



Mr. LEUNG Tung Choi, Thomas
Head of Land Sharing Office,
Planning and Lands Branch, Development Bureau
(E-mail: Iso@devb.gov.hk)

By email only

14 October 2022

Dear Mr. Leung,

Comments on the proposed housing developments
at She Shan Road and South of She Shan Road, Lam Tsuen, Tai Po, New Territories
(Land Sharing Pilot Scheme Application No. LSPS/003 and LSPS/004)

The Hong Kong Bird Watching Society (HKBWS) objects to the captioned Land Sharing Pilot Scheme applications based on the following reasons.

1 Ecological importance of She Shan and Lam Tsuen area

- 1.1 Both development sites are located within She Shan and Lam Tsuen valley area (the SSLTV Area), where composes of diverse habitats such as active farmlands, inactive farmlands, Fung Shui woodlands, woodlands and river courses. Several sites of conservation interest can be identified in the close vicinity of the two development sites.
- 1.2 The sites are very close to the two registered **Sites of Special Scientific Interest (SSSI)**, namely the **She Shan Fung Shui woodland** and the **Tai Om Tsuen Fung Shui woodland**. SSSIs are the sites with specific biological and/or geological importance. They are identified to *“alert government departments about the scientific importance of such sites, and that due consideration should be given to conservation when developments at or close to these sites are proposed”*.
- 1.3 There are natural rivers and streams (e.g. She Shan River) running through or adjacent to the sites. These watercourses fall within the catchment of **Lam Tsuen River**, where its upper section is recognized by Agriculture, Fisheries and Conservation Department (AFCD) as **Ecologically Important**

Streams (EIS)¹. EIS refers to “*natural streams and rivers with important ecological functions such as providing habitats for diverse or rare animal or plant communities*”. The She Shan River is considered as a part of the Lam Tsuen River system and is of high ecological value.

- 1.4 We urge the Office to take the high ecological sensitivity of the two sites into serious consideration and not to overlook any potential adverse ecological impacts of the high-rise developments on them.

2 High bird diversity and their conservation importance

- 2.1 The SSLTV area, including the two development sites, has been a famous birding hotspot with bird records dating back to the 1950s². The diverse habitats found in the LTV area provide suitable foraging grounds for both residents and migratory birds. This is also one of the reasons why SSLTV area is well-known for open country birds, forest and woodland edge birds. Based on our bird records in the past two decades, a diverse group of birds with over 250 species has been recorded in the SSLTV area, accounting for over 40% of the total number of bird species recorded in Hong Kong. More importantly, 97 of the recorded species are of conservation concern.
- 2.2 A high variety of bird species associated with open-country and farmland habitats were found in this area. These include the globally “Critically Endangered” species **Yellow-breasted Bunting** (*Emberiza aureola*), the globally “Vulnerable” **Rustic Bunting** (*Emberiza rustica*) and **Chinese Grassbird** (*Graminicola striatus*), and also the “Near Threatened” **Japanese Quail** (*Coturnix japonica*) under the IUCN Red List of Threatened Species³. Lesser Coucal (*Centropus bengalensis*), Bluethroat (*Luscinia svecica*), Eurasian Skylark (*Alauda arvensis*), Blue-tailed Bee-eater (*Merops philippinus*), which are classified as Class II protected animal species in Mainland China⁴, were as well recorded in this area. Japanese Yellow

¹ https://www.afcd.gov.hk/english/conservation/con_wet/streams_rivers_hk/Con_NSR/files/11.pdf

² They all provide suitable foraging grounds for both residents and migratory birds, and are considered as of high ecological importance. The Hong Kong Bird Report 1958 by HKBWS. Available at: http://www.hkbws.org.hk/web/chi/documents/bird_report/1958_birdreport_protected.pdf

³ <https://www.iucnredlist.org/>

⁴ List of Wild Animals Under State Protection (promulgated by State Forestry Administration and

Bunting (*Emberiza sulphurata*) of “Global Concern”, White-cheeked Starling (*Spodiopsar cineraceus*) of “Potential Regional Concern” Red-throated Pipit (*Anthus cervinus*) and Golden-headed Cisticola (*Cisticola exilis*) of “Local Concern”⁵ were also found. We therefore consider the openness provided by the existing farmland and rural landscape should be maintained.

- 2.3 Bird species dependent on **wetland habitats** are also recorded. They are the globally “Vulnerable” **Manchurian Reed Warbler** (*Acrocephalus tangorum*), the globally “Near Threatened” **Red-necked Stint** (*Calidris ruficollis*), Mandarin Duck (*Aix galericulata*) and Malayan Night Heron (*Gorsachius melanolophus*) under Class II Protection in Mainland China, Watercock (*Gallinula cinerea*), Von Schrenck's Bittern (*Ixobrychus eurhythmus*) and Slaty-breasted Rail (*Gallirallus striatus*) of “Regional Concern”, Greater Painted-snipe (*Rostratula benghalensis*) of “Local Concern”.
- 2.4 **Woodland birds** including **Tristram's Bunting** (*Emberiza tristrami*) which is regarded as “Near Threatened” in China, **Ferruginous Flycatcher** (*Muscicapa ferruginea*) of “Potential Regional Concern”, and the species of “Local Concern” like **Bay Woodpecker** (*Blythipicus pyrrhotis*), Black-naped Oriole (*Oriolus chinensis*), Amur Paradise Flycatcher (*Terpsiphone incei*), Orange-headed Thrush (*Geokichla citrina*), Lesser Shortwing (*Brachypteryx leucophris*). Other scarce or rare woodland-associated species are Siberian Thrush (*Geokichla sibirica*) and Forest Wagtail (*Dendronanthus indicus*), Indochinese Yuhina (*Yuhina torqueola*).
- 2.5 **Brown Wood Owl** (*Strix leptogrammica*), which prefers “forest, usually dense and undisturbed, generally avoiding areas of human habitation”⁶, was recorded and heard from “fung shui woodland in the Lam Tsuen Valley twice in April 2008, three times in March 2009, once in September 2009 and then in every month between January 2010 and June 2011, except April 2011”. These records of calling, together with “the presence of young birds in four

Ministry of Agriculture on 14 January, 1989).

⁵ Fellowes et al. (2002)

⁶ Holt, D. W., R. Berkley, C. Deppe, P. L. Enríquez, J. L. Petersen, J. L. Rangel Salazar, K. P. Segars, K. L. Wood, and J. S. Marks (2020). Brown Wood-Owl (*Strix leptogrammica*), version 1.0. In *Birds of the World* (J. del Hoyo, A. Elliott, J. Sargatal, D. A. Christie, and E. de Juana, Editors). Cornell Lab of Ornithology, Ithaca, NY, USA. <https://doi.org/10.2173/bow.brwowl1.01>

consecutive years from 2009 to 2012, and the records of birds at three different locations at Tai Mo Shan, Lam Tsuen, and Tai Po Kau demonstrate that Brown Wood Owl is an established, albeit rare, breeding species in Hong Kong".

2.6 **20 raptor species** of conservation interest were also recorded in the Area. They include **Brown Fish Owl** (*Ketupa zeylonensis*), **Oriental Scops Owl** (*Otus sunia*), **Black Baza** (*Aviceda leuphotes*), Crested Honey Buzzard (*Pernis ptilorhynchus*), Grey-faced Buzzard (*Butastur indicus*), Chinese Sparrowhawk (*Accipiter soloensis*), Besra (*Accipiter virgatus*), Eurasian Hobby (*Falco Subbuteo*), which are all regarded as **Class II protected animal species** in Mainland China. Raptors are top predators in the food chain, their presence reflects the terrestrial and river ecosystems in the SSLTV area is in healthy condition, and should be well-protected from habitat destruction and disturbance.

2.7 Such diverse composition of bird species and the presence of the above species of conservation interest in the SSLTV area indicate the diverse natural habitats, particularly the woodland, natural streams and wetland habitats, are providing important roosting and foraging grounds for birds, and forming the Lam Tsuen Valley ecosystem. We therefore consider the birds and their important habitats in the SSLTV area should be adequately protected from any development and potential disturbance.

3 Adverse habitat loss and off-site ecological impacts of the proposed high-rise developments

3.1 The two sites are found with **almost the largest cluster of active farmlands in Lam Tsuen**, mostly vegetated with grassland and trees, and are fed by **She Shan River** (Figure 1, 2). These provide important habitats for many birds of conservation interest as mentioned in paragraph 2, and should be well-protected against development. However, the footprint of the two development sites would inevitably have direct habitat loss in farmlands, inactive farmlands, river and streams and trees.

- 3.2 Moreover, the two developments will result in **37 towers of up to 39-storey high**. There would also be a direct loss in open landscape, which are important to the above mentioned open-country birds.
- 3.3 Given the close distance to highly ecological sensitive sites and species, we are also concerned such **intensity and scale of developments, with an anticipated population of 42,617, would unavoidably create severe off-site impacts (e.g. light, noise, bird collision and human disturbances caused by the construction and operation of high-rise residential buildings and the associated massive population)** on the avifauna which utilize the **surrounding habitats, leading to irreversible habitat degradation of the SSLTV area**. As such, we urge the Office to **reject** the proposed high-rise residential development.

4 Not in line with the statutory planning intention

Under the approved Lam Tsuen outline zoning plan (No. S/NE-LT/11), the sites are located within the AGR zone, where the planning intention is “to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes”⁷. However, the developments would result in a direct loss in farmlands and arable lands, which is also not in line with the planning intention of AGR zone to safeguard agricultural lands and fallow arable lands.

5 Should not encourage “Destroy First, Build Later” at She Shan (Application No. LSPS/003)

The site at She Shan Road of **Application No. LSPS/003** in particular is associated with “**Destroy First, Build Later**”. The site was originally good quality agricultural land but was destroyed by extensive land filling in the early 2000s. From Google Earth aerial photographs, landscape changes including vegetation clearance and land filling were seen at the application site in 2021 (Figure 3). We consider that this is “destroy first, build later”. We are concerned the approval of the current

⁷ https://www1.ozp.tpb.gov.hk/plan/ozp_plan_notes/en/S_NE-LT_11_e.pdf



application would further legitimize the trashing and misuse of the ecological important farmland and natural habitats, leading to the promotion of “destroy first, develop later” attitudes among landowners in the locality.

6 Set an undesirable precedent to the future development

- 6.1 A previous rezoning application at the site (**No. LSPS/003**) to rezone the site from AGR to "Comprehensive Development Area" or "Residential (Group C)" was rejected by the Town Planning Board because it *“would set an undesirable precedent for other similar proposals in the area which would result in loss of good quality agricultural land and there would be cumulative impacts on the existing and planned infrastructure as well as the rural character of the area.”* We consider the concerns of setting undesirable precedent for other similar proposals are still valid.
- 6.2 Meanwhile, the approval of the current applications under Land Sharing Pilot Scheme, would set an undesirable precedent to the future similar applications and legitimize “destroy first, build later” in the She Shan and Lam Tsuen area, and thus nullifying the long-established statutory planning control mechanism. We urge that the Office to reject these applications in order to protect this ecological important area from any development threats.

The HKBWS respectfully requests the Office to take our comments into consideration and **reject** the current application. Thank you for your kind attention.

Yours faithfully,
Wong Suet Mei
Conservation Officer
The Hong Kong Bird Watching Society



cc.

Ms Bernadette Linn, JP, Secretary for Development

Mr. CHUNG Man Kit, Ivan, JP, Dir of Planning

Mr. YAU Cheuk Hang, Vic, J.P., Chairperson, Town Planning Board

The Conservancy Association

Designing Hong Kong

Kadoorie Farm and Botanic Garden

WWF – Hong Kong

TrailWatch

香港觀鳥會 Hong Kong Bird Watching Society

電話 Tel No. +852 2377 4387

電郵 E-mail info@hkbws.org.hk

地址 香港九龍荔枝角青山道532號偉基大廈7C

傳真 Fax No. +852 2314 3687

網頁 Website www.hkbws.org.hk

Address 7C, V Ga Building, 532 Castle Peak Road,
Lai Chi Kok, Kowloon, Hong Kong

香港註冊成立的法定慈善機構及無股本擔保有限公司 A charitable organization incorporated in Hong Kong with limited liability by guarantee



Figure 1. The Google Earth photograph in 2021 reveals that the two sites (approximate locations marked with red circle) are found with almost the largest cluster of active farmlands in Lam Tsuen, mostly vegetated with grassland and trees, and are fed by She Shan River.



Figure 2. The habitat map extracted from the Rivers@HK Database (<https://www.jcwise.hk/gis/?lang=en>) shows that the sites (approximate locations marked with red circle) mostly consist of cultivated area, river course, shrubland and grassland. They are also very close to the Fung Shui Forest (i.e. covering two SSSIs) and Forest habitats.

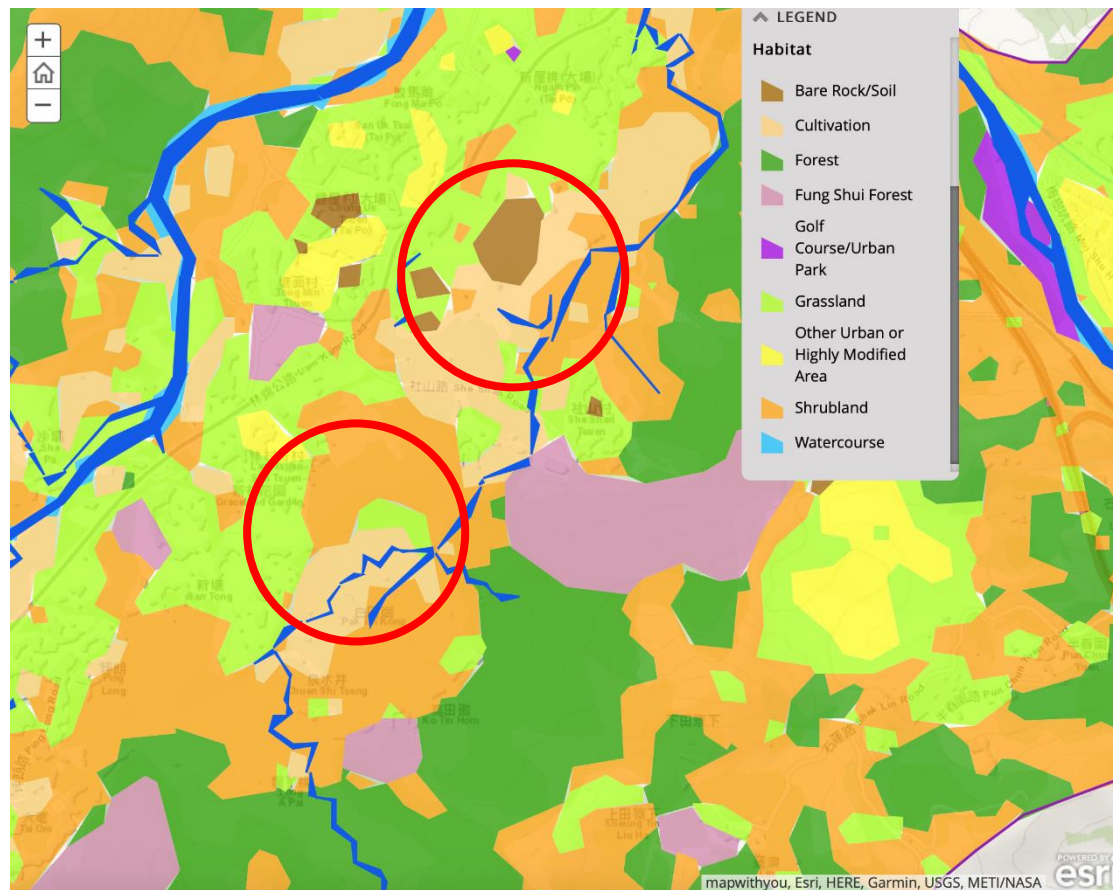


Figure 3. The Google Earth aerial photograph in 2002 and the aerial photo extracted from Hong Kong Map Service 2.0 in 2005 reveal that landscape changes including site clearance and extensive land filling were seen within the site (No. LSPS/003) between 2002 and 2005. This is “destroy first, build later”. We are concerned the approval of this application will set an undesirable precedent to the future applications associated with “destroy first, build later” and nullify the statutory planning control mechanism.

