

寄件者: WOO Ming Chuan [ ]  
寄件日期: 19日10月2016年星期三 18:53  
收件者: Town Planning Board  
副本: HKBWS  
主旨: HKBWS's comments on the draft Tai Tan, Uk Tau, Ko Tong and Ko Tong Ha Yeung OZP No. S/NE-TT/1  
附件: 20161019\_TaiTanUkTauKoTong\_OZP\_HKBWS.pdf

TPB/R/S/NE-TT/1-1

Dear Sir/Madam,

The Hong Kong Bird Watching Society's comments on the captioned OZP is attached.

Best Regards,  
WOO Ming Chuan (Ms)  
Conservation Officer  
The Hong Kong Bird Watching Society  
7C, V Ga Building, 532 Castle Peak Road, Lai Chi Kok, Kowloon, Hong Kong

Secretary, Town Planning Board  
15/F, North Point Government Offices  
333 Java Road, North Point, Hong Kong  
(E-mail: [tpbpd@pland.gov.hk](mailto:tpbpd@pland.gov.hk))



By email only

19 October 2016

Dear Sir/Madam,

**Comments on the draft Tai Tan, Uk Tau, Ko Tong and Ko Tong Ha Yeung  
Outline Zoning Plan No. S/NE-TT/1**

香港觀鳥會  
THE  
HONG  
KONG  
BIRD  
WATCHING  
SOCIETY  
Since 1957 成立

The Hong Kong Bird Watching Society (HKBWS) would like to raise our comments on the draft Tai Tan, Uk Tau, Ko Tong and Ko Tong Ha Yeung Outline Zoning Plan (S/NE-TT/1). The general planning intention of the draft Plan is to *“protect its high conservation and landscape value which complements the overall naturalness and the landscape beauty of the surrounding Country Parks”*<sup>1</sup>. We support such planning intention of the draft Plan and we urge the Town Planning Board (the Board) that boundaries of conservation zonings in the draft Plan should be delineated to reflect this planning intention.



**1. Ecological value of the Plan Area**

- 1.1. The Plan Area is surrounded by and ecologically connected to the Sai Kung East and Sai Kung West Country Parks. It comprises of diverse habitat types, with the majority of the area being secondary woodland. Important habitat types like Fung Shui woodland, mangroves, marsh and natural streams are also present<sup>2</sup>. An Ecologically Important Stream (EIS) at Tai Tan as recognized by the Agriculture, Fisheries and Conservation Department (AFCD) flows through the secondary woodland and then drains into Ko Tong Hau<sup>3</sup>.
- 1.2. From 2005 to 2014, HKBWS has recorded 107 species of birds in Tai Tan, Ko Tong and Uk Tau, which accounts for about one-fifth of total number of bird species recorded in Hong Kong<sup>4</sup>; among them, 24 species are of conservation concern (Appendix 1). Due to limited bird records received, the dataset may not be comprehensive to reflect the bird diversity in the whole Plan Area. However, from the existing dataset, a wide range of woodland birds species were recorded, including the uncommon<sup>5</sup> Ashy

<sup>1</sup> Section 8.1 of the Explanatory Statement for the draft Plan No. S/NE-TT/1

<sup>2</sup> Kadoorie Farm and Botanic Garden. 2013. *Ecological and Conservation Importance of Six Sai Kung Country Park Enclaves*. Kadoorie Farm and Botanic Garden, Hong Kong Special Administrative Region. 108 pp.

<sup>3</sup> [https://www.afcd.gov.hk/english/conservation/con\\_wet/streams\\_rivers\\_hk/Con\\_NSR/files/24\\_Tai\\_Tan.pdf](https://www.afcd.gov.hk/english/conservation/con_wet/streams_rivers_hk/Con_NSR/files/24_Tai_Tan.pdf)

<sup>4</sup> Total bird species in Hong Kong is 531.

<sup>5</sup> HKBWS Hong Kong Bird Report 2013.

Drongo (*Dicrurus leucophaeus*) and the rare<sup>5</sup> Eurasian Jay (*Garrulus glandarius*) which both are of local concern<sup>6</sup>. This indicates that the woodland habitat in the Plan Area is of high ecological value and is worthy of protection.

- 1.3. One of the species of conservation concern recorded is the Brown Fish Owl (*Ketupa zeylonensis*), which is a scarce resident in Hong Kong<sup>5,7</sup>. It is considered to be of regional concern<sup>6</sup> and is listed under Class II protection in the People's Republic of China List of Wild Animals<sup>8</sup>. This species feeds in undisturbed, unpolluted lowland streams and tidal creeks<sup>7</sup>. The woodlands in the Plan Area provide suitable roosting habitats for Brown Fish Owl, while the marshes and unpolluted natural streams and their riparian vegetation are suitable foraging grounds and perches for this species. We would like to emphasize the importance of the EIS and its surrounding natural habitats to this bird species given its specific habitat needs and the limited suitable locations with similar characteristics remaining in Hong Kong.
- 1.4. Raptors are top predators in the food web. The occurrence of Brown Fish Owl and other raptor species, such as Crested Serpent Eagle (*Spilornis cheela*), Bonelli's Eagle (*Aquila fasciata*) and White-bellied Sea Eagle (*Haliaeetus leucogaster*), indicates that the terrestrial, freshwater and marine ecosystem is in healthy condition, and should be well-protected from pollution and habitat destruction.
- 1.5. Therefore, all woodlands and streams in the Plan Area should be adequately protected by conservation zonings.

## **2. The Town Planning Board should not encourage "destroy first, develop later"**

- 2.1. Various eco-vandalisms occurred in different locations of the Plan Area for the past two years. We appreciate that comprehensive information were provided regarding these cases and were well-documented in the Town Planning Board Paper No. 10143 (Figure 1) and the Planning Report on Tai Tan, Uk Tau, Ko Tong and Ko Tong Ha Yeung (Planning Report)<sup>9</sup>.
- 2.2. At Tai Tan, there are currently 12 small houses applications within the proposed "Green Belt" (GB) zone pending under the Town Planning Board procedure and the decision is yet to be made. However, the vegetation and trees at these sites are

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<sup>6</sup> Fellowes, J.R., Lau, M.W.N., Dudgeon, D., Reels, G.T., Ades, G.W.J., Carey, G.J., Chan, B.P.L., Kendrick, R.C., Lee, K.S., Leven, M.R., Wilson, K.D.P. and Yu, Y.T. (2002). Wild animals to watch: Terrestrial and freshwater fauna of conservation concern in Hong Kong. *Memoirs of the Hong Kong Natural History Society* No. 25, 123-160.

<sup>7</sup> Carey, G.J., Chalmers, M.L., Diskin, D.A., Kennerley, P.R., Leader, P.J., Leven, M.R., Lewthwaite, R.W., Melville, D.S., Turnbull, M. and Young, L. (2001). *The Avifauna of Hong Kong*. Hong Kong Bird Watching Society.

<sup>8</sup> List of Wild Animals under State Protection (promulgated by State Forestry Administration and Ministry of Agriculture on 14 January, 1989).

<sup>9</sup> Appendix IV of the TPB Paper No. 10074. The development pressure in the Plan Area is documented in Section 3.5 of the Planning Report and Figures 11a to 11g.

cleared before the application (Figure 2). Suspected filling of marsh and site formation also occurred in Uk Tau (please refer to the following section).

- 2.3. The Board should proactively deter “destroy first, develop later” as stated in the Board’s press release in 2011, *“the Board is determined to conserve the rural and natural environment and will not tolerate any deliberate action to destroy the rural and natural environment in the hope that the Board would give sympathetic consideration to subsequent development on the site concerned”*<sup>10</sup>. We consider that the Board’s promise to deter “destroy first, develop later” should be followed.
- 2.4. The HKBWS strongly urges the Board to take into consideration the undesirable precedent it sets for the preparation of other upcoming OZPs in Hong Kong. We consider that these areas should not be designate as “Village Type Development” (V) zones after the site has suffered from eco-vandalism, but rather should be covered by conservation zonings which reflect their condition before the destruction activities.

### 3. The “destroy first, develop later” activity in Uk Tau

- 3.1. In section 3.5.3 of the Planning Report, it stated *“a large area of private land to the north of the existing Uk Tau village has been cleared of trees and vegetation to make way for a plant nursery”*. However, according to the habitat map of Uk Tau which was produced from survey data collected in late 2012<sup>2</sup>, the area was originally a marsh. As observed on-site in March 2013, which is almost the end of the dry season, the area is still damp and well-vegetated (Figure 3). We consider that the aerial photograph taken at the gazette date (i.e. 8 November 2013) of the Development Permission Area (DPA) Plan still show similar setting (Figure 4) as observed earlier at the site.
- 3.2. However, landscape changes at Uk Tau can be observed in Google Earth aerial photographs taken on 5 April 2014 and onwards (Figure 5) and in Figure 11b of the Planning Report (Figure 4). We consider that not only trees and vegetation were cleared in Uk Tau, but we suspected that filling of land (i.e. the marsh<sup>2</sup>) and site formation were conducted to establish the plant nursery. As such, loss in wetland and change in habitat type is resulted.
- 3.3. Even though “plant nursery” is a “always permitted use” under the covering Notes of the approved Tai Tan, Uk Tau, Ko Tong and Ko Ton Ha Yeung DPA plan, it is stated in Remarks (b) of the “Unspecified Use” that *“any diversion of streams, filling of land/pond or excavation of land, including that to effect a change of use to...the uses or developments always permitted under the covering Notes (except public works co-ordinated or implemented by the Government), shall not be undertaken or continued on or after the date of the first publication in the Gazette of the notice if the”*

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<sup>10</sup> Press Release – Town Planning Board adopts approaches to deter, “destroy first, build later” activities. 4 July 2011. Available at: <http://www.info.gov.hk/gia/general/201107/04/P201107040255.htm>



*draft development permission area plan without the permission from the Town Planning Board under section 16 of the Town Planning Ordinance”.*

- 3.4. As such, we consider that the activities/development in Uk Tau is actually violating the remarks as stated in the Notes of the DPA plan and can be regarded as an “unauthorized development” under the Town Planning Ordinance. If not, we consider that a complete explanation should be given by the Planning Department.
- 3.5. Since the marsh was already filled and its ecological value was lost, the V zone of Uk Tau should not extend to this area, and therefore, should be reverted back to the boundary in the approved Tai Tan, Uk Tau, Ko Tong and Ko Tong Ha Yeung DPA plan.

#### **4. The village area should not be further expanded**

- 4.1. As clearly shown in the habitat maps in the TPB Paper No. 10143 and the Report compiled by the Kadoorie Farm and Botanic Garden<sup>2</sup>, most of the Plan Area is covered by woodland habitat, which is of conservation importance. We consider that small houses development should not extend to these areas, as the construction works would lead to tree felling, vegetation clearance and habitat loss while the operation of the small houses would cause potential water pollution to the nearby natural streams. Moreover, V zones should not encroach the riparian/buffer zone of the EIS and any natural streams as the pollutants from soakaway systems associated with small house developments would contaminate the streams and the bay.
- 4.2. We are also concerned the expansion of the village area would lead to adverse cumulative ecological impacts on the surrounding Country Parks (e.g. noise/water pollution and human disturbance caused by increase in traffic and construction/operation of small houses) and would damage the ecological integrity of the Country Parks. Therefore, we consider that the V zone should not be further expanded and such woodland habitats should be protected by conservation zonings.

#### **5. Inadequacy of the current conservation zoning**

Most of the Plan Area is zoned as GB zone, which has a planning intention of “*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*”. However, for the past 10 years or so, the approval rate of small houses applications in GB zone was over 56%<sup>11</sup>; thus, GB zone is vulnerable to small house development. Therefore, we consider that conservation zonings without small house development, such as GB(1) and “Conservation Area” (CA) which the redevelopment of houses is in Column 2 of the

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<sup>11</sup> Annex of LegCo Question 17 (6 Feb 2013) - Land reserved for building New Territories small houses. Retrieved from [http://gia.info.gov.hk/general/201302/06/P201302060426\\_0426\\_106939.pdf](http://gia.info.gov.hk/general/201302/06/P201302060426_0426_106939.pdf)

Notes, should be used to protect the Plan Area while the development right of the villagers are respected.

## **6. Our recommendations**

- 6.1. The HKBWS considers that an “Ecosystem Approach”, which is the primary framework for action under the Convention on Biological Diversity<sup>12</sup>, should be adopted to protect the various sensitive habitats in the Plan Area. We consider that the EIS and all natural streams (including their tributaries) should be protected by GB(1) or CA zone of 30 metres along both sides of the banks. This buffer zone with conservation zoning is a practical distance that would protect the riparian vegetation and would prevent undesirable pollution from developments.
- 6.2. All woodlands, including both secondary woodland and Fung Shui woodland, should be protected by GB(1)/CA zone, instead of the current GB zone.
- 6.3. The V zones in Tai Tan should not encroach the riparian/buffer zone of the EIS and a natural stream as the pollutants from soakaway systems associated with small house developments would contaminate the streams and the sheltered Ko Tong Hau.
- 6.4. In the current draft OZP, we noticed the affected area in Uk Tau is included in the V zone, while 12 small house applications at Tai Tan are still pending. We consider that these sites should not be covered by V zone as such zoning would further legitimize any environmental destruction activities/unauthorized developments and provide incentives for developers/land owners to undertake eco-vandalism in hope of a development zoning in the future. We consider the current Uk Tau V zone should be reverted back to the boundary in the approved Tai Tan, Uk Tau, Ko Tong and Ko Tong Ha Yeung DPA plan.
- 6.5. The introduction of planning control alone could not fully protect the sites from activities such as unauthorized tree felling and vegetation removal. In order to fully protect the ecological and landscape values of the site, as well as the overall value of the surrounding Sai Kung East and West Country Park, the Board and AFCD should consider including Tai Tan, Uk Tau, Ko Tong and Ko Tong Ha Yeung into the Sai Kung East and West Country Park following detailed assessments and public consultation. HKBWS believes that the Plan Area and its surrounding areas are qualified for such purpose given its value in terms of ecology, landscape and built heritage.

## **7. Justifications for the decision and comments made by Government departments and the Board**

According to the Hong Kong Planning Standards and Guidelines (HKPSG), Chapter 10, Section 2.1 (ii), the Board has the responsibility to, “*restrict uses within conservation*

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<sup>12</sup> <https://www.cbd.int/ecosystem/>

*zones to those which sustain particular landscapes, ecological and geological attributes and heritage features".* We note that all other Government bureaux/departments are also bound to the HKPSG, and the AFCD, Drainage Services Department (DSD), Environmental Protection Department (EPD) and the Planning Department (PlanD) have the responsibility to advise the Board on the ecological, drainage/sewerage, environmental and planning aspects in particular. As such, the HKBWS expects the Board and the Government departments to protect the ecology, environment, water resources and areas of conservation importance in the Plan Area by the provision of conservation zonings to reflect the aforementioned general planning intention of the draft OZP. Should AFCD, DSD, EPD, PlanD or the Board feels otherwise, we urge that the appropriate justifications are provided.

Thank you for your kind attention. We hope that the Board would take all the above issues and our comments into consideration.

Yours faithfully,



Woo Ming Chuan  
Conservation Officer  
The Hong Kong Bird Watching Society

cc.

Designing Hong Kong  
Kadoorie Farm and Botanic Garden  
WWF – Hong Kong

**1** WOODLAND CLEARANCE AND UNAUTHORIZED LAND FILLING ACTIVITIES IN TAI TAN

**2** WOODLAND CLEARANCE IN TAI TAN

**3** UNAUTHORIZED WOODLAND CLEARANCE FOR CARPARK / UNAUTHORIZED FILLING AND EXCAVATION OF LAND IN KO TONG HA YEUNG

**4** UNAUTHORIZED VEGETATION CLEARANCE OF GOVERNMENT LAND NEAR LOTS No.457 S B AND 454 IN D0285 IN KO TONG

**5** UNAUTHORIZED TRACK IN KO TONG

**6** WOODLAND CLEARANCE IN KO TONG

**7** **8** RING-BARK OF WOODLAND VEGETATION TO THE NORTHWEST OF THE VILLAGE IN UK TAU

VILLAGE 'ENVIRONS' OF TAI TAN

大潭 Tai Tan

高塘下洋 Ko Tong Ha Yeung

民安安全服務隊 大潭訓練營 Civil Aid Service Tai Tan Camp

VILLAGE 'ENVIRONS' OF KO TONG HA YEUNG

高塘 Ko Tong

VILLAGE 'ENVIRONS' OF UK TAU

屋頭 Uk Tau

黃麻地 WONG MA TEI

SCALE 1 : 5 000

METRES 100 0 100 200 300 400 METRES

**1** VIEWING POINT OF SITE PHOTOS  
BOUNDARY FOR IDENTIFICATION PURPOSE ONLY

EXTRACT PLAN PREPARED ON 1.6.2016  
BASED ON DEVELOPMENT PERMISSION  
AREA PLAN No. DPA/NE-TT/2  
APPROVED ON 4.11.2014

PLANNING DEPARTMENT

REFERENCE No. M/CPE/TT/16/3

PLAN 7



**Figure 2.** Photographs provided by the applicant showing the de-vegetated conditions of the small houses application sites within the GB zone. However, these areas should not be designate as V zones after the site has suffered from eco-vandalism to avoid the encouragement of “destroy first, develop later” activities.



Plate 1: Overview of Application Site from Northeast to Southwest Direction

A/DPA/NE-TT/81



Plate 1: Overview of Application Site from East to West Direction

A/DPA/NE-TT/82



Plate 1: Overview of Application Site from West to East Direction

A/DPA/NE-TT/83



Plate 1: Overview of Application Site from Southwest to Northeast Direction

A/DPA/NE-TT/84



Plate 1: Overview of Application Site from Northeast to Southwest Direction

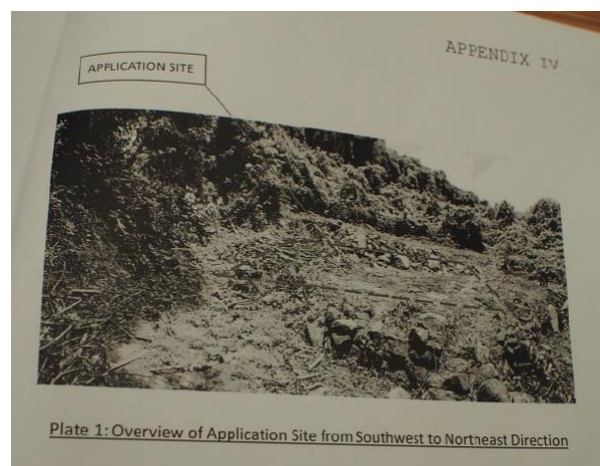
A/DPA/NE-TT/85



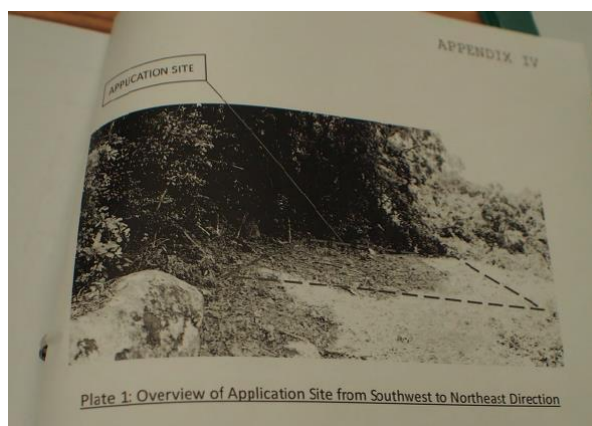
Plate 1: Overview of Application Site from Northeast to Southwest Direction

A/DPA/NE-TT/86

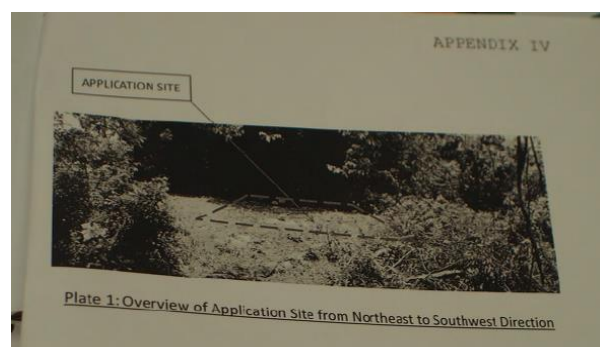
**Figure 2.** Photographs provided by the applicant showing the de-vegetated conditions of the small houses application sites within the GB zone. However, these areas should not be designate as V zones after the site has suffered from eco-vandalism to avoid the encouragement of “destroy first, develop later” activities. (con’t)



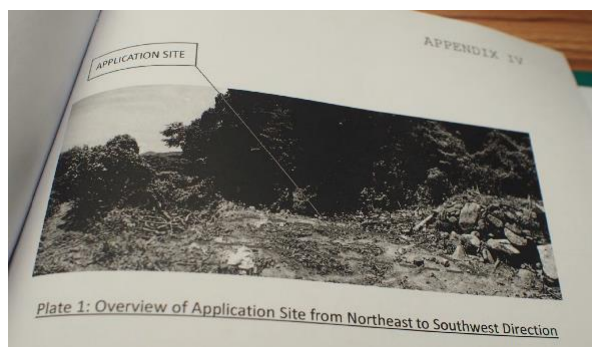
A/DPA/NE-TT/87



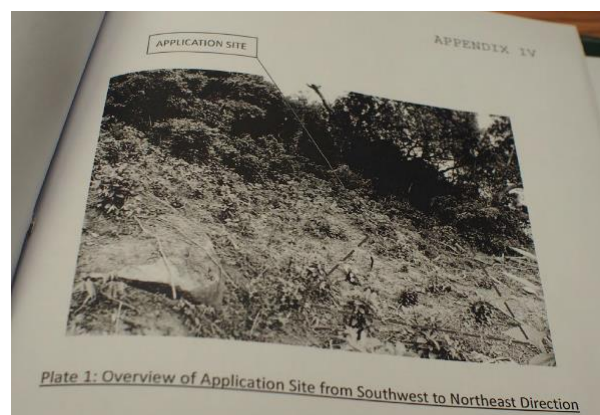
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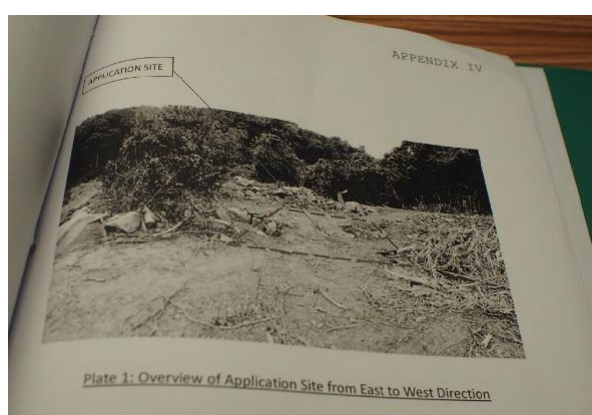
A/DPA/NE-TT/89



A/DPA/NE-TT/90



A/DPA/NE-TT/91



A/DPA/NE-TT/92

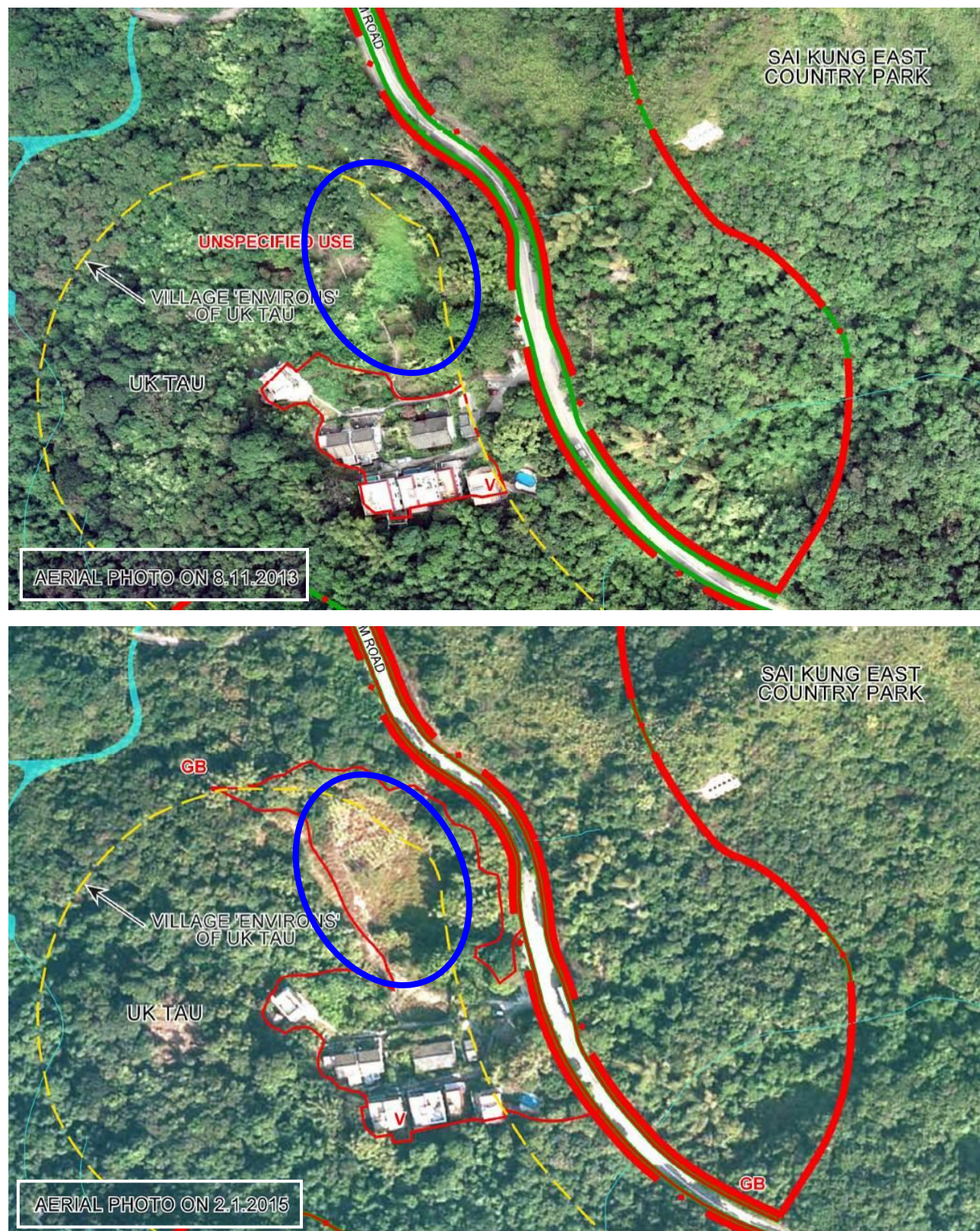


**Figure 3.** The condition of the marsh at Uk Tau in March 2013, which is almost the end of the dry season. The area is still damp and well-vegetated.



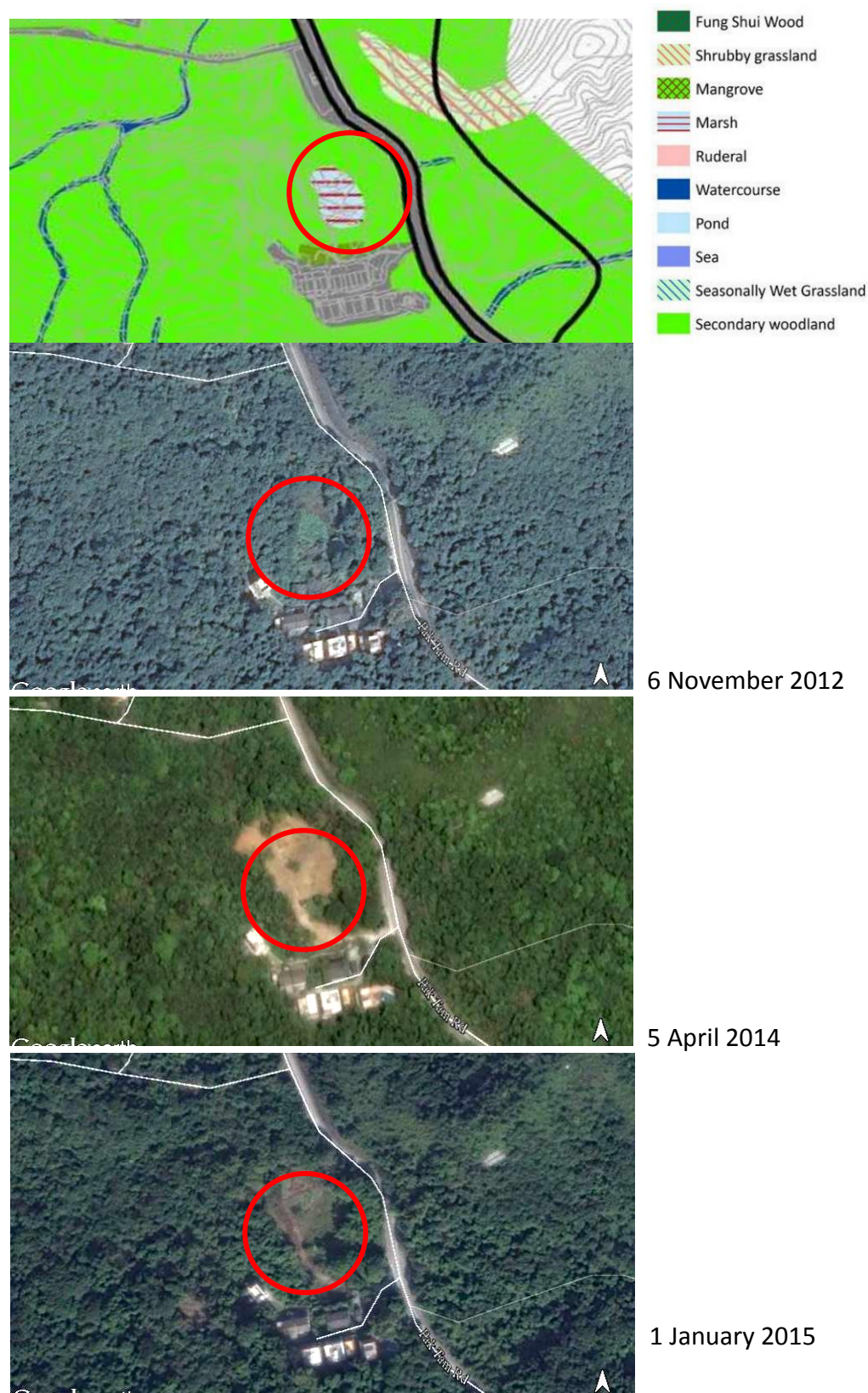


**Figure 4.** Aerial photograph taken on the gazette date of the draft DPA plan (top) and recent aerial photo (bottom) extracted from Figure 10b of the Planning Report for Tai Tan, Uk Tau, Ko Tong and Ko Tong Ha Yeung. The location of the marsh at Uk Tau is approximately indicated by the blue circle.





**Figure 5.** The habitat map showing the marsh at Uk Tau extracted from the Kadoorie Farm and Botanic Garden Report on “*Ecological and Conservation Importance of Six Sai Kung Country Park Enclaves*” and Google Earth aerial photographs showing the changes in landscape at the subject sites in Uk Tau (the approximate location is indicated by the yellow circle).



tpb

寄件者: Andrew Chan (WWF-HK) [ ]  
寄件日期: 19日10月2016年星期三 18:06  
收件者: tpbpd@pland.gov.hk  
主旨: S\_NE-TT\_1\_Tai Tan\_WWF\_Oct2016  
附件: S\_NE-TT\_1\_Tai Tan\_WWF\_Oct2016.pdf

Dear Sir/Madam,

Please find attached our submission on the captioned.

Thank you for your attention.

Yours faithfully,

Andrew Chan  
Conservation Officer, Local Biodiversity  
WWF-Hong Kong 世界自然基金會香港分會  
Tel: +852  
E-mail:

**together possible** 

Find out more and get involved at [wwf.org.hk](http://wwf.org.hk)

Registered Name 註冊名稱: World Wide Fund For Nature Hong Kong 世界自然(香港)基金會 (Incorporated in Hong Kong with limited liability by guarantee 於香港註冊成立的擔保有限公司)



世界自然基金會  
香港分會

WWF-Hong Kong

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Our Ref.: SHK/LDD 5(i)/16  
19 October 2016

**Chairman and members  
Town Planning Board**  
15/F North Point Government Offices,  
333 Java Road, North Point, Hong Kong  
(E-mail: [tpbpd@pland.gov.hk](mailto:tpbpd@pland.gov.hk))

**By E-mail ONLY**

Dear Sir/Madam,

**Re: Draft Tai Tan, Uk Tau, Ko Tong & Ko Tong Ha Yeung  
Outline Zoning Plan No. S/NE-TT/1**

WWF submits herewith our comments on the captioned draft Tai Tan, Uk Tau, Ko Tong and Ko Tong Ha Yeung Outline Zoning Plan (OZP) No. S/NE-TT/1.

**Ecologically Important Stream (EIS) and its riparian zone should be “GB(1)” / “CA”**

According to Section 8.3 of the Town Planning Board paper No. 10074, “*the Tai Tan Ecologically Important Stream is a freshwater fish hotspot supporting a high diversity of fish species including the uncommon Stiphodon atropurpureus*” and therefore WWF consider the EIS is of high ecological value. Although the EIS and its riparian areas have been designated as “Green Belt” (“GB”) zone under the captioned OZP, they are still within the boundary of the “Village Environ” (“VE”) (Fig. 1). As such, we are of grave concern that development, such as Small House which is the Column 2 use under the “GB” zone, along the EIS will cause adverse ecological and water quality impacts to the EIS and the habitats in the nearby “Coastal Protection Area” (“CPA”) zone. **Therefore, we recommend that the EIS and its riparian zones should be protected by “GB(1)” / “CA” to prevent any potential negative ecological and water quality impacts from developments to the EIS and the associated coastal habitats of high ecological value.**

**together possible™**

贊助人：香港特別行政區行政長官  
梁振英先生, GBM, GBS, JP  
主席：何國達先生  
行政總裁：江偉智先生

義務核數師：香港立信德豪會計師事務所有限公司  
義務公司秘書：嘉信秘書服務有限公司  
義務律師：孖士打律師行  
義務司庫：匯豐銀行  
註冊慈善機構

Patron: The Honourable CY Leung, GBM, GBS, JP  
Chief Executive of the HKSAR  
Chairman: Mr Edward M. Ho  
CEO: Mr Peter Cornithwaite

Honorary Auditors: BDO Limited  
Honorary Company Secretary:  
McCabe Secretarial Services Limited  
Honorary Solicitors: Mayer Brown JSM  
Honorary Treasurer: HSBC  
Registered Charity  
(Incorporated With Limited Liability)

註冊名稱 Registered Name: 世界自然(香港)基金會 World Wide Fund For Nature Hong Kong  
(於香港註冊成立的擔保有限公司 Incorporated in Hong Kong with limited liability by guarantee)

**Area suffered from eco-vandalism should not be zoned as “V” zone**

In Section 8.14 of the Town Planning Board paper No. 10074, the Planning Department stated that *“as the recognized villages in the Area are well-populated and the development pressure exists, disturbances to the natural environment are observed at various locations mainly insider the “VEs” of Tai Tan, Uk Tau and Ko Tong during the past two years, and there are also ongoing land control and planning enforcement action in Ko Tong and Ko Tong Ha Yeung”*. However, we found that some of the disturbed areas have been designated into “Village Type Development” (“V”) zones under the captioned OZP. For example, the freshwater marsh (Fig. 2) to the north of Uk Tau village has been cleared and this area is now zoned as “V” zone (Fig. 3) for village developments. **We are of grave concern that zoning degraded area into “V zones will set undesirable precedents for landowners to apply similar approach in order to get favourable zoning in future OZPs and cause significant degradation of local ecology and natural landscape at other country park enclaves. As such, we opine that the destroyed areas in the Plan Area should be designated as conservation zonings instead of “V” zones.**

Thank you for your attention

Yours faithfully,

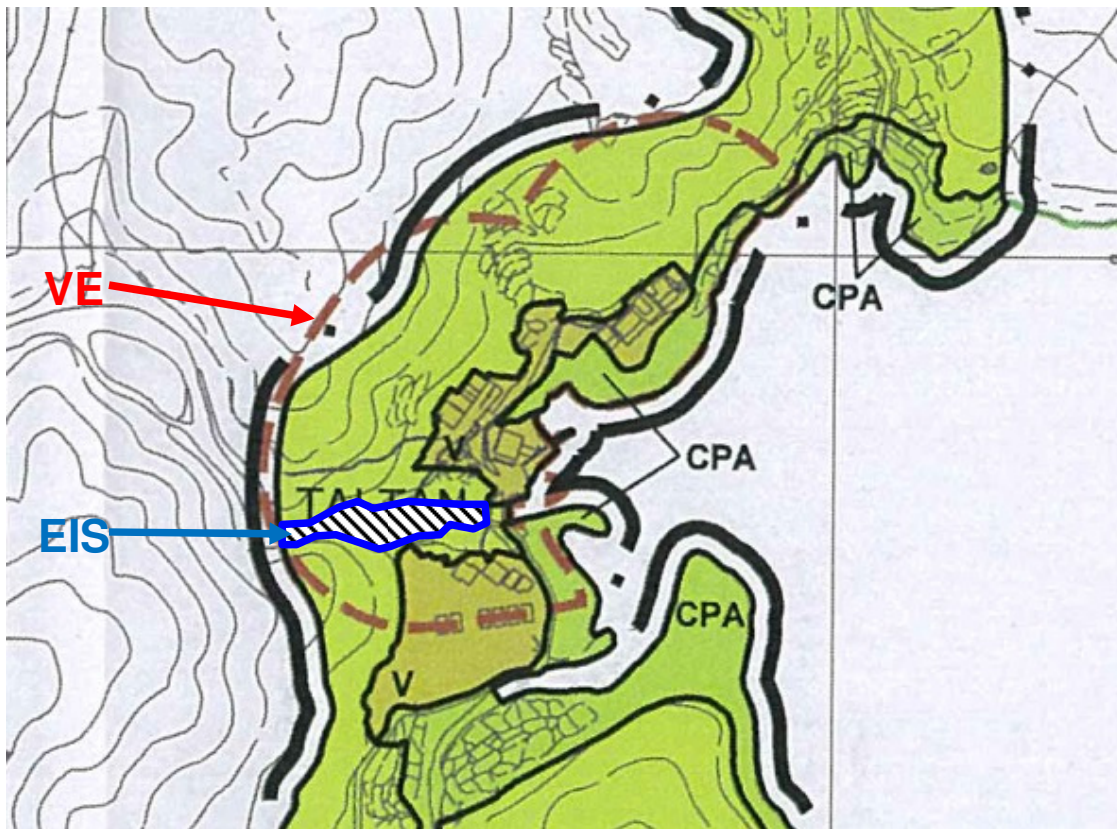


Andrew Chan

Conservation Officer, Local Biodiversity



**Figure 1. The EIS locate within the “VE” (*Image source: TPB paper No. 10074*)**

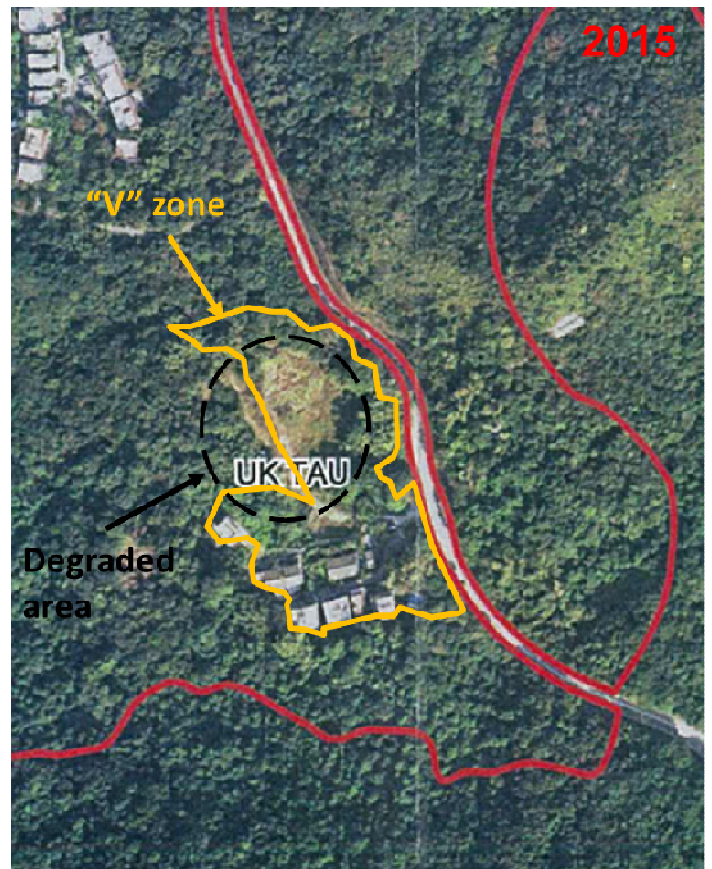
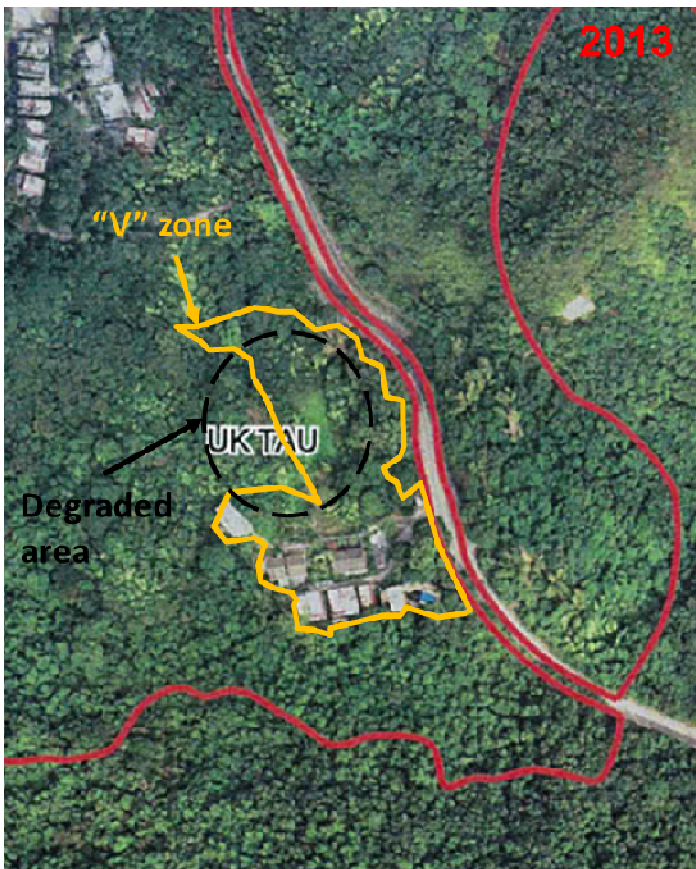


**Figure 2. Freshwater marsh (Red circle) located to the north of Uk Tau Village<sup>1</sup>**



<sup>1</sup> Kadoorie Farm and Botanic Garden. 2013. *Ecological and Conservation Importance of Six Sai Kung Country Park Enclaves*. Kadoorie Farm and Botanic Garden, Hong Kong Special Administrative Region. 108 pp.

**Figure 1c. Degraded site at Uk Tau has been zoned as “V” zone under the captioned OZP (Photos extracted from TPB Paper No. 10074)**



寄件者: KFBG EAP [ ]  
寄件日期: 14日10月2016年星期五 15:32  
收件者: tpbpd  
主旨: KFBG's comments on Draft Tai Tan, Uk Tau, Ko Tong and Ko Tong Ha Yeung OZP (S/NE-TT/1)  
附件: 161014 Draft Tai Tan OZP.pdf

Dear Sir/ Madam,

Attached please see our comments regarding the captioned.

Best Regards,

Ecological Advisory Programme  
Kadoorie Farm and Botanic Garden



The Secretary,  
Town Planning Board,  
15/F, North Point Government Offices,  
333, Java Road, North Point,  
Hong Kong.

(Email: [tpbpd@pland.gov.hk](mailto:tpbpd@pland.gov.hk))

14th October, 2016.

By email only

Dear Sir/ Madam,

**Draft Tai Tan, Uk Tau, Ko Tong and Ko Tong Ha Yeung OZP (S/NE-TT/1)**

1. KFBG conducted an assessment of the conservation importance of six Sai Kung Country Park Enclaves in 2013, of which the captioned Enclave was included in this study<sup>1</sup>. Subsequently, the results of the study were published in a Technical Report<sup>1</sup> which was also sent to the Planning Department. We urge the Board to carefully study this Technical Report<sup>1</sup> to understand the ecological and conservation importance of the habitats covered by this Draft OZP.

2. Although many of the important habitats mentioned in the aforementioned report are proposed to be covered with conservation zonings, we find that many of these habitats would still be threatened by the development zoning (i.e., V zone) under the current Draft OZP.

3. We urge that the proposed V zones should be confined only to the existing village clusters by following the approach of the Tai Long Wan OZP which was formulated by the then TPB. We also urge the Board to liaise and discuss with the relevant authorities about the on-going problems of the landscape changes which have appeared in recent years in this Enclave. Such changes could be found in several places (e.g., Uk Tau, Ko Tong and Tai Tan) under this Draft OZP (**Figure 1**). We note that the Board has stated that there would be no tolerance of any

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<sup>1</sup>[http://www.kfbg.org/upload/Documents/Free-Resources-Download/Report-and-Document/2013-KFBG-Sai-Kung-CP-enclaves-report-\(pdf\).pdf](http://www.kfbg.org/upload/Documents/Free-Resources-Download/Report-and-Document/2013-KFBG-Sai-Kung-CP-enclaves-report-(pdf).pdf)

‘destroy first, build later’ activities<sup>2</sup>. We would also like the Board to note the recent demonstrations taking place in this Enclave<sup>3</sup>.

4. Finally, in view of the unruly incidents mentioned in the news reports<sup>3</sup> and the recent disruption during the TPB hearing for the Draft Kuk Po, Fung Hang and Yung Shue Au OZP, we urge that the TPB hearing for the captioned Draft OZP should be carried out in two sessions in order to separate villagers and environmental NGOs. We also suggest the session for NGOs should be carried out after the villagers have left the venue for the hearing. We do not wish to see staff of the environmental NGOs which have no vested interests in any of these Enclaves being unreasonably threatened and deliberately disrupted from presenting their views to the TPB in a calm and professional manner.

5. Thank you for your attention.

Ecological Advisory Programme  
Kadoorie Farm and Botanic Garden

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<sup>2</sup> <http://www.info.gov.hk/gia/general/201107/04/P201107040255.htm>

<sup>3</sup> <http://hk.apple.nextmedia.com/realtime/news/20160724/55402180>

**Figure 1.** Landscape changes observed in this Enclave in recent years.

2012, Uk Tau



2014, Uk Tau





Figure 1. Cont'd.

2010, Ko Tong



2015, Ko Tong



Figure 1. Cont'd.

2012, Tai Tan



2014, Tai Tan



Image © 2016 DigitalGlobe

寄件者: Miffy Ng [ ]  
寄件日期: 19日10月2016年星期三 23:35  
收件者: tpbpd@pland.gov.hk  
主旨: DHK comment on Draft Tai Tan, Uk Tau, Ko Tong and Ko Tong Ha Yeung Outline Zoning Plan No. S/NE-TT/1  
Appendix III\_Reply letter from Town Planning Board.pdf; Appendix I\_Letter\_Recommendation on deterring fraudulent front men scheme in Small House applications.pdf; Appendix II\_Appendix items of Tai Tan Ko Tong Uk Tau land ownership study.pdf; Appendix II\_Front men schemes covering 50+ small houses in Tai Tan, Uk Tau and Ko Tong\_2.pdf; 20161019 DHK OZP S NE TT 1 \_OCT 2016.pdf  
附件:  
重要性: 高

Dear sirs,

Attached please find our comment on the captioned Outline Zoning Plan.

Best Regards,  
Miffy, Ng Chun Wing  
Project Officer  
Designing Hong Kong Limited



Hong Kong, 19 October 2016

Chairman and Members  
Town Planning Board  
15/F, North Point Government Offices  
333 Java Road, North Point, Hong Kong  
Fax: 2877 0245;  
Email: [tpbpd@pland.gov.hk](mailto:tpbpd@pland.gov.hk)

**Draft Tai Tan, Uk Tau, Ko Tong and Ko Tong Ha Yeung Outline Zoning Plan  
No. S/NE-TT/1**

Dear Chairman and Members,

Designing Hong Kong **objects to** the “Village Type Development” zone (V-zone) on the captioned Outline Zoning Plan.

The captioned areas are enclaves surrounded by the Sai Kung West Country Park (SKWCP). The enclaves are physically, ecologically, geologically, aesthetically, and from a landscape and recreational point of view, fully connected with SKWCP. There is a need to strengthen control over development in enclaves in order to preserve the integrity and conservation of the surrounding Country Park.

Following a study of transactions of land ownership in Tai Tan, Uk Tau and Ko Tong, we found that most of the sites for which owners have submitted small houses applications to the Lands Department and/or sought planning approval from Town Planning Board were first bought by developers (companies or a specific group of owners), and transferred to the applicants only just prior to submission of the applications for small house development. It also appears that the lands and planning submissions were coordinated in various ways.

The applications do NOT appear to be genuine small house applications as intended under the Small House Policy, and as such there is a significant risk that the Town Planning Board aids and abets fraudulent behaviour if and when it decides to approve the captioned plans.

We therefore strongly oppose the V-zone and urge for it to be deleted from the plans for the following reasons:

**We urge the Town Planning Board to seriously consider the possible illegal practice involved.**

- The Small House Policy continues to be abused for investment rather than for housing needs. Our recent land search shows that most of the land lots within the proposed new V-zone were sold to the developers. Since, the developer systematically carved out land lots and transferred the lands to villagers who have ‘ding rights’ to apply for small houses. The patterns are strikingly similar to the front man scheme discovered in the Sha Tin Tai Che Village court case (No. DCCC25/2015) and which was considered an illegal practice.
- For Uk Tau, there were 34 small house applications submitted to Town Planning Board. Lands are bought by HANTON LIMITED in period 2006-2008, then transferred to small house applicants in November 2009 with similar price \$250,000 or \$300,000. We have reported this case on Standnews on May 2015, and the applications were all withdraw when the news published.
- On the new OZP, 8 out of 34 small house applications were completely zoned in the extended V-zone. Another eight applications were mostly zoned in V-zone. Because of your Board decision to extend the V-zone, 16 small houses which were suspected involved in illegal sale of “Ding Right” would now have a high potential to be approved and built successfully in Country Park enclave.

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- For Tai Tan, lands of 14 small house applications, 12 has submitted to both Town Planning Board and LandsD, 2 submitted to LandsD only were sold and held jointly by companies owned by 4 investors since 2013, namely: (1) FAME WEALTH INTERNATIONAL DEVELOPMENT LIMITED; (2) WISE CHAMP DEVELOPMENT LIMITED; (3) ALL SURE DEVELOPMENT LIMITED; (4) KING PALACE DEVELOPMENT LIMITED. Then the lands were all transferred to applicants on the same date 19 June 2014 and all through the same legal firm, Dickman LT. Chan & Co. Solicitors.
- For Ko Tong, NEW FAITH INTERNATIONAL MANAGEMENT LIMITED and SINO WAY INTERNATIONAL INVESTMENTS LIMITED since 2008 and 2010 firstly owned the land lots of half of the small house applications (34 applications). Lands were carved and sold to applicants during 2009 to 2010, part of the lands were sold within one month.
- For Ko Tong Ha Yeung, the village representative had asked for 139 small house demands for 10-year forecast, but over 100 of the male indigenous inhabitants were living oversea. The four villages' representatives organized a protest on 24 July 2016. They had removed numerous of trees and vegetation on a seasonal wetland on Ko Tong Ha Yeung, and claimed that they would rehabilitate the site and urge for more Small House development zones. According to our land search, the destroyed wetland was mainly owned by a developer-GLORY TOP DEVELOPMENT LIMITED <sup>1</sup>(Figure2).
- These transactions give rise to reasonable suspicions that the villagers sold the beneficial benefit in their 'ding rights' and are now acting as frontmen for the developer. As such the Board risks aiding and abetting an illegal scheme aimed at abuse of the proposed V-zone for profit making rather than to address the genuine demand by indigenous villagers.
- We have submitted all the above information to Town Planning Board and Lands Department. For more details, please find attached research that we sent to the Board on 7 June 2016 (Appendix I & II) and the media report on 20 June 2016<sup>2</sup>.
- According to your reply (Appendix III), the small house demand forecast is one of the concerns when drawing the boundary of V-zone. This above information indicates that the claimed genuine demand for small houses as provided for under the small house policy may not be correct.
- If the Town Planning Board is not aware of the possibility that it is involved in such unlawful scheme, the Board should make enquiries with the Department of Justice and the ICAC on the risk of involvement in conspiracies to defraud and misrepresentations by small house applicants as there could well be adequate information readily available to the Board which offer evidence and grounds for a healthy suspicion which warrants further thorough investigation.

---

<sup>1</sup> “鄉議局破壞郊野公園 土地已售予發展商 Country Parks under attack from the Heung Yee Kuk”, Designing Hong Kong,

<http://www.designinghongkong.com/v4/%E9%84%89%E8%AD%B0%E5%B1%80%E7%A0%B4%E5%A3%9E%E9%83%8A%E9%87%8E%E5%85%AC%E5%9C%92-%E5%9C%9F%E5%9C%B0%E5%B7%B2%E5%94%AE%E4%BA%88%E7%99%BC%E5%B1%95%E5%95%86-country-parks-under-attack-from-the-heung-yee/>

<sup>2</sup> Apple Daily, “發展商拆售 原居民買入申建屋 1日 51宗賣地 西貢大灘疑套丁”, <http://goo.gl/Bpsr5n>;  
SCMP, “Hong Kong concern group alarmed at dubious land dealings between villagers and developers”, <http://goo.gl/kBXRWH>;  
SingTao, “西貢郊野公園地疑遭破壞圖「套丁」”, <http://goo.gl/2TGG8i>;  
RTHK, “Small House Policy abuse 'threatens country parks'”, <http://goo.gl/0OUFZJ>;  
HK01, “賣地借貸一條龍 團體質疑西貢屋頭涉大規模套丁”, <http://goo.gl/syAgc6>



- It is the duty of the Town Planning Board to ensure it is not aiding and abetting unlawful schemes when drawing and allow extension of the boundary of V-zones. It must first make sure that it has full knowledge of the background of the applications by verifying that the Lands Department undertook extensive investigations, including by soliciting the help from other agencies such as the Immigration Department, Police and ICAC directly by the Board or by making sure the Lands Department has done so, including but not limited to the following information:
  1. Were the applications to the Town Planning Board coordinated and submitted as a whole by the same agent?
  2. Who owns and has owned the land, and for what values was the land exchanged and when?
  3. Which companies have been involved in the transactions and financing, where were they located and who are/were the directors? Are they associated?
  4. Do the applicants ordinarily reside in Hong Kong according to entry and exit information from the Immigration Department?
  5. And so forth.

**We are concerned that the Town Planning Board may be rewarding an unauthorized use and/or a 'destroy first, develop later' situation.**

- According to our site visit on 30 May 2016, we observed that massive tree felling and land filling had taken place in the area. The captioned site was also subject to unauthorized land filling identified by Planning Department since June 2016 (Reference No. E/NE-TT/004) (Figure 1).

**Designing Hong Kong Limited**  
**October 2016**

Appendix I: Letter and appendix files sent to Town Planning Board on 7 June 2016

Appendix II: Presentation of "Front men schemes covering 50+ small houses in Tai Tan, Uk Tau and Ko Tong", pp40

Appendix III: Reply letter from Town Planning Board

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Figure 1

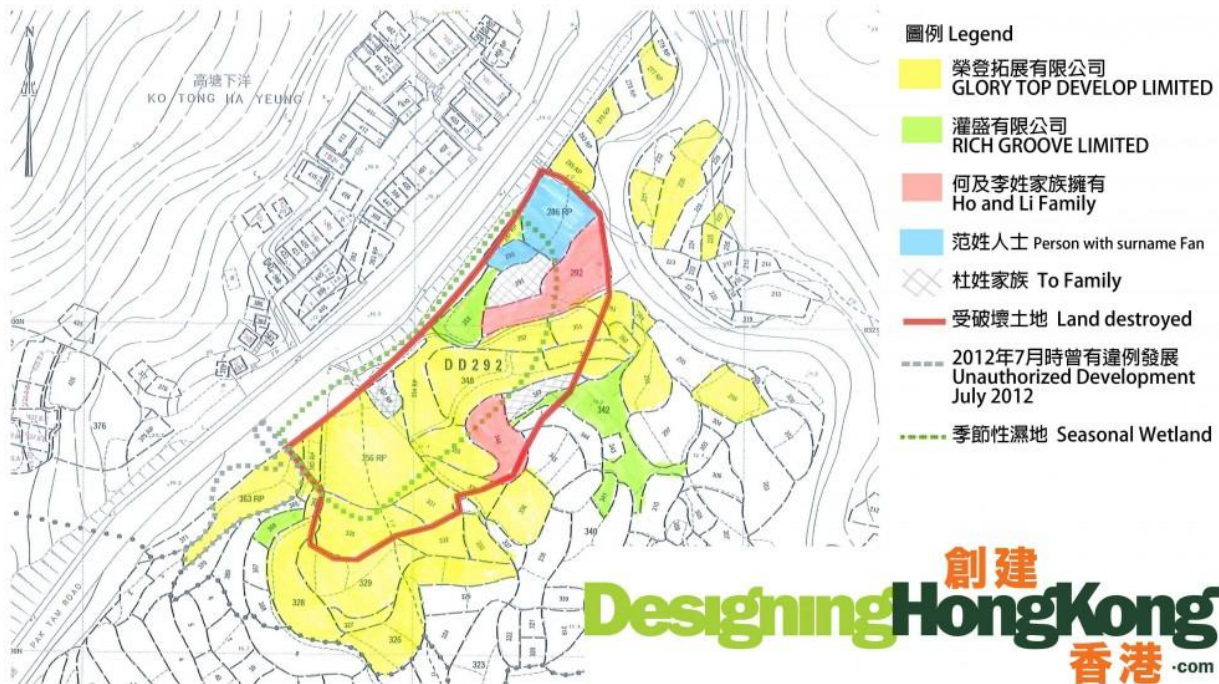
Massive tree felling and land filling found on 30 May 2016





Figure 2:

## 高塘下洋業權分佈 Ko Tong Ha Yeung Land Ownership



Hong Kong, 7 June 2016

Ms Bernadette LINN  
Director of Lands,  
20th floor,  
North Point Government Offices,  
333 Java Road, North Point, Hong Kong  
[DLOffice@landsd.gov.hk](mailto:DLOffice@landsd.gov.hk)

Mr Simon YL Peh,  
ICAC Commissioner,  
303 Java Road,  
North Point, Hong Kong  
Email: [com-office@icac.org.hk](mailto:com-office@icac.org.hk)  
[cpd@icac.org.hk](mailto:cpd@icac.org.hk)

Chairman and members  
Town Planning Board,  
15/F, North Point Government Offices,  
333 Java Road, North Point, Hong Kong.  
Fax: 2877 0245  
[tpbpd@pland.gov.hk](mailto:tpbpd@pland.gov.hk)

## **Recommendations regarding deterring fraudulent front men schemes under the Small House Policy**

Dear Sirs/Madams,

Following a study of ownership transaction of land in Tai Tan, Uk Tau and Ko Tong we found that most land for which owners have submitted small houses application to the Lands Department and/or sought planning approval from Town Planning Board were first bought by developers (companies or a specific group of owners) and transferred to the applicants only recently prior applications for small house development. The patterns are strikingly similar to the front man scheme discovered in the Sha Tin Tai Che Village court case (No. DCCC25/2015) and which was considered an illegal practice.

Further to the findings of our study we urge the Administration, the Town Planning Board and the ICAC to consider the following actions to deter front men schemes in small house applications:

1. Upon receipt of applications for small house development the Lands Department should consider the transaction history of the site(s) involved. Suspicious cases should be examined in detail.
2. Group applications that are made by “dings” on behalf of developers should be rejected. Only applications made by individual applicants should be considered.
3. The intention of the applicant to live in their small house must be considered including a study of the immigration records to determine whether applicants ordinarily reside in Hong Kong. Only residents should be allowed to apply.

4. Details of applications for small houses must be made available with an online database showing the details of the applicant, an overview of the land transactions and current status, and the progress with applications.
5. When considering draft plans and applications, the Town Planning Board and the Planning Department must take into account the land transaction history. This is an integral part in ensuring that the Board does not aid and abet a front man scheme.
6. To prevent government officials from breaching the law, ICAC is drafting recommendations on how the Lands Department can minimize risks when handling applications which create development values. Unfortunately, the report may not be disclosed to the public. We urge for the report to be published so that not only the Lands Department but also the general public better understand how front man schemes can be prevented.

Yours sincerely,



Paul Zimmerman  
CEO of Designing Hong Kong  
District Councillor, Pokfulam



# 誰在破壞我們的郊野公園？

Who are destroying our Country Parks?



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大灘、屋頭、高塘土地業權研究  
Tai Tan, Uk Tau and Ko Tong  
Land Ownership Study

# 沙田大輦村套丁案

## Sha Tin Tai Che Village Front Men Scheme (No.DCCCC25/2015)

- 『套丁』定義：

所謂『套丁』是指有權無地的男丁，與有地無權的地產發展商達成協議，男丁將丁權售予發展商，發展商將土地轉名給男丁（男丁不用付出買地的金額，但名義上男丁是該土地的業權人），由後者再向政府提出興建丁屋的申請。 ... ...(court case, para3)

### **The Front Men Scheme**

The Male Inhabitants with right to small housing but no land (The Applicants), has an agreement with the real estate developer who has land without right, under which the Applicants sold the right to small housing to the developer, and the developer transferred the land to the Applicants. However, the Applicants do not need to pay for the land or pay below market price. The Applicants will then apply to the government to build the small house on behalf of the developer.

# 地政總署：《就「套丁」是否涉及刑事罪行的回應》

## Lands Department : “Response to whether selling rights to build small houses involves criminal offences”

地政總署丁屋契約內的保證條款：

- 本人從未與任何人士或多名人士訂定任何安排或協議，以轉移、讓與、處置或以其他方式處理有關地段或其任何部分或其內的任何權益或本人對有關地段的權利，包括但不限於發展有關地段或其任何部分的權利（只適用於申請人持有私人地段的情況）
- 本人從未作出任何安排，以出售或以其他形式處置本人在政府的新界原居村民丁屋政策下申請批給牌照、以私人協約方式批地或換地的資格。

### The Promise in the Application

warranty clause :

- I have never entered into any arrangements or agreement with any person or persons to transfer, alienate, dispose or otherwise deal with the lot(s) or any part thereof or any interest therein or my rights in and over the lot(s), including but not limited to the right to develop the lot(s) or any part thereof (only applicable to private lots held by the applicants);
- I have never made any arrangements to sell or otherwise dispose of my eligibility to apply for a grant of a Licence, Private Treaty Grant or Exchange of land under the Small House Policy of the Government for indigenous villagers in the New Territories.

<http://www.info.gov.hk/gia/general/201512/07/P201512070837.htm>



# 但過去20年已有大量套丁案例

## But we knew this already for 20 years

- Turning to the question of illegality, the type of schemes in question has been the subject of judicial discussions and decisions, see for instance, *Li Pui Wan v Wong Mei Yin* [1998] 1 HKLRD 84; *Best Sheen Development Ltd v Official Receiver* [2001] 1 HKLRD 866; and *Chung Mui Teck v Hang Tak Buddhist Hall Association Ltd*, supra. In short, the case law is to the effect that **the making use of the name of an indigenous villager to apply for the necessary building licence under the concessionary Small House Policy from the Government to develop a piece of land beneficially owned by the developer is illegal in its performance...** (HCA193/2002, para 36)

# 涉及丁權買賣的案例

## Court cases involving the sale of “ding” rights

- [\*Li Pui Wan v. Wong Mei Yin\*](#) [1998] 1 HKLRD 84: Yung Shue Au Village, Sai Kung
- [\*Best Sheen Development Limited v. the Official Receiver and Trustee of the Property of Lai Thomas \(a bankrupt\)\*](#) [2001] 1 HKLRD 866: Tso Wo Hang Village, Sai Kung
- [\*Madam Chung Mui Tech & Ors v. Hang Tak Buddhist Hall Association Ltd. & Anor\*](#) [2001] 2 HKLRD 471: Sha Tin
- [\*Cheung Chi Fai v. Wan Hang Ping\*](#) HCA 193/2002: Lam Tsuen, Tai Po
- [\*Fu Kai Wa v. Luk Ngai Ling\*](#) HCA No 904 & 905 of 2004, 14 August 2006 (unrep.): Chai Kek Village, Lam Tsuen, Tai Po
- [\*Tiu Sum Fat & Ors v. Shun Sing Development Ltd & Anor\*](#) [2010] 1 HKLRD 553: Tai Po
- [\*Lau Ting Tai v. Chung Chun Kwong & others\*](#) HCA 2052/2006
- [\*Cheung David Yoke Ming v. Cheung Yat Kee\*](#) HCA 391/2011: Sai Kung
- [\*Kan Wai Chung v. Hau Wan Fai\*](#) [2016] HKLRD 632: Hang Tau, Sheung Shui

# 疑似「套丁」的痕跡

## How to discover possible front man schemes

### 1. 轉移土地業權 (第3、14、15段)

#### 1. Transfers of land ownership (para 3, 14,15)

### 2. 地段分割

發展商獲得屋地及農地後分割地段，以興建丁屋。(第9段1節)

#### 2. Division of land lots

Developer acquires Village or Agricultural land and divides it up into lots to build Small Houses on. (para 9(1))

### 3. 土地低於市場價格

男性原居民（在土地註冊署註明）以\$150,000購入土地，但實際上沒有付款。(第14段)

丁屋建成後，男原居民便需支付\$9,000,000給發展商，否則他們須轉讓丁屋予發展商。(第16段)

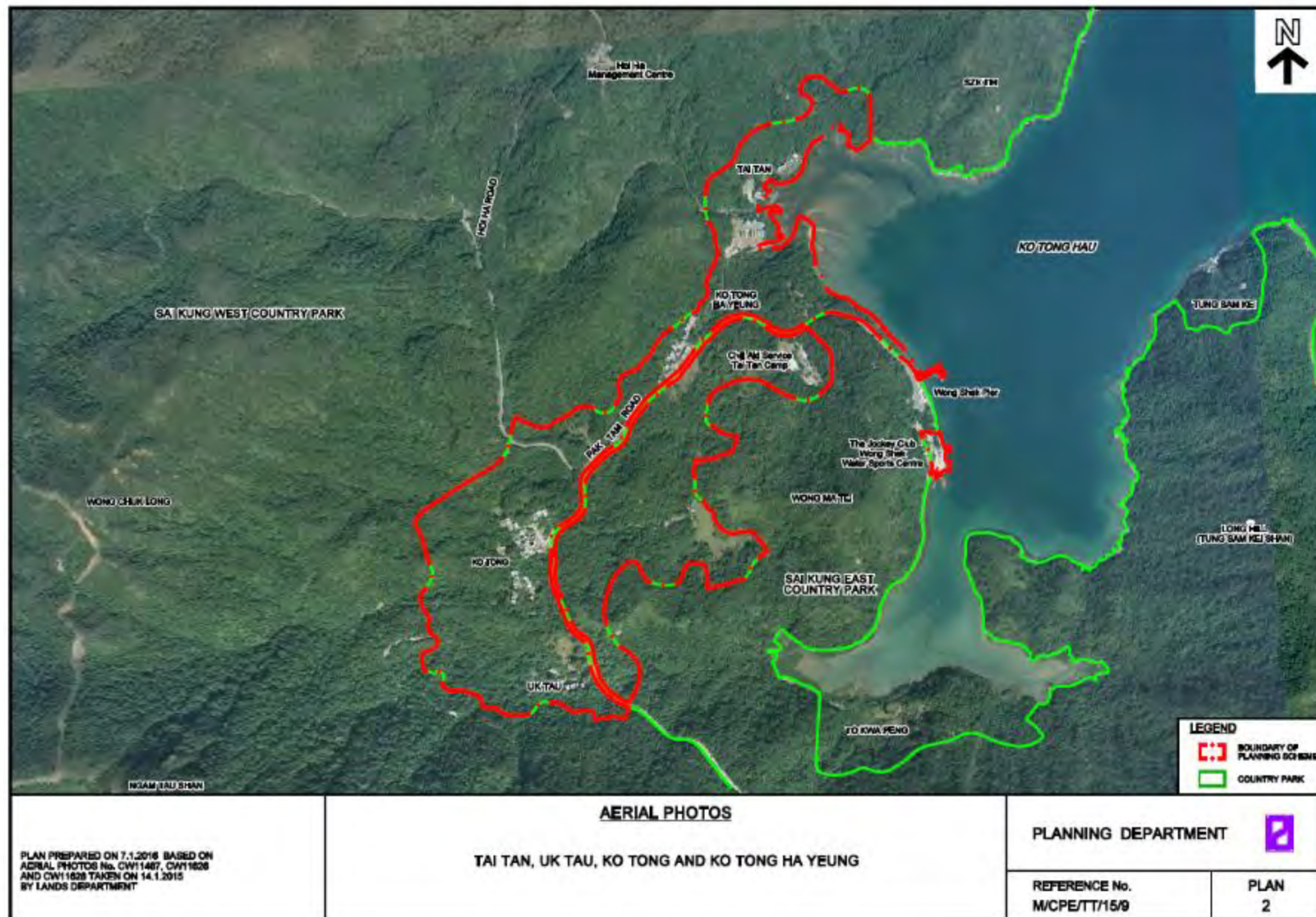
#### 3. Land sold below market prices

Male Inhabitant would purchase the land with 150,000, it did not happen. (para 14)

Once the small house was constructed, the Male Inhabitants need to pay HKD 9,000,000 to the real estate developer. Otherwise they would need to transfer the house to the developer. (para 16)

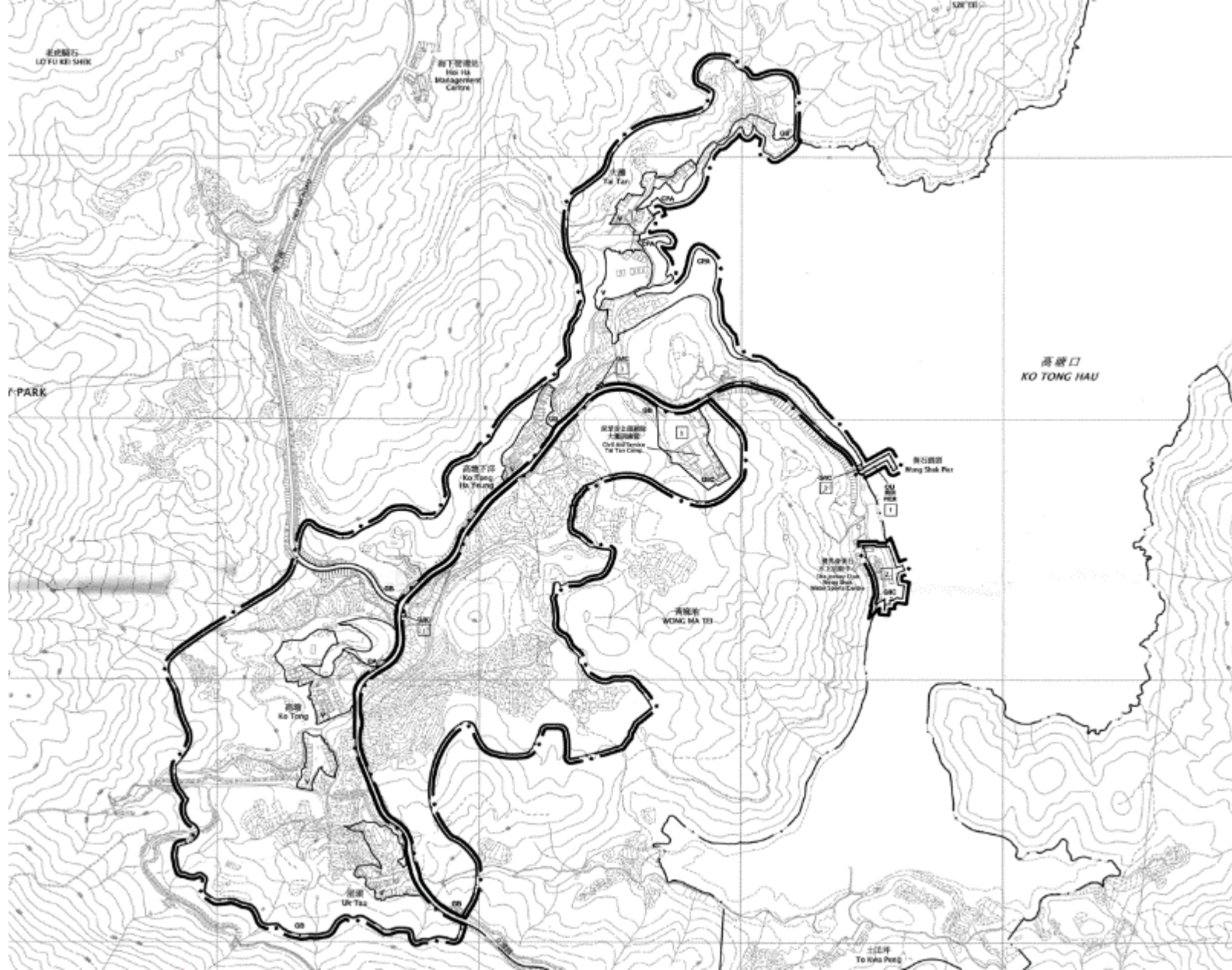
### 4. 申請人通常在海外定居

#### 4. The applicant is ordinarily residing overseas



發展審批地區圖在2013年刊憲  
 2016年2月草擬分區計劃大綱圖，2016年11月將刊憲相關大綱圖  
 DPA in 2013, Prelim OZP Feb 2016, Draft OZP Nov 2016





初步分區計劃大綱圖- 大灘，屋頭，高塘及高塘下洋

# Preliminary Outline Zoning Plan - Tai Tan, Uk Tau, Ko Tong and Ko Tong Ha Yeung

地政總署交予規劃署的丁屋需求預測（由村代表提交數字）

**Table 1: Small House Demand for the Tai Tan, Uk Tau, Ko Tong and Ko Tong Ha Yeung**

**Area in 2013 and 2016**

Village	Small House Demand Figure in 2013		Small House Demand Figure in 2016		'VE' Area ('VE' Area in Draft OZP) (ha)	"V" Zone on Draft OZP (ha)	Required Land to Meet New Demand (ha)	Available Land to Meet New Demand Figure (ha)	Percentage of the New Demand met by Available Land (%)
	Outstanding Demand	10-year Forecast (2013-2022) <sup>(1)</sup>	Outstanding Demand	10-year Forecast (2015-2024) <sup>(1)</sup>					
Tai Tan	10	Nil <sup>(2)</sup>	33	38	5.24 (4.85)	1.43	1.78	0.48 (19 Small Houses)	27%
Uk Tau	46	Nil <sup>(2)</sup>	45	45	3.11 (2.82)	1.07	2.25	0.53 (21 Small Houses)	24%
Ko Tong	18	105	31	192	3.56 (3.56)	2.11	5.58	0.79 (32 Small Houses)	14%
Ko Tong Ha Yeung	10	99	11	139	2.74 (1.81)	0.79	3.75	0.17 (7 Small Houses)	5%
<b>Total</b>	<b>84</b>	<b>204</b>	<b>120</b>	<b>414</b>	<b>14.65 (13.04)</b>	<b>5.40</b>	<b>13.35</b>	<b>1.97 (79 Small Houses)</b>	<b>15%</b>

Note:

- (1) The figure of 10-year Small House demand (with breakdown on the number of eligible male indigenous inhabitants currently aged 18 and to be aged 18 in the future ten years who will apply for Small House grants and those living in Hong Kong and the overseas) is estimated and provided by the IIRs of the respective villages and the information so obtained is not verified in any way by DLO/TP, LandsD.
- (2) No relevant figures were provided by the respective IIRs.



土地擁有人和發展商合作。  
 很多小型房屋發展的申請皆於DPA規劃刊憲後  
 及2016年1月12日之前提交

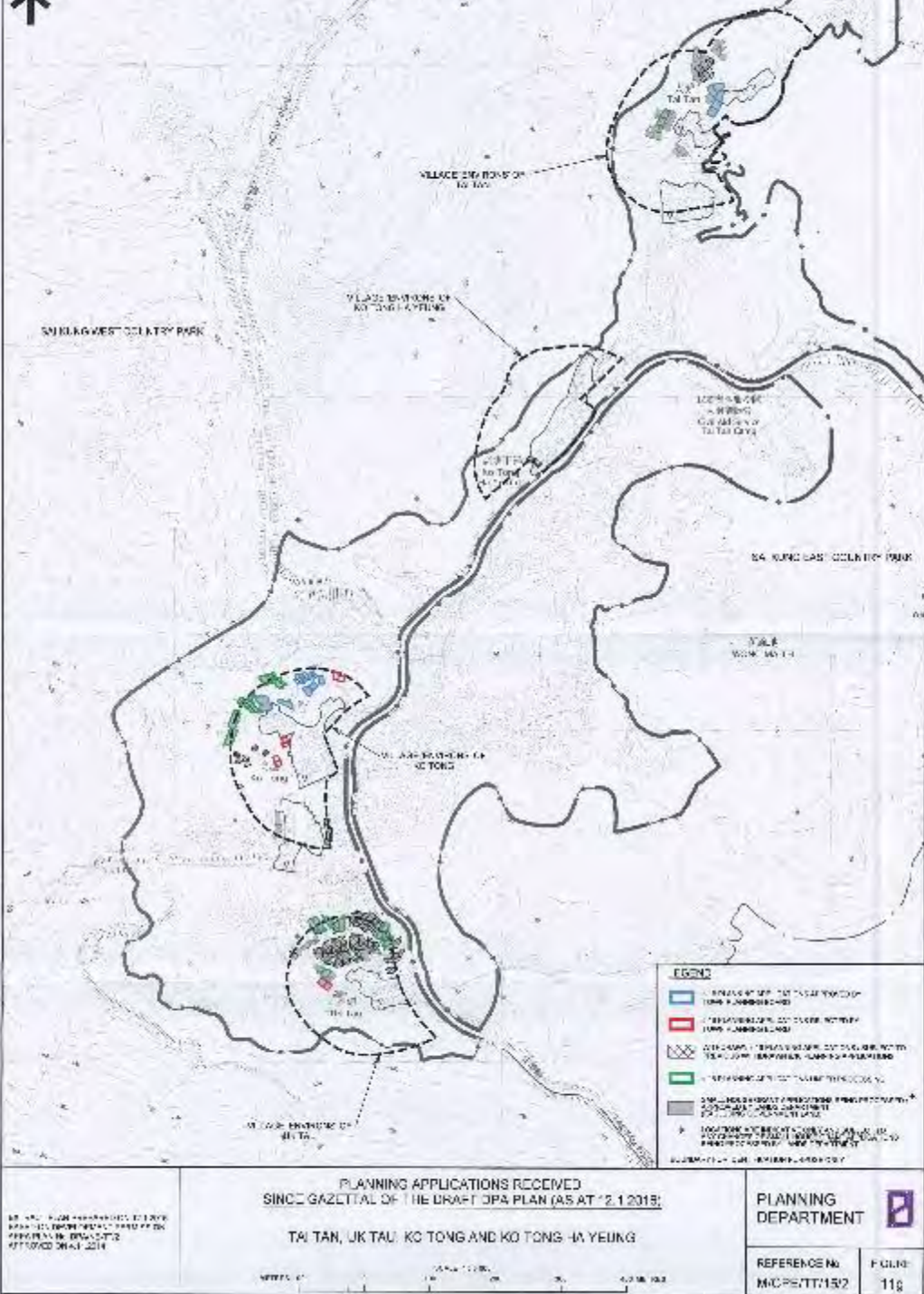
Land owners and developers worked  
 hard  
 Many applications for small house  
 developments have been submitted since  
 gazettal of the DPA plan and before  
 12/1/2016

Summary of the s.16 Planning Applications (All proposed for New Territories Exempted House (NTEH – Small House) in Tai Tan, Uk Tau, Ko Tong and Ko Tong Ha Yeung (as at 12.1.2016)

Total Number of s.16 Planning Applications received since the Gazettal of the draft DPA Plan on 8.11.2013	79
1. Number of approved s.16 planning applications (a)	13
2. Number of rejected s.16 planning applications (b)	8
3. Number of deferred s.16 planning applications (c)	13
4. Number of withdrawn s.16 planning applications (d)	44
5. Number of s.16 planning application pending decision*	1

\* Application No. A/DPA/NE-TT/79 will be considered by the Rural and New Town Planning Committee of the Town Planning Board on 22.1.2016.

截至2016年6月20日前有94個城規會丁屋申請  
 94 TPB applications for small house development up to 20 June 2016





# 屋頭-丁屋申請

## Uk Tau – Small House Applications

地政LandsD :

45-現有需求  
45-預計未來10年的需求  
總需求:90

45 - outstanding demand  
45 - 10 years forecast  
90 total demand

城規會DPA期間

34丁屋申請

(2 駁回)

(5 延期)

(27取消)

During DPA(TPB)

34 Small house applications

(2 rejected)

(5 deferred)

(27 withdrawn)

Map legend:

“V” zone in DPA

“V” zone in OZP plan

TPB Withdraw

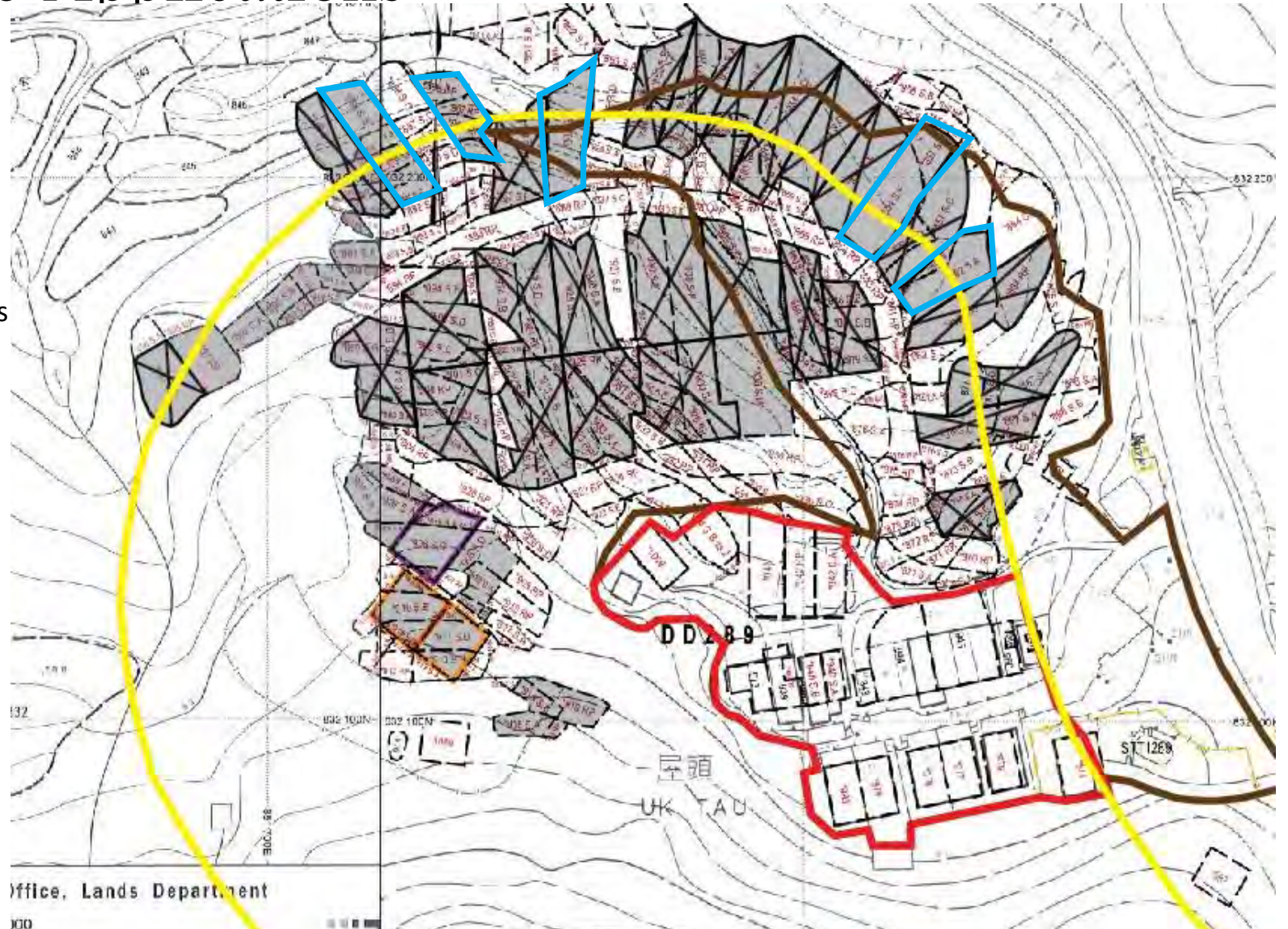
TPB Processing

TPB Rejected

TPB Deferred

LandsD approved or  
processing

Village Environ





# 屋頭-土地業權，分割及轉移

## Uk Tau – Land Ownership, Division and Transfer

土地由仁東有限公司在2006-2008年買入  
34個丁屋地段在2009年11月轉移至丁屋  
申請人

Land bought by **HANTON LIMITED** in period  
2006-2008

34 small house land lots transferred to small  
house applicants in November 2009

Map legend:

“V” zone in DPA

“V” zone in OZP plan

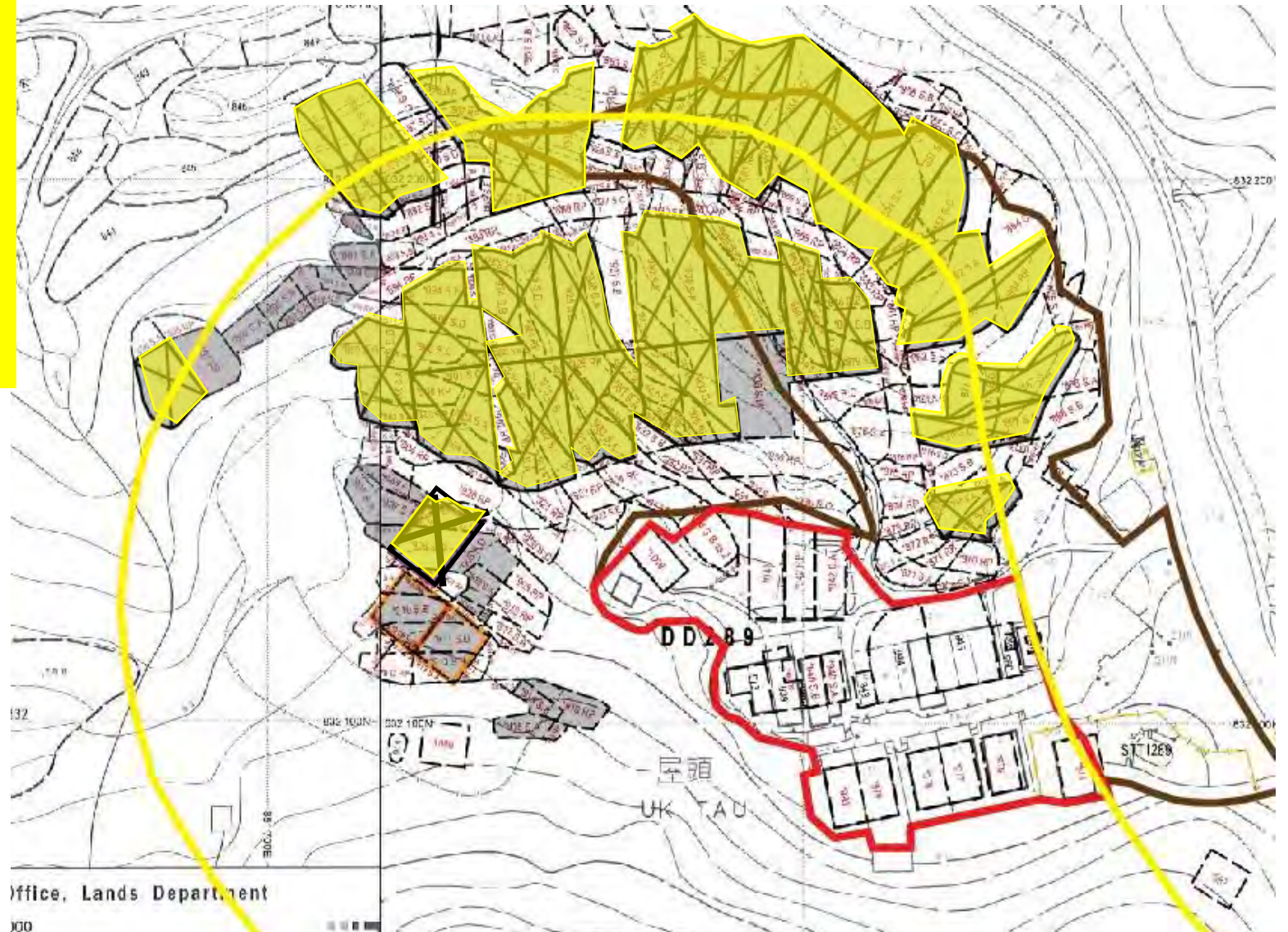
TPB Withdraw

TPB Processing

TPB Rejected

LandsD approved or  
processing

Village Environ





# 屋頭-業權，分割及轉移

## Uk Tau – Land Ownership, Division and Transfer

「仁東有限公司」董事

**Directors of Hanton Limited**

HUNG Shing Yin 孔聖賢

YIU Yuen On, Paul ( Ex-Government's Chief Architect)

姚源安-政府前總建築師

Involved in other schemes on village and agricultural land, including columbaria on Lantau and a spa resort in Sai Kung.

有參與大嶼山骨灰龕和西貢水療渡假中心計劃

Map legend:

“V” zone in DPA

“V” zone in OZP plan

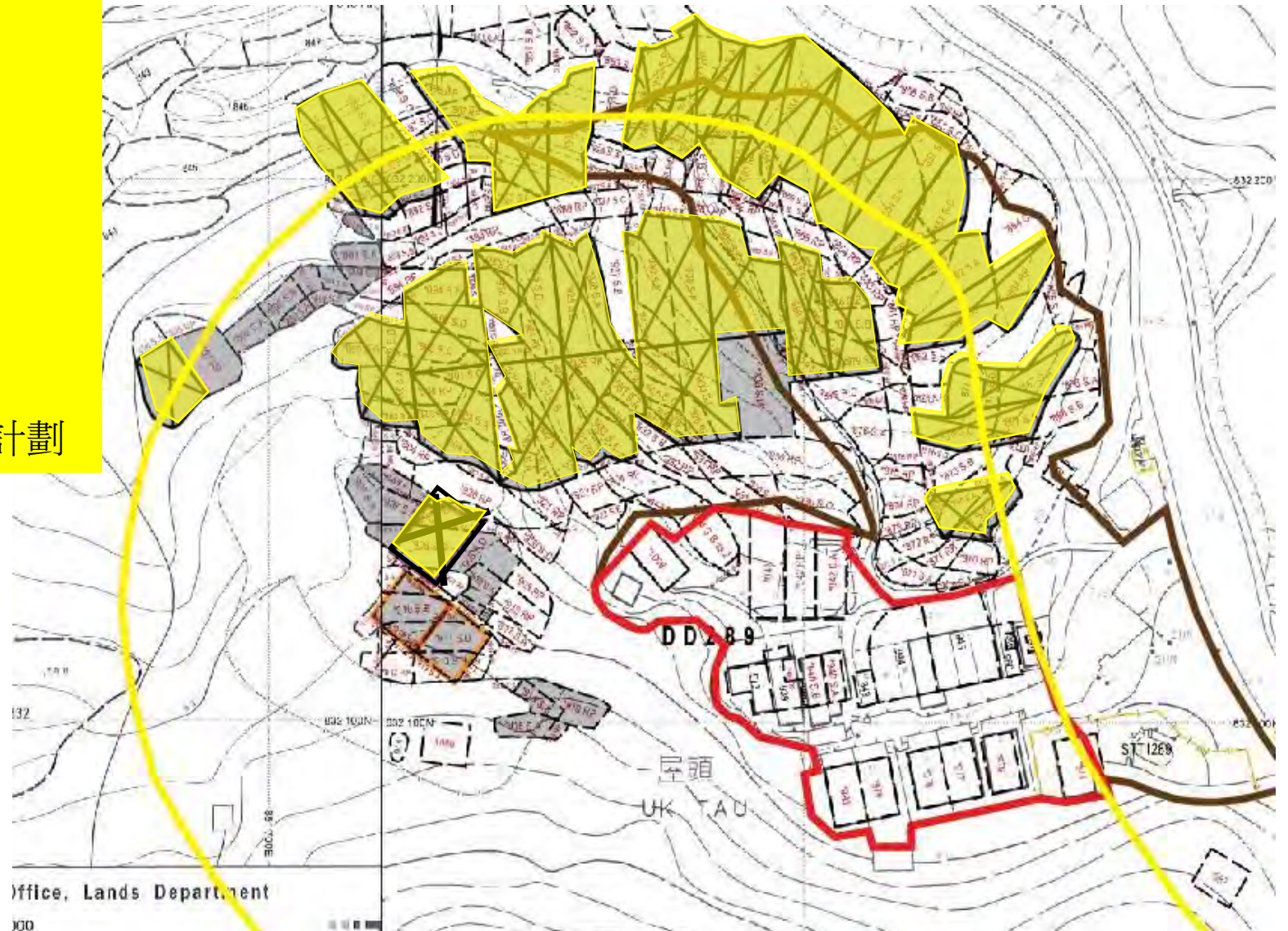
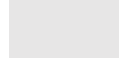
TPB Withdraw

TPB Processing

TPB Rejected

LandsD approved or processing

Village Environ



# 屋頭-土地買賣低於市場價格

Uk Tau – Land sold below market prices

每間房屋售價:

\$250,000 和 \$300,000/每丁屋地段

Selling price each house lots:

\$250,000 and \$300,000/per small house lots

(參考至2011年明報新聞-平均丁屋土地售價: \$1,400,000)

(Reference Ming Pao's 2011 news

-Average small house land price: \$1,400,000)

明報Ming Pao: [http://www.nshk.org.hk/pdf/c\\_awards/2011/038.pdf](http://www.nshk.org.hk/pdf/c_awards/2011/038.pdf)



## 屋頭-土地買賣低於市場價格 Uk Tau – Land sold below market prices

信毅香港有限公司亦有參與當中的轉售。（紅箭咀所指地段）

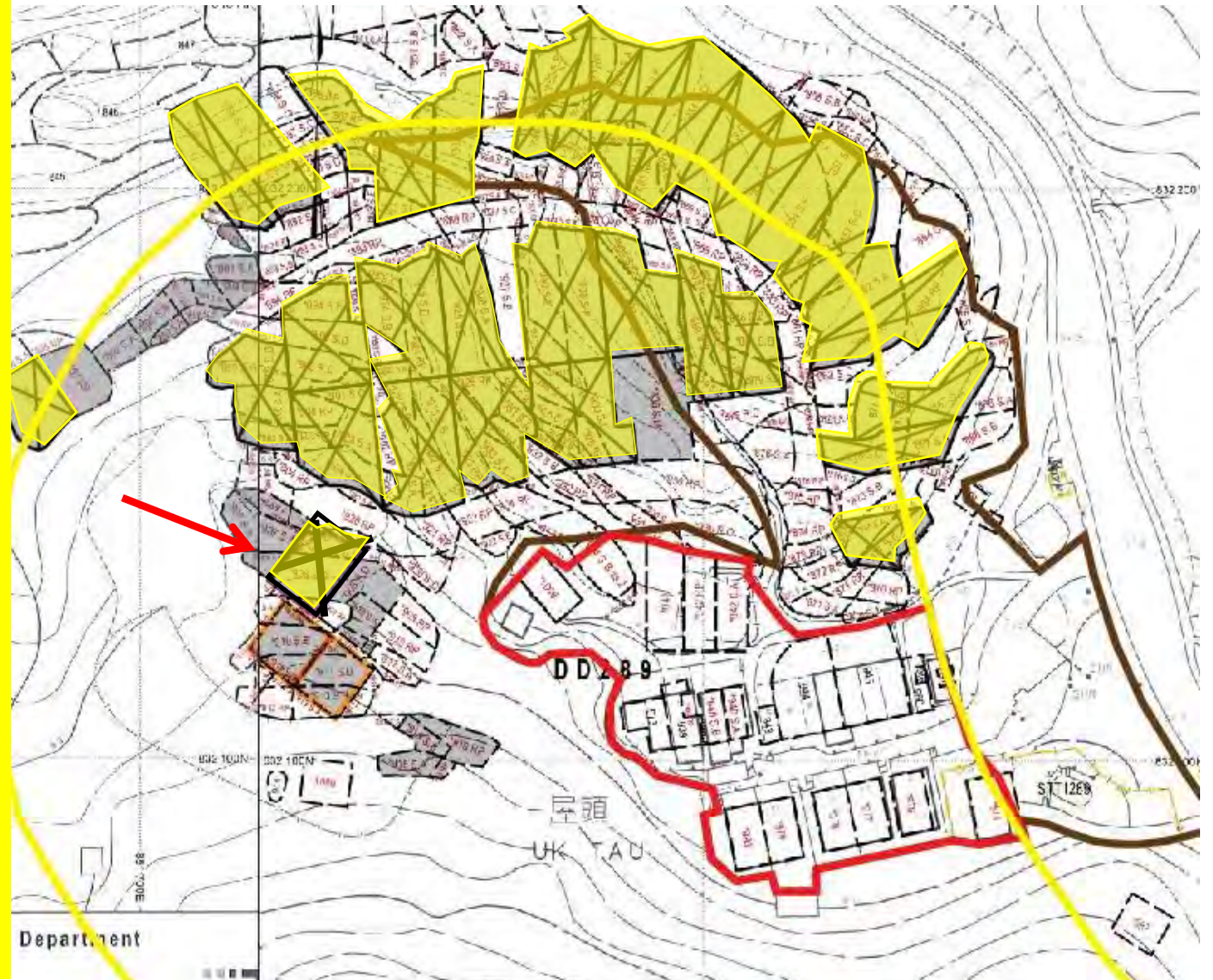
仁東有限公司在2010年以30萬轉售土地予何姓村民。信毅香港有限公司隨即同樣價錢購入及轉售予另一位黎姓村民。

信毅有限公司董事：張以嵐、張以行  
張以嵐與行會成員張學明兒子同名，早前涉及大埔坪朗丁屋僭建

Land brought by Hanton Limited (2008) and transferred to **Ho X Wah** for \$300,000.00 (PT.) (2010). **S & N (HONG KONG) LIMITED** bought it and transferred it to applicant LAI X WO in 2011 for the same price.

### **Directors of S & N (HONG KONG) LIMITED**

Cheung Yee Nam - the son of Chueng Hok Ming (member of Executive council), involved in building 2 unauthorized small houses at Tai Po Ping Long (2009)



根據屋頭鄉村代表信件，51宗丁屋申請提交到地政總署  
26宗仍在等待城規會批核

51 small house applications submitted to the Lands Department according to the Uk Tau Village Rep.

26 were applying for TPB planning approval.

From DC → Haakon

Re D. D. 289

Development at Uk Tau, in D.D. 289, Sai Kung North, Tai Po District

23-11-2011

Hse No.	Solicitor Ref	Name of Applicant	HKID No.	DLO's Reference	Lot Nos	Date of Application	Date of Interview
✓ 1	DC-ACPH-1527-dc	FONG YAU HEI (方友喜)		DLO/TP353/TLT/87	896A, 897A.	28/12/2005	04/6/2010
✓ 2	DC-ACPH-1457-dc 1458	Ho Kiu Wah (何僑華)		DLO/TP473/TLT/87	896RP, 897RP.	15/10/2010	05/10/2010
✓ 3	DC-ACPH-2389-dc	Cheng Siu Kee (鄭兆基)		DLO/TP142/TLT/90	895A.	02/7/2010	
✓ 4	DC-ACPH-2390-dc	Cheng Siu Yip (鄭兆業)		DLO/TP143/TLT/90	895B, 898A.	02/7/2010	
✓ 5	DC-ACPH-2391-dc	Cheng Siu Lok (鄭兆樂)		DLO/TP141/TLT/90	895RP, 894A, 898B. 890A, 891A, 892A, 893A, 894B.	02/7/2010	
✓ 6	DC-ACPH-348-dc/p	Cheng Benjamin Hon (鄭漢聰)		DLO/TP292/TLT/89		04/3/2009	
✓ 7	DC-ACPH-1530-dc	FONG YUK HING (方玉興)		DLO/TP358/TLT/87	888A, 887A, 889A, 890B, 891B, 892B, 893B.	28/12/2005	04/6/2010
✓ 8	DC-ACPH-1512-dc	FONG CHI FUK (方賜福)		DLO/TP350/TLT/87	888B, 887B, 889B, 890C, 891C, 892C, 893C.	28/12/2005	04/6/2010
✓ 9	DC-ACPH-1523-dc	FONG SO TAI (方蘇帶)		DLO/TP365/TLT/87	888C, 887C, 889C, 890D, 891D, 892D, 893C.	28/12/2005	08/7/2008
✓ 10	DC-ACPH-1528-dc	FONG YUK HEI (方玉蓮)		DLO/TP352/TLT/87	888RP, 887RP, 889RP, 890RP, 891E, 892RP, 893E, 886A.	28/12/2005	08/6/2010
✓ 11	DC-ACPH-1517-dc	FONG KAN SAU (方根壽)		DLO/TP355/TLT/87	886B, 891RP, 893F.	28/12/2005	15/6/2010
✓ 12	DC-ACPH-1518-dc	FONG KWAI MAN ALAN (方貴民)		DLO/TP364/TLT/87	886C.	28/12/2005	04/6/2010
✓ 13	DC-ACPH-1525-dc	FONG TIN SANG (方天生)		DLO/TP351/TLT/87	853A, 886D, 929A, 928A, 927A.	28/12/2005	11/6/2010
✓ 14	DC-ACPH-1529-dc	FONG YUK HEI (方玉蓮)		DLO/TP356/TLT/87	853B, 885A, 886E, 930A, 929RP, 928B, 927B.	28/12/2005	11/6/2010
✓ 15	DC-ACPH-1515-dc	FONG CHI MAN (方志文)		DLO/TP354/TLT/87	853RP, 854A, 885B, 886F, 881A, 930B, 883A, 928C.	24/8/2009	11/6/2010
✓ 16	DC-ACPH-1511-dc	FONG CHEE KONG (方賜光)		DLO/TP362/TLT/87	854B, 884A, 885RP, 883B, 881B, 882A, 930C.	28/12/2005	8/6/2010
✓ 17	DC-ACPH-1519-dc	FONG KWAI MING ERIC (方桂明)		DLO/TP367/TLT/87	854C, 884B, 883RP, 860A, 882B.	28/12/2005	8/6/2010



✓ 18	DC-ACPH-1522-dc	FONG PO LAW (方保羅)✓		DLO/TP349/TLT/87	854D, 884RP, 859A, 860B, 855A, 856A	28/12/2005	11/6/2010
✓ 19	DC-ACPH-1514-dc	FONG CHI KONG (方志剛)✓		DLO/TP361/TLT/87	856B, 855B, 857A, 854E, 859B	28/12/2005	4/6/2010
✓ 20	DC-ACPH-1460-dc 1516	To Kam Tong (杜錦唐)✓ 方志華		DLO/TP476/TLT/87	856RP, 855C, 857B, 854F, 858C	07/10/2010	5/10/2010
✓ 21	DC-ACPH-1492-dc	LAI NGAU NAI (黎牛奶)✓		DLO/TP149/TLT/83	855RP, 857C, 854G, 858D, 861C	28/11/2006	11/6/2010
✓ 22	DC-ACPH-1500-dc	LAI CHAU WA CHRIS (黎秋華)✓		DLO/TP61/TLT/83	861D, 857D, 862A, 864A, 864B	28/11/2006	4/6/2010
✓ 23	DC-ACPH-1497-dc	LAI TIN WA (黎天華)✓		DLO/TP144/TLT/83	864RP, 862B, 861E, 958B, 862C	28/11/2006	1/6/2010
✓ 24	DC-ACPH-1484-dc	LAI CHIN WAH (黎展華)✓		DLO/TP88/TLT/88	898C, 899B, 900A, 903A, 905A, 904A, 894D	28/11/2006	15/6/2010
✓ 25	DC-ACPH-1494-dc	LAI SHUI YAU (黎水有)✓		DLO/TP89/TLT/88	925B, 924A, 894E, 898D, 899C, 901A, 900B	28/11/2006	15/6/2010
✓ 26	DC-ACPH-1485-dc	LAI CHIN WING (黎展榮)✓		DLO/TP90/TLT/88	893G, 893H, 925C, 924B, 925D, 924RP, 898E, 899RP, 922A, 901B, 923A	28/11/2006	23/7/2010
✓ 27	DC-ACPH-1491-dc	LAI LUK (黎六)✓		DLO/TP143/TLT/83	930H, 925E, 926A, 927E, 886G, 893I	28/11/2006	20/7/2010
✓ 28	DC-ACPH-1488-dc	LAI KAU TAI (黎九梯)✓		DLO/TP147/TLT/83	927D, 928D, 930E, 927F, 930I, 927G, 930F	28/11/2006	20/7/2010
✓ 29	DC-ACPH-1489-dc	LAI KIN HEI (黎見喜)✓		DLO/TP57/TLT/83	882C, 860C, 881C, 930G, 880A	28/11/2006	20/7/2010
✓ 30	DC-ACPH-1482-dc	LAI AH YAU (黎亞有)✓		DLO/TP142/TLT/83	859C, 860D, 861A, 880B, 881E, 879E, 879B, 858A, 930N	28/11/2006	15/6/2010
✓ 31	DC-ACPH-1499-dc	LAI YUNG TAI (黎榕梯)✓		DLO/TP62/TLT/83	859D, 854H, 858B, 861B, 958A, 879D, 880RP	28/11/2006	15/6/2010
✓ 32	DC-ACPH-1481-dc	LAI AH TAI (黎亞帶)✓		DLO/TP145/TLT/83	901C, 902A, 900RP, 903RP, 904B, 920A	28/11/2006	15/6/2010



✓✓	33	DC-ACPH-1486-dc	LAI FAT YUNG (黎佛容)✓		DLO/TP146/TLT/83	901RP, 924C, 925F, 922B, 923B, 922C, 902RP, 921A, 904C, 921B	28/11/2006	23/7/2010
✓✓	34	DC-ACPH-1498-dc	LAI YIU MING (黎耀明)✓		DLO/TP92/TLT/85	933A, 922D, 9324A, 923RP, 932A, 931A, 930Q, 926B, 925RP, 930J	28/11/2006	3/8/2010
✓✓	35	DC-ACPH-1496-dc	LAI TAK YAU (黎德有)✓		DLO/TP63/TLT/83	927H, 926C, 930K, 930R, 931B, 927RP, 930L, 926RP, 931C, 930S	28/11/2006	20/7/2010
✓✓	36	DC-ACPH-1490-dc	LAI KOON YAU (黎官有)✓		DLO/TP138/TLT/83	881D, 979A, 930M	28/11/2006	23/7/2010
✓✓	37	DC-ACPH-1487-dc	LAI HO TIN (黎灝田)✓		DLO/TP64/TLT/83	879C, 878A, 876A, 930P	28/11/2006	23/7/2010
✓✓	38	DC-ACPH-1493-dc	LAI SHEK YEUNG (黎石養)✓		DLO/TP93/TLT/85	878B, 877, 876D, 867A, 866A, 865RP	28/11/2006	8/6/2010
✓✓	39	DC-ACPH-1495-dc	LAI SIU MING (黎小明)✓		DLO/TP141/TLT/83	876C, 873C, 868RP, 867B, 866B	28/11/2006	8/10/2010
✓✓	40	DC-ACPH-1483-dc	LAI CHI KIT (黎志傑)✓		DLO/TP65/TLT/83	876B, 874A, 875A, 873B, 868B, 867RP, 866RP	28/11/2006	8/10/2010
✓✓	41	DC-ACPH-1526-dc	FONG TSAT YAU (方七有)✓		DLO/TP366/TLT/87	875B, 874B, 873A, 868A, 871B, 870B	28/12/2005	1/6/2010
✓✓	42	DC-ACPH-1520-dc	FONG HO YIN BOB (方浩賢)✓		DLO/TP357/TLT/87	920BsI	28/12/2005	

## Most applications withdrawn from TPB after news report. Why?



<https://thestandnews.com/nature/%E4%B8%8D%E5%8C%85%E6%8B%AC%E5%9C%9F%E5%9C%B0%E5%86%8D%E5%8F%97%E5%>

# 屋頭鄉村代表的投訴

## Uk Tau Village Representative Complaint

### TPB paper p.205-206

我們屋頭村的申請案件已在 2006/2007 年時獲得大埔地政署接受，有關申請人也在 2000 年獲得地政署約見及確認 (附件 B)。我們也多次去信大埔地政署交待申請事宜，事已多年，我們共有的 51 件申請到今天為止也還沒有收到公平的對待和處理，有些村民也年事已高，我們希望蘇專員能夠盡快約見我們，共同商討我們屋頭審批屋宇 (只限新界豁免管制屋宇) 之用地方案，容許我們村民多年來的夢想，給我們村民一個可以享受天倫之家。

The applications from Uk Tau Village have been accepted by the Tai Po District Lands Office in 2006/2007. The relevant applicants have also been interviewed and confirmed by the DLO in 2000 (Annex B). We have also written many times to the Tai Po DLO to pursue the matter. Many years have passed, a total of 51 applications are still pending until today without fair treatment and attention. Some of our inhabitants are getting older and older. We hope Mr. SOH can arrange to meet us as soon as possible to discuss the land use zoning for Village Type Development in Uk Tau (restricted to New Territories Exempted Houses), allowing our inhabitants to materialize their longtime dream of having a home to house their family.

規劃署  
沙田、大埔及北區規劃專員  
新界上禾輦路 1 號  
政府合署 13 樓

致：蘇專員先生

蘇專員：

有關：大灘、屋頭、高塘及高塘下洋  
發展審批地區核准圖編號 DPA/NE-TT/2 事宜

我為西貢北約屋頭村原居民代表，很榮幸在去年 (14/10/2014) 有機會和您與我們的規劃師 - 奧雅納工程顧問的楊詠珊小姐，一齊初步商討屋頭發展審批地區核准圖，編號 DPA/NE-TT/1 事宜。在那次會議上，蘇專員也公開表明會以公平、公開的態度來處理屋頭規劃圖事宜。在會議上也提及到批地法則會優先考慮已經在申請中屋宇 (新界豁免管制屋宇) 的案件，更會特別優先處理，其次在考慮未來十年村民的申請案件等等。我們也同意蘇專員的見解和方向。

雖然我等在較早前已收到城規會的來信，獲告知在 2014 年 8 月 1 日，城規會在考慮有關「大灘、屋頭、高塘及高塘下洋發展審批地區核准圖編號 DPA/NE-TT/1」的申述及意見，並決定不接納全部村民及有關人士申述及不順應申述而修訂發展審批地區圖，我等對規劃署的決定深表失望及遺憾，也在今年初再多次向有關部門申述，也沒有得到貴署的正面回應。我西貢北約屋頭村代表也在今年五月初去信貴署，要求會面商討在擬備中的 (大灘、屋頭、高塘及高塘下洋) 分區計劃大綱圖上的土地用途，很遺憾，也不滿意貴署沒有明確的回應我們的要求。

我代表屋頭村民再次向蘇專員請示我等屋頭村民的要求，跟進 2014 年 10 月 14 日跟蘇專員在沙地政署之會議，同城市規劃委員會在 2014 年 8 月之會議記錄 (TPB/R/DPA/NE-TT/1 - R3，日期為 2014 年 8 月 22 日) 第 59 條「指定村屋區域」(附件 A)。城規會也很明確的列明在規劃中的大灘、屋頭、高塘及高塘下洋發展規劃圖會以：

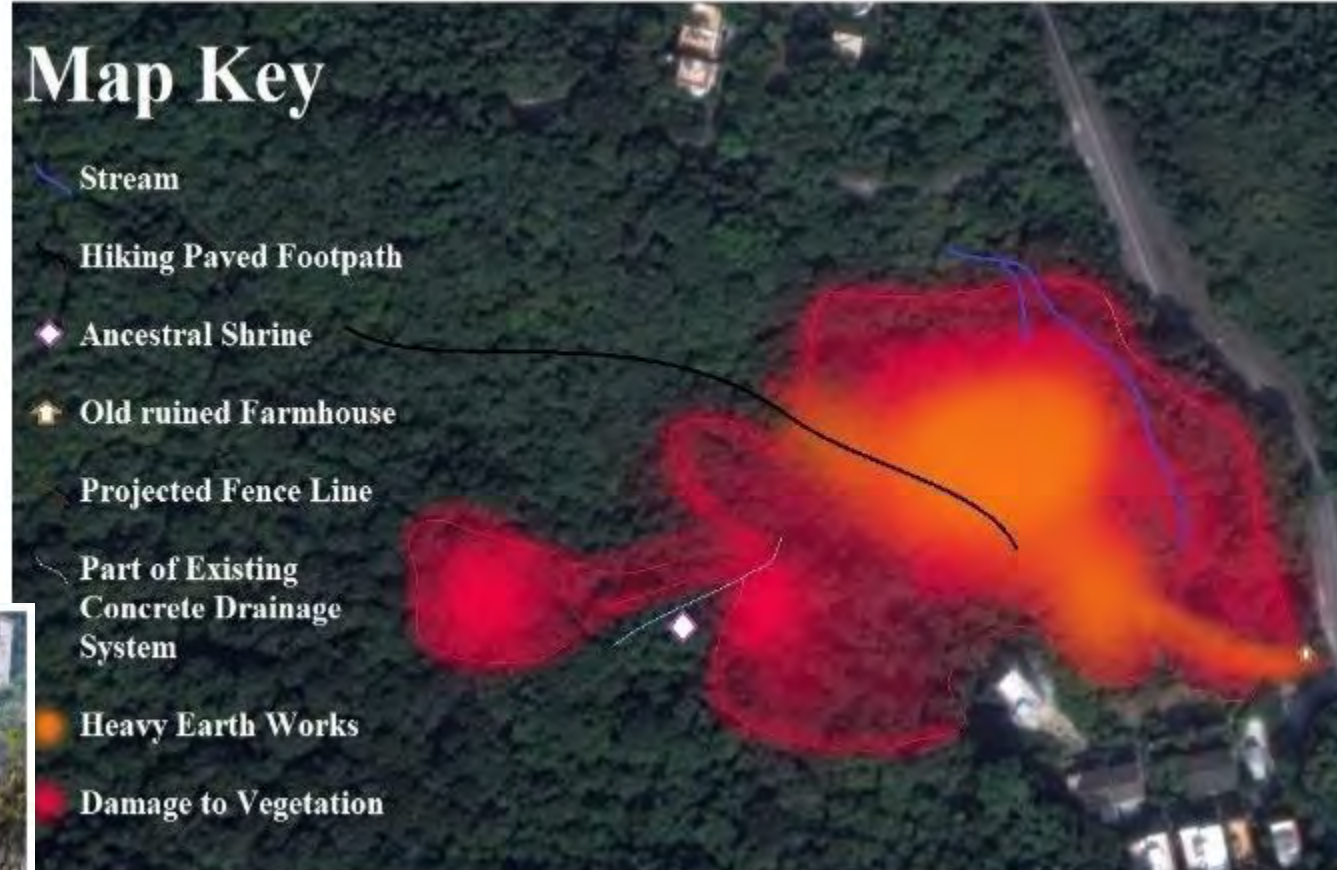
- i) 已申請而還沒批出的丁屋申請為最主要考慮因素；
- ii) 未來十年村民有可能申請案件為次要考慮等等。

我們屋頭村的申請案件已在 2006/2007 年時獲得大埔地政署接受，有關申請人也在 2000 年獲得地政署約見及確認 (附件 B)。我們也多次去信大埔地政署交待申請事宜，事已多年，我們共有的 51 件申請到今天為止也還沒有收到公平的對待和處理，有些村民也年事已高，我們希望蘇專員能夠盡快約見我們，共同商討我們屋頭審批屋宇 (只限新界豁免管制屋宇) 之用地方案，容許我們村民多年來的夢想，給我們村民一個可以享受天倫之家。



# 屋頭-假復耕

## Uk Tau - Fake Farming



May 2015



# 屋頭-假復耕

## Uk Tau - Fake Farming

May 2016





# 大灘-丁屋申請

## Tai Tan – Small House Applications

地政總署：

33-需求過多

38-預計未來10年需求

總需求:71

LandsD：

33 - outstanding demand

38 - 10 years forecast

71 total demand

Map legend:

“V” zone in DPA

“V” zone in OZP plan

TPB Withdraw

TPB Processing

TPB Rejected

TPB Approved

LandsD approved or processing

Village Environ

DPA期間（城規會）

19丁屋申請

(5 接受)

(2撤回而沒有再申請)

(12進行中, TPB延期(4個取消後再申請))

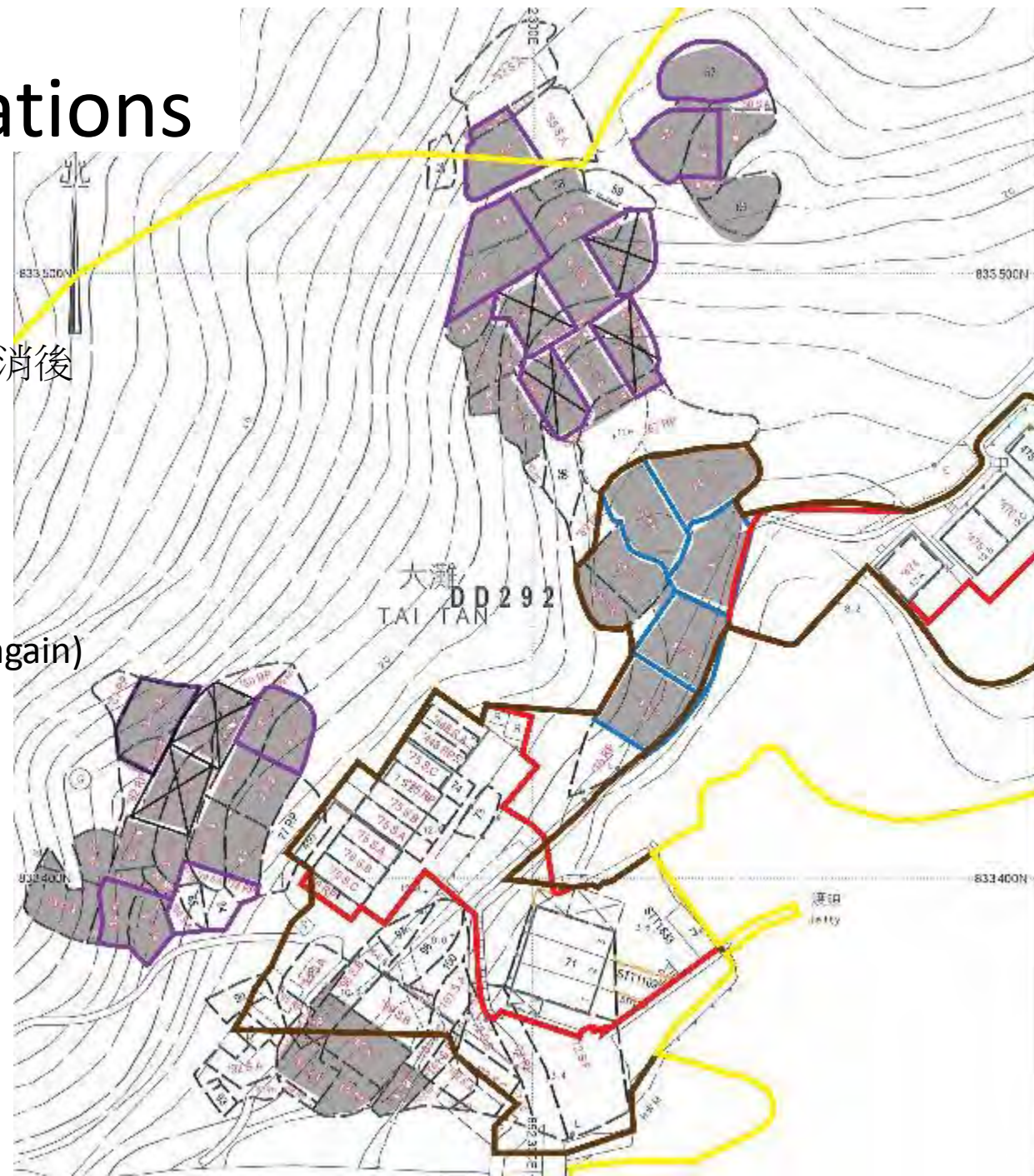
During DPA(TPB)

19 Small house applications

(5 approved)

(2 withdrawn, didn't apply again)

(12 processing, TPB hearing deferred (4 applied after withdrawn))





# 大灘-業權，分割及轉移

## Tai Tan—Land Ownership, Division and Transfer

14間撤回或仍在申請的丁屋地段，在2013年開始被四個發展商收購：

保盛發展有限公司、譽康國際發展有限公司、帝庭發展有限公司和惠佳發展有限公司

14 building lots on part of the land was sold and held jointly by companies owned by 4 investors since 2013, namely:

- **FAME WEALTH INTERNATIONAL DEVELOPMENT LIMITED**
- **WISE CHAMP DEVELOPMENT LIMITED**
- **ALL SURE DEVELOPMENT LIMITED**
- **KING PALACE DEVELOPMENT LIMITED**

Map legend:

“V” zone in DPA

“V” zone in OZP plan

TPB Withdraw

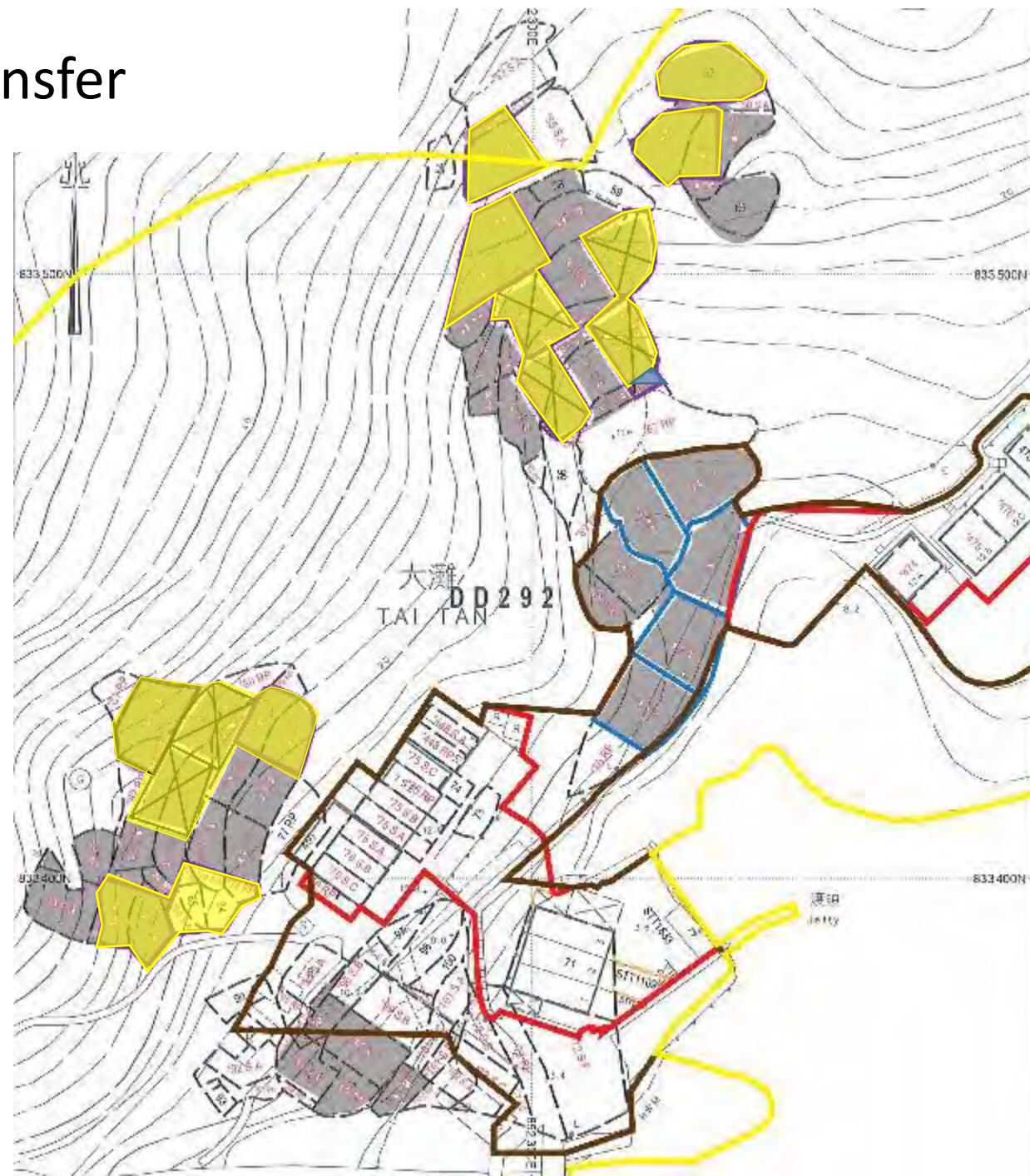
TPB Processing

TPB Rejected

TPB Approved

LandsD approved or processing

Village Environ





# 大灘-業權，分割及轉移

## Tai Tan–Land Ownership, Division and Transfer

四個發展商現由持有中國護照人士擁有。

All directors are holding Chinese passports.

### **FAME WEALTH INTERNATIONAL DEVELOPMENT LIMITED**

Director: Liu Zhi Qing

Secretary: **ALL SURE DEVELOPMENT LIMITED**

### **WISE CHAMP DEVELOPMENT LIMITED**

Director: Liu Yuan Qing

Secretary: FOCUS STAR LOGISTICS LIMITED

Director: Yan Lin;

Secretary: WISE CHAMP DEVELOPMENT LIMITED

### **ALL SURE DEVELOPMENT LIMITED**

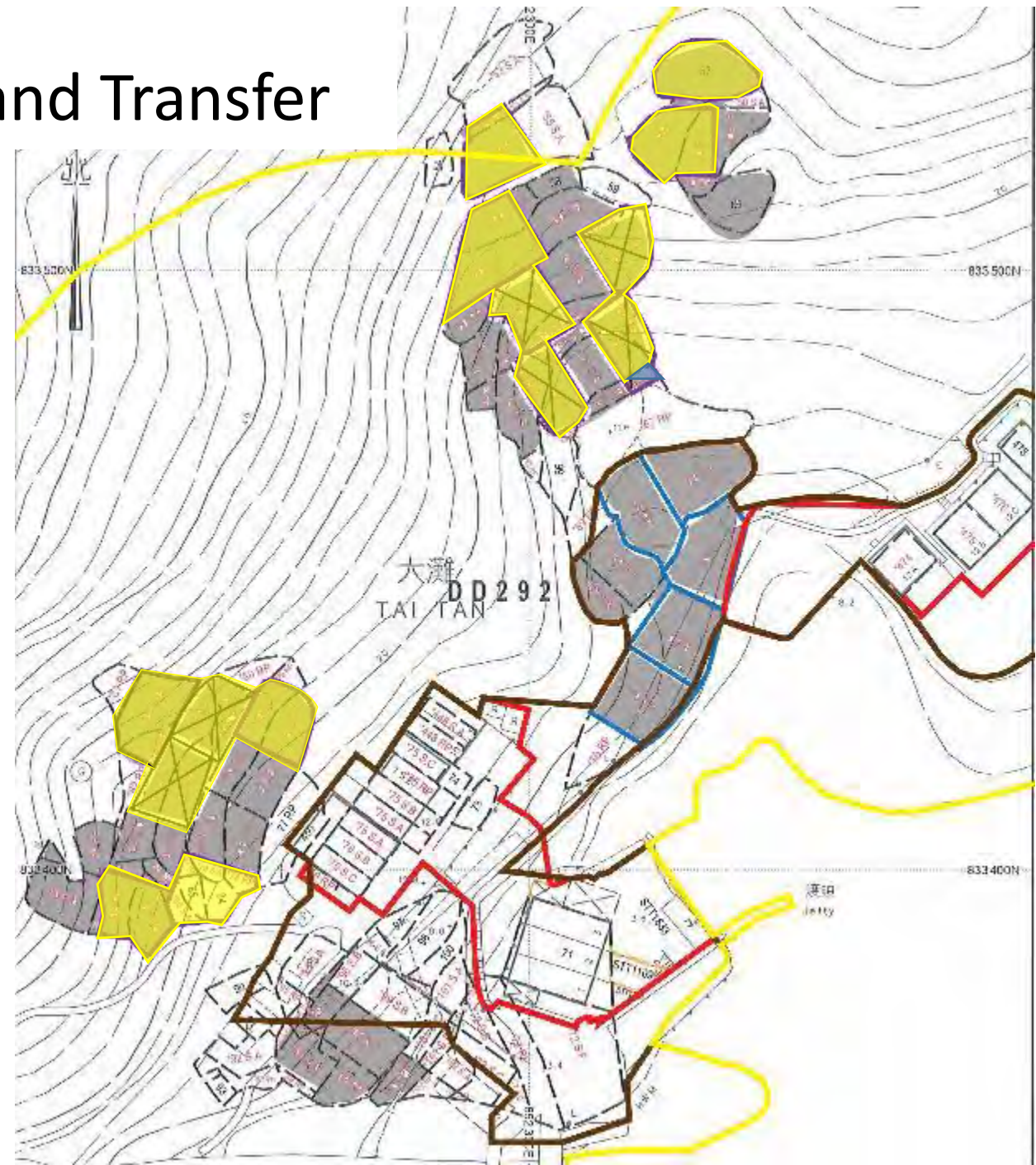
Director: Guo Hua Shou

Secretary: **FAME WEALTH INTERNATIONAL DEVELOPMENT LIMITED**

### **KING PALACE DEVELOPMENT LIMITED**

Director: Cheng Jian Jun

Secretary: Leadco Development Limited (Director: QIU, JIE HUI; Secretary: KING PALACE DEVELOPMENT LIMITED )





# 大灘-土地買賣低於市場價格

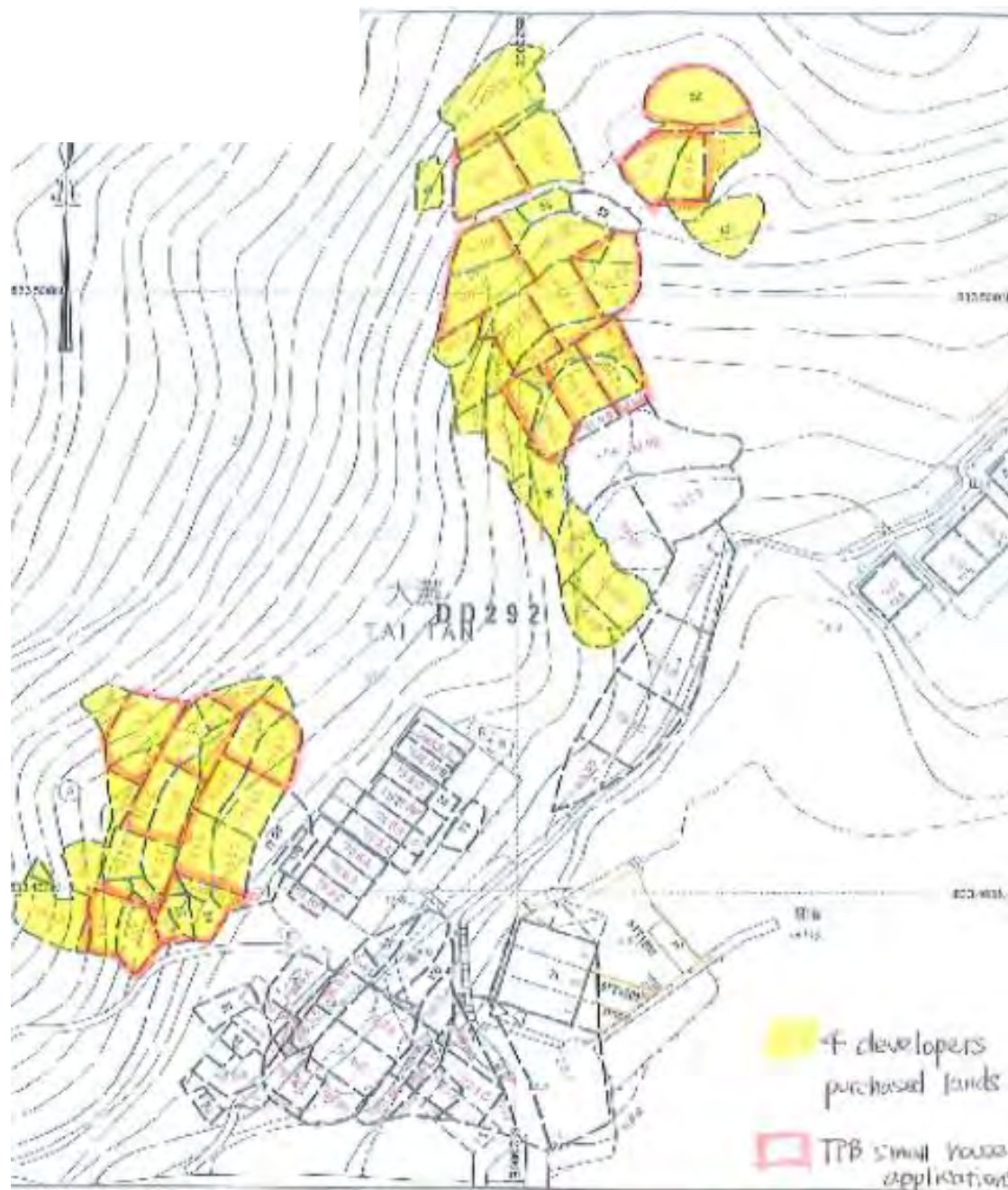
## Tai Tan-Land sold below market prices

四個發展商共投資\$2475萬，買入29個地段（0.37公頃土地，黃色），再將地段根據丁屋範圍分割為89個地段。

14間丁屋佔0.18公頃（紅色），在同一日（2014年6月19日）以\$80萬至\$115萬轉售予村民或申請人，全部經由同一間律師行Dickman LT. Chan & Co. Solicitors處理。

Land lots acquired and owned by 4 investors since 2013 for a combined cost of \$24,750,000 (0.37 ha, 29 lots, yellow), and the land lots were divided into 89 lots according to the small house boundary.

14 small house lots covering (0.18 ha, red lined) were transferred to the applicants (\$800,000 to \$1,150,000 per small house, or \$12,040,000 total) all on the same day - **19 June 2014** - through Dickman LT. Chan & Co. Solicitors.





# 大灘-丁屋申請

## Tai Tan– Small House Applications

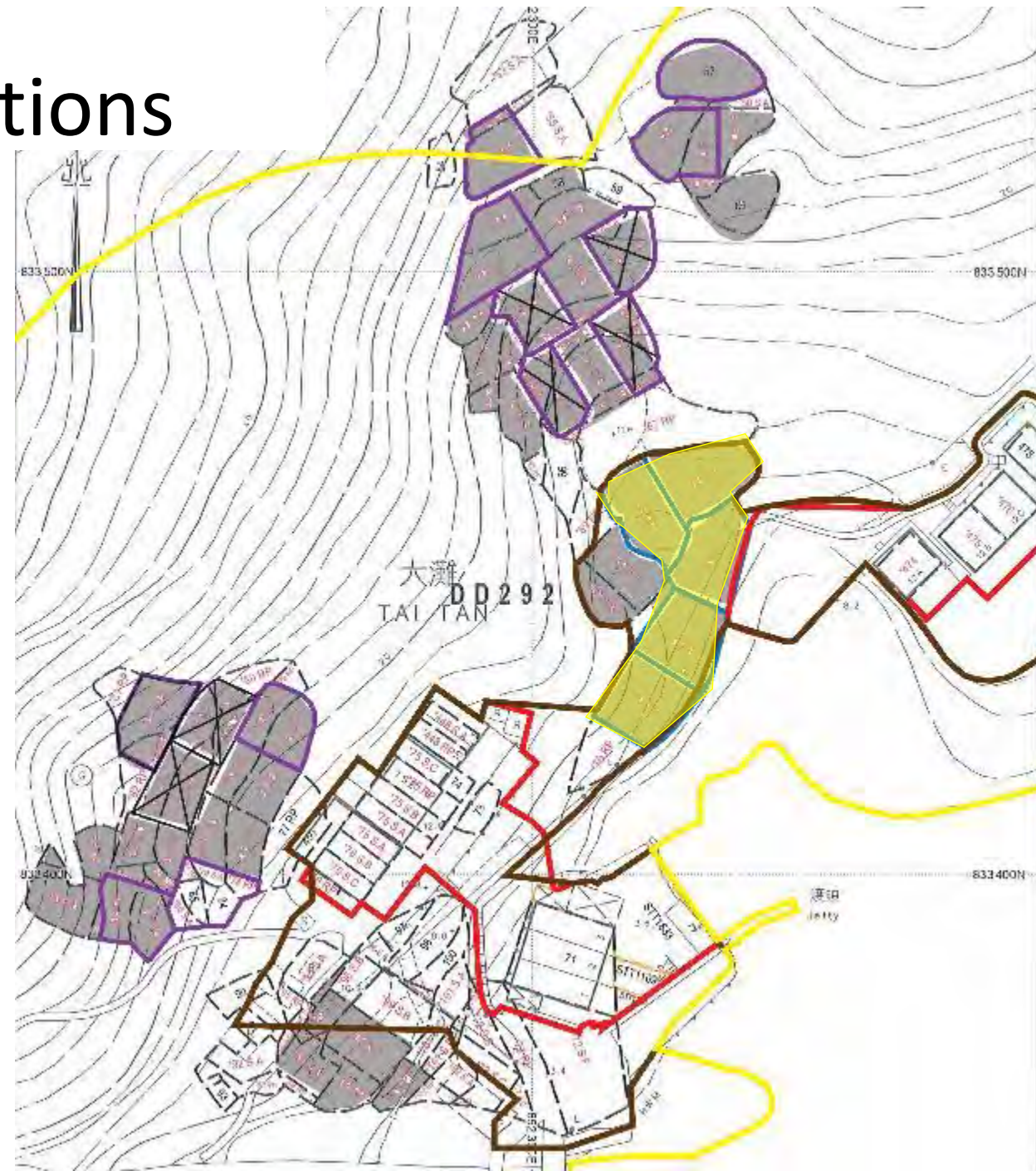
### 疑似接洽人 **The Deal Maker**

李達倫是村代表李明兒子。李明曾去信要求城規會擴大「鄉村式發展用地」（可建丁屋）。  
李達倫曾涉及丁屋申請中14個地段的買賣。  
李達倫和4個村民擁有沿岸丁屋申請的土地。李在同一日分別以\$100萬賣了50%業權予其他丁屋申請人。  
申請人及後向城規會申請丁屋發展。

LI TAT LUN is the son of village representative Li Ming. Li Ming wrote to TPB to ask for larger v-zones.

LI TAT LUN was involved in the sale of 14 land lots related to Tai Tan small house applications (see above).

LI TAT LUN 李達倫 together with 4 villagers co-owned 5 lots of land on the coast. Li sold his 50% share of each to each villager on the same day in 2012 for \$1,000,000 and all five applied for small house development rights.





# 大灘-先破壞，後發展 Tai Tan- Destroy First, Develop Later

May 2016







大灘-先破壞，後發展

Tai Tan - Destroy First, Develop Later



# 高塘-丁屋申請

## Ko Tong - Small House Applications

地政：

31-需求過多

192-未來10年預計

總需求:223

LandsD:

31 - outstanding demand

192 - 10 years forecast

223 total demand

DPA期間(至2016年6月7日)(城規會)

34丁屋申請

(8 接受)(7 駁回)(19取消)

TPB:

During DPA (up to 7/6/2016)

34 Small house applications

(8 approved)

(7 rejected)

(19 withdraw)

Map legend:

“V” zone in DPA

“V” zone in OZP plan

TPB Withdraw

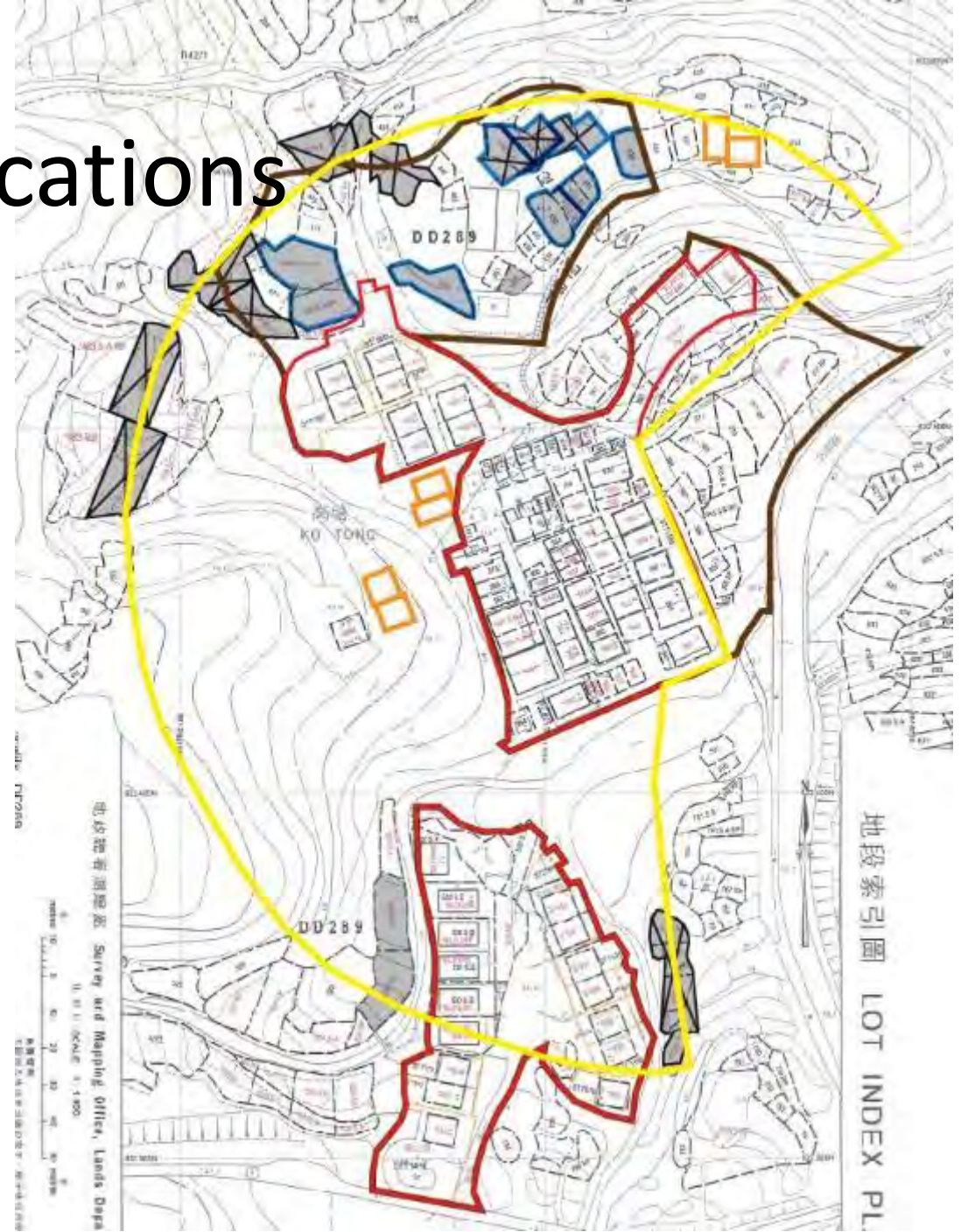
TPB Processing

TPB Rejected

TPB Approved

LandsD approved or processing

Village Environ





# 高塘-秉惟，分割及轉移

## Ko Tong – Land Ownership, Division and Transfer

曾在2008年至2010年由新信國際管理有限公司持有  
Lands owned by **NEW FAITH INTERNATIONAL MANAGEMENT LIMITED** since 2008 and 2010

在2010年前由星威國際投資有限公司持有  
Land owned by **SINO WAY INTERNATIONAL INVESTMENTS LIMITED** since 2010 (originally owned by Hanton)

### Map legend:

“V” zone in DPA

“V” zone in OZP plan

TPB Withdraw

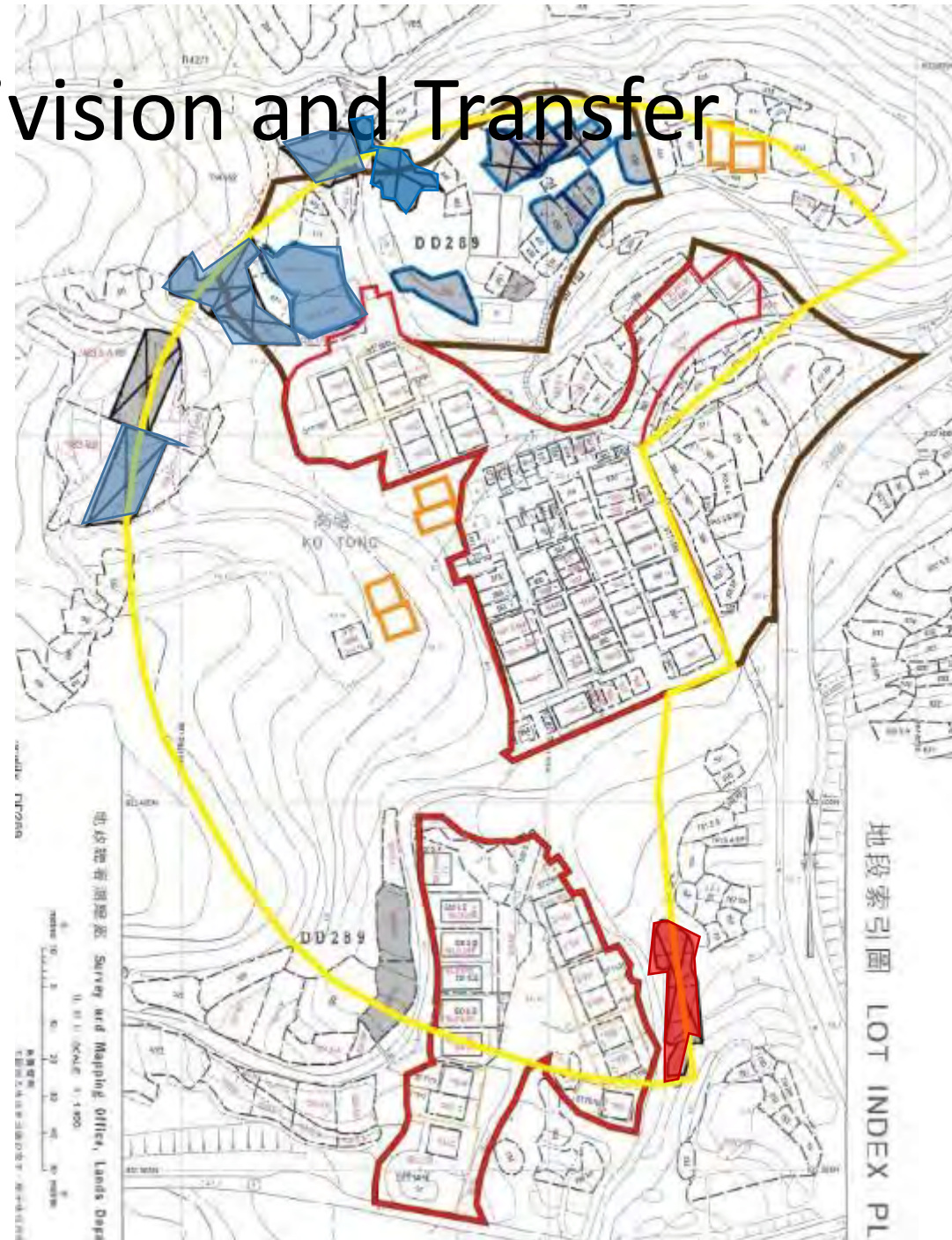
TPB Processing

TPB Rejected

TPB Approved

LandsD approved or processing

Village Environ





高塘-業權，分割及轉移

# Ko Tong – Land Ownership, Division and Transfer

**NEW FAITH INTERNATIONAL MANAGEMENT**

**LIMITED** 新信國際管理有限公司

Directors: CHAN Dan Fung

CHUNG Wai Yin

Secretary: CHUNG Wai Ling

**SINO WAY INTERNATIONAL INVESTMENTS LIMITED**

星威國際投資有限公司持有

Directors: CHENG Yam Kee

Chance Ever Investments Ltd. – registered in British Virgin Islands

Secretary: Cheng & Cheng Corporate Services Ltd

map legend.

“V” zone in DPA

“V” zone in OZP plan

TPB Withdraw

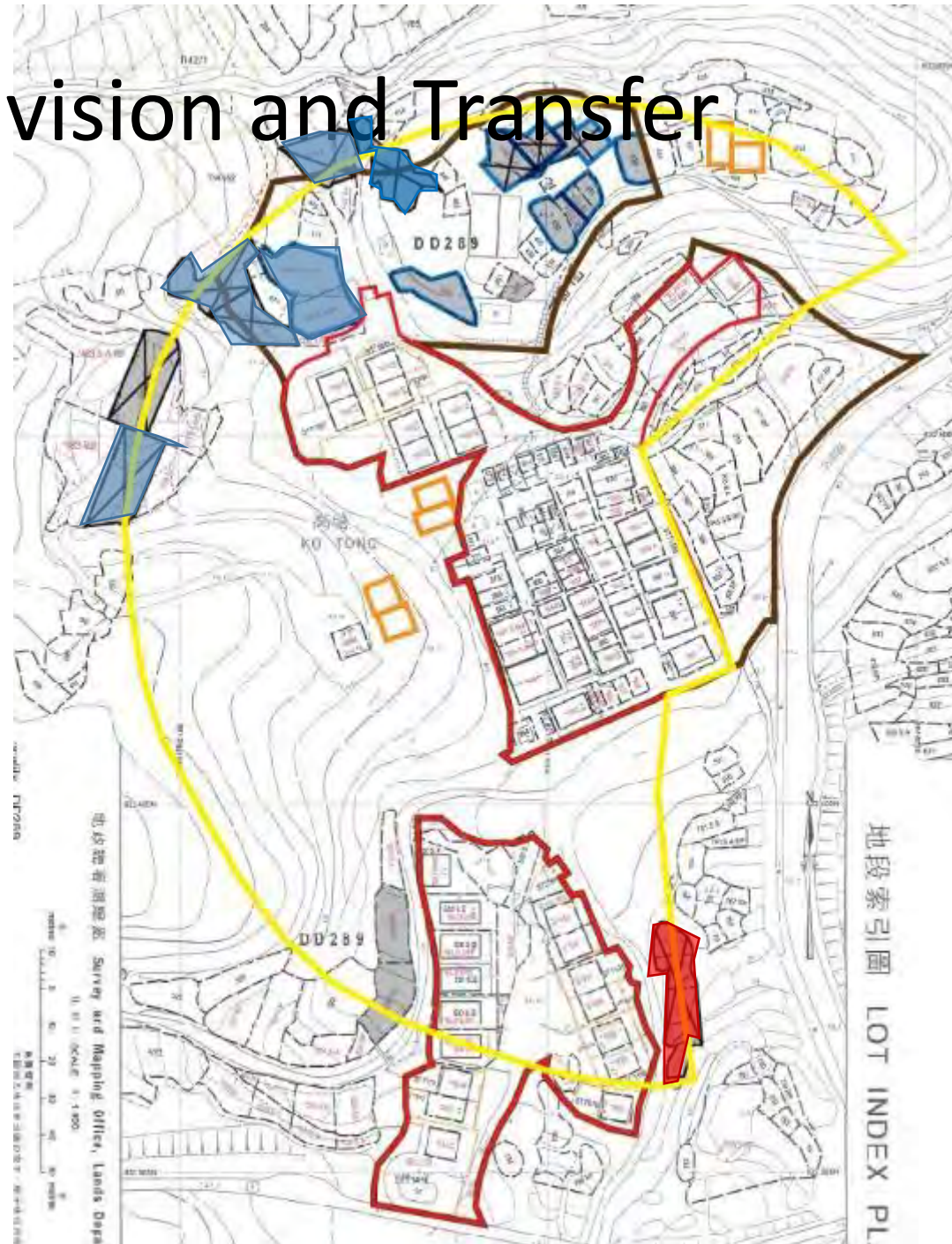
TPB Processing

TPB Rejected

TPB Approved

LandsD approved or processing

Village Environ



# 高塘-土地售價低於市場價格

## Ko Tong– Land sold below market prices

新信國際管理有限公司:

每丁屋地段售價:

\$300,000-\$690,000/每單位

New Faith:

Selling price each house lots:

\$300,000-\$690,000/per small house lots

星威國際投資有限公司:

TPB申請編號: A/DPA/NE-TT/60

(4小型房屋, 包括lot 771 SA, 771 RP, 772 SA, 772 SB, 772 RP, 773 SA )

每丁屋地段售價\$500,000

Sino Way:

TPB application No. A/DPA/NE-TT/60

(4 small houses, included lot 771 SA, 771 RP, 772 SA, 772 SB, 772 RP, 773 SA)

Small house lots sold at \$500,000 per each.

(參考自2011年明報新聞-平均每小型房屋售價: \$1,400,000)

(Reference Ming Pao's 2011 news report-Average small house land price: \$1,400,000)

Ming Pao: [http://www.nshk.org.hk/pdf/c\\_awards/2011/038.pdf](http://www.nshk.org.hk/pdf/c_awards/2011/038.pdf)



# 高塘－先破壞，後發展 Ko Tong - Destroy First, Develop Later



規劃署於2014年2月20日發出警告信。

Planning Department has issued a warning letter on 20/2/2014.

主要違例用途包括填土/填塘，傾倒垃圾和平整土地。

Predominant Unauthorized use included Land/Pond Filling, Dumping & site formation



# 高塘下洋Ko Tong Ha Yeung

地政：

11-需求過多

139-未來10年預計

總需求:150

LandsD

11 - outstanding demand

139 - 10 years forecast

150 total demand

城規會：

DPA期間(至2016年6月7日)

1宗丁屋申請(撤回)

TPB:

During DPA (up to 7/6/2016)

1 Small house application

(withdrawn)

附件1

-2-

覆函

致：大埔地政處  
新界大埔汀角路一號大埔政府合署一樓  
(傳真號碼：2650 9896)

檔案：LM(34) in DLO/TP 39/59 pt.3

未來十年內的小型屋宇需求預算

本人／我們是大埔區\*大埔／\*西貢北約 鄉 高塘下洋 村／鄉的原居民代表。為使政府有關部門掌握在未來十年內合資格的男性原居民申請興建小型屋宇的需求，現根據本村的情況向貴處提供下列數字：

中部-本村現時男性原居民的總人數		
(a) 在香港的男性原居民的人數	39	
(b) 在海外的男性原居民的人數	超過 100人	
總數 (即(a) + (b))		大約 139人

乙部-未來十年內本村的小型屋宇需求

(c) 現時(即截至 2013 年 12 月 31 日) 在十八歲或以上但未申請興建小型屋宇的合資格男性原居民的人數	大約 110人	
(d) 在未來十年內，即由 2014 年 1 月 1 日至 2023 年 12 月 31 日將會年滿十八歲(即現時八至十七歲)的男性原居民的人數	大約 10人	
未來十年需求 (即(c) + (d))		大約 120人

姓名 何偉成 簽署 何偉成

姓名 簽署

姓名 簽署

日期 24-12-2013

\*刪去不適用者

(Translation)

-2-

Reply

To: Tai Po District Lands Office  
1/F, Tai Po Government Offices,  
No. 1, Ting Kok Road,  
Tai Po,  
New Territories  
(Fax no.: 2650 9896)

Ref.: LM(34) in DLO/TP 39/59 pt.3

## 10-year forecast of small house demand

I am the Indigenous Inhabitant Representative of Ko Tong Ha Yeung Village, Sai Kung North, Tai Po District. In order that the relevant Government department can have a clear picture of the 10-year forecast of small house demand by our eligible male indigenous inhabitants, we hereby provide the following data according to our situation:

## Part A - Total number of existing male indigenous inhabitants in our Village

(a)	Number of male indigenous inhabitants in Hong Kong	39
(b)	Number of male indigenous inhabitants overseas	Over 100
Total (i.e. (a) + (b))		About 139

## Part B - 10-year forecast of small house demand in our Village

(c)	As at 31.12.2013, the number of eligible male indigenous inhabitants over 18 who have yet applied for Small House development	About 110
(d)	The number of male indigenous inhabitants reaching 18 (i.e. aged 8 to 17 now) within the coming decade (i.e. from 1.1.2014 to 31.12.2023)	About 10
10-year forecast of demand (i.e. (c) + (d))		About 120

Name	HO Wai-shing	Signed	HO Wai-shing
Name		Signed	
Name		Signed	
Dated	24.12.2013		

\* Please delete where appropriate



# Landownership conclusion 業權分佈



Hanton Limited 仁東有限公司  
HUNG Shing Yin 孔聖賢  
YIU Yuen On, Paul ( Ex-Government's  
Chief Architect)  
姚源安-政府前總建築師



Developer: S & N (Hong Kong) Limited  
信毅香港有限公司  
Cheung Yee Nam 張以嵐  
(Son of Chueng Hok Ming 張學明)  
Cheung Yee Hang 張以行



Bought land from Hanton



Li Tat Lun 李達倫  
Son of Tai Tan  
VR Li Ming 李明



4 Chinese developers



Sino Way International Limited  
新信國際管理有限公司  
Cheung Yam Kee 鄭欽旗  
Chance Ever Investments Ltd. (BVI)



New Faith International Management Limited  
星威國際投資有限公司  
CHAN Dan Fung 陳丹楓; CHUNG Wai Yin 鍾惠賢



East Fortune Properties Limited  
東豐置業有限公司  
Cheung Yam Kee 鄭欽旗

當我們向地政查問該地120間丁屋的狀況，地政回覆……

When we asked for the 120 small house applications land status, LandsD replied ……

- “The figures of outstanding Small House demand were provided upon request made by the Planning Department. Since Small House applications are being considered individually in which they are being handled in different stages, I am sorry **that there is no on hand records of detailed status of your concerned Small House applications.** (public records ??)
- 翻譯：小型屋宇（丁屋）申請是每個獨立處理，我們手上沒有你所關注的丁屋個案的詳細狀況。

According to prevailing departmental practice, Small House application notice(s) are posted on Notice Board(s) of the village, the application site(s) concerned and at District Land Office (Tai Po) respectively. We also serve the Small House application notice(s) to the respective Indigenous Inhabitant Representative(s) and Rural Committee Office. In this connection, you may check the Small House applications which are **currently** seeking public comment from the abovementioned sources.

At the moment, Small House applicant is requested to obtain planning permission (if appropriate) if the application site falls within an area where such use/development is not always permitted in DPA plan/OZP. This office will not further consider such Small House application unless planning permission for such development has been obtained first.”



廉政公署被要求提供報告時的回應：

When we asked for the report from ICAC Corruption Prevention Department, they reply……

（翻譯）「感謝閣下關注本署在地政總署處理丁屋申請過程的防止貪污研究。此研究仍在進行中。此外，閣下須知道本署任何研究報告均屬機密文件，只有關注和涉及的部門可得知，如這次報告只有地政可以知道。公開資料並不是我們慣常做法。希望你明白這個情況。」

“Thank you for your interest in our corruption prevention study on the Lands Department’s procedures for processing small house applications. The study is still in progress. Moreover, you may wish to know that the report on any of our studies is a classified document, **the access to which is restricted to the client concerned, i.e. the Lands Department in this case.** As such, it is **not our practice** to release study reports and the information contained therein to members of the public. Your understanding of the situation will be much appreciated.”

# 我們的建議

## Recommendations

地政總署：

- 處理「丁屋」申請時，地政總署應當徹底研究土地的交易紀錄。可疑的申請應該詳細研究。
- 當局應拒絕發展商假借村民名義作出的集體申請。只有個人申請方可被考慮。
- 當局須評估丁屋申請人在本港居住的意向。地政總署可與入境事務處合作，以斷定申請人是否通常居住在香港。只有香港居民可以獲得批准。
- 設立網上公開資料庫，供公眾查閱「丁屋」申請的資料，包括申請人、土地交易紀錄、土地狀況及審批狀況等資訊。

Lands Department:

- Transaction history must be thoroughly studied for each application. Irregular details (i.e. undersold) should be investigated.
- Group applications are suspicious and risk to be made by “dings” on behalf of developers. Only applications made by individual villagers should be allowed.
- Consider the immigration records of applicants in order to determine whether they ordinarily reside in Hong Kong.
- Details of past and current applications for small houses must be made available in an online database, including the applicant details, land status and application status.



# 建議

# Recommendations

## 廉政公署

- 為防止政府官員犯法，廉政公署正為地政總署提供建議，以減少「丁屋」申請程序中出现貪污的風險。可惜的是，建議報告並不會向公眾公開，只會交給地政總署參考。我們要求公開報告，使社會大眾知道和監察預防「套丁」的情況。

## ICAC

- Publish the recommendation report to the LD on how the risk of bribery involved in the application procedures can be reduced.

## 城市規劃委員會

- 城規會及規劃署在決定土地用途時，必須考慮土地交易紀錄。這是確保規劃圖則不會助長「套丁」的重要一環。

## Town Planning Board

- Takes into account the land transaction records. This is an integral part in ensuring that the Town Planning Board does not inadvertently aid and abet front man schemes - illegal acts which contravene the planning intention of “V” zones.

## Designing Hong Kong –Appendix items of Tai Tan, Ko Tong, Uk Tau land ownership study

Drive: <https://drive.google.com/open?id=0BxSHlgLJDqBTIZvaG5EQ1R5SXM>

No.	Folder/file name	
	<b>Tai Tan, Ko Tong, Uk Tau land ownership study (Main folder)</b>	
1.	Small house Suspected Front Men Scheme cases (ppt)	
2.	TPB preliminary plan of Tai Tan, Uk Tau, Ko Tong and Ko Tong Ha Yung Outline Zoning Plan No. S/NE-TT/B	
	<b>Court Case (folder)</b>	
1.	7 documents list out the past court case which involve sale of Ding right	
	<b>Ko Tong (folder)</b>	
1.	Ko Tong land search	
2.	Ko Tong TPB and LandsD Small house application graphic (AI & jpg version)	
3.	2011 Ko Tong land lots plan(To show some lands are divided)	
4.	2010 Ko Tong land lots plan (To show some lands are divided)	
5.	Company search (folder)	-Chance Ever Investment Ltd -Hanton Ltd -New Faith International Management Ltd -Sino Way International Investment Ltd
6.	Land search data	47 land search data
	<b>Tai Tan (folder)</b>	
1.	Tai Tan land search	
2.	Tai Tan TPB and LandsD Small house application graphic (AI & jpg version)	
3.	2016 Tai Tan land lots plan	
4.	Company search (folder)	-East Fortune -Tai Tan companies search (4 companies)
5.	Land search data	46 land search data
6.	Photos	Photos to show the destructed areas
7.	Developers land estimated purchase and selling price	- Tai Tan_14 TPB small houses application lands selling price(Microsoft file) - Tai Tan_Developers purchase price(Microsoft file) -Developers estimated purchase price document (memorial search)
	<b>Uk tau (folder)</b>	
1.	Uk tau land search	
2.	Uk tau TPB and LandsD Small house application graphic (AI & jpg version)	
3.	Company search (folder)	-Hanton Limited -S&N(Hong Kong) Limited



		-BISHI MIZUIKI GARDENING COMPANY LIMITED 水木橋
5.	Land search data	95 land search data
6.	Developer land estimated purchase and selling price	-Uk Tau Developers purchase price (Microsoft file) -Developer purchase price (memorial search document)
	<b>Reply from government departments(folder)</b>	
1.	(Reply from ICAC) Corruption Prevention Study on Lands Department's Procedures for Processing Small House Applications	
2.	(Reply from LandsD) RE Tai Tan Uk Tau Ko Tong Ko Tong Ha Yeung small house development (LD161629)	
	<b>tpb plan application</b>	
1.	31 TPB Gist or small houses S.16 applications document submitted by applicants	

**城 市 規 劃 委 員 會**

香港北角渣華道三百三十三號  
北角政府合署十五樓

**TOWN PLANNING BOARD**

15/F., North Point Government Offices  
333 Java Road, North Point,  
Hong Kong.

傳 真 Fax: 2877 0245 / 2522 8426

電 話 Tel: 2231 4717

來函編號 Your Reference:

覆函請註明本會編號  
In reply please quote this ref.: TPB/DPA/NE-TT/200

BY FAX (2187 2305)

7 July 2016

Mr Paul Zimmerman  
District Councilor, Pokfulam  
CEO, Designing Hong Kong Limited  
Unit 7, 5/F, Eastern Harbor Centre,  
28 Hoi Chak Street,  
Quarry Bay, Hong Kong

Dear Mr Zimmerman,

**Recommendations regarding Deterring Fraudulent Front Men Schemes under  
the Small House Policy**

---

I refer to your letter of 7.6.2016 to, amongst others, the Chairman and Members of the Town Planning Board (the Board), requesting the Board to take into account the land transaction history in considering draft plans and applications in relation to Small House development. The Secretary of the Board has been instructed to give a reply on behalf of the Board.

In general, in preparing statutory plans for the rural areas, the boundary of the "Village Type Development" ("V") zone, amongst others, will be drawn up having regard to the 'village environ', existing village cluster, local topography, site characteristics, Small House demand forecast as well as concerned departmental comments.

As for planning applications for Small House development, the Board, apart from taking account of relevant planning factors in considering the applications, which include the planning intention, land use compatibility, impacts from the proposed development on environment, landscape, traffic and infrastructure, and comments from relevant government departments and the general public, will also make reference to the Interim Criteria for Consideration of Application for New Territories Exempted House/Small House in New Territories in assessing the applications. Moreover, in submitting planning applications, whilst the applicant is required to indicate whether he/she is the land owner of the application site and to obtain the consent of or notify the 'current land owner' of the site or to give notification within a reasonable period before the application is made, the purpose is to enhance the transparency of the planning application system.



- 2 -

Thank you for your concern in the matter. If you have any questions, please do not hesitate to contact the undersigned at 2231 4717.

Yours sincerely,



(Ms. W. H. HO)

for Secretary, Town Planning Board

C.C.

Director of Lands

ICAC Commissioner

致城規會：

本人就規劃署在 2016 年 9 月 5 日到大埔北約鄉事委員會向高塘村提出之規劃建議之規劃大綱圖(A/NE-TT/1)表示極度失望、憤慨及不滿！並提出強烈反對！

規劃署在諮詢期間並沒有分毫採納本村原居民及居民代表及其他持分者之意見，沒有預留足夠空間給本村原居民日後發展，做法一意孤行，實為黑箱作業，故意製造不平衡。本人現要求規劃署就高塘村及高塘下洋村一帶土地從新進行規劃及公眾諮詢。

希望城規會能早日回覆本人。萬分感謝！

高塘下洋村居民代表：李寶書

日期：12/10/16.

李寶書



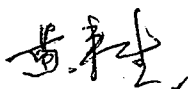
致城規會：

本人就規劃署在 2016 年 9 月 5 日到大埔北約鄉事委員會向高塘村提出之規劃建議之規劃大綱圖(A/NE-TT/1)表示極度失望、憤慨及不滿！並提出強烈反對！

規劃署在資詢期間並沒有分毫採納本村原居民及居民代表及其他持分者之意見，沒有預留足夠空間給本村原居民日後發展，做法一意孤行，實為黑箱作業，故意製造不平衡。本人現要求規劃署就高塘村及高塘下洋村一帶土地從新進行規劃及公眾資詢。

希望城規會能早日回覆本人。萬分感謝！

高塘村原居民代表：黃來生



日期：8.10.2016.





致城規會：

本人就規劃署在 2016 年 9 月 5 日到大埔北約鄉事委員會向高塘村提出之規劃建議之規劃大綱圖(A/NE-TT/1)表示極度失望、憤慨及不滿！並提出強烈反對！

規劃署在諮詢期間並沒有分毫採納本村原居民及居民代表及其他持分者之意見，沒有預留足夠空間給本村原居民日後發展，做法一意孤行，實為黑箱作業，故意製造不平衡。本人現要求規劃署就高塘村及高塘下洋村一帶土地從新進行規劃及公眾諮詢。

希望城規會能早日回覆本人。萬分感謝！

高塘村居民代表：何漁生



日期：11-10-2016.



致城規會：

本人就規劃署在 2016 年 9 月 5 日到大埔北約鄉事委員會向高塘村提出之規劃建議之規劃大綱圖(A/NE-TT/1)表示極度失望、憤慨及不滿！並提出強烈反對！

規劃署在資詢期間並沒有分毫採納本村原居民及居民代表及其他持分者之意見，沒有預留足夠空間給本村原居民日後發展，做法一意孤行，實為黑箱作業，故意製造不平衡。本人現要求規劃署就高塘村及高塘下洋村一帶土地從新進行規劃及公眾資詢。

希望城規會能早日回覆本人。萬分感謝！

高塘下洋村原居民代表：何偉成



日期： 12-10-2016



城市規劃委員會  
香港北角渣華道三百三十三號  
北角政府合署十五樓

西貢北約高塘村 201 號

電話: 2231 4836

傳真: 2877 0245 / 2522 8426

致執事先生 / 小姐:

有關檔案 TPB/D/NE-TT/200

查詢 Lots 358(Part), 365 S.A.(Part), 365 S.B.(Part), 368(Part),  
372(Part),373(Part),374,377(Part),379,382(Part),384,387(Part),391(Part),392(Part),395(Part),3  
96(Part),426(Part),428,430(Part),431,432,434,435,436,438,439,440,444,449(Part),451(Part),45  
2(Part),453,455(Part)and 456(Part) in D.D.293. KO TONG

茲因日前本人由 貴會近期發報的大灘、屋頭、高塘及高塘下洋分區計劃大綱草圖刊憲中得悉本人上述所居住的地段，將會納入「綠化地帶」。本人現來信表示強烈反對，因本人及家人已於上址居住了四十年，亦有就上述地段繳付差餉。

本人現已委託葉謝鄧律師行進行相關法律事宜，在未來如在上述地段有任何規劃，煩請通知我們，本人聯絡電話 [REDACTED] 或薛小姐電話 [REDACTED] 有勞之處，敬請原諒！

此致

林艷鳳  
林艷鳳上

二零一六年十月三日



城市規劃委員會：

TPB/R/S/NE-TT/1-10

致執事小姐/先生：

有關檔案 TPB/D/NE-TT/200

查詢 (lots 358 (Part), 365 S.A./B. (Part), 368 (Part), 372-374 (Part),  
377 (Part), 379, 382 (Part), 384, 387 (Part), 391-392 (Part),  
395 (Part), 396 (Part), 426 (Part), 428, 430 (part), 431, 432, 434-436,  
438-440, 444, 449 (Part), 451 (part), 452 (part), 453, 455 (part)  
& 456 (Part) in D.D. 293, KO TONG

早前從城規會網站內流覽了大灘屋頭、高塘下洋分區計  
畫)大綱草圖，發現本人居所(西貢高塘村201號)，  
包括在物納「綠化地帶」內，對於計劃落實後這一帶將  
會有任何變動，所謂綠化地帶的規範將來與我所居處  
有何影響，一切不明朗的改動實在令我這一人憂慮

畢竟從上一代在此地扎根至今已三代人了，我亦在這引入自  
來水飼養食用淡水水供應給相熟食市，更是一家收入  
來源一部份，故此懇請當局(城規會計劃)在此有  
任何改建請立刻知會我，謝謝！

高塘201居民上

## Submission of Comment on Representations (C1)

TPB/R/S/NE-TT/1-C1

就草圖的申述提出意見

Comment on Representation Relating to Draft Plan

參考編號

Reference Number:

161129-210248-04131

提交限期

Deadline for submission:

09/12/2016

提交日期及時間

Date and time of submission:

29/11/2016 21:02:48

提出此份意見的人士 (下稱「提意見人」)

Person Making This Comment

(known as "Commenter") hereafter:

小姐 Miss Ng Chun Wing

與意見相關的草圖

Draft plan to which the comment relates:

S/NE-TT/1

意見詳情

Details of the Comments:

申述編號 Representation No:	意見詳情 Details of Comments:
1-4	本人同意申訴編號1-4之意見。本人認為上述草圖的丁屋申請有不少是疑似套丁的情況，城規會不應依照其餘申訴的要求擴大鄉村式用地的範圍。

**Summary of Representations and Comment**  
**in respect of the Draft Tai Tan, Uk Tau, Ko Tong and Ko Tong Ha Yeung OZP No. S/NE-TT/1**  
**and Planning Department's Responses**

<b>Representation No.</b> <b>(TPB/R/S/NE-TT/1)</b>	<b>Grounds of Representations</b> <b>[Proposals of Representations]</b> <b>(See Notes Below)</b>	<b>PlanD's Responses</b> <b>(TPB Paper Paragraph No.)</b>
<b>R1</b>	A B1, B2, B3, B4 C1, C2, C3, C4, C5 [P1a], [P1b] [P2a], [P2b] [P3]	6.15 6.16 6.21 – 6.27 and 6.31 – 6.33 6.17 – 6.19 6.21 – 6.27 6.34
<b>R2</b>	C1, C3, C4 [P1a], [P1b] [P2a], [P2b]	6.21 – 6.27 and 6.31 – 6.33 6.17 – 6.19 6.21 – 6.27
<b>R3</b>	B2, B4 C1, C2, C4 [P2b], [P2c]	6.16 6.21 – 6.27 and 6.31 – 6.33 6.21 – 6.24 and 6.27 – 6.28
<b>R4</b>	B1, B4 C1, C2, C6 [P2d]	6.16 6.21 – 6.26 and 6.29 – 6.30 6.21 – 6.24 and 6.29 – 6.30
<b>R5</b>	D F [P4] [P5]	6.21 – 6.24 6.35 6.21 – 6.24 6.35
<b>R6</b>	D F [P4] [P5]	6.21 – 6.24 6.35 6.21 – 6.24 6.35
<b>R7</b>	D F [P4] [P5]	6.21 – 6.24 6.35 6.21 – 6.24 6.35
<b>R8</b>	D F [P4] [P5]	6.21 – 6.24 6.35 6.21 – 6.24 6.35
<b>R9</b>	E	6.20
<b>R10</b>	E	6.20

Notes: For details of the major grounds and proposals of the representations, please refer to the corresponding paragraphs of the TPB Paper listed below.



## Summary of Major Grounds and Proposals of Representations R1 to R4

Major Grounds and Proposals		TPB Paper Paragraph No.
<b>Major Grounds</b>		
<b>A Planning Intention of the Draft OZP (R1)</b>		
	<b>R1</b> supports the planning intention of the draft OZP.	2.2(a)
<b>B Ecological Importance of the Area (R1, R3 and R4)</b>		
B1	The Area is an enclave surrounded by and ecologically connected to the Sai Kung East and West Country Parks ( <b>R1 and R4</b> ).	2.2(b)
B2	The Area comprises various habitats of ecological and conservation importance including mainly secondary woodland ( <b>R1 and R3</b> ).	2.2(b)
B3	<b>R1</b> has recorded 107 bird species including 24 species of conservation concern such as Ashy Drongo ( <i>Dicrurus leucophaeus</i> (灰卷尾)), Eurasian Jay ( <i>Garrulus glandarius</i> (松鴉)) and Brown Fish Owl ( <i>Ketupa zeylonensis</i> (褐漁鴉)) from 2005 to 2014.	2.2(b)
B4	The Area should be protected from habitat destruction and development ( <b>R1, R3 and R4</b> ).	2.2(b)
<b>C Designation of “V” Zones (R1 to R4)</b>		
C1	In recent years, disturbances to the natural environment are observed at various locations in the Area including the vegetation clearance/land filling to the northwest of Tai Tan Village, suspected land filling and site formation in an area which was previously a marsh but turned into a plant nursery to the north of Uk Tau Village, etc ( <b>R1 to R4</b> ).	2.2(d)
C2	There is a concern on ‘destroy first, build later’ activities ( <b>R1, R3 and R4</b> ).	2.2(d)
C3	The “V” zone designation for the disturbed areas would set an undesirable precedent for owners to apply similar approach for development zonings on OZPs ( <b>R1 and R2</b> ).	2.2(d)
C4	The construction and operation of Small House development would cause vegetation clearance/habitat loss and potential water pollution ( <b>R1 to R3</b> ).	2.2(e)
C5	Expansion of the village area would lead to adverse cumulative ecological impacts and damage the ecological integrity of the surrounding Country Parks ( <b>R1</b> ).	2.2(e)
C6	<b>R4</b> objects to the “V” zones and indicates that most of the lots of the Small House grants and planning applications in Tai Tan, Uk Tau and Ko Tong are owned by developers then carved out and transferred to the applicants, which may involve illegal practice. The 10-year Small House demand forecast of Ko Tong Ha Yeung Village is doubtful as over 100 indigenous inhabitants are living overseas. The claimed genuine demand for Small Houses may not be correct.	2.2(a) and (f)
<b>Major Proposals (Plan H-2)</b>		
<b>P1 Designation of “GB” Zones (R1 and R2)</b>		
P1a	To protect the natural habitats of the Area, it is proposed to designate all woodlands, EIS, natural streams/tributaries and 30m riparian zones as “GB(1)” or “CA” zone ( <b>R1 and R2</b> ).	2.2(c)
P1b	The “GB” zone is vulnerable to the impacts from permissible Small House development, and hence should be rezoned to “GB(1)” or “CA”	2.2(c)

Major Grounds and Proposals		TPB Paper Paragraph No.
which only allow application for redevelopment but not new development of Small House ( <b>R1 and R2</b> ).		
<b>P2 Designation of “V” Zones (R1 to R4)</b>		
P2a	The disturbed areas should be covered by conservation zones instead of “V” zones ( <b>R1 and R2</b> ).	2.2(d)
P2b	The “V” zones should not encroach onto the woodland habitats and the riparian zones of EIS and natural streams ( <b>R1 to R3</b> ).	2.2(e)
P2c	<b>R3</b> proposes to follow the Tai Long Wan OZP approach (i.e. only the existing village areas are covered by “V” zones and ‘House (New Territories Exempted House only)’ in “V” zones requires planning permission).	2.2(e)
P2d	The “V” zones should be deleted and extensive investigations of the Small House applications on the land owner, land transaction, residence of the applicant, etc should be conducted by LandsD for the Board’s information and consideration to deter the illegal practice ( <b>R4</b> ).	2.2(f)
<b>P3 Incorporation of the Area into the Sai Kung East and West Country Parks (R1)</b>		
P3	<b>R1</b> proposes to incorporate the Area into the Sai Kung East and West Country Parks so as to fully protect the ecological and landscape value of the enclave as well as the surrounding Country Parks.	2.2(g)

### Summary of Major Grounds and Proposals of Representations R5 to R10

Major Grounds and Proposals		TPB Paper Paragraph No.
<b>Major Grounds</b>		
<b>D Designation of “V” Zones (R5 to R8)</b>		
	<b>R5 to R8</b> object to the draft OZP mainly on the ground that insufficient land is reserved for future development by indigenous villagers.	2.3(a) and (b)
<b>E Designation of “GB” Zones (R9 and R10)</b>		
	Both <b>R9 and R10</b> are largely concerned about the same lots in the eastern part of the Area. <b>R9</b> objects to and <b>R10</b> expresses concern on the “GB” zoning of her/his residence mainly on the grounds that <b>R9</b> and her family have been living there for 40 years and paid the rates for the concerned lots and <b>R10</b> is worried about the implications of the restrictions under the “GB” zone on the locality and his livelihood.	2.3(a) and (c)
<b>F Local Consultation (R5 to R8)</b>		
	<b>R5 to R8</b> considers that their comments and those of other stakeholders are not incorporated in the draft OZP.	2.3(d)
<b>Major Proposals (Plan H-3)</b>		
<b>P4 Designation of “V” Zones (R5 to R8)</b>		
P4	<b>R5 to R8</b> propose to re-plan the Ko Tong and Ko Tong Ha Yeung areas.	2.3(b)
<b>P5 Local Consultation (R5 to R8)</b>		
P5	<b>R5 to R8</b> propose to re-conduct the public consultation on the planning of the Ko Tong and Ko Tong Ha Yeung areas.	2.3(d)

**Comment C1**

<b>Comment C1 (Plan H-2)</b>	<b>PlanD's Responses (TPB Paper Paragraph No.)</b>
Supports <b>R1 to R4</b> and considers that as the Small House applications in the Area may involve illegal practice, the request for expansion of “V” zones from other representations should not be acceded to.	6.36



**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.

OTHER SPECIFIED USESFor "Pier" Only

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
Pier Public Convenience	Eating Place Government Use Marine Fuelling Station Public Utility Installation Shop and Services

Planning Intention

This zone is intended primarily to provide land for pier use.

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.

GREEN BELT

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

(Please see next page)



GREEN BELT (Cont'd)

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

Planning Intention

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

Remarks

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

CONSERVATION AREA

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

Planning Intention

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

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

(Please see next page)

CONSERVATION AREA (Cont'd)

Remarks

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



COASTAL PROTECTION AREA

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
Agricultural Use (other than Plant Nursery) Nature Reserve Nature Trail On-Farm Domestic Structure Wild Animals Protection Area	Field Study/Education/Visitor Centre Government Use House (Redevelopment only) Public Convenience Public Utility Installation Radar, Telecommunications Electronic Microwave Repeater, Television and/or Radio Transmitter Installation

Planning Intention

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

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

Remarks

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