

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

31 May 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 Open Storage of Construction and Decoration Material and Containers for Storage of Decoration Equipment for a Period of 3 Years and Associated Filling of Land at Long Ho Road, Yuen Long (A/YL-TT/380)

The Hong Kong Bird Watching Society (HKBWS) would like to raise an objection to the planning application A/YL-TT/380 under Section 16 based on the following reasons:

1. Not in line with the planning intention of the “Agriculture” (AGR) zoning

1.1. The application site is located within the ARG 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 photograph, the surroundings of the application site is still vegetated and have high potential for cultivation and rehabilitation of farmland (Figure 1).

1.2. However, the proposed open storage use would lead to a direct loss of arable agricultural lands in the area, which is not in line with the above planning intention. Furthermore, the approval of this application would set an undesirable precedent for future developments within the AGR zone in the locality. We, therefore, urge the Board to **reject** this planning application.

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

2.1. There was an unauthorized development of land filling identified by the Planning Department back in September 2015 at the application site (enforcement case number: E/YL-TT/479). 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 AGR zone, leading to the promotion of “develop first, apply later” and “destroy first, develop later” attitudes among landowners in the locality.



國際鳥盟成員

2.2. 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”¹. 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, 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 Board

According to the Hong Kong Planning Standards and Guidelines (HKPSG), Chapter 10, Section 2.1 (ii) and (iii), the TPB has the responsibility to, “restrict uses within conservation zones to those which sustain particular landscapes, ecological and geological attributes and heritage features” and “control adjoining uses to minimise adverse impacts on conservation zones and optimise their conservation value”². 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 particular³. Given ecological and environmental impacts caused by the proposed open storage use, and the fact that it is not in line with the planning intention of the AGR zone, HKBWS would also expect AFCD, PlanD and TPB to object to this application. Should the Departments or the Board feels otherwise, we urge that 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,

¹ 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 Hong Kong Town Planning Standards and Guidelines – Chapter 10 Conservation. Section 2.1 (ii).

³ AFCD Role of Department. Available at: http://www.afcd.gov.hk/english/aboutus/abt_role/abt_role.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. Google Earth aerial photograph showing the vegetated condition of the surroundings of the application site. The approximate location of the application site is indicated by the red arrow.

