

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

By email only

20 July 2021

Dear Sir/Madam,

**Comments on the planning application for the proposed Field
Study/Education/Visitor Centre at Pak Lap (A/SK-PL/1)**

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

1 Not in line with the planning intention of the “Agriculture” (AGR) zoning

- 1.1 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”.
- 1.2 Moreover, referring to the minutes of the 1244th Meeting of the Town Planning Board held on 23rd April 2021, after considering the representations and comments, the Town Planning Board (Board) decided that “it was necessary to provide a buffer to protect the stream on the FR Site as it discharged into Pak Lap Wan which had very good water quality and the high ecological value of the surrounding Country Park” and ‘it is considered appropriate to rezone the FR Site from “V” to “AGR” for provision of a buffer to the stream’. We consider this intention to buffer the stream is applicable in the entire AGR zone in Pak Lap.
- 1.3 However, the proposed hospitality development is not in line with the above intention to retain land for agricultural purposes, and it would also

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undermine the intended buffering functions of AGR zoning to protect the steam and Pak Lap Wan against adverse environmental impacts from undesirable developments. Therefore, we urge the Board to reject this application.

2 Adverse environmental impacts from the proposed hospitality development

- 2.1 The proposed hospitality development consists of three building blocks (i.e. a 4-storey “Hakka Tulou” with height of 20.15mPD, a 4-storey “Wind and Rain Bridge” with height of 20.15mPD and a 1-storey Stage with height of 15.2mPD), Sewage Treatment Plant, Holding Tank, pumping mains, Wetland and Observation Deck, etc. The construction of all the above buildings and facilities would probably involve extensive land excavation, site formation, re-profiling, construction of permanent structures, etc.
- 2.2 The footprint of the proposed development would lead to a **permanent and direct loss** in arable land. During the construction phase, the earth works and construction works would cause potential adverse noise and drainage impacts on the surrounding Sai Kung East Country Park, and also water pollution to the nearby stream which flows into Pak Lap Wan. However, the applicant did NOT conduct assessments on the environmental impacts created during construction phase, and explained that *“the Project is relatively small in scale”* and there would have *“no adverse environmental impact during the construction...with the implementation of proper site practices and standard pollution control measures”*. We consider the environmental impacts of the proposed development would be greatly underestimated.
- 2.3 During the operation phase, the two large building blocks with 4-storey high are clearly incompatible with the surrounding fallow farmlands and rural environment, which is generally 2 to 3-storey high. However, from the provided photomontages, instead of choosing a proper vantage point that hikers could really see the application site from the hill along the hiking trail (Figure 1), the applicant picked a vantage point that the site could not be seen. We consider the visual impact assessment is misleading and there are clearly irreversible visual and landscape impacts on the Country Park and

Geological Park.

- 2.4 Besides, It is stated in the document submitted by the applicant that *“there will be a total population of 300 persons (including visitors and staff) at the Nature Education Park, with a maximum of 240 overnight visitors (Block 1 and camping) and 10 day-visitors.”* We are concerned the associated population/visitors, especially the maximum of 240 overnight visitors at once, would significantly increase the disturbance (i.e. noise, light pollution, water pollution, domestic waste and sewerage, etc) to the surrounding natural environment.
- 2.5 Furthermore, the applicant only mentioned that the expected daily flow was 58.2m³, and *“the most appropriate sewage treatment process is considered to be a Membrane Bio-Reactor package sewage treatment plant and this will be the proposed treatment process for the development”*. However, there is no further information to indicate the minimum size and scale of the proposed treatment plant and to explain how the solid waste and residue generated from the treatment plant would be handled/transported.
- 2.6 The sewage layout plan in Figure 2 of the Sewerage Drainage Impact Assessment indicate that there is **NO** sewage pump sump and pumping mains connecting to the proposed sewage treatment plant for Block 3, which was planned to have changing rooms and both male and female toilets (including disabled toilets) according to the planning statement and layout plan for Block 3 (Figure 2). It is unclear if the sewage impact assessment has also taken them into account, and how would those generated sewage be treated.

3 Ecological impact assessment are missing

Pak Lap, where is encircled by Sai Kung East Country Park on three sides and connecting to the Pak Lap Wan, is of ecological importance. According to the planning statement submitted by the applicant, there are *‘scattered colonies of water fern are found at the wetland habitat of the “AGR” zone to the south of the northeastern “V” zone area’*. Water Fern *Ceratopteris thalictroides* is of conservation significance and is under Class II national protection. However, no comprehensive ecological impact assessment is provided to prove that the

proposed hospitality development would not have adverse impacts on the ecology of Pak Lap, the connecting country park and Pak Lap Wan. Given the ecological sensitivity of Pak Lap, we are concerned the current proposed development would cause adverse ecological impacts on all the ecological sensitive receivers within and near Pak Lap.

4 The Town Planning Board should not encourage “destroy first, build later”

- 4.1 The application site was previously wet agricultural land of conservation value, but then affected by eco-vandalism including unauthorized land excavation/filling activities and drainage works in the past ten years. In 2020, the application site was found with suspected unauthorized hobby farm development. We consider that this is “destroy first, develop later”.
- 4.2 In the 1244th Meeting of the Town Planning Board held on 23rd April 2021, the Board’s members suggested that *“allowing more intensive levels of development after extensive devastation of an area was fundamentally wrong”*. Besides, the Board has also 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.”*
- 4.3 The approval of the current application would further legitimize the current misuse of the AGR zone within Country Park Enclave, leading to the promotion of “destroy first, develop later” attitudes among landowners in the locality. We urge the Board to reject this application.

5 Set an undesirable precedent to the future development

As there are arable AGR land nearby, the approval of this application will set an **undesirable precedent** to the future similar applications within the AGR zone in Pak Lap, and thus nullifying the statutory planning control mechanism to buffer the stream from adverse environmental impacts. More importantly, this would also set a **bad precedent** to the applications associated with “Destroy First, Build Later” within AGR zone in other Country Park Enclaves. We urge the Board to reject this application in order to protect AGR zone and the connecting ecological sensitive stream and beach from any development threats.

6 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 (ii), the Board has the responsibility to, “*restrict uses within conservation zones to those which sustain particular landscapes, ecological and geological attributes and heritage features*”, and (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, and the Agriculture, Fisheries and Conservation Department (AFCD) and the Planning Department (PlanD) have the responsibility to advise the Board on the ecological¹ and planning aspects in particular. Given AFCD’s mission to conserve natural environment and safeguard the ecological integrity², and the proposed development is not in line with the planning intention of the statutory zoning, HKBWS would also expect AFCD and PlanD to object to this application. Should AFCD, PlanD or the Board feels otherwise, we urge that the appropriate justifications are provided.

HKBWS trusts that the Board “*would carefully scrutinize the impact of planning applications on the “AGR” zones of Pak Lap considering its CPE background*”³, and we respectfully requests the Board to take our comments into consideration and **reject** the current application for hospitality development. Thank you for your kind attention.

¹ AFCD Role of Department. Available at:
http://www.afcd.gov.hk/english/aboutus/abt_role/abt_role.html

² AFCD Vision and Mission. Available at:
http://www.afcd.gov.hk/english/aboutus/vision_mission/abt_vision_mission.html

³ https://www.info.gov.hk/tpb/en/meetings/TPB/Minutes/m1244tpb_e.pdf

Yours faithfully,

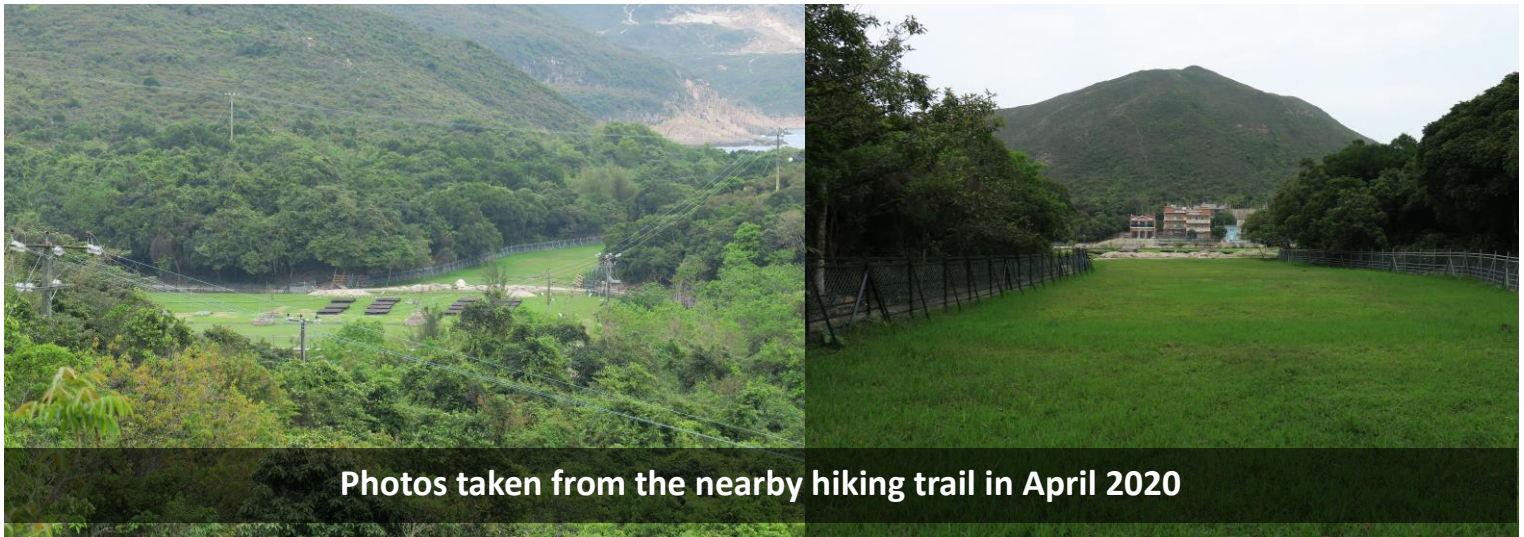
A handwritten signature in black ink that reads "Suet Mei". The letters are cursive and slightly slanted.

Wong Suet Mei
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. Instead of choosing a proper vantage point that hikers could really see the application site from the hiking trail (Upper), the applicant picked a vantage point that the site could not be seen (Bottom).

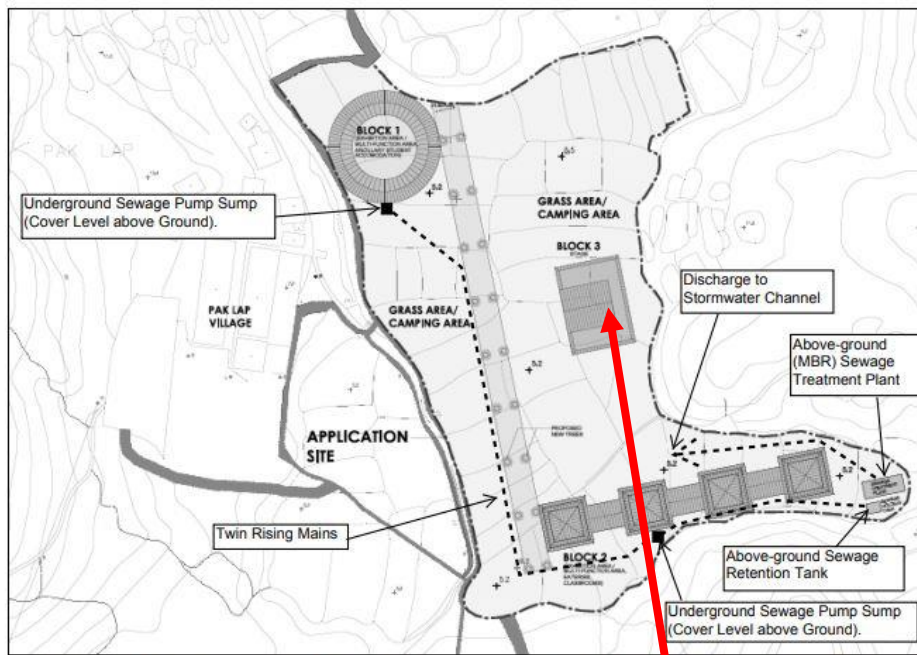


Photomontage provided by the applicant



FIGURE 9 VIEWPOINT 5 : VIEW FROM PAVILION ON SAI KUNG MAN YEE ROAD

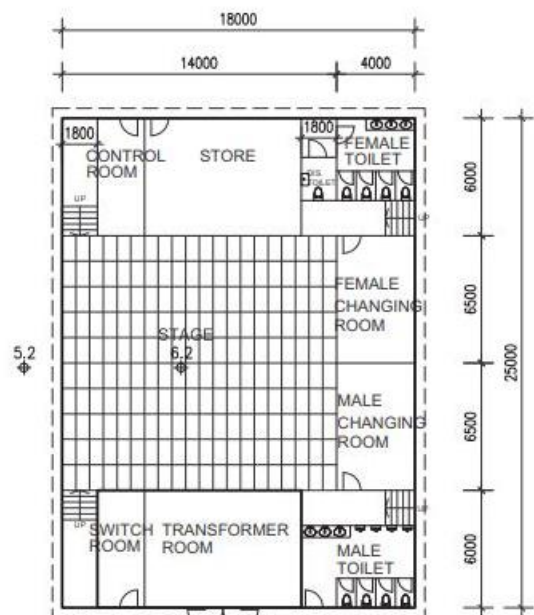
Figure 2. The sewage layout plan (Upper) indicate that there is **NO** sewage pump sump and pumping mains connecting to the proposed sewage treatment plant for Block 3, **which was planned to have changing rooms and both male and female toilets** (including disabled toilets) according to the planning statement and layout plan for Block 3 (Bottom). It is unclear if the sewage impact assessment has also taken them into account, and how would those generated sewage be treated.



Proposed Sai Kung Pak Lap Nature Education Park

Sewage Collection, Treatment and Disposal Arrangement

Figure 2



GROUND FLOOR PLAN

SCALE: 1:300