



長春社 Since 1968

**The Conservancy Association**

會址: 香港九龍大角咀道 38 號新九龍廣場 9 樓 910 室

Add.: Unit 910, 9/F, New Kowloon Plaza, 38 Tai Kok Tsui Road, Kowloon, 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

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

By e-mail: [tpbpd@pland.gov.hk](mailto:tpbpd@pland.gov.hk)

Dear Sir/Madam,

**Re: Comments on the Section 16 Application No. A/YL-KTS/839**

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

**1. Not in line with the general planning application**

According to the Approved Kam Tin South Outline Zoning Plan No. S/YL-KTS/15, the planning intention of “Agriculture” zone (AGR) is “to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purpose. It is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes”. Since the proposed application for “place of recreation, sports or culture” would involve the use of road for vehicle access and erection of structures, it is not in line with the planning application of “AGR”.

**2. Undesirable precedent of “destroy first, apply later”**

From aerial photo, the areas surrounding the application site were greenery areas covered with vegetation in December 2017 (Figure 1). However, we received a citizen’s report on a suspected case of land excavation at areas along Tai Lam Chung Country Trail. During our site visit in late August 2019, it was discovered that a considerable amount of vegetation inside Conservation Area and AGR was removed (Figure 2), covering both government land and private land. One excavator was spotted inside AGR.



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Moreover, we also noticed the construction of a suspected unauthorized footpath inside AGR. The footpath connects the water channel and the existing structures, and is situated near the application site (Figure 3, 4). The case was then reported to the Planning Department (ref.: CEP/G/YL-C/KTS), Agriculture, Fisheries and Conservation Department and Lands Department. According to the reply from Lands Department, under the Land (Miscellaneous Provisions) Ordinance, the footpath construction on government land was unauthorized and the authority would take corresponding enforcement actions. Therefore, it is suspected that this is a case of “destroy first, build later”. Such act should not be tolerated or it will set an undesirable precedent.

Similar application in adjacent area for “Proposed Temporary Barbecue Area for a Period of 3 Years” (Section 16 Application No. A/YL-KTS/447) was rejected in 2008. One of the reasons for rejection was that “*approval of the application, even on a temporary basis, would set an undesirable precedent for similar applications within the AGR zone. The cumulative effect of approving such applications would result in the encroachment of good agricultural land, causing a general degradation of the rural environment of the area*”. Also, due to the proximity to Tai Lam Country Park, we are concerned about the cumulative impact on environment and ecology of the areas. Approving the captioned application is in contradiction to the Committee’s previous decision and would set undesirable precedent for similar applications in the area. Development would further encroach into lands with conservation and agricultural values, decreasing overall quality of the environment.

Yours faithfully,  
Charlotte Chan  
Campaign Officer  
The Conservancy Association

**Figure 1. Aerial photo of the application site (circled in red) in December 2017, and the surrounding area with vegetation (Source: Google Earth)**



**Figure 2. Vegetation clearance in August 2019, near the application site**



**Figure 3. Suspected unauthorized footpath near the application site (circled in purple)**



**Figure 4. Approximate location of the suspected unauthorized footpath (Source: GeoInfo Map)**

