



長春社 Since 1968

The Conservancy Association

會址: 香港新界葵涌貨櫃碼頭路 77-81 號 Magnet Place 一期
13 樓 1305-6 室

Address: Units 1305-6, 13/F, Tower 1, Magnet Place, 77-81 Container Port
Road, Kwai Chung, New Territories, H.K.

網址 Website: www.cahk.org.hk

電話 Tel.: (852) 2728 6781 傳真 Fax.: (852) 2728 5538

電子郵件 E-mail: cahk@cahk.org.hk

3rd September 2021

Town Planning Board
15/F North Point Government Offices
333 Java Road
North Point
Hong Kong

By e-mail: tpbpd@pland.gov.hk

Dear Sir/Madam,

RE: Comments on the Section 16 Application No. A/SK-PL/2

The Conservancy Association (CA) OBJECTS to the captioned application.

1. Not in line with the planning intention of Agriculture (AGR) zone

According to The Approved Pak Lap Outline Zoning Plan (OZP) No. S/SK-PL/3, the planning intention of AGR zone “*is intended primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It is also intended to retain fallow arable land with good potential for cultivation and other agricultural purposes*”. However, all the proposed uses are largely not for cultivation or farming-associated ancillary use. We do not think such plan is in line with the planning intention.

2. Adverse environmental impact

Limited details are available to justify how the proposed outdoor tent area, outdoor activity zone & BBQ area, fruit zone would pose no adverse environmental impacts during both construction and operation phase. For example, all potential sources of water pollution (either from visitors or operators) during daily operation of the outdoor tent area, outdoor activity zone & BBQ area, have not been fully identified.

The site was rezoned to AGR zone after 1244th TPB meeting. During the discussion and deliberation session of the meeting, It is agreed that the site should be kept as a



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buffer for the adjacent stream.

“after consulting relevant government departments, the proposed “AGR” zone was considered to be a suitable buffer for the stream. Under the “AGR” zone, other than agriculture use that was always permitted, other developments including recreational uses would require the Board’s planning permission and the applicants had to demonstrate to the Board that the applied use(s) would not generate adverse impact to the environment in the area, including the stream. Conditions requiring the applicant to comply with certain technical requirements might also be imposed upon granting planning approval”¹

“...Nevertheless, after considering the representations and comments, the Board decided that it was necessary to provide a buffer to protect the stream on the FR Site as it discharged into Pak Lap Wan which had very good water quality and the high ecological value of the surrounding Country Park”²

“Any future planning applications in Pak Lap should be assessed with caution taking account of the stream and the CPE background. The stream was in a very good condition with high value for conservation back in 2014, and the “AGR” buffer should be implemented without further delay”³

We worry that polluted water arises from the proposed activities and works in this planning application would end up in entering the stream, and then the famous Pak Lap Wan where most of the outdoor and water activities are currently concentrated in.

¹ Section 52(d), Minutes of 1244th Meeting of the Town Planning Board held on 23.4.2021
https://www.info.gov.hk/tpb/en/meetings/TPB/Minutes/m1244tpb_e.pdf

² Section 52(e), Minutes of 1244th Meeting of the Town Planning Board held on 23.4.2021
https://www.info.gov.hk/tpb/en/meetings/TPB/Minutes/m1244tpb_e.pdf

³ Section 82, Minutes of 1244th Meeting of the Town Planning Board held on 23.4.2021
https://www.info.gov.hk/tpb/en/meetings/TPB/Minutes/m1244tpb_e.pdf



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3. Undesirable precedent of “destroy first, build later”

This site has been subject to land formation including land filling and vegetation clearance since 2010 (Figure 1-6). Enforcement Notices have once been served against the unauthorized use within the site on 2021.

From our previous observation in late-February 2021, the site was paved and covered by artificial lawn. A few tent-like and stage-like structures were put on the site. Suspected illegal discharge can be spotted connecting to the natural stream, while the stream bank next to the site has been largely modified (Figure 7-9). It was suspected that this was a case of “destroy first, build later”.

Planning Department and members of Town Planning Board (TPB) should alert that TPB has announced approaches to deter “destroy first, build later” activities in 2011. It stated that “*the Board is determined to conserve the rural and natural environment and will not tolerate any deliberate action to destroy the rural and natural environment in the hope that the Board would give sympathetic consideration to subsequent development on the site concerned*”⁴. Therefore, this application should not be given any sympathetic consideration or it will set an undesirable precedent for similar cases in future.

Yours faithfully,

Ng Hei Man

Campaign Manager

The Conservancy Association

⁴ TPB Press Release. Available at:

<http://www.info.gov.hk/gia/general/201107/04/P201107040255.htm>



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Figure 1-6 According to aerial photos, the site (marked in red) was subject to land formation and vegetation clearance in the past (Source: Google Earth)





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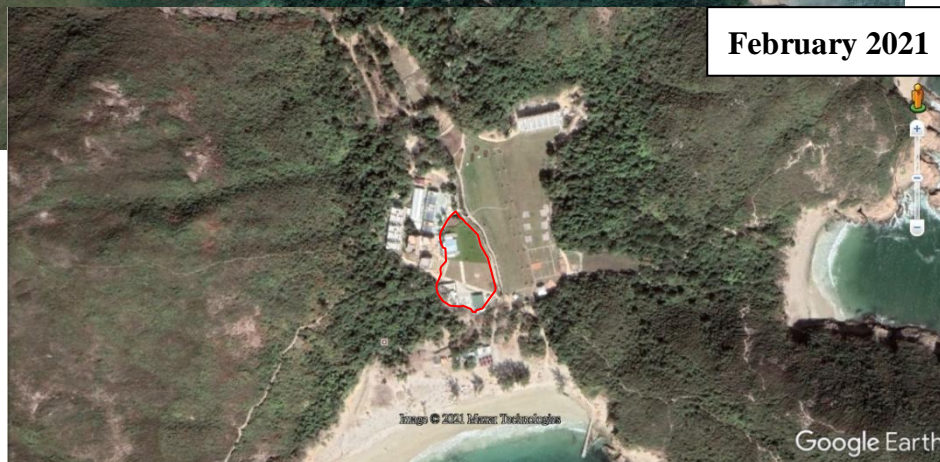
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Figure 7-9 Site condition observed in mid-February 2021





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Figure 10-11 From our observation, suspected illegal discharge can be spotted connecting to the natural stream, while the river bank has been largely modified (circled in red)

