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世界自然基金會  
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30 Oct 2013

**Submission to The Panel on Development on  
the Hung Shui Kiu New Development Area Planning and Engineering Study  
for meeting on 5 November 2013**

Clerk to the Panel on Development  
Legislative Council Secretariat,  
2/F Legislative Council Complex,  
1 Legislative Council Road,  
Central, Hong Kong.  
**(E-mail: panel\_dev@legco.gov.hk)**

**By E-mail ONLY**

Dear Sir/Madam,

WWF would like to express our views and concerns on the Planning and Engineering Study on Hung Shui Hiu New Development Area (the NDA).

### **1. Mainstreaming Biodiversity**

The UN Convention on Biological Diversity (CBD) has extended to Hong Kong under People's Republic of China on 9 May 2011. In the 2013 Policy Address, the HKSAR Government has committed to formulate the Biodiversity Strategy and Action Plan for Hong Kong and conservation of land ecology will be emphasized in major government policies<sup>1</sup>, echoing Article 6 of the Convention which requires Parties to ensure that BSAPs are mainstreamed into the planning and activities of all those sectors whose activities can have an impact (positive and negative) on biodiversity<sup>2</sup>. Therefore, biodiversity conservation should be promoted according to the principles and practices of the CBD. WWF considers that the avoidance principle and the ecosystem approach should be adopted as guiding principles in the Study at an early stage to prevent potential damage to the environment.

### **2. Potential ecological impacts to the egrettries in and around the NDA**

<sup>1</sup> See Para. 146. 2013 Policy Address. <http://www.policyaddress.gov.hk/2013/eng/p146.html>

<sup>2</sup> Convention on Biological Diversity. <http://www.cbd.int/nbsap/>

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Three egrettries at San Sang Sun Tsuen, Ngau Hom Shek and Ngau Hom Sha are respectively located inside and in the proximity of the NDA. The colony of the San Sang Sun Tsuen egrettry was discovered in 2012<sup>3</sup> with 10 nests had been recorded in this breeding season<sup>4</sup>. With reference to the Digest<sup>5</sup>, it is found that the egrettry will be surrounded by public housing. Alongside with the potential isolation by the development and blocking the flight paths, we are worried that the egrettry will be disturbed by human activities. It is recognized that the presence of human in close vicinity of nesting colony in early stage of breeding season may discourage the *ardeids* from attempting to nest<sup>6</sup>. Besides, the egrettry is proposed to be retained and designated as “Green Belt”. However, we view that the egrettry and its surrounding habitats should be protected from direct impacts from development by zoning into “Conservation Area” instead of “Green Belt”.

Regarding the Ngau Hom Shek and Ngau Hom Sha egrettries, both of them are located to the northwest of the proposed NDA with around 500 metres in distance. The colony of the Ngau Hom Sha was newly discovered in 2012 with 6 nests recorded<sup>7</sup>. Since Ardeid’s populations and breeding success are closely related to food availability and the habitats available for foraging, while local studies reported that the foraging distances for egrets and herons range from about 2 km to 4 km<sup>8</sup>, we view that potential impacts to all captioned egrettries subject to the NDA development should be explicitly evaluated and addressed. Comprehensive studies should be conducted to provide information about the use of egrettry and the egrets' feeding areas; assess the development impact to breeding and roosting ardeids and as carrying out flight-line surveys to investigate if the development would intercept the flight lines.

### **3) Rehabilitation of the river channels**

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<sup>3</sup> Summer 2012 Report: Egrettry Counts in Hong Kong with particular reference to the Mai Po Inner Deep Bay Ramsar Site. Mai Po Inner Deep Bay Ramsar Site Waterbird Monitoring Programme 2012 – 13.

<sup>4</sup> Data was provided by the consultant of the Study during the NGO meeting for the Stage 2 Community Engagement Digest July 2013.

<sup>5</sup> Stage 2 Community Engagement Digest July 2013, p.20.

<sup>6</sup> Captain, L. C. Wong and Luke, C. K. Woo. 2003. Egrettry Counts in Hong Kong with particular Reference to the Mai Po Inner Deep Bay Ramsar Site Summer 2003.

<sup>7</sup> Summer 2012 Report. Egrettry Counts in Hong Kong, with particular reference to the Mai Po Inner Deep Bay Ramsar Site. Mai Po Inner Deep Bay Ramsar Site Waterbird Monitoring Programme 2012 – 13.

<sup>8</sup> Committee Paper NCSC 7/06. Advisory Council on the Environment Nature Conservation Subcommittee Egrettries in Hong Kong.

[http://www.epd.gov.hk/epd/english/boards/advisory\\_council/files/ncsc-paper-06-07.pdf](http://www.epd.gov.hk/epd/english/boards/advisory_council/files/ncsc-paper-06-07.pdf). Accessed on 04 Oct 2013.

It is noted that several river channels are passing through the NDA while the *ardeids* from the San Sang Sun Tsuen egret will use those river channels located at the east for foraging activity<sup>9</sup>. In the past, urban development in this area has transformed natural watercourses into monotonous concrete river channels for flood mitigation while the ecological value and function of the watercourses are of less consideration. We view that the NDA is an opportunity to restore the ecological value of the channelized watercourses in the Area. According to the Digest<sup>10</sup>, it is stated that one of the main features in the Overall Planning and Design Framework is “*Regeneration of the river channel system and enhancement of the integration with Tin Shui Wai will be achieved by upgrading the environment of the river channels...*”. We urge the Project proponent to work with other Government departments such as Drainage Services Department and Civil Engineering and Development Department to consider rehabilitation of all the respective river channels that will benefit to the wildlife usage, such as the *ardeids* in the Deep Bay area. We consider that ecologically enhanced river channels not only have the potential to create diversified habitats for wildlife, but also improves the quality of life enjoyment that is vital to build up a harmonious community.

#### **4. Ecological importance of the agricultural land**

It is reported that Hong Kong has lost more than 40 per cent of its farmland area in recent decade<sup>11</sup>. On the other hand, it is worthwhile noting that local agricultural land has a characteristic bird community and cultivated vegetable fields can provide open space and foraging habitats for many farmland birds, in particular the ground-feeding insectivorous birds<sup>12</sup>. According to the Digest, only 1.3% of the NDA is planned for agricultural use, that is less than 11 hectares of agricultural land has been proposed to be retained<sup>13</sup> which is a significant loss based on the Stage 1 Community Engagement Digest which mentioned that about 102.7 hectares of agricultural land can be found in the NDA. We consider that the Project proponent should preserve the farmlands as far as possible so as to avoiding the loss of foraging habitats for birds.

#### **5. Holistic planning of North West New Territories (NWNT)**

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<sup>9</sup> Stage 2 Community Engagement – Briefing Session with Green Groups on 12 Sept 2013

<sup>10</sup> Stage 2 Community Engagement Digest July 2013, p.11

<sup>11</sup> Lee, Ada, 2012. “Land loss, rising rents threaten growth of farmers' booming business” in SCMP on 01 October, 2012.

<http://www.scmp.com/news/hong-kong/article/1051037/land-loss-rising-rents-threaten-growth-farmers-booming-business>. Accessed on 07 October 2013.

<sup>12</sup> Porcupine 18 - Special feature Focus on farmlands. Ecology & Biodiversity, The School of Biological Sciences. The University of Hong Kong.

Over the past few years, government departments have proposed several planning and engineering studies in the NWNT including the “Study on the Enhancement of the Lau Fau Shan Rural Township and Surrounding Areas”, the “Planning and Engineering Study for Housing Sites in Yuen Long South” and “Planning and Engineering Study on Development of Lok Ma Chau Loop”. While these developments are in large scale and concentrated in the Deep Bay areas, their cumulative impacts on the ecological integrity of Deep Bay eco-system may have overlooked. Taken the present NDA as an example, it is noted that open storages will be relocated to other “unknown” areas with no particular locations being mentioned for the time being. We are concerned with the open storages now in the Hung Shui Kiu area will force to move to the Category 4 areas<sup>14</sup> of those at Mai Po, San Tin which are in the proximity of the Mai Po Inner Deep Bay Ramsar Site that posing pressure on the physical environment and ecological values of the Deep Bay ecosystem. Although the Government is intended to phase out the Category 4 areas, it is noted that sympathetic consideration may be given if it is “*demonstrate[d] that the proposed uses would not generate adverse drainage, traffic, visual, landscaping and environmental impacts on the surrounding areas*”<sup>15</sup> but not including the ecological impacts. As such, we are worried that unplanned activities related to open storages will pose ecological impacts to the Deep Bay area or the activities may spill over to other remote areas in the New Territories. In the instance of the relocation of the open storages, we view that the Government should formulate a long-term policy on the management of the open storages such as providing an area to centralise the processing of the open storages. In a larger context, we urge the Government and the relevant bureaus, departments should have a holistic view to formulate a comprehensive plan regarding the developments and their impacts in and around the Deep Bay so as to protect the integrity of the ecosystem.

Thank you for your attention.

Yours faithfully,



Tobi Lau (Mr.)

Conservation Officer, Local Biodiversity

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<sup>13</sup> Stage 2 Community Engagement Digest July 2013, p.13

<sup>14</sup> With reference to TPB PG-No. 13E, Section 2.5, Category 4 areas are areas with ponds or wetland or with extensive vegetation or close to environmentally or ecologically sensitive areas

<sup>15</sup> Reference is made to TPB PG-No. 13E Section 2.5