

Secretary, Town Planning Board  
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By email only

3 June 2016

香港觀鳥會  
THE  
HONG  
KONG  
BIRD  
WATCHING  
SOCIETY

Since 1957 成立

Dear Sir/Madam,

**Objection to the planning applications for Proposed Temporary Place of Recreation,  
Sports or Culture (Hobby Farm) for a Period of 3 Years at Mai Po, Yuen Long  
(A/YL-MP/251)**

The Hong Kong Bird Watching Society (HKBWS) would like to raise an objection to the planning application for A/YL-MP/251 under Section 16 based on the following reasons:

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

1.1. During our recent site visit in May 2016, construction wastes (such as concrete and bricks) were seen at the application site and we consider that these materials are not suitable to be used for cultivation (Figure 1). The condition of the site is different from that seen in Google Earth aerial photograph taken on 14 April 2015, when the application site is still vegetated (Figure 2). Moreover, there was an unauthorized development of land filling identified by the Planning Department back in 2009 at the application site (enforcement case number: E/YL-MP/165). We consider that this is “develop first, apply later”. We are concerned the approval of the current application would further legitimize the current misuse of the “Wetland Buffer Area” (WBA) and “Conservation Area” (CA) zone, which are to conserve and protect the ecological integrity of the wetland ecosystem in the Deep Bay Area, and would lead to the promotion of “develop first, apply later” and “destroy first, develop later” attitudes among landowners in the locality.

1.2. 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”<sup>1</sup>.

<sup>1</sup> 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>



**2. Set an undesirable precedent for future similar applications and the adverse cumulative ecological impacts caused to the Deep Bay area**

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. In addition, the proposed hobby farm is not a listed use in Column 1 or Column 2 of the CA zone under the approved Mai Po Outline Zoning Plan No. S/YL-MP/6. We are concerned this would legitimize the misuse of the WBA and CA zone, and encourages the filling of pond/wetland for dry agriculture use in the Deep Bay area; hence leading to a loss in wetland. Decisions made by the Board should take into consideration that the undesirable precedent it sets for future applications within the Deep Bay area and the CA zones. Therefore, we urge the Board to **reject** the current application.

**3. Justifications for the decision and comments made by Government departments and the Board**

According to the Hong Kong Planning Standards and Guidelines (HKPSG), Chapter 10, Section 2.1 (ii), the Board has the responsibility to, "*restrict uses within conservation zones to those which sustain particular landscapes, ecological and geological attributes and heritage features*"<sup>2</sup>. We note that all other Government bureaux/departments are also bound to the HKPSG, and the Agriculture, Fisheries and Conservation Department (AFCD) and the Planning Department (PlanD) have the responsibility to advise the Board on the ecological<sup>3</sup> and planning aspects in particular. Given AFCD's mission to conserve natural environment and the ecological integrity<sup>4</sup>, and the proposed development is not a listed use under the CA zone, HKBWS would also expect AFCD and PlanD to object to this application. Should AFCD, PlanD or the Board feel otherwise, we urge that the appropriate justifications are provided.

The HKBWS respectfully requests the Board to take our comments into consideration and **reject** the current application. Thank you for your kind attention.

Yours faithfully,

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<sup>2</sup> Hong Kong Town Planning Standards and Guidelines – Chapter 10 Conservation. Section 2.1 (ii).

<sup>3</sup> AFCD Role of Department. Available at: [http://www.afcd.gov.hk/english/aboutus/abt\\_role/abt\\_role.html](http://www.afcd.gov.hk/english/aboutus/abt_role/abt_role.html)

<sup>4</sup> AFCD Vision and Mission. Available at: [http://www.afcd.gov.hk/english/aboutus/vision\\_mission/abt\\_vision\\_mission.html](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.** Construction wastes of bricks and concrete found at the application site. Photographs taken in May 2016.





**Figure 2.** Google Earth aerial photograph taken on 14 April 2015. The approximate location of the application site is indicated by the red circle.

