BY E-MAIL AND BY FAX

Town Planning Board Secretariat
15/F, North Point Government Offices
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22 July, 2015

Dear Sir/ Madam,

Broad Development Parameters of the Applied Use/Development in respect of Application No. A/YL-NSW/242

Green Power, a local charitable green group, would like to draw Town Planning Board's attention to our concerns about the captioned application located within Wetland Conservation Area (WCA) of Mai Po and Inner Deep Bay Ramsar Site.

Violating Planning Intention of WCA

1. The proposed project site is designated as Wetland Conservation Area (WCA) under Town Planning Board Guideline (TPB PG) 12B, and the Lut Chau portion is also within the Mai Po Inner Deep Bay Ramsar Site. The proposed development site area occupies 11.6 ha resulting in a loss of 9.5% Nam Sang Wai wetlands (Figure S1: 11.6 ha NSW Development Site/121.9ha Nam Sang Wai Site). Such significant net loss of ecologically valuable wetlands in Deep Bay area is unacceptable from the ecological point of view. "No-net-loss in wetland" principle has not yet been met to contrary that the proponent alleges in S.2 and S.8 in the Executive Summary.

2. According to the TPB PG-NO.12B for Deep Bay Area, "*the intention of the WCA is to conserve the ecological value of the fish ponds which form an integral part of the wetland ecosystem in the Deep Bay Area……..New development within with WCA would not be allowed unless it is required to support the conservation of the ecological value of the area or the development is an essential infrastructural project with overriding public interest.* The above-mentioned application violates the intention of WCA as the proposed development
   (a) destroys the ecological integrity of fishponds and wetlands of existing WCA by turning fishponds and wetlands into residential developments.
   (b) is not of overriding public interest

Violating Planning Intention of WBA

3. The proposed connecting road bridge linking Nam Sang Wai site to Yuen Long Town over Shan Pui River is located in Wetland Buffer Area (WBA). According to the TPB PG-NO. 12B for Deep Bay Area, "*the intention of the WBA is to protect the ecological integrity of the fish ponds and wetland with WCA(Wetland Conservation Area) and prevent development that would have a negative off-site disturbance impact on the ecological value of fishponds*".

4. The proposed bridge will impose off-site disturbance impacts on the ecological value of fishponds through air and noise pollution with increased vehicular traffic, light pollution interfering foraging behaviour of nocturnal wildlife, polluting the watercourses, fishponds and wetlands with contaminated stormwater.

5. The proposed bridge substantially increase disturbance from vehicles to Shan Pui River which are ecologically important for birds, especially the migratory water birds visiting Deep Bay Ramsar Site.

6. The proposed bridge will also exacerbate the unmanaged traffic as stated in S.3 by the proponent and increase the risk of dumping of wastes, especially industrial wastes in Nam Sang Wai and Ramsar Site areas, as the bridge is directly connected to Wang Chau Industrial Area.

No Proper EIA and Feasible Mitigation

7. The proposed bridge is a major component of the application which should be included and assessed in the application process regarding its environmental and ecological impacts. An Environmental Impact Assessment (EIA) for this proposed bridge should be conducted to assess the environmental and ecological impacts during the construction and operation phase. The assessment report should be submitted together with the captioned application to the Town Planning Board to process.

8. Regarding S.3, the proponent fails to demonstrate how the proposed Conservation Management Plan can mitigate the significant loss of existing wetlands areas, functions and values, as well as the loss of associated natural resources and wildlife due to the captioned proposed project at Nam Sang Wai.

9. The numbers of storeys of the proposed development are 4-26 that will impose severe visual impacts to the waterbirds foraging on open field of mangroves, river channels and fishponds. The proposed development intensity and building height are not compatible with the surrounding wetland environment, which will fragment the wetland habitat, hinder the flight path of birds and visual impacts.

10. As the risk imposed on the ecology of Ramsar Site is still valid, both by the proposed development and road bridge, “precautionary approach” has not yet been met as required by TPB PG-NO.12B.

Unacceptable human disturbance and traffic impacts

11. We noted that the proposed development site provides a total of 2,047 car parking spaces and 28 motorcycle parking spaces. The proponent should assess the air quality and noise impacts on humans and wildlife (especially waterbirds) arising from an increased traffic flow during the operational phase of the captioned development. The proponent should also provide the detailed traffic impact assessment to Yuen Long Town area and neighbouring roads for the captioned development at Nam Sang Wai.

12. The future residents in the proposed developments will commute to nearest town centre, i.e. Yuen Long, for all sorts of daily activities including shopping, dining, entertainment, consulting professionals (e.g. doctors, lawyers), customer’s services (enquiries to utilities and suppliers, repair of products). This will generate huge transport needs to Yuen Long, as well as large pressure to the government, community and commercial facilities and service providers. Yuen Long Town has already overcrowded in terms of pedestrians and traffic. The proposed developments will exacerbate air and noise pollution in Yuen Long Town brought about by traffic.

Water Pollution and Waste Dumping

13. The proposed developments will provide 2531 residential units with population of 6500 and 1575 m^2 floor area for commercial use. Such large-scale dense development will generate point source and non-point source water pollution that increases the pollution loading of Deep Bay that breaches the Zero Discharge Policy for Deep Bay and damages the wetland habitats in Ramsar site.

14. During the construction phase, the fishponds, wetlands and farmlands in vicinity are vulnerable to illegal dumping of soil debris and construction and demolish wastes. Regrettably, existing enforcement measures to prevent illegal dumping are ineffective and successful prosecutions are rare. Most importantly, destroyed wetland habitats are difficult to reinstate.

Segregating Nam Sang Wai from Community

15. In addition to its ecological value, Nam Sang Wai is precious and unique to Yuen Long and the territory because it signifies the thriving aquaculture of Yuen Long. The extensive greenery and water feature have long been the tourist attraction to Hong Kong people since 1960's. The rows of Eucalyptus trees erecting along the bunds of ponds is exclusive in Hong Kong which makes Nam Sang Wai an emblem of Yuen Long.

16. The proposed development physically separate Nam Sang Wai and Ramsar Site from Yuen Long Town. Such isolation will lower the education values of Ramsar Site that is one of the major purposes of establishment of Ramsar Site, as a result of habitat destruction, water and traffic and light pollution, visual impacts, and blockage of access from Yuen Long Kau Hui (Old Market).

Conclusion

17. In conclusion, the above-captioned proposed development will destroy ecologically valuable wetlands in the Wetland Conservation Area of Deep Bay and violate the planning intention of Deep Bay Area. The proponent fails to demonstrate how they can meet the precautionary and "no-net-loss of wetland" principles which are essential for safeguarding the ecological value of Deep Bay Ramsar Site. The proposed project is not acceptable in infrastructure, engineering, environment, ecological, visual and landscape aspects. Therefore, the application should not be approved if the above-mentioned concerns cannot be resolved.

Thank you very much for kind your attention. We look forward to your favourable decisions.

Yours faithfully,

Dr. CHENG Luk-ki
(Division Head, Scientific Research and Conservation)