

香港特別行政區政府
The Government of the Hong Kong Special Administrative Region

發展局

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15 November 2012

Clerk to the Legislative Council Panel on Development
Legislative Council Complex
1 Legislative Council Road
Central, Hong Kong
(Attn: Mr Anthony CHU)

Dear Mr CHU,

Country Park Enclaves

Thank you for your email of 25 October 2012 to our bureau conveying to us the concern of Dr Hon Kenneth CHAN Ka-lok, Member of the Legislative Council Panel on Development, on the captioned subject. The consolidated reply of this Bureau, the Environment Bureau and concerned departments is set out below.

Regulation of Country Park Enclaves

There are currently 77 country park enclaves (enclaves), of which 23 have already been incorporated by the Planning Department (PlanD) into Outline Zoning Plans (OZPs) under the Town Planning Ordinance (TPO) between 1980 and 2009. As stated in the 2010-11 Policy Address, the remaining 54 enclaves will be expeditiously incorporated into country parks or statutory plans so as to meet the conservation and social development needs.

Statutory plans would be prepared by PlanD for around half of those enclaves. PlanD has already incorporated 19 enclaves into 14 Development Permission Area (DPA) plans under TPO. TPO empowers PlanD to take enforcement actions against unauthorised developments within the DPAs. Details of the gazette dates of the 14 DPA plans are at **Annex**.

On the other hand, the Agriculture, Fisheries and Conservation Department (AFCD) gazetted in October 2012 the draft maps of the Kam Shan Country Park, the Sai Kung East Country Park and the Tai Lam Country Park for the incorporation of the three enclaves in Kam Shan, Tai Long Sai Wan and Yuen Tun into those country parks.

For the remaining enclaves, the concerned departments will either include them into country parks or determine their proper uses through statutory planning to meet conservation and social development needs, having regard to the actual situation of the site, including such factors as its conservation value, landscape and aesthetic value, geographical location, existing scale of human settlements and immediate development threats.

Enclave at Pak Sha O, Sai Kung

Pak Sha O, Sai Kung is one of the 54 enclaves mentioned above. In view of public and media's concerns about certain construction works being carried out at Pak Sha O, PlanD, the District Lands Office, Tai Po (DLO), the Environmental Protection Department and AFCD conducted a joint inspection of the subject site on 24 October with a view to ascertaining whether there is any non-compliance warranting their respective enforcement action. The inspection reveals that the construction works are being carried out on private agricultural land and do not fall within the boundaries of any country parks.

DLO has also issued letters to the land owners reminding them of their responsibility to comply with the land lease conditions and other requirements, which include not to construct any structures on the agricultural land without permission. If necessary, other departments will also send letters to the land owners reminding them of their responsibility to comply with the relevant legal requirements.

The relevant departments will continue to monitor closely whether there is any non-compliance in the enclaves, and will expeditiously incorporate them into country parks or statutory plans according to the established mechanism.

Yours sincerely,



(Tony LI)
for Secretary for Development

c.c.

Secretary for the Environment (Attn: Miss Sian LI)

Director of Planning (Attn: Mr David NG)

Director of Lands (Attn: Mr LIU Pik-keung)

The 19 Country Park Enclaves Already Incorporated into Development Permission Area Plans**(as at 5.11.2012)*

No.	Development Permission Area (DPA) Plans					
	Name	Site	Draft Plan No.	Gazette Date	Approved Plan No.	Gazette Date
1	Tai Long Sai Wan DPA Plan	1. Sai Wan	DPA/SK-TLSW/1	6/8/2010	DPA/SK-TLSW/2	18/11/2011
2	Hoi Ha DPA Plan	2. Hoi Ha	DPA/NE-HH/1	30/9/2010	DPA/NE-HH/2	14/10/2011
3	So Lo Pun DPA Plan	3. So Lo Pun	DPA/NE-SLP/1	30/9/2010	DPA/NE-SLP/2	18/11/2011
4	Pak Lap DPA Plan	4. Pak Lap	DPA/SK-PL/1	30/9/2010	DPA/SK-PL/2	14/10/2011
5	To Kwa Peng and Pak Tam Au DPA Plan	5. Pak Tam Au	DPA/NE-TKP/1	7/1/2011	DPA/NE-TKP/2	17/2/2012
		6. To Kwa Peng				
6	Tin Fu Tsai DPA Plan	7. Tin Fu Tsai	DPA/TM-TFT/1	7/1/2011	DPA/TM-TFT/2	16/12/2011
7	Tung A and Pak A DPA Plan	8. Tung A	DPA/SK-TA/1	19/8/2011	DPA/SK-TA/2	13/7/2012
		9. Pak A				
8	Ko Lau Wan DPA Plan	10. Ko Lau Wan, Mo Uk, Lam Uk, Lau Uk and Tse Uk	DPA/NE-KLW/1	26/8/2011	DPA/NE-KLW/2	13/7/2012
9	Lai Chi Wo, Siu Tan and Sam A Tsuen DPA Plan	11. Sam A Tsuen	DPA/NE-LCW/1	26/8/2011	DPA/NE-LCW/2	13/7/2012
		12. Siu Tan				

No.	Development Permission Area (DPA) Plans					
	Name	Site	Draft Plan No.	Gazette Date	Approved Plan No.	Gazette Date
		13. Kop Tong, Mui Tsz Lam and Lai Chi Wo				
10	Mau Ping DPA Plan	14. Mau Ping, Mau Ping Lo Uk, Mau Ping San Uk and Wong Chuk Shan	DPA/ST-MP/1	26/8/2011	DPA/ST-MP/2	13/7/2012
11	Luk Wu and Keung Shan DPA Plan	15. Luk Wu, Upper Keung Shan, Lower Keung Shan, Cheung Ting and Hang Pui	DPA/I-LWKS/1	2/9/2011	DPA/I-LWKS/2	15/6/2012
		16. Ngau Kwo Tin				
12	Yim Tin Tsai and Ma Shi Chau DPA Plan	17. Shui Mong Tin	DPA/NE-YTT/1	2/9/2011	DPA/NE-YTT/2	14/9/2012
13	Chek Keng DPA Plan	18. Chek Keng	DPA/NE-CK/1	4/5/2012	To be determined	To be determined
14	Yung Shue O DPA Plan	19. Yung Shue O	DPA/NE-YSO/1	4/5/2012	To be determined	To be determined

* This annex does not include those 23 enclaves already incorporated into Outline Zoning Plans between 1980 and 2009.