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The Conservancy Association

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29th January 2016

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 12A Application No. Y/YL-NSW/4

The Conservancy Association (CA) OBJECTS to Section 12A Application No. Y/YL-NSW/4.

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

It should be reiterated that the site lies at Wetland Buffer Area (WBA) according to TPB Guideline No. 12C 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 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 residential development A/YL-NSW/233. We do not think the additional information is adequate in addressing the above and in line with TPB Guideline No. 12C.

2. Inadequate information in ecological impact assessment (EcoIA)

We are in reservation in some points in the EcoIA.

i. Flight Line

According to the EcoIA, 70% of flight lines would fly over the site from Tung Shing Lei egretty, while nearly one-third of flight line from Tung Shing Lei Egretty to Deep Bay

Area was less than 10m. Among the flight lines (Figure D6a of EcoIA), flight lines 3-5 cross over the site while flight lines 1-2 are close to the western boundary of the development site. Since the building height of the proposed development is 11m in 4 storeys, it is of grave concern that the flight line would be highly disrupted by the so-called “low-rise residential development” in the subject site.

ii. Black-faced Spoonbill

From the EIA, Black-faced Spoonbill, listed as “Endangered” under the IUCN Red List, “Endangered” in the China Red Data Book, “Potential Global Concern” in Fellows et al. (2002), was recorded in the flight lines which pass through and next to the subject site (Figure D6c and Table D5 of EcoIA). However, we have noted that the data of Figure D6c and Table D5 is not consistent. Clarification is needed.

Despite such inconsistency, the concern on potential impact on this globally endangered species remains valid. Given that the EcoIA has recorded the flight line of Black-faced Spoonbill in the assessment area, we do not agree that the adverse ecological impacts caused by the proposed development would be negligible.

iii. Cumulative impact

Various development projects are proposed in adjacent to the subject site, including the proposed comprehensive outlet mall development (A/YL-NSW/241), the proposed shopping mall cum hotel development (Y/YL-NSW/3), small house development in Shan Pui Village, besides projects mentioned in Section 6.4 of EcoIA. Despite provision of mitigation measures among some of the projects, residual impacts are still anticipated and these cumulative residual impacts might also lead to loss of ecological integrity within areas of Nam Sang Wai. In addition, some of the proposed mitigation measures, such as those suggested in the comprehensive development in Nam Sang Wai (A/YL-NSW/242), are not effective in ensuring no-net loss in wetland. The conclusion by the project proponent that cumulative impact would be negligible, therefore, is not well-justified.

Yours faithfully



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Assistant Campaign Manager