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Lands Department,
12/F Tsuen Wan Government Offices,
38 Sai Lau Kok Road,
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New Territories

By email slentatyl_sd@landsd.gov.hk and Post
Your ref: (40) in LD/NTAT2/R/TP/018 and (36) in LD/NTAT2/R/TP/043)

Dear Sir/ Madam,

Applications to “rebuild” in Pak Sha O, Sai Kung Country Park by Xinhua Bookstore, Xiang Jiang Group Limited, 2 NTEH of 2 storeys at Lot 1762 DD 290 and 1 NTEH of 3 storeys at Lot 1156 DD290.

Any approval by Lands Department of any part of the above proposed developments would be an act of cultural barbarism.

I object to the “rebuilding” applications for the following reasons:

1. The Pak Sha O valley and village has recently been designated as a draft Development Permission Area (DPA). Town Planning Board (TPB) paper no. 9240 states that the site contains cultural and natural heritages of conservation importance.
2. Application site Lot No. 1156 S.B in DD290 encroaches upon the Ho family clan courtyard, an historic building of high cultural value, which is preserved.
3. On Lot No. 1762 in DD290 is an old, very beautifully restored and well maintained village house which is being lived in. “Rebuilding” will involve demolition of this house and irrevocably damage the integrity, andscape value and historical character of the site and the surrounding area.
4. The applications are not “rebuilding” applications at all, but commercially motivated demolition of one lovely and perfectly good existing house and to build entirely different type of houses on Lot No. 1156 S.B in DD290, which is part of an open former agricultural plot with nothing on it to rebuild.
5. The old village houses are mostly well restored, preserving a charming old Hakka Village of high landscape value. Every house is part of the integral whole. The original indigenous villagers abandoned the valley decades ago and none of them spent any money or contributed any effort to restore or preserve the buildings. All the work and expense was incurred by resident tenants. Any changes to the current situation would adversely affect the cultural and landscape value of the area.

6. TPB paper 9240 states the object of the DPA plan is: “*to provide planning guidance and to facilitate development control within the Area during the period required for detailed analysis of the land use pattern, study of infrastructural provisions and examination of development options for the formulation of an OZP (Outline Zoning Plan).*” Later, in view of the high cultural and landscape value of the site, the TPB proposed amendments to the draft Pak Sha O DPA plan in August 2013; Annex VI, 7.41.c of TPB paper No.9439, states, inter alia:

“Noting that Pak Sha O and Pak Sha O Ha Yeung are outstanding vernacular Hakka villages (...) and are well preserved and that the heritage value lies in their original physical environment (...). Hence, any demolition of or any addition, alteration and/or modification to or redevelopment of an existing building requires planning permission from the Board...”

(<http://www.gld.gov.hk/egazette/pdf/20131732/egn201317324593.pdf>)

7. Approving these rebuilding applications would be entirely contradictory to the objectives of the DPA plan and its amendment. Opening up the enclaves to commercial developers such as Xinhua is at variance with the Government’s commitment to protect the Country Parks, particularly at this time within a DPA in such an environmentally sensitive area as Pak Sha O.
8. In October 2010, the then Chief Executive announced in his Policy Address that the Planning Department and the Agriculture, Fisheries and Conservation Department would protect all those Country Park enclaves (such as Pak Sha O) not yet covered by statutory plans according to the local situation, either by incorporating them into Country Parks or through statutory planning control. In September 2011, the Ombudsman also recommended that (a) *the Development Bureau and Environment Bureau should urge their executive departments to, as directed by the Chief Executive, expeditiously prepare statutory plans for those enclaves that are still unprotected or to incorporate them into Country Parks, in order to ensure that all enclaves are properly protected;* and (b) *the Agriculture, Fisheries and Conservation Department should consider incorporating private lands that have conservation value into Country Parks in accordance with the revised Country and Marine Parks Board criteria* (http://www.ombudsman.gov.hk/concluded/2011_09_02.pdf).
9. In his Manifesto for the Chief Executive Election in 2012, Mr. C. Y. Leung stated, inter alia (*at page 19*), “We will protect our country parks and bodies of land and water with ecological value...” This is a commitment approved of by the majority of Hong Kong people. Where is the Government action to implement this?
10. **Greed:** The applicant, Xinhua Bookstore, Xiang Jiang Group Limited, is a private limited company whose a sole Director, Mr. Lau Ming Shum, is a property developer with a notorious reputation. He has previously attempted to develop

sites of high landscape, cultural and/or historic value into, inter alia, columbaria. This is not an NTEH application by an indigenous villager eligible to apply under the “Small House” Policy. It has nothing to do with housing needs, but is only motivated by greed. Once green countryside is developed, it is lost for ever.

11. **Sewage:** The balconies and the septic tanks intrude into the existing patio of House Number 14 (a leasehold) which is owned by the Ho family. There is a question of legal and / or equitable ownership of the land, i.e. the extent of what is actually Lot No. 1156 S.B as opposed to Lots No. 1145 and 1146, a part of house number 14. The septic tanks of House Number 14 are in under House Number 14’s patio. Additional septic tank systems will leak effluent into the water table. Pak Sha O Valley is a water gathering ground for the High Island Reservoir.
12. The applications, in themselves and by a development company is so much at variance with the above stated objectives as to imply contempt for the TPB, the public good and the villagers, indigenous and non-indigenous.
13. The general public is becoming increasingly concerned about the honesty, transparency and accountability of the planning process in Hong Kong and, in particular, our Country Parks. The people of Hong Kong (Heung Yee Kuk excepted) do not want our Country Parks to be raped by developers. Country Park enclaves like Pak Sha O are indeed inseparable from the Country Park system and should be appropriately protected.

Lands Department must reject the rebuilding applications at Pak Sha O out of hand. It has a duty to keep the barbarians from the gates.

I wish my identity and personal data to be kept confidential. Please confirm receipt of this letter by email to friendsofsaikunghk@gmail.com

Yours sincerely,

Friends of Sai Kung

Cc: Director WSD,
Director, Drainage Services Dept.
Various Legco members
Chief Executive of Hong Kong
Various environmental groups
Director of Operations, ICAC