

Rule protecting Sai Wan scenic site takes effect

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Aug 07, 2010

Defaced beauty spot Tai Long Sai Wan came under better protection yesterday. A temporary zoning order in effect blocks all new development without prior permission in the area - where a businessman wants to build a private retreat.

The Town Planning Board gazetted the Sai Wan development permission area plan designating the site for "unspecified use", pending further study of what uses should be allowed.

But two issues remain: how and by whom diggers were moved to the work site (they probably crossed a protected sandy beach), and who should be held responsible for unauthorised excavation on adjacent government land.

Under the temporary zoning, all developments or uses other than agriculture, which has always been permitted under the plan, require planning permission. No diversion of streams, filling of land or ponds or excavation of land is allowed without approval.

These restrictions mean the board's permission is required even if the developer wants to restore the site - where two artificial ponds have been created - to its original state. But maintenance of existing buildings within the area is exempt.

The plan was urgently issued three weeks after the **South China Morning Post** ([SEHK:0583](#), [announcements](#), [news](#)) reported that a private site at the beach was being excavated to build a personal retreat for Simon Lo Lin-shing, chairman of the listed Mongolia Energy Corporation.

Lo bought more than 70 plots of land totalling 1.8 hectares from villagers for an estimated HK\$20 million last year, and construction was found to have begun in early June when diggers were seen clearing vegetation.

The temporary zoning published yesterday covers two parcels of land surrounded by Sai Kung East Country Park with a combined size of 16.55 hectares, comprising mainly village houses, vegetation, fallow agricultural land and watercourses.

The parcel to the north includes the abandoned village area that Lo bought and excavated. That to the south takes in the village where descendants of the indigenous Lai clan now live.

The board said urgent zoning was needed for better protection of the site because the excavation work had damaged its character and that of the surrounding country park.

The public can comment on the temporary zoning until October 6. Under the Town Planning Ordinance, the plan will be replaced with a detailed outline zoning plan in three years.

A spokeswoman for Lo said yesterday he had no comment on the zoning plan.

Conservancy Association campaign manager Peter Li Siu-man welcomed the speedy temporary zoning but said it should be tightened to require prior approval for any agricultural activities. "A site can still be trashed in the name of organic farming," he said, noting that Sham Chung, one of the city's largest wetlands, was destroyed that way.

Li also pressed the government to prosecute those responsible for the unauthorised excavation on the site and illegal transport of the diggers.

"It is crystal clear who should be held responsible and these people should be prosecuted now," he said.

How the three diggers were transported to Sai Wan, which has no road access, and how they escaped the notice of country park officers and local villagers, remains a mystery. It is widely believed the machines were brought by sea and across the protected beach. A veteran helicopter pilot dismissed the idea that the heavy machines were airlifted to the site.

A spokeswoman for the Agriculture, Fisheries and Conservation Department said it was still investigating the delivery of the diggers and processing an application received on July 22 to remove them. She refused to disclose more details about the application, such as who filed it and the transport method proposed.

A construction firm, whose phone number was shown on various signs posted at the site, denied yesterday it had brought in the excavators.

"I have no idea why our firm's telephone number is posted around the work site as we are not the contractor, who should be hired directly by the property owner," Andrew Ho Hoi-tung, director of Sha Tin-based Tung Tat Construction, said. "We are just the project consultant for them but we cannot reveal more about the plan, as this should be disclosed by the property owner."

Meanwhile, Environment Secretary Edward Yau Tang-wah, along with planning, lands and conservation officials, attended a closed meeting yesterday of the Country and Marine Parks Board which considered how to better protect 54 sites within or next to country parks and not protected by any planning controls.

Various approaches were discussed, including extending the country parks. But officials were resistant to the idea of buying back any of the sites because it would just create more government land lying idle.

The board will meet again next month.

Protective measures

The 16.55 hectare site at Sai Wan has been temporarily zoned for "unspecified use" under a development permission area plan

What is permitted

- Agricultural activities
- Use of any land or buildings that existed before August 6, unless there is any change to the use
- Maintenance or repair of a building, road, watercourse, nullah, sewer and drain

What is not permitted

- Any other use or development, which requires Town Planning Board permission
- Any diversion of streams, filling of land/pond or excavation of land

Key points

- The public has until October 6 to submit comments on the plan to the board
- Under the Town Planning Ordinance, an outline zoning plan should replace the development permission area plan within three years

Source: Town Planning Board