

Secretary, Town Planning Board
15/F, North Point Government Offices
333 Java Road, North Point, Hong Kong
(E-mail: tpbpd@pland.gov.hk)



By email only

香港觀鳥會

3 June 2016

THE
HONG
KONG
BIRD
WATCHING
SOCIETY

Since 1957 成立

Dear Sir/Madam,

Objection to the planning application for the proposed international school and proposed access road at Tsiu Keng, Kwu Tung South (A/NE-KTS/390)

The latest supplementary information provided by the applicant did not address the concerns of the Hong Kong Bird Watching Society (HKBWS) as detailed in our letter submitted on 11 February 2016 to the Town Planning Board (Attachment 1). We consider that our concerns regarding the captioned planning application are still **valid**.

In the "Responses to Departmental Comments" submitted by the applicant in May 2016, the Agriculture, Fisheries and Conservation Department stated that *"the application site touches on a large area of land currently zoned 'Agriculture' in Kwu Tung South, including both active farmland and fallow farmland possessing high potential for agricultural rehabilitation".* The Food and Health Bureau also mentioned that *"the farmland in the area is already zoned 'AGR' (Agriculture) in existing statutory plans which largely remain fallow, and which would provide relatively ready locations for starting agricultural activities. The area remains relatively unspoiled, with soil and water quality suitable for agricultural purpose and with essential agricultural infrastructure, such as access footpaths and irrigation channels, being available and operational"*. We share the same views as the AFCD and FHB, and would also like to reiterate that the agricultural lands in Tsiu Keng, whether active or fallow, are of significant importance and should be well-protected from development.

Moreover, a comprehensive ecological assessment for all the habitats and species recorded within the application site and its surroundings should be conducted, in order to evaluate whether the proposed development would bring adverse and unacceptable impacts to the ecology and environment or not.

Therefore, the HKBWS respectfully requests the Town Planning Board to **reject** the current application. Thank you very much for your attention and consideration.



Yours faithfully,

A handwritten signature in black ink, appearing to read 'Woo Ming Chuan', written in a cursive style.

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

Attachment 1

Secretary, Town Planning Board
15/F, North Point Government Offices
333 Java Road, North Point, Hong Kong
(E-mail: tpbpd@pland.gov.hk)



By email only

11 February 2016

香港觀鳥會
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Since 1957 成立

Dear Sir/Madam,

Objection to the planning application for the proposed international school and proposed access road at Tsiu Keng, Kwu Tung South (A/NE-KTS/390)

The Hong Kong Bird Watching Society (HKBWS) would like to raise an objection to the planning application A/NE-KTS/390 under Section 16. Our reasons are stated below:

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

Under the Approved Kwu Tung South Outline Zoning Plan (OZP) No. S/NE-KTS/14, the planning intention of an AGR zone is “*primarily 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*”. The construction of the proposed international school and its ancillary access road would lead to a direct permanent loss of arable agricultural land in the Tsiu Keng area. Therefore, the proposed development is not in line with the above planning intention and we urge the Town Planning Board (TPB) to reject this planning application.

2. The importance of the agricultural lands in Tsiu Keng

Many of the agricultural lands in the Tsiu Keng area are still actively farmed, and both dry and wet agriculture are found (Figure 1). In the Notes of the Kwu Tung South OZP, the Director of Agriculture, Fisheries and Conservation classified the agricultural land in Tsiu Keng as good, and recognizes the field condition and farm access in the area are good as well¹. As of 7 July 2015, there are 41 Local Accredited Farms in Tsiu Keng, covering an area of 176.1 dau chung (approximately 12 hectares) which is the second largest in Hong Kong². In the Planning and Engineering Study for the North East New Territories New Development Area, a major cluster of AGR zoned land (about 34 ha) at Kwu Tung South are identified as potentially suitable for agricultural



¹ Section 9.7.1 of the Explanatory Statement of the Approved Kwu Tung South OZP S/NE-KTS/14

² http://www.afcd.gov.hk/english/agriculture/agr_accfarm/agr_accfarm_num/files/map_afs_7_7_2015.pdf

rehabilitation, which includes the Tsiu Keng area³. All of the above clearly indicates that the agricultural land in Tsiu Keng, whether active or fallow, are of significant importance and should be well-protected. Moreover, we are concerned the approval of the caption application would set an undesirable precedent for future developments in the Tsiu Keng area, causing further loss of agricultural land. Therefore, we consider that the Board should reject the proposed development.

3. Agriculture lands and birds

During our site visit, active agricultural lands and fallow wet agricultural lands were found within the application site (Figure 2) and are likely of significant ecological importance. The Grey-capped Greenfinch *Chloris sinica*⁴ of Local Concern⁵, and Asian Barred Owlet *Glaucidium cuculoides*⁶ which is listed under Class II protection in China were also recorded in the Tsiu Keng area.

According to HKBWS bird records, approximately 293 species of birds are recorded in the farmlands of Hong Kong. This constitutes 55% of the total bird species in Hong Kong⁷ and 20% of the total bird species in China⁸. Among them, almost half of the species recorded (140 species) are regarded as of conservation importance, including the globally endangered Yellow-breasted Bunting *Emberiza aureola* and the globally vulnerable Japanese Yellow Bunting *Emberiza sulphurata*⁹. This indicates that the farmland in Hong Kong supports a high diversity of birds and is of conservation importance. Besides, HKBWS's experience in managing the agricultural land at Long Valley has confirmed the ecological importance of agricultural land to birds as foraging and roosting habitats, and thus arable agricultural land should be protected from permanent loss.

Some fallow dry agriculture lands may seem to have relatively low ecological value, yet they may be habitats suitable for other wildlife (e.g., butterflies). These vegetated areas can also act as wildlife corridors, allowing movements of wildlife

³ P.19 of the information digest for the Planning and Engineering Study for NENT NDA (July 2013)

⁴ Hong Kong Bird Report 2013.

⁵ 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.

⁶ Recorded in Nov 2015.

⁷ The total number of bird species in Hong Kong is 531.

⁸ According to the CBR Checklist of Birds of China v3.0 (2013), the total number of bird species in China is 1434.

⁹ The IUCN Red List of Threatened Species. Version 2014.3. <www.iucnredlist.org>. Downloaded on 31 March 2015.

between the fragmented landscapes or between separated conservation areas/country parks. Agriculture lands are also of landscape and cultural values. They can be open spaces within an urbanized area, buffer zones at urban/rural interfaces, and buffers for the protection of streams, woodlands and conservation areas.

4. Ecological impacts were significantly underestimated

A report of Ecological Review was submitted by the applicant recently for the application. However, the fauna baseline surveys were conducted just on two days in December 2015. According to the EIAO Guidance Note No. 7/2010 "*Ecological Baseline Survey for Ecological Assessment*"¹⁰, this survey has completely ignored the wet season of the year, which is the active period of most amphibians, reptiles, freshwater fish, butterflies and odonates. Hence, the ecological impacts of the proposed development were significantly underestimated. Given that streams, ditches and fallow wet agricultural lands were found in the application site, the extent of the baseline ecological surveys should cover at least one full dry season and one full wet season. Therefore, we consider that the application should not be approved, since the submitted Ecological Review failed to comprehensively evaluate and assess the potential ecological impacts of the proposed development.

5. Justifications for the decision and comments made by Government departments

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*"¹¹. 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 particular¹². Given AFCD's mission to conserve natural environment and safeguard the ecological integrity¹³ 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.

¹⁰ <http://www.epd.gov.hk/eia/hb/materials/GN7.pdf>

¹¹ Hong Kong Town Planning Standards and Guidelines – Chapter 10 Conservation. Section 2.1 (ii).

¹² AFCD Role of Department. Available at:

http://www.afcd.gov.hk/english/aboutus/abt_role/abt_role.html

¹³ AFCD Vision and Mission. Available at:

http://www.afcd.gov.hk/english/aboutus/vision_mission/abt_vision_mission.html

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,

A handwritten signature in black ink, appearing to read 'Woo Ming Chuan', written in a cursive style.

Woo Ming Chuan
Conservation Officer
Hong Kong Bird Watching Society

cc.
Conservancy Association
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Figure 1. Wet and dry agriculture lands in the Tsiu Keng area.



Figure 2. Active agricultural lands and fallow wet agricultural lands within the application site.

