

1. The meeting was resumed at 9:00 a.m. on 13.1.2015.
2. The following Members and the Secretary were present at the resumed meeting:

Mr Thomas T.M. Chow Chairman

Mr Stanley Y.F. Wong Vice-chairman

Mr Roger K.H. Luk

Professor Eddie C.M. Hui

Dr C.P. Lau

Ms Anita W.T. Ma

Professor K.C. Chau

Mr H.W. Cheung

Mr Ivan C.S. Fu

Mr Sunny L.K. Ho

Mr Dominic K.K. Lam

Ms Christina M. Lee

Mr H. F. Leung

Mr F.C. Chan

Mr Peter K.T. Yuen

Chief Traffic Engineer/New Territories East, Transport Department

Mr K.C. Siu

Principal Environment Protection Officer (Metro Assessment)

Environmental Protection Department

Mr Ken Y.K. Wong

Chief Engineer (Works), Home Affairs Department

Mr Martin W.C. Kwan

Director of Lands

Ms Bernadette H.H. Linn

Director of Planning
Mr K.K. Ling

Presentation and Question Sessions

[Open meeting]

3. The following representatives of the Planning Department (PlanD), the representers and their representatives were invited to the meeting at this point:

Ms Maggie M.Y. Chin - District Planning Officer/Fanling, Sheung Shui and Yuen Long East, (DPO/FS&YLE), PlanD

Mr Otto K.C. Chan - Senior Town Planner/ Fanling, Sheung Shui 1, PlanD

FLN-R16707, KTN-R16256 – Angus Chiu

FLN- R16867, KTN–R16416 – Cathleen Kwong

FLN-R16885, KTN-R16434 – Chan Chi Ho

FLN-R16941, KTN- R16490 – Chan Kwan Yu Georgiana

FLN-R17105, KTN-R16654 – Cheung Tong T.H.

FLN-R17128, KTN-R16677 – Chiu Wai Ching Christie

FLN-R17164, KTN-R16713 – Chow Sin Yee

FLN-R17200, KTN-R16749 – Chu Sau Yee

FLN-R17273, KTN-R16822 – Dai Yu Yuet

FLN-R17329, KTN- R16878 – Edith Chung

FLN-R17397, KTN-R16946 – Evan Tang

FLN-R17459, KTN-R17008 – Fung Oi Yi

Mr Ng Cheuk Hang (東北城規組). - Representer's representative

FLN- R17468, KTN-R17017 – Gama Yuen

FLN- R17489, KTN- R17038 – Go Ming Tsun

FLN-R17928, KTN-R17477 – Ko Suet Yee

Ms Cheung Chun Sin (東北城規組) - Representers' representative

FLN- R17959, KTN - R17508 – Kwok Ka Shing, Maxwell

FLN- R17971, KTN- R17520 – Kwok Yuet Ling

Ms Tsang Lok Yen (東北城規組) - Representers' representative

FLN-R18144, KTN-R17693 – Law Sin Wan

Ms Chow Koot Yin (東北城規組) - Representer' representative

FLN-R18171, KTN-R17720 – Lee Man Kong Rhys

FLN-R18189, KTN-R17738 – Lee Wu Ching

FLN-R18238, KTN-R17787 – Leung Lok Shan

FLN-R18343, KTN-R17892 – Lo Chiu Tai

FLN-R18449, KTN-R17998 – Mak Wai Kei

FLN-R18469, KTN-R18018 – Mandy Fung

FLN-R18496, KTN-R18045 – Matt Lee Cheuk Yin

FLN-R18559, KTN-R18108 – Mok Mei Wah May

FLN-R18595, KTN-R18144 – Mui Yuet Yan

FLN-R18652, KTN-R18201 – Ngan Chi Kwan

FLN-R18944, KTN-R18493 – Siuman Tong

FLN-R19086, KTN-R18635 – Tin Fong Chak

FLN-R19328, KTN-R18877 – Wong Ka Fai

FLN-R19494, KTN-R19043 – Yip Hiu Wai

FLN-R19534, KTN-R19083 – Yu Kin Hung

FLN-R19570, KTN-R19119 – Yuki Kwan

FLN-R19587, KTN-R19136 – Zita Wong

FLN-R19611, KTN-R19160 – 方小姐

FLN-R19788, KTN-R19337 – 吳家敏

FLN-R19960, KTN-R19509 – Lam Chi Hang

FLN-R20127, KTN-R19676 – 秦婉芬

FLN-R20261, KTN-R19810 – 梁偉基

FLN-R20338, KTN-R19887 - 郭震宇

FLN-R20368, KTN-R19917 - 陳秀菱

FLN-R20384, KTN-R19933 - 陳政深

FLN-R20392, KTN-R19941 - 陳述強

FLN-R20832, KTN-R20381 - 潘敬耀

FLN-R20870, KTN-R20419 - 鄧傲妍

FLN-R20943, KTN-R20492 - 盧令怡

FLN-R21002, KTN-R20551 - 謝馥盈

Mr Tam Kai Hei (東北城規組) - Representers' representative

FLN- R18168 & KTN-R17717 – Lee Hak Keung

Ms Chan Dai Gut (東北城規組) - Representer's representative

FLN-R21196, KTN-R20746 – Ho Roy

Ms Yip Po Lam (東北城規組) - Representers' representative

4. The Chairman extended a welcome and then explained the procedure of the hearing. He said that the meeting would be conducted in accordance with the “Guidance Notes on Attending the Meeting for Consideration of the Representations and Comments in respect of the Draft Kwu Tung North Outline Zoning Plan No. S/KTN/1 and the Draft Fanling North Outline Zoning Plan No. S/FLN/1” (Guidance Notes) which had been provided to all representers/commenters prior to the meeting. In particular, he highlighted the following main points:

- (a) in view of the large number of representations and comments received and more than 3,400 representers/commenters had indicated that they would either attend in person or send an authorised representative to make oral submission, it was necessary to limit the time for each oral submission;
- (b) each representer/commenter would be allotted a 10-minute speaking time. However, to provide flexibility to representers/commenters to suit their needs, there were arrangements to allow cumulative speaking time for authorised representatives, swapping of allotted time with other

representers/commenters and requesting an extension of time for making the oral submission;

- (c) the oral submission should be confined to the grounds of representation/comment in the written representations/comments already submitted to the Board during the exhibition period of the OZP or the publication period of the representations; and
- (d) to ensure a smooth and efficient conduct of the meeting, the representer/commenter should not repeat unnecessarily long the same points which had already been presented by others earlier at the same meeting. Representers/commenters should avoid reading out or repeating statements contained in the written representations/comments already submitted, as the written submissions had already been provided to Members for their consideration.

5. The Chairman said that each presentation, except with time extension allowed, should be within 10 minutes and there was a timer device to alert the representers and representers' representatives 2 minutes before the allotted time was to expire and when the allotted time limit was up.

6. The Chairman said that the proceedings of the hearing would be broadcast on-line, and the video recording of the presentation made by the representative of PlanD on the first day of the Group 4 hearing (i.e. 13.10.2014) had been uploaded to the Board's website for the meeting and would not be repeated at the meeting. He would first invite the representers' representatives to make their oral submissions, following the reference number of each representer who had registered with the Board's Secretariat on the day. After all registered attendees had completed their oral submissions, there would be a question and answer (Q&A) session at which Members could direct enquiries to any attendee(s) of the meeting. Lunch break would be from about 1:00 p.m. to 2:00 p.m. and there would be one short break each in the morning/afternoon sessions, as needed.

7. The Chairman then invited the representers' representatives to elaborate on the representations.

FLN-R16707, KTN-R16256 – Angus Chiu

FLN- R16867, KTN-R16416 – Cathleen Kwong

FLN-R16885, KTN-R16434 – Chan Chi Ho

FLN-R16941, KTN- R16490 – Chan Kwan Yu Georgiana

FLN-R17105, KTN-R16654 – Cheung Tong T.H.

FLN-R17128, KTN-R16677 – Chiu Wai Ching Christie

FLN-R17164, KTN-R16713 – Chow Sin Yee

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FLN-R17273, KTN-R16822 – Dai Yu Yuet

FLN-R17329, KTN- R16878 – Edith Chung

FLN-R17397, KTN-R16946 – Evan Tang

FLN-R17459, KTN-R17008 – Fung Oi Yi

8. Mr Ng Cheuk Hang made the following main points:
- (a) the hearing process was unfair and the 10-minute limit for the oral submission was unreasonable. There was civil disobedience because the consultation process was not right and the controversy of the Northeast New Territories New Development Areas (NENT NDAs) would not end whatever the decision of the Board would be;
 - (b) the Government should explain why Long Valley was zoned “Agriculture” (“AGR”) and “Green Belt” (“GB”) on the Kwu Tung North (KTN) OZP and public fund had to be used for large-scale resumption. It was suspected that there might be collusion among interested parties;
 - (c) most of the land in the territory had been released to the large developers for private housing and commercial development whereas land susceptible to pollution and contamination were allocated for public housing development;
 - (d) the public/private housing split of 60:40 should not be applied to the

NENT NDAs. The Government should increase the provision of public housing development at the Anderson Road Quarry site and propose housing development at the Fanling Golf Course site, so as to replace the proposed public housing in the NENT NDAs;

[Mr F.C. Chan returned to join the meeting at this point.]

- (e) housing was a major issue under the Policy Address. To resolve the housing problem, Urban Renewal Authority should aim for development of public housing rather than luxury housing. Public housing could be developed even in small sites. There was no need for large-scale resumption of agricultural land in the NENT NDAs;
- (f) there were serious problems in Hong Kong's planning and development mechanism which recklessly drove up the prices of housing units and land;
- (g) planning and housing policy were closely related but sometimes in conflict. Planning should take into account the views of different stakeholders. It should aim at improving living environment, renewing old developed area as well as retaining the existing character and social network. Urban-rural integration (城鄉共生) should be ensured by protecting the existing rural character and natural environment;

[Ms Anita W.T. Ma and Ms Bernadette Linn returned to join the meeting at this point.]

- (h) development should not be limited to land and housing development or pursuit of profits. Development of local agriculture was essential to ensure cheap, stable and safe local food supply to Hong Kong people. There was no need to rely on food supply from the Mainland or products from factories. Unfortunately, local agriculture would be totally uprooted by the NENT NDAs; and
- (i) the Board was a statutory consultative body and should not deprive the

public of their right to be heard under the Town Planning Ordinance by imposing the 10-minute time limit for oral submission. It was against procedural fairness and the law. Besides, it was also not satisfactory for the hearing to be held in North Point. Many villagers were unable to attend the meeting due to long travel distance and could not even view the broadcasting of the hearing process as they had no access to internet; and

- (j) he had been involving in the activities against the NENT NDAs since 2013 and had heard a lot of public objections against the NDAs. The Board should listen to the views and aspirations of the public and local villagers.

9. Mr Ng then presented a 5-minute video recording local villagers' views after the funding application for detailed design and site investigation for the advance site formation and engineering infrastructure works at Kwu Tung North (KTN) and Fanling North (FLN) NDAs was approved by the Finance Committee of the Legislative Council at its meeting on 27.6.2014. All villagers were very angry with the approval and alleged that the Chairman of the Finance Committee acted unfairly and wrongly in allowing the approval.

[Ms Christina M. Lee returned to join the meeting at this point.]

10. Mr Ng continued to make the following main points:

- (a) many villagers could not attend the hearing and therefore authorised 東北城規組 to attend the meeting. They all urged the Government to withdraw the NENT NDAs. The old planning mode by relocating existing villages to make way for new development was outdated and should not be adopted in the NENT NDAs. The new planning mode to develop high-density buildings in Tin Shui Wai and Tseung Kwan O was also not acceptable;

- (b) there was strong public aspiration for retaining green belts which were important for a city. For example, the large green belt from Deep Bay to Starling Inlet separating Northern New Territories and Shenzhen was important to both the residents in Hong Kong and Shenzhen;
- (c) Country Park area should be protected from development. The Government's proposal to explore Country Park area for housing development was mainly due to a wrong estimate of future population growth and immigrants. The Government should review its population policy, immigration policy and tourism policy so as to release land for housing development. For example, there was no need to provide so many commercial and retail land uses to meet the tourists' needs and existing car parks and golf course could also be developed for housing;
- (d) the NENT NDAs should focus on local agriculture, village development and urban-rural integration, i.e. more "AGR" and "Village Type Development" ("V") zones on the OZPs. The population policy, tourism policy and immigration policy should be compatible with the agricultural policy which in turn helped increase the food self-sufficiency ratio;
- (e) even if the Board did not withdraw the FLN and KTN OZPs, it should consider retaining all the existing land uses on OZPs so as to ensure urban-rural integration; and
- (f) most of the agricultural land in Hong Kong was located in the NENT including some special farms and bee farms which were important parts of the natural ecosystem. Local agriculture did not only provide food supply to meet people's basic need. It also met the principle of sustainable development, i.e. to preserve the natural resource for the future generations.

[Mr H.W. Cheung left the meeting temporarily at this point.]

11. Mr Ng then presented a 8-minute fly-through video showing the existing situation of the NENT NDAs covering KTN, FLN, Ping Che and Ta Kwu Ling and the Northern New Territories. He said that in the past forty years, about half of the agricultural land had been rezoned for development and majority of them were for housing and New Town development. The amount of agricultural land had dropped from about thirteen thousand hectares in 1960s to nine thousand hectares in 1980s and then to only six thousand hectares at present. Over one thousand hectares of the existing agricultural land (about one-fourth of the total abandoned agricultural land) were owned by the four major developers. Hence, the NENT NDAs would only benefit the developers who had stocked up the agriculture land as well as speculators from the Mainland, instead of solving the housing problem of the general public.

12. Mr Ng said that the NENT NDAs would not only affect the existing agricultural land but also the local industries. He then presented a 10-minute video about a story of a wood-cutting factory (志記鏢木廠) which was established in Hong Kong in 1947 and had been operating in Kwu Tung since 1983. It was currently the only remaining wood-cutting factory in the Hong Kong. The operator of the wood-cutting factory originally supported the NENT NDAs as he believed that there would be reprovisioning arrangement by the Government. However, the Government had never informed him of the reprovisioning arrangement. He later felt sympathetic to the local villagers. He now wanted to continue his business in Kwu Tung and to promote the industry.

13. Mr Ng continued to make the following main points:

- (a) the NENT NDAs would not only affect the wood-cutting factory but also other business currently operating there, e.g. soy sauce factories, restaurants and stores. Planning should not ignore the existing structure and integrity of the community;
- (b) planning should be people-oriented (以人為本). The Government should listen to the views of the affected operators and residents who might not be able to adapt to the new high-rise living environment and

meet their aspiration for ‘no removal, no clearance’ (不遷不拆), e.g. by ways of urban-rural integration. The existing social service team employed by the Government for the NENT NDAs did not understand and could not address the problems facing by the local community;

- (c) the existing executive-led political system and consultation mechanism was not genuine, and was unfair and ineffective. The LegCo, which approved the funding application of the NENT NDAs, was dominated by functional constituencies with special rights. It was wrong for the Board to be an agent for the non-democratic political system; and
- (d) the Board should not approve the NENT NDAs which were not supported by the public. The Board should be reformed to avoid the approval of more unreasonable proposals in future. The continuation of the current planning mechanism and development mode would only lead to more radical actions from local villagers who were to protect their homeland.

14. Mr Ng then presented a 4-minute video recording the “prostrating walk” (苦行) performed by a group of protesters against the construction of the Guangzhou-Shenzhen-Hong Kong Express Rail Link (XRL). He said that the youngsters opposing the NENT NDAs were inspired by the anti-XRL Movement. They did not want their future generation to kneel down again and beg for what they originally owned.

15. Mr Ng continued to make the following main points:

- (a) the Government would only waste public funds if the current development mode was adopted for other new development projects, e.g. the artificial island in the central waters. The Government should not waste public funds by planning for further “white elephant” projects. The tax collected from tax-payers should be used to help the poor;
- (b) the current political and planning system was unfair and only privileged

those people with power and authority. The representers were often not given a fair chance to express their views at the hearing and were challenged by Board Members. There were too many problems within the Board's current system. The public was totally disappointed with the unfairness of the system and that would lead to more radical social actions. The Board should be reformed or even abolished;

- (c) the Board should not act as a rubber stamp in approving the NENT NDAs. That would lead to irreversible loss of "GB" and "AGR" zones. It was unreasonable that the consequence of the bad decision made by the current generation had to be borne by future generations;
- (d) the NENT NDAs were important land asset for the community and should be preserved. Many people relied on this piece of land for a living. There was a close relationship between the land and the livelihood of the villagers. To achieve a just society, the public would continue to strive for democracy and oppose to the NENT NDAs. It was hoped that urban-rural integration, in which the views of the minority would not be neglected, could be achieved in Hong Kong in future; and
- (e) it was unfair that an official of the Development Bureau was to chair the Board's meeting and that the deliberation was conducted in a closed-door meeting. The public was only allowed to view the meeting in the public viewing room or through broad-casting on the website. The public power should not be placed on a non-democratic framework.

[Actual speaking time: 120 minutes]

[The meeting adjourned for a 5-minute break.]

FLN- R17468, KTN-R17017 – Gama Yuen

FLN- R17489, KTN- R17038 – Go Ming Tsun

FLN-R17928, KTN-R17477 – Ko Suet Yee

16. With the aid of a Powerpoint presentation, Ms Cheung Chun Sin made the following main points:

- (a) she was studying a Master degree in social work at the University of Hong Kong and was also a journalist and tour guide. She wished to present various photos showing the scenery, character and social life of Kwu Tung village;
- (b) as shown in the photos, the Kwu Tung village was endowed by natural beauty with trees and plants along roads. Air quality was very good and hence mushrooms could be found. There were also graves with a long history;
- (c) many agricultural land, organic farms and bee farms could be found in Kwu Tung and Long Valley. Visitors could learn farming and buy agricultural and honey products there;
- (d) local villagers wished to continue their farming practices in Kwu Tung. Many of them engaged in organic farming and seldom used chemical fertilizers in their farms;
- (e) natural flowers were used as fodder for pigs in the pig farm. Safe local food supply could be guaranteed;
- (f) some old villagers grew aloe and fresh fruits in their courtyards. They were very delicious and even of a better quality than imported fruits. Some villagers also grew vegetables on vacant land along footpaths and roads;
- (g) some local industries were currently operating in Kwu Tung. Three soy sauce factories produced safe local products without using preservative but one of them would be closing down soon. There was also a wood recycling factory there;

- (h) there were cows, cats and dogs living in Kwu Tung. However, she was worried that those animals would not be taken good care of in the NENT NDAs;
- (i) some local villagers were poor and living in iron sheet houses. Even though their living conditions were poor, they were not willing to move out of their home village. The Government should consider carrying out various enhancement works (e.g. toilet, sewage and lighting facilities) to improve their living condition;
- (j) there were close relationships among the villagers. For instance, some villagers would help distribute letters to other villagers;
- (k) there was an old Chinese medicine doctor who provided 24-hour services to local villagers. However, he might not be able to continue his business in the NENT NDAs;
- (l) local villagers had actively expressed their views on the NENT NDAs during the workshop conducted by the Government. Some objected to the NDAs and requested “no removal and no clearance”. Some supported the development of the Fanling Golf Course for housing development. Some were worried that they could no longer apply their farming skills to earn a living after relocation. Others requested the Government to review the population policy;
- (m) most of the agricultural land bought by developers were being abandoned. To better utilize land resources and minimize impacts on local villagers, the developers should consider allowing those areas to revert back to their original use before actual implementation of the NDAs; and
- (n) the Board should seriously consider the impacts of the NENT NDAs on this and future generations.

[Actual speaking time : 30 minutes]

[Mr F.C. Chan, Professor K.C. Chau and Dr C.P. Lau left the meeting temporarily at this point.]

17. At this point, Mr Ng Cheuk Hang stood on a chair and held up a paper to block the front of the broad-cast video camera. The Chairman said that his action would affect the Internet broad-cast of the meeting and asked him to sit down. He reminded Mr Ng several times and referred to the Guidance Notes which stated that banners were not allowed to be brought into the meeting room and that all attendees should behave in an orderly manner and remained seated during the meeting. Mr Ng ignored the Chairman's repeated appeals. He said that if Mr Ng continued to refuse to comply with the rules in the Guidance Notes, he would have no choice but to invite him to leave the meeting room. Mr Ng continued to block the video camera and refused to climb down from the chair. A security guard came in to help and asked Mr Ng to stop what he was doing. Mr Ng ignored him. The Chairman adjourned the meeting.

[The meeting was adjourned for three minutes.]

18. After several warnings by the Chairman, Mr Ng stopped holding up the paper but refused to sit down. Noting that Mr Ng would not disturb the meeting, the Chairman exercised his discretion to allow Mr Ng to continue standing up. The hearing then continued. At this point, the Chairman reminded Ms Chan Dai Gut, who was holding up a mobile phone that she was not allowed to take video of the meeting. Ms Chan did not respond.

FLN- R17959, KTN - R17508 – Kwok Ka Shing, Maxwell

FLN- R17971, KTN- R17520 – Kwok Yuet Ling

19. With the aid of Powerpoint presentation, Ms Tsang Lok Yen made the following main points:

- (a) she was studying social work at the University of Hong Kong and

practising in Kwu Tung village. She said that “active listening” was essential in her professional training and considered the same should be applicable to the town planning professional;

- (b) she had been in close contact with the Kwu Tung villagers and held seven to eight meetings with them in the past few months. The villagers were not fully aware of the details of the NENT NDAs, even though they would be affected by it. Some old villagers actively participated in the meetings even during night-time as they did not want to leave their home village;
- (c) unlike city dwellers, villagers were with many skills and could make furniture and install lightings by themselves;
- (d) beautiful flowers could be easily found within the village and she had never seen similar flowers in the city. Some flowers were planted to feed the pigs. There were also bee farms in the village;
- (e) she was deeply impressed by the close relationships among the villagers. Even though some villagers had already moved out, they would go back annually to have a big feast with the local villagers within the vegetative cooperative society;
- (f) she felt sympathetic to the animals, i.e. cows, cats, dogs, currently living in the village which would have nowhere to live in the NDAs;
- (g) some old villagers had been living in the village for many years. They might not be able to adapt to the new living environment (e.g. multi-storey public housing estates) in the NDAs;
- (h) a urban dweller had given up his city life and became a farmer in the Kwu Tung village;
- (i) she presented a one-minute sound-recording with dog barking and bird

singing. She said people would like to hear the sounds of the nature rather than the noise of the city;

- (j) similar to the social work professional, planning professional should also be people-oriented. She was disappointed that the Board did not consider the needs of the local people. Many villagers did not know about the details of the NENT NDAs. The Lands Department did not explain to them when the officers visited their houses;
- (k) the Board should not regard the villagers as opposing parties. The Board should listen to their views. She had invited four old villagers to the hearing but the meeting venue in North Point was too far for them to travel; and
- (l) the social service team of the Government could not resolve the problems faced by the villagers. The NENT NDAs were a planning and social issue. The Government should review the population and housing policy.

20. As the time limit for Ms Tsang's oral submission was up, Ms Tsang requested for a 10-minute time extension. After considering the relevant factors, the Chairman acceded to Ms Tsang's request. Ms Tsang then made the following points:

- (a) the Government should not eliminate the imaginary space (想像空間) and living space (生存空間) of the public and villagers. For example, a street could be used for many purposes and not only for walking. Similarly, "village" could also be an imaginary space. The villages were not primitive and the villagers had a lot of skills. "Animal" could also be an imaginary space. A community should not only involve human beings but also animals. The animals were also stakeholders of the NDAs. They should be taken care of, instead of leaving them to the Agriculture, Fisheries and Conservation Department or the Society for the Prevention of Cruelty to Animals; and

[At this point, Ms Chan Dai Gut and Mr Ng Cheuk Hang shouted out loudly and alleged that a Member was not respecting the representer by giggling. The Chairman reminded them to keep quiet and not to disturb the meeting.]

- (b) the Government paid ex-gratia removal allowance to the villagers but that should not be regarded as compensation. The NDAs would destroy the social network of the community and the environment. Those could not be compensated by money. The Board should ensure that the planning of NDAs would be people-oriented.

[Actual speaking time : 30 minutes]

[Ms Christina M. Lee left the meeting temporary at this point.]

[At this point, Ms Chan Dai Gut shouted out loudly again. The Chairman reminded her not to disturb the meeting.]

FLN-R18144, KTN-R17693 – Law Sin Wan

FLN-R21196, KTN-R20746 – Ho Roy

FLN-R18171, KTN-R17720 – Lee Man Kong Rhys

FLN-R18189, KTN-R17738 – Lee Wu Ching

FLN-R18238, KTN-R17787 – Leung Lok Shan

21. The Meeting noted that Ms Yip Po Lam instead of Ms Chow Koot Yin would make the oral submission first. Both Ms Yip and Ms Chow were the representatives of 東北城規組. Ms Yip then made the following main points:

- (a) she was a professional social worker. In view of the lengthy representation hearing of the NENT NDAs, the Board should review whether there was any problem to the development process, land policy and town planning system in Hong Kong. The public generally did not agree with the development directions in Hong Kong;

- (b) the Board comprised many non-official members including businessmen and professionals from different sectors of the society who were all very busy. They always went in and out from the meeting during hearing but then participated at the deliberation session. That was procedurally improper. Recently, the Court had allowed a judicial review against the decision of the Board based on procedural unfairness;
- (c) the Board's system should be reviewed. It was not appropriate for government departments to provide professional advice to both the decision-maker the Board, and the applicants, the developers. During planning application submissions, government departments would provide professional advice to the developers to facilitate their submissions to the Board. That practice led to serious conflict of interest, bribery act and collusion between the developers and the Government. As such, the Board should not rely too much on the professional views and assessment of government departments in deliberating the representations at the hearing. Otherwise, they would become a rubber stamp for the Government; and
- (d) there were a thousand representers, including herself who were not being notified of the hearing by the Board's Secretariat. The Board should not deprive those representers and should allow them to make oral submission.

22. As the time limit for Ms Yip's oral submission was up, Ms Yip requested for a 10-minute time extension which would be deducted from the time allotted to Mr Tam Kai Hei. Both Ms Yip and Mr Tam were the representatives of 東北城規組. The Chairman acceded to Ms Yip's request. Ms Yip then made the following points:

- (a) over the years, many villagers had suffered from the impact of the land resumption by developers and the Government. Many agricultural land were bought and hoarded up by developers. That had led to a waste of land resources;

- (b) the Choi Yuen Tsuen and the NENT NDAs were the result of “Developmentalism” (發展主義) which only advocated economic development of a city. That led to abnormal development of the city and deepened the gap between the rich and the poor. The contribution of the poor to the society was being negated;
- (c) there was a need for Hong Kong to develop an economy with diversification of industries (多元產業), instead of just focusing on financial services and real estate. More opportunities for younger generation should be provided;
- (d) existing local villagers in NENT NDAs were currently living in a self-sufficient manner through farming or working in local industries. However, with the NDAs, their farmland and local industries would be cleared. They could only engage in servicing industries due to their low educational level and maintain a poor living standard;
- (e) the Government’s intention to create a new town through the NENT NDAs would not meet the genuine housing need of Hong Kong people. There were only limited employment opportunities in the NDAs. People would prefer living in small sub-divided flats in the urban area near their work places than a more decent house in the New Territories so as to minimize transportation cost and time. Even if they were willing to live in those new housing units in the NDAs, they had to travel to work in the urban area and this would in turn impose burden to the existing already congested transport and railway network; and
- (f) the NENT NDAs exploited the right of the local villagers and the poor but would benefit the developers and the rich. The current town planning system was unfair.

23. As the 10-minute limit for Ms Yip’s oral submission was up, Ms Yip

requested for a further 10-minute time extension which would be deducted from the time allotted to Mr Tam Kai Hei. The Chairman acceded to Ms Yip's request and Ms Yip then made the following points:

- (a) not only local villagers and the poor objected to the NENT NDAs, even the middle-class was also against "Developmentalism" and the current system;
- (b) the public were disappointed with the city development and the political and planning system in Hong Kong. The price of new housing units was not affordable to the general public, in particular, the younger generation. That had led to the emergence of "civil awareness of citizens" (公民意識). The three-month representation hearing of the NENT NDAs reflected the current problem of the development and planning system. The role of the Board as a gatekeeper was important;
- (c) in planning for cross-boundary infrastructure projects, the Hong Kong Government was always willing to give up or adjust its established rules to suit the Mainland system. For instance, the Government did not change the alignment of the Guangzhou-Shenzhen-Hong Kong XRL even though historic relic was found. The XRL had destroyed the Choi Yuen Tsuen and spent a large amount of public fund but the need for the XRL was doubtful. The Board should review the NENT NDAs with reference to the XRL's experience; and
- (d) to diversify the economy of Hong Kong and to resolve the food self-sufficiency problem, the Government should promote the local agricultural industry.

24. As the 10-minute limit for Ms Yip's oral submission was up, Ms Yip requested for a further 15-minute time extension which would be deducted from the time allotted to Mr Tam Kai Hei. The Chairman acceded to Ms Yip's request and Ms Yip then made the following points:

- (a) apart from transport and environmental issues, the Board should also consider the impacts of the NDAs on local villagers, in particular, non-indigenous villagers. Non-indigenous villagers in Choi Yuen Tsuen had been living in the area for many generations and contributed to the development of the rural area in the early ages. However, they were not given reasonable compensation and re-provisioning when their land was resumed for new development;
- (b) the Board's decision on the NENT NDAs would affect the livelihood of the next few generations of the local villagers, the diversification of industries and food self-sufficiency in Hong Kong. The NDAs would only lead to commercialization of land (土地商品化) and facilitate the creation of real estate bubbles (地產泡沫);
- (c) there was also concern that the NDAs were to cater for the need of the Mainlanders and hence intensify the conflicts between the Mainland and Hong Kong (中港矛盾);
- (d) the NENT NDAs involved the largest scale of exploitation of the rural area since World War II and would lead to a massive relocation of existing villagers. The "bulldoze first, develop later" (先剷平, 後發展) approach was against the will of the local villagers;
- (e) the current planning system would lead to collusion of developers and the Government in exploiting the rural areas and would facilitate developer hegemony (地產霸權);
- (f) the decline of local agriculture and livestock raising in Hong Kong was due to the inactive agricultural policy of the Government since 1980s. That had led to large amount of abandoned agricultural land and open storages in the New Territories and had affected the stability of local food supply;

- (g) planners should not adopt a top-down and “bulldozer” (推土機式) approach in planning and development of the rural area. The consultation and hearing process was only a formality, without paying attention to the local views. The Board’s system should be reviewed; and

- (h) the Government had adopted a differential treatment for indigenous and non-indigenous villagers in the development of the rural areas. The non-indigenous villagers in Ta Kwu Leng and Ping Che were only aware of the NENT NDAs when attending a dinner organised by the Rural Committee. The Government had never officially informed the non-indigenous villagers of the NDAs.

[Actual speaking time: 45 minutes]

FLN- R18168, KTN-R17717 – Lee Hak Keung

25. Ms Chan Dai Gut made the following main points:

- (a) a lot of life principles could be learnt from bee farming;

- (b) worker bees collected pollen and honey from trees and farmland in the NENT. They then flew back to their beehives to unload the pollen and honey and to feed the queen bee. In Hong Kong, honey from Longan and lychee were usually available in spring while honey from wood ducks feet flowers were available in winter;

- (c) worker bees had to eat both pollen and honey to sustain their fertility. If there was no pollen available, the birth rate of bees would drop which in turn affect their productivity. Less honey would then be available to feed the queen bee and this would also affect the birth rate;

- (d) in the business sector, it was common for the business operators to strive for the highest profit with the minimal capital investment. However,

that rule should not be used in bee farming. Under normal circumstances, bees would work harder to collect more honey if they noted that there was no more honey in their beehives. However, if honey were collected by the bee-keeper too frequently from the beehives (e.g. once every three days), their quality would deteriorate by having more water, even though the honey could still be sold in the market. From the business perspective, it seemed that more money could be gained. Alternatively, if honey were allowed to stay in the beehives longer (e.g. only collected once every 1.5 week), their quality would be better with less water and the honey could be stored for a longer period; and

- (e) some bad bee-keepers took away all the honey from the beehives without retaining any for the bees. They then fed the bees with white sugar and nutrient powder. Similarly, the Government took away the land and beautiful environment from the local villagers in the NENT NDAs without appreciating the contribution of the local villagers. The housing and environment should belong to all individuals in the society, irrespective of their class. Every individual and sector in the society depended on each other and they were all important to the society.

[Actual speaking time : 10 minutes]

26. As all the presentations of the representers' representatives scheduled for the morning session had completed, the meeting was adjourned at 1:30 p.m. for a lunch break.

27. The meeting was resumed at 2:38 p.m. on 13.1.2015.

28. The following members and the Secretary were present at the resumed meeting:

Mr Thomas T.M. Chow

Chairman

Mr Stanley Y.F. Wong

Vice-chairman

Mr Roger K. H. Luk

Professor S. C. Wong

Professor P. P. Ho

Mr H. W. Cheung

Mr Ivan C. S. Fu

Mr Sunny L. K. Ho

Mr Dominic K. K. Lam

Mr H. F. Leung

Mr Stephen H. B. Yau

Mr Francis T. K. Ip

Chief Traffic Engineer/Hong Kong, Transport Department

Mr C. Y. Chan

Principal Environment Protection Officer (Metro Assessment)

Environmental Protection Department

Mr Ken Y. K. Wong

Chief Engineer (Works), Home Affairs Department

Mr Martin W. C. Kwan

Assistant Director/Regional 3, Lands Department

Mr Edwin W.K. Chan

Director of Planning

Mr K.K. Ling

Presentation and Question Sessions

[Open Meeting]

29. The following Planning Department (PlanD)'s representatives, representers' representatives were invited to the meeting at this point:

Ms Maggie M.Y. Chin District Planning Officer/Fanling, Sheung Shui
and Yuen Long East, Planning Department
(DPO/FS&YLE, PlanD)

Mr Otto K.C. Chan Senior Town Planner/Fanling, Sheung Shui 1,
PlanD

FLN- R17959, KTN - R17508 – Kwok Ka Shing, Maxwell

FLN- R17971, KTN- R17520 – Kwok Yuet Ling

Ms Tsang Lok Yen (東北城規組) - Representers' representative

FLN-R18144, KTN-R17693 – Law Sin Wan

Ms Chow Koot Yin (東北城規組) - Representer' representative

FLN-R18343, KTN-R17892 – Lo Chiu Tai

FLN-R18449, KTN-R17998 – Mak Wai Kei

FLN-R18469, KTN-R18018 – Mandy Fung

FLN-R18496, KTN-R18045 – Matt Lee Cheuk Yin

FLN-R18559, KTN-R18108 – Mok Mei Wah May

FLN-R18595, KTN-R18144 – Mui Yuet Yan

FLN-R18652, KTN-R18201 – Ngan Chi Kwan

FLN-R18944, KTN-R18493 – Siuman Tong

FLN-R19086, KTN-R18635 – Tin Fong Chak

FLN-R19328, KTN-R18877 – Wong Ka Fai

FLN-R19494, KTN-R19043 – Yip Hiu Wai

FLN-R19534, KTN-R19083 – Yu Kin Hung

FLN-R19570, KTN-R19119 – Yuki Kwan

FLN-R19587, KTN-R19136 - Zita Wong

FLN-R19611, KTN-R19160 - 方小姐

FLN-R19788, KTN-R19337 - 吳家敏

FLN-R19960, KTN-R19509 - Lam Chi Hang

FLN-R20127, KTN-R19676 - 秦婉芬

FLN-R20261, KTN-R19810 - 梁偉基

FLN-R20338, KTN-R19887 - 郭震宇

FLN-R20368, KTN-R19917 - 陳秀菱

FLN-R20384, KTN-R19933 - 陳政深

FLN-R20392, KTN-R19941 - 陳述強

FLN-R20832, KTN-R20381 - 潘敬耀

FLN-R20870, KTN-R20419 - 鄧傲妍

FLN-R20943, KTN-R20492 - 盧令怡

FLN-R21002, KTN-R20551 - 謝馥盈

Mr. Tam Kai Hei (東北城規組) - Representers' representative

FLN- R18168 & KTN-R17717 - Lee Hak Keung

Ms Chan Dai Gut (東北城規組) - Representer's representative

30. The Chairman invited the representers' representative to elaborate on the representations.

[Mr Sunny L. K. Ho returned to join the meeting at this point.]

FLN-R18171, KTN-R17720 - Lee Man Kong Rhys

FLN-R18189, KTN-R17738 - Lee Wu Ching

FLN-R18238, KTN-R17787 - Leung Lok Shan

FLN-R18343, KTN-R17892 - Lo Chiu Tai

FLN-R18449, KTN-R17998 - Mak Wai Kei

FLN-R18469, KTN-R18018 - Mandy Fung

FLN-R18496, KTN-R18045 - Matt Lee Cheuk Yin

FLN-R18559, KTN-R18108 - Mok Mei Wah May

FLN-R18595, KTN-R18144 - Mui Yuet Yan

FLN-R18652, KTN-R18201 - Ngan Chi Kwan

FLN-R18944, KTN-R18493 - Siuman Tong

FLN-R19086, KTN-R18635 - Tin Fong Chak

FLN-R19328, KTN-R18877 - Wong Ka Fai

FLN-R19494, KTN-R19043 - Yip Hiu Wai

FLN-R19534, KTN-R19083 - Yu Kin Hung

FLN-R19570, KTN-R19119 - Yuki Kwan

FLN-R19587, KTN-R19136 - Zita Wong

FLN-R19611, KTN-R19160 - 方小姐

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FLN-R20127, KTN-R19676 - 秦婉芬

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FLN-R20870, KTN-R20419 - 鄧傲妍

FLN-R20943, KTN-R20492 - 盧令怡

FLN-R21002, KTN-R20551 - 謝馥盈

31. Mr Tam Kai Hei presented a document on screen, showed a number of video clips and made the following main points:

- (a) Members present in the afternoon session were not the same as those in the morning session and fewer Members attended the hearing in the afternoon. He would repeat some of the points made in the morning and would also share some video clips with Members;

- (b) in the morning, Ms Yip Po Lam told a story that villagers in Ta Kwu Ling and Ping Che did not know about the Northeast New Territories New Development Areas (NENT NDAs) until a 盤菜 banquet on a rainy evening;
- (c) the Board did not properly handle the representations of about 1,300 representers who had authorised 東北城規組 (the Group) to attend the hearing on their behalf. Out of the 1,300 representers, the Group only had information from about 300 representers and had already provided the authorisations to the Board. As the Board had received the authorisations of these 1,300 representers, the Board should inform the Group and make the necessary arrangement for the Group to make the oral submissions on their behalf in the hearing. The current arrangement involved a risk of legal challenge and the hearing might have to be held again, causing delay to the whole process. It was a brutal exploitation of the right to be heard by allocating only a small amount of time to the Group. It would only further weaken the legitimacy and integrity of the Board;
- (d) much time was needed to understand a place. Although the Board had already made much effort to hear the views of the public in the past few months, it was still inadequate as each representer was only given 10 minutes to present his views. There was room for improvement in the hearing process. The Board should go to the area to listen to the views of the locals;

[Professor P. P. Ho returned to join the meeting at this point.]

- (e) the previous public engagement exercises undertaken for the Fanling North (FLN) and Kwu Tung North (KTN) NDAs were not sincere. Although there had been strong oppositions to the NDAs, the Government maintained its position to develop KTN and FLN NDAs. The Board should exercise its statutory power to shelf the development of the NDAs;

- (f) it was unreasonable to appoint the Permanent Secretary for Development (Planning and Lands) as the Chairman of the Board. As a government official, he had conflict of interest and would continuously ask the Board to follow the policies of the Government. He should be an advisor to the Board only. The Board should bear in mind that its function was to promote the health, safety, convenience and general welfare of the community according to section 3 of the Town Planning Ordinance. It should not reflect the will of the Government;

- (g) quoting para. 5.4.1(a) of Town Planning Board Paper No. 9748, Mr Ng Cheuk Hang, an attendee of the hearing earlier, had pointed out that the Government had already set a precondition; i.e. the NDAs must be implemented. The precondition was improper but the Chairman would ask Members to follow. What Members should do was to put the welfare of Hong Kong and its people in mind. Out of about 53,000 representations and comments, only 7 supported the NDAs. If Members eventually endorsed the OZPs, it was against the views of the public. The public views had been repeatedly expressed on previous occasions but the Government kept ignoring them and refused to abandon the NDAs. The public gathering at the Legislative Council (LegCo) on 13 June 2014 was against the advanced works proposed for the NENT NDAs and the aggressive actions at that night had shown the extent of public sentiments. The strong sentiment of an attendee in that morning session was understandable as the matter had dragged on for four to five years. Taking into account the public views and the increasing strong resentments, the Board should recommend shelving the OZPs. Although Members were appointed by the Chief Executive (CE) and the Board lacked legitimacy, the role of the Board was still very special in the planning process;

- (h) many non-official members in the government bodies had conflict of interests. In Hong Kong, it was publicly known that there was structural transfer of interests and collusion at different levels of the government

operations. The rule of law in Hong Kong had been affected. In that regard, Members should declare their interests as required. According to previous information, about 10 or 13 Members had not declared their interests since their appointment in the current term;

[Mr H. F. Leung left the meeting temporarily at this point.]

32. Mr Tam played video clips, “壹週刊：高鐵趕工 慘過奴隸” and “鏗鏘集：高鐵何價？”, at this point.

- (a) there was an example of the Board’s failure to scrutinise development proposals properly - the Guangzhou-Shenzhen-Hong Kong Express Rail Link (XRL). In 2009, more than 20,000 representations/comments against the XRL were submitted to the Board. However, both the Board and the LegCo approved the XRL which had resulted in the relocation of Choi Yuen Tsuen. Although government officials promised to provide assistance to villagers at that time, many promises were empty. Currently, the relocation was still not completed but some affected villagers had already passed away. The XRL did not have adequate site investigation before its commencement, causing adverse impacts on its feasibility and progress. It had resulted in programme slippage and cost overruns. In addition, before the approval of the XRL, there had already been doubts about the co-location of the boundary control facilities. Currently, the required legislative work had not even started. It was unlikely that the co-location proposal could be put into operation by 2020. Passengers would have to stop in their journeys to go through two separate boundary control points, jeopardising the original objective of the XRL to provide a rapid regional transport. As a whole, the XRL was not cost effective and many problems were foreseeable. There were also doubts over the safety of the rail carriages and the hazard to construction workers’ health. If there were not cost overruns as a result of the inadequacy of the preparation works, more money could be made available for purchasing safer carriages and protection of the workers’ health. The Board should take note of the consequences of endorsing problematic projects that had

not been adequately justified and carefully consider the NDAs this time. Government officials should also take more time to visit the area which was done too little at the moment. While Government kept stressing the importance of the NENT NDAs, it had not been studied adequately, particularly on the affected villagers. The Board should learn from the lesson of the XRL. In that case, instead of properly processing the some 20,000 representations/comments, the Board just followed the Government's political decision and endorsed the XRL;

- (b) some government proposals were not carefully prepared. On last Friday, the Finance Committee of the LegCo discussed a paper submitted by the Development Bureau (DEVB) for a study on the topside development at Hong Kong boundary crossing facilities island of the Hong Kong-Zhuhai-Macao Bridge. It was outrageous to note that columbarium was indicated as a possible use merely in response to a casual remark previously made by a LegCo member. The submission was not taken seriously and not properly prepared;

- (c) the right of people to housing was another example of Government's empty talks. It was stated in Article 11(1) of the International Covenant on Economic, Social and Cultural Rights (ICESCR) that the States Parties to ICESCR recognized the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions. The States Parties would take appropriate steps to ensure the realization of this right, recognizing to this effect the essential importance of international co-operation based on free consent. The Covenant had been applicable to Hong Kong since 1976. Subsequent to the handover of the sovereignty in 1997, ICESCR had remained in force in Hong Kong pursuant to Article 39 of the Basic Law (i.e. the provisions of the relevant International Covenants as applied to Hong Kong should remain in force and should be implemented through the laws of the Hong Kong Special Administrative Region). In reality, the Government had caused continuous decline of the living standard of people, taking no notice of people's right to housing.

Choi Yuen Tsuen and Dills Corner Garden were two examples;

[Mr Roger K. H. Luk and Mr. Stephen H. B. Yau left the meeting temporarily at this point.]

- (d) there was about 5,000 residents in FLN and KTN. Their right to housing should be respected. However, the Government did not implement ICESCR, rendering it as decoration. As demonstrated in the XRL, the Government would not fulfil its promises after obtaining the approval of the proposals. Many people had to be sacrificed, enduring costs that had been ignored. In that regard, DEVB should prepare a statement for each person affected by the NDAs;

33. Mr Tam played a video clip, “鏗鏘集：古洞不息”, at this point.

- (a) Kwu Tung was on the periphery of the city. Many existing industrial operators in the area were previously relocated from other areas. While many developers had learnt about the development of the NDAs long time ago and started their land hoarding, those industrial operators, together with the residents there, were the last to be aware of the NDAs. There should be no further relocation of these operators;

[Mr Ken Y. K. Wong left the meeting temporarily at this point.]

- (b) social impact assessment should be required and it should be undertaken seriously. When the Board considered the representations, enquiries should be made to check what information the Board had and whether the information had included the public views and people's living just presented. Information showing the social costs, e.g. the loss of the soy sauce factory and sawmill covered in the previous video clips, was necessary when considering the compensation and rehousing of the NDAs;
- (c) the Government might argue that, notwithstanding the destruction of the existing homes, new housing would be provided to meet our need. In fact, housing need was used only as an excuse to push forward the

integration of Shenzhen and Hong Kong. Previously, an organisation, 青年重奪未來 (Age of Resistance), wrote an article titled〈破解陳茂波——新界東北「愚人包」〉 to refute points made by the Secretary for Development (SDEV). As argued in the article, it was misleading to present the mix of public and private housing in terms of the number of units rather than the land area generally used by people. While DEVB claimed that the housing mix was about 60% public housing and 40% private housing, the proportion of private housing in terms of land area was in fact higher. It seemed that DEVB had intentionally adopted different basis in order to conceal the inclination towards private housing in planning the land uses of the NDAs;

- (d) as indicated in a previous article titled “民間懶人包”, only a minor portion of the NDAs was used to meet the housing need of the grass roots (6% of the total land area or 40 ha for public housing). The article was to avoid any wrong perception by the public that the entire 612 ha of the NDAs was used for housing development;
- (e) according to DEVB’s information provided in June 2012, there was 4,000 ha of unleased vacant government land, including 952 ha of vacant residential land, of which 580 ha had been planned for high-density residential use. That 580 ha of land had far exceeded the 90 ha of housing land to be provided in the NENT NDAs. The Government had failed to explain why priority was given to the NDAs for mere 90 ha of housing land, depleting our financial resources at a cost of \$40 billion for road and infrastructures and 58 billion for ancillary public utilities, rather than developing the vacant residential land in the urban areas. DEVB indicated that the 4,000 ha vacant land largely comprised roads, slopes, and small and piecemeal sites which were not suitable for development, and also the development feasibility was subject to technical assessments. However, DEVB had actually been developing land that it considered not suitable for housing development. There was a site in Kowloon with a land area of only 0.025 ha in the 2013-2014 land sale programme. There were also examples of residential developments on slopes, including a site

close to Chi Fu Fa Yuen providing 6,000 flats and a private development proposal in Wan Chai. In addition, the Government was unwilling to develop the 1,200 ha of vacant government land currently planned for Small House development. In fact, apart from the 4,000 ha of vacant land, there were also 2,200 ha of land under Short Term Tenancy which could be used for development. Out of that 2,200 ha of land, about 300 ha currently used for warehouse had real potential for development. In that regard, the shortage of land as claimed by the Government was misleading. There seemed no justification for spending \$120 billion to develop the NDAs prior to undertaking technical assessments to better utilize the vacant land. It was reasonable to suspect that the Government intended to deplete the financial resources, weaken the democratic autonomy, unleash the land interests of the developers, and promote the integration of Shenzhen and Hong Kong;

- (f) a professional organization in the civil society proposed to replace the NDAs with the development of the Fanling Golf Course which was about 170 ha in land area. As compared with the NDAs, that alternative proposal would take much shorter time and possibly face less delay. Development should be people-oriented, in that priority should be given to develop land with the least occupants. The public were also inclined to use the Golf Course site, rather than the NDAs, for development. However, DEVB chose to destroy people's homes before the feasibility of the Golf Course site was studied. That was a political issue, rather than a technical problem. The choice should be altered as it was not people-oriented and would generate conflicts. In fact, DEVB had admitted that only around 300 ha, not 612 ha, of the land in the NDAs would be developed and only some 90 ha would be used to provide housing. With a site area of about 170 ha, the Fanling Golf Course site should be adequate to substitute the housing sites within the NDAs. Regarding the time required, although no study had yet been carried out for the Golf Course site, less political risk would be involved. As such, less time would be required for the approvals of the proposal and related funding applications;

- (g) the Age of Resistance pointed out that the residents affected by the NENT NDAs had long been requesting the Government to conduct a freezing survey so that they would not be forced to move out by the land owners. The request was however ignored by the Government. Although land dispossession was due to the planning of the NENT NDAs, the former SDEV said that the Government should not be involved in private land disputes in the NENT NDAs. It was difficult to see how the Government would understand the worries of the non-indigenous villagers. What the Government actually did was to remove the residents through the hands of land owners and developers. To some extent, the removal had been contracted out to developers. Intimidated by various threats and disturbances, many local residents had to move out unwillingly;

- (h) DEVB misunderstood the requests of the majority of the villagers, which were in fact “no removal and no clearance” and “withdrawal of the proposal”. DEVB should not give the public a wrong impression that the villagers were greedy for compensation;

[Mr Ken Y. K. Wong returned to join the meeting at this point.]

- (i) there was an exceeding amount of arsenic underneath the Dills Corner Garden. The site investigation works commenced early in the year had revealed poisonous carcinogens but the Government had not undertaken any hazard assessment. Continuous works would harm the under-privileged people in the area. The arsenic issue required more information and involved a longer debate;

- (j) the NDAs were not an empty quarry site. With residents and farming activities in the area, advance works should not be undertaken before completion of with the statutory planning procedures. Without the endorsement of the Board, the Government had started works on agricultural land and at residents’ homes, creating a *fait accompli* for the development. Comparatively, the Golf Course site was a better

alternative as it would not affect any residents;

- (k) in refuting allegation of any transfer of interests through land exchange arrangement, DEVB denied that the land ownership status of the NDAs had been surveyed and indicated to the LegCo that there was no such information. However, it was recently discovered that DEVB had commissioned a planning consultant to examine the land ownership status and SDEV eventually admitted that he had the relevant information on the land ownership. That meant that DEVB did not tell the truth before. In fact, transfer of interests had been a common practice in Hong Kong. For example, many LegCo members had been involved in matters with conflict of interests. It was a historical problem as many development strategies had been made known to the public for many years, including the NENT NDAs and the development corridor of Airport related projects. Accordingly, developers had been building up their land banks in these areas;

- (l) most of the land reserved for agricultural use in the NDAs, like the land in Long Valley and Fu Tei Au, had already been occupied by farming activities. The NDAs proposed neither additional agricultural land nor compensation of the loss of agriculture land due to the project. Besides, it was false to say that every endeavour had been made in preserving the existing rural landscape by designating knolls which was not suitable for development as “Green Belt” (with an area more than 100 ha). Moreover, agriculture activities could not be relocated to new sites reserved for such use easily. As in the XRL case, the underground water for agriculture could be adversely affected;

- (m) the current CE had commissioned One Country Two Systems Research Institute to (the Institute) study the Closed Area and examine a development strategy to create a “Special Area in the Special Administrative Region” in the NENT. The Institute proposed KTN and FLN NDAs to support the development of the Closed Area;

- (n) effort would be made to force the Government to disclose more information on the vacant government land and provide details why the concerned sites were not suitable for development. Each piece of land would be studied individually. The current Government's land hoarding in the urban areas showed that it was not really working to provide more housing;

- (o) the alternative development at the Fanling Golf Course proposed by Green Sense and the Professional Commons was not desirable but it was far better than the NDA plans. On 15.10.2014, DPO/FS&YLE, PlanD said that the alternative proposal could not provide housing in time as the Golf Course site had not yet been studied. Nevertheless, as there was no resident at the Golf Course, the political hurdles to be overcome would be much less. There was a feasibility study on Kwu Tung South now. Having said that, as the CE would continue to explore the strategic development of the North District, including the Closed Area, for the integration of Hong Kong and Shenzhen, the Government would unlikely develop the Golf Course site for public housing in the foreseeable future;

[Professor S. C. Wong left the meeting temporarily at this point and returned to join the meeting shortly.]

- (p) according to a planning analysis of Local Research Community (本土研究社), since the appointment of the current CE, the Government had kept searching for housing sites, investigating the development potential of "Green Belt" and agricultural land, studying land formation from hill side and reclamation, and making use of every single space for housing development. The identification of additional land to meet the housing demand had over-shadowed all other planning work and this process was criticised as "blind land usurping". This had not only adversely affect the grass roots, innocent villagers' homes as well as the natural environment. It had also heightened the "not in my back yard" (NIMBY) mentality in every district, dividing the community seriously;

- (q) on the other hand, the Government failed to utilize less controversial land. In the dispute over the planning of Kai Tai Development Area last year, a blind spot of the land development in Hong Kong was observed, i.e. the Government did not fully utilize the land under its control. Out of the 323 ha land in Kai Tak Development Area, only 36 ha (11%) was reserved for housing development, with 9 ha (3%) used for public housing. As such, the whole Development Area could only accommodate 90,000 residents. One of the reasons for the low percentage of housing land was the land was reserved for the Kai Tak Sports City development which, even to elite athletes, was a useless white elephant wasting tens of billion dollars and substantial amount of land. The Kai Tak Development would be implemented together with the Energizing Kowloon East which was to turn Kwun Tong and Kowloon Bay into another Central for large scale office provision. In addition, there was a cruise terminal. Against that background, it was obvious that the Government would not develop public housing at Kai Tak as it was a political issue. The Kai Tak Development had been put on hold for many years and then reactivated and integrated into Energizing Kowloon East. The fact of using only one ninth of the land at Kai Tak, the largest piece of developable land in the urban areas, for housing showed the inability of the Government to use its own land resources properly. The Government did not intend to make the land resources at Kai Tak available for the enjoyment of the public. That was an example of the rapid gentrification process Hong Kong had been undergoing. As evident in the urban renewal project at Lee Tung Street where newly completed residential units were sold at a price as high as \$30,000 per square feet, the land was only reserved for people who could afford. As a matter of fact, there was no inadequacy of land;

[Professor P. P. Ho and Mr Martin W. C. Kwan left the meeting temporarily at this point and returned to join the meeting shortly.]

- (r) according to the article titled 〈興建公屋足夠？劏房問題勢延十年〉 written by Mr 陳紹銘, Mr Donald Y. K. Tsang, the former CE, had completely changed the housing policy of his predecessor, Mr Tung

Chee-wah. The removal of rent control in 2004 was only one of the examples. With the policy to stop the Home Ownership Scheme and delay the construction of public rental housing, Mr Tsang's inaction and removal of the rent control had caused the current housing shortage resulting in the need for the current CE to make extra effort in searching for housing land. In one of the years under Mr Tsang's rule, only seven to eight thousand public housing units were completed;

[Mr Ken Y.C. Wong left the meeting temporarily at this point and returned to join the meeting shortly.]

- (s) while the increase in income could not catch up with that in property price and rent, the waiting list for public rental housing would be even longer. The phenomenon that many students applied for public housing had demonstrated the fact that housing was currently not affordable. There were actual needs for housing but the housing production was limited, resulting in a great demand for subdivided flats. The crux of the housing problem was the low utilization of the land resources in the urban areas. It was a lie to claim that the NDAs were to resolve the housing shortage. The solution should be to better utilise the land resources in the urban areas, such as that at Kai Tak and West Kowloon which were currently for wealthy people only. Other examples included projects undertaken by the Urban Renewal Authority, such as those in Kwun Tong and Sham Shui Po. They all failed to help resolve the housing problem of the lower-class people;

[Mr. Stanley Y. F. Wong left the meeting temporarily at this point.]

- (t) Professor Edward C. Y. Yiu pointed out in his article 〈房產學人——空置官地知多少?〉 that, as there had been a large amount of vacant government land, it was not justified to undertake large-scale land resumption in the NENT NDAs. According to a paper submitted to the LegCo by DEVB, the total area of land planned for residential use was about 9,800 ha. Excluding village houses and temporary structures, the

land in urban area planned for residential uses only amounted to 6,300 ha, implying a population density in the urban areas exceeding 100,000 persons per square kilometre. Furthermore, out of that 9,800 ha, 2,200 ha were vacant which meant effectively an even higher population density. Besides, even though there was no industry in Hong Kong, there were still about 1,500 ha of land planned for industrial uses, including about 300 ha vacant government land. There was also other vacant government land, including land for government and community facilities (780 ha) and recreation facilities (740 ha). The total amount of vacant land held by the Government was about 4,000 ha, which was about the same amount of land planned for residential uses in the urban areas. It meant that, if the vacant government land was better utilized, the total floor area for residential uses could be doubled. The stock of vacant land was highest in Yuen Long (730 ha) and Sha Tin Districts (580 ha) and there was also about 1,000 ha vacant government land in the urban areas. In contrast to the readiness of these government land, the NDAs would affect much private land and require huge compensation to land owners. As many developers held land in the NDAs, the NDA development would be easily seen as a collusion of Government and developers;

- (u) as pointed out in the article 〈房策大錯特錯 十年絕望哀歌〉 written by 陳紹銘 (Mr Chan), while the current CE had put great emphasis on housing, there were many policy mistakes. The Long Term Housing Strategy recently released failed to fulfil the promises made in the CE's election platform. As a whole, land was not inadequate and the crux was due to lack of planning and uneven distribution. The Government had made little effort to free up the land hoarded by developers, reserved for Small Houses and occupied by golf courses and private clubs. Instead, the focus had been placed on the land occupied by villagers' homes, ignoring the injustice in the development process;
- (v) Mr Chan's article pointed out that the production of public housing could not match with the number of new applications for public housing units. Also, the Home Ownership Scheme had become unaffordable as its price

level was set at 70% of the market price. On the private housing, Hong Kong had about 2.6 million housing units but there were only about 2.4 million households, implying an excess of more than 200,000 units. The Government should increase the costs of hoarding residential units;

- (w) Mr Chan's article also pointed out that the Government had missed the chance to impose rent control. The rent had increased about 70% in the past 5 years, causing a very heavy burden to tenants. The burden would still be heavy even with immediate legislation to prohibit rent increase. The people's right to housing had been deprived;
- (x) to address the high cost of urban housing, the Government could introduce property tax and rent control, and provide quarters and interim housing as short term measures. The long term solution would be to speed up production of public housing and development of brownfield sites, industrial land, small house sites and land hoarded by developers;
- (y) in his article 〈農業魚目混珠 綠變灰色產業〉, Mr Chow Sung Ming pointed out that the consultation document on the New Agricultural Policy released at end 2014 failed to live up to CE's election platform and the Policy Address 2014. The proposed modernized and hi-tech agriculture was in fact capital intensive agri-business for monoculture. Although the produce would still be green, it was a "grey" industry producing a large amount of cheap food like a factory. For the proposed Agriculture Park, the Government had to use a large amount of public money on resumption of agricultural land and provision of infrastructure. This amount of money would only benefit land owners and intensive agricultural business. It would create a false perception of providing capital intensive investment in short term to pursue economies of scale agricultural production. However, this had ignored the diverse bottom-up economic vitality of the community and the relationship of farming activities with the surrounding land, ecology, community and culture; and

[Mr Martin W. C. Kwan left the meeting temporarily at this point.]

- (z) for example, there was a social network at Ma Shi Po where farmers interacted with the residents of nearby high-rise developments through farmers' markets and collection of organic waste from nearby restaurants for composting at the farms. The New Agricultural Policy was hypocritical. If agriculture in Hong Kong was considered important, the NDAs should be shelved. The rent of farmland had also become too high already.

34. The Chairman reminded Mr Tam to focus on the two OZPs in his presentation. Mr Tam explained that as evident in the XRL case, the Board had dealt with issues without full information. He understood that the Chairman wanted the Board to be more administrative and professional. However, the Board had to face many political issues. He then continued to make the following main points:

- (a) the strong objection to the NDAs was due to the requirement of forcing about 5,000 residents to leave their homes. Their aspirations were not reflected on the OZPs. There should be a social impact assessment with statement prepared for each resident. If the Board had such an assessment, approval of the OZPs would be difficult;
- (b) just like the XRL and other cases, the Government would choose a more expensive way to deal with problems. With a hypocritical attitude, the Government had no intention to resolve the housing problem which could be tackled through utilization of the land in the urban areas, like Kowloon East and West Kowloon, not to mention that 4,000 ha of vacant land presented earlier. As mentioned earlier, small and sloping sites could also be used;
- (c) people who were against the NDAs did not seek independence of Hong Kong. They were only against the integration between the Mainland and Hong Kong. In 2003, the Mainland and Hong Kong Closer Economic Partnership Arrangement (CEPA) and the Individual Visit Scheme (自由行) were introduced. The Individual Visit Scheme had led to a

ridiculous situation that the economy of Hong Kong had been overwhelmed by 1.3 billion visitors to the city. Integration between the Mainland and Hong Kong which was dominated by the Chinese Government would exacerbate the conflict between the two places. The relation between the Mainland and Hong Kong had become less harmonious since the handover and currently the conflict had become serious. It was partly due to the gap between two cultures but, more importantly, the influx of the Chinese capital. After the completion of Liantang/Heung Yuen Wai Boundary Control Point and the two NDAs, Mainlanders might live in Hong Kong and work in the Mainland. The conflicts between the Mainland and Hong Kong could become a complicated problem; and

[Mr Martin W. C. Kwan and Mr H. W. Cheung returned to join the meeting at this point.]

- (d) having said that, the real political issue should be related to resource distribution and natural environment. Another issue would be the development of state capitalism. For example, the supply of the Dongjiang water generated extraordinary profit for the supplier who had acted like a capitalist.

35. A Member asked Mr Tam whether his presentation could be more focused. The Chairman advised Mr Tam that the Member's question was only a warm reminder. Mr Tam said that water and food supplies were related to a serious issue of how we dealt with the use of land. He then continued to make the following main points:

- (a) land should not be taken only as a saleable asset without taking into account people's values. State capitalism had resulted in a serious problem, i.e. the reliance of Hong Kong on the Mainland's economy which was an economy without solid foundation even though it was difficult to foresee when the bubbles would burst. The integration of Hong Kong and Shenzhen as advocated by the CE would only result in more problems. Shenzhen and Dongguan were highly urbanised, with many infrastructure works carried out in the areas. The development of

the two cities had caused destruction of the natural environment and adversely affected the food and water supplies. The water of Dongjiang was highly polluted. Hong Kong people should be worried about the pollution and contamination in the Mainland and turn to local sources for food and water supplies;

[Mr Sunny L. K. Ho left the meeting temporarily at this point.]

- (b) Hong Kong was a metropolis which consumed a lot of resources. Therefore, the city's reliance on the surrounding areas was inevitable. We should promote our own agriculture and build more reservoirs. We should also solve the leakage problem of the water pipes. From a regional perspective, we needed a better and more environmentally responsible Guangdong;
- (c) the New Agricultural Policy under consultation was not really for agriculture but for the NDAs. Otherwise, the Government should deal with the contamination problem of metal, pesticide and even radiation from nearby nuclear plants. The New Agriculture Policy was promulgated for political consideration and was hypocritical in nature. It was unlikely that the policy would be implemented;
- (d) the development of Kam Tin was another unacceptable proposal. Taking account of the large amount of vacant developable land in the urban areas, the proposal of accommodating 90,000 people in Kam Tin was crazy. It ignored the value of strategic asset there and would also destroy the agricultural community in the area;
- (e) wastage arising from infrastructure development was objectionable, which incurred high social costs, e.g. loss of agricultural land, harm to workers' health, etc. Externalities would be involved but not reflected in the calculation of the costs. The biggest cost would be the construction waste. The recent LegCo's approval of the expansion of the landfills could not resolve the problem in the long term. The

construction waste, which mainly came from government projects, would remain a big issue. We had about 3,300 tons of non-inertia construction waste each day in 2011 but it only accounted for 6% of the total amount of the construction waste. The total amount would be more than 50,000 tons a day and the remaining was all inertia waste. The figures of all construction waste added up to more than 20 million tons a year. In Canberra, the amount of construction and demolition waste was only over 200,000 tons. In Ontario and Tokyo, the figures were 2 million tons and 9 million tons respectively. We did not take the waste issue in Hong Kong seriously. The solution adopted was to dispose the waste for reclamation, including man-made islands. Another solution was to export the inertia waste to Tai Shan for reclamation there, which caused pollution to the sea and involved heavy Government subsidies for the transportation. In this regard, we needed a culture for waste reduction. After the handover, there had been an insane culture to spend public money on major infrastructure projects. Currently, all infrastructure projects might cost more than 1,000 billion in total. As a result, it generated a large amount of construction waste that required additional landfill capacity and incinerators. Due to our consumption culture, we had neglected the costs to ourselves and our next generations. Waste reduction was important to avoid pollution in Hong Kong and Tai Shan. For a sustainable solution, we needed to examine what infrastructure projects were really required. It should be noted that even relocation within the same district for the NDAs would generate waste. Although the NDAs might not be the most wasteful project, it was the most unnecessary;

- (f) the last topic was on energy issue. The energy supply system of Hong Kong was outdated. The adopted profit control scheme encouraged the two electricity companies to expand their production capacity. To create demands, the two companies set a regressive pricing scheme in favour of large electricity users. Globally, many countries had adopted measures to cut the reliance on coal and nuclear power for electricity generation. It was however difficult for China to cut its reliance on coal power.

China would also build many nuclear plants in the foreseeable future. In Guangdong, there were more than 30 reactor projects. Nuclear power was not as safe as some pro-nuclear activists claimed. There had been incidents and people had to be evacuated. However, Hong Kong was such a small city that evacuation was not possible. In addition, even the normal radioactive discharges would cause long-term hazard to our health. According to a research in Germany, people would have a higher chance of cancer if living close to nuclear plants. We should not restrict ourselves to coal power and nuclear power. Instead, we needed to increase the energy efficiency. There were many successful overseas examples of improving the energy efficiency. To do so, we should reduce infrastructure works and increase our local food supply and resources. Instead of importing overseas food, we should make use of the land in the New Territories for agriculture, rather than using it for property developments. Currently, the economy was excessively concentrated on the property, financial and tourist industries. The excessive concentration on few industries and consumerism had only resulted in more hunger for land;

[Mr H. W. Cheung left the meeting temporarily at this point.]

- (g) if Hong Kong pursued environmental justice, we should examine the current living and consumption styles, like super infrastructures, mega malls, ridiculous air-conditioning, symphony of lights show in the Victoria Harbour that caused light pollution, and production outsourcing model that caused long energy mileage of food and daily necessities. It was not wise or moral to exploit the environment in the Third World by diverting the production that required high energy consumption and carbon emission from Hong Kong so as to meet the “low carbon” target of Hong Kong. The city’s care for carbon reduction should be not only extended outwards but also put into practice locally, exploring self-contained land-based life style, such as re-establishing local agriculture, less consumption of those intensive carbon-emission electronic products and electrical appliances, discontinuing unnecessary

city works, creating a walking and cycling friendly environment, etc. Abandonment of nuclear energy was only the starting point of the anti-nuclear movement. The real energy goal of Hong Kong was to re-establish a wonderful daily life even though we lived under capitalism that merely pursued economic growth and completely separated production from consumption;

- (h) nuclear power plant was only a Russian roulette game and victims of nuclear accidents usually regretted why they did not fight against nuclear energy in the first place. Energy saving was the key to tackle the energy issue. In fact, we did not need the energy supply from Daya Bay;

[Mr H. W. Cheung returned to join the meeting at this point.]

- (i) the economy of the Mainland was not sustainable. The over-investment in the property market would only create bubbles that would burst eventually;

36. Mr Tam played a video clip, “China’s massive real estate bubble, ghost cities”.

- (a) property development was a myth of economic development in the Mainland. The ghost cities were mostly built on land previously occupied by people. The Mainland-Hong Kong integration meant mutual infiltration which would create economic problems in Hong Kong; and
- (b) we should not change the current conditions of KTN and FLN. The development of the Golf Course site was a better option as housing could be delivered more quickly. Members should note that there was no middle ground between the Government and the people in the case of the NDAs. It was not possible to help the Government and, at the same time, also the people. The Board had to take side. In such a special circumstance, the Board had a role and there was no need to support the Government.

[Actual speaking time : 4 hours and 13 minutes]

37. As the representers' representative attending the meeting had completed his presentation and Members had no question to raise, the Chairman thanked the representers' representative and the PlanD's representatives for attending the meeting. They all left the meeting at this point.

38. The meeting was adjourned at 6:52 p.m.