

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

26 July 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 Temporary Training Centre with Ancillary Site Office and Machinery Repair Workshop for a Period of 3 Years at Ha Tsuen, Yuen Long (A/YL-HT/1040)

The Hong Kong Bird Watching Society (HKBWS) would like to raise an objection to the rezoning application A/YL-HT/1040 under Section 16. Our reasons are stated below:

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

Under the Approved Ha Tsuen Outline Zoning Plan (OZP) No. S/YL-HT/10, 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*”. There was a previously rejected application (No. A/YL-HT/504) for an open storage of construction machineries within the current application site, the Director of Agriculture, Fisheries and Conservation “*did not favour the application in view of high potential of the site for agricultural rehabilitation*”¹. The currently proposed training centre with machinery repair workshop would require site formation and paving of land, thus leading to a direct permanent loss of arable agricultural land along the Deep Bay Road. Therefore, the proposed development is not in line with the above planning intention and we urge the Board to **reject** this planning application.

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

In our previous site visit, the application site was found to be paved with rubbles and construction wastes. Some vehicles were also parked at the site (Figure 1). From Google Earth aerial photographs, landscape changes were observed on the images taken on 17 November 2014 and onwards (Figure 2). The HKBWS strongly urges the Town Planning Board (the Board) to proactively deter “destroy first, develop later” as

¹ Paragraph 33(c) of the 358th meeting of the Rural and New Town Planning Committee



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”*². 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 hope 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(iii), the TPB has the responsibility to *“control adjoining uses to minimise adverse impacts on conservation zones and optimise their conservation value”*³. 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 particular⁴. Given the fact that the proposed development leads to a loss in agricultural land and is not in line with the planning intention of an 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 Town Planning Board to take our comments into consideration and **reject** the current application.

Thank you for your kind attention and consideration.

Yours faithfully,

² Press Release – Town Planning Board adopts approaches to deter, “destroy first, build later” activities. Available at: <http://www.info.gov.hk/gia/general/201107/04/P201107040255.htm>

³ Hong Kong Town Planning Standards and Guidelines – Chapter 10 Conservation. Section 2.1 (ii).

⁴ 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
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Figure 1. The condition of the application site in July 2015.



Figure 2. Google Earth aerial photographs showing the change in landscape at the subject site (approximate location indicated by the yellow circle) and its surroundings.

