



19th May 2016

Joint statement of green groups in response to Nam Sang Wai and Lut Chau development

The Mai Po Marshes, the Inner Deep Bay and the surrounding fish ponds have been listed as a “Wetland of International Importance” under the Ramsar Convention since 1995. Nam Sang Wai and Lut Chau are integral part of the Deep Bay wetland ecosystem and are within the “Wetland Conservation Area” (“WCA”) under Town Planning Board Planning Guideline 12C to protect the area against incompatible development.

Five green groups are highly concerned the recent allegations made by the developer of Nam Sang Wai project will undermine the conservation principle for Ramsar Site and jeopardise the planning measures to protect the integrity of wetland ecosystem of the Deep Bay area. The developer explained to the media^{i,ii} that they must obtain the development permission for Nam Sang Wai and Lut Chau from the Town Planning Board, before they can manage the habitat and ecological environment and halt dumping activities in the area.

However, the proposed development that encroaches the core wetland conservation area is against the spirit and strategic goals under the Convention on Biological Diversity, which is to address the underlying causes of biodiversity loss, reduce the direct pressure on biodiversity and protect ecosystems and habitats.

The undersigned green groups consider that the statement made by the developer as misleading. The proposed development (A/YL-NSW/242) should be rejected by the Town Planning Board.

Our views are as below:

1. The developer should not hold the well-being of the natural setting and environment of their land and properties to “ransom” to favour the approval of their proposed development plans.
2. Landowners, including the developer and the Government, have a duty of care towards their land and are responsible to protect their land from unauthorized dumping and other eco-vandalism. They are obligated to observe the laws, guidelines and international convention related to their land and properties. Damaged sites should be properly reinstated.
3. The Government has the duty to ensure that adequate resources and regulations are in place to ensure effective enforcement against unauthorised activities.

4. The developer should follow the “precautionary approach” for land within the WCA. Even though the development footprint is reduced and is located what claimed to be the least sensitive location within the site, it is still situated in areas of reedbeds and wetlands which are recognised of high ecological value. Identified by the project’s Ecological Impact Assessment, the habitat area is also the largest of its kind in Hong Kong. Hence the “least sensitive location” argument is entirely invalid.
5. The developer should not breach the principle of “no-net-loss in wetland” for land within “WCA”. While the developer claim that there will be no net loss in water area, the development will in fact cause a net loss of 10.4 hectares of wetland habitats (including associated pond bunds).
6. Human disturbance and adverse landscape and visual impacts brought about by the proposed development for a population of 6,500 is substantial. The 29 residential towers (19-25 storeys) and 140 houses (3 storeys) proposed are clearly incompatible with the surrounding wetland environment. The massive building cluster will completely damage the landscape of the entire Nam Sang Wai area.
7. For the conservation of Nam Sang Wai and Lut Chau, non *in-situ* transfer of development rights is the preferred solution. A Wetland Conservation Trust should also be established for the long-term and sustainable management of the fishponds and wetlands at this site.
8. Fishpond operation is regarded as wise use of wetland as the regular drain-down practice would create suitable foraging grounds for birds. Such practices and knowledge on traditional fish farming should be preserved.
9. Pond bund maintenance is necessary in fishpond operation. The Government should provide solid support and assistance to fishpond farmers (particularly in the Deep Bay area) for carrying out eco-friendly fishpond management, including maintenance, that are harmless to the environment and ecology.

The green groups encourage the public to make submissions to the Town Planning Board to object to the Nam Sang Wai development on or before 20th May 2016 (Friday).

Online petition by The Conservancy Association: <http://savenamsangwai.weebly.com/>

Co-signatories:

The Conservancy Association
Designing Hong Kong
Green Power
The Hong Kong Bird Watching Society
WWF - Hong Kong

ⁱ News article: <https://hk.news.yahoo.com/南生圍-帶現泥頭堆-有害廢料處處倒-221113907.html>

ⁱⁱ RTHK radio show: http://programme.rthk.hk/channel/radio/programme.php?name=radio1/openline_openview&d=2016-05-09&p=1069&e=358574&m=episode