

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

2 February 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 Houses (New Territories Exempted Houses – Small Houses) at Lam Tsuen San Tsuen, Tai Po (A/NE-LT/566, A/NE-LT/567 & A/NE-LT/568)

The Hong Kong Bird Watching Society (HKBWS) would like to object to the planning applications A/NE-LT/566, A/NE-LT/567 & A/NE-LT/568 under Section 16 based on the following reasons:

1. Not in line with the planning intention of the “Agriculture” (AGR) zoning and adverse ecological impacts of the proposed development

The application sites are located within the AGR zone, where the planning intention is “to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes”. From aerial photographs, there are still active agricultural lands in the surroundings of the application sites (Figure 1).

According to HKBWS bird records, approximately 293 species of birds are recorded in the agricultural lands in Hong Kong. This constitutes 55% of the total bird species in Hong Kong¹ and 20% of the total bird species in China². Among them, almost half of the species recorded (140 species) are regarded as of conservation importance. This indicates that the agricultural land in Hong Kong supports a high diversity of birds, thus should be adequately protected and managed.

However, the proposed small house development would lead to a direct loss of arable agricultural lands in the Lam Tsuen area, which is not in line with the above planning intention. Furthermore, the approval of this application would set an undesirable

¹ The total number of bird species in Hong Kong is 531.

² According to the CBR Checklist of Birds of China v3.0 (2013), the total number of bird species in China is 1434.



precedent for future developments within the AGR zone in the area. For the past 10 years or so, the approval rate of small houses applications in AGR zones is over 60%³, thus agricultural land is vulnerable to small house development. We are concerned the further loss of arable agricultural lands would lead to adverse impact on the farmland bird community. We, therefore, urge the Board to **reject** this planning application and small house development should be confined to the “Village Type Development” zone.

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

We consider that The Town Planning Board should not encourage “destroy first, develop later”. From Google Earth aerial photographs, some obvious landscape changes were observed on the images taken on 14 April 2015 (Figure 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*”⁴. The approval of these applications 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, hence development permission should not be granted after the site has suffered from eco-vandalism.

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*”⁵. 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

³ 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

⁴ 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>

⁵ Hong Kong Town Planning Standards and Guidelines – Chapter 10 Conservation. Section 2.1 (ii).

responsibility to advise the TPB on the ecological and planning aspects in particular⁶. Given AFCD's mission to conserve natural environment and safeguard the ecological integrity⁷ 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 these applications. 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 applications.

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

⁶ AFCD Role of Department. Available at: http://www.afcd.gov.hk/english/aboutus/abt_role/abt_role.html

⁷ AFCD Vision and Mission. Available at:
http://www.afcd.gov.hk/english/aboutus/vision_mission/abt_vision_mission.html

Figure 1. Google Earth aerial photograph of the active agricultural lands in the Lam Tsuen San Tsuen area and its surroundings (photograph taken on 14 April 2015) (the approximate location of the application sites is indicated by the red circle).



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

