

TOWN PLANNING BOARD

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

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

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1. Purpose

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

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

2. Background

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

3. Planning Context (Plans 1 to 3)

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

4. Issues Arising from Consideration of the DPA Plan

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

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

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

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

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

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

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

5. Object of the Plan

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

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

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

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

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

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

Fung Hang

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

Kuk Po

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

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

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

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

Yung Shue Au

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

greater.

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

Fung Hang

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

Kuk Po

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

Yung Shue Au

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

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

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

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

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

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

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

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

Note:

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

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

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

Cultural Heritage

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

9. Planning Intention

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

10. Land Use Zonings

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

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

- 10.1.4 In accordance with the Environment, Transport and Works Bureau's Technical Circular (Works) No. 5/2005 "Protection of Natural Streams/Rivers from Adverse Impacts Arising from Construction Works", under the current administrative practice, development proposals/submissions that may affect natural streams/rivers, the approving/processing authorities at various stages of the development should consult and collate comments from the AFCD and relevant authorities and incorporate relevant comments/advice as conditions of approval wherever possible. Accordingly, LandsD, when processing Small House grant and applications in close proximity to existing stream courses, should consult concerned departments including AFCD, EPD and PlanD to ensure that all relevant departments would have adequate opportunity to review and comment on the applications. Such requirement has been stated in the ES.
- 10.1.5 The "V" zone in the Area is overlooked by steep natural hillsides and may be affected by potential natural terrain landslide hazards. For the future development in the Area, the developers may be required to carry out a natural terrain hazard study and provide suitable hazard mitigation measures, if found necessary, as part of the development.
- 10.1.6 There is no public sewer for the Area. For Small House development, the design and construction of the septic tank and soakaway systems need to comply with relevant standards and regulations, such as EPD's Practice Note for Professional Persons (ProPECC PN) 5/93 – "Drainage Plans subject to Comment by the Environmental Protection Department", for the protection of the water quality of the Area.
- 10.1.7 Yeung Ancestral Hall and Li Ancestral Hall at Kuk Po Lo Wai are Grade 3 historic buildings worthy of preservation. Part of the area under this zoning falls within the Kuk Po Site of Archaeological Interest. Prior consultation with the Antiquities and Monuments Office of the Leisure and Cultural Services Department should be made if any development, redevelopment or rezoning proposals might affect the above historic buildings or site of archaeological interest and their/its immediate environs.

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

- 10.2.1 The planning intention of this zone is primarily for the provision of Government, institution or community (GIC) facilities serving the needs of the local residents and/or a wider district, region or the territory. It is also intended to provide land for uses directly related to or in support of the work of the Government, organizations providing social services to meet community needs, and other institutional establishments.
- 10.2.2 The major GIC facilities under this zone are Kai Choi School and Hip Tin Temple in Kuk Po, which were constructed in 1931. The building is a Grade 3 historic building worthy of preservation.

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

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

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

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

10.5 “Conservation Area” (“CA”) : Total Area 23.01 ha

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

effects of development. There is a general presumption against development in this zone. In general, only developments that are needed to support the conservation of the existing natural landscape or scenic quality of the area or are essential infrastructure projects with overriding public interest may be permitted.

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

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

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

11. Notes of the Plan

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

12. Consultation

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

13. **Decision Sought**

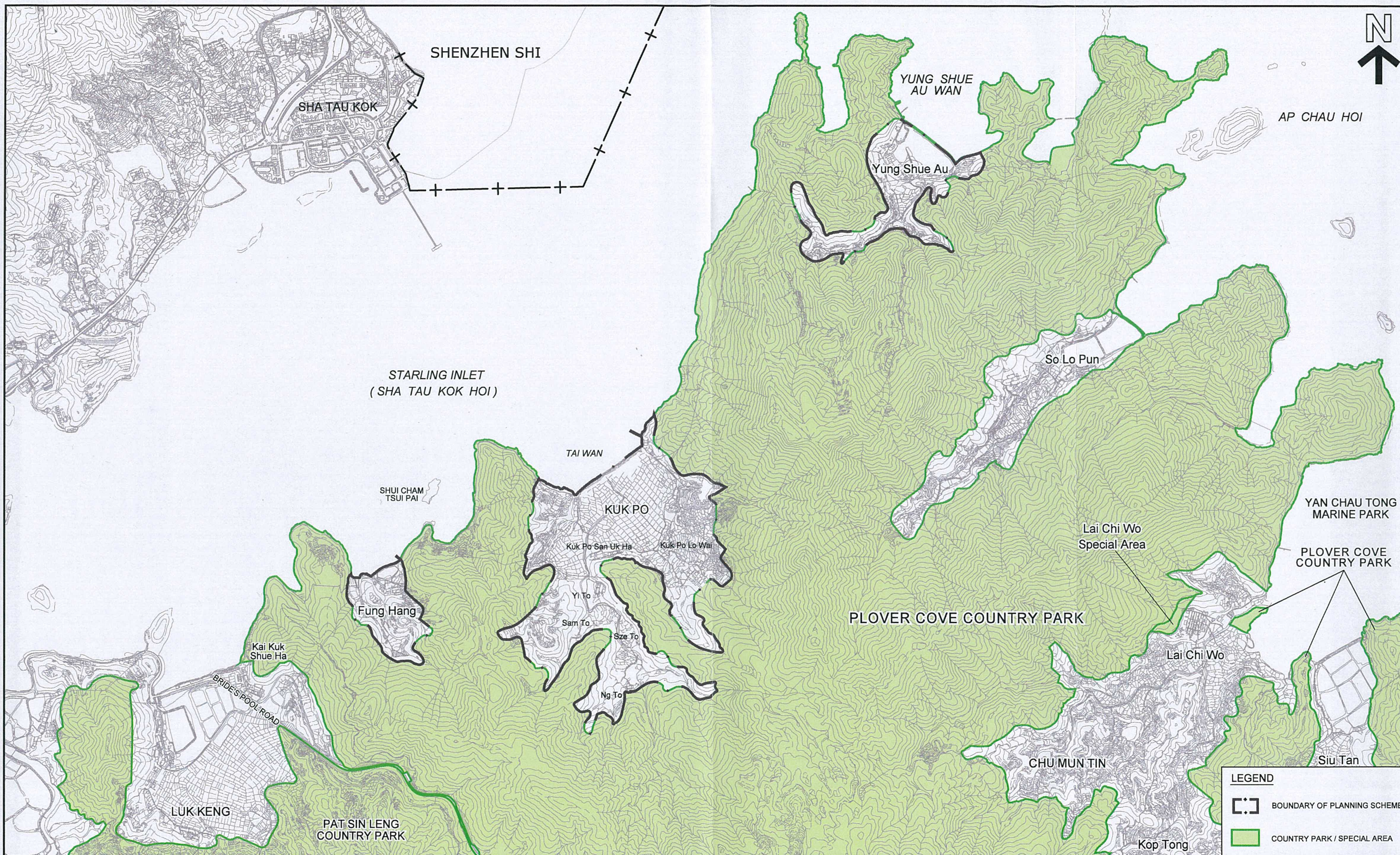
Members are invited to:

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

14. **Attachments**

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

PLANNING DEPARTMENT
AUGUST 2015



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

PLANNING SCHEME AREA
KUK PO, FUNG HANG AND YUNG SHUE AU

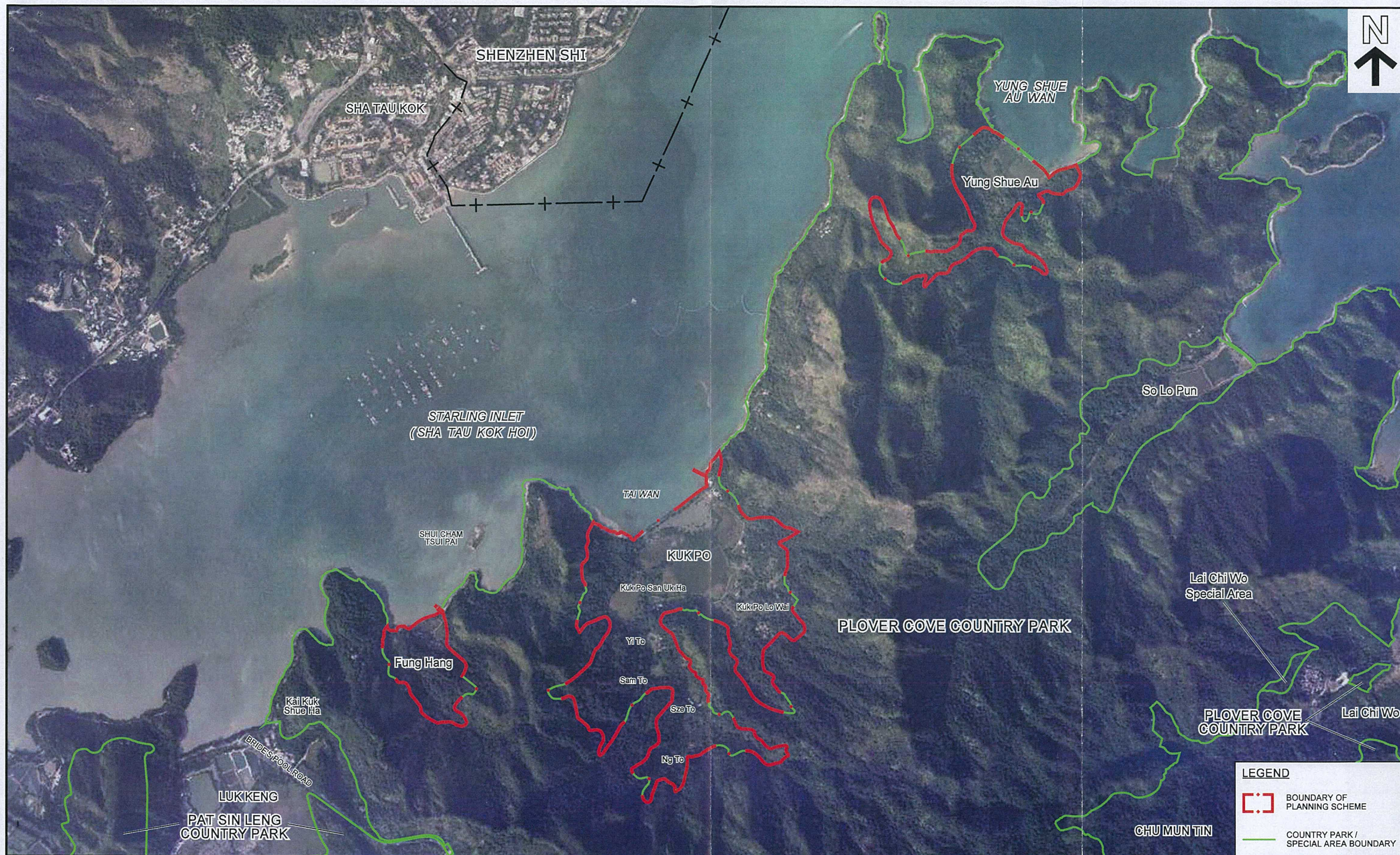
SCALE 1 : 15 000
METRES 300 0 300 600 METRES

PLANNING DEPARTMENT



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

PLAN
1



AERIAL PHOTO

KUK PO, FUNG HANG AND YUNG SHUE AU

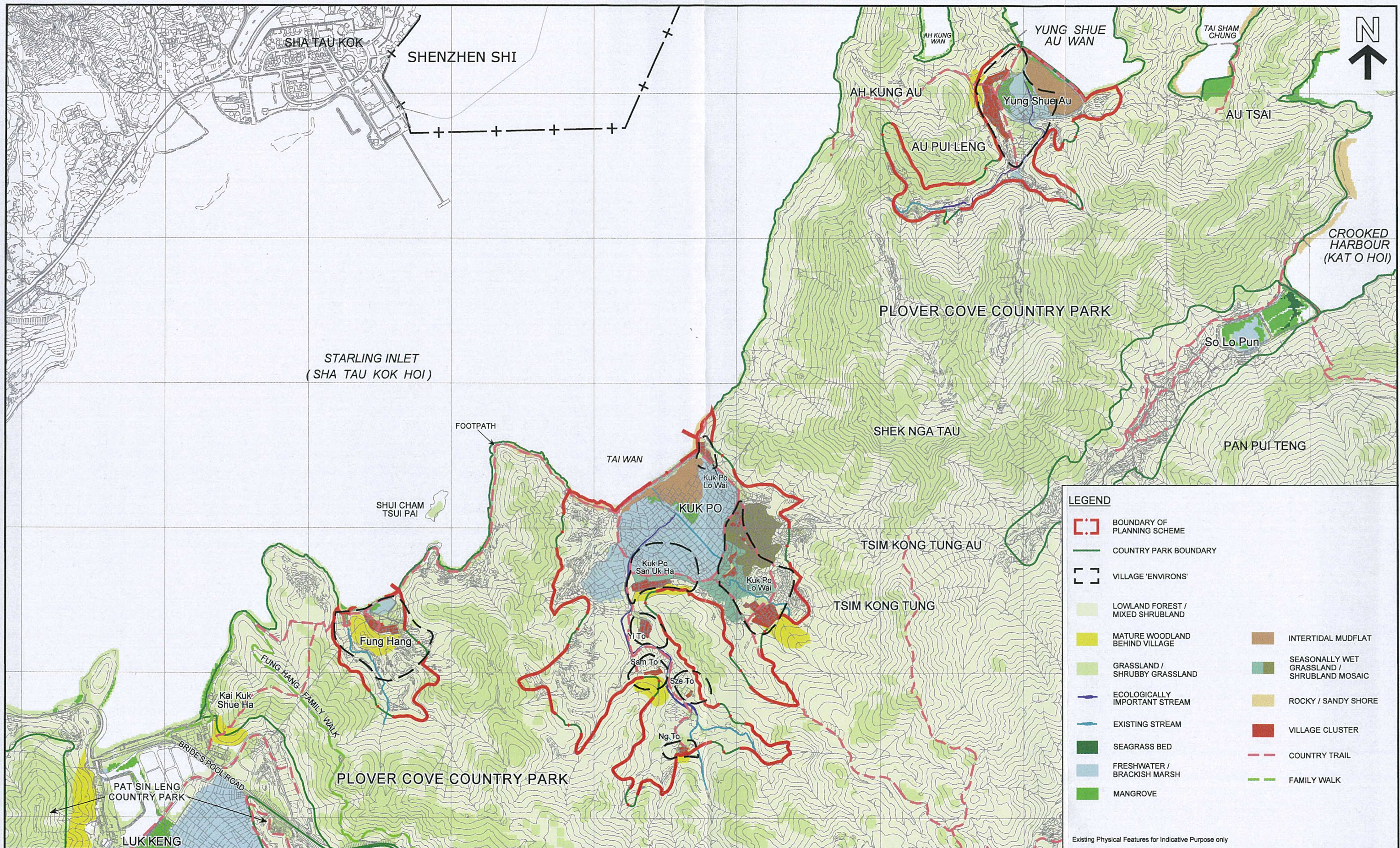
PLANNING DEPARTMENT



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

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

PLAN
2



VILLAGE 'ENVIRONS' AND EXISTING PHYSICAL FEATURES

KUK PO, FUNG HANG AND YUNG SHUE AU

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

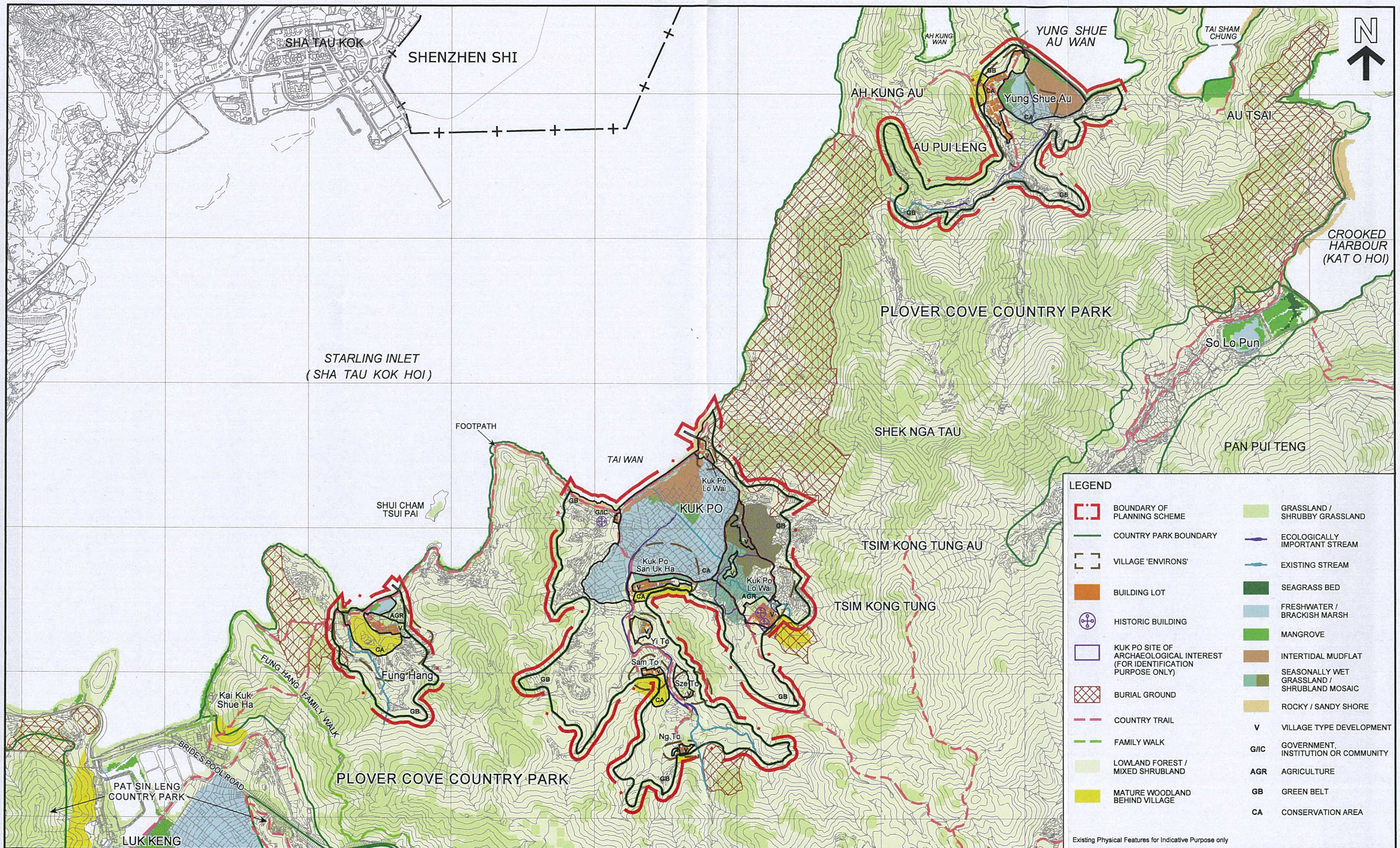
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PLANNING DEPARTMENT



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

PLAN
 3



DEVELOPMENT CONSTRAINTS AND PROPOSED LAND USES

KUK PO, FUNG HANG AND YUNG SHUE AU

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

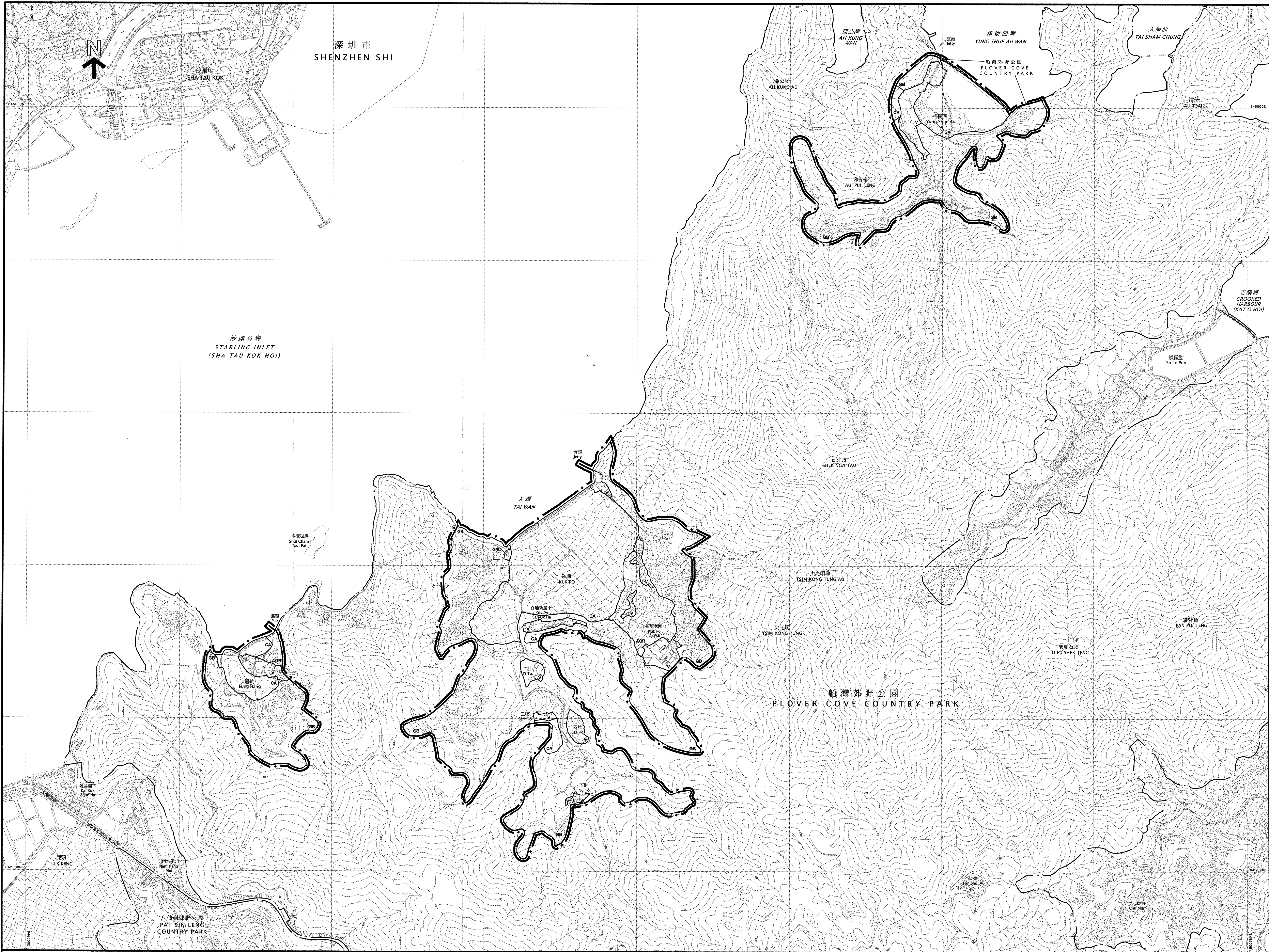
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PLANNING DEPARTMENT



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

PLAN
 4



圖例
NOTATION

ZONES

- VILLAGE TYPE DEVELOPMENT
GOVERNMENT, INSTITUTION OR COMMUNITY
AGRICULTURE
GREEN BELT
CONSERVATION AREA

- V
GIC
AGR
GB
CA

地帶

- 鄉村式發展
政府、機構或社區
農業
綠化地帶
自然保育區

MISCELLANEOUS

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

- + —
— · —
2

其他

- 規劃範圍界線
郊野公園界線
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	大約面積及百分比 APPROXIMATE AREA & %		用途
	公頃 HECTARES	% 百分比	
VILLAGE TYPE DEVELOPMENT	5.88	6.51	鄉村式發展
GOVERNMENT, INSTITUTION OR COMMUNITY	0.06	0.07	政府、機構或社區
AGRICULTURE	3.84	4.38	農業
GREEN BELT	57.38	63.57	綠化地帶
CONSERVATION AREA	23.01	25.48	自然保育區
TOTAL PLANNING SCHEME AREA	90.27	100.00	規劃範圍總面積

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

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

SCALE 1:5000 比例尺

※ METRES 100 0 200 400 600 800 METRES ※

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



圖則編號
PLAN No.

S/NE-KP/B

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

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

NOTES

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

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

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

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

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

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

road and on-street vehicle park.

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

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

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

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

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

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

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

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

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

Schedule of Uses

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

VILLAGE TYPE DEVELOPMENT

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

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

Eating Place
Library
School
Shop and Services

(Please see next page)

VILLAGE TYPE DEVELOPMENT (Cont'd)

Planning Intention

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

Remarks

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

GOVERNMENT, INSTITUTION OR COMMUNITY

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

(Please see next page)

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

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

Remarks

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

AGRICULTURE

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

(Please see next page)

AGRICULTURE (Cont'd)

Planning Intention

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

Remarks

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

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

GREEN BELT

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

(Please see next page)

GREEN BELT (Cont'd)

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

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

Remarks

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

CONSERVATION AREA

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

Planning Intention

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

There is a general presumption against development in this zone. In general, only developments that are needed to support the conservation of the existing natural landscape or scenic quality of the area or are essential infrastructure projects with overriding public interest may be permitted.

(Please see next page)

CONSERVATION AREA (Cont'd)Remarks

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

DRAFT KUK PO, FUNG HANG AND YUNG SHUE AU

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

EXPLANATORY STATEMENT

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

EXPLANATORY STATEMENT

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

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

EXPLANATORY STATEMENT

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

1. INTRODUCTION

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

2. AUTHORITY FOR THE PLAN AND PROCEDURE

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

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

3. OBEJCT OF THE PLAN

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

4. NOTES OF THE PLAN

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

5. THE PLANNING SCHEME AREA

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

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

5.3 Fung Hang

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

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

5.4 Kuk Po

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

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

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

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

5.5 Yung Shue Au

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

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

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

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

6. POPULATION

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

7. OPPORTUNITIES AND CONSTRAINTS

7.1 Opportunities

7.1.1 Conservation and Natural Landscape

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

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

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

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

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

7.1.2 Tourism and Recreation Potential

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

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

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

7.1.3 Agriculture Potential

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

7.2 Constraints

7.2.1 Ecological Significance

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

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

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

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

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

7.2.2 Landscape Character

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

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

7.2.3 Cultural Heritage

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

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

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

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

7.2.4 Burial Grounds

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

7.2.5 Transportation

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

7.2.6 Sewerage

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

7.2.7 Other Infrastructure and Utility Services

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

7.2.8 Geotechnical Constraint

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

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

8. GENERAL PLANNING INTENTION

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

9. LAND-USE ZONINGS

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

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

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

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

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

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

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

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

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

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

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

9.5 “Conservation Area”: Total Area 23.01 ha

- 9.5.1 This zoning is intended to protect and retain the existing natural landscape, ecological or topographical features of the area for conservation, educational and research purposes and to separate sensitive natural environment such as Country Park from the adverse effects of development. There is a general presumption against development in this zone. In general, only developments that are needed to support the conservation of the existing natural landscape

or scenic quality of the area or are essential infrastructure projects with overriding public interest may be permitted.

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

10. CULTURAL HERITAGE

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

11. COMMUNICATIONS

Transport Network

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

12. UTILITY SERVICES

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

13. IMPLEMENTATION

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

14. PLANNING CONTROL

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

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

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

PLANNING DEPARTMENT

AUGUST 2015

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



SHA TIN, TAI PO & NORTH
DISTRICT PLANNING OFFICE
PLANNING DEPARTMENT
AUGUST 2015



APPENDIX IV

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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 Kuk Po, Fung Hang and Yung Shue Au area (the Area). It also aims at providing a basis for the preparation of an Outline Zoning Plan (OZP) for the Area and the formulation of a planning framework to guide future development.

1.2 **Background**

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

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

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

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

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

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

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

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

2. THE STUDY AREA

2.1. Location

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

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

2.2. Natural Features

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

Fung Hang

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

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

Kuk Po

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

Yung Shue Au

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

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

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

Natural Habitats (Figures 5a to 5j)

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

(a) Woodland/ Shrubland

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

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

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

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

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

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

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

Sphenoclea zeylanica (尖瓣花) are recorded.

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

(c) Fallow Agricultural Land

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

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

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

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

(d) Rocky/Sandy Shore

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

2.3 Historical Development

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

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

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

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

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

2.4 Population and Employment

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

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

2.5.1 The major existing land uses including the following:

Village Type Development

Fung Hang

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

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

Kuk Po

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

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

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

Yung Shue Au

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

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

Government, Institution or Community (GIC) Facilities

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

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

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

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

Cultural Heritage Resources

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

Burial Grounds

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

Others

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

2.6 Land Ownership

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

2.7 Transportation and Access

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

Fung Hang

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

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

Kuk Po

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

Yung Shue Au

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

2.8 Infrastructure and Utility Services

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

3. PLANNING ANALYSIS

3.1 Strategic Planning Context

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

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

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

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

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

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

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

3.2 Environment and Conservation Considerations (Figure 9)

- 3.2.1 Surrounded by the Plover Cove Country Park on three sides, and comprising mainly woodland, shrubland, fallow agricultural land, low-lying wetland habitat (including freshwater/brackish marsh, intertidal water pond/mudflat, mangrove, reedbed, seagrass), stream course, estuarine mangrove and rocky/sandy shore, the Area forms part of the wider natural system of the Plover Cove countryside.
- 3.2.2 Woodlands and shrublands mainly cover the inland and uphill parts and include a number of mature woodlands behind the villages, which are generally in good conditions with more diverse tree species. They are ecologically linked with the habitats within the Plover Cove Country Park. There are some plant species of conservation significance and butterfly species of conservation concern.
- 3.2.3 Freshwater/brackish marshes comprising mainly intertidal water pond/mudflat, mangrove, reedbed and seagrass are located along the low-lying coastal areas in the three sub-areas. Patches of marshy areas are found on the seasonally wet grassland/shrubland mosaic mainly in the eastern part of Kuk Po and a small area of freshwater marsh is also found near the southern fringe in the valley area of Yung Shue Au. In Fung

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

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

3.3 Development Constraints (Figure 10)

Ecological Significance

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

- 3.3.2 Woodlands and shrublands mainly cover the inland and uphill parts and include a number of mature woodlands behind the villages, which are generally in good conditions with more diverse tree species. They are ecologically linked with the habitats within the Plover Cove Country Park. There are some plant species of conservation significance including *Aquilaria sinensis* (土沉香), *Artocarpus hypargyreus* (白桂木), *Mucuna championii* (港油麻藤), *Ailanthus fordii* (常綠臭椿), *Popowia pisocarpa* (嘉陵花) and *Macaranga sampsonii* (鼎湖血桐); and butterfly species of conservation concern including *Isoteinon lamprospilus lamprospilus* (旖弄蝶), the rare *Aeromachus jhora* (寬鐐弄蝶) and *Cethosia biblis* (紅鋸蛺蝶). The natural woodland and the coastal wetland in Kuk Po provide a good habitat for over 100 species of butterflies.
- 3.3.3 Freshwater/brackish marshes comprising mainly intertidal water pond/mudflat, mangrove, reedbed and seagrass are located along the low-lying coastal areas in the three sub-areas. Patches of marshy areas are found on the seasonally wet grassland/shrubland mosaic mainly in the eastern part of Kuk Po and a small area of freshwater marsh is also found near the southern fringe in the valley area of Yung Shue Au. In Fung Hang, a natural stream with estuarine mangrove is found in the western part. An EIS of 1 km in length flows across Kuk Po. Together with the coastal habitats, the wetland complex supports a high diversity of dragonflies and freshwater fish including *Macropodus hongkongensis* (香港鬥魚), *Oryzias curvinotus* (弓背青鱗) and *Orthetrum poecilops poecilops* (斑灰蜻). Kuk Po is identified as a hotspot for both freshwater fish and butterfly, and wetland plants of conservation concern *Ceratopteris thalictroides* (水蕨) and *Sphenoclea zeylanica* (尖瓣花) are recorded therein. Another EIS of 750m in length

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

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

Landscape Character

- 3.3.5 According to the Landscape Value Mapping of Hong Kong (2005), the Area is characterized as “Settled Valley Landscape” which is defined largely by its valley topography having a strong sense of enclosure and tranquillity and a system of active or abandoned agricultural fields together with villages. The three sub-areas have typical Fung Shui village layout in the New Territories with village settlements in a “water facing home that backs on to hills” setting with rich landscape resources such as secondary woodland, mangroves, ponds and marshland. In Kuk Po, the extensive reed bed is the signature of the sub-area. In Yung Shue Au, the proportion and distribution of wetland and marshland, village and woodland are well balanced, creating an elegant crescent-like setting.
- 3.3.6 From the landscape planning perspective, the Area has high landscape value and the landscape character is sensitive and vulnerable. Any development which is not compatible to the existing scale, style, intensity of development and the natural environment would disrupt the harmonic landscape character setting. Any large scale development with associated utilities

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

Cultural Heritage

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

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

Burial Grounds

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

Transportation

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

Sewerage

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

Other Infrastructure and Utility Services

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

Geotechnical Constraint

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

3.4 Development Opportunities

Conservation and Natural Landscape

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

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

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

Tourism and Recreation Potentials (Figure 8)

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

Agricultural Potential

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

3.5 Development Pressure

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

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

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

Submission from Kadoorie Farm & Botanical Garden Corporation

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

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

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

4 PLANNING PROPOSALS

4.1 The Outline Zoning Plan

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

4.2 Planning Objectives

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

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

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

4.3 Planning Principles

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

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

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

4.4 Land Use Proposals (Figure 12)

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

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

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

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

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

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

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

Fung Hang

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

Kuk Po

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

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

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

Yung Shue Au

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

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

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

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

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

applications.

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

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

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

4.4.4 Agriculture (“AGR”) (3.94 ha or 4.36%)

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

4.4.5 Green Belt (“GB”) (57.38 ha or 63.57 %)

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

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

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

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

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

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

Plan.

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

5. IMPLEMENTATION

Infrastructural Provisions

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

Statutory Development Control

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

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

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

**PLANNING DEPARTMENT
AUGUST 2015**

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

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

Note:

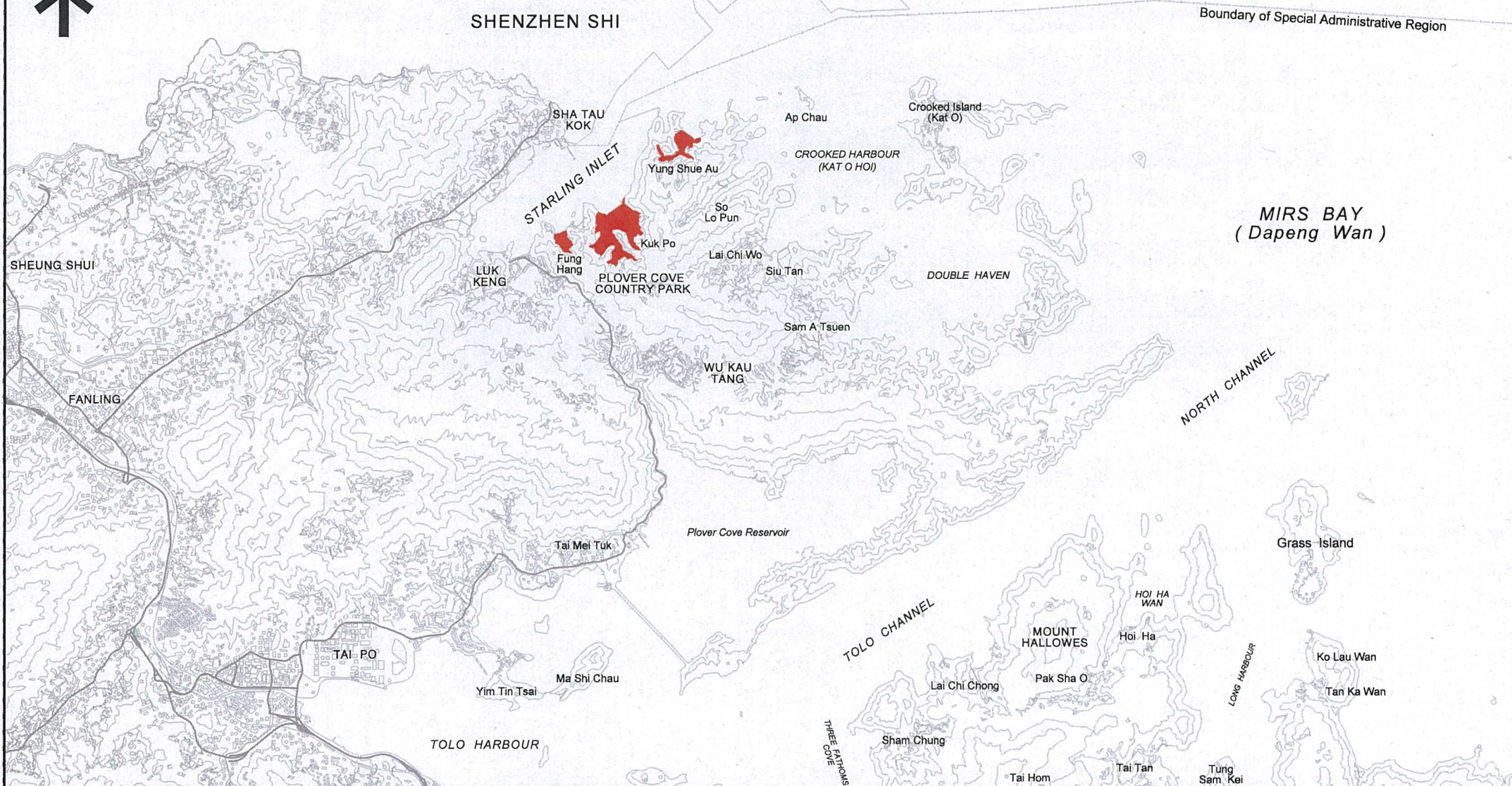
(1) Kuk Po Lo Wai, Kuk Po San Uk Ha, Yi To, Sam To, Sze To & Ng To are collectively known as Kuk Po.


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

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

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

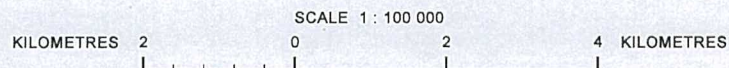
According to the established practice of the Board, if there is a substantial and unjustified increase in the updated 10-year demand forecast figure as compared with the previous corresponding figure in preparing the DPA Plan, the latter would be adopted in the preparation of the OZP.



 STUDY AREA

PLAN PREPARED ON 4.8.2015
BASED ON SHEET SERIES HM100C

LOCATION PLAN KUK PO, FUNG HANG AND YUNG SHUE AU

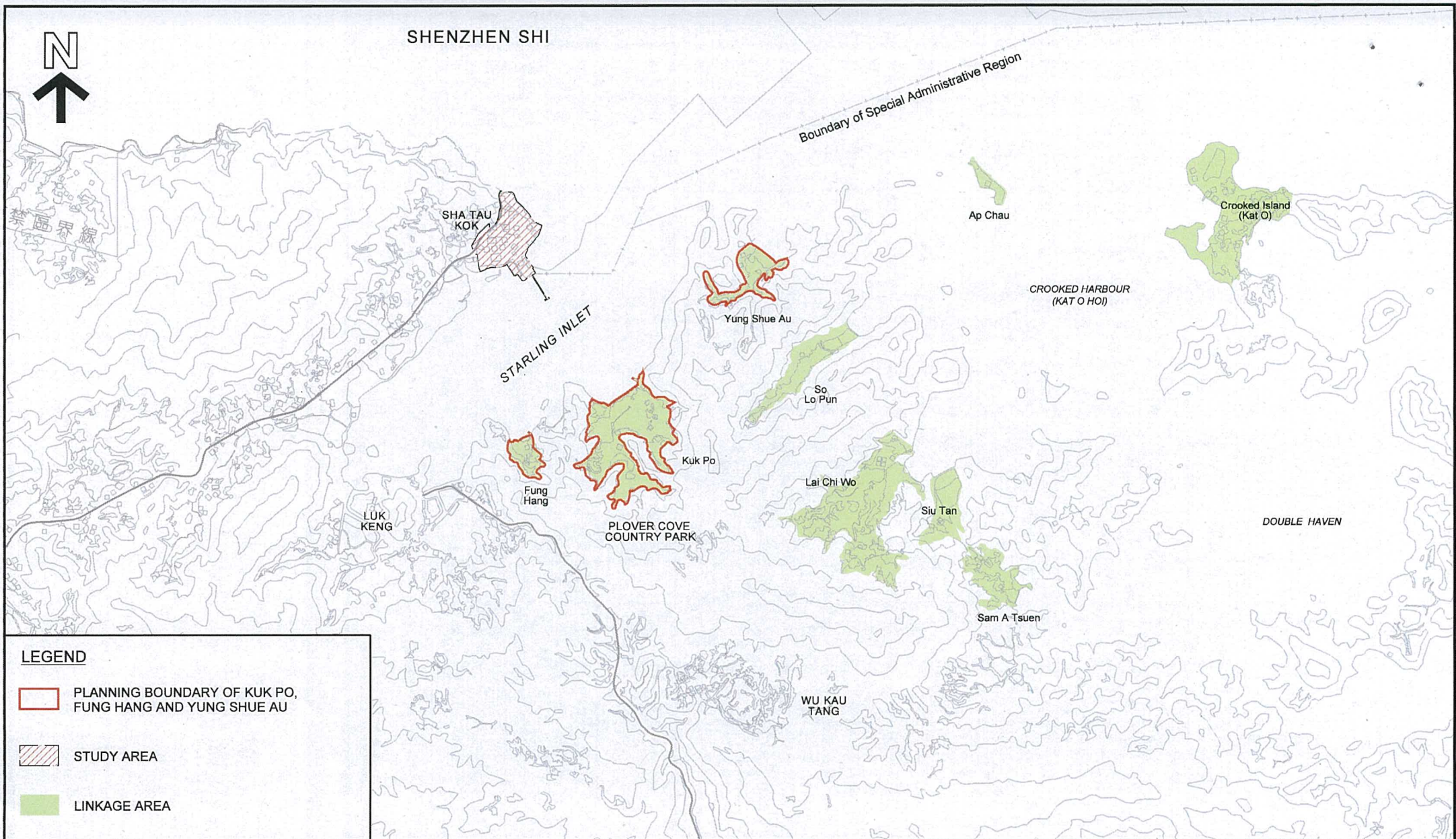


PLANNING
DEPARTMENT



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

FIGURE
1a



THE STUDY AREA AND LINKAGE AREA OF THE STUDY
ON THE ENHANCEMENT OF THE SHA TAU KOK RURAL TOWNSHIP
AND SURROUNDING AREAS - FEASIBILITY STUDY

PLAN PREPARED ON 6.8.2015
BASED ON SHEET SERIES HM100C

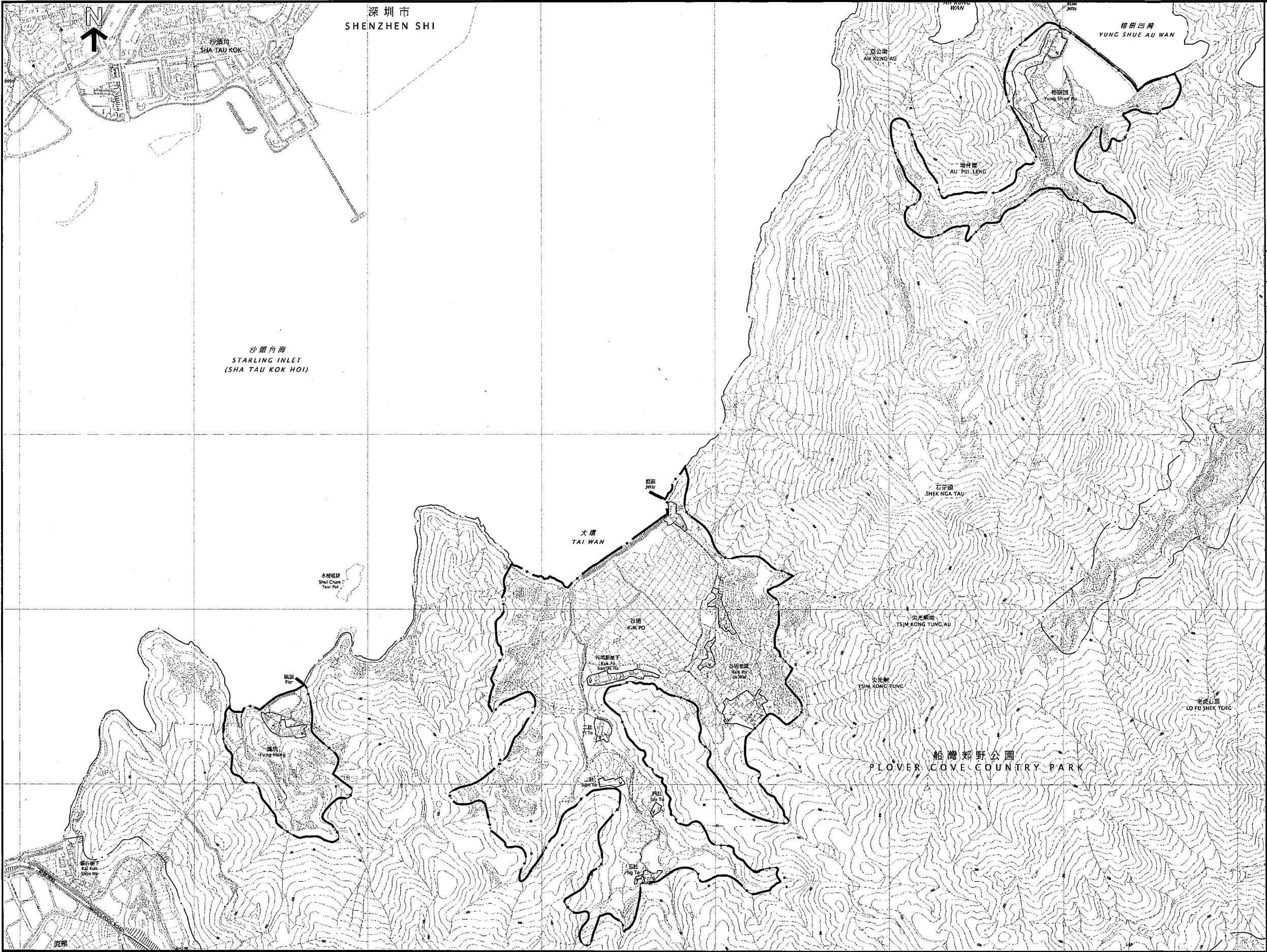
SCALE 1 : 50 000
KILOMETRES 1 0 1 2 KILOMETRES

PLANNING
DEPARTMENT



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

FIGURE
1b



圖例
NOTATION

ZONES	地帶
VILLAGE TYPE DEVELOPMENT	鄉村式發展
MISCELLANEOUS	其他
BOUNDARY OF DEVELOPMENT PERMISSION AREA	發展審批地區界線
BOUNDARY OF COUNTRY PARK / SPECIAL AREA	郊野公園 / 特別地區界線

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	%	
VILLAGE TYPE DEVELOPMENT	4.78	6.30	鄉村式發展
UNSPECIFIED USE	85.49	94.70	非指定用途
TOTAL AREA OF DEVELOPMENT PERMISSION AREA	90.27	100.00	發展審批地區總面積

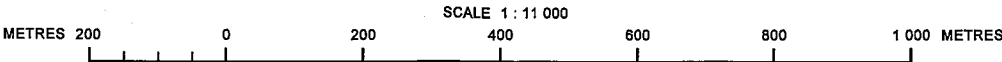
夾附的《註釋》屬這份圖則的一部分
THE ATTACHED NOTES ALSO FORM PART OF THIS PLAN

KUK PO, FUNG HANG AND YUNG SHUE AU
DEVELOPMENT PERMISSION AREA PLAN

PLANNING DEPARTMENT

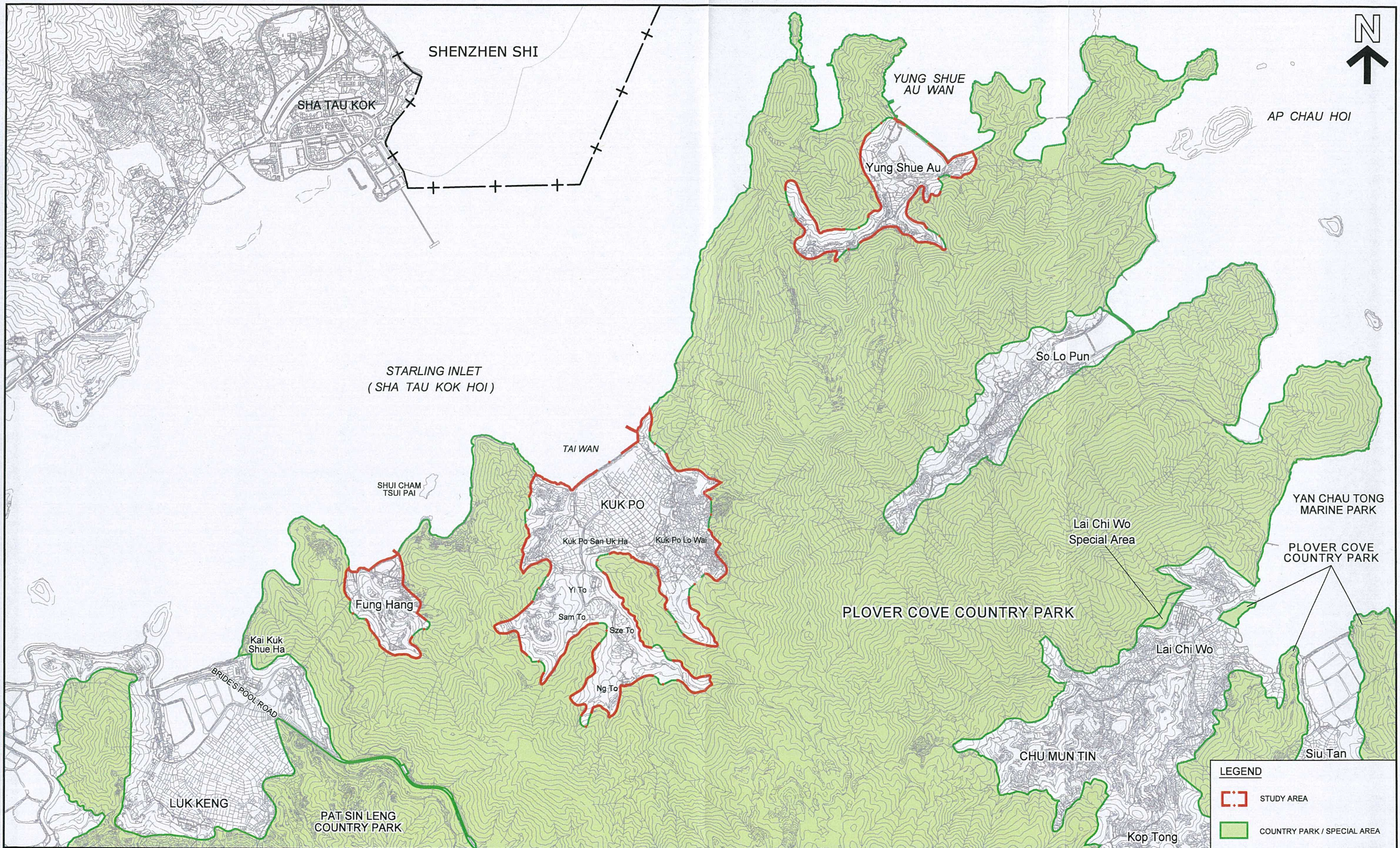


EXTRACT PLAN PREPARED ON 9.6.2015
BASED ON DEVELOPMENT PERMISSION AREA
PLAN No. DPA/NE-KP/2 APPROVED ON 11.3.2014



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

FIGURE
2



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

STUDY AREA **KUK PO, FUNG HANG AND YUNG SHUE AU**

SCALE 1 : 15 000

METRES 300 0 300 600 METRES

PLANNING DEPARTMENT



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

FIGURE
 3



AERIAL PHOTO

KUK PO, FUNG HANG AND YUNG SHUE AU

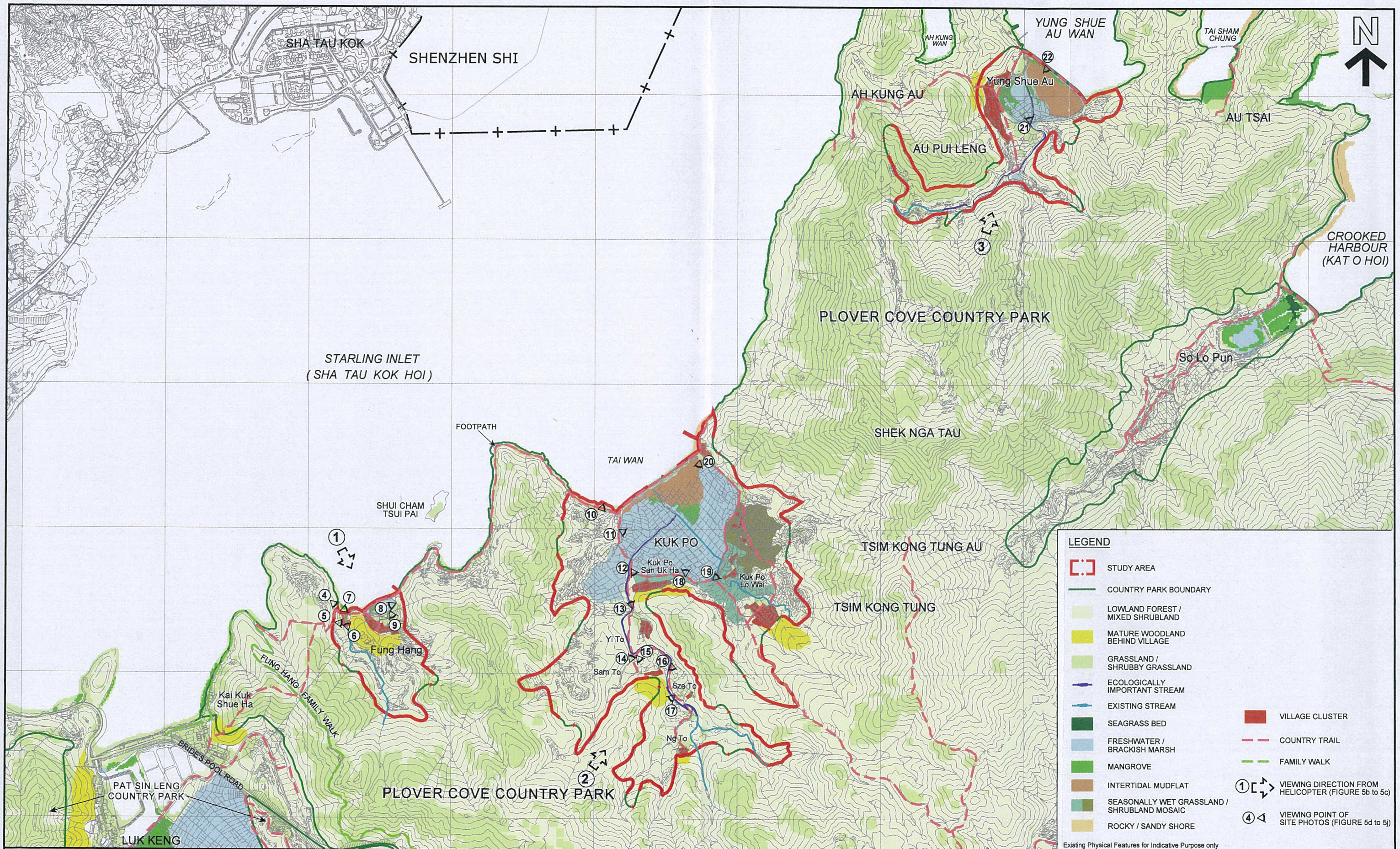
PLAN PREPARED ON 15.7.2015 BASED ON AERIAL PHOTO No. CW110908R TAKEN ON 16.12.2014 BY LANDS DEPARTMENT

PLANNING DEPARTMENT



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

FIGURE
4



EXISTING PHYSICAL FEATURES

KUK PO, FUNG HANG AND YUNG SHUE AU

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

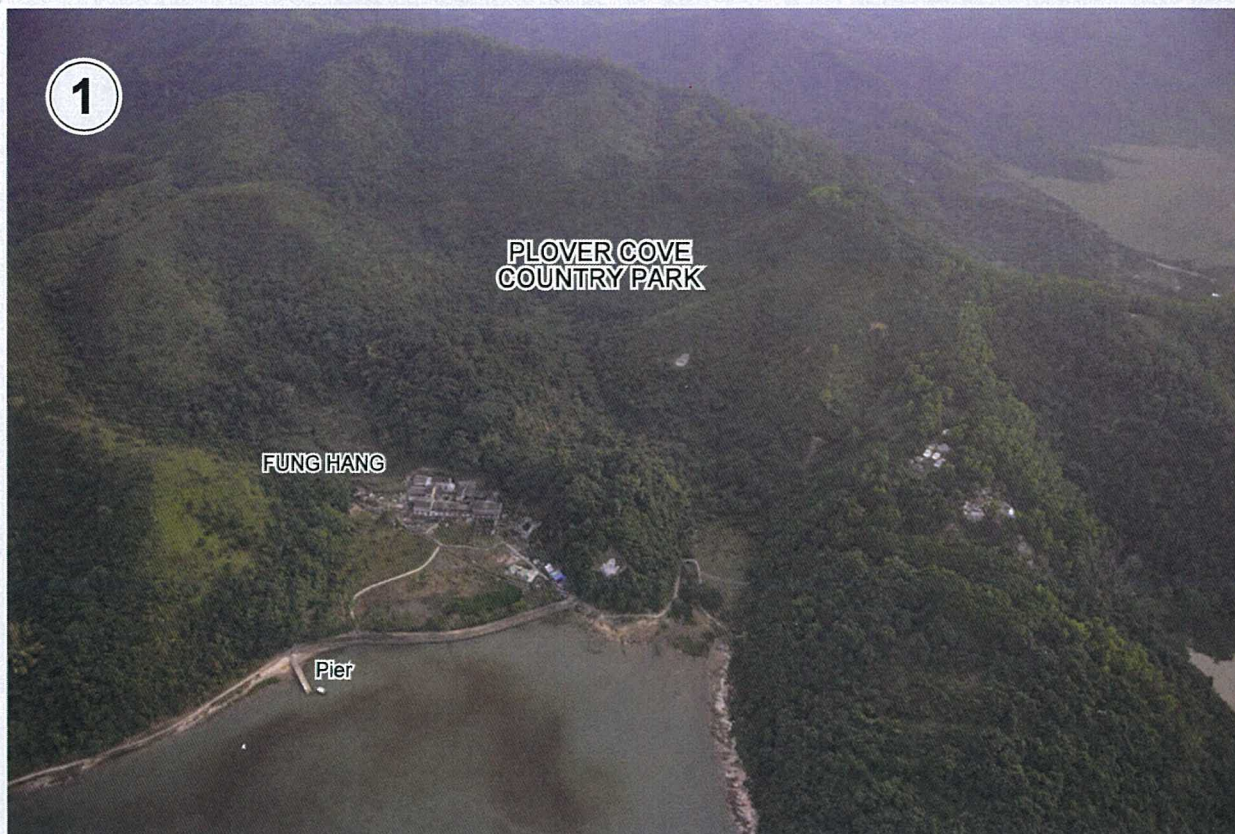
SCALE 1 : 12 000
 METRES 250 0 250 500 750 1000 METRES

PLANNING DEPARTMENT



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

FIGURE
 5a



PHOTOS TAKEN FROM HELICOPTER

**SITE PHOTOS -
EXISTING PHYSICAL FEATURES**

**FUNG HANG
AND KUK PO**

**PLANNING
DEPARTMENT**



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

FIGURE
5b

PLAN PREPARED ON 9.6.2015
BASED ON SITE PHOTOS
TAKEN ON 28.1.2013



PHOTO TAKEN FROM HELICOPTER

SITE PHOTO -
EXISTING PHYSICAL FEATURES

YUNG SHUE AU

PLANNING
DEPARTMENT



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

FIGURE
5c

PLAN PREPARED ON 9.6.2015
BASED ON SITE PHOTO
TAKEN ON 28.1.2013

4



MANGROVE / ROCKY SHORE IN FUNG HANG

5



MATURE WOODLAND BEHIND VILLAGE IN FUNG HANG

6



ESTUARINE MANGROVE IN FUNG HANG

SITE PHOTOS -
EXISTING PHYSICAL FEATURES

FUNG HANG

PLANNING
DEPARTMENT



PLAN PREPARED ON 11.6.2015
BASED ON SITE PHOTOS
TAKEN ON 4.6.2015

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

FIGURE
5d



ROCKY SHORE IN FUNG HANG



MARSH IN FUNG HANG



FALLOW AGRICULTURAL LAND COVERED WITH GRASSES AND SHRUBS IN FUNG HANG

SITE PHOTOS -
EXISTING PHYSICAL FEATURES

FUNG HANG

PLANNING
DEPARTMENT



PLAN PREPARED ON 11.6.2015
BASED ON SITE PHOTOS
TAKEN ON 4.6.2015

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

FIGURE
5e



ROCKY SHORE IN KUK PO



MARSH IN KUK PO



SEASONALLY WET GRASSLAND NEAR KUK PO SAN UK HA

SITE PHOTOS -
EXISTING PHYSICAL FEATURES

KUK PO

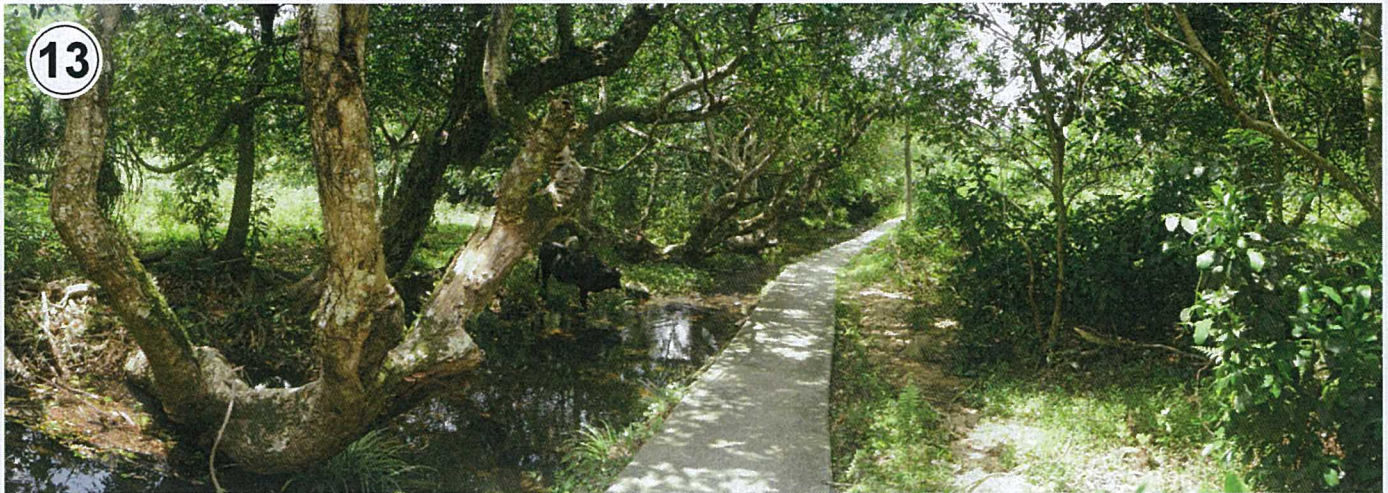
PLANNING
DEPARTMENT



PLAN PREPARED ON 11.6.2015
BASED ON SITE PHOTOS
TAKEN ON 4.6.2015

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

FIGURE
5f



13

ECOLOGICALLY IMPORTANT STREAM IN KUK PO



14

ECOLOGICALLY IMPORTANT STREAM IN KUK PO



15

LOWLAND FOREST / MIXED SHRUBLAND IN FRONT OF SAM TO

SITE PHOTOS -
EXISTING PHYSICAL FEATURES

KUK PO

PLANNING
DEPARTMENT



PLAN PREPARED ON 12.6.2015
BASED ON SITE PHOTOS
TAKEN ON 4.6.2015

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

FIGURE
5g



GRASSLAND / SHRUBBY GRASSLAND NEAR SZE TO



ECOLOGICALLY IMPORTANT STREAM IN SZE TO

SITE PHOTOS -
EXISTING PHYSICAL FEATURES

KUK PO

PLANNING
DEPARTMENT



PLAN PREPARED ON 9.6.2015
BASED ON SITE PHOTOS
TAKEN ON 4.6.2015

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

FIGURE
5h

18



MARSH IN KUK PO

19



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

20



INTERTIDAL MUDFLAT IN KUK PO

SITE PHOTOS -
EXISTING PHYSICAL FEATURES

KUK PO

PLANNING
DEPARTMENT



PLAN PREPARED ON 11.6.2015
BASED ON SITE PHOTOS
TAKEN ON 4.6.2015

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

FIGURE
5i



ECOLOGICALLY IMPORTANT STREAM IN YUNG SHUE AU



MARSH IN YUNG SHUE AU

SITE PHOTOS -
EXISTING PHYSICAL FEATURES

YUNG SHUE AU

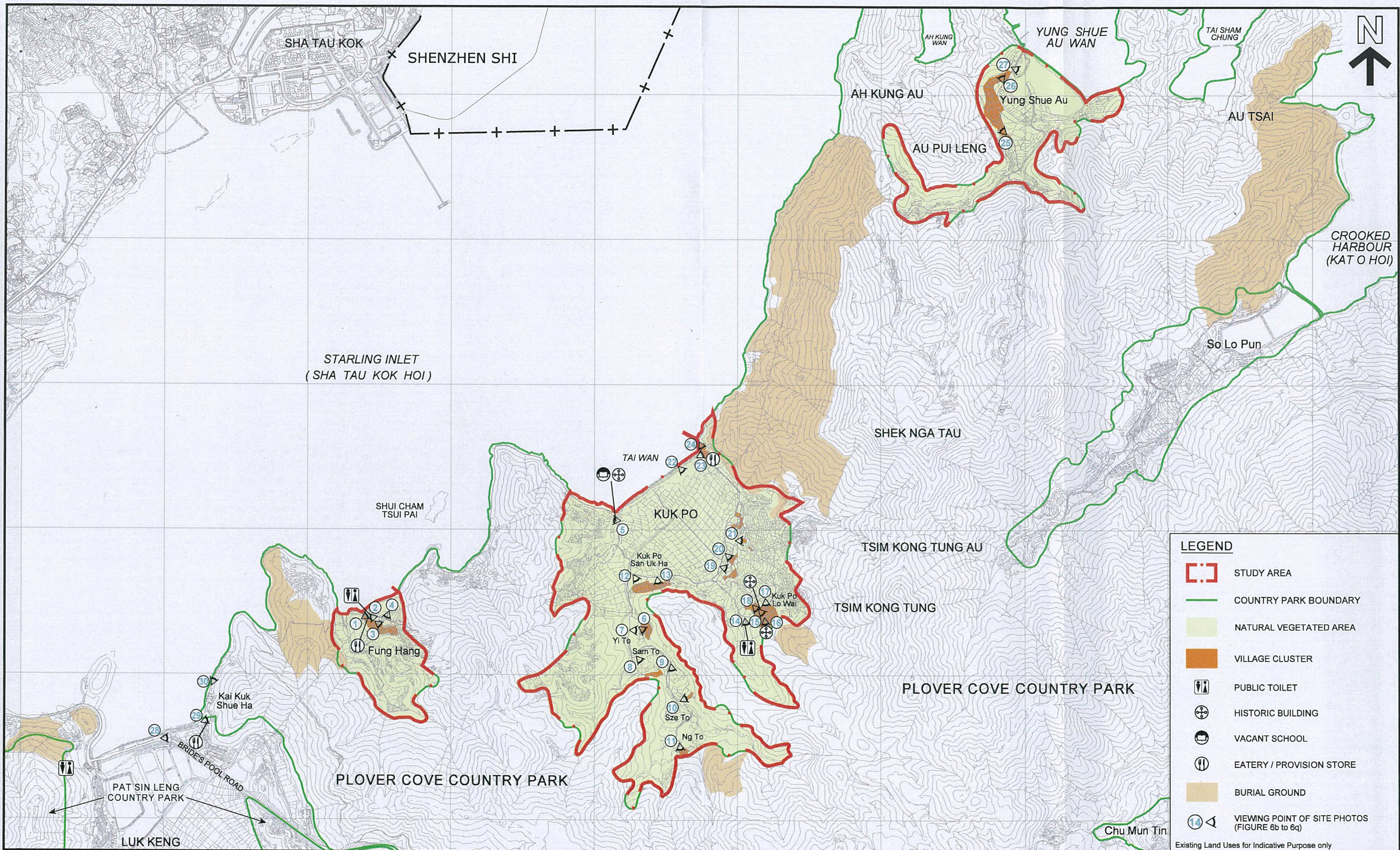
PLANNING
DEPARTMENT



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

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

FIGURE
5j





PUBLIC TOILET IN FUNG HANG



EATERY / PROVISION STORE IN FUNG HANG

SITE PHOTOS -
EXISTING LAND USES

FUNG HANG

PLANNING
DEPARTMENT



PLAN PREPARED ON 11.6.2015
BASED ON SITE PHOTOS
TAKEN ON 4.6.2015

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

FIGURE
6b



VILLAGE CLUSTER IN FUNG HANG



VILLAGE CLUSTER IN FUNG HANG

SITE PHOTOS -
EXISTING LAND USES

FUNG HANG

PLANNING
DEPARTMENT



PLAN PREPARED ON 9.6.2015
BASED ON SITE PHOTOS
TAKEN ON 4.6.2015

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

FIGURE
6c



KAI CHOI SCHOOL AND HIP TIN TEMPLE IN KUK PO

SITE PHOTOS -
EXISTING LAND USES

KUK PO

PLAN PREPARED ON 10.7.2015
BASED ON SITE PHOTOS
TAKEN ON 4.6.2015

PLANNING
DEPARTMENT



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

FIGURE
6d



VILLAGE CLUSTER IN YI TO



VILLAGE CLUSTER IN YI TO

SITE PHOTOS -
EXISTING LAND USES

KUK PO

PLANNING
DEPARTMENT



PLAN PREPARED ON 10.7.2015
BASED ON SITE PHOTOS
TAKEN ON 4.6.2015

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

FIGURE
6e



VILLAGE CLUSTER BEHIND THE DENSE VEGETATION IN SAM TO

SITE PHOTO -
EXISTING LAND USES

KUK PO

PLANNING
DEPARTMENT



PLAN PREPARED ON 10.7.2015
BASED ON SITE PHOTOS
TAKEN ON 4.6.2015

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

FIGURE
6f



VILLAGE CLUSTER IN SZE TO



VILLAGE CLUSTER IN SZE TO

SITE PHOTOS -
EXISTING LAND USES

KUK PO

PLANNING
DEPARTMENT



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

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

FIGURE
6g

11



VILLAGE CLUSTER IN NG TO

SITE PHOTO -
EXISTING LAND USES

KUK PO

PLANNING
DEPARTMENT



PLAN PREPARED ON 10.7.2015
BASED ON SITE PHOTOS
TAKEN ON 4.6.2015

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

FIGURE
6h



VILLAGE CLUSTER IN KUK PO SAN UK HA



VILLAGE CLUSTER IN KUK PO SAN UK HA

**SITE PHOTOS -
EXISTING LAND USES**

**KUK PO SAN UK HA
KUK PO**

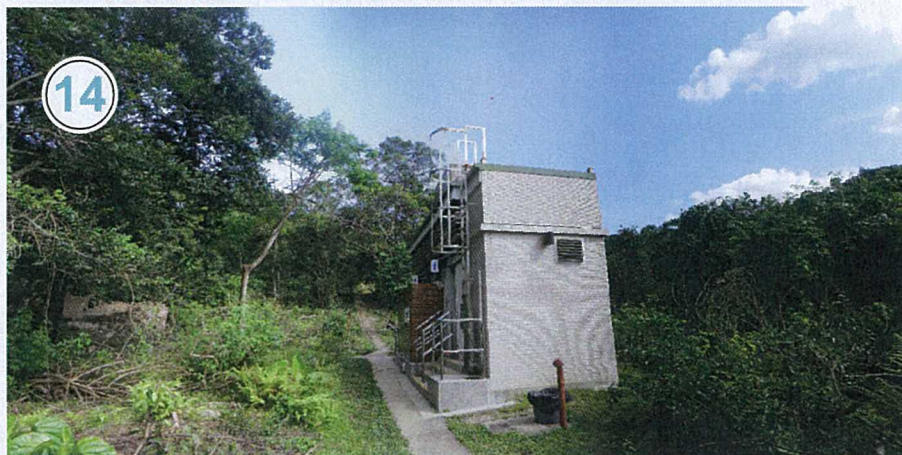
**PLANNING
DEPARTMENT**



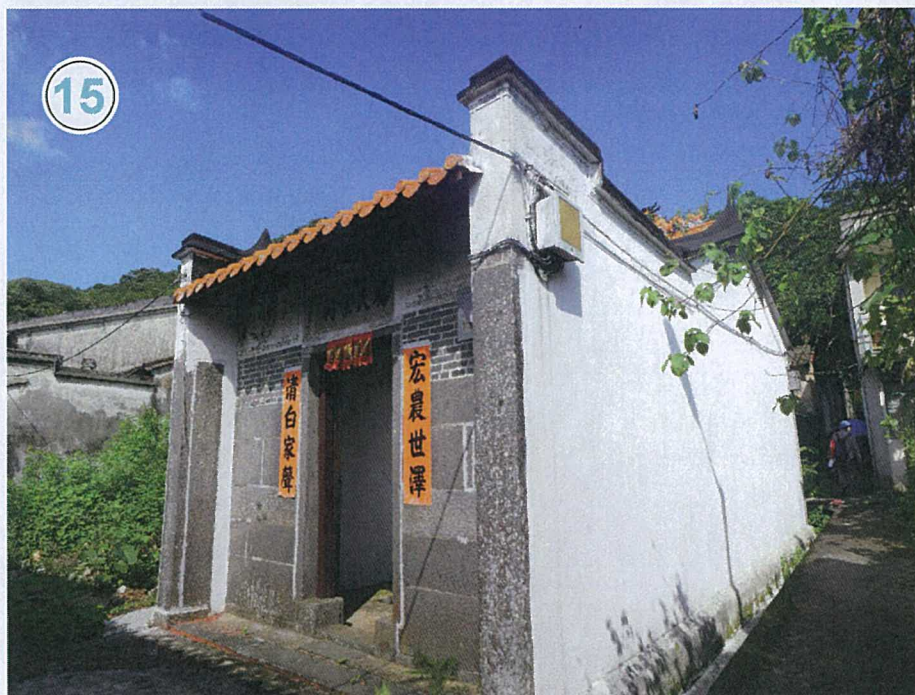
PLAN PREPARED ON 10.7.2015
BASED ON SITE PHOTOS
TAKEN ON 4.6.2015

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

FIGURE
6i



PUBLIC TOILET IN KUK PO LO WAI



YEUNG ANCESTRAL HALL IN KUK PO LO WAI



LI ANCESTRAL HALL IN KUK PO LO WAI

**SITE PHOTOS -
EXISTING LAND USES**

**KUK PO LO WAI
KUK PO**

**PLANNING
DEPARTMENT**



PLAN PREPARED ON 10.7.2015
BASED ON SITE PHOTOS
TAKEN ON 4.6.2015

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

FIGURE
6j



VILLAGE CLUSTER IN KUK PO LO WAI



VILLAGE CLUSTER IN KUK PO LO WAI

SITE PHOTOS -
EXISTING LAND USES

KUK PO LO WAI
KUK PO

PLANNING
DEPARTMENT



PLAN PREPARED ON 10.7.2015
BASED ON SITE PHOTOS
TAKEN ON 4.6.2015

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

FIGURE
6k

19



VILLAGE HOUSE IN KUK PO LO WAI

20



VILLAGE CLUSTER IN KUK PO LO WAI

SITE PHOTOS -
EXISTING LAND USES

KUK PO LO WAI
KUK PO

PLANNING
DEPARTMENT



PLAN PREPARED ON 10.7.2015
BASED ON SITE PHOTOS
TAKEN ON 4.6.2015

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

FIGURE
6I



VILLAGE CLUSTER IN KUK PO LO WAI



VILLAGE CLUSTER IN KUK PO LO WAI

SITE PHOTOS -
EXISTING LAND USES

KUK PO LO WAI
KUK PO

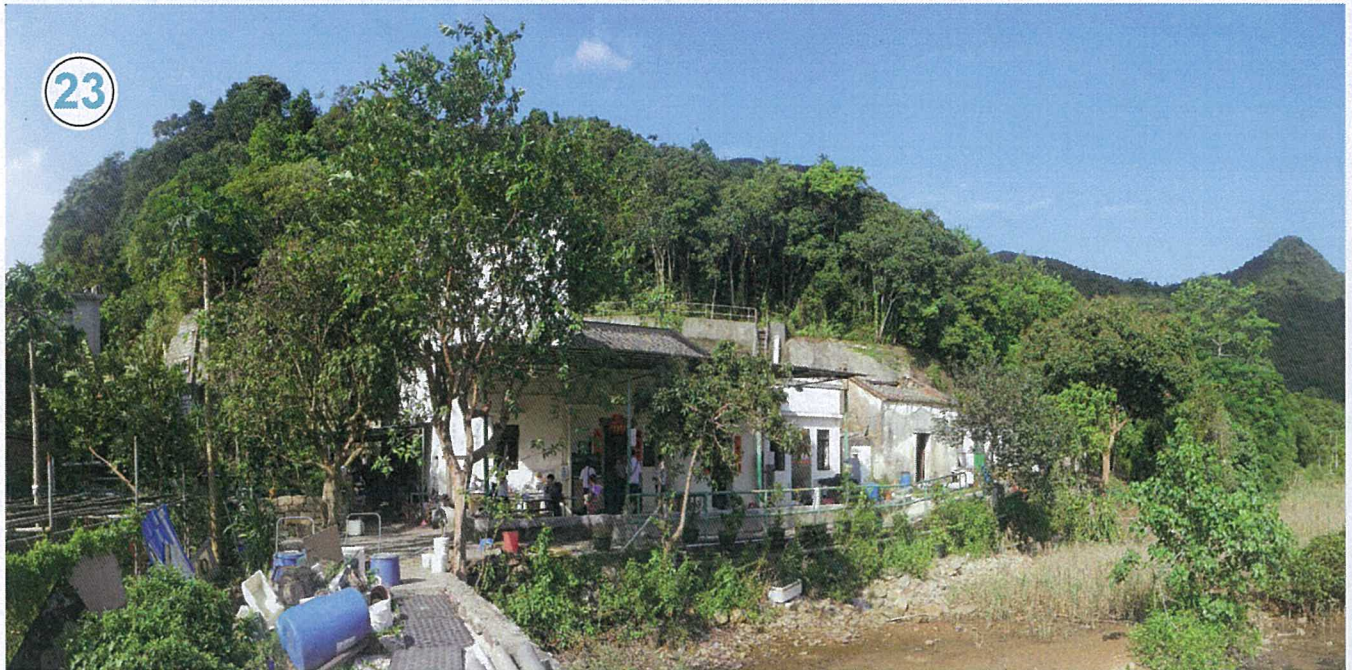
PLANNING
DEPARTMENT



PLAN PREPARED ON 10.7.2015
BASED ON SITE PHOTOS
TAKEN ON 4.6.2015

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

FIGURE
6m



EATERY / PROVISION STORE IN KUK PO LO WAI



VILLAGE HOUSES IN KUK PO LO WAI

SITE PHOTOS -
EXISTING LAND USES

KUK PO LO WAI
KUK PO

PLANNING
DEPARTMENT



PLAN PREPARED ON 13.7.2015
BASED ON SITE PHOTOS
TAKEN ON 4.6.2015

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

FIGURE
6n



VILLAGE CLUSTER IN YUNG SHUE AU



VILLAGE CLUSTER IN YUNG SHUE AU

SITE PHOTOS -
EXISTING LAND USES

YUNG SHUE AU

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

PLANNING
DEPARTMENT



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

FIGURE
60

27



ABANDONED BARRACKS SITE IN YUNG SHUE AU

SITE PHOTO -
EXISTING LAND USES

YUNG SHUE AU

PLANNING
DEPARTMENT



PLAN PREPARED ON 13.7.2015
BASED ON SITE PHOTO
TAKEN ON 7.10.2013

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

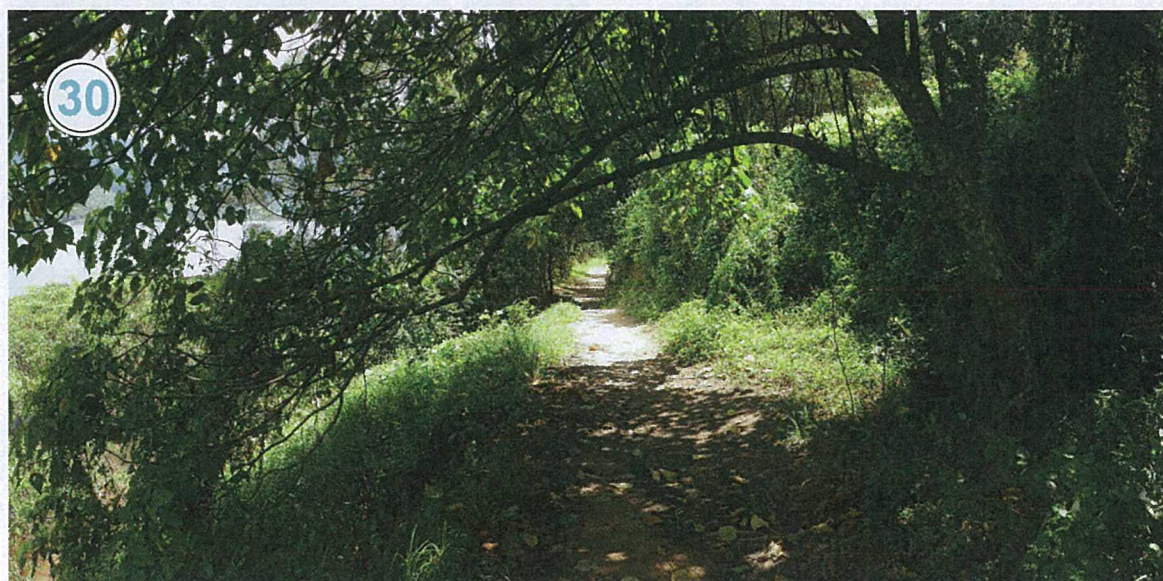
FIGURE
6p



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



EATERY / PROVISION STORE IN KAI KUK SHUE HA



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

SITE PHOTOS -
EXISTING LAND USES

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

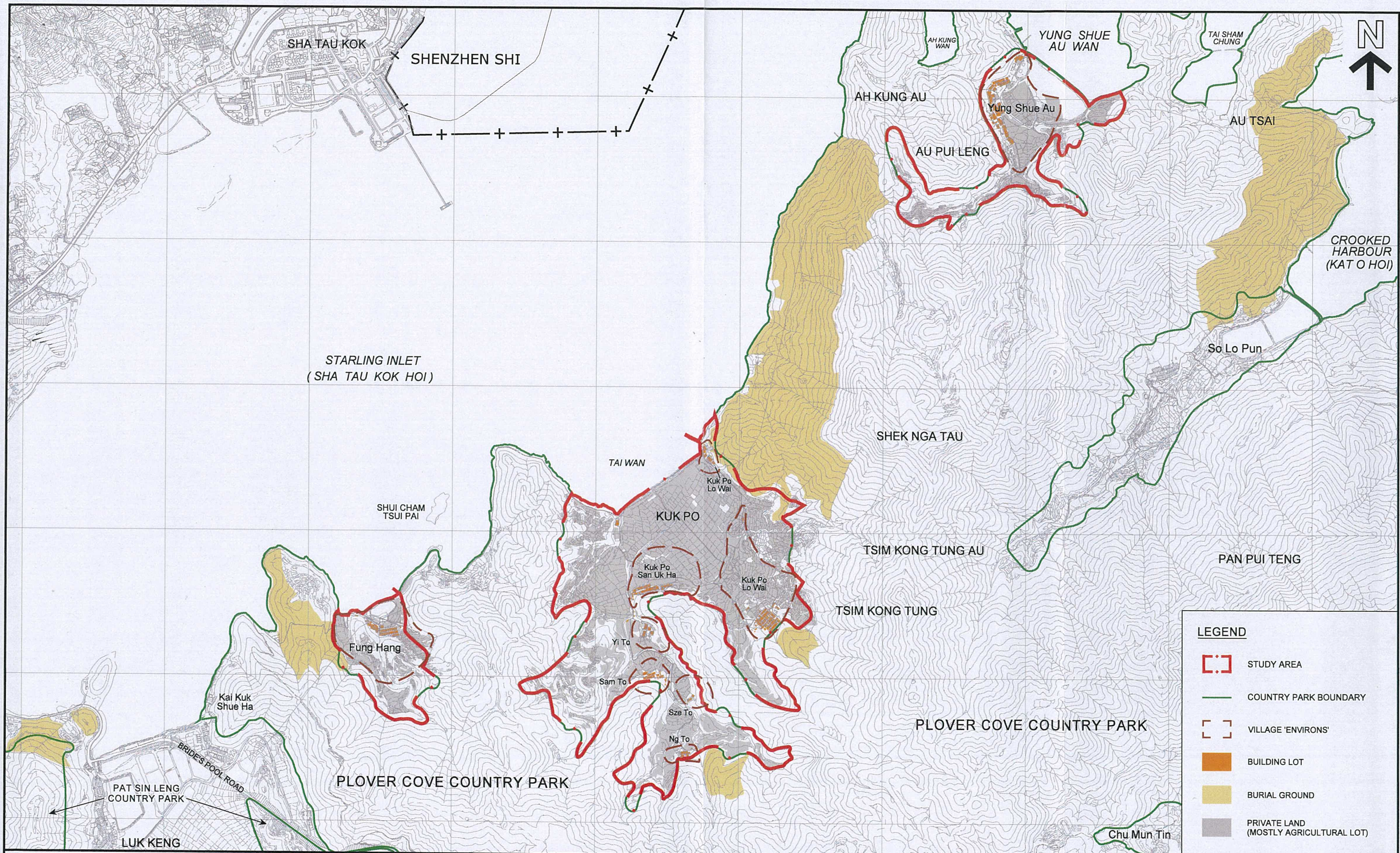
PLANNING
DEPARTMENT



PLAN PREPARED ON 13.7.2015
BASED ON SITE PHOTOS
TAKEN ON 4.6.2015

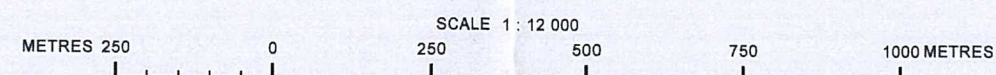
REFERENCE No.
M/CPE/KP/15/2

FIGURE
6q



LAND OWNERSHIP AND VILLAGE 'ENVIRONS'

KUK PO, FUNG HANG AND YUNG SHUE AU



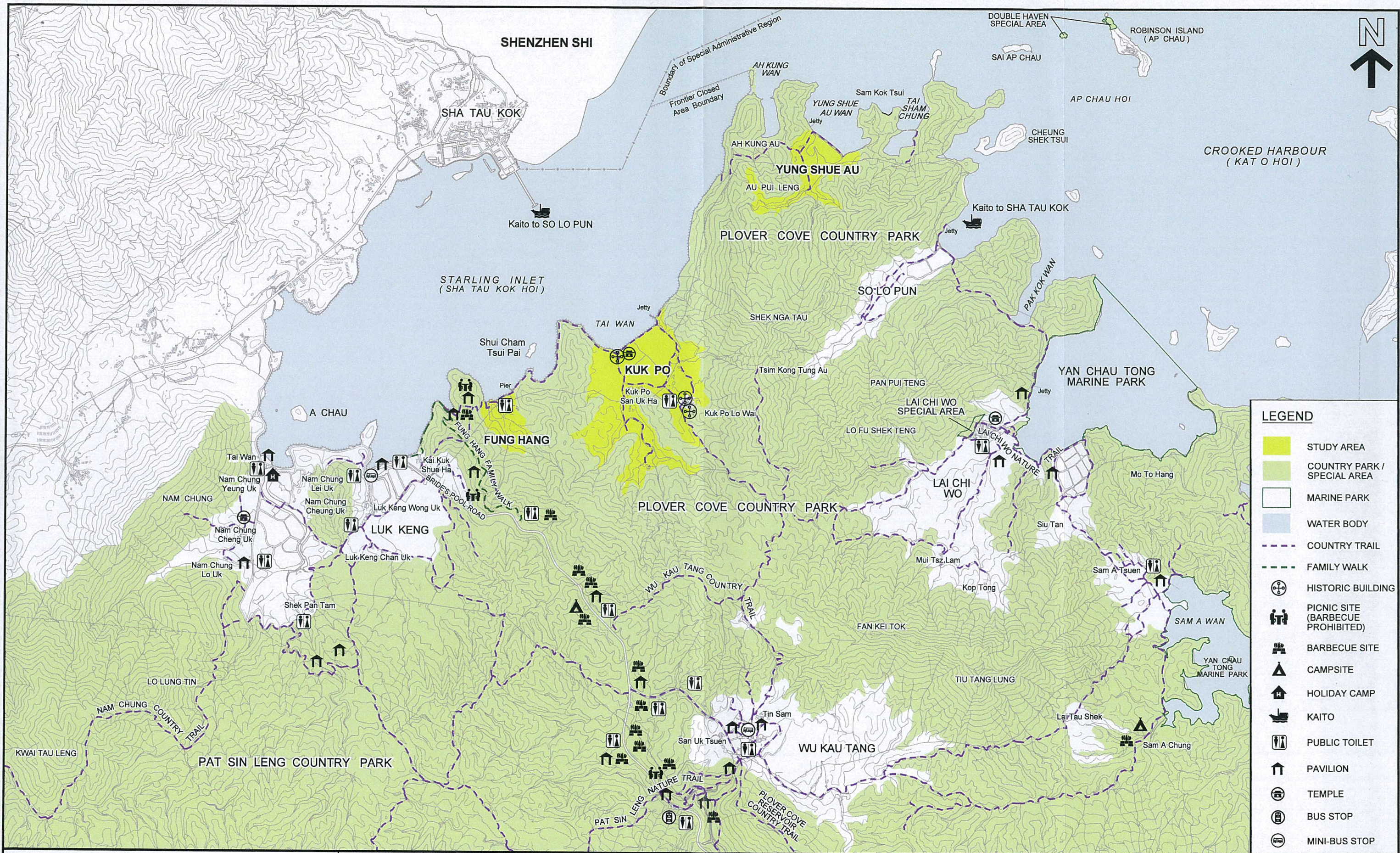
PLANNING DEPARTMENT



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

FIGURE
7

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



EXISTING GIC, INFRASTRUCTURAL, RECREATION AND TOURISM-RELATED FACILITIES

KUK PO, FUNG HANG AND YUNG SHUE AU

PLANNING DEPARTMENT

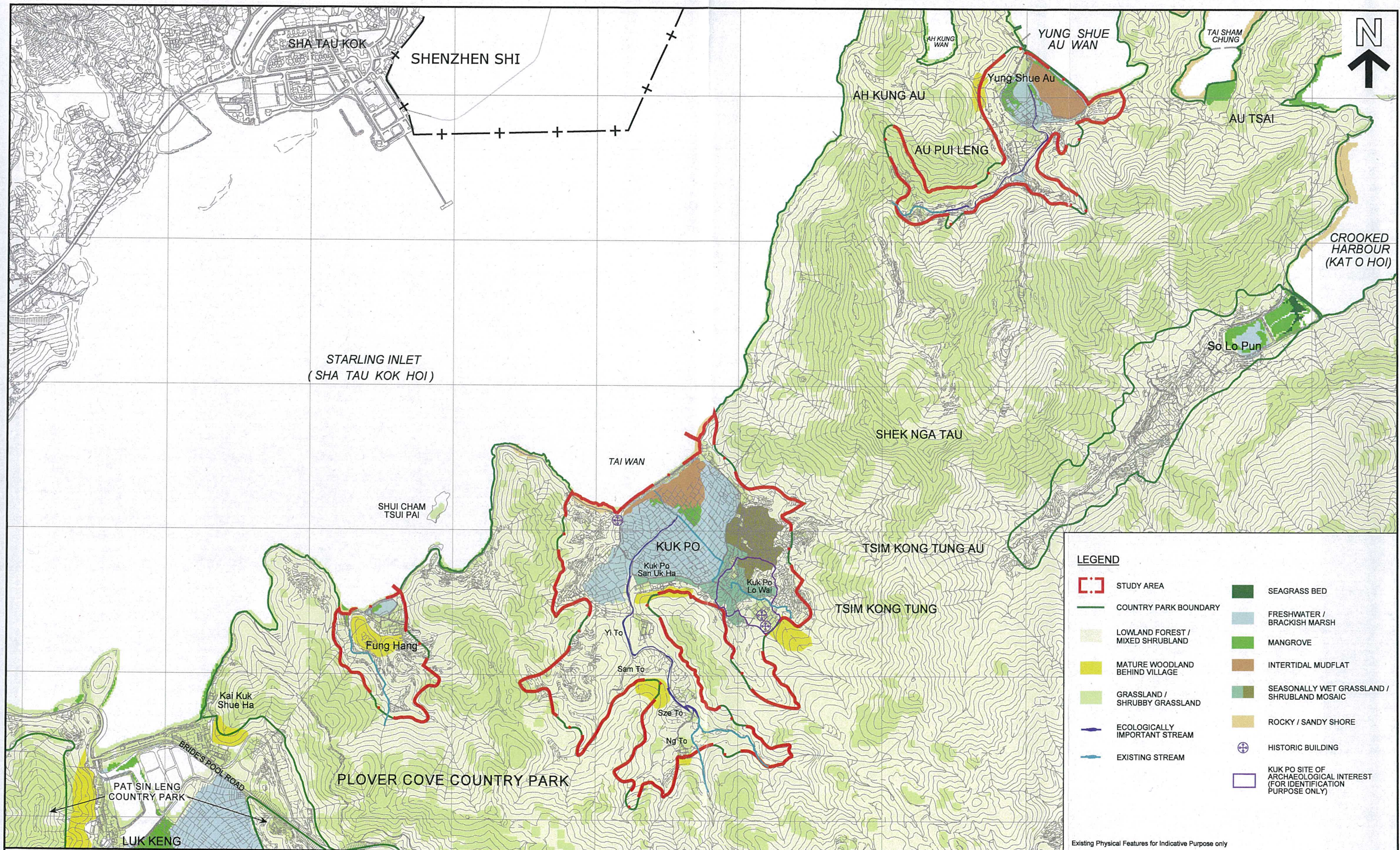


REFERENCE No.
M/CPE/KP/15/2

FIGURE
8

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

SCALE 1 : 25 000
METRES 500 0 500 1000 METRES



ECOLOGICAL AND CULTURAL HERITAGE RESOURCES

KUK PO, FUNG HANG AND YUNG SHUE AU

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

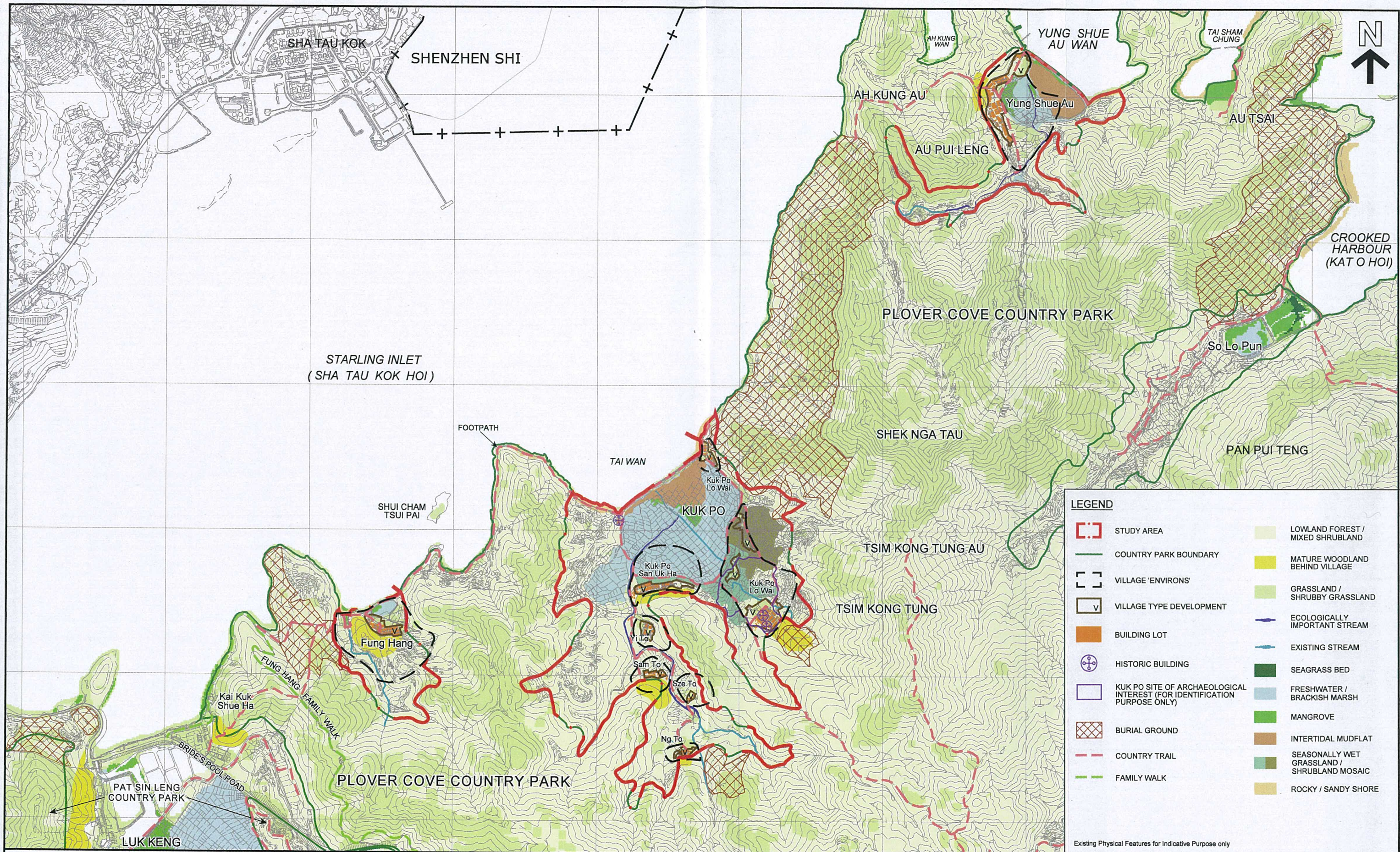
SCALE 1 : 12 000
 METRES 250 0 250 500 750 1000 METRES

PLANNING DEPARTMENT



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

FIGURE
 9



DEVELOPMENT CONSTRAINTS

KUK PO, FUNG HANG AND YUNG SHUE AU

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

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

PLANNING DEPARTMENT



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

FIGURE
 10



TREE FELLING IN KUK PO LO WAI



TREE FELLING IN KUK PO LO WAI

PLAN PREPARED ON
10.6.2015 BASED ON SITE PHOTOS
TAKEN ON 4.6.2015

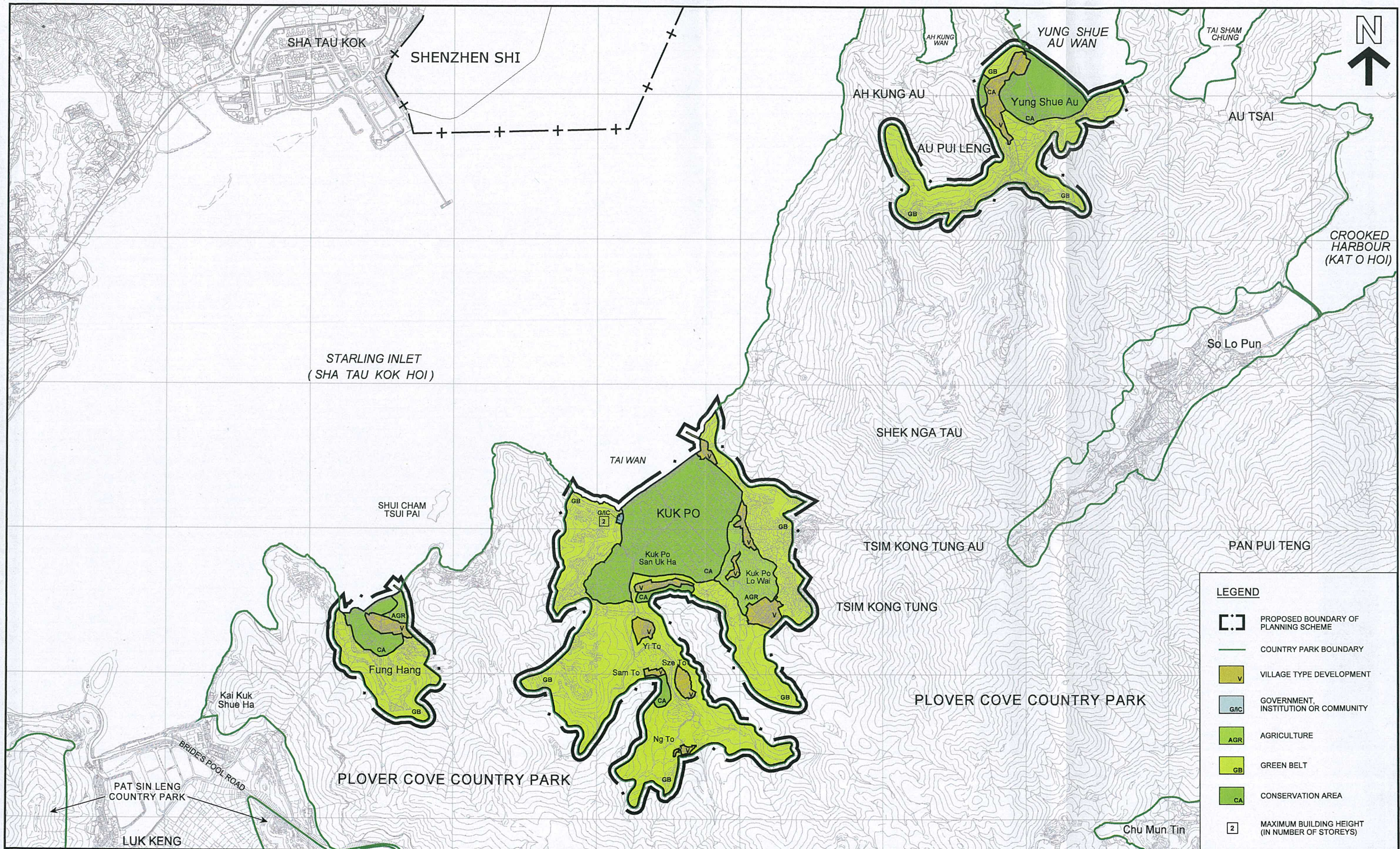
TREE FELLING ON GOVERNMENT LAND
AND PRIVATE LOTS IN KUK PO LO WAI

PLANNING
DEPARTMENT



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

FIGURE
11



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

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

PROPOSED LAND USES

KUK PO, FUNG HANG AND YUNG SHUE AU

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

PLANNING DEPARTMENT



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

FIGURE
12

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

Kuk Po – Ecological Information

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

Flora

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

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

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

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

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

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

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

Bird

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

Herpetofauna (Amphibian and Reptile)

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

Odonate (Dragonfly and Damselfly)

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

Aquatic Fauna

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

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

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

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

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

⁶ Fellowes J.R., Lau M.W.N., Dudgeon D., Reels G.T., Ades, G.W.J., Carey, G.J., Chan B.P.L., Kendrick, R.C., Lee K.S., Leven M.R., Wilson K.D.P. and Yu Y.T. 2002. Wild animals to watch: terrestrial and freshwater fauna of conservation concern in Hong Kong. *Memoirs of the Hong Kong Natural History Society* 25, 123-159.

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

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

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

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

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

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

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

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

Habitat Type

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

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

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

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

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

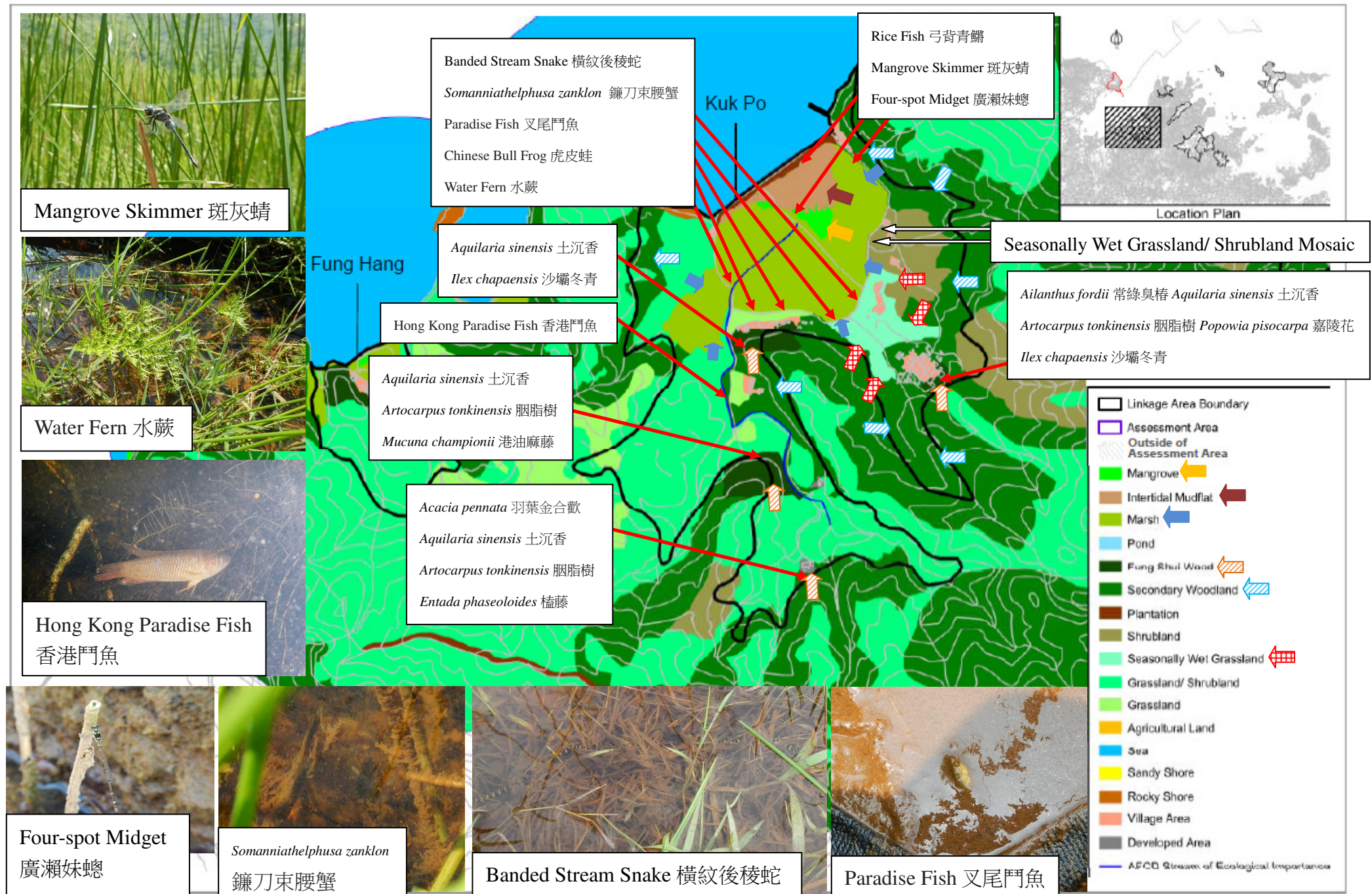


Figure 2. The stream system at Kuk Po (dashed lines indicate the direction of water flow).

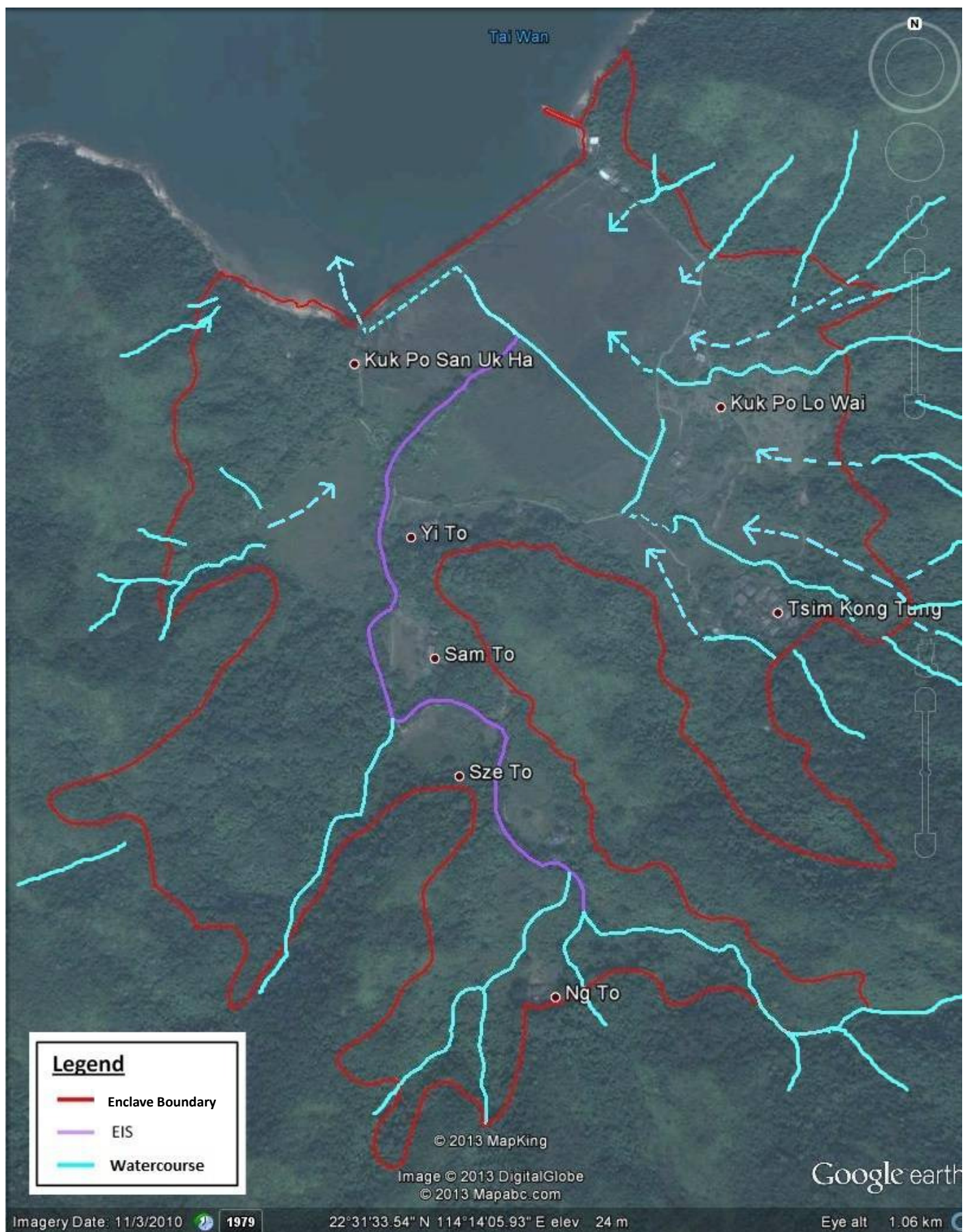


Figure 3. The wetland complex at Kuk Po (dashed lines indicate the freshwater seepage direction through the culverts under the footpath)

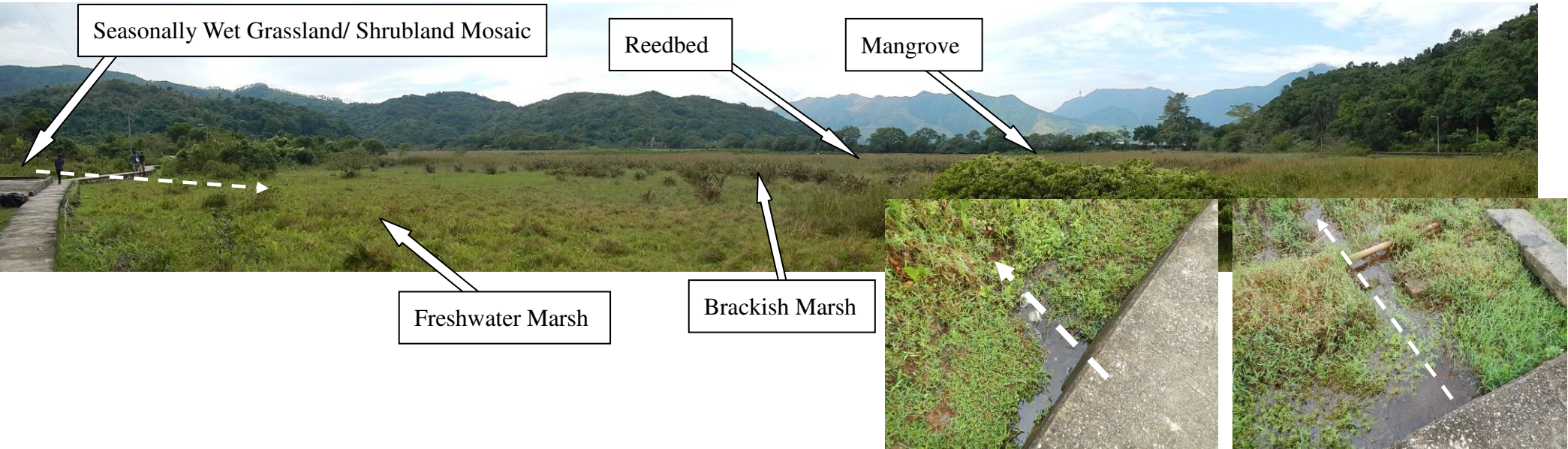
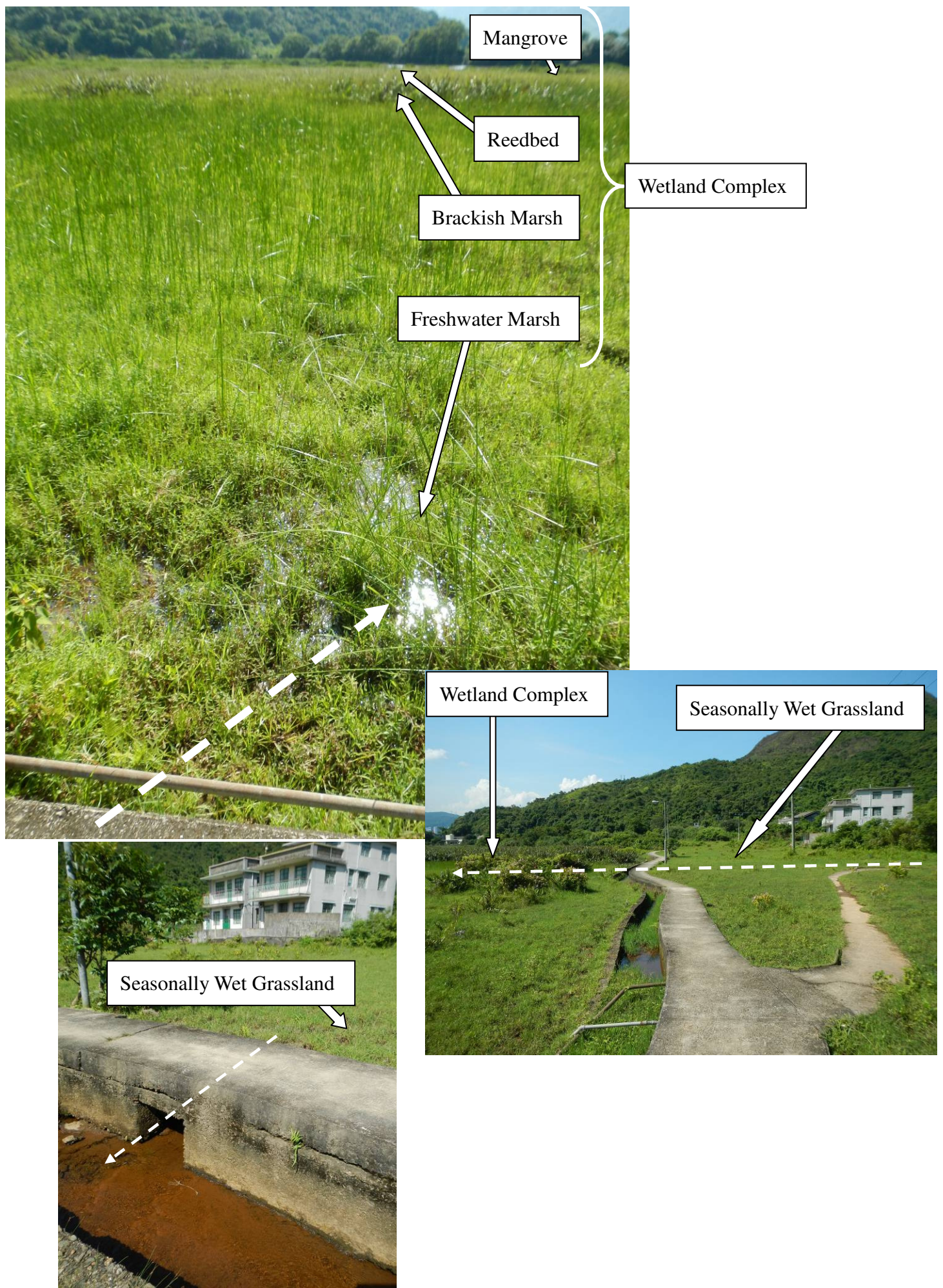


Figure 4. The hydrological linkage between the seasonally wet habitats and the wetland complex (dashed lines indicate the freshwater seepage direction through the culverts under the footpath)



Figure 4. Con't



Yung Shue Au – Ecological Information

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

Flora

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

Odonate (Dragonfly and Damselfly)

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

Butterfly

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

Aquatic Fauna

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

Habitat Type

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

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

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

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

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

Figure 5. Habitat map of Yung Shue Au

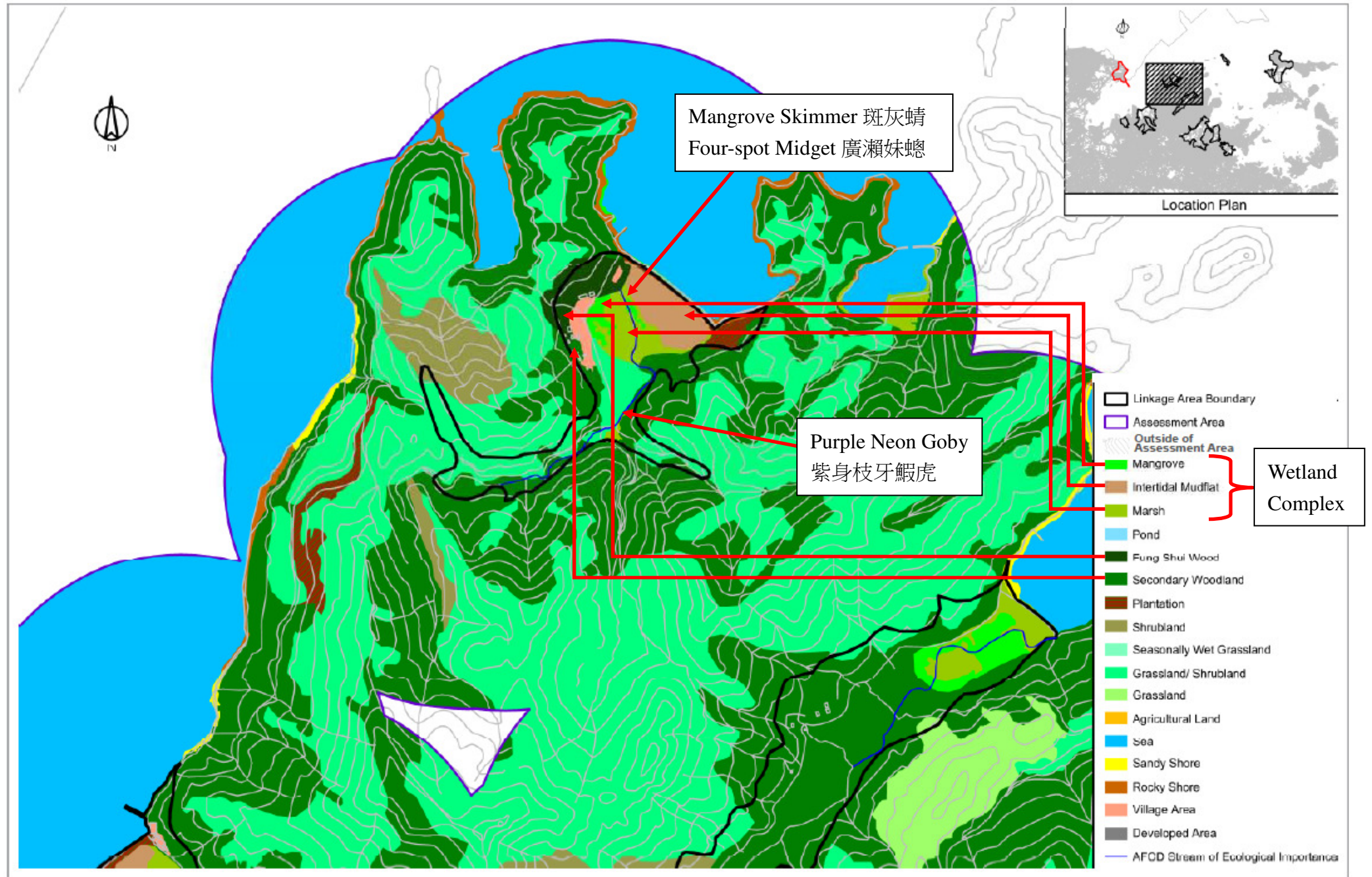
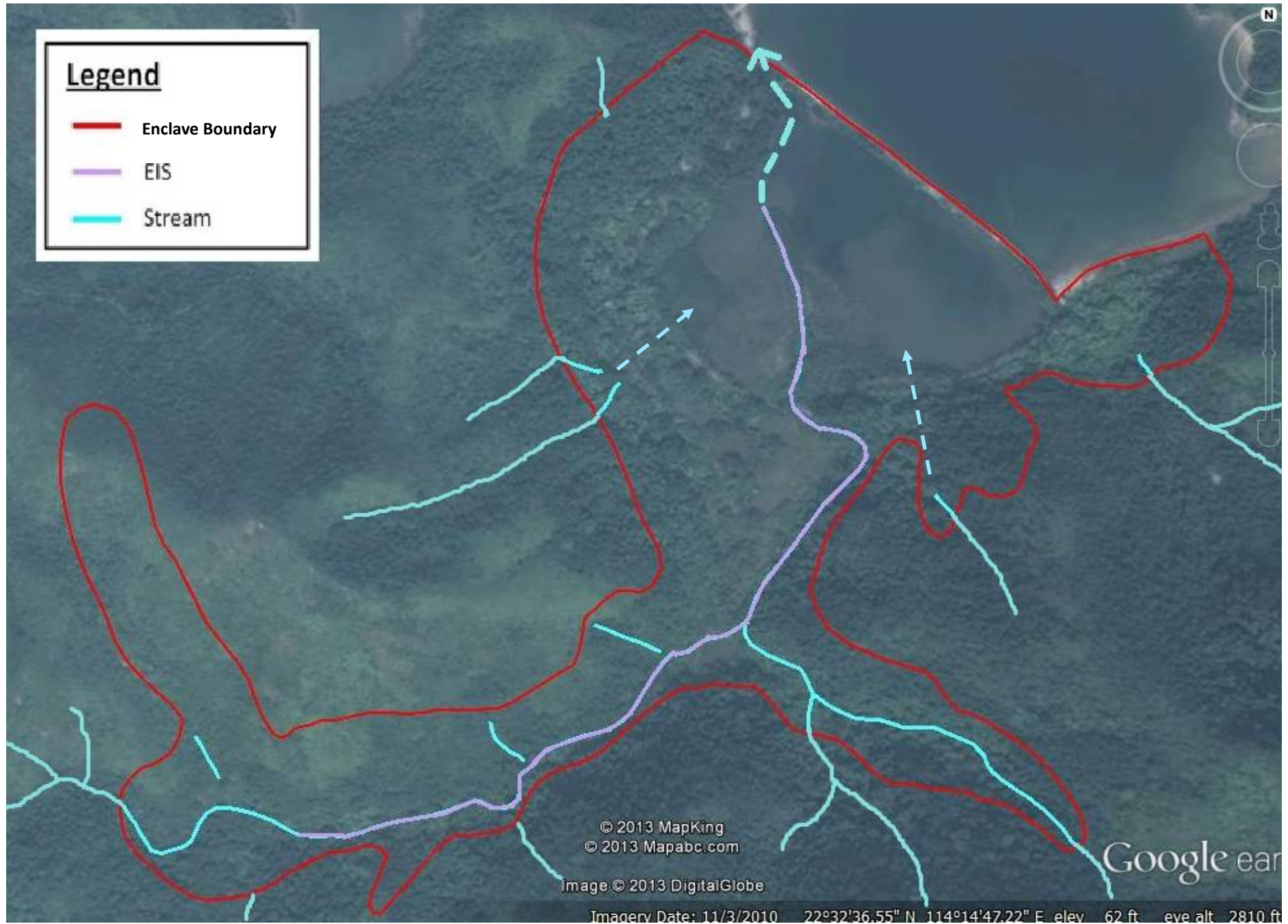


Figure 6. The stream system at Yung Shue Au (dashed lines indicate the direction of water flow)



Fung Hang – Ecological Information

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

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

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

Figure 7. Habitat map of Fung Hang

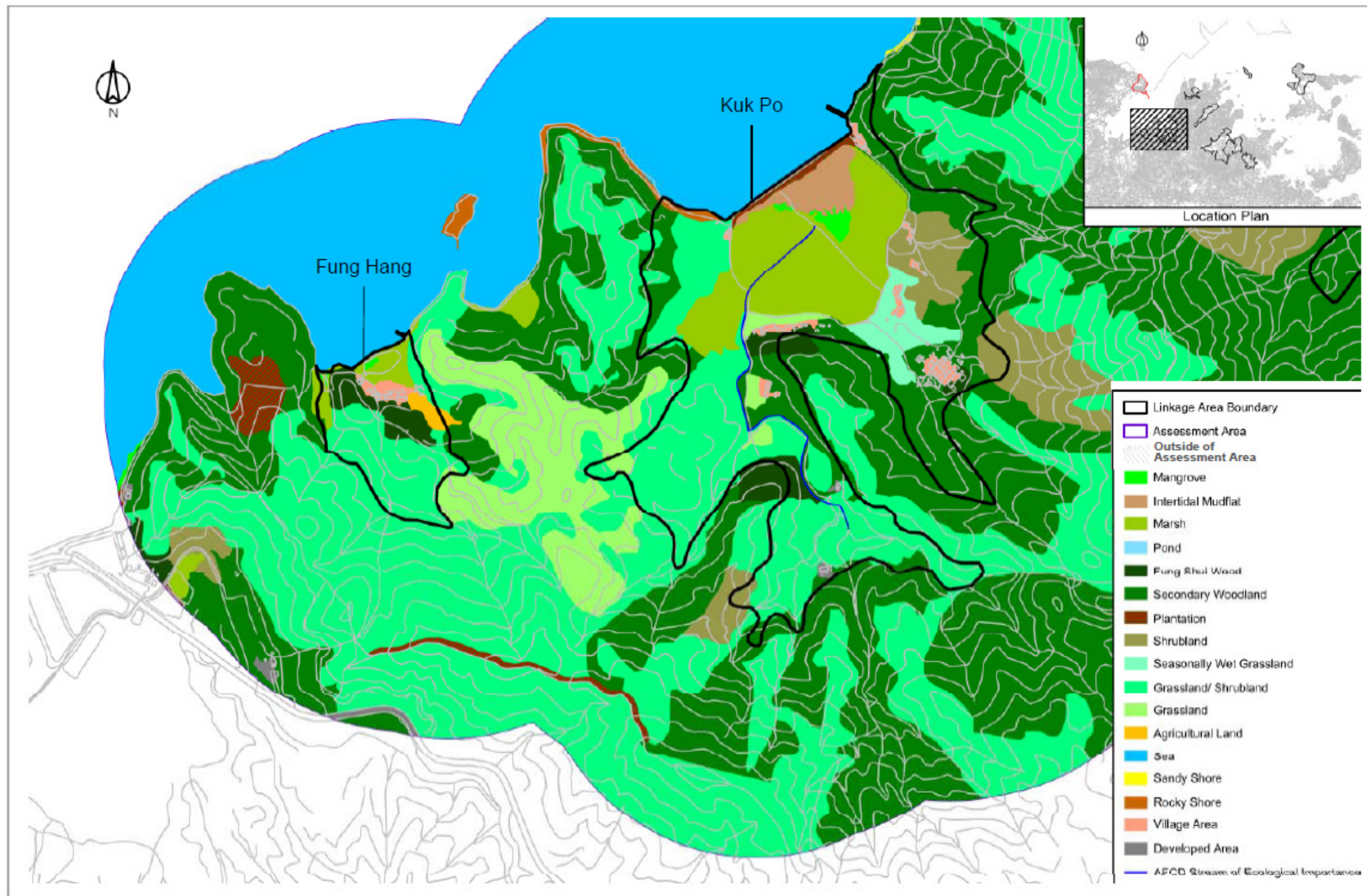


Figure 8. The wetland complex and *Fung Shui* Woodland at Fung Hang (dashed line indicates the freshwater seepage direction through the culverts under the footpath)



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



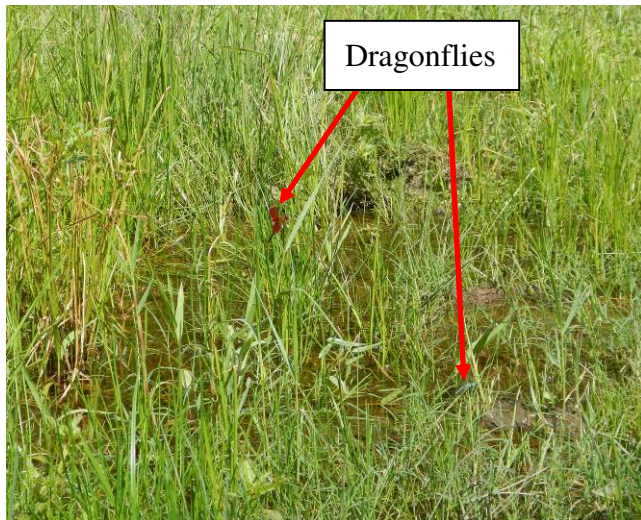
Figure 10. The stream system at Fung Hang



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



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



Recommendations

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

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

Based on the above, our recommendations are as follows:

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

3rd June, 2015

Ecological Advisory Programme

Kadoorie Farm and Botanic Garden

Appendix VI

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

致

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城市規劃委員會主席及全體委員：

2015 AUG 10 P 3:46

事由：強烈反對規劃署將一個偏離現實，違反地區可持續發展的谷埔，鳳坑及榕樹凹

發展大綱草圖提交城規會審議

我們的反對理據如下：

1. 規劃署完全欠缺宏觀思維，區與區之間的交通規劃欠奉；
2. 規劃「鄉村式發展區」胡亂撇龍門，缺乏客觀標準，比較過去多項規劃，如沙頭角新開放的六條村落及蓮麻坑村等，鄉村式發展區大幅減少甚或零，我們十分懷疑規劃署負責官員祇憑個人喜好和長官意志做事！
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反對人簽署/團體蓋章：

姓 名：

電 話：

地址：

日期：

2015 8月5日

(編號 DPA/NE-KP/1)

致

城市規劃委員會主席及全體委員：

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反對人簽署/團體蓋章：

姓 名：

NG MA Lung

電 話：

地址：

日期：

6th August 2015

(編號 DPA/NE-KP/1)

致

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反對人簽署/~~團體簽章~~：

歐志雲



姓 名：

Au Chun YUEN

電 話：

地址：

日期：

6th August 2015

致

城市規劃委員會主席及全體委員：

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2015 AUG 10 P 3:46

事由：強烈反對規劃署將一個偏離現實，違反地區可持續發展的谷埔，鳳坑及榕樹凹
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反對人簽署/團體蓋章：

姓名：

電話：

地址：

日期：

6-8-2015



致

新界沙頭角區鄉事委員會

Sha Tau Kok District Rural Committee, NT

(編號 DPA/NE-KP/1)

城市規劃委員會主席及全體委員：

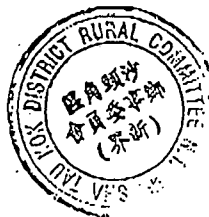
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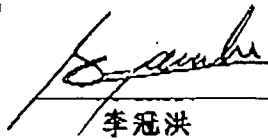
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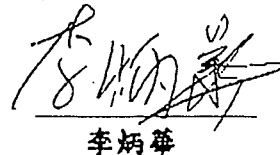
沙頭角區鄉事委員會主席

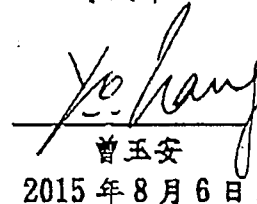


首副主席

副主席


李冠洪


李炳華


曾玉安
2015年8月6日

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

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

致

城市規劃委員會主席及全體委員：

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2015 AUG 10 P 3:45

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

發展大綱草圖提交城規會審議

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反對人簽署/團體蓋章：

姓名：

電話：

地址：

日期：

2015-8-6

致

城市規劃委員會主席及全體委員：

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2015 AUG 10 P 3:46

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

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反對人簽署/團體蓋章：

姓名：

電話：

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城市規劃委員會主席及全體委員：

2015 AUG 10 P 3:46

事由：強烈反對規劃署將一個偏離現實及違反地區可持續發展的谷埔，鳳坑及榕樹凹

發展大綱草圖提交城規會審議

我們的反對理據如下：

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

姓名：

電話：

地址：

日期：

致

RECEIVED

城市規劃委員會主席及全體委員：

2015 AUG 10 P 3:46

事由：強烈反對規劃署將一個偏離現實、違反地區可持續發展的谷埔，鳳坑及榕樹凹

發展大綱草圖提交城規會審議

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反對人簽署/團體蓋章：

姓名：

電話：

地址：

日期：

2015年8月6日

致

城市規劃委員會主席及全體委員：

RECEIVED

2015 AUG 10 P 3:45

事由：強烈反對規劃署將一個偏離現實，違反地區可持續發展的谷埔，鳳坑及榕樹凹

發展大綱草圖提交城規會審議

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反對人簽署/團體蓋章：

姓 名：

電 話：

地址：

日期：

6-8-2015

致

城市規劃委員會主席及全體委員：

RECEIVED

2015 AUG 10 P 3:45

事由：強烈反對規劃署將一個偏離現實，違反地區可持續發展的谷埔，鳳坑及榕樹凹

TOWN PLANNING BOARD

發展大綱草圖提交城規會審議

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反對人簽署/團體蓋章：

姓名：

電話：

地址：

日期：

6/8/2015

致

城市規劃委員會主席及全體委員：

RECEIVED

2015 AUG 10 P 3:45

事由：強烈反對規劃署將一個偏離現實，違反地區可持續發展的谷埔，鳳坑及榕樹凹

發展大綱草圖提交城規會審議

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反對人簽署/團體蓋章：

姓 名：

電 話：

地址：

日期：

致

RECEIVED

城市規劃委員會主席及全體委員：

2015 AUG 10 P 3:46

事由：強烈反對規劃署將一個偏遠環境以違反地區可持續發展的谷埔，鳳坑及榕樹凹

發展大綱草圖提交城規會審議

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反對人簽署/團體蓋章：

(陳天達) 陳天達

姓 名：

陳天達

電 話：

地址：

日期：

06.08.2015

致

城市規劃委員會主席及全體委員：

RECEIVED

2015 AUG 10 P 3:45

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

發展大綱草圖提交城規會審議

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反對人簽署/團體蓋章：

姓 名：

電 話：

地址：

日期：

(編號 DPA/NE-KP/1)

致

RECEIVED

城市規劃委員會主席及全體委員：

2015 AUG 10 P 3:45

事由：強烈反對規劃署將一個偏離現實，違反地區可持續發展的谷埔，鳳坑及榕樹凹

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反對人簽署/團體蓋章：

姓 名：

電 話：

地址：

日期：

(編號 DPA/NE-KP/1)

致

RECEIVED

城市規劃委員會主席及全體委員：

2015 AUG 10 P 3:45

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

我們的反對理據如下：

1. 規劃署完全欠缺宏觀思維，區與區之間的交通規劃欠奉；
2. 規劃「鄉村式發展區」胡亂搬龍門，缺乏客觀標準，比較過去多項規劃，如沙頭角新開放的六條村落及蓮麻坑村等，鄉村式發展區大幅減少甚或零，我們十分懷疑規劃署負責官員祇憑個人喜好和長官意志做事！
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反對人簽署/團體蓋章：



姓 名：

溫丁仁

電 話：

地址：

日期：

7/8/2015

(編號 DPA/NE-KP/1)

致

城市規劃委員會主席及全體委員：

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

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反對人簽署/團體蓋章：

姓名：

電話：

地址：

日期：

7-8-2015

(編號 DPA/NE-KP/1)

致

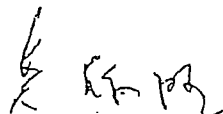
城市規劃委員會主席及全體委員：

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

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反對人簽署/團體蓋章：



姓 名：

吳伯旺

電 話：

地址：

日期：

7-8-2015

(編號 DPA/NE-KP/1)

致
城市規劃委員會主席及全體委員：

事由：強烈反對規劃署將一個偏離現實，違反地區可持續發展的谷埔，鳳坑及榕樹凹

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反對人簽署/團體蓋章：

姓名：

電話：

地址：

日期：



(編號 DPA/NE-KP/1)

致
城市規劃委員會主席及全體委員：

事由：強烈反對規劃署將一個偏離現實，違反地區可持續發展的谷埔，鳳坑及榕樹凹

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反對人簽署/團體蓋章：

姓名：

電話：

地址：

日期：



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(編號 DPA/NE-KP/1)

致

城市規劃委員會主席及全體委員：

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

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反對人簽署/團體蓋章：_____

姓 名：_____

電 話：_____

地址：_____

日期：_____

2015年8月7日

(編號 DPA/NE-KP/1)

致

城市規劃委員會主席及全體委員：

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反對人簽署/團體蓋章：

姓名：

電話：

地址：

日期：

7-8-2015

(編號 DPA/NE-KP/1)

致
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(編號 DPA/NE-KP/1)

致

城市規劃委員會主席及全體委員：

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

我們的反對理據如下：

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

反對人簽署/團體蓋章：

吳嘉威



姓名：

吳嘉威

電

話：

地址：

日期：

7-8-15

(編號 DPA/NE-KP/1)

致

城市規劃委員會主席及全體委員：

事由：強烈反對規劃署將一個偏離現實，違反地區可持續發展的谷埔，鳳坑及榕樹凹

發展大綱草圖提交城規會審議

我們的反對理據如下：

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2. 規劃「鄉村式發展區」胡亂搬龍門，缺乏客觀標準，比較過去多項規劃，如沙頭角新開放的六條村落及蓮麻坑村等，鄉村式發展區大幅減少甚或零，我們十分懷疑規劃署負責官員祇憑個人喜好和長官意志做事！
事實上，我們完全不能接受祇將舊屋範圍規劃為「鄉村式發展區」而應按各村男丁數目比例規劃，確保偏遠鄉村原居民權益受到尊重。
3. 農地就應定性為農地，荒廢與否皆不能胡亂改變它的本質，我們強烈反對規劃署輕率的劃作保育或綠化，這對鼓勵復耕或尋求非牟利機構參與毫無幫助；
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反對人簽署/團體蓋章：

姓名：

電話：

地址：

日期：

2015年8月7日

(編號 DPA/NE-KP/1)

致

城市規劃委員會主席及全體委員：

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

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事實上，我們完全不能接受祇將舊屋範圍規劃為「鄉村式發展區」而應按各村男丁數目比例規劃，確保偏遠鄉村原居民權益受到尊重。
3. 農地就應定性為農地，荒廢與否皆不能胡亂改變它的本質，我們強烈反對規劃署輕率的創作保育或綠化，這對鼓勵復耕或尋求非牟利機構參與毫無幫助；
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反對人簽署/團體蓋章：

姓名：

電話：

地址：

日期：

8 / 8 / 2015



18-AUG-2015 15:25

TOWN PLANNING BOARD

MG-20150801-000004(1).JPG

(編號 DPA/NE-KP/1)

致

城市規劃委員會主席及全體委員：

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

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反對人簽署/團體蓋章：

彭靜男

姓 名：

彭靜男

電 話：

地址：

日期：

8/8/2015

致

城市規劃委員會主席及全體委員：

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

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

反對人簽署/團體蓋章：Fung Kin Sung

姓名：宋羅鳳嬌

電話：

地址：

日期：

8/8/2015

谷埔村原居民

身份證

致

城市規劃委員會主席及全體委員：

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

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反對人簽署/團體蓋章：

姓名：

宋文意

電話：

地址：

日期：

8/8/2015

谷埔村原居民

身份證

(編號 DPA/NE-KP/1)

致
城市規劃委員會主席及全體委員：

事由：強烈反對規劃署將一個偏離現實，違反地區可持續發展的谷埔、鳳坑及榕樹凹

發展大綱草圖提交城規會審議

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反對人簽署/團體蓋章：

姓名：

電話：

地址：

日期：

9.8.15

致
城市規劃委員會主席及全體委員：

事由：強烈反對規劃署將一個偏離現實，違反地區可持續發展的谷埔，鳳坑及榕樹凹

發展大綱草圖提交城規會審議

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反對人簽署/團體蓋章：

姓名：宋運來

電話：

地址：

日期：

9. 8. 15

致

城市規劃委員會主席及全體委員：

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

我們的反對理據如下：

1. 規劃署完全欠缺宏觀思維，區與區之間的交通規劃欠奉；
2. 規劃「□村式發展區」胡亂搬龍門，缺乏客觀標準，比較過去多項規劃，如沙頭角新開放的六條村落及蓮麻坑村等，□村式發展區大幅減少甚或零，我們十分懷疑規劃署負責官員祇憑個人喜好和長官意志做事！

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

3. 農地就應定性為農地，荒廢與否皆不能胡亂改變它的本質，我們強烈反對規劃署輕率的劃作保育或綠化，這對鼓勵復耕或尋求非牟利機構參與毫無幫助；我們作為土生土長的村民及土地持分者，深知及了解周邊動植物情況，愛護不下於環保人士，規劃署應該知道「兼聽則明」的道理！

4. 規劃署不應罔顧大眾利益，應公平公正的，就谷埔，鳳坑及榕樹凹發展審批地區圖（編號DPA/NE-KP11）進行諮詢，充考慮村民，村代表，□事會及區議會所提出的意見；

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

反對人簽署/團體蓋章：

姓名：

宋玉生

電話：

地址：

日期：

9/08/2015

谷埔村原居民

身份證

致

城市規劃委員會主席及全體委員：

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

我們的反對理據如下：

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

反對人簽署/團體蓋章：

姓名：梁志恒

電話：

地址：

日期：9/08/2015

谷埔村原居民
身份證

(編號 DPA/NE-KP/1)

致

城市規劃委員會主席及全體委員：

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

我們的反對理據如下：

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

反對人簽署/團體蓋章：

何偉曼

姓 名：

何偉曼

電 話：

地址：

日期：10/8/2015

(編號 DPA/NE-KP/1)

致
城市規劃委員會主席及全體委員：

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

我們的反對理據如下：

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

反對人簽署/團體蓋章：

姓名：

電話：

地址：

日期：

10/8/2015

(編號 DPA/NE-KP/1)

政
城市規劃委員會主席及全體委員：事由：強烈反對規劃署將一個偏離現實，違反地區可持續發展的谷埔，鳳坑及榕樹凹發展大綱草圖提交城規會審議

我們的反對理據如下：

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

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

對人簽署/團體蓋章：

何卓謙

姓 名：

何卓謙

電 話：

址：

期：

10/8/2015

(編號 DPA/NE-KP/1)

致

城市規劃委員會主席及全體委員：

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

我們的反對理據如下：

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

反對人簽署/團體蓋章：

何偉王

姓 名：

何偉王

電 話：

地址：

日期：

10/8/2015

IG-20150807-WA0004[1].jpg

TR/CPZ1

(編號 DPA/NE-KP/1)

致

城市規劃委員會主席及全體委員：

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

我們的反對理據如下：

1. 規劃署完全欠缺宏觀思維，區與區之間的交通規劃欠奉；
2. 規劃「鄉村式發展區」胡亂搬龍門，缺乏客觀標準，比較過去多項規劃，如沙頭角新開放的六條村落及蓮麻坑村等，鄉村式發展區大幅減少甚或零，我們十分懷疑規劃署負責官員祇憑個人喜好和長官意志做事！
事實上，我們完全不能接受祇將舊屋範圍規劃為「鄉村式發展區」而應按各村男丁數目比例規劃，確保偏遠鄉村原居民權益受到尊重。
3. 農地就應定性為農地，荒廢與否皆不能胡亂改變它的本質，我們強烈反對規劃署輕率的劃作保育或綠化，這對鼓勵復耕或尋求非牟利機構參與毫無幫助；
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我們鄭重表明，規劃署官員祇有以民為本，盡量吸納民間意見，才能將規劃做到「地盡其用」效果，否則將會挑起紛爭，積聚民怨民憤，為特區政府添煩添亂，敬請指示規劃署草擬一個合情合理的大綱草圖才提交城規會考慮！

反對人簽署/團體蓋章：

姓 名：

電 話：

地址：

日期：



(編號 DPA/NE-KP/1)

致

城市規劃委員會主席及全體委員：

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

STP/ CPZ 2

我們的反對理據如下：

1. 規劃署完全欠缺宏觀思維，區與區之間的交通規劃欠奉；
2. 規劃「鄉村式發展區」胡亂搬龍門，缺乏客觀標準，比較過去多項規劃，如沙頭角新開放的六條村落及蓮麻坑村等，鄉村式發展區大幅減少甚或零，我們十分懷疑規劃署負責官員祇憑個人喜好和長官意志做事！
事實上，我們完全不能接受祇將舊屋範圍規劃為「鄉村式發展區」而應按各村男丁數目比例規劃，確保偏遠鄉村原居民權益受到尊重。
3. 農地就應定性為農地，荒廢與否皆不能胡亂改變它的本質，我們強烈反對規劃署輕率的劃作保育或綠化，這對鼓勵復耕或尋求非牟利機構參與毫無幫助；
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反對人簽署/團體蓋章：

宋天來

姓 名：

宋天來

電 話：

地址：

日期：

10 - 8 - 2015

致

城市規劃委員會主席及全體委員：

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

我們的反對理據如下：

1. 規劃署完全欠缺宏觀思維，區與區之間的交通規劃欠奉；
 2. 規劃「□村式發展區」胡亂搬龍門，缺乏客觀標準，比較過去多項規劃，如沙頭角新開放的六條村落及蓮麻坑村等，□村式發展區大幅減少甚或零，我們十分懷疑規劃署負責官員祇憑個人喜好和長官意志做事！事實上，我們完全不能接受祇將兩屋範圍規劃為「□村式發展區」而應按各村男丁數目比例規劃，確保偏遠□村原居民權益受到尊重。
 3. 農地就應定性為農地，荒廢與否皆不能胡亂改變它的本質，我們強烈反對規劃署輕率的劃作保育或綠化，這對鼓勵復耕或尋求非牟利機構參與毫無幫助；我們作為土生土長的村民及土地持分者，深知及了解周邊動植物情況，愛護不下於環保人士，規劃署應該知道「兼聽則明」的道理！
 4. 規劃署不應罔顧大眾利益，應公平公正的，就谷埔，鳳坑及榕樹凹發展審批地區圖（編號DPA/NE-KP/1）進行諮詢，充考慮村民，村代表，□事會及區議會所提出的意見；
- 我們鄭重表明，規劃署官員祇有以民為本，盡量吸納民間意見，才能將規劃做到「地盡其用」效果，否則將會挑起紛爭，積聚民怨民憤，為特區政府添煩添亂，敬請指示規劃署草擬一個合情合理的大綱草圖才提交城規會考慮！！

反對人簽署/團體蓋章：

姓名：

鄭志雲 [P460171(1)]

張玉蘭 [V011864(8)]

電話：

地址：

日期：

11-8-2015

(編號 DPA/NE-KP/1)

致

城市規劃委員會主席及全體委員：

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

我們的反對理據如下：

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

反對人簽署/團體蓋章：

姓 名：

Tang Wai Yip

電 話：

地址：

日期：

11.8.2015

致

(編號 DPA/NE-KP/1)

城市規劃委員會主席及全體委員：

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

我們的反對理據如下：

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

反對人簽署/團體蓋章：

姓名：

電話：

地址：

日期：

2015年8月12日

(編號 DPA/NE-KP/1)

致

城市規劃委員會主席及全體委員：

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

我們的反對理據如下：

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

反對人簽署/團體蓋章：LEE JEE SION

姓名：

李日順

電話：

地址：

日期：2015年8月12日

(編號 DPA/NE-KP/1)

致

城市規劃委員會主席及全體委員：

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

我們的反對理據如下：

1. 規劃署完全欠缺宏觀思維，區與區之間的交通規劃欠奉。
2. 規劃「鄉村式發展區」胡亂拆籠門，缺乏客觀標準，比較過去多項規劃，如沙頭角新開放的六條村落及蓮麻坑村等，鄉村式發展區大格減少甚或零，我們十分懷疑規劃署負責官員祇憑個人喜好和長官意志做事！
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反對人簽署/團體蓋章：

姓 名：

電 話：

地址：

日期：

2015年 8月 12日

致

城市規劃委員會主席及全體委員：

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

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 2. 規劃「□村式發展區」胡亂搬籠門，缺乏客觀標準，比較過去多項規劃，如沙頭角新開放的六條村落及速麻坑村等，□村式發展區大幅減少甚或零，我們十分懷疑規劃署負責官員祇憑個人喜好和長官意志做事！事實上，我們完全不能接受祇將舊屋範圍規劃為「□村式發展區」而應按各村男丁數目比例規劃，確保偏遠□村原居民權益受到尊重。
 3. 農地就應定性為農地，荒廢與否皆不能胡亂改變它的本質，我們強烈反對規劃署輕率的劃作保育或綠化，這對鼓勵復耕或尋求非牟利機構參與毫無幫助；我們作為土生土長的村民及土地持分者，深知及了解周邊動植物情況，愛護不下於環保人士，規劃署應該知道「兼聽則明」的道理！
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反對人簽署/團體蓋章：

姓名：邱徐聯好
(沙頭角谷埔村居民，身份证号：E)

電話：

地址：

日期：

12/08/2015

TP/ CPZ 1

致

城市規劃委員會主席及全體委員：

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

我們的反對理據如下：

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 2. 規劃「□村式發展區」胡亂搬龍門，缺乏客觀標準，比較過去多項規劃，如沙頭角新開放的六條村落及蓮麻坑村等，□村式發展區大幅減少甚或零，我們十分懷疑規劃署負責官員祇憑個人喜好和長官意志做事！事實上，我們完全不能接受祇將舊屋範圍規劃為「□村式發展區」而應按各村男丁數目比例規劃，確保偏遠□村原居民權益受到尊重。
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反對人簽署/團體蓋章：

姓名：邝容發 Yau K
(沙頭角谷埔村原居民) H.K 身份證號碼

電話：

地址：

日期：

12/08/2015

17/11/15
GPR 2
→ Acc 1
DPA/S
17.6.1

致

城市規劃委員會主席及全體委員：

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

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3. 農地就應定性為農地，荒廢與否皆不能胡亂改變它的本質，我們強烈反對規劃署輕率的劃作保育或綠化，這對鼓勵復耕或尋求非牟利機構參與毫無幫助；我們作為土生土長的村民及土地持分者，深知及了解周邊動植物情況，愛護不下於環保人士，規劃署應該知道「兼聽則明」的道理！
4. 規劃署不應罔顧大眾利益，應公平公正的，就谷埔，鳳坑及榕樹凹發展審批地區圖（編號DPA/NE-KP/1）進行諮詢，充考慮村民，村代表，□事會及區議會所提出的意見；

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

反對人簽署/團體蓋章：

谷埔原居民

姓名：

邱陳倩婷

電話：

地址：

日期：

12 / 08 / 15

H.K 身份證 NO:

致

城市規劃委員會主席及全體委員：

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反對人簽署/團體蓋章：

谷埔原居民

姓名： CHI-WAI YAU

(邱志威)

電話：

地址：

日期：

12/08/15

AK 身份證 NO:

(編號 DPA/NE-KP/1)

致

城市規劃委員會主席及全體委員：

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反對人簽署/團體蓋章：

李科生

姓名：

Edward KOAR SANG LEE

電話：

地址：

日期：

2015年八月十七日

(編號 DPA/NE-KP/1)

致

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反對人簽署/團體蓋章：

李科達

姓 名：

Phillip KOAR YANG LEE

電 話：

地址：

日期：

2015年8月17日

(編號 DPA/NE-KP/1)

致

城市規劃委員會主席及全體委員：

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反對人簽署/團體蓋章：

姓名：

電話：

地址：

日期：

9. 737615

(Translation)

(No: DPA/NE-KP/1)

To: Chairman and Members
Town Planning Board

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

Our objecting comments are on the following grounds:

1. There is a total lack of macro thinking by the Planning Department (PlanD) with no inter-area transport planning;

2. There is messy positioning in planning the "Village Type Development Area" with no objective criteria. When compared with the previous planning items such as the recently opened 6 villages in Sha Tau Kok and Lin Ma Hang Tsuen etc. the number of village type development areas has dropped greatly and even reduced to zero. We are in great doubt that the PlanD officers concerned are performing their duties by way of their personal likes and the will of their supervisors!

In fact, the zoning of only the areas covered by the old house as "village type development areas" is totally unacceptable to us. Instead, planning in accordance with the number of male villagers of the various villages should be made in order to ensure that the right of the indigenous villagers of remote villages would be respected.

3. Agricultural land should be designated as agricultural land. Their nature should not be indiscriminately changed no matter they are abandoned or not. We are strongly opposed to their zoning for conservation or green belt use by the PlanD sloppily. This would not help encourage rehabilitation and participation by the non-profit-making organizations.

As native villagers and land stakeholders, we fully understand the fauna and flora of our surrounding areas and our love to them is no less than that by the environmentalists. The PlanD should "listen to the views of all parties to have a better understanding of the matter".

4. The PlanD should not disregard the interest of the public and consultation on the Development Permission Area Plan of Kuk Po, Fung Hang and Yung Shue Au (No: DPA/NE-KP/1) should be conducted in a fair and impartial way in order to fully consider the views raised by the villagers, village

representatives as well as members of the rural committee and the district council;

We solemnly state that only a people-oriented approach listening to all public views by the PlanD would lead to planning that would “make full utilization of the land”, or else there would be disputes and also complaints and grudges bringing more trouble and messiness to the SAR Government. It is hoped that instructions on the making of a reasonable draft outline plan by the PlanD for submission to the Town Planning Board for consideration would be made!

Signature of Objector/Chop of Organization: _____

Name: _____

Phone: _____

Address: _____

Date: _____

**Planning Assessment on the Development Proposals
received in the Course of Preparation of the Plan**

Development Proposals

1. Since the gazettal of the draft DPA Plan on 8.3.2013, no planning application in the Area has been received. In the course of preparing the OZP, some views/proposals were received from concerned parties and they are set out below. KFBG made a submission which contains the ecological information and a land use proposal for the Area on 3.6.2015 (**Appendix V**) and a meeting with the KFBG, Hong Kong Bird Watching Society, Designing Hong Kong Limited, World Wide Fund for Nature Hong Kong and The Conservancy Association was conducted on 16.6.2015 to briefly exchange views on the submission which suggests that:
 - (a) “CA” or “Green Belt (1)” (“GB(1)”) zones should cover the areas of mature woodlands, secondary woodlands, wetland complexes, seasonally wet grassland/shrubland mosaic, the stream courses and their 30m-wide riparian zones; and
 - (b) “V” zones should neither be located in the wetland complexes, seasonally wet habitats and riparian zones, nor immediately adjacent to the wetlands.
2. STKDRC and Indigenous Inhabitant Representatives (IIRs) of Kuk Po and Yung Shue Au and other villagers submitted letters (**Appendix VI**) which propose that “V” zone should be planned in proportion to the number of male indigenous villagers in each village; and agricultural lots should be designated as “AGR” zone, instead of conservation zonings so as to encourage agricultural rehabilitation.

Planning Assessment

Conservation of Natural Environment

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

species of conservation significance including *Aquilaria sinensis* (土沉香), *Artocarpus hypargyreus* (白桂木) *Mucuna championii* (港油麻藤), *Ailanthus fordii* (常綠臭椿) *Popowia pisocarpa* (嘉陵花) and *Macaranga sampsonii* (鼎湖血桐); and butterfly species of conservation concern including *Isoteinon lamprospilus lamprospilus* (旖弄蝶), the rare *Aeromachus jhora* (寬鐔弄蝶) and *Cethosia biblis* (紅鋸蛺蝶). The natural woodland and the coastal wetland in Kuk Po provide a good habitat for over 100 species of butterflies.

3. Freshwater/brackish marshes comprising mainly intertidal water pond/mudflat, mangrove, reedbed and seagrass are located along the low-lying coastal areas in the three sub-areas. In Fung Hang, a natural stream with estuarine mangrove is found in the western part. An EIS of 1 km in length flows across Kuk Po. Together with the coastal habitats, the wetland complex supports a high diversity of dragonflies and freshwater fish including *Macropodus hongkongensis* (香港鬥魚), *Oryzias curvinotus* (弓背青鱗) and *Orthetrum poecilops poecilops* (斑灰蜻). Kuk Po is identified as a hotspot for both freshwater fish and butterfly, and wetland plants of conservation concern *Ceratopteris thalictroides* (水蕨) and *Sphenoclea zeylanica* (尖瓣花) are recorded therein. Another EIS of 750m in length flows across Yung Shue Au, which is identified as a hotspot for freshwater fish with records of a rare goby, *Stiphodon atropurpureus* (菲律賓枝牙鰕虎魚). Other species of conservation concern including *Orthetrum poecilops poecilops* (斑灰蜻) are also recorded.
4. In consultation with Agriculture, Fisheries and Conservation Department (AFCD), it is considered that the mature woodlands behind villages and freshwater/brackish marshes in the three sub-areas, as well as the estuarine mangrove in Fung Hang should be zoned “CA” in order to reflect the ecological importance of these natural habitats and to provide adequate planning protection for these areas whilst “GB” zoning would be appropriate to protect the rest of woodlands, shrublands and the riparian zone of stream courses.
5. Regarding the ecological information in KFBG’s submission, the AFCD advises that: (i) the area along the natural stream in the western part of Fung Hang is not considered as a marsh; (ii) the area to the north of the channelized streamcourse and east of the footpath in Fung Hang is in fact abandoned wet farmland; and (iii) patches of marshy areas are found on the seasonally wet grassland/shrubland mosaic mainly in the eastern part of Kuk Po. AFCD has no comment on the other ecological information and records in the KFBG’s submission.

Land for Agriculture

1. Many of the lowland areas in the Area are fallow agricultural lands, which basically spread around the village clusters and occupy the areas of gentle topography and are seasonally wet. AFCD advises that the fallow agricultural lands possess potential for agricultural rehabilitation and those covered with grasses and shrubs could be considered for “AGR” zone from the agricultural

development point of view in order to retain agricultural land and encourage agricultural rehabilitation.

2. With a view to facilitating revitalization of the inhabited villages with agricultural activities and preserving the rural setting in the Area, “AGR” zones are proposed to cover fallow agricultural land without dense vegetation and adjoining to the existing village clusters at more accessible locations. These include some fallow agricultural land mainly covered with grasses and shrubs in front of the existing village cluster in Fung Hang, and those amidst the existing village clusters in Kuk Po Lo Wai.

Village Development

1. From the nature conservation perspective, any direct or indirect impacts to the ecological and landscape resources within the Country Park Enclaves and at the surrounding PCCP, as well as to its natural and rural character, should be avoided.
2. There are a number of recognized villages in the Area. Thus there is a need to designate “V” zones at suitable locations to meet the Small House demand of local villagers after delineating the areas that have to be conserved.
3. Given the natural environment, its ecological and landscape value coupled with its limited accessibility due to lack of vehicular access and potential natural terrain landslide hazards, an incremental approach for designation of “V” zones for Small House development has been adopted with an aim to confining Small House development at suitable locations so as to avoid undesirable disturbances to the natural environment and overtaxing the limited infrastructure in the Area. Discounting the surrounding environmentally sensitive areas, including woodland, shrubland, low-lying wetland habitat, stream course, estuarine mangrove and rocky/sandy shore which should be protected, a total of about 5.88 ha of land is covered by “V” zones including about 0.73 ha in Fung Hang, 3.63 ha in Kuk Po and 1.52 ha in Yung Shue Au. The areas reserved for Small House development mainly cover the existing village clusters and their adjoining fallow agricultural land currently covered with grasses and shrubs.
4. Although the area of the proposed “V” zones could not fully meet the Small House demand, it is sufficient to meet the outstanding demand (i.e. one Small House). Should there be a genuine need to use the land outside the “V” zones for Small House developments, there is provision in the Notes of the draft OZP to allow for application to the Board. Each application would be considered by the Board based on its individual merits.