



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

Add.: 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

28th August 2020

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: Comment on the Section 12A Application No. Y/YL-KTS/7

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

1. Not in line with the general planning intention

According to The Approved Kam Tin South Outline Zoning Plan No. S/YL-KTS/15, the general planning intention of the area “*is to facilitate appropriate scale of development near the West Rail Kam Sheung Road Station to optimize the use of land and to channel suburban type uses to appropriate areas. The types of developments include private and public residential developments, village housing, and environmental and infrastructural improvements. Also, good quality agricultural land especially those under active cultivation will be retained as appropriate*”. We do not agree that the proposed columbarium was in line with the above general planning intention. The existing Agriculture (AGR) zone to retain and safeguard good quality agricultural land/fish ponds is still necessary and there is no need to rezone it.

2. Adverse environmental impacts

The site is very close to Tai Lam Country Park with diverse habitats such as natural stream, secondary woodland, and so on. The proposed columbarium is not compatible with the landscape character of Country Park and there is no strong justification to prove that the development would not cause adverse environmental impact on the site and the



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surrounding Country Park.

In specific, we do not think the project proponent has addressed potential impact on a natural stream can be spotted very close to the development site. If referring to Figure 3.1 of Visual Impact Assessment (VIA) and Figure 5.3 of Landscape Master Plan (LMP) (Figure 1), it can be concluded that the distance between the proposed access road and the natural stream would be less than 11.6m (which is the proposed setback between the stream and one of the buildings). It is highly suspected how such limited setback, from ecological view, can help avoid and minimize impacts on natural stream. Meanwhile, since works associated with the access road and proposed underground drain are so close to the natural stream, it is also doubtful how potential adverse impacts can be avoid and minimized during construction phase.

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

The site was subject to large scale of land formation and vegetation clearance several times. From our record, pond filling have be spotted since 2008 in the site and its adjacent area. Ponds and agricultural land were filled with construction and demolition waste (Figure 2 and 3).

Moreover, we can also spot changes in vegetation cover in the site and its surrounding area (Figure 4-6). During our site visit in late August 2019, considerable amount of vegetation inside Conservation Area and AGR zone was removed (Figure 7 and 8), covering both government land and private land. Signs of land excavation and vegetation clearance can still be observed in the site currently, even though weeds were overgrown in some of the areas (Figure 9 and 10). It is suspected that this is a case of “destroy first, build later”.

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*



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environment of the area". Approving the captioned application is therefore in contradiction to the Committee's previous decision and would set undesirable precedent for similar applications in the area.

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*"¹. Therefore, this application should not be given any sympathetic consideration or it will set an undesirable precedent for similar cases in future.

Thank you for your attention.

Yours faithfully,
Ng Hei Man
Campaign Manager
The Conservancy Association

¹ TPB Press Release. Available at: <http://www.info.gov.hk/gia/general/201107/04/P201107040255.htm>



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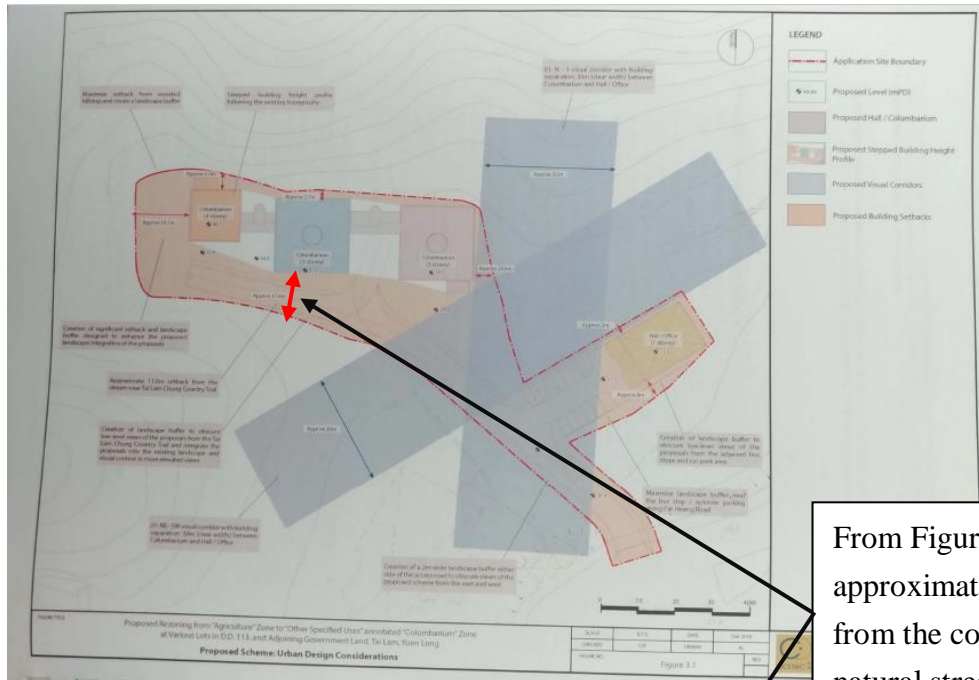
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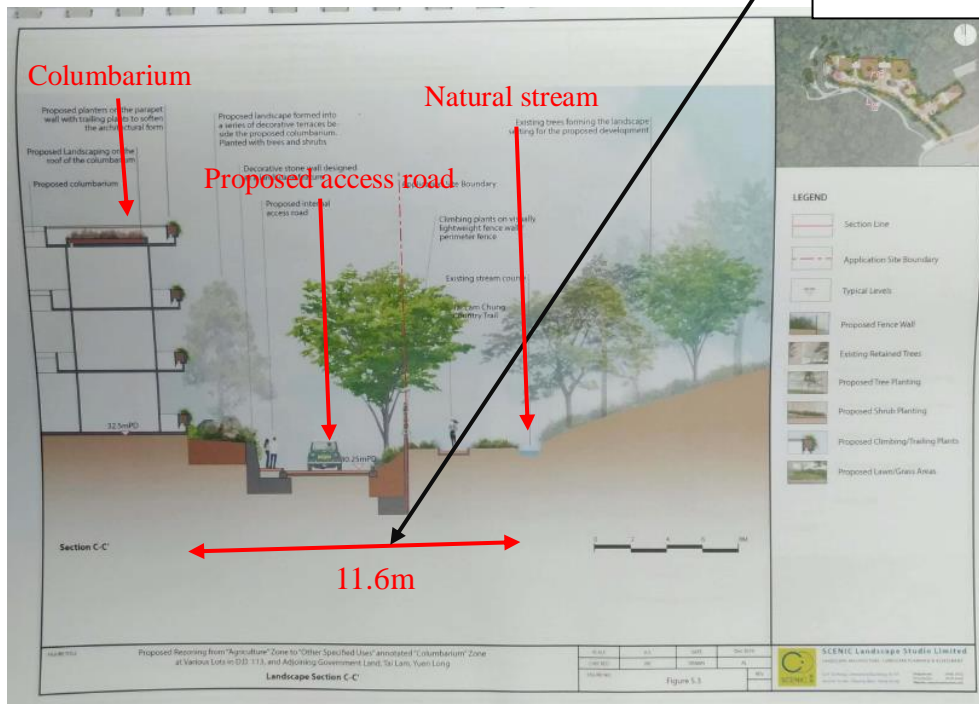
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Figure 1 Referring to Figure 3.1 of VIA and Figure 5.3 of LMP, it can be concluded that the distance between the proposed access road and the natural stream would be less than 11.6m



From Figure 3.1 of VIA, approximate 11.6m setback from the columbarium to the natural stream is proposed





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Figure 2 and 3 From our record, pond filling have be spotted since 2008 in the site and its adjacent area. Ponds and agricultural land have be filled with construction and demolition waste. Photos in 2009 have shown that construction and demolition wastes were still not removed from the site.





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Figure 4-6 Changes in vegetation cover in the site and its surrounding area (circled in red)





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Figure 7 and 8 During our site visit in late August 2019, it was discovered that a considerable amount of vegetation inside the site and its surrounding area





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Figure 9 and 10 By comparing the condition of August 2019 with August 2020, signs of land excavation and vegetation clearance can still be observed, even though weeds were overgrown in some of the areas

