



BY EMAIL ONLY

Town Planning Board Secretariat
15/F, North Point Government Offices
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(E-mail: tpbpd@pland.gov.hk)

19 December 2019

Dear Sir/Madam,

**Proposed Development Proposal to Rezone Application Site from "Agriculture" to:
Option 1 - "Residential (Group C)" or
Option 2 - "Other Specified Uses" annotated "Residential Development with Public Transport
Interchange" in Lam Tsuen, Tai Po (Application No.: Y/NE-LT/2)**

1. Green Power has reviewed the Gist and the Planning Statement regarding the captioned rezoning application in Lam Tsuen, Tai Po. We object the captioned rezoning application owing to the following environmental concerns:
 - (a) The rezoning contradicts the planning intention of the Planning Scheme Area (the Area) of Approved Lam Tsuen Outline Zoning Plan (LTOZP) No. S/NE-LT/11.
 - (b) The rezoning imposes adverse potential impacts to water quality of Water Gathering Ground (WGG) and flood capacity of neighbouring river channels.
 - (c) The rezoning does not address properly the environmental and ecological impacts induced by subsequent proposed developments

Contradictory to Planning Intention

2. Section 8.2, EXPLANATORY STATEMENT of LTOZP states that *"In view ofthe need to conserve/preserve the rural character, the natural landscape and the ecological interest of the Area, it is intended not to encourage residential development in the Area. The planning intention for the Area is, therefore, to retain the rural character of the Area by controlling development and promoting agricultural activities,"*
3. The captioned rezoning application proposed residential development on land plots zoned "Agriculture" ("AGR") that obviously acted contrarily to the spirit of controlling development in the planning intention. Planning intention clearly stated that residential development should not be encouraged and agricultural activities should be promoted.

4. Section 8.1 also stated that “*the Area is not identified for strategic growth development*” and the general planning policies “*emphasis conservation and landscape protection of the rural hinterland with minimum population growth. The existing and committed transport and infrastructural networks will not be capable of sustaining additional population growth there*”. However, the proposed residential development associated with the rezoning application, which is estimated to increase the existing population to one thousand persons more, violates the planning policies of the Area and will adversely affects the sustainability of the Lam Tsuen area.
5. Furthermore, no “Residential” (“R”) zones exists in current LTOZP. Therefore, introduction of “R” zones in LTOZP is a precedent planning application that should be carefully assessed its implication in context of strategic planning, district transport and traffic, pollution to water gathering ground, environment and ecological impacts.

Land Policy Context

6. In policy context, Section 5.23 of the Report of Task Force on Land Supply (TFLS Report, Dec 2018) clearly pointed that the market-driven approach “*under which developers seek to change the use of agricultural land they own (for example, to residential use) through planning applications to Town Planning Board (TPB)*” is not a recommended option and it was even not amongst the 18 options for five-month public consultation of “Land Debate” in 2018 which is initiated by the Chief Executive of HKSAR.
7. Therefore, the rezoning application of “AGR” zones has no supportive ground in terms of public’s views on land supply policy in Hong Kong.

Impacts to Water Gathering Grounds

8. While considering the option of reclaiming part of the Plover Cove Reservoir for new town development, TFLS Report reflected that “*the supply, storage and collection of water must be properly safeguarded*” (Section 6.48, TFLS Report). The application site is located within the Water Gathering Ground which supplies and collects raw water for Plover Cove Reservoir (Section 11.4, Planning Statement). The associated proposed development of rezoning application will pave up large area of permeable agricultural lands and become a major pollution source in the Water Gathering Ground which may lower the quantity of collected raw and water and its water quality. However, these impacts are not properly addressed in the application.
9. The rezoning application involved a proposed development of extensive areas which is permeable to stormwater currently. If this proposed development is completed, these areas become largely impermeable to stormwater, then the water flow volume of She Shan River and Lam Tsuen River during rainstorm will increase. Consequently, the risk of flooding of the Area and areas downstream of the application site will also increase.

10. Also, the impermeable paved surface of this development will render the stormwater flushing into the nearby water channels directly without any filtration by soil and vegetation. According to Section 10.3 of Planning Statement, *“the estimated Average Dry Weather Flow (ADWF) from the proposed development is approximately 1,369m³/d”*. Such stormwater effluent will carry along the pollutants on the paved surface and discharge directly into the streams/water channels in water gathering ground, e.g. oil and grease, detergents, pesticides for mosquito control, etc.
11. During both the construction phase of this this development, the surface runoff containing suspended solids and oil and grease may be generated as a result of the excavation activities and earthworks. However, only *“preliminary screening facilities”* (Section 9.9, Planning Statement) are proposed which are not capable of treating the pollutants mention in paragraph 10 and 11.
12. The hydrology and ecology of She Shan River may be adversely affected as a result of the change of water quality and hydrology. These concerns are particularly valid as the proposed development site associated with the rezoning application is adjacent.

Loss of Agricultural Lands

13. According to the EXPLANATORY STATEMENT of LTOZP, “AGR” zone in the Area *“is intended primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes”* and *“to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes.”*(Section 9.4.1)
14. Section 9.4.2 , EXPLANATORY STATEMENT of LTOZP also mentions that *“According to the AFCD, the agricultural land of the Area is of good quality. Most of the agricultural land is under active cultivation and worthy of preservation. Clusters of this cultivated land are found near She Shan Tsuen,”*. The proposed development site associated with the rezoning application involved the agricultural land near She Shan Tsuen which should be preserved under the Administration’s advice.
15. Including the previous filling of construction and demolithment (C&D) wastes at the application site in 2003/2004, the rezoning application will lead to a total net loss of about 17 ha of agricultural lands at Lam Tsuen. This cumulative loss of farmland is significant in both Lam Tsuen and Hong Kong context.
16. Therefore, the rezoning will deprive the area of agricultural lands and fallow arable land, and hinder rehabilitation for cultivation. We worry that the rezoning, if approved, will trigger the massive destruction of both active and fallow farmlands, and more planning applications for rezoning of “AGR” land plots.

Bad Precedent of “Destroy First and Develop Later”

17. The previous extensive filling of C&D wastes in and adjacent to the application site that happened in 2003/2004 has not been mentioned in the Planning Statement. This practice destroyed large areas of farmlands and resulted in “*low ecological value*” (Section 11.8, Planning Statement) of the application site, and also seriously deterred the agricultural activity and accessibility of neighbouring farmlands. This is an unacceptable approach of development and would set an undesirable precedent of “destroy first and develop later”.

Improper Community and Transport Support

18. Currently, Lam Tsuen district is not able to fulfill the daily necessity of local residents. It is noted that the captioned development will provide 1309 flats, however only 379 vehicle parking spaces are provided, including bicycle and public car parking spaces. It is very likely that most households in the proposed development site will own private cars, even though shuttle buses are provided. Therefore, detailed traffic impact assessment for the captioned development at Lam Tsuen especially Lam Kam Road should be conducted to address transport issues, including the exact functions and functions of the Public Transport Interchange.

19. As the rezoning application involved only residential development with open spaces for passive recreation, and a public transport interchange, the consequent community established will not be self-sufficient in terms of community facilities such as food markets, schools, recreation and entertainment. Therefore, we wonder what “*community facilities*” in Lam Tsuen are “*under-going continued upgrading*” that are “*favourable for private initiative to support housing supply*” as mentioned in Section S2., Planning Statement.

20. Section 3.5 of Planning Statement pointed out the site of rezoning application is “*adjacent to a community node of the Lam Tsuen Wishing Trees*”. However, corresponding impacts, both positive and negative, were not mentioned.

Land Contamination

21. As part of the application site is filled with C&D wastes with unknown sources and composition, the site may be prone to land contamination and this issue has not been addressed.

Water Supply

22. Section 10.10 of Planning Statement stated that “*the estimated water consumption of the proposed development is approximately 1,871m³/d, which is approximately 8.3% of the Tai Po Fresh Water Primary Service Reservoir (TPFWPSR), capacity.*” The estimated amount is substantial and should be checked against the existing demand of freshwater from TPTFWPSR.

Unavailability of Sewerage Service

23. The sewage from the proposed residential development is proposed to discharge to the Government Sewerage system when it is completed. However, “*there is currently no spare capacity to cater for the sewage discharge from the proposed development at Tai Po Sewage*

Treatment Works (TPSTW)” (Section 10.3, Planning Statement). Upgrading the sewer diameter were recommended so as to serve the proposed development, which is not yet confirmed by the Administration. Therefore, the rezoning application should not be proceeded if either sewer updating or expanding capacity of TPSTW is not feasible and approved.

Ecological Fragmentation

24. There is a woodland area to the south of Tong Min Tsuen which serves as wildlife corridor across the Lam Tsuen Valley. However, the proposed development blocked the ecological linkage between this woodland area and She Shan Fung Shui Woodland SSSI on eastern side of Lam Tsuen Valley with 3 to 4-storey buildings

Thank you for your kind attention.

Yours faithfully,



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GREEN POWER