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香港觀鳥會

THE
HONG
KONG
BIRD
WATCHING
SOCIETY

Since 1957 成立

By email only

19 April 2016

Dear Sir/Madam,

Comments on the draft Kuk Po, Fung Hang and Yung Shue Au Outline Zoning Plan
(S/NE-KP/1)

The Hong Kong Bird Watching Society (HKBWS) would like to raise our comments on the draft Kuk Po, Fung Hang and Yung Shue Au Outline Zoning Plan (S/NE-KP/1).

1. Ecological importance of Kuk Po, Fung Hang and Yung Shue Au and the “Conservation Area” (CA) zonings in the draft Plan

As stated in Sections 8.1 – 8.4 of the Town Planning Board (TPB) Paper No. 9982, the Authorities already well-recognized the mature woodlands, wetland habitats (including freshwater/brackish marshes, intertidal water pond/mudflats, mangrove, reedbed and seagrass) and the Ecologically Important Streams are of conservation importance as they support a high diversity of butterflies, dragonflies, freshwater fish and plants of conservation concern. Besides the above faunal groups, the Kadoorie Farm and Botanic Garden (KFBG) also recorded freshwater crabs, amphibians, reptiles and mammals in the Plan Area^{1,2}, including the globally endangered³ and endemic freshwater crab *Somanniathelphusa zanklon*, Chinese Bull Frog of potential regional concern⁴, the rare⁵ Banded Stream Snake *Opisthotropis balteata*, and Malayan Porcupine of potential global concern⁴. All the above clearly indicates that the Plan

¹ KFBG's submission in Appendix V of the TPB Paper No. 9982.

² Kadoorie Farm and Botanic Garden. 2004. *A Pilot Biodiversity Study of the eastern Frontier Closed Area and North East New Territories, Hong Kong, June-December 2003*. Kadoorie Farm and Botanic Garden Publication Series No.1. Kadoorie Farm and Botanic Garden, Hong Kong Special Administrative Region.

³ Esser, L. and Cumberlidge, N. 2008. *Somanniathelphusa zanklon*. The IUCN Red List of Threatened Species 2008: e.T134062A3888493. <http://dx.doi.org/10.2305/IUCN.UK.2008.RLTS.T134062A3888493.en>

⁴ Fellowes, J.R., Lau, M.W.N., Dudgeon, D., Reels, G.T., Ades, G.W.J., Carey, G.J., Chan, B.P.L., Kendrick, R.C., Lee, K.S., Leven, M.R., Wilson, K.D.P. and Yu, Y.T. (2002). Wild animals to watch: Terrestrial and freshwater fauna of conservation concern in Hong Kong. *Memoirs of the Hong Kong Natural History Society* No. 25, 123-160.

⁵ Karsen, S. J., Lau, W. N. and Bogadek, A. 1998. *Hong Kong Amphibians and Reptiles*. Urban Council, Hong Kong.



國際鳥盟成員

Area has a high biodiversity.

A diverse group of birds was also found in the Plan Area, including woodland birds (e.g., flycatchers, warblers and minivets), waterbirds (e.g., egrets, herons, shorebirds and kingfishers), open country birds (e.g., buntings, wagtails and pipits) and raptor species (e.g., eagles). So far, the HKBWS has recorded 104 bird species in the Plan Area, with 31 species of conservation concern and 26 wetland dependent species (Appendix 1). The presence of such a wide range of bird species indicates the Plan Area is with diverse undisturbed natural habitats which are worthy of protection, particularly the woodland, natural streams and wetland habitats.

Moreover, raptor species of conservation concern recorded in the Plan Area include: Black-winged Kite (*Elanus caeruleus*), Crested Serpent Eagle (*Spilornis cheela*), Bonelli's Eagle (*Aquila fasciata*), Besra (*Accipiter virgatus*), White-bellied Sea Eagle (*Haliaeetus leucogaster*) and Eastern Buzzard (*Buteo japonicus*)⁶. Raptors are top predators in the food chain. Their presence indicates that the terrestrial, river and marine ecosystems in the Plan Area is in healthy condition, and should be well-protected from pollution and habitat destruction.

Therefore, the HKBWS supports the CA zonings in the draft Plan for the protection of habitats of high ecological value in Kuk Po, Fung Hang and Yung Shue Au.

2. Potential water pollution caused by village development

With reference to the Guidance Notes on Discharges from Village Houses published by the Environmental Protection Department⁷, a Septic Tank System (STS) "*can only perform well if it has been properly sited, designed, constructed, used, desludged and repaired when necessary...overflow from septic tank or soakaway pit, or direct discharge without passing through a soakaway system, is polluting and should not be permitted*". Since there are no public sewer for Kuk Po, Fung Hang and Yung Shue Au and desludging trucks cannot access the area, we are concerned the septic tanks cannot be properly maintained, and hence the STS itself would become a source of pollution. Moreover, the planned population in the area is 550⁸, the HKBWS is concerned that the soakaway systems required to support such a population would exceed the natural treatment capacity in the area, thus causing water pollution

⁶ All the aforementioned raptors are listed under Class II protection in the People's Republic of China List of Wild Animals. Black-winged Kite and Crested Serpent Eagle are listed as Vulnerable in the China Red Data Book, while Bonelli's Eagle is listed as Rare (Zheng, G.M. and Wang, Q.S., 1998).

⁷ http://www.epd.gov.hk/epd/english/environmentinhk/water/guide_ref/files/guide_wpc_dv.pdf

⁸ Section 6 of the Explanatory Statement in Appendix II of the TPB Paper No. 9982

problem. The Drainage Services Department already recognized the environmental and hygiene problem of STS in various publications^{9,10,11}. Furthermore, in all the three sub-areas, the Village Type Development zones are immediately adjacent to the marshes zoned as “CA”. HKBWS is concerned the water pollution problem generated from the village development would adversely affect the ecologically sensitive wetland habitats within the CA zones.

3. The “Agriculture” (AGR) zones in the Plan Area

According to the habitat map provided in the TPB Paper No. 9982, the AGR zone at Kuk Po Lo Wai is a seasonally wet grassland/shrubland mosaic and there is a stream passing through the area. This indicates that the AGR zone is hydrologically connected to the wetland habitats in the CA zone. Farming practices (i.e. the use of pesticide, herbicide and chemical fertilizers) may lead to water pollution and loss of wetland habitats (i.e. filling of land for dry farming). Moreover, the approval rates of small houses in AGR zonings is over 60%¹². The small house development may expand into the AGR zone, and the septic tank system in a waterlogged environment would become a source of water pollution. We are concerned both the agricultural activities and village development in the AGR zones would adversely affect the hydrology, habitats and wildlife in the CA zone. Therefore, we object to the AGR zones in the Plan Area and they should be replaced by “Green Belt (1)” or “Conservation Area” zonings.

4. Our Recommendations

The HKBWS considers that an “Ecosystem Approach”, which is the primary framework for action under the Convention on Biological Diversity¹³, should be adopted to protect the various sensitive habitats in the Plan area. Apart from the freshwater/brackish marshes, all natural streams (including the Ecological Important Streams) and their tributaries and all seasonal wetlands should be protected by “Green Belt (1)” or “Conservation Area” zone for the comprehensive protection of the wetland complex. At least 30 metres on the two sides of all streams should also be zoned as “Green Belt (1)” or “Conservation Area” zone.

⁹ http://www.dsd.gov.hk/SC/Files/publications_publicity/publicity_materials/leaflets_booklets_factsheets/Village%20Sewerage.pdf

¹⁰ http://www.dsd.gov.hk/EN/Files/OpenDay2012/PDF/Sewage_Treatment_07.pdf

¹¹ <http://www.legco.gov.hk/yr13-14/english/fc/pwsc/papers/p14-20e.pdf>

¹² Annex of LegCo Question 17 (6 Feb 2013) - Land reserved for building New Territories small houses. Retrieved from http://gia.info.gov.hk/general/201302/06/P201302060426_0426_106939.pdf

¹³ <https://www.cbd.int/ecosystem/>

In addition, extensive tree felling was recently reported at Fung Hang and Kuk Po and mainly affected areas zoned as “Green Belt” and “Conservation Area”¹⁴. It is contradictory when the TPB on one hand takes the ecological value and vegetation cover into consideration when drafting the plan and deciding the zonings of “Conservation Area” and “Green Belt”, but on the other hand gives no enforcement power to control the destruction of the ecological value and environment (e.g. tree felling and vegetation clearance) within these zonings. Hence, we urge the TPB to add conditions regarding tree felling and vegetation clearance in the remarks of the Notes as follows:

*“Any diversion of streams, filling of land/pond or excavation of land, **tree felling and vegetation clearance**, 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 (except public works co-ordinated or implemented by Government, and maintenance, repair or rebuilding works), 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 26 of the Town Planning Ordinance.”*

The HKBWS hopes the TPB would take our comments into consideration.

Thank you for your kind attention.

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

¹⁴ http://news.mingpao.com/pns/dailynews/web_tc/article/20160419/s00001/1461002799565

No.	Common Name ⁽¹⁾	Scientific Name	Level of Concern ⁽⁴⁾	Protection Status in China ⁽⁵⁾	China Red Data Book ⁽⁶⁾	IUCN Red List (Version 2015.2) ⁽⁷⁾
1	Eurasian Teal ⁽⁹⁾	<i>Anas crecca</i>	RC	-	-	-
2	Chinese Francolin	<i>Francoelinus pintadeanus</i>	-	-	-	-
3	Black-crowned Night Heron ⁽⁹⁾	<i>Nycticorax nycticorax</i>	(LC)	-	-	-
4	Chinese Pond Heron ⁽⁹⁾	<i>Ardeola bacchus</i>	PRC (RC)	-	-	-
5	Eastern Cattle Egret ⁽⁹⁾	<i>Bubulcus coromandus</i>	(LC)	-	-	-
6	Grey Heron ⁽⁹⁾	<i>Ardea cinerea</i>	PRC	-	-	-
7	Great Egret ⁽⁹⁾	<i>Ardea modesta</i>	PRC (RC)	-	-	-
8	Intermediate Egret ⁽⁹⁾	<i>Egretta intermedia</i>	RC	-	-	-
9	Little Egret ⁽⁹⁾	<i>Egretta garzetta</i>	PRC (RC)	-	-	-
10	Pacific Reef Heron ⁽⁹⁾	<i>Egretta sacra</i>	(LC)	Class II	Rare	-
11	Black-winged Kite ⁽⁶⁾	<i>Elanus caeruleus</i>	LC	Class II	Vulnerable	-
12	Crested Serpent Eagle ⁽⁸⁾	<i>Spilornis cheela</i>	(LC)	Class II	Vulnerable	-
13	Bonelli's Eagle ⁽⁸⁾⁽⁹⁾	<i>Aquila fasciata</i>	(RC)	Class II	Rare	-
14	Besra ⁽⁶⁾	<i>Accipiter virgatus</i>	-	Class II	-	-
15	White-bellied Sea Eagle ⁽⁸⁾⁽⁹⁾	<i>Haliaeetus leucogaster</i>	(RC)	Class II	-	-
16	Eastern Buzzard ⁽⁸⁾⁽⁹⁾	<i>Buteo japonicus</i>	-	Class II	-	-
17	Slaty-breasted Rail ⁽⁹⁾	<i>Gallirallus striatus</i>	RC	-	Rare	-
18	White-breasted Waterhen ⁽⁹⁾	<i>Amauromis phoenicurus</i>	-	-	-	-
19	Ruddy-breasted Crake	<i>Porzana fusca</i>	LC	-	-	-
20	Common Moorhen ⁽⁹⁾	<i>Gallinula chloropus</i>	-	-	-	-
21	Little Ringed Plover ⁽⁹⁾	<i>Charadrius dubius</i>	(LC)	-	-	-
22	Common Redshank ⁽⁹⁾	<i>Tringa totanus</i>	RC	-	-	-
23	Common Greenshank ⁽⁹⁾	<i>Tringa nebularia</i>	RC	-	-	-
24	Grey-tailed Tattler ⁽⁹⁾	<i>Tringa brevipes</i>	LC	-	-	Near Threatened
25	Common Sandpiper ⁽⁹⁾	<i>Actitis hypoleucos</i>	-	-	-	-
26	Gull-billed Tern ⁽⁹⁾	<i>Gelochelidon nilotica</i>	-	-	-	-
27	Oriental Turtle Dove	<i>Streptopelia orientalis</i>	-	-	-	-
28	Spotted Dove	<i>Streptopelia chinensis</i>	-	-	-	-
29	Oriental Dollarbird	<i>Eurystomus orientalis</i>	-	-	-	-
30	White-throated Kingfisher ⁽⁹⁾	<i>Halcyon smymensis</i>	(LC)	-	-	-
31	Black-capped Kingfisher ⁽⁹⁾	<i>Halcyon pileata</i>	(LC)	-	-	-
32	Common Kingfisher ⁽⁹⁾	<i>Alcedo atthis</i>	-	-	-	-
33	Pied Kingfisher ⁽⁹⁾	<i>Ceryle rudis</i>	(LC)	-	-	-
34	Black-winged Cuckoo-shrike	<i>Coracina melaschistos</i>	-	-	-	-
35	Grey-chinned Minivet	<i>Pericrocotus solaris</i>	LC	-	-	-
36	Scarlet Minivet	<i>Pericrocotus speciosus</i>	-	-	-	-
37	Bull-headed Shrike	<i>Lanius bucephalus</i>	-	-	Rare	-
38	Brown Shrike	<i>Lanius cristatus</i>	-	-	-	-
39	Long-tailed Shrike	<i>Lanius schach</i>	-	-	-	-
40	White-bellied Erpornis	<i>Erpornis zantholeuca</i>	LC	-	-	-
41	Black Drongo	<i>Dicrurus macrocercus</i>	-	-	-	-
42	Hair-crested Drongo	<i>Dicrurus hottentottus</i>	-	-	-	-
43	Black-naped Monarch	<i>Hypothymis azurea</i>	-	-	-	-
44	Eurasian Jay	<i>Garrulus glandarius</i>	LC	-	-	-
45	Red-billed Blue Magpie	<i>Urocissa erythrorhyncha</i>	-	-	-	-
46	Grey Treepie	<i>Dendrocitta formosae</i>	LC	-	-	-
47	Collared Crow	<i>Corvus torquatus</i>	LC	-	-	Near Threatened
48	Cinereous Tit	<i>Parus cinereus</i>	-	-	-	-
49	Chinese Penduline-Tit	<i>Remiz consobrinus</i>	RC	-	-	-
50	Red-whiskered Bulbul	<i>Pycnonotus jocosus</i>	-	-	-	-
51	Chinese Bulbul	<i>Pycnonotus sinensis</i>	-	-	-	-
52	Sooty-headed Bulbul	<i>Pycnonotus aurigaster</i>	-	-	-	-
53	Chestnut Bulbul	<i>Hemixos castanonotus</i>	-	-	-	-
54	Barn Swallow	<i>Hirundo rustica</i>	-	-	-	-
55	Pygmy Wren-babbler	<i>Pnoepyga pusilla</i>	-	-	-	-
56	Mountain Tailorbird	<i>Phyllergates cucullatus</i>	-	-	-	-
57	Japanese Bush Warbler	<i>Horornis diphone</i>	-	-	-	-
58	Manchurian Bush Warbler	<i>Horornis borealis</i>	-	-	-	-
59	Brown-flanked Bush Warbler	<i>Horornis fortipes</i>	-	-	-	-
60	Asian Stubtail	<i>Urosphena squameiceps</i>	-	-	-	-
61	Dusky Warbler	<i>Phylloscopus fuscatus</i>	-	-	-	-
62	Pallas's Leaf Warbler	<i>Phylloscopus proregulus</i>	-	-	-	-
63	Yellow-browed Warbler	<i>Phylloscopus inornatus</i>	-	-	-	-
64	Arctic Warbler	<i>Phylloscopus borealis</i>	-	-	-	-
65	Two-barred Warbler	<i>Phylloscopus plumbeitarsus</i>	-	-	-	-
66	Eastern Crowned Warbler	<i>Phylloscopus coronatus</i>	-	-	-	-
67	Goodson's Leaf Warbler	<i>Phylloscopus goodsoni</i>	LC	-	-	-
68	Russet Bush Warbler	<i>Locustella mandelli</i>	-	-	-	-
69	Zitting Cisticola	<i>Cisticola juncidis</i>	LC	-	-	-
70	Golden-headed Cisticola	<i>Cisticola exilis</i>	LC	-	-	-
71	Yellow-bellied Prinia	<i>Prinia flaviventris</i>	-	-	-	-
72	Plain Prinia	<i>Prinia inornata</i>	-	-	-	-

No.	Common Name ⁽¹⁾	Scientific Name	Level of Concern ⁽⁴⁾	Protection Status in China ⁽⁵⁾	China Red Data Book ⁽⁶⁾	IUCN Red List (Version 2015.2) ⁽⁷⁾
73	Common Tailorbird	<i>Orthotomus sutorius</i>	-	-	-	-
74	Rufous-capped Babbler	<i>Stachyris ruficeps</i>	LC	-	-	-
75	Chinese Hwamei	<i>Garrulax canorus</i>	-	-	-	-
76	Masked Laughingthrush	<i>Garrulax perspicillatus</i>	-	-	-	-
77	Greater Necklaced Laughingthrush	<i>Garrulax pectoralis</i>	-	-	-	-
78	Blue-winged Minla	<i>Minla cyanouroptera</i>	-	-	-	-
79	Chesnut-collared Yuhina	<i>Yuhina castaniceps</i>	(LC)	-	-	-
80	Japanese White-eye	<i>Zosterops japonicus</i>	-	-	-	-
81	Red-billed Starling⁽⁹⁾	<i>Spodiopsar sericeus</i>	RC	-	-	-
82	White's Thrush	<i>Zoothera aurea</i>	-	-	-	-
83	Grey-backed Thrush	<i>Turdus hortolorum</i>	-	-	-	-
84	Japanese Thrush	<i>Turdus cardis</i>	-	-	-	-
85	Common Blackbird	<i>Turdus merula</i>	-	-	-	-
86	Oriental Magpie Robin	<i>Copsychus saularis</i>	-	-	-	-
87	Dark-sided Flycatcher	<i>Muscicapa sibirica</i>	-	-	-	-
88	Asian Brown Flycatcher	<i>Muscicapa latirostris</i>	-	-	-	-
89	Siberian Rubythroat	<i>Luscinia calliope</i>	-	-	-	-
90	Red-flanked Bluetail	<i>Tarsiger cyanurus</i>	-	-	-	-
91	Blue Whistling Thrush	<i>Myophonus caeruleus</i>	-	-	-	-
92	Red-throated Flycatcher	<i>Ficedula albicilla</i>	-	-	-	-
93	Daurian Redstart	<i>Phoenicurus aureus</i>	-	-	-	-
94	Stejneger's Stonechat	<i>Saxicola stejnegeri</i>	-	-	-	-
95	Fire-breasted Flowerpecker	<i>Dicaeum ignipectus</i>	-	-	-	-
96	Fork-tailed Sunbird	<i>Aethopyga christinae</i>	-	-	-	-
97	White-rumped Munia	<i>Lonchura striata</i>	-	-	-	-
98	Eastern Yellow Wagtail	<i>Motacilla tschutschensis</i>	-	-	-	-
99	Grey Wagtail	<i>Motacilla cinerea</i>	-	-	-	-
100	White Wagtail	<i>Motacilla alba</i>	-	-	-	-
101	Richard's Pipit	<i>Anthus richardi</i>	-	-	-	-
102	Olive-backed Pipit	<i>Anthus hodgsoni</i>	-	-	-	-
103	Grey-capped Greenfinch	<i>Carduelis sinica</i>	LC	-	-	-
104	Black-faced Bunting	<i>Emberiza spodocephala</i>	-	-	-	-

Note:

Species of conservation interest is in bold type face

(1) All wild birds are Protected under Wild Animal Protection Ordinance (Cap. 170)

(4) Fellowes et al. (2002): GC=Global Concern; LC=Local Concern; RC=Regional Concern; PRC=Potential Regional Concern; PGC: Potential Global Concern.

Letters in parentheses indicate that the assessment is on the basis of restrictedness in nesting and/or roosting sites rather than in general occurrence.

(5) List of Wild Animals Under State Protection (promulgated by State Forestry Administration and Ministry of Agriculture on 14 January, 1989).

[國家重點保護野生動物名錄(1989年1月14日林業局及農業部發佈施行)]

(6) Zheng, G. M. and Wang, Q. S. (1998).

(7) IUCN (2013). IUCN Red List of Threatened Species. Version 2015.2

(8) Protected under Protection of Endangered Species of Animals and Plants Ordinance (Cap. 586)

(9) Wetland-dependent species (including wetland-dependent species and waterbirds)