

Secretary, Town Planning Board  
15/F, North Point Government Offices  
333 Java Road, North Point, Hong Kong  
(E-mail: [tpbpd@pland.gov.hk](mailto:tpbpd@pland.gov.hk))

By email only

18 August 2020

Dear Sir/Madam,

**Comments on the planning application to rezone the application site from "Agriculture" zone to "Other Specified Uses" annotated "Columbarium" zone at Tai Lam, Yuen Long (Y/YL-KTS/7)**

The Hong Kong Bird Watching Society (HKBWS) objects to the rezoning application based on the following reasons.

**1 Not in line with the planning intention of the "Agriculture" (AGR) zoning**

The application site is 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*". From Google Earth aerial photograph in 2017, there are vegetated land at and near the application site (Figure 1). We consider that the site has potential for farmland rehabilitation and should be retained as AGR zoning. However, the rezoning application is proposed for the development of columbarium, which is not in line with the intention to retain land for agricultural purposes, and is incompatible with the surrounding environment. Therefore, we urge the Town Planning Board (Board) to reject this rezoning application.

**2 The Town Planning Board should not encourage "destroy first, build later"**

From Google Earth aerial photograph in 2017 and the site photos taken by the Conservancy Association, landscape changes including vegetation clearance and

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suspected illegal access were seen at and near the application site (Figure 1 and 2). We suspected that this is “destroy first, build later”. We are concerned the approval of the current rezoning application would further legitimize the current misuse of the AGR zone, leading to the promotion of “destroy first, develop later” attitudes among landowners in the locality. As the Board has suggested that “*the Board will not tolerate any deliberate action to destroy the rural and natural environment in the hope that the Board would give sympathetic consideration to subsequent development on the site concerned.*”<sup>1</sup> We urge the Board to reject this application.

### **3 Set an undesirable precedent to the future development**

As the proposed rezoning site and the nearby AGR zone are very close to Tai Lam Country Park, the approval of this application will set an undesirable precedent to the future similar rezoning applications associated with “destroy first, build later” within the AGR zone and cause adverse cumulative impacts to Country Park, and thus nullifying the statutory planning control mechanism. We urge the Board to reject this application in order to protect AGR zone and the nearby ecological sensitive area from any development threats.

### **4 Justifications for the decision and comments made by Government departments and the Board**

According to the Hong Kong Planning Standards and Guidelines (HKPSG), Chapter 10, Section 2.1 (iii), the Board has the responsibility to “*control adjoining uses to minimise adverse impacts on conservation zones and optimise their conservation value*”. We note that all other Government bureaux/departments are also bound to the HKPSG, the Agriculture, Fisheries and Conservation Department (AFCD) and the Planning Department (PlanD) has the responsibility to advise the Board on the ecological and planning aspects in particular<sup>2</sup>. Given AFCD’s mission to conserve natural environment and safeguard the ecological integrity<sup>3</sup> and the proposed

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<sup>1</sup> TPB Press Release. Available at: <http://www.info.gov.hk/gia/general/201107/04/P201107040255.htm>

<sup>2</sup> AFCD Role of Department. Available at: [http://www.afcd.gov.hk/english/aboutus/abt\\_role/abt\\_role.html](http://www.afcd.gov.hk/english/aboutus/abt_role/abt_role.html)

<sup>3</sup> AFCD Vision and Mission. Available at:

development is not in line with the planning intention of the statutory zoning, HKBWS would also expect AFCD and PlanD to object this application. Should AFCD, PlanD or the Board feels otherwise, we urge that the appropriate justifications are provided.

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

Yours faithfully,



Wong Suet Mei  
Assistant Conservation Officer  
The Hong Kong Bird Watching Society

cc.

The Conservancy Association  
Designing Hong Kong  
Kadoorie Farm and Botanic Garden  
WWF – Hong Kong  
TrailWatch

**Figure 1.** The Google Earth aerial photograph in in 2017, there are vegetated land at and near the application site (indicated by red circle). We consider that the site has potential for farmland rehabilitation and should be retained as AGR zoning. However, the rezoning application is proposed for the development of columbarium, which is not in line with the intention to retain land for agricultural purposes, and is incompatible with the surrounding environment.



**Figure 2.** The site photos in August 2019 retrieved from the official website of the Conservancy Association show that there are vegetation clearance at the application site (indicated by blue circle) and suspected illegal access near the application site. We suspected that this is “destroy first, build later”. We are concerned the approval of the current rezoning application would further legitimize the current misuse of the AGR zone, leading to the promotion of “destroy first, develop later” attitudes among landowners in the locality.

