



長春社 Since 1968

The Conservancy Association

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20th December 2019

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 12A application No. Y/NE-LT/2

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

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

According to the Approved Lam Tsuen Outline Zoning Plan No. S/NE-LT/11, the planning intention of “Agriculture” (AGR) is “*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 rehabilitation for cultivation and other agricultural purposes*”. The proposed rezoning is a large-scale development project, which is not in line with the planning intention of AGR.

According to the Ecological Impact Assessment Report provided by the applicant, there are 4.49 hectares of agriculture land within the application site currently. This indicates that active agricultural activities have been taking place. The explanatory statement of OZP also stated that “*According to the AFCD, the agricultural land of the Area is of good quality. Most of the agricultural land is under active cultivation and worthy of preservation*” and “*the planning intention for the Area is, therefore, to retain the rural character of the Area by controlling development and promoting agricultural activities, and to allow village expansion in areas where development is considered appropriate*”. However, the rezoning application would involve turning agricultural lands into residential development areas, leading to a direct loss of 3.21 hectares of existing agriculture land, demoting agricultural activities of the



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area. Therefore, the rezoning application is against the planning intention. CA reiterates that the planning intention should be strongly upheld.

2. Adverse ecological impacts

Compared with previous application (Section 12A Application No. Y/NE-LT/1) for residential development in 2013, even though the gross site area has been reduced in current application, development scale has significantly increased with increasing total domestic Gross Floor Area, maximum plot ratio and maximum number of storeys. More information should be provided by the applicant to the address the potential ecological impacts on the environment brought by the extension in development scale.

Although a 15m Non-building Area (NBA) has been proposed by the applicant to cover the riparian zone of the stream course, a river walk along the stream would also be built in the development project. Since there is a lack of information regarding the design and construction of river walk / footpath, orchard garden, butterfly garden and other facilities near the stream, we worry that there would be potential impacts on the ecology in the stream and surrounding areas.

Moreover, the application site is situated in the vicinity of Site of Special Scientific Interest (SSSI) and Conservation Area. The “fung shui” woodland in She Shan Tsuen is of high ecological value with important flora species and habitat for migratory birds. Since the application site is ecologically and closely linked with adjacent habitats, including the SSSI and Conservation Area, the existing vegetation and agricultural lands have been serving as important buffer between the built environment and SSSI/Conservation Area. Without a detailed conservation management and mitigation plan, we worry that the ecological impacts would be under-estimated.

3. “Destroy first, develop later”

It is reminded that land-filling activities in the application site were spotted between 2003 and 2005, deteriorating agriculture lands. CA is of grave concern that approving the proposed development on this disturbed land would result in a disastrous precedent of condoning the act of “destroy first, develop later”.



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4. Undesirable precedent and potential cumulative impacts

Similar application (Section 12A Application No. Z/NE-LT/1) for rezoning “Agriculture” to “Comprehensive Development Area” or “Residential (Group C)” was rejected in 2000. One of the reasons for rejection was that *“the proposed rezoning would set an undesirable precedent for other similar proposals in the area which would result in loss of good quality agricultural land and there would be cumulative impacts on the existing and planned infrastructure as well as the rural character of the area”*. 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 landscape values, decreasing overall quality of the environment.

Yours faithfully,

Charlotte Chan

Campaign Officer

The Conservancy Association