

Objection to Pak Sha O Draft Outline Zoning Plan No SN/E-PSO/1.

Detailed submission by The Professional Commons

1 February 2016

1. Disturbance to the eco-system at Hoi Ha Wan, and evidence about the destruction of coral areas in the Marine Park as a consequence of the Hoi Ha Outline Zoning Plan, as well as human activity at Pak Sha O.

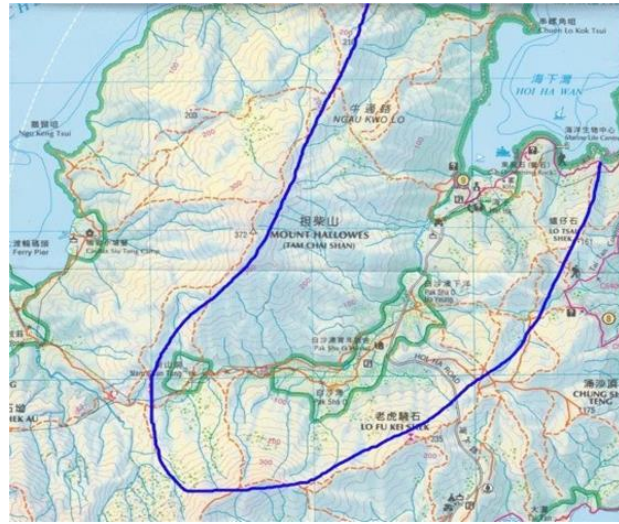


Figure 1: The Pak Sha O River Valley eco-system
Map courtesy Lands Department

The Pak Sha O River Valley is a single, holistic ecosystem. It contains the Country Park (CP) enclaves of Hoi Ha, Pak Sha O and Nam Shan Tung. All the streams from the surrounding hillsides, as well as the west flowing ones off Shek Uk Shan, the north flowing streams off and the east flowing ones off Mount Hallowes, flow into Hoi Ha Wan directly or join the Pak Sha O River, which runs down the valley from the south. This river is a designated an Ecologically Important Stream. It is therefore impossible to consider any zoning for an area in the valley without considering its impact on the whole eco-system.

In 2014, Hoi Ha CP enclave was zoned as Village, Coastal Protection Area, Green Belt 1 and Green Belt 2, Conservation Area and Government, Institution or Community Use. This was done with little regard for the ecology of the area and without any formal or independent scientific ally based Environmental Impact Assessment.

At the same time, agriculture was started in the Pak Sha O enclave, in the middle of the wetlands feeding the river.

The consequences of making such unscientific zoning as well as the permitting of resumption of agriculture have had devastating impact on the Hoi Ha Marine Park. Any attempt to zone Pak Sha O CP enclave using the same methodology will not only spell doom for the marine Park, but also for all the endangered and protected species in the PSORV area.

1.1 The impact on Hoi Ha Wan Marine Park



Figure 2. The Hoi Ha Wan Marine Park showing coral areas
Map courtesy AFCD

Hoi Ha Wan has one of the most coral diverse areas in South China Sea. It was designated Marine Park in 1996. It is one of the most visited ecological sites in Hong Kong. During dives carried out in January 2016 the corals at Flat Island and Moon Island were found to have been totally destroyed.

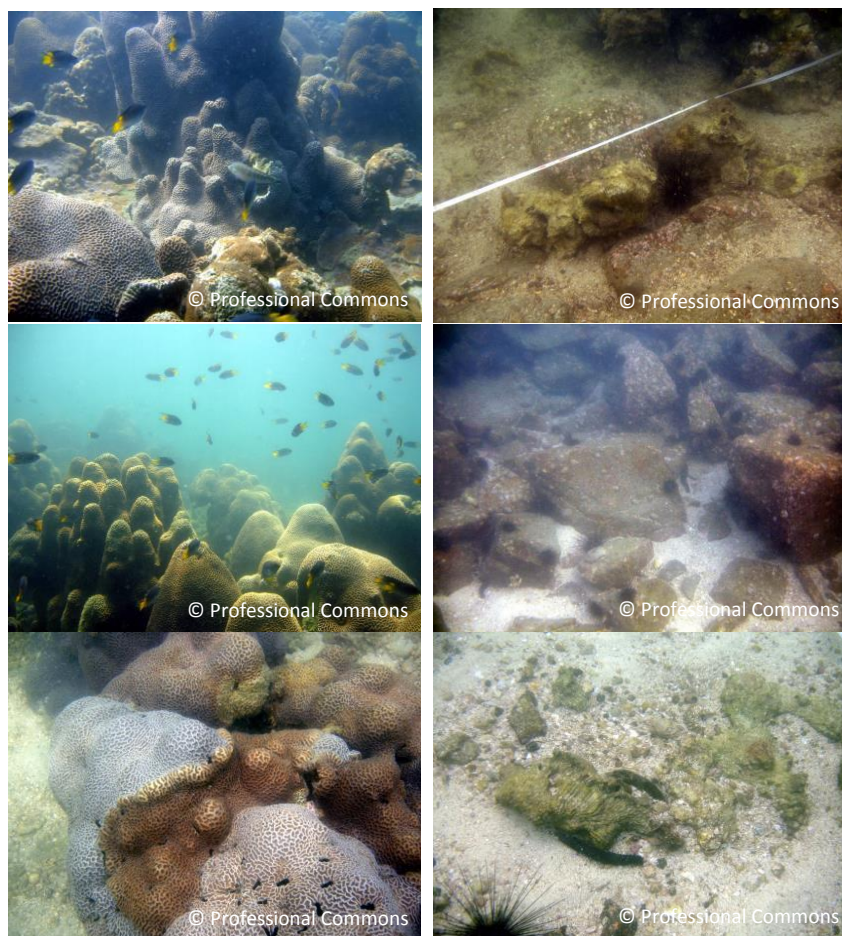


Figure 3. Corals at Flat Island and Moon Island in November 2015 (left) and January 2016 (right)
Photos: ©Professional Commons

This bio erosion was the direct result of urchins grazing on the corals after having been attracted to the Hoi Ha Wan area by the increased algae levels resulting from increased amounts of nutrient. To make matters worse, the massive population of urchins responsible for this was moving further into the marine park towards the other coral areas contained within. The population was measured to be over double the maximum population ever measured in the area - this is not a regular occurrence.

Our August 2013 study and objection to the Draft Outline Zoning Plan for Hoi Ha (No. S/NE-HH/C) produced some solid science that strongly suggested that the Pak Sha O River Valley (PSORV) should be protected. Professional Commons recommended that any village development, if justified, be allowed in an area to the south of Hoi Ha where the environment was less sensitive ecologically and well away from the Hoi Ha Marine Park. The recommendation also stated that the area should be zoned a Comprehensive Development Area (CDA) and the while of the river valley and estuary, the areas of most ecological sensitivity, be zoned Country Park.

Unfortunately, these proposals, as well as the subsequent submission in response to the amended draft OZP (S/NE-HH/1) was not accepted by Town Planning Board (TPB) and parts of the sensitive valley were zoned Green Belt and Village zones in 2014. The comprehensive report from the Professional Commons was the most detailed and comprehensive document on the area, and criticised the TPB for not carrying out any Environmental Impact Assessments (EIA) when zoning sensitive Country Park enclaves. We also predicted dire consequences for the wildlife in the area as well as for the Marine Park. Our warnings were ignored.



Figure 5: Clearance of secondary forest in the flood plain at Hoi Ha village



Figure 6: Clearance of wetland in Pak Sha O for agriculture

The recent clearing of parts of Hoi Ha zoned as GB and V zone, in accordance with the OZP and in preparation for significant house building by developers, has shifted a large population of rats, for example, into Hoi Ha Village, as well as allowing more nutrients in the river to flow into the Marine Park. Many of these nutrients come from upstream at Pak Sha O. The recent reintroduction of farming after 25 years absence at Pak Sha O has resulted in more nutrients being monitored at the river estuary. The draft OZP for Pak Sha O, now under representations, not only encourages more agriculture but also massively increases the amount of land available to developers to build up to 49 houses. As most of this zoning for Village and Green belt will occur on the wetlands feeding the Marine Park, we expect the level of nutrients and other pollutants to increase significantly. We address these specific problems in greater detail below.

The Professional Commons reports to the TPB on the draft and amended Hoi Ha OZPs also identified impacts on the existing ecology of the Hoi Ha Wan Marine Park. The sewage overflow from current

inadequate facilities for the houses along the foreshore, and future New Territories Exempted Houses (most of which will be luxurious small houses) allows human pollution to enter the Marine Park. The establishment of a Coastal Protection Area in Hoi Ha has allowed this issue to continue unabated. The building of more houses in the ecologically sensitive areas of Hoi Ha and Pak Sha O will spell doom for the corals and other creatures that are currently protected.

Too many nutrients entering the sea disrupts the ecological balance of bays and inlets. The Hong Kong University also highlighted the problem for the TPB at the Hoi Ha OZP hearings with a totally different set of data collected independently of the Professional Commons. Both the University and the Professional Commons clearly stated that this situation would degrade the Marine Park. As predicted, this is now happening.

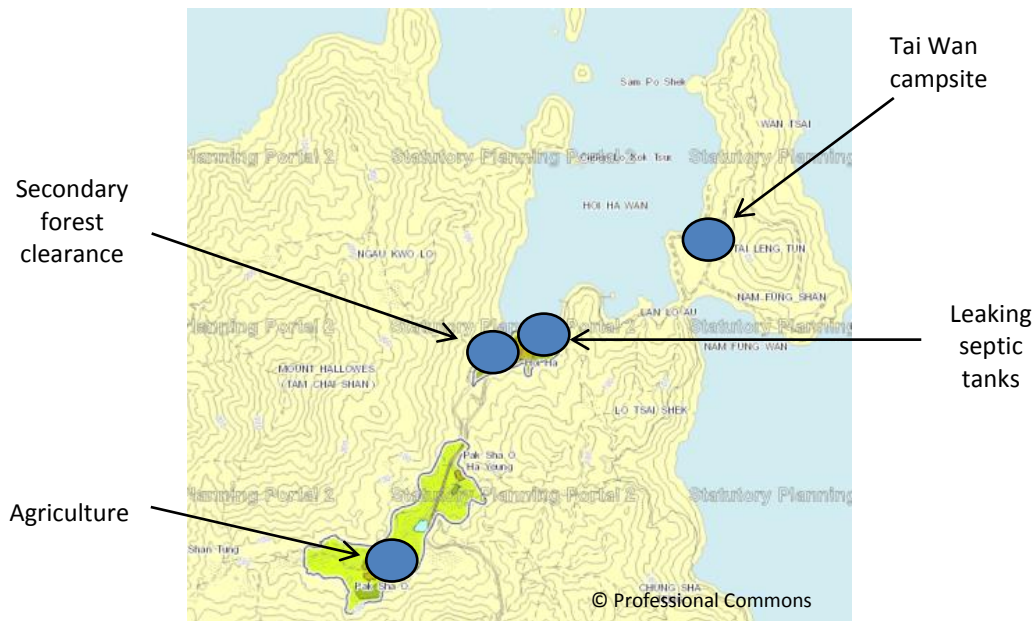


Figure 7: The sources of pollution in Hoi Ha Wan Marine Park .
Map courtesy Planning Department

2. There has been no proper independent Environmental Impact Assessment carried out on the site before zoning was proposed.

It is noted in the Explanatory Statements that no reference is made to any proper Environmental Impact Assessment being made for the enclave. We have therefore concluded that there is no scientific or ecological basis for any zoning proposals. We fail to understand how any zoning of ecologically sensitive sites within designated Country Parks can be zoned without a comprehensive knowledge of the ecology within the enclave. Unfortunately this is a pattern that has been repeated for every Country Park enclave considered by the Town Planning Board, and which has resulted in the devastation of surrounding and adjacent areas – as highlighted in Section 1 above.

Until such time as a full, comprehensive EIA is carried out for the area we oppose any zoning proposals not based on scientific evidence.

3. There has been little or no reference made to the protected and endangered species in the enclave.

In Section 7.2 Constraints, there is scarce mention of the areas protected and endangered species. Some comments are made concerning plant species (7.2.1.1) and (7.2.1.2), fish (7.2.1.3) and

butterflies and birds (7.2.1.4). But there is not one single mention of the areas protected or endangered mammals, which are of far greater significance.

Within the enclave, and in areas adjacent to it, are the following:

- Chinese Pangolin (*Manis pentadactyla*)
- Asian Grey Shrew (*Crocidura attenuate*)
- Javan Mongoose (*Herpestes javanicus*)
- Crab-eating mongoose (*Herpestes urva*)
- Malayan porcupine (*Hystrix brachyuran*)
- Rhesus Macaque (*Macaca mulatta*)
- Chinese Ferret Badger (*Melogale moschata*)
- Barking Deer (*Muntiacus muntjak*)
- Chestnut White-bellied Rat (*Niviventer fulvescens*)
- Masked Palm Civet (*Paguma larvata*)
- Leopard Cat (*Prionailurus bengalensis*)
- Wild Boar (*Sus scrofa*)
- Small Indian Civet (*Viverricula indica*)

The Professional Commons, and its collaborators, have sighted many of these species in the Pak Sha O River Valley, as mentioned in Section 1 above. The Pak Sha O enclave is not only the major source of the river but also within the foraging range of a number of these species. For example, the details of the Chinese Pangolin sightings and foraging range are shown in Figure xxx below.

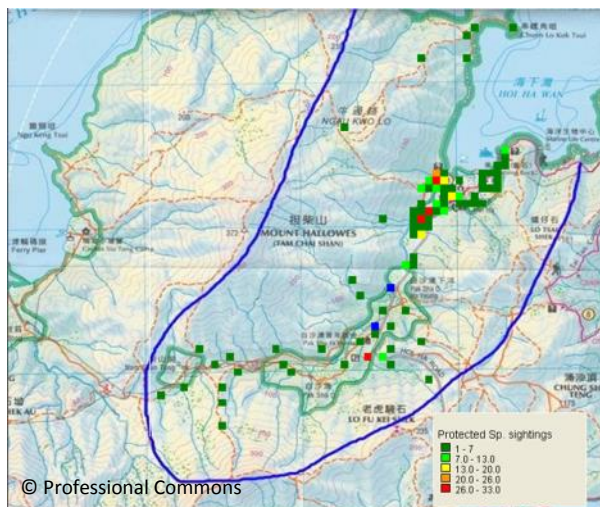


Figure 7: The distribution of endangered species in the Pak Shao O River Valley. Map courtesy Lands Department

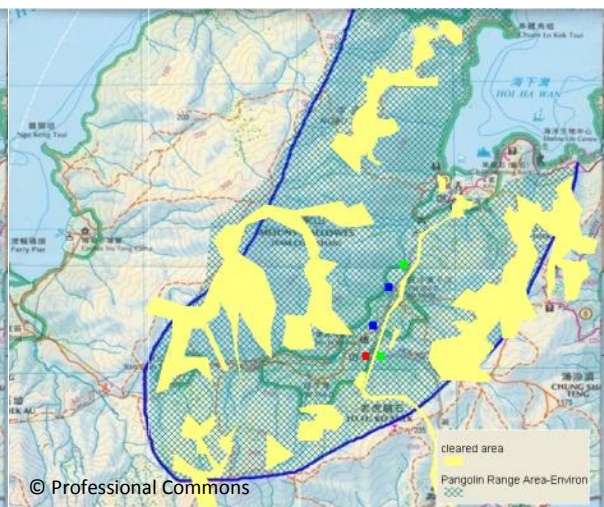


Figure 8: The distribution of critically endangered Chinese pangolin in the Pak Shao O River Valley showing their foraging range. Map courtesy Lands Department

4. No reference has been made to the impact of the proposed zoning on the adjacent Country Park, and the protected and endangered species living there.

The Pak Sha O River Valley is a comprehensive, holistic eco-system, as described in Section 1 above. Any interference in one place affects what happens in any other. This is shown by the destruction of corals in the Marine Park described above.

The plans for encouraging agricultural development will only create more problems for the downstream communities. Emphasis has been placed on the importance of the water gathering

grounds in the enclave (Sec. 7.2.5). However the wetland areas of the enclave would be threatened by any change in their usage, including agriculture and expansion of the village zone. Although pesticides and other chemicals are not allowed in the area (Sec 7.2.5) it is clear that some of these types of chemicals have been entering environment and the river and thus affecting the Hoi Ha Wan Marine Park.

5. No reference has been made to the impact of the proposed zoning on the Hoi Ha Wan Marine Park, the Hoi Ha SSSI and the cumulative effect of Hoi Ha Marine Park.

As discussed above, the PSO enclave cannot be considered in isolation. There is no reference anywhere in the draft OZP document of the effects of the zoning on the surrounding and adjacent areas.

6. There is no clear justification for the need for further village house development.

Pak Sha O has not been inhabited by its indigenous residents for a number of generations. At the same time, significant plots of land owned by the indigenous villagers (IVs) has been sold off to, or the 'ding' rights mortgaged to, commercial developers. It is clear that the descendants of the IVs have no interest in ever living in the village in future. If government policy is to continue to allocate government land for NTE Small Houses (NTEH) to male descendants of IVs then consideration should be given to this land being outside the Country Park or within an area deemed ecologically less sensitive.

There is currently a conviction of "conspiracy to default" case about NTEH in December 2015 and developers activities in Pak Sha O are well documented in the media¹. We urge the government to look into the genuine number of houses needed for NTE Houses in the OZP area and we opine that the lawful demand is minimal.

The proposal for an extended V zone in the middle of the enclave, an area which contributes to the ecology of the area, is unacceptable. There is no justification anywhere in the draft OZP document for such destructive zoning. The only area suitable for residential use is the existing village area. We propose that help be given to restore any dilapidated houses to their original design, and that any rebuilding of existing ruined buildings be carried out to traditional designs, as would any new houses if proven essential.

It is also clear that the projected population of 270 (Sec. 6) cannot be substantiated.

7. There is no discussion of the access to the proposed extended V zone for residents and/or emergency vehicles or the impact such access if built would have on the environment.

The draft OZP document hints at a major problem, but does not address it. In Section 10.1.2 mention is made of the lack of road access to the village. However, the large extension of the V zone, enabling many dozens of houses to be built, would mean that major road construction would be necessary. This would cause massive environmental trauma on the whole area whilst under construction and continuing damage during its use along with the encouragement of other commercial activities within the village. The contradiction between wanting to preserve the traditional village on the one hand, whilst subjecting it to large scale construction and traffic on the other is obvious.

¹ My-magazine documented developer activity in Pak Sha O <http://eastweek.my-magazine.me/?aid=25538>

8. Our proposed alternative zoning and further studies needed.

Taking into account the above, The Professional Commons proposes the following:

1. That the entire enclave be zoned Conservation Area pending its full integration into the surrounding Country Park.
2. That the current village areas of Pak Sha O and Pak Sha O Ha Yeung be designated monuments.

The Pak Sha O site comprising the Ho's historical buildings² and the Immaculate Heart of Mary Chapel shows the history of a Hak Ka village in Hong Kong and their interaction with Christian missionary services in early years. On the intact layout, the walking path linking the Hak Ka village to the chapel represents the Hak Ka interaction with foreign culture. We opine that the relevant authorities should consider designating the whole site as historical monument.³

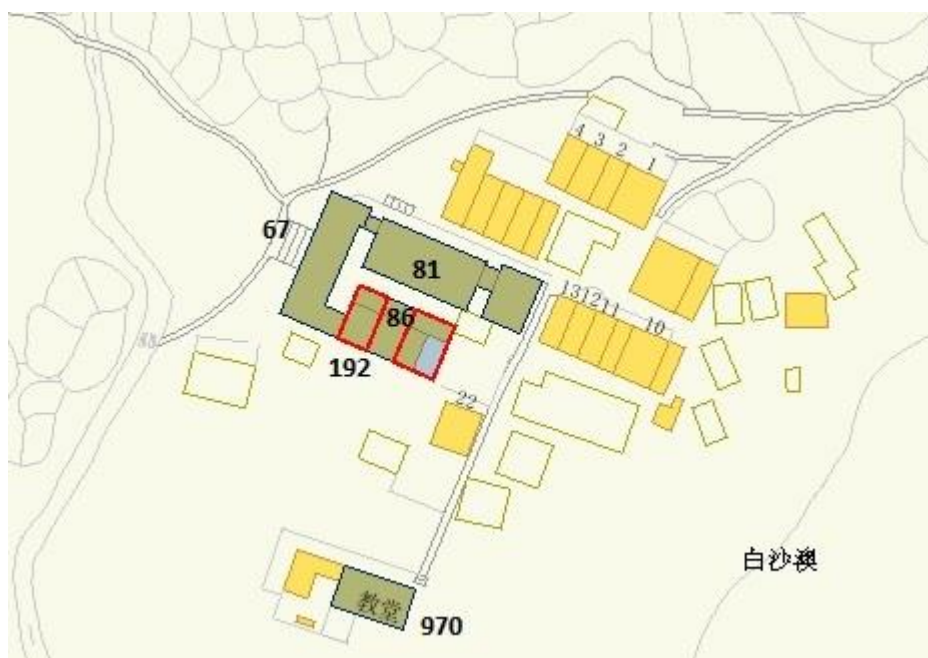


Figure 9: Historic buildings in Pak Sha O village

Number	Name & Address	Proposed Grading	Confirmed Grading	Remarks
67	Watchtower and Side Chamber of the Ho Residence, Pak Sha O, Tai Po, N.T. 何氏舊居更樓及廂房	1	1	Combined with numbers 81, 86 and 192 as one item and accorded with Grade 1 collectively on 10 Nov 2010

² See Annex 1 for pictures of Ho's historical building and the chapel.

³ The history of Pak Sha O is well documented by media and the people.

<http://alivingspace.hk/page/1/>,

<http://hk.apple.nextmedia.com/supplement/travel/art/20150925/19308070>

81	Entrance Hall and Side Chamber of the Ho Residence, Pak Sha O, Tai Po, N.T. 何氏舊居門樓及廂房	1	1	Combined with numbers 67, 86 and 192 as one item and accorded with Grade 1 collectively on 10 Nov 2010
86	Ho Ancestral Hall, Pak Sha O, Tai Po, N.T. 何氏祠堂	1	1	Combined with numbers 67, 81 and 192 as one item and accorded with Grade 1 collectively on 10 Nov 2010
118	King Siu Sai Kui and Hau Fuk Mun, Pak Sha O Ha Yeung, Tai Po, N.T. 白沙澳下洋京兆世居及厚福門	1		
192	Side Rooms on Two Sides of the Ho Ancestral Hall, Pak Sha O, Tai Po, N.T. 何氏祠堂兩側廂房	1	1	Combined with numbers 67, 81 and 86 as one item and accorded with Grade 1 collectively on 10 Nov 2010
970	Immaculate Heart of Mary Chapel, Pak Sha O, Tai Po, N.T. 白沙澳聖母無玷之心小堂	3	3	Grade 3 confirmed on 14 June 2012

3. That legitimate claimants under the NTEH policy be accommodated elsewhere, somewhere less environmentally sensitive.

4. That the entire Pak Sha O River Valley be given Site of Special Scientific Interest status as soon as practical, taking into account the range, diversity and habitat of protected and endangered species in the whole area. This would include the enclave of Hoi Ha.

Annex 1

(Source: Web site of Antiquities Advisory Board, HK)

Ho's Building



Chapel

