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The Conservancy Association

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23rd December 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 12A Application No. Y/YL-ST/1

The Conservancy Association OBJECTS to the captioned application.

1. Not in line with the planning intention

According to the Town Planning Board Guidelines for Application for Developments within Deep Bay Area (TPB PG-No. 12C), the application site is located within Wetland Buffer Area (WBA). The planning intention of WBA is *“to protect the ecological integrity of the fish ponds and wetland within the WCA and prevent development that would have a negative off-site disturbance impact on the ecological value of fish ponds”*.

By introducing a population of 11,312 and 4,176 flats, such large development scale would potentially induce adverse off-site disturbance impacts on adjacent wetland in Wetland Conservation Area (WCA), affect ecological function and integrity of Deep Bay wetland ecosystems. We opine that this is definitely not in line with the TPB PG-No. 12C and the planning intention of WBA.

2. Incompatible with the surrounding environment

Regarding Other Specified Uses (Comprehensive Development to include Wetland Restoration Area) (OU(CDWRA)), Section 9.4.8 of the Explanatory Statement of Approved San Tin Outline Zoning Plan (S/YL-ST/8) mentions that *“To be in line with the rural setting which is mainly low-rise residential developments and village houses, to minimize visual impact and to take into account the capacities of local road network*



and infrastructure in this area, development or redevelopment shall not result in a total development or redevelopment in excess of a maximum plot ratio of 0.4 and a maximum building height of 6 storeys including car park”. The proposed application, comprising 29 residential blocks with 7 to 18 storeys, would be a large amendment to the original planning requirement. It is highly incompatible with the rural setting with low development density which is usually no more than 3 storeys high.

3. Inadequate details in Wetland Restoration and Creation Scheme

Despite provision of the Wetland Restoration and Creation Scheme (Fishpond Operation Plan), the applicant failed to show how the proposed restored wetlands in Wetland Restoration Area (WRA) and Conservation Area (CA) zone ensures the aim of wetland restoration and managed in long-term. Here we highlight some major concerns:

- Regarding future pond operator (Section 2.2), there were no further details to justify how the future fish farming operation “*similar with practice in commercial fishponds*” would not conflict with “*conservation friendly operation*”
- Regarding financial arrangement (Section 2.3), there were no details to demonstrate how long-term management of wetland can be secured.
- Regarding water source (Section 5.1), the water budget for the WRA, with reference to Hong Kong Observatory data climatological means 1981-2010, might not reflect the worst-case scenario. The conclusion that “*there will be a net gain of water*” might be too optimistic.
- Regarding construction of the restored wetland (Section 8.3), it was unclear if all related works were listed and assessed. It is doubtful how the principle of “no-net-loss in wetland” would be upheld.

4. Inadequate details in Landscape Master Plan

According to Section 8.4 of Landscape Master Plan submitted by the applicant on September 2022, 6-12m wide landscape buffer was created for a better integration with the wetland character and screening for human activities. We cannot see any details on how 6-12m buffer be able to achieve those aims, as the buildings still remain 7-18 storeys. Moreover, according to revised Ecological Impact Assessment (EcoIA) provided by the applicant on November 2022, the landscape buffer was only created in the north of the application site close to the WRA, but not in the south of the application site near Mai Po Lung Egretty and Mai Po Village Egretty. We are



concerned that the current arrangement might not effectively screen off disturbance on those egretries.

5. Adverse ecological impacts

With reference to Ecological Survey Programme (Table 3.1) of EcoIA, some surveys are still incomplete. It would be surprising for the applicant to come up with conclusion that all potential adverse ecological impacts are fully assessed and mitigated. We are highly doubtful that such rezoning application ensures ecological integrity of WBA, WCA, and the entire Deep Bay. We have to reiterate some of our major concerns in ecological aspects:

- Ecological disturbance on adjacent egretries, including but not limited to Mai Po Village Egret, Mai Po Lung Village Egret
- Disruption on flight path of birds, particularly breeding egrets and herons from the egretries (According to Figure 6 of the revised EcoIA, around 28% of breeding ardeids flight line crossed the proposed residential buildings)
- Disturbance on birds and other wildlife during construction of WRA

6. Cumulative impacts

Over the past decade, there were already cumulative loss of wetlands in the Deep Bay wetland ecosystem. For instance, the majority of Tin Shui Wai, Yuen Long Industrial Estate, Fairview Park and Palm Spring as well as Futian District of Shenzhen were all built on wetland. Meanwhile, according to our research, 8 planning applications and 1 Land Sharing Pilot Scheme application¹ have been submitted within WBA since the announcement of Northern Metropolis in Policy Address 2021. The plot ratio of those applications, ranging from 1.2 to 4.14, is much higher compared with the previous applications. If all applications are approved, an additional 31,579 units, with a population of 84,422 would be brought into WBA and threatened wetland ecosystem.

Many large-scale development applications within WBA have been approved or submitted for approval. In future, the adjacent San Tin/Lok Ma Chau Development Node, Northern Link, San Tin Technopole under Northern Metropolis Development Strategy would further increase development pressure within the region. In such case, the proposed development would merely constitute greater pressure in the already rather

¹ Another 9 planning applications: Y/YL-NSW/6; Y/YL-NSW/8; Y/YL-NSW/9; Y/YL-MP/6; Y/YL-MP/7; Y/YL-MP/8; Y/YL-LFS/13; Y/YL-ST/1; LSPS/2 (Land Sharing Pilot Scheme)



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fragile Deep Bay ecosystem.

Yours faithfully,

Chow Oi Chuen

Campaign Officer

The Conservancy Association