

Secretary, Town Planning Board
15/F, North Point Government Offices
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香港觀鳥會
THE
HONG
KONG
BIRD
WATCHING
SOCIETY

Since 1957 成立

13 Dec 2013

Dear Sir/Madam,

**Objection on planning application for Proposed Residential Development with
Minor Relaxation of Building Height and Plot Ratio Restrictions, Filing of
Land/Pond and Excavation of Land (A/YL-NSW/223)**

The Hong Kong Bird Watching Society (HKBWS) would like to raise an objection to the planning application for the proposed residential development with minor relaxation of building height and plot ratio restrictions, filling of land/pond and excavation of land at Nam Sang Wai, Yuen Long (A/YL – NSW/223) under Section 16.



國際鳥盟準成員
BirdLife International
Partner Designate

1. Wetland Buffer Area and Wetland Conservation Area

The application site is located mostly within the wetland buffer area (WBA) which is intended to “protect the ecological integrity of the fish ponds and wetland within the Wetland Conservation Area (WCA) and prevent development that would have a negative off-site impact on the ecological value of fish ponds”¹. Some of parts of the development is also located within the WCA including the proposed access road where, “new development would not be allowed unless it is required to support the conservation of the ecological value of the area of the development is an essential infrastructural project with overriding public interest”¹.

2. Underestimate the ecological value of abandoned fishponds

The ecological impact assessment (EcolA) ranks the abandoned fishponds within the Study Area to be of “low to moderate” ecological value and “low value” within the application site. This rating is inconsistent with the rankings of the other habitat types and also contradicts with the avifauna survey data. According to Tables 7 to 13 of the EcolA, the evaluation of different habitats within the study area, 24 species of conservation interest were found at abandoned fishponds, which is the highest amongst all the habitat types.

¹ Town Planning Board PG-No. 12B – Town Planning Board Guidelines for Application for Developments within the Deep Bay Area Under Section 16 of the Town Planning Ordinance

Secondly, a high abundance of bird species of conservation interest were found at abandoned fishponds. In fact, the highest counts of Great Cormorant, Grey Heron, Black-faced Spoonbill, Night Heron, Black-winged Stilt, Common Greenshank, White-shouldered Starling, Wood Sandpiper, Pied Kingfisher, White-throated Kingfisher, Yellow Wagtail, Yellow-bellied Prinia, Plain Prinia, Common Tailorbird, Dusky Warbler, Black-faced Bunting, Yellow-billed Grosbeak and Crested Myna were obtained at abandoned fishponds. Based on this information, this habitat not only supports waterbirds but its overgrown vegetation also provides a suitable habitat for other generalist and farmland species. The “low” and “low to moderate” ecological value assigned to the abandoned fishponds within the study area does not reflect the high abundance and diversity of bird species that it supports. In fact, given its size and ecological linkage to the mitigation wetland and channel/nullah/meander and the points mentioned above the ecological value if this habitat type should be at least “moderate to high”.

3. Impact evaluation undermines the true magnitude of construction and operation phase impacts

The applicant argues the disturbance impacts arising from the construction is low and that impacts would be confined to the application site and its interfacing habitats. It is unlikely the installation of a 3 m hoarding around the applicant site could fully mitigate for the noise and vibration arising from site formation works especially percussive piling. In fact, the adjacent abandoned wetland (which is also zoned as the Wetland Conservation Area) is where noise-sensitive waterbirds species are found. The noise and vibration disturbances arising from construction works would certainly lead to the avoidance of birds foraging and roosting in the nearby areas, which the applicant fails to identify. The applicant also argues the operational phase impacts arising from noise, human activities and artificial lighting would be low and minor since village houses already exists nearby and that proposed landscape planting would minimize these disturbances. This argument is not valid as it is not supported by any scientific data and also the proposed development would increase the magnitude of these impacts which would displace birds from roosting and foraging nearby, creating an edge-effect impact.

4. Impacts to Great Cormorant night roost

A Great Cormorant night roost of significant size is located just north of Kam Tin

River (just over 500 m away from the application site). Given the relatively undisturbed nature of Nam Sang Wai, pond bunds provide suitable night roost conditions for Great Cormorants. We are concerned that the disturbances arising from housing developments of the current application as well as other nearby proposed residential developments (A/YL-NSW/218, A/YL-NSW/224 and A/YL-NSW/225) would cumulatively create a significant amount of disturbances resulting in the abandonment of these night roosts (Figure 1).

5. The proposed wetland area as habitat enhancement

The applicant proposes to include 0.5 ha of wetland area to compensate for the loss of 0.37 ha of abandoned fishpond. The effectiveness of this proposed wetland as an ecological enhancement tool is questionable due to the following reasons. The irregular shape of the wetland has many edges and thus results in a small core area available for species to utilize. The edged area is unlikely to provide suitable foraging and roosting conditions for birds and especially disturbance-sensitive species. The location of the proposed wetland is at the north of the application site with a relatively larger area at the northwestern side (Figure 2). Although there is landscape planting between the proposed wetland and the housing developments, human disturbances are still present as these houses are located adjacent to the wetland. Based on these reasons, it is unlikely the wetland would attract the targeted waterbirds species (i.e. bitterns, snipes and rails). The failure to do so violates the “no-net-loss in wetland” principle (wetland function) of the TPB PG-NO.12B.

Given the insufficient ecological impact assessment and the violation of the planning intention of the WBA and adjacent WCA, the HKBWS respectfully requests the Town Planning Board to reject the current application under review. Thank you for your attention and consideration.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Jf H', is written over a light blue circular stamp.

Jocelyn Ho
Senior Conservation Officer
Hong Kong Bird Watching Society

cc:

Ms. Eva Yau, Nature Conservation Officer (Yuen Long), Agriculture, Fisheries
and Conservation Department

Ms. Lily Chiu, District Lands Officer (Yuen Long), Lands Department

Figure 1

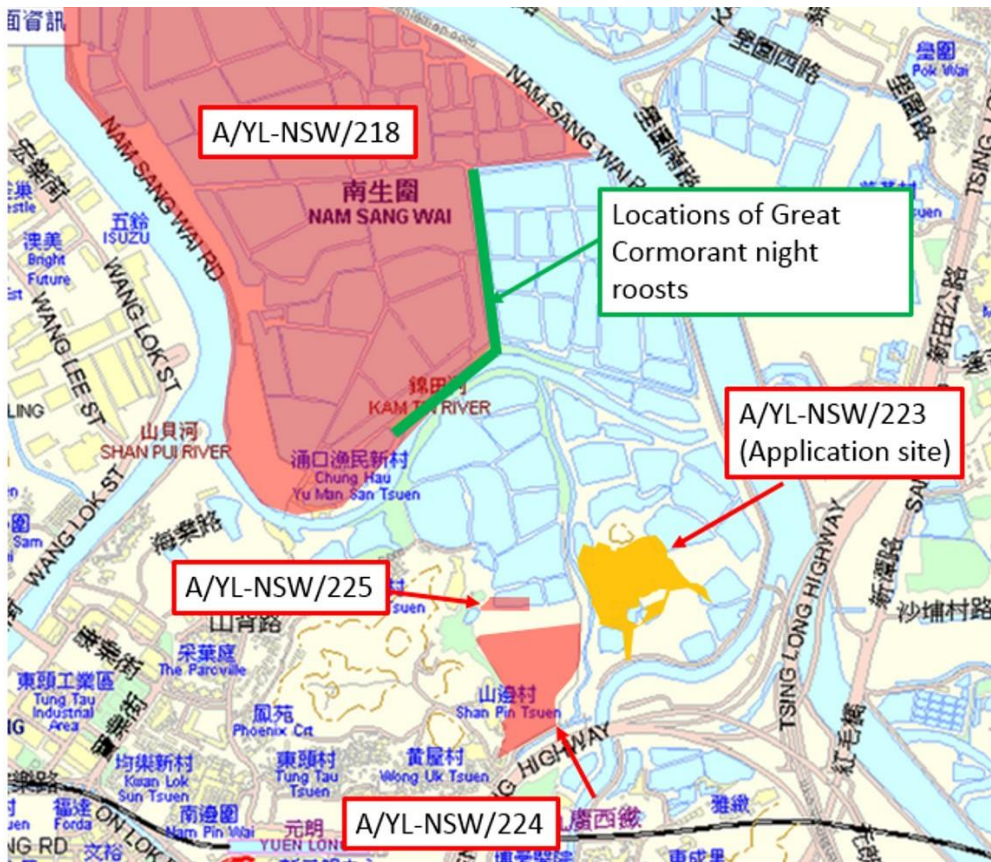


Figure 2

