



長春社 Since 1968

The Conservancy Association

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16<sup>th</sup> September 2022

Town Planning Board  
15/F North Point Government Offices  
333 Java Road  
North Point  
Hong Kong

By e-mail: tpbpd@pland.gov.hk

Dear Sir/Madam,

Comments on the Section 16 Application No. A/TW-CLHFS/2

The Conservancy Association (CA) OBJECTS to the captioned application.

**1. Not in line with the planning intention of the area**

According to the Chuen Lung and Ha Fa Shan Outline Zoning Plan No. S/TW-CLHFS/1, the general planning intention for the Area is “*to protect the natural environment and the rural landscape, with a view to complementing the overall natural environment and the landscape characters of the surrounding Tai Lam Country Park and Tai Mo Shan Country Park*”. The application site is surrounded by “Green Belt” (GB) zone and Country Park, serving as an important buffer area to control urban sprawl. Therefore, the proposed hotel is not in line with the planning intention.

**2. More adverse environmental impacts due to increasing development scale**

There was a similar application A/TW-CLHFS/1 proposed by the same applicant in 2018. Compared with the previous application A/TW-CLHFS/1, (Table 1), most of the development parameters, such as plot ratio, number of guestrooms and storeys are higher. We do not think that the development scale has been substantially decreased.

Table 1: The development details between A/TW-CLHFS/1 and A/TW-CLHFS/2

	A/TW-CLHFS/1	A/TW-CLHFS/2
Gross floor area and/or plot ratio	About 5,232 (Plot ratio: 0.4)	<b>About 7,983</b> <b>(Plot ratio: 0.6)</b>



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No. of blocks	15 (2 hotel blocks and 13 family resorts)	14 (1 hotel block and 13 resort villas)
No. of guestrooms	Not more than 141	<b>197</b>
Building height/ No. of storeys	2-3 storeys	<b>3-5 storeys</b>

We especially worry that after increasing development scale, some adverse environmental impacts would be anticipated:

- Light and noise disturbance: the Ecological Impact Assessment did not provide sufficient details to justify that light generated by 197 guestrooms and various outdoor activities such as wedding, glamping, outdoor movie, etc., would be properly avoided and mitigated. Nocturnal wildlife in the fringe of Country Park would then be highly disturbed during operation phase of the development.
- Disturbance on Water Gathering Ground (WGG): the site falls within the upper indirect WGG. Contamination of water and siltation would be resulted during the construction and operation phase of the development. Despite the Risk Assessment Report submitted by the applicant on 25 August 2022, it failed to identify all potential indoor and outdoor activities, particularly recreation activities organized by the proposed hotel. It is still unknown how water contamination would be properly treated.
- Effectiveness of buffer zone: The application failed to show how 7.5 m buffer zone can help to minimize the ecological impact during the construction and operation phases.

We have to add the ecological surveys only covered 100m but not 500m distance from the application site (with reference to EIAO Guidance Note and EIAO-TM). As the application site is just next to Tai Lam Country Park, we opine that the application should further extend its surveying area to prevent any under-estimation of ecological impacts.

### 3. Incompatible with the surrounding environment

The application site is situated in the vicinity of Tai Mo Shan Country Park and Tai Lam Country Park. According to 1154<sup>th</sup> Town Planning Board Meeting on 3<sup>rd</sup> November 2017, the Board rejected the application A/DPA/TW-CLHFS/3, which is



submitted by the same applicant, based on the following reasons:

*“(a) the proposed residential development is considered not in line with the general planning intention for the Chuen Lung and Ha Fa Shan area to protect the natural habitats and the rural landscape which complement the overall natural environment and the landscape beauty of the surrounding Country Parks; and”*

*“(b) the proposed residential development is considered not compatible with the surrounding natural environment and Country Parks. Approval of the application may set an undesirable precedent encouraging similar residential development nearby, the cumulative impact of which would result in general degradation of the rural landscape quality of the surrounding Country Parks.”*

It showed that whether the application can be compatible with the rural landscape and surrounding country parks is one of the major factors for granting planning approval in the subject site. However, based on the 0.6 plot ratio with 197 guestrooms and some other activities e.g., outdoor movie, cooking, and adventure play, it is incompatible with adjacent environment and landscape value of the area.

#### **4. Undesirable precedent of “destroy first, build later”**

This site was subject to land filling with construction and demolition waste in 2016 and prosecution was undertaken by Environmental Protection Department<sup>1</sup> (Figure 1). Meanwhile, vegetation clearance can be spotted within the application site from 2014 (Figure 2). It is suspected that this is a case of “destroy first, build later”.

Planning Department and members of Town Planning Board (TPB) should alert that TPB has announced approaches to deter “destroy first, build later” activities in 2011. It stated that *“the Board is determined to conserve the rural and natural environment and 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*

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<sup>1</sup> 【最新消息】撤回川龍酒店渡假村發展計劃:

<https://chiuyanloy.hk/%e3%80%90%e6%9c%80%e6%96%b0%e6%b6%88%e6%81%af%e3%80%91%e6%92%a4%e5%9b%9e%e5%b7%9d%e9%be%8d%e9%85%92%e5%ba%97%e6%b8%a1%e5%81%87%e6%9d%91%e7%99%bc%e5%b1%95%e8%a8%88%e5%8a%83/>



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*development on the site concerned*<sup>2</sup>. Therefore, this application should not be given any sympathetic consideration, or it will set an undesirable precedent for similar cases in future.

Yours faithfully,  
Chow Oi Chuen  
Campaign Officer  
The Conservancy Association

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<sup>2</sup> TPB Press Release. Available at:  
<http://www.info.gov.hk/gia/general/201107/04/P201107040255.htm>

**Figure 1 This site was subject to land filling with construction and demolition waste (circled in red) in 2016 (Source: Apple Daily) and prosecution was undertaken by Environmental Protection Department**



**Figure 2 Vegetation clearance can be spotted within the application site since 2014 (circled in red).**

