

Diggers sent to rural site before approval given

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Jul 28, 2010

The workers moved in 15 months ago, clearing vegetation at the half-deserted village.

Then last August, the diggers arrived, ignoring signs erected by Tai Po District Office warning the contractor not to occupy and excavate an area of government land.

Yet the Lands Department did not approve the first stage of the project to build 80 homes at To Kwa Peng - a coastal area next to the northern boundary of Sai Kung West Country Park - until January this year, when it gave approval for 16 of the three-storey houses.

It is the latest example of private development at a sensitive rural location. A *South China Morning Post* ([SEHK: 0583](#), [announcements](#), [news](#)) report last week about a project at Sai Wan caused widespread anger and forced the developer to halt work.

WWF Hong Kong has demanded that lands officials explain how they justified development at the To Kwa Peng site, which is not linked to a road. Like the project in Sai Wan and similar ones in Hoi Ha and Lai Chi Chong, it is not covered by statutory land use zoning and sits on an area almost enclosed by the country park.

The site is connected by a hiking path that leads to Pak Tam Road and Wong Shek pier. There is a small jetty at the waterfront.

The land is governed by an old lease carrying only vague controls on its use. Anything other than agricultural development requires prior approval from the Lands Department.

Lands registry records show the site is owned by a number of individuals and at least one private company - Billion Cheer Investment, which is controlled by Lau King-for, a Sai Kung district councillor.

In 2008 the company spent HK\$800,000 buying stakes in more than 40 plots from villagers. This February some plots were transferred to at least one individual.

Most of the site had been levelled by the end of last year. Last month the contractor brought in an excavator and a driller by sea and drove them to the work site via an illegally formed access road on government land.

Lau did not return calls to his councillor's office yesterday to clarify if his company was involved in the development and construction work.

Alan Leung Sze-lun, conservation manager of WWF Hong Kong, said the lands officials should come clean on the development at the site, which is known for its coastal mangroves and sea grass bed.

"Is this plan compatible with the surrounding landscape of the site?" Leung said. "Is there a sewage system to handle the waste water? Is a new road cutting across the country park needed? Will it be able to meet fire prevention requirements?"

Leung said the mechanism for small-house development on a site without zoning was not transparent enough. This had deprived the public of the right to know about private projects that might have an impact on protected areas.

The Lands Department only posts a small-house plan at the village concerned and with the respective rural committee for 14 days to see if there is a "valid local objection".

Before the department makes a decision, it consults other departments such as the Agriculture, Fisheries and Conservation Department, the Planning Department, the Drainage Services Department, and the Environmental Protection Department.

The Lands Department would not say when it received the application to build small houses - any male descendant of a traditional New Territories villager may apply to build one - or who the applicants were. It confirmed that it was still processing the remaining 64 of the 80 applications. It also did not say whether all the departments that had been consulted supported the applications.

A spokeswoman said lands officers had inspected the site on June 23 after receiving a complaint and erected bollards and a chain link fence to block the illegal access road. It met a representative of the contractor on July 5 and demanded the machinery be removed and the excavated government land restored.

She said the equipment was taken away by boat on July 13. But 10 days later not all the affected government land had been restored.

A visit to To Kwa Peng by *Post* reporters two days ago found that the workers had abandoned the construction site, about the size of a football field, leaving behind a few bits of pipe and a trolley just beyond some abandoned village houses.

At the centre of the site is blood-red clay from the excavated earth, hardened and cracking under the fierce sun. Pieces of metal and plastic and empty drink bottles were strewn around. A nearby stream was untouched and the water ran clear.

Usman Adams, a 36-year-old Sudanese native who lives in a village house next to the construction site, said the workers left a week ago.

"They cut down many trees, which is not good for the environment," he said. "I saw them taking machines away by water."

It was not evident from the site how the workers got their machinery back to the waterfront. A sign marking the territory as "Government Land" is embedded into the ground with concrete, blocking the pathway down a slope to the water below.

Tractor marks running down the slope and a small pile of construction material at the bottom indicated the sign was either placed there after the machinery was removed or that the sign was unearthed and replaced after the machinery had gone.





The abandoned construction site in To Kwa Peng village, Sai Kung, where old homes (right) have been abandoned.

Photos: K. Y. Cheng



A nearby stream still runs clear.