



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

Address: 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

8th November 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/YL-NSW/293

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

1. Not in line with the planning intention

According to the general planning intention of the approved Nam Sang Wai Outline Zoning Plan No. S/YL-NSW/8, the Plan is to “*conserve the ecological value of the fish ponds which form an integral part of the wetland ecosystem in the Deep Bay Area*”, and “*the area further away from the fish ponds is to protect the ecological integrity of the wetland ecosystem, and prevent development that would have a negative off-site disturbance impact on the ecological value of fish ponds*”. While We are very concerned that the proposed development is still large in scale and lies very close to fish ponds within the site and the vicinity of Wetland Buffer Area (WBA) under the Guidelines for Application for Developments within Deep Bay Area (TPB PG-No. 12C). We therefore cannot see how this planning application can achieve the above planning intention.

2. Incompatible development scale

A similar planning application A/YL-NSW/275 has once been submitted to Town Planning Board at the same site since November 2019. Compared with the previous application with the current one, we do not think the development scale has been substantially decreased. Please refer to the table below for reference.



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	A/YL-NSW/275	A/YL-NSW/293
Plot ratio (Domestic)	3.082	2.928
No. of Block (Domestic)	16 Residential Tower 34 Houses	14 Residential Tower 9 Houses
Building height	12-139mPD	12-139mPD
No. of storey	3-45	2-44
No. of units	3,814 Flats (Private) 34 Houses (Private)	3,556 Flats (Private) 9 Houses (Private)

The explanatory statement of “Undetermined” (“U”) zone mentioned that “*To realize a built-form which represents a transition from the Yuen Long New Town to the rural area, the development intensity should take into account the urban type developments immediately to the west of the “U” zone and the rural characteristics of the area to its north*”. With further urban expansion in Yuen Long during recent decades, the current rural landscape in Tung Shing Lane and its adjacent, such as Small Traders New Village, can be regarded as the remaining part that keeps intact in general. Based on the current development scale, we worry that the current rural landscape in the subject site acting as a transition between Yuen Long New Town and Yuen Long rural area would be loss.

3. Direct loss of fish ponds

From the Master Layout Plan for the proposed development, it is clear that some residential development would be built on the pond. Pond filling activities in the site will be resulted, but such act would lead to direct loss of fish ponds. While the fish ponds lie close to WBA and even Wetland Conservation Area (WCA), it was also very close the egretty in Tung Shing Lane. We expect that the ponds are still utilized by egrets and various waterbirds and form a close ecological linkage with Deep Bay wetland ecosystem.

Although one of the ponds has become a “lake” under the current application, we opine that the total area of wetland in the site would still be significantly reduced. Besides, we are also not sure if any associated works, such as draining out all water from the “lake”, earth work, would be proposed in the “lake”. Whether water quality



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of this “lake” would still be acceptable for egrets and other species during operation phase is also questionable. In this way, this pond/“lake” is no longer functional in ecological perspective, and is no differences from direct ecological loss.

4. Adverse impacts on adjacent egretries

According to the further information in response to departmental comments submitted by the applicant on 10th December 2021, the applicant replied AFCD’s comments that *“Tung Shing Lane Egretty was abandoned in 2021, following a decreasing trend of the breeding ardeid at Tung Shing Lane Egretty for several years...”*. However, the report from The Hong Kong Bird Watching Society¹ pointed that *“As the Kam Po Road colony is situated not too far away from the abandoned colony at Tung Shing Lane (about 1.9 km), and their composition of population is similar, it is suspected that the Tung Shing Lane population relocated to Kam Po Road this year”*

Past research has shown that the location of bird nesting and foraging ground (such as fish pond) is closely related, with birds flying 2km in average from their nests to foraging ground. Some birds can even fly as far as 4km². Currently there are insufficient information, such as updates on flight path survey for the new colony, measures to ensure no disturbance on Tung Shing Lane Egretty, etc., to justify that such ecological linkage would be safeguarded. We worry that the proposed development would cause obstruction of flight path, leading to disturbance on breeding and foraging activities of birds.

5. Lack of details of on-site sewerage treatment management

According to the explanatory statement of S/YL-NSW/8, *“Private residential developments in the Area must contain suitable and satisfactory on-site sewage treatment facilities to achieve the requirements of “no-net-increase in pollution load to Deep Bay” and make connections to a public sewer once it is in place”*, which

¹ 1 Anon, 2021. Summer 2021 Report: Egretty Counts in Hong Kong with particular reference to the Mai Po Inner Deep Bay Ramsar Site. Report by The Hong Kong Bird Watching Society to the Agriculture, Fisheries and Conservation Department, Hong Kong Special Administrative Region Government. <https://cms.hkbws.org.hk/cms/component/phocadownload/file/812-egretty-summer-report-2021> 2 Wong, L.C., Lam, W.Y. and Ades, W.J. (2009). Ecology of the birds in Hong Kong. Hong Kong: Kadoorie Farm & Botanic Garden.



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means that a comprehensive sewerage plan is needed to prove the development would not lead to increase of pollution load in deep bay. As the revised Environmental Assessment report (Attachment D) the applicant said, *“About 940.7m³/ day out of 3,984m³/ day of treated effluents will be reused on-site for flushing and irrigation use and the remaining treated effluent water would be discharge to the public drainage system”*, which means around 76.4% sewerage will be handle by the public system. The Environmental Protection Department also commented based on further information submitted by the applicant on July 2022, the updated sewerage impact assessment is needed, if the applicant needs to connect to the public sewerage system. However, the applicant only said that *“It will be further considered in detailed design stage”*. We supposed that such an important sewerage treatment management should be provided in early stage, which is very fundamental information to justify whether the applicant able to fulfill the principle of *“no-net-increase in pollution load to Deep Bay”*. Therefore, lack of details on-site sewerage treatment management should not be approved.

6. Potential cumulative impact

Over the past decade, many large-scale development applications inside WBA around Nam Sang Wai have been approved or submitted for approval. The entire region has been under high development pressure. According to Approving the captioned application would set undesirable precedent for similar applications for large-scale development in the area. Development would further encroach into lands with conservation and landscape values, decreasing overall quality of the environment.

Yours faithfully,
Chow Oi Chuen
Campaign Officer
The Conservancy Association