



**長春社** since 1968

The Conservancy Association

會址：香港九龍青山道 476 號 PeakCastle 1 樓 102 室

Add.: Unit 102, 1/F, PeakCastle, 476 Castle Peak Road, Kowloon, Hong Kong

電話 Tel.: (852)2728 6781 傳真 Fax.: (852) 2728 5538

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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](mailto:tpbpd@pland.gov.hk)

Dear Sir/Madam

Re: Comments on the Section 12A Application No. Y/YL-NSW/3

The Conservancy Association (CA) OBJECTS to Section 12A Application No. Y/YL-NSW/3. Approving this rezoning application would set an undesirable precedent and attract similar commercial projects in Wetland Buffer Area (WBA).

**1. Not complying with Town Planning Board Guideline No. 12C**

It should be highlighted that the site lies in WBA according to Town Planning Board Guideline No. 12C. *“Proposals for residential/recreational developments on degraded sites to remove/replace existing open storage or container back-up uses and/or to restore lost wetlands may be given sympathetic consideration by the Board subject to satisfactory ecological and other impact assessments”*. It is suspected that under such circumstance, commercial use fails to satisfy such requirement.

**2. Development density**

From the latest Response to Comment (RtoC), it is misleading for the project proponent to use the case of 2 CDAs in Tin Shui Wai area (each with a maximum plot ratio of 1.5 and building height restriction of 10 storeys) and Yuen Long Industrial Estate (with building height restriction of 8-10 storeys) to justify the captioned development. The surrounding environment comprises rural development in low or medium rise and wetland with no development so that the proposed development, with such high development density, is

not compatible. A stringent control on development is necessary to secure ecological integrity of adjacent wetland and Deep Bay, which is a Ramsar Site under protection, is important. Indeed, the proposed/planned plot ratio for development within the Deep Bay area is usually very low (usually  $\leq 0.4$ , such as Wo Sang Wai development, Lin Barn Tsuen development). We are not convinced that 1.5 is an acceptable development density in this area.

### **3. Cumulative impact**

There is another planning application A/YL-NSW/241 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 egretty at Tung Shing Lei. It would also 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. However, we still cannot see how these cumulative impacts had been tackled by the project proponent in full.

### **4. Under-estimation of ecological impact**

The EcoIA of A/YL-NSW/241 has once revealed that a total of 8 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 next to 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 egretty flight-line. The development site is partly within the secondary area of egretty flight-line (Figure 1).

Under such circumstance, it is doubtful that if the indirect impact on Kam Tin MDC and the mitigation wetland are still regarded as “Low to Moderate Significance” and “Very Low Significance” respectively.

Yours faithfully

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**

