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The Conservancy Association

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Town Planning Board
15/F North Point Government Offices
333 Java Road
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Hong Kong

By e-mail: tpbpd@pland.gov.hk

Dear Sir/Madam

RE: Comments on the Section 16 Application No. A/YL-NSW-218

The Conservancy Association (CA) OBJECTS to Section 16 Application No. A/YL-NSW-218. Despite additional information, CA still cannot see the development would support conservation of the ecological value of Nam Sang Wai and cause no net-loss in area and ecological functionality.

1. Reedbed

CA does not agree with the previous “Response to Comments” (RtoC) prepared by the project proponent that both the area (from 48.5 ha to 51 ha) and ecological function of reedbed would be increased under the proposed development. Unlike the existing continuous and contiguous reedbed, the proposed one is fragmented and scattered at pond bund and fish pond.

The project proponent argues that the importance of the reedbed as a breeding site for bird species was low, but the resultant habitat fragmentation and loss of ecological linkage have yet to be taken into account. We would also reiterate that according to the previous environmental study in 2010 when Henderson intended to extend the commencement of the development, “Yellow Bittern *Ixobrychus sinensis* was recorded regularly during summer

2009, and it was considered likely that the species bred in reedbeds on site”¹. It was also used as a roost site by large numbers of some common bird species such as Crested Myna, starlings, Yellow Wagtail, Barn Swallow. The reedbed considered to be of high ecological value² is therefore fully supported by facts. The existing assessment indeed made similar conclusion that wet reedbed is considered to be of high ecological value, dry reedbed in Nam Sang Wai is of moderate ecological value due to invasion by terrestrial vegetation (Table 20 of EcoIA).

Insisting on residential development in this reedbed is therefore not justified in ecological sense, and therefore we would not regard this as effective mitigation and no net loss in ecological functionality.

2. Proposed open water in residential area

Regarding the open water bodies, including 6.3-hectare lake and 17.9-hectare water channel along residential area, CA would still treat them as landscape features without any purposes on ecological enhancement. Worse still, such landscape design would undermine ecological functionality of the existing wetland. This is also left without discussion in the Conservation Management Plan.

The response from the project proponent on the proposed lake is confusing. From the previous RtoC, “*The intended goals of the Lake Management Plan are not to create ecological value but rather to meet aesthetic goals...*”, and “*The Lake Management Report does not claim the lake will have ecological value though one of the goals of the Lake Management Plan is that the lake shall be capable of ‘supporting healthy aquatic life’*”. It is still unclear that how this lake can ensure ecological compensation and bring no loss of wetland function in Nam Sang Wai. While the feasibility of the proposed Lake Management Plan remains unknown, CA also considers that the part close to the residential area would be highly disturbed and would not be used by waterbirds. We have high reservation to conclude that this lake would have moderate ecological value as stated in Section 1.8.23 of the EcoIA.

We would say that it is thus misleading for the revised EcoIA to count this lake, not to say the water channel, in the proposed compensatory habitat provision (Table 30 of the revised EcoIA) and finally conclude that there is minor wetland area loss of just 8.5ha. They should

¹ Asia Ecological Consultants Ltd. (2010). Nam Sang Wai Ecological Impact Assessment Section 3.6.14. Application No. DPA YL-NSW/12 Environmental Assessment Study – Volume 2.

² Asia Ecological Consultants Ltd. (2010). Nam Sang Wai Ecological Impact Assessment Table 3.15. Application No. DPA YL-NSW/12 Environmental Assessment Study – Volume 2.

not be counted as wetland area to provide habitat for waterbirds.

3. Ecological value of fish pond

From the previous RtoC, while AFCD has stated that implementation of Management Agreement (MA) should be considered in assessing ecological value of fishpond in Lut Chau, Section 1.5.23 of the revised EcoIA mentioned that “*counts conducted as an element of this ecological survey show no evidence that numbers of wetland-dependent bird species have increased at Lut Chau*”. It is doubtful, however, if referred to Table 9 of the revised EcoIA since the number of some bird species such as Great Egret, Little Egret and Red-billed Starling have recorded an increase in large proportion in 2012/13 after the implementation of MA. We are concerned if the ecological value of Lut Chau has still been under-evaluated.

We would reiterate that fish ponds form an integral part of the Deep Bay Area wetland ecosystem. They are particularly important in providing foraging ground in drain-down period for ardeids and waterbirds. It is questionable whether the proposed ecological compensation, like reedbed recreation, in expense of existing active and abandoned fishpond would demonstrate no net-loss in wetland.

4. Roosting site of Great Cormorant

Nam Sang Wai is regional important roosting site for Great Cormorant. The peak count in February 2012 was 5,841, representing 5.8% of the regional population³. Great Cormorant has long been recorded roosting in large trees within both north and south of Nam Sang Wai.

From the fluctuating numbers of Great Cormorants between Mai Po and Nam Sang Wai but stable total count of Great Cormorants in Deep Bay, ecological linkage of roosting site of Great Cormorant between Mai Po and Nam Sang Wai is actually quite well-established. The previous ecological assessment of the development plan in 2010 has already mentioned that roosting cormorants are sensitive to human disturbance and any development would lead to the loss of the roost sites⁴. As a result, CA would strongly object to any form of development or activities that will affect the roosting cormorants in Nam Sang Wai.

The project proponent still fails to protect part of the southern roost site which would be

³ According to Wetland International, the criterion that the 1% regional population at 1,000 individuals was applied.

⁴ Asia Ecological Consultants Ltd. (2010). Nam Sang Wai Ecological Impact Assessment Section 3.8.51. Application No. DPA YL-NSW/12 Environmental Assessment Study – Volume 2.

completely encroached by the proposed residential development. This is contradictory to the result of EcoIA which mentions that “loss of plantation would be of **Very Significant Ecological Significance**” and “Plantation at the southern of the site will be preserved”.

We are also disappointed that the project proponent did not clarify the justification of the proposed 150m buffer zone for Great Cormorant. Additional study should be conducted by the project proponent to designate a proper buffer zone for the Great Cormorant. Moreover, despite provision of buffer zone, the part of southern roost site lies close to the proposed development site, while the buffer zone also covers low-residential development. Since the distance between part of the southern roost site and the proposed development site would be less than 150m, the resultant impacts such as glare impact and bird collision seem inevitable. If comparing the size of roosting site and its associated 150m buffer zone between 2009-2013 (Figure 1), it is discovered that they are both in an increasing trend. We especially worry that the project proponent fails to mitigate adverse impact on the Great Cormorant roosting site in the southern, when it further expands close to the proposed residential area. The buffer zone would then turn out to serve no real ecological purposes.

CA notices that supplemental planting of eucalyptus trees would be proposed to increase the area suitable for roosting Great Cormorants. More justifications on ecological grounds are necessary, followed by evaluation on site suitability for planting large trees in NSW.

5. Potential impact brought by proposed connecting road bridge

CA would again express our grave concern on the proposed connecting road bridge linking Nam Sang Wai to Wan Lok Road in Yuen Long as we currently sees no justifications for this bridge crossing. According to our site visit, hundreds of Common Black-headed Gull, together with Great Cormorant and Black-winged Stilt, could be spotted at Shan Pui River near the location of the proposed bridge. CA worries of potential ecological impacts on birds arising from associated dredging work and increasing human activities during operational phase. We do not see how the project proponent try to ensure no direct loss on habitat and feeding grounds of species mentioned above and other wetland-dependent species.

The proposal also fails to consider potential cumulative impact brought by the proposed cycle track in Nam Sang Wai, including the section connecting Nam Sang Wai and Yuen Long Industrial Estate. Waterbirds are sensitive to human disturbance such as increase in vehicular and cycling activities. We especially worry if the construction works start in the dry season which is the peak count of birds in NSW.

6. Flight path

The EcoIA identifies some significant ecological constraints in and around the Nam Sang Wai site, including main and secondary area of egret flight-lines which indeed covered the entire area of Nam Sang Wai and Lut Chau. It comes to the fact that any development in south of Nam Sang Wai would inevitably overlap current flight path. While construction activities in Nam Sang Wai would increase energy of ardeids flight and scare birds away, it would finally reduce breeding success of egret, thus posing threat on the ecological link between the egret and Nam Sang Wai, and even Deep Bay area. The precautionary principle and avoidance approach should be adopted in handling this application.

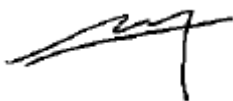
7. Proposed Nam Sang Wai Wetland Enhancement Area (NSW WEA) and Lut Chau Nature Reserve (LCNR)

For NSW WEA, CA would reiterate that if it would truly demonstrate compensation of ecological function of the existing large reedbed in southern Nam Sang Wai, in expense of fish ponds either in operation or abandonment. Moreover, the proposed visitors centre, with various components apart from educational activities such as hostel of about 40 beds, small convenience shop and café, is located close to NSW WEA. How the resultant human disturbance can be avoided has not been mentioned.

Lut Chau is rather well protected from development threat because of its geographical isolation. The traditional fish farming activities there are not considered causing significant threats to the ecosystem there. The proposed LCNR is wholly unnecessary and its primary function is to justify the proposed development at Nam Sang Wai, which is what we strongly object to.

CA again would like to express grave concern on the cumulative loss of wetlands in the Deep Bay wetland ecosystem over the last 3 decades. 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. The proposed development will constitute a rather substantial loss of wetland in the already rather fragile Deep Bay ecosystem.

Yours faithfully



Ng Hei Man
Assistant Campaign Manager

Figure 1 Extracts from Figure 14-17 of EcoIA. Note that the size of roosting site (green) and its 150m buffer zone (light yellow) are expanding and was even encroached by proposed residential area.

