	Very common	1
<i>Litsea glutinosa</i>	潺槁樹	Tree	Very common	1
<i>Litsea monopetala</i>	假柿木薑子	Tree	Restricted	1
<i>Lonicera macrantha</i>	大花忍冬	Climber	Common	1
<i>Ludwigia adscendens</i>	水龍	Herb	Common	1
<i>Lygodium japonicum</i>	海金沙	Climber	Very common	1
<i>Lygodium scandens</i>	小葉海金沙	Climber	Common	1
<i>Macaranga tanarius</i> var. <i>tomentosa</i>	血桐	Tree	Common	1
<i>Machilus chekiangensis</i>	浙江潤楠	Tree	Very common	1
<i>Maesa perlaris</i>	飽魚鱗	Shrub	Common	1
<i>Mallotus paniculatus</i>	白楸	Tree	Very common	1
<i>Melastoma malabathricum</i>	野牡丹	Shrub	Common	2
<i>Melastoma sanguineum</i>	毛蕊	Shrub	Common	1
<i>Melodinus suaveolens</i>	山橙	Climber	Common	1
<i>Microcos nervosa</i>	破布葉, 布魯葉	Tree	Common	1
<i>Microstegium ciliatum</i>	剛鬃竹	Herb	Very common	1
<i>Mikania micrantha</i>	微甘菊	Climber	Exotic, very common	1
<i>Mimosa pudica</i>	含羞草	Herb	Exotic, very common	1
<i>Miscanthus sinensis</i>	芒	Herb	Very common	1
<i>Morinda cochinchinensis</i>	大果巴戟	Shrub	Rare	2
<i>Morinda parvifolia</i>	雞眼藤	Shrub	Very common	1
<i>Mussaenda erosa</i>	楠藤	Shrub	Common	2
<i>Musa x paradisiaca</i>	大蕉	Herb	Commonly cultivated	1
<i>Neottopteris nidus</i>	巢蕨	Herb	Restricted, protected under Cap.96	1
<i>Paederia scandens</i>	雞矢藤	Climber	Very common	1
<i>Pandanus austrosinensis</i>	露兜草	Herb	Common	1
<i>Pandanus tectorius</i>	露兜樹	Small tree	Very common	1
<i>Panicum brevifolium</i>	短葉黍	Herb	Very common	1
<i>Panicum dichotomiflorum</i>	水生黍	Herb	Common	2
<i>Paspalum distichum</i>	雙穗雀稗	Herb	Common	2
<i>Pavetta hongkongensis</i>	香港大沙葉	Shrub	Common, Protected under Cap. 96	1
<i>Perilla frutescens</i>	紫蘇	Herb	Restricted	1
<i>Philydrum lanuginosum</i>	田蔥	Herb	Common	1
<i>Phoenix loureiroi</i>	刺葵	Shrub	Common	1
<i>Phyllanthus emblica</i>	餘甘子, 油甘子	Tree	Very common	1
<i>Phyllanthus urinaria</i>	葉下珠	Herb	Common	1
<i>Pilea microphylla</i>	小葉冷水花	Herb	Exotic, very common	1
<i>Piper sarmentosum</i>	假蒟	Herb	Restricted	1
<i>Polygonum chinense</i>	火炭母	Herb	Very common	1
<i>Polyspora axillaris</i>	大頭茶	Tree	Very common	1
<i>Pothos chinensis</i>	石柑	Climber	Very common	1
<i>Praxelis clematidea</i>	假臭草	Herb	Exotic, very common	1
<i>Psidium guajava</i>	番石榴	Tree	Exotic, Common	1
<i>Psychotria asiatica</i>	九節	Shrub	Very common	2
<i>Pteris semipinnata</i>	半鰓旗	Herb	Very common	2

Scientific Name	Chinese Common Name	Growth Form	Distribution and status in HK	Abundance
<i>Pueraria lobata</i>	野葛	Climber	Very common	2
<i>Pyrrhosia adnascens</i>	貼生石韋	Herb	Common	1
<i>Rhaphiolepis indica</i>	車輪梅	Shrub	Very common	1
<i>Rhus hypoleuca</i>	白背鹽海木	Tree	Common	1
<i>Rhus succedanea</i>	野漆樹	Tree	Common	1
<i>Ricinus communis</i>	蓖麻	Shrub	Exotic, Restricted	1
<i>Rourea microphylla</i>	小葉紅葉藤 紅葉藤	Climber	Common	1
<i>Rubus reflexus</i>	蛇包筋	Shrub	Very common	1
<i>Ruellia coerulea</i>	蘭花草	Herb	Exotic, Common	1
<i>Sageretia thea</i>	雀梅藤	Shrub	Common	1
<i>Sapium discolor</i>	山烏柏	Tree	Very common	1
<i>Sapium sebiferum</i>	烏柏	Tree	Common	1
<i>Sarcandra glabra</i>	草珊瑚	Shrub	Common	1
<i>Sargentodoxa cuneata</i>	大血藤	Climber	Very rare	1
<i>Schefflera heptaphylla</i>	鴨腳木	Tree	Very common	2
<i>Scolopia chinensis</i>	夾冬	Tree	Common	1
<i>Scutellaria indica</i>	錦香草	Herb	Common	1
<i>Senecio scandens</i>	千里光	Climber	Common	1
<i>Senna alata</i>	翅葉決明	Shrub	Exotic, Common	1
<i>Sida acuta</i>	黃花鈴	Shrub	Common	1
<i>Smilax glabra</i>	土茯苓	Shrub	Very common	1
<i>Solanum torvum</i>	水茄	Shrub	Exotic, Common	1
<i>Spermacoce stricta</i>	豐花草	Herb	Restricted	1
<i>Sphaerocaryum malaccense</i>	稗蓋	Herb	Common	1
<i>Sphenomeris chinensis</i>	扁雀	Herb	Common	1
<i>Sporobolus fertilis</i>	鼠尾粟	Herb	Very common	1
<i>Stephania longa</i>	千金藤	Climber	Common	1
<i>Sterculia lanceolata</i>	假蘇婆	Tree	Very common	3
<i>Symplocos cochinchinensis</i> var. <i>laurina</i>	黃牛奶樹	Tree	Common	3
<i>Syzygium hancei</i>	紅鱗蒲桃	Tree	Common	1
<i>Syzygium jambos</i>	蒲桃	Tree	Exotic, Common	1
<i>Syzygium levinei</i>	山蒲桃	Tree	Common	1
<i>Tetracera asiatica</i>	錫葉藤	Climber	Very common	3
<i>Tetradium glabrifolium</i>	棟葉吳茱萸	Tree	Common	1
<i>Teucrium viscidum</i>	血見愁 山崖香	Herb	Common	1
<i>Tibouchina semidecandra</i>	巴西野牡丹	Shrub	Exotic, Common	1
<i>Toona rubriflora</i>	紅花香椿	Tree	Restricted	1
<i>Urena lobata</i>	肖梵天花	Shrub	Common	1
<i>Urena procumbens</i>	梵天花	Shrub	Common	1
<i>Utricularia bifida</i>	挖耳草	Herb	Common	1
<i>Uvaria macrophylla</i>	紫玉盤	Climber	Common	1
<i>Vernonia cinerea</i>	夜香牛	Herb	Very common	1
<i>Viburnum odoratissimum</i>	珊瑚樹	Tree	Very common	3
<i>Wikstroemia indica</i>	了哥王	Shrub	Common	1
<i>Zanthoxylum nitidum</i>	兩面針	Shrub	Very common	2

12. Acknowledgements

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Lands Department
Environmental Protection Department

And especially to the interns and hundreds of university and school students who gave up their time to carry out the surveys and process the data.

Finally to the residents of, and visitors to, Hoi Ha who have endured many hours of questioning about their hopes for the future of the enclave.

TOLO ADVENTURE CENTRE

P.O. BOX 74539 KOWLOON CENTRAL POST OFFICE KOWLOON HONG KONG

九龍中央郵箱74539號 海谷中心

Date: 27 August, 2013

Director of Planning,
Planning Department,
17/F, North Point Government Offices,
333 Java Road, North Point,
Hong Kong.

Dear Sir,

Application for Changes in Hoi Ha Outline Zoning Plan S/NE/HH/D

Referring to the Draft Hoi Ha Outline Zoning Plan S/NE/HH/D distributed to Hoi Ha villager at early July 2013 by your Department, we herein apply for the following changes in the captioned Outline Zoning Plan:

1. Explanatory Statement Clause 9.3.1 – Tolo Adventure Centre has been operating at Hoi Ha over 30 years, not 20 years. The facilities of Tolo Adventure Centre (with its tolerated extended portions) have been established in Hoi Ha since 1980s. The current STT kept by Lands Department was signed on 1988 and is not the first STT of Tolo Adventure Centre.
2. The footpath linking Hoi Ha Road to Tolo Adventure Centre is proposed to be Conservation Area. We propose to change this footpath area to OU or GI/C zone for easier maintenance and repair of the footpath.
3. Outline Zoning Plan – with reference to our previous expansion applications submitted to Lands Department in 1994 and 1998 (which were held up by the Lands Department), and to your Department in June 2012 (which was withdrawn in view of the OZP compilation and willing to compromise with your procedures), we have been applying for additional land resource over decades.

At present, in an area of 700 square feet, the building is packed with 24 beds, 1 activity room, 1 kitchen and 1 repair workshop. From time to time, we had to bear the residence burden of the crowds of over 30 centre users. Our annual number of activities grew from 29 to 40, and service users from 956 to 1134 within 5 years from 2007 to 2012 (averaged user all exceeded available accommodation limit). Due to the current capacity limit of our centre, we cannot serve more youth and we had to turn down potential user applications.

Our contribution in youth training is not only recognised but also respected by peers in the sector. Reference can be easily acquired through other social service centres including Breakthrough Organization, St James Settlement and our funder the Sir David Trench Fund under Home Affairs Bureau.

To cater for already over-stressed development needs, we propose to extend the Other Specified Uses "OU" area northeast boundary to a further 20m northeast to accommodate our future expansion (diagram attached).

4. As our Centre is deep inside the woodland, shrubs and plants around our Centre have to be pruned frequently to keep our users (most of them are children and youth) healthy and safe from fire and mosquito attacks. We propose to add 3m zone as "OU" area around the "revised OU area" boundary for us to maintain and prune the shrubs and plants without violating the Outline Zoning Plan.

Should you have any queries, please feel free to contact me at 91029710 or Mr. W.T. Chan at 96308770.

Yours faithfully,

Lam Po Chu

Lam Po Chu

Chairman

Tolo Adventure Centre

(also on behalf of the co-signers listed below)



LEE Chi Man	POON Wing Hung	TAO Simon	TANG Yee Mei	CHAN David
LAU Alan	LAU Francesca	LAU Melissa	LAU Cassandra	WONG Ching Yee
CHAN Benny	CHOW Po Kee	SIU Ming Kwong	Mark Gor	CHUNG Lok Lam
LARM Joseph	KWONG Clara	LARM Samuel	LARM Moses	CHAN Tiffany
YUNG Chun Ho	HUI Kwong Yee	CHUNG Aaron	KU Wai Cheong	TANG Ka Ping
CHAN Yuen Chee	LO Yin Ling	LI Hung Terence	CHAN Becky	CHUNG Chi Hung
COLLIER Michael	LAI Chui Hing	CHUNG Chi Yuen	YEUNG Chick Nam	WONG Mei Fun
LAU Sze Wan Gaby	CHAN Ching Man	NGAI Chiu Chun	LAU Kai Lam	CHAN Terry
CHENG Wing Chun	CHOY Yuk Bor	KUNG Che Fu	YEUNG Ho Chi	KWOK Esther
KUNG Anita	GO Oscar	CHENG Anna	TO Wai Kuen	TSE Annie
FUNG Kam	LO Stephen	HUNG Pik Nor	CHU Julius	YEUNG Eric
CHEUNG Ting Hong	CHAN Ying Yam	CHAN Ester	LEE Benny	TSANG Wing Sze
WONG Iris	WONG Pui Yan	CHEUNG Arthur	CHAN Jedi	LEE James
WONG Charles	LEE Karen	KWOK Yuk Lin	CHOI Wa Fung	YAU Elsa
SIN Shu Wing	CHEUNG Shirley	LEE Rachel	MAK Ramma	CHAN Wai Yan
WONG Margaret	SUEN Dacita	POON Eric	AUYEUNG Heidi	CHEUNG Chi Pang
羅鳳美	林越燕	鄭嘉奇	賴玉春	馮寶儀
柳紫婷	陳就成	盧鑑汶	吳志堅	林晴
謝家文	陳玉潤	吳曼琪	謝思敏	李嘉華

蔣鴻華	廖藹儀	張志誠	張嘉明	張仲紋
文詩慧	吳胤汶	蕭嘉如	周芷翎	李廣灝
潘樂芊	葉琇瑩	阮愛倫	劉振宇	黃頌婷
CHU Chun Yiu	CHAN Kristin	YEUNG Ka Yan	LI Wai Man	黃嘉俊
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LAM Mei Man	LEE Yuk Ching	MAK Fanny	YEUNG Wing Kit	CHAN Suet Ting
KONG Venus	NG Chi Hou	WONG Oliva	LUI Kin Chuen	YOONG Po Wah
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陳偉禧	周惠霞	李富興	孔惠儀	張應坤
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CHENG Ray	WONG Dorcas	CHAN Dickson	YU Andy	LAU Louisa
MAC Mark	LEE Alex	CHOW Raymond	CHAN Oi Hing	WONG Fanny
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LEUNG Man Kit	TANG Ka Chun	WONG Hoi Shuen	WONG Guy Shawn	WONG Long Yin
CHAN Wing Shan	LEE Ka Ying	CHOW Chung Yan	CHAN Jane Sally	YIU Lam Fong
CHAN Hin Ying	FONG Pui Ting	FUNG Hiu Lam	KWAN Wai Man	TSE Sau Yan
TSE Sau Man	YIP Ho Yin	SIN Yat Hei	LO King Yu	LEE Kar Ming, Chris
LEE Ling Kak	LEE Chi Sum	CHAN Kin Sang	FUNG Kam Wah	CHENG Siu Keung
LAU Wing Sheung	LEE Tak Shing	LO Mui Ling	WONG Thomas	CHEUNG Frenda
CHAN Wing Por	LI Yuen Ching	WONG Yue Him	KUNG Chi Kin	LOK Yin King
LEE Chui Lin	LO Hung Leong			

