

Secretary, Town Planning Board
15/F, North Point Government Offices
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By email only

5 January 2016

香港觀鳥會
THE
HONG
KONG
BIRD
WATCHING
SOCIETY

Since 1957 成立

Dear Sir/Madam,

Objection to the planning application for Proposed Temporary Open Storage of Construction Machinery for a Period of 3 Years at Cheung Lek (A/NE-KTS/416)

The Hong Kong Bird Watching Society (HKBWS) would like to raise an objection to the planning application for A/NE-KTS/416 under Section 16.

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

The application site is located within the GB zone. From the map and aerial photograph provided in the GeoInfo Map, the application site is located on some streams and the site was once well-vegetated (Figure 1). The planning intention of a 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*”. However, the proposed open storage will remove the natural features within the GB buffer zone and such use is not compatible with the surrounding natural settings. Hence, the application is not in line with the planning intention of a GB zone and should be rejected.

2. The Town Planning Board should not encourage “develop first, apply later”

From Google Earth aerial photographs, some landscape changes were observed on the images taken on 6 November 2012 and onwards (Figure 2). The activity at the application site (Lots 207 S.A, 207 RP and 209 in D.D. 100) was also identified as an “unauthorized development” by the Planning Department in 2014¹. We consider this is “develop first, apply later”. We are concerned the approval of the current application would further legitimize the current misuse of the GB zone, leading to the promotion of “develop first, apply later” and “destroy first, develop later” attitudes among landowners in the locality.

¹ Data retrieved from Town Planning Board Statutory Planning Portal 2 at the Planning Enquiry Counter



The HKBWS strongly urges the Town Planning Board (the Board) to proactively deter “destroy first, develop later” as stated in a press release in 2011, “*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”². The approval of this application is not in-line with the Board’s promise to deter “destroy first, develop later”; in fact, it would provide incentives for developers/land owners to undertake eco-vandalism in hopes of the Board’s approval for development in the future. Decisions made by the Board should take into consideration that the undesirable precedent it sets for future applications.*

3. Justifications for the decision and comments made by Government departments and the Town Planning Board (TPB)

According to the Hong Kong Planning Standards and Guidelines (HKPSG), Chapter 10, Section 2.1 (ii), the TPB has the responsibility to, “*restrict uses within conservation zones to those which sustain particular landscapes, ecological and geological attributes and heritage features*”³. We note that all other Government bureaux/departments are also bound to the HKPSG, the Agriculture, Fisheries and Conservation Department (AFCD) and the Planning Department (PlanD) has the responsibility to advise the TPB on the ecological and planning aspects in particular⁴. Given AFCD’s mission to conserve natural environment and safeguard the ecological integrity⁵ and filling of land requires TPB’s permission under the Town Planning Ordinance, HKBWS would also expect AFCD, PlanD and TPB to object this application. Should AFCD, PlanD or TPB feels otherwise, we urge that the appropriate justifications are provided.

The HKBWS respectfully requests the Town Planning Board to take our comments into consideration and **reject** the current application.

Thank you for your kind attention and consideration.

Yours faithfully,

² Press Release – Town Planning Board adopts approaches to deter, “destroy first, build later” activities. 4 July 2011. Available at: <http://www.info.gov.hk/gia/general/201107/04/P201107040255.htm>

³ Hong Kong Town Planning Standards and Guidelines – Chapter 10 Conservation. Section 2.1 (ii).

⁴ AFCD Role of Department. Available at: http://www.afcd.gov.hk/english/aboutus/abt_role/abt_role.html

⁵ AFCD Vision and Mission. Available at: http://www.afcd.gov.hk/english/aboutus/vision_mission/abt_vision_mission.html



Woo Ming Chuan
Conservation Officer
The Hong Kong Bird Watching Society

cc.
The Conservancy Association
Designing Hong Kong
Kadoorie Farm and Botanic Garden
WWF – Hong Kong

Figure 1. A map showing the application site is located on some streams (indicated by the narrow blue lines) and an aerial photograph showing the application site was once well-vegetated. Both the map and the aerial photograph were extracted from the GeoInfo Map, which is powered by Geospatial Information Hub of the Lands Department.

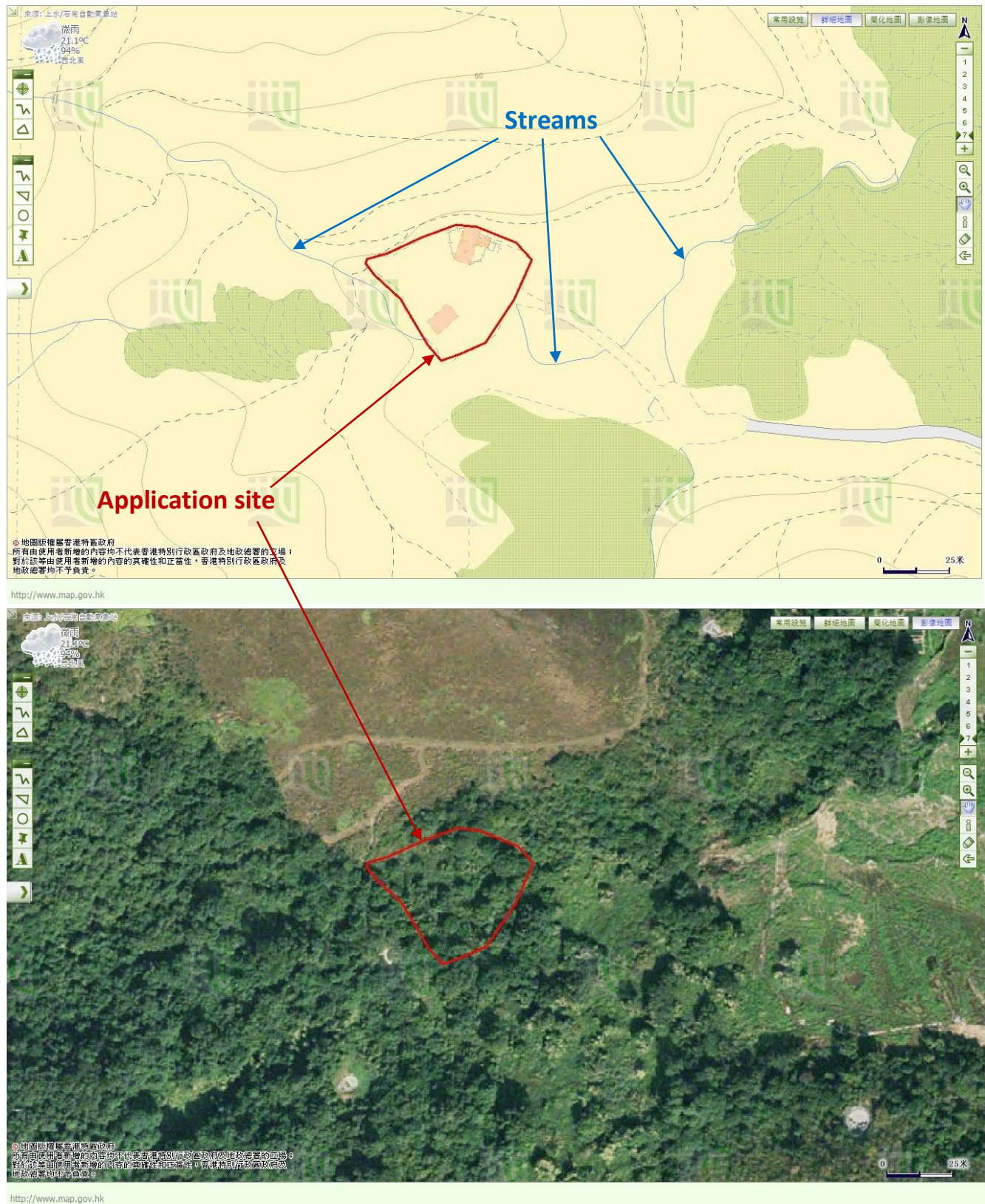


Figure 2. Google Earth aerial photographs showing the changes in the landscape of the application site. The approximate location of the application site is indicated by the red circle.

