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WWF's Submission to Legco Panel on Development

Special meeting on North East New Territories New Development Areas Planning and Engineering Study on 8 December 2012

1. WWF welcomes land resumption for conservation

WWF in principle welcomes the proposal to resume land by the Government to facilitate long-term conservation management on private land. The NDAs study proposes the core area of the Long Valley (LV) as Other Specified Uses (Nature Park) that requires land resumption of 37 ha area. It is noted the planning intention for the Nature Park will focus on education and conservation. WWF considers tourism should not be the main focus¹. Moreover, WWF considers that the Government should treat the approach of "land resumption" in NDAs study as a "pilot case" instead of a "special case"² for enhancing nature conservation in Hong Kong.

2. The Need for a CBD-compliant Nature Conservation Policy

WWF believes that a holistic nature conservation policy, with mainstreaming biodiversity into cross-bureau (e.g. Environment Bureau and Development Bureau) strategies and policies in compliance with Convention of Biological Biodiversity (CBD), is crucial for identifying effective measures for enhanced conservation of ecologically important sites under private ownership.

3. Crucial ecological data not revealed during public consultation

It is also noted that the environmental impact assessment process for this study is still ongoing while the findings of ecological baseline surveys have yet to be made available for public inspection. WWF considers that it is inappropriate for the Government to enter into the final stage of the public engagement exercise without providing the ecological baseline information. Without such essential information, the effectiveness of public consultation may become questionable as the information available for public inspection is incomplete.

4. Kwu Tung North NDA

¹ Planning Department Green Group Briefing on 23 July 2012

² Planning Department Green Group Briefing on 23 July 2012

Zoning Issues

A) North of Sheung Yue River should be better conserved

LV ecosystem is widely known to be ecologically important, particularly to wetland dependent birds, including Globally Threatened Species and Regionally Important Species³. The birds are largely dependent on wetlands including fishpond, wet agricultural land and marshland in LV.

1. The area contains a diverse habitat mosaic such as wet and dry agricultural lands, active and abandoned agricultural lands, fishponds, marshes, irrigation channels, shallow waters, paddy fields, lotus ponds and waterflea ponds, providing a wide range of roosting, breeding and foraging habitats for wildlife such as small mammals, birds, amphibians and reptiles.
2. Particularly, the wet agricultural lands to the north of the Sheung Yue River and LV together support 286 bird species⁴.
3. The agricultural lands at LV and north to the Sheung Yue River are in fact one of the key feeding locations for egrets and herons nesting at Ho Sheung Heung Egretty⁵. (Figure 2)
4. Agricultural land to the north of Sheung Yue River and core part of LV are of similar ecological value, both ranking from moderate to high⁶ (Figure 3).
5. LV is potentially ecologically connected with Deep Bay wetlands through the Sheung Yue River where waterbirds can move between the two areas⁷.
6. LV is also one of the largest remaining breeding habitats for Greater Painted-Snipe⁸.

The area to the north of Sheung Yue River and core part of LV largely consisted of wet agricultural farmlands which formed the major and integral parts in the LV ecosystem, with both areas considered having high, or moderate to high, ecological value according to Planning Department (Figure 1), It is noted that the agricultural land located to the north of Sheung Yue River is proposed to be zoned as Agriculture (AGR)⁹ (Figure 2) while core part of LV is proposed to zone as Other Specified Use (Nature Park). WWF considers the planning intention of Other Specified Use (Nature Park) should have the clear purpose of conserving and enhancing the ecological values of LV.

³ See Paragraph 7.4.20-26 of Final SEA Report (May 2000) of Second Railway Development Study.

⁴ Hong Kong Bird Watching Society (HKBWS) and Conservancy Association (CA) press release on 9 August 2012

⁵ *Ibid*

⁶ *Ibid*

⁷ *Ibid*

⁸ Carey et al., 2001. *The Avifauna of Hong Kong*. Hong Kong Bird Watching Society, Hong Kong.

⁹ Stage 3 Public Engagement Digest, p.7

WWF is seriously concerned that the Government's proposal to designate the two parts into AGR and Other Specified Use (Nature Park) zoning will adversely affect the integrity of LV ecosystem. We are of strong view that these two widely recognized ecologically important areas, that is the core part of the LV (the proposed Nature Park) and the area to the north of Sheung Yue River which mainly composes of wet-agricultural farmlands, should be designated as Other Specified Uses (Nature Park) for proper protection of these agricultural lands of ecological importance. WWF urges the Government to adopt the best practices to maintain and enhance the ecological value of LV.

B) Development pressure on the Ma Tso Lung stream and the marshy area adjacent to Ma Tso Lung San Tsuen

According to the Public Engagement Digest¹⁰, a connecting road to Lok Ma Chau Loop will be constructed at the northwest of Kwu Tung North NDA. It is noted that the proposed road will cut through the marshy area adjacent to the Ma Tso Lung San Tsuen while the lower section of the Ma Tso Lung stream that runs through the marshy area will also be affected. WWF views this construction will pose significant negative impacts on the natural habitats of the marshy area and the stream that have been identified as of moderate and moderate-to-high ecological value respectively¹¹.

The ecological importance of the area has been recognized in the land use study of the Frontier Closed Area (FCA) conducted by the Planning Department where a number species of conservation importance have been recorded in the area¹².

WWF is seriously concerned that further damage to the integrity of the area, such as the proposed connecting road, will result in habitat fragmentation and reduce the habitat quality and affect the associate species consequently. Thus the proposed road link is not acceptable considering its effect on habitat fragmentation. WWF considers that alternative options should be considered, such as a tunnel passing or shifting the alignment farther from the marshy area and stream to avoid fragmentation of the natural habitats over the Ma Tso Lung San Tsuen.

C) Ma Tso Lung Stream and buffer should be zoned as CA

¹⁰ North East New Territories New Development Areas Planning and Engineering Study - Stage 3 Public Engagement Digest p.8

¹¹ Planning Department Green Group Briefing on 23 July 2012

¹² Land use study of the Frontier Closed Area (FCA)

WWF views that any section of the Ma Tso Lung stream which is of moderate-to-high ecological value should be zoned as Conservation Area (CA) instead of designating as Green Belt (GB) with 30 m buffer suggested by the Government¹³ (Figure 3). We opine that the stream and its vicinity should be effectively conserved so as to avoid potential development pressure, both legal and illegal, on the stream triggered by the NDAs. We also urge the Government to remove the suggested zoning of Potential Activity Centers at the north of the NDA and retain the current zoning as a Green Belt for this section to act as a buffer to the proposed zoning of OU (Research & Development in Support of Lok Ma Chau Loop).

Other Regulatory and Management Issues

A) Regulatory measures to manage human disturbance at the proposed Nature Park

According to the public engagement digest¹⁴, it is mentioned that “*Long Valley will be designated as Other Specified Uses (Nature Park). One of the objectives of Long Valley Nature Park is “to maintain and enhance this part of the Priority Site for Nature Conservation”.* On the other hand, we learned from the Planning Department that the Nature Park will be divided into various zones with a hierarchy of public accessibility, namely “Visitor Center”, “Visitor Zone”, “Public Access Zone” and “Limited Access Zone”¹⁵.

However, there is no working definition in the plan to clarify the operation of these zones in terms of visitor management such as visitor number control and managing disturbance from human activities. We are of serious concern that any excessive level of recreational or tourism activities in the Nature Park may result in high human disturbance to wildlife and the associated habitats and override the conservation benefits of the proposed Nature Park.

B) Compatibility assessment of agricultural activities in Long Valley

According to the press release on 16th August 2012, it is found that the Government has proposed that those farmers who would be affected by the NDAs development would obtain the opportunities to continue farming in the proposed Nature Park and two tracts of land to the north and south of the Nature Park where the current management practices are mainly wet agriculture. Since the farming practices of dry-land agriculture are different from wet-land agriculture, the farmers using dry-land agricultural practices are likely to continue such agricultural activities.

¹³ Planning Department Green Group Briefing on 23 July 2012

¹⁴ Stage 3 Public Engagement Digest, p.6

¹⁵ Planning Department Green Group Briefing on 23 July 2012

It is important to note that many farmers from other affected areas e.g. Ping Che/Ta Kwu Ling or Fanling North practice dry-land agriculture and if they are to move to LV, it is likely to result in the existing wet agricultural farmland turning into dry ones and leading to a reduction in the ecological value of the lands. Any agricultural activities proposed in this area must be assessed to ensure it is compatible with wetland habitat environment in LV.

5. Fanling North NDA

Best practice should be demonstrated in re-creating Egret habitat in Man Kam To

In Fanling North NDA, a roundabout is proposed to be constructed at the Man Kam To Egret. According to the latest record, the egret is a home to more than 20 pairs of breeding egrets¹⁶. In the Stage 3 Public Engagement Digest¹⁷, it is suggested to build an alternative egret at the meander on the western part of the NDA for replacing the Man Kam To Egret that would be affected by the traffic at the roundabout. The consultant suggested the compensation egret would be constructed by planting Bamboo (*Bambusa eutuldoides*) and placing egret decoys to attract egrets to breed on the compensation egret¹⁸. Based on the current setting of the location for the proposed compensation egret, the land is at least 3 meters lower than the level of the nearby access road. We are concerned that various disturbance (human or traffic) would potentially affect the effectiveness of the compensation egret for ardeids' roosting or breeding.

We are of strong view that the Government has to demonstrate and prove that the alternative egret at the meander being fully functional and effective before proceeding to the construction of the roundabout which will directly affect the Man Kam To Egret.

6. Ping Che and Ta Kwu Ling NDA

Avoiding habitat fragmentation

The project proponent proposed to build a connecting road between Ping Che/Ta Kwu Ling and Laintang/Heung Yuen Wai Boundary Control Point. The connecting road will cut across a large piece of contiguous grassland where restricted grassland specialist Chinese Grassbird *Graminicola striatus* was recorded¹⁹. The species is the only native breeding bird

¹⁶ Anon, 2012. *Summer 2011 Report. Egret Counts in Hong Kong with particular reference to the Mai Po Inner Deep Bay Ramsar Site*. Report by The Hong Kong Bird Watching Society to the Agriculture, Fisheries and Conservation Department, Hong Kong Special Administrative Region Government

¹⁷ Stage 3 Public Engagement Digest, p.3

¹⁸ Planning Department Green Group Briefing on 23 July 2012

¹⁹ Allcock, J.A. 2009. 'Farmland Birds' in L.C. Wong, V.W.Y. Lam, and G.W.J. Ades (Eds.) *Ecology of the*

species in Hong Kong listed in the IUCN Red List (AFCD, 2012)²⁰. Apart from Chinese Grassbird, WWF also recorded the Yellow-streaked Warbler *Phylloscopus armandii*, which is a scarce passage migrant, and an uncommon resident the Asian Barred Owlet *Glaucidium cuculoides* in and around the area in Spring 2012.

WWF views that building the connecting road will lead to serious habitat fragmentation for the species of conservation concern. The government should consider alternative connecting road to the boundary control point to avoid any negative ecological impacts.

Birds of Hong Kong. Hong Kong: Kadoorie Farm and Botanic Garden.

²⁰ AFCD, 2012. *Study on the Distribution and Habitat Characteristics of the Chinese Grassbird (Graminicola striatus, 大草鶯) in Hong Kong*. Agriculture, Fisheries and Conservation Department. Hong Kong Biodiversity 22: 1-9.

Figure 1. Table showing the ecological values of habitats of Kwu Tong North NDA (presented during the Planning Department Green Group Briefing on 23 July 2012)

Habitats Ecological Value - KTN		
Habitat		Ecological Value
Long Valley	Wetlands at Long Valley	High
	Drier fields at Long Valley	Moderate
Agricultural Land (excluding Long Valley)	Agricultural land to the north of Sheung Yue River	Moderate to High
	Agricultural land to the south of Long Valley	Low
Ponds (excluding Long Valley)	Ponds north of Sheung Yue River	Moderate
	Other ponds at Kwu Tung North (excluding Long Valley)	Low
Mitigation Wetland		Moderate
Marsh	Marsh - Kwu Tung North (excluding Long Valley)	Moderate
Natural Stream	Ma Tso Lung stream	Moderate to High
	Other Stream at Kwu Tung North	Low to Moderate
Channelized Watercourses	Sheung Yue River	High
	Other channelised streams	Low to Moderate
Grass Land, Grass Land/Shrubland, Shrubland	Grass Land, Grass Land/Shrubland, Shrubland	Low
	Shrubland on Crest Hill	High
Fung Shui Wood	Ho Sheung Heung Fung Shui wood	Moderate
	Kam Tsin Fung Shui wood and Tsung Pak Long Fung Shui wood	Low to Moderate
Secondary Woodland		Moderate
	Less disturbed patches of plantation	Moderate
Plantation	Areas of plantation close to developed areas	Low
Mitigation Plantation		Low to Moderate
Orchard		Low
Waste Ground		Very Low
Village Area and Urban Residential Area		Very Low

Figure 2. The Recommended Outline Development Plan (RODP) of Kwu Tung North NDA (AGR zone to the north of Sheung Yue River is pointed with red arrow)

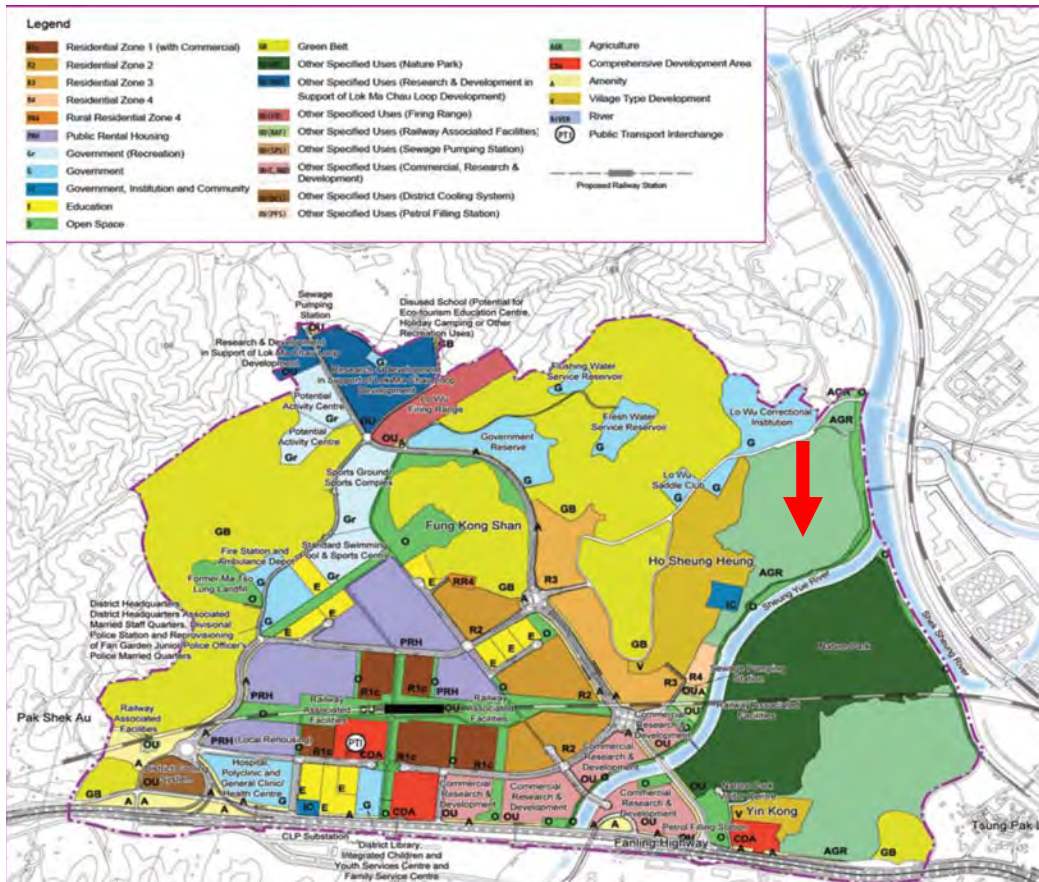


Figure 3. The suggested Green Belt Zoning of the Ma Tso Lung Stream and its riparian zones (presented during the Planning Department Green Group Briefing on 23 July 2012)

