



長春社 Since 1968

The Conservancy Association

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2<sup>nd</sup> March 2021

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-TK/702

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

**1. Not in line with the planning intention of Green Belt (GB) zone**

According to Ting Kok Outline Zoning Plan No. S/NE-TK/19, the planning intention of GB zone is “*primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is a general presumption against development within this zone*”. Although part of the development site falls within Village Type Development zone, the site is indeed largely within GB zone. It still serves an important buffer between the existing village area and the marsh. The proposed development is not in line with the planning intention.

**2. Water pollution**

The Sewerage Impact Assessment (SIA) and Drainage Impact Assessment (DIA) have mentioned the following:

*“it is currently technically infeasible to discharge wastewater generated from the proposed development to public sewerage system upon its operation”*  
(Section 6.5.3 of SIA)



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*“Onsite drainage system will be designed so that there will be no increased surface runoff (including treated effluent from onsite sewage treatment plant) to the public drainage system along Ting Kok Road. Most of the surface runoff would be discharged to the marshland” (Section 7.6.1 of DIA)*

*“After development, only treated effluent from the proposed STP and one patch of area (Catchment SP2) near to Treasure Garden would have surface runoff collected and discharged to the public drainage system by connecting to the existing manhole (SMH1009338 tentatively) at Ting Kok Road in order to limit the discharge to not exceeding existing situation. The exact route of connection to existing drainage system is still subject to detailed design and site investigation to ensure that there is no conflict with existing utilities and the drainage system can be practically constructed. The surface runoff from the remaining portion of the Subject Site would be generally collected and discharged to the retained marshland at the Subject Site first and eventually to adjacent marshland. There will be increase of catchment area with surface runoff discharged to the marshland” (Section 7.6.2 of DIA)*

For the “treated” effluent under STP, currently no assessment results are available to reflect the quality of “treated” effluent. The performance of STP is still in doubt and is susceptible to operation and maintenance problems. We worry that potential adverse environmental impact caused by effluent discharge remains unsolved in full.

### **3. Adverse ecological impact on adjacent marsh habitat**

The proposed development site is very close to adjacent freshwater marsh habitat. According to the EcoIA, its ecological value is ranked “moderate” and has some potential for further ecological enhancement. Indirect impact during construction and operation phase can be anticipated.

Even though the application is claimed to be temporary in nature, Section 1.1.1 of the planning statement disclosed that “*While the application seeks approval for initial temporary basis of 5 years, the Applicant intends to operate the proposed transitional housing for 8 years*”. We opine that adverse ecological impact can be permanent and even irreversible.



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We also note that according to Section 2.1.3 of EcoIA, “a series of rapid ecological surveys focusing on the immediate environs of the Application Site were carried out in from July to October, 2000...”. In this way, the surveys completely miss the dry season. We worry that the EcoIA still might not comprehensively reflect the ecological baseline.

#### **4. Undesirable precedent of “destroy first, apply later”**

Land filling and formation works could be spotted in the application site and the entire Shuen Wan area since 1990s (Figure 1). There were also records of unauthorized development (Case No. E/NE-TK/011, E/NE-TK/026, E/NE-TK/076, E/NE-TK/082). Enforcement Notices were issued by Planning Department. It is 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”. Therefore, this application should not be given any sympathetic consideration or it will set an undesirable precedent for similar cases in future.

Yours faithfully,

Ng Hei Man

Campaign Manager

The Conservancy Association



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**Figure 1 Vegetation clearance and land excavation could be spotted in the application site and the entire Shuan Wan area since 1990s  
(Source: S12(A) Rezoning for a Sustainable Nature Conservation and Development at Shuan Wan, Tai Po)**

**Figure 2.3 History of the Destruction of the Site**

**Location 1**  
Filling and trailer parking. The site is now abandoned. Photo taken on 1.12.1995

**Location 2**  
Soil dumping and is now abandoned with overgrowth. Photo taken on 13.1.1997

**Location 3**  
Extensive pond filling has made for development of village housing. Photo taken on 10.6.1997

**Location 4**  
Pond filling for village housing development. Photo taken on 28.11.1996

**Location 5**  
On-going illegal pond filling for garden and parking spaces by existing village houses (Treasure Spot Garden). Photo taken on 17.2.2004

**Location 6**  
Existing Open Storage Site (an "15" site existed before granting of IDPA Plan). Photo taken on 17.2.2004

**Location 5**  
Illegal dumping. It was done to provide access for inner villages. The area was eventually reinstated. The truck driver dumping the material for construction site on TPTL161 nearby (The Beverly Hills in Sam Mun Tai) was caught red-handed but not held liable. Photo taken in February 1999

**Location 6**  
Another incident of illegal filling of wetland to provide access to Wong Yee Tin Village was done by local villagers in February 2000. This is not required by the Government for reinstatement. Photo taken in February 2000.

**Locations 7 & 8**  
7. Huge wetland area within "CA" zone was illegally filled for village access.  
8. This small house was illegally built on ecologically sensitive wetland area "GH". The house was eventually approved by the IPD. Photo taken on 17.2.2004

**Location 8**  
Small House

**Location 7**  
Illegal Access Road to the Small House

**Location 10**  
Illegal filling of Shuen Wan Marsh. Photo taken on 17.2.2004

**Location 10**  
Illegal dumping is found on the northern periphery of the Shuen Wan Marsh along Tung Tai Road. Photo taken on 17.2.2004

**Location 11**  
Illegal deposit of earth adjoining Wong Yee Tin Village. Photo taken on 17.2.2004

**Problems**

- Due to an active management of wetland, illegal filling and unauthorized filling and dumping by local villagers and contractors are frequent. This results in loss of wetland even with site reinstatement measures.
- Contamination of Wai Ha Stream, etc. by construction chemicals and petrochemicals from village housing development.
- Simply leaving the land unattended will only cause degradation of the area.

1993 works were encroached onto the Shuen Wan Marsh

Illegal Deposit of Earth

The Beverly Hills in Sam Mun Tai is visible from Tung Tai Road

Car and lorry park are found encroaching onto the Shuen Wan Marsh

The Beverly Hills in Sam Mun Tai is visible from Tung Tai Road

Car and lorry park are found encroaching onto the Shuen Wan Marsh

Wong Yee Tin Village

Illegal deposit of earth for car park and village expansion