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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 12A Application No. Y/YL- NSW/1**

The Conservancy Association (CA) OBJECTS to Section 12A Application No. Y/YL-NSW/1. By comparing R(D)1 with the original R(D), the GFA, plot ratio and building height has been increased from 8,189m<sup>2</sup> to 12,558m<sup>2</sup>, 0.2 to 0.35, and 2 storeys to 3 storeys respectively. CA is highly suspected that such increase in development scale would further increase human disturbance to ecologically important habitats nearby.

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

According to Section 6.7.3 of Town Planning Board (TPB) Guidelines No. 12C, residential development in WBA could be approved for the purpose of “*Residential development projects which include 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, project proponent proposes a vague landscape area plan (0.5ha) to mitigate the loss of pond (0.39ha) and functional loss of pond (0.09ha) only but has no intention in providing a detailed wetland restoration proposal to mitigate ecological loss or even act as an ecological enhancement plan in this residential development in WBA.

**2. Lacking scientific support of Landscaped Area Plan**

According to Landscaped Area Plan in Annex D9, the project proponent claimed that the Landscaped Area with Natural Habitat and Water Feature (LA) would “*form an integral part*

*of the buffer proposals between development and the adjacent habitats and help mitigate for potential impacts to egret flight lines in that it will place the development away from the main flightlines”*(Section 1.1 of Annex D9). However, the application site is so close to the Wetland Conservation Area (WCA). CA doubts whether the LA could be an effective buffer between application site with large-scale residential development and the adjacent habitats, especially WCA.

Project proponent claimed that the design of LA was similar to those commercial fishponds found in Deep Bay area (Section 2.2 of Annex D9). Nevertheless, the project proponent has not provided any scientific evidence and detailed explanation to show the proposed design and operation of the LA could mitigate any adverse impact, and make the public question the sustainability of the LA.

### **3. Reservation on Ecological Impact Assessment (EcoIA)**

Despite the fact that project proponent has revised the ecological value of ponds within the application site from “very low to low” to “low”, we opine that the ranking is still not in line with the findings. 9 out of 14 bird species of conservation interest, such as Red-billed Starling (conservation status: Global Concern), Intermediate Egret (conservation status: Regional Concern), were recorded in ponds within the subject site, in accordance with Annex D3. The flight lines survey attached in the EcoIA showed that lots of these bird species would directly fly over or fly close to the application site.

Besides, using the survey result of 2011 without mentioning the total number of species and the total number of species of conservation interest found in pond within project area would not help the assessment.

### **4. Impact on the Tung Shing Lei Egret**

According to the flight lines survey (see Figure 1), 50% of ardeids flew over the application site from Tung Shing Lei. The argument of the project proponent that the ardeids could fly higher or turn their direction simply lacks justification. CA is still of grave concern that the human disturbance such as noise and light pollution will discourage the ardeids to fly over and then force them to detour around the application site. It will cause ardeids to spend more energy for foraging and reduce their breeding success of ardeids. Worse still, it may lead to abandonment of Tung Shing Lei Egret.

Yours faithfully  
Leung Tak Ming  
Campaign officer

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<sup>1</sup> [http://www.hkbws.org.hk/web/chi/documents/report/egret\\_summer\\_report\\_2013.pdf](http://www.hkbws.org.hk/web/chi/documents/report/egret_summer_report_2013.pdf)

Figure D6a

Finding of Egretty Flight lines Survey (June 2013)

