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The Conservancy Association

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10th December 2013

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

Re: Comments on the Section 16 Application No. A/YL- NSW/224

The Conservancy Association (CA) OBJECTS to Section 16 Application No. A/YL-NSW/224.

1. Not complying with Town Planning Board Guideline No. 12B

It should be highlighted that the site lies and Wetland Buffer Area (WBA) according to Town Planning Board Guideline No. 12B. Any development within WBA would require an ecological impact assessment and to demonstrate that any adverse ecological impact could be mitigated, but project proponent still fails to do so. CA is disappointed that responses from AFCD on this planning application is absent, so any potential ecological impact arise from the proposal remained unsolved. CA reiterates that Section 2.4 of the Environmental Assessment should not be regarded as ecological impact assessment which is too descriptive without sufficient statistic support. AFCD comments on this planning application should be sought.

CA would also emphasize that such large scale of development in WBA should also take into consideration on potential off-site impact on fish ponds in Nam Sang Wai area and even Inner Deep Bay wetlands.

2. Cumulative impact

It should be noticed that there is another planning application A/YL-NSW/223 in adjacent and other planned development according to Nam Sang Wai OZP S/YL-NSW/8, such as V zone at north and the remaining development arise in R(D) zone east of the subject site. 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. The project fails to justify this to ensure that the integrity of wetland ecosystem is maintained at all times.

3. No information on ecological compensation

A natural habitat reserve area in terms of water pond would be created at the northeast corner of the Application Site as an ecological gain (Section 1.3 of Environmental Assessment), according to the project proponent. However, the proposal 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. We are doubtful if the suggestion of Chief Town Planner/Urban Design and Landscape from Planning Department to widen the visual buffer to separate development from Wetland Conservation Area (WCA) would, to certain extent, modify the ecological function of the proposed wetland. Such details need clarification from both project proponent and governmental departments especially AFCD.

We also noted that the stream lie proximity to the site, together with mangrove along it, have been seriously trashed due to land formation work within the site. We understand that the comprehensive residential development A/YL-NSW/172-1 has remained valid until December 2015 but any off-site impacts by mal-practice in land formation work should not been tolerated.

4. Designated project under EIAO

From Schedule 2 of EIAO, residential development within Deep Bay Buffer 1 or 2 would require to conduct a statutory EIA report. Both project proponent and concerned departments should clarify if it would be a designated project under EIAO.

Yours faithfully



Ng Hei Man
Assistant Campaign Manager

Vegetation cover including mangrove along the stream, although not included within the development site, has been trashed. (Photos in 2010)

