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The Conservancy Association

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13th October 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 16 Application No. A/NE-TK/762

The Conservancy Association (CA) OBJECTS to the captioned application.

1. Not in line with the planning intention of Agriculture (AGR) zone

According to the approved Ting Kok Outline Zoning Plan (OZP) No. S/NE-TK/19, the planning intention of AGR zone “*is intended primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes*”. However, all the proposed *Temporary Holiday Camp and Barbecue Site with ancillary facilities* are not related to agricultural purposes, especially land filling of 4770m² (about 23% of the site).

Previously there was an application A/NE-TK/542 (Proposed Filling of land up to 1.6m for Permitted agricultural use) partly overlapping with the current application site. It was rejected by the Rural and New Town Planning Committee (RNTPC) on 27th March 2015. Some reasons for rejection are listed below:

(a) *the applicant fails to demonstrate that the filling of land would not cause adverse drainage, landscape and geotechnical impacts on the surrounding area; and*

(b) *approval of the application would set an undesirable precedent for other similar applications within the "AGR" zone. The cumulative impact of approving*



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such applications would result in a general degradation of the environment of the area.

We cannot see any details to justify how such plan would fulfill the planning intention of AGR zone, and avoid those environmental concerns mentioned by the above decision made by RNTPC.

2. Adverse environmental impacts

We worry that there would be several potential adverse environmental impacts caused by the application:

- No plans on land recovery: Various structures/uses, including 9 structures of about 2.8m to 4m in height, and 4,770m² land filling for reception, storage of tools, activities rooms, site office, changing rooms, washrooms, refreshment kiosk and caravan holiday camp would be temporarily proposed in the application site. However, no details are available to illustrate how the land would be recovered after the proposed temporary use.
- Adverse sewage and waste impact: The applicant does not provide any details of sewage arrangement, such as design, collection, treatment, disposal of sewage, back-up plans, and so on. Besides, insufficient details are available to identify other sources of wastewater arising from operation, particularly potential oily wastewater from barbecue site and how these pollution sources would be treated. We worry that if the above issues cannot be properly addressed, it may lead to serious environmental and hygiene problems within the application site and its surrounding area, which are active agriculture land, coastal protection area and Site of Special Scientific Interest.
- Other sources of environmental impacts not clearly addressed: There are no site management and operational plans to describe issues such as crowd control, waste management, additional provision of ancillary utilities, and so on. All these would help identify source of environmental impacts and then suggest measures to minimize or mitigate potential environmental disturbance, but we cannot see the project proponent has attempted to address this.



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3. Undesirable precedent of “destroy first, build later”

According to the google earth aerial photos, this site has been subject to land formation and vegetation clearance (Figure 1-4) since 2014. There were also some records of enforcement and prosecution between 2014 and 2017. Therefore we suspected that this is a case of “destroy first, build later”.

Planning Department and members of Town Planning Board (TPB) should alert that TPB has announced approaches to deter “destroy first, build later” activities in 2011. It stated that “*the Board is determined to conserve the rural and natural environment and will not tolerate any deliberate action to destroy the rural and natural environment in the hope that the Board would give sympathetic consideration to subsequent development on the site concerned*”¹. Therefore, this application should not be given any sympathetic consideration, or it will set an undesirable precedent for similar cases in future.

Yours faithfully,
Chow Oi Chuen
Campaign Officer
The Conservancy Association

¹ TPB Press Release. Available at:
<http://www.info.gov.hk/gia/general/201107/04/P201107040255.htm>

Figure 1-4 According to the aerial photos from Google Earth, the application site (marked in red) has been subject to land formation and vegetation clearance since 2014





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