



香港觀鳥會有限公司
THE HONG KONG BIRD WATCHING SOCIETY Limited

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

Dear Sir/Madam,

**Objection to the planning application in Nam Sang Wai (No .A/YL - NSW/205)
with regard to the supplementary information supplied by applicant**

The Hong Kong Bird Watching Society (HKBWS) would like to raise an objection to the planning application for developing 10 New Territories Exempted Houses at Shan Pui Village, Nam Sang Wai (A/YL - NSW/205). We noticed that a preliminary Ecological Survey and Impact Assessment Report (The report) was supplied by the applicant. However, the report failed to prove that the proposed development would not cause adverse impact to the environment.

1. The proposed development would cause lost of wetlands in Deep Bay

The proposed development is located in the Wetland Buffer Area (WBA) according to the Town Planning Board Planning Guidelines TPB-PG No. 12B¹. The report admit that there is unavoidable lost of wetland habitat². We emphasizes a need to impose “no-let-loss” principle for wetlands in terms of BOTH area and ecological function. No wetland compensation was suggested in the EIA report, while it is doubtful whether the pond enhancement measures suggested in the EIA report could be probably implemented. Moreover, the impact of obstruction to flight lines to birds especially breeding egrets could not be compensated.

2. Impacts on breeding egret colonies

There is a known nesting colony of egrets and herons at Tung Shing Lane, about

¹ TPB PG-No. 12B, Application for Developments within Deep Bay Area under Section 16 of the Town Planning Ordinance

² Refer to P.11, Section 7.2 of the EIA report

600m from the application site (Figure 1). The site is the 3rd largest nesting colony in Hong Kong according to the HKBWS egretty survey conducted in 2009³. The site is within the foraging distance (2 km) for breeding egrets⁴. During a site visit on 28 March 2011, 11 Little Egrets were found roosting on a tree on the pond bund (Figure. 2). More than 50 Little and Great Egrets were also observed flying across the pond at an altitude of 5-10m from north to south, indicating that the site is located on the flight line of egrets and the proposed small house development would cause impacts to the flight line. These observations in the breeding season⁴ of egrets also indicate that the pond is an important habitat for the breeding egrets nearby. Thus, the proposed development will cause a direct loss of foraging and roosting habitat of breeding egrets in the area, resulting in a decline in breeding success of the birds. There is another construction project being carried out at the south of the site, which would produce a significant cumulative impact on foraging of the breeding egrets and herons as well as other waterbirds. However, in the present preliminary ecological impact assessment report supplied, impacts to breeding egrets and herons were never mentioned. It was mentioned in the report that construction would avoid the winter period⁵, but the intense construction in summer would cause significant impact to the foraging of breeding egrets and herons which have a breeding season in March to July⁴.

3. Contradictory statements of the Ecological Impact Assessment

The report stated that “Abundance and diversity of birds recorded is relatively high”⁶. However, the “Diversity” and “Abundance/Richness of Wildlife” stated in the Habitat evaluation section of the report was claimed as “Low”⁷, which is contradictory with the earlier statements.

4. Species of conservation interest

The report claimed "no rare and protected fauna" were found⁸. This is nonsense as all wild birds are protected by cap. 170 and a few bird species were stated as “R” (presumably meaning “Rare”) in the report⁹. Moreover, during site visits by the HKBWS on 29 Dec 2010 and 28 March 2011, many species of conservation interest

³ HKBWS, Egretty Counts in Hong Kong, with particular reference to the Mai Po Inner Deep Bay Ramsar Site Summer 2009 Report, available at:

http://www.hkbws.org.hk/web/chi/documents/report/egret_summer_report_2009.pdf

⁴ Wong, L.C. *et al*, 2009, *Ecology of the Birds of Hong Kong*, Kadoorie Farm and Botanic Garden

⁵ Refer to P.13, Section 8.2 of the Preliminary EcoIA report

⁶ Refer to P.6, Section 4.17 of the Preliminary EcoIA report

⁷ Refer to P.9, Section 5.2, Table 5 of the Preliminary EcoIA report

⁸ Refer to P.9, Section 6.1 of the Preliminary EcoIA report

⁹ Refer to P.7, Table 2 of the Preliminary EcoIA report

were found present within or nearby the pond (Refer to attached bird list), including many wetland dependant species. These include Black-faced Spoonbill present nearby which is listed as “Endangered” in the IUCN red list, while Collared Crow which is listed as “Near Threatened” were recorded from the pond.


5. Poorly prepared avifauna survey

The species list for Avifauna survey¹⁰ was poorly prepared. First, no indications were provided regarding the meaning of abbreviations¹¹. Second, many mistakes were found regarding the common names and scientific names in the species list¹². Moreover, No reference to academic publications was made regarding the nomenclatures and status of birds. It is doubtful whether the avifauna survey were conducted and presented probably.

In Conclusion, the report supplied by the applicant was poorly prepared and the assessment was contradictory to the survey findings. The report also under-estimates impact to biodiversity including impacts on breeding egrets and herons at a nearby egretty. As the applicant failed to demonstrate that there will be no adverse impact caused by the proposed development, the HKBWS respectfully requests the Town Planning Board to reject the application in order to avoid setting a bad precedent, and to protect the internationally important Deep Bay Area from developments.

Thank you very much for you attention and consideration.

Yours faithfully,



Cheng Nok Ming
Conservation Officer
Hong Kong Bird Watching Society

¹⁰ Refer to P.6-7, Table 2 of the Preliminary EcoIA report

¹¹ No information was provided regarding the abbreviations in “Status” and “Commonness”, e.g. PM , R, C.U.R, etc.

¹² E.g. “白鷺”, “麻鵲”, “Yellow-**bellid** Prinia”, and some scientific names were not presented in italics

Figure 1. Location of the Tung Shing Lane Egretty and the Application site (source: Google Map)



Figure 2. Little Egrets and Great Egrets roosting on a tree on the bund of the captioned pond

