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The Conservancy Association

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27th August 2010

Town Planning Board
15/F North Point Government Offices
333 Java Road
North Point
Hong Kong

By Fax: 28770245/25228426

Dear Sir/Madam

Re: Comments on the Section 12A Application No. Y/YL-PN/3

The Conservancy Association (CA) would OBJECT to Section 12A Application Y/YL-PN/3.

The entire rezoning proposal deviates the general planning intention of Pak Nai. According to Sheung Pak Nai and Ha Pai Nai Outline Zoning Plan (OZP), the general planning intention for the area is *“to identify areas where appropriate forms of agriculture and rural activities can be sustained as a means to avoid unwanted urban growth, to enhance quality of the environment, and to preserve the scenic and landscape value of the unspoiled natural features”*. From introducing considerable amount of residential blocks to road widening work, the plan would certainly turn Pak Nai into the landscape full with various human disturbances.

It should be clearly clarified, from TPB-PG-No.38, that the planning intention of OU(RU) is *“intended primarily for the preservation of the character of the rural area. Uses or developments compatible with the rural landscape, such as passive recreation uses and a selected range of rural uses, may be allowed on application to the Town Planning Board, with a view to upgrading or improving the area or providing support to the local communities.”* With the residential area occupying 40.9% of the site which contain considerable amount of active agricultural land and orchard, the existing social community relying on farming would be demolished in total. Finally, the entire rural coastal plain

landscape with active agricultural activities in Ha Pak Nai would be replaced by comprehensive residential urban landscape, incompatible to the origin of the zoning.

The so-called green elements in the application confuse the concept of conservation. Despite introduction of eco-farm and butterfly world, such fusion in the expense of existing active agricultural land and fruit trees should not be encouraged. Even the creation of butterfly world in proximity to 137 residential houses would be beneficial to butterfly species remains in question. While the residential development will affect the micro climate, including the air flow, daytime temperature, temperature difference, and humidity, of the surrounding area, especially the near ground level where most butterfly species frequent, they would be subjected to unpredictable impacts. The preservation of woodland and shrub comprising 43.9% of the subject site is another false impression as most of them falls within government land and require no additional effort to conserve.

Pak Nai has long been a site of egretty Little Egret and Chinese Pond Heron, with records of 40 and 10 active nests in bamboo clutch respectively in 2009ⁱ. As mentioned in the application, the active egretty was located about 10m outside the rezoning site. Whether the development would obstruct linkage between nesting colony and potential feeding ground, like fishpond (which might turn into recreational fishing purpose) and intertidal mudflat (where major prey of waterbirds can be found in) requires further understanding on the use of nearby feeding habitat.

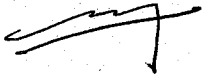
As mentioned in the application, large patches of seagrass bed (*Halophila beccarii*) were identified during the surveys, while the scoping survey in 2008 had identified patches of seagrass very near to the estuaries within the Assessment Area. Moreover, important breeding and nursery ground of horseshoe crabs (*Tachypleus tridentatus*, *Carcinoscorpius rotundicausa*) were spotted at intertidal area within the Assessment Area. While 3 watercourses were identified to run from the work site to the intertidal area, potential change in water quality and hydrology during construction work might ultimately threaten the survival of these species with high ecological importance. Since TPB-PG-No.38 has already mentioned that “Rezoning to “OU(RU)” zone will not be considered for areas adjoining or near to...active farmland, streams, wetlands, marshes...important habitats...if the proposed rezoning will have adverse impact on these areas”, it proves no justifications to accept this rezoning application.

It should not be left without mentioning the fact that Ha Pak Nai archaeological site lies within the development area. Previous archaeological investigation has discovered relics and especially building foundation from Middle-Late Neolithic periodⁱⁱ. In a Legco paper in 2008, Environmental Protection Department even ruled out Pak Nai as a potential site for

Integrated Waste Management Facility (IWMF) because it was located next to the Ha Pak Nai Archaeological Site which is worthy of preservation. It should be again preserved from another proposed plan.

Given the above planning and environmental concerns, this application should not be given any sympathetic considerations.

Yours faithfully



Ng Hei Man
Campaign Officer

ⁱ Anon (2009). Summer 2009 Report: Egretty Counts in Hong Kong with particular reference to the Mai Po Inner Deep Bay Ramsar Site. Report by Hong Kong Bird Watching Society to the Agriculture, Fisheries and Conservation Department, HKSAR.

ⁱⁱ Journal of The Hong Kong Archaeological Society (Vol. XIV) 1993-1997 (1998). Edited and published by the Hong Kong Archaeological Society with the assistance of the Urban Council.