

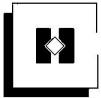


**Filling of Pond for Permitted Agricultural Use for a Period of 3 Years**  
in "Other Specified Uses" annotated "Comprehensive Development to include Wetland Restoration Area" ("OU(CDWRA)") and "Village Type Development" ("V") zones, Lots 1212 S.E ss.1 and 1212 S.E RP (Part) in D.D. 115 and adjoining Discrepant Areas (Part),  
Nam Sang Wai, Yuen Long, New Territories

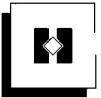
**Section 16 Planning Application No. A/YL-NSW/357**

**Response to Departmental Comments Table**

No.	Comments Received	Our Responses
	Date: 24 November 2025	
	<b>A. Comments from Agriculture, Fisheries and Conservation Department</b> <i>Subject Officer: Dr. Azaria WONG (T: [REDACTED])</i>	
	<b>From nature conservation perspective:</b>	/
	Planning Statement	/
	Executive Summary	/
1.	It is stated that "The implementation of the Proposed Development will make effective use of idle land for rehabilitation and cultivation, thereby enhancing the existing ecological value and biodiversity of the Application Site.". Please elaborate how the existing ecological value and biodiversity could be enhanced. This comment also applies to S.4.1.9.	<p>The Application Site currently consists of degraded lands and underutilized fishponds that may contribute to environmental decline. Based on the Literature Review on Nearby Ecological Baseline Condition as supplemented in <b>Annex 6</b>, it noted that no species were recorded within the Project Site, the developed area habitats is of low ecological value. Direct or indirect disruption and loss to the plantation, pond area, species and habitat arising from the Proposed Development is considered minimal.</p> <p>Kindly note that the Proposed Development involves rehabilitation and cultivation, including planting area for agricultural use and pond fishing culture. Compared to the "without project" scenario, the Proposed Development will significantly enhance the aquaculture environment and the quality of fisheries resources in promoting sustainable rehabilitation and fisheries.</p>



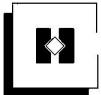
No.	Comments Received	Our Responses
S.1.1.4 -	2. It is stated that "It is currently covered with vegetation without sensitive ecological resources." Please provide supporting information for this statement, and advise whether ecological survey and literature review have been conducted.	/
		<p>Based on the desktop research, the potential ecological impacts from adjacent studies and developments have been evaluated and supplemented in <b>Annex 6</b> (Literature Review on Nearby Ecological Baseline Condition), no adverse impact on the natural habitat was anticipated. Hence, the cumulative impacts with other concurrent developments were considered insignificant.</p> <p>To minimize potential adverse ecological impact on the surrounding environment, precautionary measures will be carried out, including but not limited to no substantial piling works, no night time construction works, adjusting outdoor lighting to lower intensity, tree planting along the site boundary, adopting good site practices, etc.. Other proposed mitigation measures during construction and operation phases have also been listed in <b>Sections 3.3.6</b> and <b>3.6.3</b> respectively. No adverse environmental and ecological impacts are anticipated from the Proposed Development.</p>
S.2 -	3. Please provide information about the ecological conditions of the site and the vicinity. Please advise whether the proposed construction works would adversely impact the ecologically sensitive receivers e.g. watercourse, fireflies, mangrove in the vicinity of the site during the construction phase.	/



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		<p>but not limited to no substantial piling works, no night time construction works, adjusting outdoor lighting to lower intensity, tree planting along the site boundary, adopting good site practices, etc..</p> <p>Please refer to <b>Sections 3.3.6</b> and <b>3.6.3</b> for the proposed mitigation measures during construction and operation phases respectively, no adverse environmental and ecological impacts are anticipated from the Proposed Development.</p>
S.3 -		/
4.	The information on the proposed construction works is still limited. Please advise whether there are any other construction works in addition to tree felling and drainage works, and whether there are any structures to be erected / installed at the site apart from the metal fence . If affirmative, please provide details about the works/ structure and illustrate and figures for illustration.	Please refer to <b>Sections 3.3.1</b> to <b>3.3.3</b> , the Proposed Development would involve felling of existing trees in the initial stage, while machinery will be used to enter the Application Site from south of Section E of Lot No. 1212 in D.D. 115 or the local track road at the east of the Application Site. Further details on the proposed vehicular access of clearance arrangement are shown in <b>Diagram 4</b> .
5.	Please advise whether there will be any light, noise, water pollution etc., that would adversely impact the ecologically sensitive receivers e.g. watercourse, fireflies, mangrove in the vicinity of the site during the construction phase and the operation phase.	Please refer to <b>Sections 3.3.6</b> and <b>3.6.3</b> for the proposed mitigation measures during construction and operation phases respectively, no adverse environmental and ecological impacts are anticipated from the Proposed Development.
S.3.6 -		/
6.	Please advise whether there will be night-time operation that may adversely affect the ecological sensitive receivers in the vicinity.	The Proposed Development would be operated daily generally around 7a.m. to 7p.m. daytime. <b>Section 3.6.1</b> has been supplemented.
7.	The pond at the northwestern portion of the site is proposed for pond fish culture for freshwater fish. However, during our recent inspection, it was found that the pond was not enclosed.	Please note this Application also applies to regularize the existing filled ponds, no additional pond filling is proposed apart from the existing filled area. The direct impact due to filling would be



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	<p>It was connected to the Kam Tin River Meander to the east and the water was brackish. The applicant is advised to clarify how the proposed pond culture would be carried out and whether any earthworks would be conducted at the pond.</p>	<p>insignificant and this Application is in line with the principle of "no-net-loss in wetland" under TPB PG-No. 12C.</p> <p>To proper handle and dispose any construction site discharges, good site management measures including those specified in <i>Professional Persons Environmental Consultative Committee Practice Note Construction Site Drainage</i> (ProPECC PN 2/24) would be adopted during construction stage.</p> <p>The proposed drainage system will collect the catchments within the Application Site and further discharge to the Kam Tin River. During operation stage, provision of large nets along the pond boundary will be included to protect fish fry or fingerlings.</p>
	S.4.2.2 -	/
8.	<p>It is stated in Section 4.2.2 that "as considered by the Agriculture, Fisheries and Conservation Department (AFCD), EcoIA could be exempted for 'Agricultural Use (except in SSSI Zone)' for this s.16 planning application." Please be clarified that whether the requirement of EcoIA under TPB PG-12C could be exempted is subject to the view of PlanD and/or Town Planning Board. The same comment applies to S.5.3.3.</p>	<p>Kindly note that this Proposed Development falls within an area designated as "OU(CDWRA)" and "V" zones on the Approved Nam Sang Wai OZP No. S/YL-NSW/11, which 'Agricultural Use' falls into Column 1 that is always permitted by the Board. In accordance with the TPB PG-No. 12C, EcoIA could be exempted for 'Agricultural Use (except in SSSI Zone)'.</p> <p><b>Section 4.2.2 has been revised accordingly.</b></p>
	<b>From fisheries perspective:</b>	/
9.	<p>We have no objection to use the area for pond fish culture and cultivation purpose. The applicant is reminded to adopt appropriate measures to prevent deterioration of water quality of the fishpond and surrounding watercourses during site formation and operation.</p>	<p>Noted.</p>
	<b>From agricultural perspective:</b>	/



No.	Comments Received	Our Responses
10.	We have no comments from agricultural perspective.	/
<b>B. <i>Comments Received during the 3-week Public Consultation Period</i></b>		
11.	Concerns on the ecological impact brought by the Proposed Development, suggests no further filling of land shall be conducted and reinstate the previous fish pond.	Please note this Application also applies to regularize the existing filled ponds, no additional pond filling is proposed apart from the existing filled area. The direct impact due to filling would be insignificant. Compared to the "without project" scenario, the Proposed Development will significantly enhance the aquaculture environment and the quality of fisheries resources in promoting sustainable rehabilitation and fisheries.
12.	Concerns on the ecological impact brought by the Proposed Development due to its location within the Wetland Buffer Area and closer to the Wetland Conservation Area.	<p>Based on the desktop research, the potential ecological impacts from adjacent studies and developments have been evaluated and supplemented in <b>Annex 6</b>, no adverse impact on the natural habitat was anticipated. Hence, the cumulative impacts with other concurrent developments were considered insignificant.</p> <p>This Proposed Development is in line with the planning intention of the WBA is to protect the ecological integrity of the fish ponds and wetland within the WCA and prevent development that would have a negative off-site disturbance impact on the ecological value of fish ponds.</p>
13.	Concerns on the potential visual impact from the proposed metal fence to be proposed along the Application Site boundary.	Provision of new tree planting would be included along the east and southeast edges of the Application Site Boundary, closer to the existing adjoining developments, so as to screen the cultivation area and reduce the visual impact to the nearby occupants. The visual impact would be insignificant.