



BY EMAIL ONLY

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

18 November 2022

Dear Sir/Madam,

Section 12A Application for rezoning
"Recreation" & "Residential(Group C)" to "Residential(Group C)1" (Y/YL-MP/7) and
"Recreation" to "Residential(Group C)1" (Y/YL-MP/8) on
Approved Mai Po & Fairview Park Outline Zoning Plan (No. S/YL-MP/8)
For sites between Fairview Park and Ngau Tam Mei Drainage Channel

Response to Further Information Received on 19 October, 2022

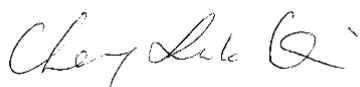
1. Green Power, a local charitable green group, submitted our comment regarding two above-captioned Section 12A applications (the two Applications) located within and adjoining Wetland Buffer Area (WBA) of Mai Po and Inner Deep Bay Ramsar between Fairview Park and Ngau Tam Mei Drainage Channel (Application Sites) on Mai Po & Fairview Park Outline Zoning Plan (No. S/YL-MP/6) dated 17 June 2022. We would like to reiterate our grave concerns again about the further information received by Town Planning Board on 19 October, 2022:
 - (i) Application No. **Y/YL-MP/7** – to rezone the application site from "Recreation" and "Residential (Group C)" to "Residential (Group C) 1", and
 - (ii) Application No. **Y/YL-MP/8** – to rezone the application site from "Recreation" to "Residential (Group C)1".
2. Regarding Y/YL-MP/7 (adjoining WBA), the site area is 43,463 sq. m including 4,342 sq. m Government land (10.0%). 9 blocks of high-rise building (not more than 16 storeys) and 2 blocks of low building (not more than 2 storeys) are proposed to be built.
3. Regarding Y/YL-MP/8 (within WBA), the site area is 45,627 sq. m including 2,385 sq. m Government lands (5.2%). A landscape pond not less than 6000 sq. m (13.2%) is proposed in southern part of the Application Site and 9 blocks of high-rise building (not more than 16 storeys) and 1 blocks of low building (not more than 1 storeys) in the residential area.
4. The two Application Sites are contiguous. Thus, the total area of two sites is 89090 sq. m including 6727 sq. m. government land (7.6%). The combined application site has a landscape pond of not less than 6000 sq. m (6.7%). The total residential area in the two Applications is 83090 sq. m (93.3%).

5. The Application Y/YL-MP/8 fall within the Wetland Buffer Area (WBA) of the Deep Bay Area that serves an ecological function to protect the globally important wetland — the Mai Po Ramsar site. According to the Town Planning Board Guideline (TPB PG) 12B, WBA intends to “...prevent development that would have a negative off-site disturbance impact on the ecological value of fish ponds”(Section 6.4).
6. The Application Site, which is designated as WBA under TPB PG 12B, only partly fulfills the recommendation for wetland restoration (Section 6.7.1), “*Development proposals to restore lost fish ponds or to replace existing undesirable uses by wetland habitats are encouraged*”, as only 6.7% of the site (6000 sq. m) is proposed for landscape pond in view that 7.6% of the two Application Sites is government land. We opine that the government land in WBA should be to serve public’s interest of wetland conservation. Also, enhancement of wetland ecology should be promoted but the ecological function of landscape pond is doubtful. Therefore, the two Applications may not be able to fulfill this recommendation both qualitatively and quantitatively.
7. According to the Section 9.1.2, EXPLANATORY STATEMENT of MPFPOZP, “*To be compatible with the rural character of the surrounding areas, developments in this zone(R/C) are restricted to a maximum plot ratio of 0.4,.....and a maximum building height of 3 storeys*” that is the highest development density of residential land use in MPFPOZP. The drastic relaxation of the two Applications for these development constraints is not supported by convincing planning and environmental reasons.
8. Development of 18 blocks of high-rise buildings at the two Application Sites is proposed by the two Applications with plot ratio approaching 1.2 that will very likely breach the statutory limits of plot ratio and building height of MPFPOZP. Therefore, the two applications are not compatible with both the TPB PG and the zoning intention and restrictions of MPFPOZP. In particular, the high-rise buildings in the two Application Sites may interfere the flight paths of the birds that are the target taxa of Ramsar Site.
9. The two Applications are anticipated to provide a total of 2477 (1228 + 1249) residential units (Executive Summary, submitted document of the Application) which will accommodate a population of about 6700 (2.7 persons per household, 2021 Population By-census). However, “*the planned population in the Area will be about 32,700 persons.*” (Section 6.2, EXPLANATORY STATEMENT of MPFPOZP). According to the 2001 Population Census, the population of the Area was about 24,800 persons (Section 6.1, EXPLANATORY STATEMENT of MPFPOZP). Therefore, the proposed population of the two Applications will very likely exceed of the planned population of the whole Scheme Area of MPFPOZP. Together with existing population in MPFPOZP, existing infrastructure, utilities and transport system in Yuen Long area cannot support such substantial increase in population.
10. A total of 803 (413 + 390) vehicle parking spaces will be provided in the two Application Sites. The accommodated vehicles will deteriorate the air quality, impose noise impacts on humans and wildlife arising from increased traffic flow, and worsen the traffic congestion problems of Yuen Long area during the operational phase of the proposed development.

11. According to Section 8.4, EXPLANATORY STATEMENT of MPFPOZP, “*In the designation of various zones in the Area, other than the recommendation of the Fish Pond Study, consideration has been given to the..... existing settlements, land status, availability of infrastructure, local development pressures.....*”. Therefore, the two Applications are not supportable by existing infrastructure.
12. We opine that the Board’s decision should comply with the TPB PG 12B, in which “*development/redevelopment which may have negative impacts on the ecological value of the WCA would not be supported by the (Town Planning) Board, unless the ecological impact assessment can demonstrate that the negative impacts could be mitigated through positive measures*”.
13. The two Applications should demonstrate their associated ecological benefits. Its ecological objectives, i.e. target taxa/species, habitat types, should be stated so that the master layout and management plan of the proposed restored wetland can be assessed accordingly. Adequate size and feasible long-term operation and maintenance of proposed restored wetland area should be available, and corresponding management and financial responsibility should be clarified and confirmed.
14. The two Application Sites are adjacent to Ngau Tam Mei Drainage Channel which flows into Deep Bay and Ramsar Site. Effluent from the two Application Sites will increase the pollution loading of Deep Bay with pollutants such as vehicle fuel and lubricating oil, fertilizers and pesticides that will breach Zero Discharge Policy for Deep Bay and affect the ecology of Ramsar Site.
15. 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. Thus, the Applications add on this threat.
16. In view of the foreseeable rise in sea level and increased flood risk brought about by climate change, the proposed development should neither weaken the climate resilience of Deep Bay Area nor impose flood risk in the Application Sites and neighbouring areas.

Thank you very much for your kind attention. For any inquiries, please contact the undersigned at Green Power (T: 3961 0200, F: 2314 2661, Email: lkcheng@greenpower.org.hk).

Yours faithfully,



CHENG Luk-ki
Director, Green Power