



長春社 Since 1968

The Conservancy Association

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22nd September 2017

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/NE-MTL/1

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

1. Ecological value of existing wetland

According to The Approved Ma Tso Lung And Hoo Hok Wai Plan Outline Zoning Plan No. S/NE-MTL/3, the planning intention of Conservation Area (1) is “*to protect and conserve the ecological value of wetland and fish ponds which form an integral part of the wetland ecosystem at Hoo Hok Wai and the rest of the Deep Bay area. The ‘no-net-loss in wetland’ principle is adopted for any change in use within this zone. The primary intention is to discourage new development unless it is required to support the conservation of the ecological integrity of the wetland ecosystem or the development is an essential infrastructure project with overriding public interest*”. The proposed excavation of land for fish pond culture would involve turning existing wetland (e.g. reedbed) into artificial fishponds, which provide different habitats and hence serve different ecological functions. The applicant, however, fails to take account of the direct loss of ecological function brought by existing reedbed and marsh. We have to highlight that maintaining a diversity of wetland habitats in Hoo Hok Wai is important to ensure

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ecological integrity of Wetland Conservation Area according to TPB PG-No.12C, as well as the entire Deep Bay wetland system.

2. Undesirable precedent of “build first, apply later”

According to the Remarks of Conservation Area (1) under The Approved Ma Tso Lung And Hoo Hok Wai Plan Outline Zoning Plan No. S/NE-MTL/3, “*Any diversion of streams, filling of land/pond or excavation of land, including that to effect a change of use to any of those specified in Columns 1 and 2 above or the uses or developments always permitted under the covering Notes, shall not be undertaken or continued on or after the date of the first publication in the Gazette of the notice of the draft development permission area plan without the permission from the Town Planning Board under section 16 of the Town Planning Ordinance.*” From aerial photos, the application site was greenery areas covered with vegetation in November 2014. No permission has been granted by Town Planning Board for excavation of land on the application site. However, since July 2016, signs of vegetation clearance and land excavation could be spotted in a part of the application site (Figure 1). In March 2017, an enforcement notice (Case No. E/NE-MTL/006) was issued. It is suspected that this is a case of “build first, apply later”. Such act should not be tolerated and approved or it will set an undesirable precedent for planning applications in the future.

Yours faithfully,
Charlotte Chan
Campaign Officer

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Figure 1. Aerial photo of the application site, land excavation spotted since July 2016 (circled in red) (Source: Google Earth)



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