



長春社 since 1968

The Conservancy Association

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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 16 Application No. A/YL- NSW/223

The Conservancy Association (CA) OBJECTS to Section 16 Application No. A/YL-NSW/223.

**1. Not in line with Town Planning Board (TPB) Guidelines No. 12B**

It should be reiterated that the site lies at Wetland Conservation Area (WCA)<sup>1</sup> and Wetland Buffer Area (WBA) according to TPB Guideline No. 12B and possibly linked to fish ponds in Nam Sang Wai area and even Inner Deep Bay wetlands ecologically. CA is concerned about on-site impacts such as habitat loss due to pond filling, interference with bird flight paths, and off-site impacts, as well as cumulative impacts with other planned developments, such as small house development in Shan Pui Village and proposed comprehensive residential development A/YL-NSW/172, and remaining development arise in R(D) zone. We do not think the additional information is adequate in addressing the above and in line with TPB Guideline No. 12B stating that “New development within the WCA would not be allowed unless it is required to support the conservation of the ecological value of the area”.

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<sup>1</sup> The access road is located within WCA according to the Master Layout Plan.

According to Section 6.7.3 of Application for Developments within Deep Bay Area under Section 16 of the Town Planning Ordinance, residential development in WBA could be approved for the purpose of “*replacement of existing storage and port back-up uses and/or proposals of detailed wetland restoration may be given special consideration subject to satisfactory ecological and other impact assessments*”. However, inadequate information was provided by the applicant to justify the above guideline. TPB should not approve this planning application.

## **2. Inadequate information in ecological impact assessment (EcoIA)**

We are still in reservation in some points in the EcoIA.

i. It was noted that the ecological surveys were conducted in January 2011, the time when a fire was occurred in Nam Sang Wai. It was skeptic if the fire would cause fluctuation in species diversity and abundance within Nam Sang Wai area and thus ecological linkage between the project site and adjacent Nam Sang Wai area might not be easily assessed through the survey.

ii. The ecological value of fishponds, both within and surrounding the development site, are under-estimated. The project proponent mentioned that the ranking of “low to moderate” ecological value was “*an average of all abandoned fish ponds within the Study Area*” (Section 3.8.1.1 of EcoIA) but such conclusion would not reveal the real ecological condition. For abandoned fishponds adjacent to the development site, according to Table 11 of EcoIA, quite many bird species of conservation importance were recorded such as Black-winged Stilt, Pied Avocet, Wood Sandpiper, etc., with even the presence of Black-faced Spoonbill (“endangered” in IUCN Red List). It should be again highlighted that the baseline condition in 2011 does not take into account of the effect of MA projects commenced in fish ponds<sup>2</sup> near the development site since early 2012.

iii. Although the project proponent mentioned that ponds within the development site “*were small, drained, overgrown with dense vegetation and very close to village house*” (Section 3.8.1.1 of EcoIA), from the habitat map, bird species of conservation importance such as Great Cormorant, Japanese Pipistrelle, Common Buzzard, were recorded within the development site. The response from the project proponent still failed to assess how all rather than particular bird species utilize the abandoned fishponds utilize rather than within development site. We agree with AFCD’s response that ranking the abandoned

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<sup>2</sup> Hong Kong Bird Watching Society (2013). Partnership with the locals – A Pilot Scheme on Raising the Conservation Value of Fishpond. [http://roadshow.science.hku.hk/wwf/April20pm/04-Helen\\_FONG.pdf](http://roadshow.science.hku.hk/wwf/April20pm/04-Helen_FONG.pdf)

fishponds within the development site as “low ecological value” needs further review.

iv. The proposed water body (Section 3.8.2.5 of EcoIA) for ecological compensation is now enlarged to about 0.5ha, but it still lacks sufficient details, such as detailed design and conservation management plan, to justify if it can compensate or restore any ecological impacts rather than acting as a landscape feature only. The response from the project proponent that “*details of the design for the proposed “landscaped area with natural habitat and water feature” and its maintenance and management proposal could be provided in detailed design stage*” should not be accepted by TPB as one of the approved conditions at this moment unless supplementary information has been provided to justify the ecological function of the compensated wetland.

Yours faithfully

A handwritten signature in black ink, appearing to be 'Ng Hei Man', written in a cursive style.

Ng Hei Man  
Assistant Campaign Manager