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The Conservancy Association

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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

Dear Sir/Madam

Re: Comments on the Section 16 Application No. A/YL- NSW/241

The Conservancy Association (CA) STRONGLY OBJECTS to Section 16 Application No. A/YL-NSW/241.

1. Not in line with the planning intention of OU(CDWRA)

The planning intention of OU(CDWRA) is to “*provide incentive for the restoration of degraded wetlands adjoining existing fish ponds through comprehensive residential and/or recreation development to include wetland restoration area*”. The current proposal, however, is largely commercial in nature. This would set a undesirable precedent for similar case within the zone.

2. Inadequacy of the proposed fish pond

The proposed fish pond in the western portion is claimed act as visual and landscape buffer to minimize the potential off-site impacts (Section 7.1.3 of Planning Statement), but indeed the intention of the fish pond is to “*establish commercial fish farming at the site to allow future operators of the restaurants within the outlet mall to produce their own locally farmed organic fish*” (Section 3.1.4 of Planning Statement). We cannot see how the project proponent can justify commercial fish farming in the pond area would avoid

disturbance, both from farm operator and visitors, and cause no on-site and off-site ecological impacts. It would not be in line with one of the planning intentions of OU(CDWRA) to provide incentive to restore degraded wetland.

3. Under-estimation of ecological impact

From Figure E2 of EcoIA, a total of 7 Black-faced Spoonbill, listed as “Endangered” under IUCN Red List, were recorded flying at the western fringe of the subject site parallel to Kam Tin Main Drainage Channel (MDC) in December 2012 and January 2013. It also showed that all flight lines, including major and minor, pass through the development site towards Kam Tin MDC, the mitigation wetland in the southwest of the development site and adjacent fish ponds. The EcoIA of A/YL-NSW/218 dated 2012 also once identified significant ecological constraints in and around the Nam Sang Wai, including main and secondary area of egret flight-line. The development site is completely within the secondary area of egret flight-line. It is doubtful that the impact on foraging habitat loss for Great Cormorant and other waterbirds and disturbance impact on waterbirds in Kam Tin MDC and mitigation wetland are regarded as “negligible” and “low to moderate” respectively.

Besides, daily operation of outlet mall and the commercial daily fish ponds would pose off-site impact, such as glare impact, on avifauna. However, off-site impact during operational phase has not been assessed adequately.

4. Visual impact

“Preservation of as many existing trees as possible” is proposed as one of the construction mitigation measures to mitigate visual impact. However, from Annex B.2, some trees identified for preservation is outside the site boundary. This is misleading and should not be counted as part of mitigation measures.

5. Cumulative impact

It should be noticed that there is another planning application Y/YL-NSW/3 in adjacent and other planned development according to Nam Sang Wai OZP S/YL-NSW/8, CA worries that potential cumulative impact would cause significant disturbance on adjacent ecologically sensitive areas, including Yuen Long Flooding bypass and the active egret flight-line at Tung Shing Lei. Since the development site lies within Wetland Buffer Area (WBA), The project proponent has to ensure that the integrity of wetland ecosystem in Deep Bay Area is maintained at all times.

We also worry that more commercial development, together with the proposed hotel development (Y/YL-NSW/3) within NSW region, would create more traffic problems, followed by other environmental disturbance such as air and noise pollution. In particular, most of the roads in adjacent area are sub-standard, traffic congestion and road safety problems would be generated. With increasing numbers of coaches in the site, this would further trigger pond-filling activities in the name of providing parking space. We cannot see how these cumulative impacts had been tackled by the project proponent in full.

Yours faithfully

A handwritten signature in black ink, appearing to be 'Ng Hei Man', written in a cursive style.

Ng Hei Man
Assistant Campaign Manager

Figure 1: Ecological constraints in and around the Nam Sang Wai site, including the main and secondary area of egretty flight-lines

