

Secretary, Town Planning Board
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By email only

香港觀鳥會
THE
HONG
KONG
BIRD
WATCHING
SOCIETY

26 April 2016

Since 1957 成立

Dear Sir/Madam,

Objection to the planning application for the proposed Residential Development (Houses) and Excavation of Land at Chuen Lung, Tsuen Wan (A/DPA/TW-CLHFS/3)

The Hong Kong Bird Watching Society (HKBWS) would like to raise an objection to the planning application A/DPA/TW-CLHFS/3 under Section 16 based on the following reasons:

1. Not in line with the intention of the “Unspecified Use” (UU) zoning

In section 7.4.2 of the Explanatory Statement for the approved Chuen Lung and Ha Fa Shan Development Permission Plan (DPA) No. DPA/TW-CLHFS/2, it stated that “*due to the urgency to establish planning control under the DPA Plan, the Area, except land within the ‘V’ zone, has been designated as ‘Unspecified Use’ pending detailed analysis and studies to establish the appropriate land use in the course of preparation of the OZP (Outline Zoning Plan)*”. Approval of any development at this stage would obstruct the assessment of the habitats within the Plan Area, and thus affect the preparation of appropriate land use zonings for the upcoming OZP. This will also set an undesirable precedent to future similar cases in the DPA Plan, hence threatening the ecological integrity of the area. The Town Planning Board (TPB) should **reject** any planning applications during this period in order to adequately protect the ecologically sensitive habitats in the locality.

2. Ecological value of the woodlands in Chuen Lung and Ha Fa Shan

Chuen Lung and Ha Fa Shan support a population of birds that is typical of secondary woodland habitats in Hong Kong. It is also where raptor species of conservation importance, Black Kite (*Milvus migrans*)¹ and Crested Serpent Eagle (*Spilornis cheela*)¹ have been recorded. Both species are listed under Class II protection in China and Crested Serpent Eagle is considered to be “Vulnerable” in the China Red Data Book. Other species of Local Concern², Rufous-capped Babbler (*Stachyris*

¹ Recorded during a site visit in January 2014.

² Fellowes et al. 2002.



ruficeps)³ and Orange-headed Thrush (*Geokichla citrina*)⁴ can also be found at Chuen Lung. Woodland bird species recorded, such as Pygmy Wren Babbler (*Pnoepyga pusilla*)³, Streak-breasted Scimitar Babbler (*Pomatorhinus ruficollis*)³, Chinese Hwamei (*Garrulax canorus*)³, Greater Necklaced Laughingthrush (*Garrulax pectoralis*)³ and Mountain Tailorbird (*Phyllergates cucullatus*)³, demonstrate that the habitat conditions of Chuen Lung and Ha Fa Shan are intact and similar to the woodlands in the surrounding Tai Mo Shan and Tai Lam Country Park.

The HKBWS is concerned that the proposed development would increase human disturbance (e.g., light and noise pollution) to the nearby woodland habitats and thus have negative impacts on wildlife, such as the birds of conservation importance as mentioned above.

3. Ecological impacts were significantly underestimated

An ecological impact assessment report was submitted by the applicant for the application. According to the EIAO Guidance Note No. 7/2010 “*Ecological Baseline Survey for Ecological Assessment*”⁵, wet season is the active period of most amphibians, reptiles, freshwater fish, butterflies and odonates. However, only the survey data collected in January 2016 (i.e. dry season) was included in the report. We consider that the ecological impacts of the proposed development were underestimated and the results of the assessment would be misleading. Therefore, the applicant should provide a more comprehensive assessment report including both the dry and wet season data, and we consider that the current application should be **rejected**.

4. Justifications for the decision and comments made by Government departments and the Town Planning Board

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*”⁶. 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) have the responsibility to advise the TPB on the ecological and planning aspects in particular⁷.

³ HKBWS bird records in 2012

⁴ HKBWS bird records in 2011

⁵ <http://www.epd.gov.hk/eia/hb/materials/GN7.pdf>

⁶ Hong Kong Town Planning Standards and Guidelines – Chapter 10 Conservation. Section 2.1 (ii).

⁷ AFCD Role of Department. Available at: http://www.afcd.gov.hk/english/aboutus/abt_role/abt_role.html

Given AFCD's mission to conserve natural environment and safeguard the ecological integrity⁸ and the proposed development is not in line with the planning intention of the statutory zoning, HKBWS would also expect AFCD and PlanD 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,



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

⁸ AFCD Vision and Mission. Available at:
http://www.afcd.gov.hk/english/aboutus/vision_mission/abt_vision_mission.html