



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 一期十三樓 1305-6 室 電話 Tel.:(852)2728 6781 傳真 Fax.:(852)2728 5538  
Add.: Units 1305-6, 13/F, Tower 1, Magnet Place, 77-81 Container Port Road, Kwai Chung, New Territories, H.K. 電子郵件 E-mail:cahk@cahk.org.hk  
網址 Website:www.cahk.org.hk

19<sup>th</sup> July 2022

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,

### Comments on the Section 16 Application No. A/NE-MTL/8

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

#### **1. Not in line with the planning intention of Green Belt (GB) zone**

According to the approved Ma Tso Lung and Hoo Hok Wai Outline Zoning Plan (OZP) No. S/NE-MTL/3, the planning intention of GB zone “*is primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is a general presumption against development within this zone*”.

From the application, however, we cannot see any details to justify that the plan would fulfill the above planning intention. We do not think such plan is in line with the planning intention.

#### **2. Adverse environmental impacts**

We worry that there would be several potential adverse environmental impacts caused by the application:

- No plans on land recovery: Various structures/uses, including 27 temporary structures (not exceeding 5.24m in height), office, storage, lounge, washroom, guard house, portable toilets, parking spaces, etc., would be temporarily proposed in the application site. Meanwhile, the proposed land and pond filling with a depth of about 0.3m and 1.8m respectively would occupy nearly half of the site (48.5%).



However, no details are available to illustrate how the land would be recovered after the proposed temporary use, land and pond filling activities.

- Lacking details on the proposed pet park: According to the application, almost half of the site would be occupied by the pet park. However, we cannot see any plans or details to deal with associated potential environmental nuisance generated by the pet park during construction and operation phase.
- Adverse sewage and waste impact: According to the application, we cannot see any details of the proposed toilets (both portable toilets and a toilet in a container), such as design; collection, treatment and disposal of sewage, and so on. We especially worry that leaking of human sewage can cause serious environmental and hygiene problems.
- Lacking details of drainage design: a recent application A/NE-MTL/2, which is less than 50m from this application site, was rejected by the Rural & NT Planning Committee (RTNPC) on 8/1/2021. The RTNPC 663<sup>rd</sup> meeting pointed out that “*the applicant (A/NE-MTL/2) fails to demonstrate that the filling of pond and land would not cause adverse drainage and environmental impacts on the surrounding area*”. Referring back to the current application, similarly we cannot see how the project proponent can demonstrate that the plan, especially pets park and campsite, will not cause adverse drainage and environmental impact too.
- Light and noise pollution: As the application mentioned that the proposed site will be opened 24 hours from Mondays and Sundays, light and noise pollution generated from various activities would be highly inevitable. However, no attempts have been proposed to tackle such disturbance.
- Other sources of environmental impacts not clearly addressed: There are no site management and operational plans to describe issues such as number of expected visitors/users, crowd control, waste management, additional provision of ancillary utilities, and so on. All these would help identify source of environmental impacts and then suggest measures to minimize or mitigate potential environmental disturbance, but we cannot see the project proponent has attempted to address this.

### **3. Adverse ecological impact at Ho Sheung Heung Egretty and Conservation Area**

The application is very close to the Ho Sheung Heung Egretty currently zoned Conservation Area. According to Egretty Counts in Hong Kong (2016-2020), it showed that Ho Sheung Heung Egretty was once a major habitat for Eastern Cattle Egret



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(*Bulbulcus coromandus*), and Chinese Pond Heron (*Ardeola bacchus*) also found in surrounding area. However, we worry that the application involved filling of pond and land, and this may affect their foraging habitat.

Besides, the site falls within/very close to part of the flight-lines between the egret and foraging locations of ardeids. As North East New Territories New Development Areas EIA Report (EIA-213/2013) showed that 28.5% flight-lines (Figure 1) will be crossed with the application site. During both construction and operation phase of the project, associated human disturbance such as light and noise pollution would be generated and may threaten the flight path of those birds. With such an important ecological site nearby, however, the project proponent fails to take this into account.

#### **4. Undesirable precedent of “destroy first, build later”**

This site has been subject to land formation and vegetation clearance (Figure 2-4). It is suspected that this is a case of “destroy first, build later”.

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

Yours faithfully,

Ng Hei Man

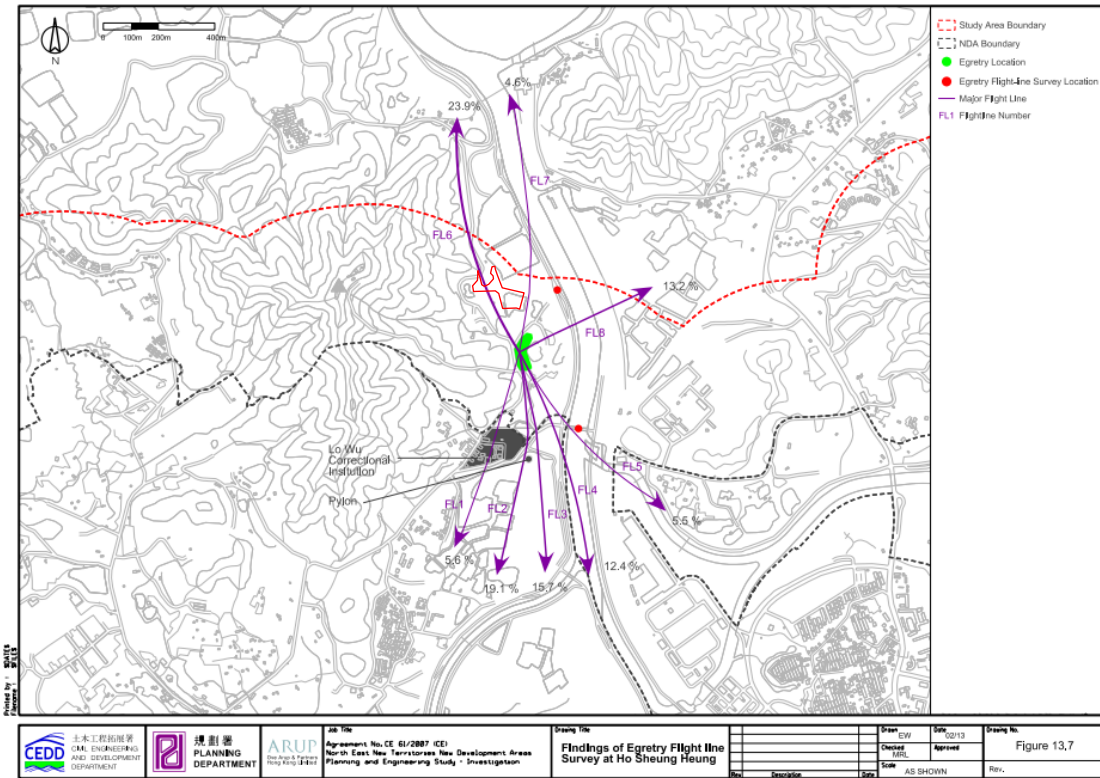
Campaign Manager

The Conservancy Association

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

**Figure 1 Findings of egretry flight-line survey at Ho Sheung Heung<sup>2</sup>**  
 (application site marked in red)



<sup>2</sup> Figure 13.7, North East New Territories New Development Areas Planning and Engineering Study – Investigation Final Environmental Impact Assessment Report  
[https://www.epd.gov.hk/eia/register/report/eiareport/eia\\_2132013/eia/pdf/figure/figure\\_13-7.pdf](https://www.epd.gov.hk/eia/register/report/eiareport/eia_2132013/eia/pdf/figure/figure_13-7.pdf)

**Figure 2-4** According to aerial photos (Source: Google Earth) and our observation in May 2021, this site (marked in red) has been subject to land formation and vegetation clearance (marked in blue). It is suspected that this is a case of “destroy first, build later”







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