

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

12th September 2013

Dear sir,

DRAFT HOI HA OZP

The Agenda of the 1041st meeting of Town Planning Board scheduled for 9am, 13th September 2013 contains the item “*Further Considerations of the New Hoi Ha Outline Zoning Plan No. S/NE-HH/D Open meeting.*”

This is probably the occasion when the TPB will decide on the final draft of the OZP before gazetting.

Hoi Ha is likely to create a precedent for the fate of other village enclaves in Sai Kung Country Park. It is therefore very important that members of the Board be aware of certain **vital facts** before a decision is arrived at. The facts are as follows:-

A) Proposed extended V Zone:

1. The current draft OZP proposes an extended V Zone running to the South West of the village. Almost all of this area consists of private agricultural plots, *presumably* intended for future NTEH applications by indigenous villagers.
2. Recent land searches, however, show that **almost all of the plots have been sold by indigenous villagers to 8 private development companies for an aggregate price of over \$40,000,000**. Therefore, any housing development applications will *not* be made by indigenous villagers, but by business people with a view to making huge profits at the expense of a unique natural environment.
3. Some of the above mentioned private companies have also purchased much of the private agricultural land in neighbouring Pak Sha O where a “destroy first, develop later” strategy has been adopted.

B) Proposed Green Belt Zone

1. The current draft OZP also proposes a Green Belt (GB) zone also running to the South West of the village but immediately to the North and West of the extended V Zone. The Green Belt lies immediately adjacent to the Hoi Ha stream which is itself of ecological importance but also flows into the waters of Hoi Ha Marine Park, which is also a Site of Special Scientific Interest (SSSI). Green Belt status does not confer protection against development; indeed one member of TPB is reported as having stated that Green Belt is a reservoir for future development. This area also consists of private agricultural plots.

2. Some of the plots in the GB are owned by indigenous villagers, but again, a large number of the plots have been purchased by several of the above mentioned private development companies. The same comments apply as in **B)** 1 above.

C) Convention on Biodiversity

1. Hong Kong is a party to the Convention on Biodiversity and the Government is presently working on a strategy to implement its provisions. It should be noted that under the Convention's Precautionary Principle the Hong Kong Government is bound to protect any specially protected areas from development. This includes Hoi Ha as it is now also protected by its Marine Park and SSSI status.

D) The Public Interest

1. In his Manifesto for the Chief Executive Election 2012, Mr C.Y. Leung stated (page 19):-
“ We will protect our country parks and bodies of land and water with ecological value, and formulate long-term plans for other areas of land available for development.”
2. Members of the Board will no doubt be aware of recent statements by, among others, a Government Minister, a property tycoon Mr. Lee Kau Shee and the Chairman of the Heung Yee Kuk, Mr Lau Wong Fat, suggesting the Government resume land from Country Parks for housing. This has met with a storm of criticism from across a wide section of the public and the Chief Executive's spokesman has also expressed disapproval.
3. The facts in **A)** and **B)** are not yet generally known, but very soon they will be distributed across the Chinese and English media, both local and internationally. The Hong Kong public is becoming gradually but surely more aware of the priceless value of Hong Kong's Country Parks.
4. The TPB is charged with the public duty to protect and conserve our Country Parks and places such as Hoi Ha from abuse for private financial gain. This is a one off opportunity for TPB to gain or destroy the public trust in Hong Kong's planning process. It is sincerely hoped you will do the right thing.

E) Proposals

1. The whole of HOI Ha should be zoned as Conservation Area (CA) or Coastal Protection Area (CPA) where appropriate with a view to eventual inclusion of Hoi Ha and all enclaves into the Sai Kung Country Park by The Country and Marine Parks Board.
2. The proposed extended V Zone and GB zone should be removed from the draft OZP and made CA or CPA.
3. No village house development applications in Country Parks village should be approved, given the destructive impacts of such developments, lack of infrastructure and other amenities.

4. A full Environmental Impact Assessment (EIA) of the cumulative impacts of developments permitted in all the SK enclaves should be carried out by reputable, independent consultants before any development zones are agreed.
5. We fully support the suggestion of Friends of Hoi Ha that under the definitions of CA and CPA place “Agricultural Use” in Column 1 – “Uses Always Permitted should be placed into Column 2 of the definition – “Uses that may be permitted with or without conditions on application to the Town Planning Board”. This restriction would allow the TPB to scrutinise any applications to return the areas to agricultural use and ensure that only bona fide farming activities would be allowed.

I would be grateful if this letter could be placed before members of the Town Planning Board before the meeting and before any final decisions are made on the Draft OZP.

I ask that my identity or personal data not be revealed to any third parties.

Yours sincerely,
Friends of Sai Kung

Encs

cc: Kadoorie Farm

WWF Hong Kong

Designing Hong Kong

Friends of Sai Kung

Ruy Baretto, S. C.