



BY EMAIL ONLY

Town Planning Board Secretariat

15/F, North Point Government Offices
333 Java Road, North Point, Hong Kong
(E-mail: tpbpd@pland.gov.hk)

31 December, 2019

Dear Sir/ Madam,

**Broad Development Parameters of the Applied Use/Development in respect of
Application No.: A/YL-NSW/275**

1. Green Power, a local charitable green group, would like to lodge objection to the above-captioned Planning Application (the Application) under Section 16 of the Town Planning Ordinance for proposed comprehensive residential development in Tung Shing Lei, Nam Sang Wai, Yuen Long (the Application Site) which falls within “Undetermined”(“U”) zone on the approved Nam Sang Wai OZP (NSWOZP) No. S/YL-NSW/8 owing to the following concerns:
 - (a) The captioned Application contradicts the planning intention of the Planning Scheme Area (the Area) of NSWOZP.
 - (b) The captioned Application encroaches an important breeding site of waterbirds, an egret on the northern slope of a hill in Tung Shing Lei (to the south of the Application Site) and hence imposes severe adverse ecological impacts on Deep Bay wetland habitats.
 - (c) The captioned Application has not addressed properly the environmental impacts and carrying capacity issues brought about by proposed developments.

Contradictory to Planning Intention

2. Section 8.3, EXPLANATORY STATEMENT of NSWOZP states that “*The planning intention of the area further away from the fish ponds is to protect the ecological integrity of the wetland ecosystem, and prevent development that would have a negative off-site disturbance impact on the ecological value of fish ponds.*”

3. The Application proposed five blocks of high-rise multi-storey buildings (83.3m and 112m in height) to the north of a major egretty in Deep Bay area which is located on the slope of a small hill in Tung Shing Lei (Tung Shing Lei Egretty) peaked at only about 40m. The buildings, which are at least 40m higher than the egretty, will isolate the egretty from the Deep Bay wetland habitats including fishponds and river channels. The long row of high-rise buildings in front of the egretty will also blocked most of the flight paths of birds to and from the egretty.
4. Obviously, the proposed development breaks up the ecological integrity of the wetland ecosystem. Such development that would have a *negative off-site disturbance impact on the ecological value of fish ponds* should be prevented.
5. Section 8.1, EXPLANATORY STATEMENT of NSWOZP requires that “*Any negative impacts arising from undesirable land uses and human disturbance should be mitigated.*” Regrettably, no adequate measures, including avoidance of impacts, are proposed.
6. Obviously, the Application disregards the “precautionary approach” (Section 8.2) adopted in NSWOZP in order to achieve the conservation objectives of the Area.
7. Furthermore, only low-density residential zonings “Residential(Group D)” (“R(D)”) and Village Type Development (“V”) exist in current NSWOZP. Therefore, proposed development is a precedent planning application that will jeopardize the planning intention of NSWOZP.

Ecological Impacts

8. The proposed development is adjacent to an existing major egretty in Tung Shing Lei which is one of the major egrettries in Deep Bay area. In addition to the isolation of the egretty from the wetland habitats in Deep Bay area and obstruction of flight paths, the construction of high-rise buildings and associated emergence vehicular access and slope works will involve massive vegetation clearance and generate noise and human disturbance which will seriously interfere breeding of egrets and herons in the egretty during breeding season.

Land Policy Context

9. In policy context, Section 5.17.1 of the Report of Task Force on Land Supply (Dec 2018) recommended one of the underpinning principles for devising a comprehensive policy on the development of brownfield sites in the NT is “*rehabilitating brownfield sites at or near ecologically sensitive areas if possible, and avoiding high-density developments on such brownfield sites.*”
10. Therefore, the Application deviates from the public’s views on land supply policy in Hong Kong regarding the development on brownfields.

Carrying Capacity of the Area

11. *Full development of the entire “U” zone is anticipated to provide a total of 15495 residential units* (p.3, Executive Summary, submitted document of the Application) which will accommodate a population of about 43400 (2.8 persons per household, 2016 Population By-census). However, *“the planned population in the Area will be about 28,900 persons.”* (Section 6.2, EXPLANATORY STATEMENT of NSWOZP). The proposed population of the Application Site is 1.5 times of that of the whole Scheme Area of NSWOZP.
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 and worsens the traffic congestion of Yuen Long Town, as well as large pressure to the government, community and commercial facilities and service providers.
13. A total of 522 vehicle parking spaces will be provided in the Application Site. The accommodated vehicles will deteriorate the air quality and noise impacts on humans and wildlife (especially waterbirds) arising from increased traffic flow during the operational phase of the proposed development.
14. The residents may also be exposed to high level of railway noise.
15. The proposed developments 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.
16. 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.
17. In this regard, Section 7.2.1, EXPLANATORY STATEMENT of NSWOZP advises that *“new development proposals should not be allowed unless it can be demonstrated that it would have minimal adverse impact on drainage, sewerage, traffic, environment and ecology in the area.”*
18. Therefore, feasibility study should be conducted to demonstrate the proposed development does not exceed the carrying capacity of the Area in terms of environment, ecology, drainage, sewerage, traffic, and other infrastructures, as this Application proposed exceptional development scenario in the Area, such as plot ratio, building height, reclamation of wetlands.
19. Section 9.8.1, EXPLANATORY STATEMENT of NSWOZP stresses that *“Development within the areas has to be comprehensively planned as piecemeal development or redevelopment would have the effect of degrading the environment and thus jeopardizing the long-term planning intention of the areas (“U” zones).”*

20. Therefore, the captioned application should be rejected because of its implication in context of strategic planning, district transport and traffic, pollution loading to Deep Bay area, environment and ecological impacts.

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

Yours faithfully,

A handwritten signature in blue ink, appearing to read 'Henry LUI', with a stylized flourish at the end.

LUI Tak-hang, Henry
Senior Conservation Manager
GREEN POWER