

**Minutes of 1102<sup>nd</sup> Meeting of the Town Planning Board  
held on 14.12.2015, 16.12.2015, 11.1.2016 and 12.1.2016**

**Present**

Permanent Secretary for Development  
(Planning and Lands)  
Mr Michael W.L. Wong

Chairman

Mr Stanley Y.F. Wong

Vice-Chairman

Mr Roger K.H. Luk

Professor S.C. Wong

Professor Eddie C.M. Hui

Dr C.P. Lau

Mr Clarence W.C. Leung

Ms Anita W.T. Ma

Dr W.K. Yau

Professor K.C. Chau

Mr H.W. Cheung

Dr Wilton W.T. Fok

Mr Ivan C.S. Fu

Mr Lincoln L.H. Huang

Ms Christina M. Lee

Mr H.F. Leung

Mr Stephen H.B. Yau

Mr F.C. Chan

Mr David Y.T. Lui

Mr Frankie W.C. Yeung

Mr Peter K.T. Yuen

Mr Philip S.L. Kan

Dr Lawrence W.C. Poon

Chief Traffic Engineer (New Territories East)  
Transport Department  
Mr K.C. Siu

Chief Engineer (Works), Home Affairs Department  
Mr Martin W.C. Kwan

Assistant Director (Environmental Assessment)  
Environmental Protection Department  
Mr K.F. Tang

Director of Lands / Deputy Director/General / Assistant Director/Regional 3, Lands  
Department  
Ms Bernadette H.H. Linn (16.12.2015 p.m.) / Mr Jeff Y.T. Lam (11.1.2016 p.m.,  
12.1.2016) / Mr Edwin W.K. Chan (14.12.2015, 16.12.2015 a.m., 11.1.2016 a.m.)

Director of Planning  
Mr K.K. Ling

Deputy Director of Planning/District  
Mr Raymond K.W. Lee

Secretary

**Absent with Apologies**

Professor P.P. Ho

Ms Julia M.K. Lau

Mr Laurence L.J. Li

Ms Bonnie J.Y. Chan

Mr Sunny L.K. Ho

Ms Janice W.M. Lai

Mr Dominic K.K. Lam

Mr Patrick H.T. Lau

**In Attendance**

Assistant Director of Planning/Board

Miss Fiona S.Y. Lung

Chief Town Planners/Town Planning Board

Ms Lily Y.M. Yam (14.12.2015 a.m., 16.12.2015 p.m., and 11.1.2016 a.m.)

Mr Louis K.H. Kau (14.12.2015 p.m., 16.12.2015 a.m., 11.1.2016 p.m., and 12.1.2016)

Senior Town Planners/Town Planning Board

Ms Doris S.Y. Ting (14.12.2015 a.m.)

Ms Karen F.Y. Wong (14.12.2015 p.m.)

Miss Anissa W.Y. Lai (16.12.2015 a.m.)

Ms W.H. Ho (16.12.2015 p.m.)

Mr Stephen K.S. Lee (11.1.2016 a.m.)

Mr T.C. Cheng (11.1.2016 p.m.)

Ms Wendy W.L. Li (12.1.2016)

1. The following Members and the Secretary were present in the morning session on 14.12.2015:

Permanent Secretary for Development  
(Planning and Lands)  
Mr Michael W.L. Wong

Chairman

Mr Stanley Y.F. Wong

Vice-Chairman

Mr Roger K.H. Luk

Dr C.P. Lau

Ms Anita W.T. Ma

Dr W.K. Yau

Professor K.C. Chau

Dr Wilton W.T. Fok

Mr Lincoln L.H. Huang

Mr David Y.T. Lui

Mr Peter K.T. Yuen

Mr Philip S.L. Kan

Dr Lawrence W.C. Poon

Chief Traffic Engineer (New Territories East)  
Transport Department  
Mr K.C. Siu

Chief Engineer (Works), Home Affairs Department  
Mr Martin W.C. Kwan

Assistant Director (Environmental Assessment)  
Environmental Protection Department  
Mr K.F. Tang

Assistant Director/Regional (3), Lands Department  
Mr Edwin W.K. Chan

Director of Planning  
Mr K.K. Ling

[Closed Meeting]

1. The Secretary briefed Members on the meeting arrangement and highlighted the following main points:

- (a) during the publication periods of the draft Chek Lap Kok Outline Zoning Plan (OZP) No. S/I-CLK/13, a total of 12,220 representations and 346 comments were received. In response to the Secretariat of the Town Planning Board (the Secretariat)'s letter, a total of 112 representers and 76 commenters had indicated that they would attend the hearing in person or authorise a representative to attend the hearing on their behalf;
- (b) a total of four meeting days had been scheduled for the hearing. Under the current arrangement, the representers or their representatives would be heard at the sessions held on 14.12.2015 and 16.12.2015 while the commenters or their representatives would be heard on 11.1.2016 and 12.1.2016;
- (c) on 10.12.2015, the Secretariat received a letter from Green Sense (R390) complaining about procedural impropriety of the meeting arrangement in that not all the representers and commenters were informed of the meeting date, time and place of the subject hearing;
- (d) on 11.12.2015, the Secretariat replied to the Green Sense's letter highlighting the procedures adopted in meeting arrangement as follows:
  - (i) on 20.10.2015, letters were issued by the Secretariat to all representers and commenters who had provided contact details enquiring whether they would attend the hearing tentatively scheduled to commence in mid-December 2015;
  - (ii) on 17.11.2015, a second letter was issued to those representers

and commenters, who had indicated that they would attend the hearing, informing them their allotted date, time and the place of meeting. On the same day, a notice was posted on the dedicated link of the subject hearing on the Board's website providing information that the hearing would commence on 14.12.2015 and would continue for a number of days. Moreover, it was also stated therein that for those representers/commenters who had not provided any contact details or those who had not received the letter from the Secretariat informing them of the hearing arrangements should contact the Secretariat staff if they wished to attend the hearing and make oral submission. Arrangement would be made for their attendance as appropriate;

- (iii) on 7.12.2015, a third letter was sent to all representers and commenters with contact details, irrespective of whether they would attend the hearing or not, informing them that the relevant TPB paper and its attachments were available for viewing/downloading on the website or a copy of the paper had been attached to the letter;
- (e) subsequently, Green Sense wrote a letter requesting at least two hours for its oral submission. According to the Secretariat's records, Green Sense had obtained authorisations from a number of representers and commenters. Green Sense was allotted a total presentation time of 40 minutes at the present meeting while its authorisations from other representers, scheduled to attend the hearing on 16.12.2015, were being verified by the Secretariat; and
- (f) similar request was also received from the Hong Kong Dolphin Conservation Society (R387). The society requested to make a consecutive presentation at the present meeting by using the cumulative speaking time of all representers and commenters whom the group represented though some were originally assigned to attend in different hearing sessions. The verification of the authorisations

was being undertaken by the Secretariat.

2. The Chairman said that some representers might request an extension of speaking time beyond their allotted time. He remarked that the procedures as set out in the Guidance Notes on Attending the Meeting for Consideration of the Representations and Comments in respect of the Draft Chek Lap Kok Outline Zoning Plan No. S/I-CLK/13 (the Guidance Notes) should be adhered to as far as practicable to ensure consistency and procedural fairness. According to the Guidance Notes, every representer/commenter or their representatives would be allotted a speaking time of 10 minutes unless authorisations were obtained from other representers/commenters. As regards the requests from Green Sense and Hong Kong Dolphin Conservation Society for using the cumulative speaking time of all the representers and commenters whom they represented in one go at the present meeting, the Chairman suggested that arrangement might be made for them to use the speaking time of other representers/commenters assigned with subsequent hearing sessions towards the end of the present meeting if circumstances allowed. Members agreed.

3. One Member asked whether it was necessary for Members to attend all hearing sessions before they were allowed to participate in the deliberation session. The Chairman said as it might not be possible for all Members to attend all the hearing sessions, video recordings and the draft minutes of all the hearing sessions would be sent to all Members prior to the deliberation session such that they would have a thorough understanding of the major issues raised by the representers/commenters and the government departments' responses during the hearing sessions. Similar practices had previously been adopted for other hearings which lasted for more than one day.

4. Mr K.F. Tang, Assistant Director (Environmental Assessment), said that some of the grounds raised by the representers and commenters were related to the approved Environmental Impact Assessment (EIA) report. He drew Member's attention that two Judicial Reviews (JRs) against the decision of the Director of Environmental Protection (DEP) to approve the EIA report and grant an Environmental Permit (EP) for the three runway-system (3RS) project were yet to be heard.

**Sai Kung and Islands District**

**Agenda Item 1**

[Open Meeting (Presentation and Question Sessions only)]

Consideration of Representations and Comments in respect of the Draft Chek Lap Kok  
Outline Zoning Plan No. S/I-CLK/13

(TPB Paper No. 10056)

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[The meeting was conducted in Cantonese.]

***Representations***

R1 to R12200<sup>1</sup>

***Comments***

C1 to C346

**Presentation and Question Sessions**

5. The Secretary reported that the following Members had declared interests in the item for being representers or having business dealing or affiliation with the Airport Authority Hong Kong (AAHK) and other representer/commenter:

Mr Sunny L.K. Ho - being the Executive Director of the Hong Kong Shipper's Council (R1) and the President of the Chartered Institute of Logistics and Transport in Hong Kong (R2)

Professor S.C. Wong - being a member of the Institute of Transport Studies of the University of Hong Kong, which had obtained sponsorship from AAHK (C1) before and the council member of the

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<sup>1</sup> 11 representers (R700, R1700, R1952, R2659, R2700, R2857, R3034, R3647, R4045, R4119 and R4263) subsequently indicated that they did not make any submission in respect of the draft OZP and their representations were taken out.

- Chartered Institute of Logistics and Transport in Hong Kong (R2)
- Mr Dominic K.K. Lam - being a member of the 3RS and Works Committee of AAHK (C1)
- Ms Julia M.K. Lau - being a member of the Hong Kong Special Administrative Region (HKSAR) Aviation Development and 3RS Advisory Committee of the Transport and Housing Bureau
- Ms Janice W.M. Lai - having current business dealings with AAHK (C1)
- Dr C.P. Lau - having business dealings with AAHK (C1) within the past three years
- Ms Christina M. Lee - being Secretary-General of the Hong Kong Metropolitan Sports Events Association which had obtained sponsorship from the Chinese Manufacturers' Association of Hong Kong (C20) before

6. Members noted that Mr Sunny L.K. Ho, Mr Dominic K.K. Lam and Ms Janice W.M. Lai whose interests were direct would not attend the meeting while Ms Julia M.K. Lau indicated that she would not attend the meeting. Members noted that Ms Christina M. Lee and Dr C.P. Lau's interests were indirect and agreed that they should be allowed to stay in the meeting. Members noted that Ms Christina M. Lee and Professor S.C. Wong had tendered apologies for being unable to attend the present hearing session.

7. Professor K.C. Chau and Mr Stanley Y.F. Wong declared interests in the item for being members of the Advisory Council on the Environment (ACE) which endorsed the EIA report of the 3RS project. Mr Stanley Y.F. Wong further indicated that the EIA report was approved prior to his term of service. Members noted the above interests.

8. A petition letter submitted by Hon Kwok Ka Ki (R48) objecting to the 3RS project was received by the Secretariat before the meeting and tabled for Members' reference.

9. The Chairman noted that reasonable notice had been given to the representers and commenters inviting them to the hearing. Other than those who were present or had indicated that they would attend the hearing, the rest had either indicated not to attend or made no reply. As reasonable notice had been given to the representers and commenters, the Board should proceed with the hearing of the representations and comments in their absence.

10. The following government representatives and the representers/commenters or their representatives were invited to the meeting at this point:

#### **Government Representatives**

##### *Planning Department (PlanD)*

- Ms Donna Y.P. Tam - District Planning Officer/ Sai Kung and Islands (DPO/SKIs)
- Mr Richard Y.L. Siu - Senior Town Planner/Islands (STP/Is)
- Mr Gary T.S. Lui - Town Planner/Islands (6) (TP/Is6)

##### *Transport and Housing Bureau (THB)*

- Ms Candy K.Y. Nip - Principal Assistant Secretary (Transport) 8 (PAS(T)8)
- Mr Henry C. K. Chu - Assistant Secretary (Airport Expansion Project Coordination Office) A (AS(AEPCO)A)

##### *Transport Department (TD)*

- Mr Tony K.K. Wu - Senior Engineer 2/Transport Planning (SE2/TP)

##### *Environmental Protection Department (EPD)*

- Mr. Lawrence K.K. Ngo - Senior Environmental Protection Officer

(Regional Assessment) 1 (SEPO(RA)1)

*Marine Department (MD)*

- Mr. Tony T.F. LI - Senior Marine Officer /Planning & Development  
(3) (SMO/P&D3)
- Mr. P. Zou - Marine Officer /Planning & Development (3)  
(MO/P&D3)

*Civil Aviation Department (CAD)*

- Mr. Gabriel P.K. Cheng - Chief (Technical and Development) (C(TD))
- Mr Raymond C.O. Ng - Chief Safety Officer (Airport Safety)  
(CSO(A&SR))
- Mr. Samuel Ng - Senior Evaluation Officer (1) (SEVO(1))

*Agriculture, Fisheries and Conservation Department (AFCD)*

- Mr. Dick K.C. Choi - Senior Marine Conservation Officer (West)  
(SMOC(W))

**Representers and Representatives of Representers and Commenters**

R2 - The Chartered Institute of Logistics and Transport in Hong Kong

- Mr Wong Man Sum - Representer's representative

R4 - Hong Kong Institution of Highways and Transportation

- Ir Tse Pak Kin - Representer's representative

R6 - 周婕群

R7 – Wong Wai Hung

- Mr Wong Wai Hung, Ernest - Representer and representer's representative

R277 - Carolyn Cheung

- Mr Choi Ka Man, Thomas - Representer's representative

R386 - World Wide Fund For Nature Hong Kong (WWF)

Ms Samantha Lee - Representer's representative

R387 - Hong Kong Dolphin Conservation Society

R2727 - 盧小雁

R4569 - Lam Tsz Kwan

C141 - Luk Hiu Kiu

C143 - Tsang Chin Lung

C145 - Luk Kin Fai

C146 - Hong Lok Tou

C226 - Lam Sze Kwan

C251 - 葉倩宜

C337 - Yuek Kee Lam

Dr Samuel Hung - Representative of representers and  
(Hong Kong Dolphin commenters  
Conservation Society)

R390 - Green Sense

R449 - Cecilia Lee

R854 - Lee Ching Yi

R1012 - Wong Suet Mui, Elly

R1254 - Mak Chi Kit

R3120 - 趙智恒

R3246 - 鄭偉泉

R3340 - Iris Chan

R3445 - 鄭懷寧

R3586 - 陳穎彤

R4282 - Bonnie Cheng

R4451 - Go Ming Tsun

Mr Tam Hoi Pong ]

Ms Ho Ka Po ] Representers' representatives

Ms Wong Pui Chi ]

Ms Luk Ting Yan ]

(Green Sense)

R396 - Tam Kai Hei

Mr Tam Kai Hei - Representer

R737 - Lam Shu Yuen

Mr Lam Shu Yuen - Representer

R1163 – Ka Ho Fu

R4037 – Wright Fu

Mr Wright Fu - Representer and representer's representative

R1250 - Tang Wing Yan, Grace

Ms Tang Wing Yan - Representer

R1334 - Adrian Ng

Mr Ng Tin Cheung, Adrian - Representer

R1891 – Charlotte Lai

Mr Ha Hei Lok - Representer's representative

11. The Chairman extended a welcome and explained the procedure of the hearing as follows:

- (a) due to the large number of representers/commenters indicating that they would attend the hearing, the hearing would be held in 4 days, i.e. 14.12.2015 and 16.12.2015 for representers, and 11.1.2016 and 12.1.2016 for commenters;
- (b) for each hearing session, government's representatives would first brief Members on the background. Afterwards, the representers/commenters or their representatives would be invited to make oral submissions in turn according to their numbers;

- (c) as a large number of representers/commenters or their representatives had registered to make the oral submissions, the Board agreed on 16.10.2015 that each of them should be allotted 10 minutes for their oral submission;
- (d) there was a timer device to alert the representers/commenters or their representatives 2 minutes before the allotted time was to expire and when the allotted time limit was up;
- (e) a question and answer (Q&A) session would be held after all attending representers/commenters or their representatives at each hearing session had completed their oral submissions. Members could direct their questions to government representatives or representers/commenters or their representatives; and
- (f) after the Q&A session, the hearing on that day would be adjourned, and the representers/commenters or their representatives and the government representatives would be invited to leave the meeting. After hearing all the oral submissions from the representers/commenters or their representatives who attended the meeting, the Board would deliberate on the representations/comments in closed meeting, and inform the representers/commenters of the Board's decision in due course.

12. Mr Tam Hoi Pong, representative of Green Sense (R390), said that he was aggrieved by the notification procedures of the subject hearing which had in effect discouraged the attendance of the representers and commenters resulting in a low turnout rate. Out of a total of about 13,000 representations and comments, only about 200 representers/commenters were able to attend the hearing. He said that it was procedurally improper that not all the representers/commenters were notified of the meeting details including date, time and place as required under the provision of the Town Planning Ordinance (the Ordinance). He continued to elaborate further as follows:

- (a) the required meeting details were not included in the Secretariat's letter dated 20.10.2015 which the representers/commenters were requested to indicate whether they would attend the meeting in person or be represented

by others;

- (b) those representers and commenters who did not reply the Secretariat on their attendance were not informed of the meeting date, time and place of the hearing;
- (c) the letter issued by the Secretariat to all representers/commenters on 7.12.2015, regardless of whether they would attend the hearing or not, was also improper as it did not specify the number of meeting days nor set out clearly whether those representers/commenters who had not indicated their attendance could still register to attend the hearing;
- (d) he had consulted his lawyers who advised that the above procedures had contravened the provision under section 6B(2) of the Ordinance.

13. Mr Tam submitted a letter dated 11.12.2015 from a law firm representing Green Sense which set out their grounds against the hearing arrangement. He requested the Board to adjourn and postpone the hearing of representations and comments in respect of the OZP and properly notify all representers and commenters about the date, time and place of the rescheduled meeting in order to avoid possible legal action against the Board. He also urged the Board to deliberate in private and decide whether the current hearing should continue having regard to the grounds raised in the letter submitted.

14. A copy of the letter dated 11.12.2015 submitted by Mr Tam was distributed to Members for reference.

15. The Chairman said that preliminary legal advice on the hearing procedures had been sought and did not point to a need to adjourn the hearing. Further detailed legal advice would be sought and a written reply to the letter submitted by Green Sense would be issued in due course.

16. Dr Samuel Hung, representative of Hong Kong Dolphin Conservation Society (R386), said that he was not familiar with the hearing procedures as it was his first attendance at the Board's hearing. While he had a high expectation of the Board's

hearing which would provide a platform for the representers and commenters to present their views, he opined that effective presentations were, however, hindered. For example, the society, which was the authorised representative of a number of representers and commenters, might not be allowed to use the cumulative speaking time of those representers and commenters on the same day since they were allotted different hearing sessions and that representers and commenters were to be heard at separate sessions.

17. The Chairman said that it was the normal practice for all representers to complete their oral submissions prior to the commencement of oral submissions by commenters as the latter were to provide comments on the representations. There were past practices that the attendees, who were both representers and commenters, were allowed to make presentation in one go at the same meeting. Flexibility might be allowed for Dr Hung to use the total speaking time of both the representers and commenters at the present hearing session, subject to verification of the authorizations by the Secretariat.

18. Dr Hung cast doubt on whether the public was aware of the difference between being a representer or a commenter and that the hearing of the representers and commenters were scheduled on different days. He understood that the requests for extension of presentation time and for using the cumulative speaking time by the authorised representatives at the same hearing session would be subject to the discretion of the Chairman taking into account various factors including the number of attendees at each hearing session. To assist the Chairman to gather more information on the number of attendees for each session, consideration might be given to setting a cut-off time for registration, say by 10 a.m., and any late comers would not be allowed to attend the hearing. It appeared to him that the subject hearing was arranged in such way to facilitate the efficient conduct of the meeting rather than for the purpose of genuinely listening to the views of the representers and commenters.

19. While noting the views of Dr Hung, the Chairman explained that the hearing arrangement had been clearly set out in the Guidance Notes which had been posted on the Board's website. To encourage the representers and commenters to participate in the hearing, there was sufficient flexibility in the implementation of those arrangements so that late-comers might also make oral submissions if circumstances allowed. Moreover,

based on the past experience, not all the representers/commenters who had made written submissions would attend the hearing to make oral submissions.

20. Dr Hung suggested that the hearing arrangement be improved by assigning the representers and commenters to either the morning or the afternoon session in order to avoid prolonged waiting.

21. The Chairman sought clarification from Dr Hung on whether it was his suggestion to set a cut-off time for registration for each hearing session, say at 10 a.m., so as to facilitate the Secretariat to have a better understanding on the total number of attendees for each session, noting that such a suggestion could be taken into account in making hearing arrangement for future, but not the present cases.

[Ms Anita W.T. Ma arrived to join this session of the meeting at this point.]

22. Mr Tam Hoi Pong said that the Chairman had misinterpreted Dr Hung's idea. He believed that Dr Hung was trying to suggest a way to facilitate the Board to have better knowledge about the actual attendance for a particular hearing session but not really proposing to set a cut-off time for registration. Mr Tam requested the Board to deliberate on the issues as set out in the letter dated 11.12.2015 instantly.

23. The Chairman reiterated that preliminary legal advice had been sought and did not point to a need to adjourn the meeting. The letter submitted by Mr Tam had been distributed to Members and the legal issues raised in the letter would be separately dealt with after seeking further legal advice.

24. Mr Tam displayed on the visualiser a copy of the electronic reply proforma attached to the Secretariat's email dated 20.10.2015 at this point. He said that it was difficult for the recipients to reply directly using the electronic proforma which had some built-in technical defects. It was therefore unfair for the Secretariat to treat the representers/commenters as not attending the hearing when no reply was received from them. Moreover, it was also unreasonable that those representers/commenters who did not reply were not informed of the meeting dates. He reiterated his request that the Board should deliberate on the issues raised in the letter he submitted at the present meeting.

Otherwise, it was highly likely that the entire hearing, which would last for four days, was illegal.

25. Mr Ha Hei Lok, representative of R1891, raised a concern on the legality of the current hearing if the legal issues as raised by Mr Tam were yet to be resolved by the Board. He considered that the meeting should be adjourned prior to the resolution of the legal issues. In response, the Chairman reiterated his explanation about having sought preliminary legal advice, and the seeking of further detailed legal advice.

26. Mr Ha continued to ask what measures would be taken if the hearing was subsequently ruled to be illegal and urged the Board to adjourn the meeting pending the seeking of legal advice. The Chairman responded that the meeting was arranged in accordance with the established practice. Preliminary legal advice sought did not point to a need to adjourn the meeting.

27. Ms Tang Wing Yan (R1250) said that it was undesirable for the Board to schedule all the hearing sessions on weekdays. Consideration should be given to scheduling one or two hearing sessions on weekend so that more representers and commenters could attend the hearing to make oral submissions in person.

28. Ms Ho Ka Po, one of the representatives of Green Sense (R390), said that the hearing arrangement could be improved by assigning the representers and commenters a specific time schedule for their oral submissions, or at least allotting them either the morning or afternoon sessions to avoid them waiting for long hours. Moreover, the 10-minute speaking time limit for each representer and commenter was not sufficient for them to clearly elaborate their views. She opined that the meeting arrangement was confusing in that the representers/commenters were not aware of the meeting dates/duration and that the authorised representatives were not allowed to use the presentation time of other representers/commenters if those representers and commenters were allotted different hearing sessions. She also expressed concern that the attendees were required to make their oral submissions notwithstanding the legality of the hearing was yet to be ascertained.

29. The Chairman said that the Secretariat would only have information on the

actual number of attendees and their respective total speaking time after the completion of registration for that particular hearing session. In view of the large number of representations and comments received, it was necessary to impose a 10-minute presentation time in order to ensure the efficiency of the meeting. Moreover, as the oral submissions made by the representers/commenters at the hearing should be confined to an elaboration of the written submission instead of presenting new information, the 10-minute speaking time should be sufficient for oral submission as shown in the hearing sessions of other OZPs.

30. One Member shared with the attendees the Board's past experience that there were occasions when the hearing sessions were adjourned after Members had waited for almost two hours due to the representers' failure to show up at the scheduled sessions. The Member further remarked that like some representers and commenters, some Members were also required to take leave from their full-time job in order to attend the hearings.

31. Mr Tam Hoi Pong said that he had tolerated the procedural unfairness of the Board's hearing arrangement for three years and hoped that the Chairman could resolve the problem at the meeting. He was particularly dissatisfied with the meeting arrangement for the subject hearing in that the Board's Secretariat had tried all means to discourage the attendance of representers/commenters. Mr Wright Fu (R4037) said that consideration should be given to improving the hearing procedure by better scheduling the attendance of the representers/commenters.

32. The Chairman reiterated that the hearing arrangement for the subject hearing should not be further disrupted. A substantive reply would be given to Green Sense after further detailed legal advice had been sought. He urged the representers or their representatives to respect and follow the procedures set out in the Guidance Notes issued to them prior to the meeting. He further said that the hearing had been delayed for quite some time and that the points raised by the attendees were repetitive and had been responded to reasonably. While appreciating the attendees' intention to improve the hearing arrangement, the subject hearing was not a platform for such discussion. There were other channels for the public to express their views on the hearing arrangement.

33. Ms Samantha Lee, representative of R386, suggested that the hearing arrangement could be improved with reference to the practice adopted by the public hearings of LegCo in that the attendees were assigned either the morning or afternoon session for presentation. Such arrangement would encourage more representers and commenters to participate in the hearing. The Board could also have more accurate information on the number of attendees for each session. Mr Wright Fu suggested that an alternative arrangement which could facilitate the representers/commenters to adjust their respective schedule for attending the hearing was to make known to the public the total number of representers/commenters scheduled for each hearing session.

34. The Chairman invited PlanD's representative to start the presentation at this point. Mr Tam interrupted again and urged the Board to address the procedural issues at the present meeting. The Chairman once again requested Mr Tam's cooperation to comply with the hearing procedures and not to further interrupt the conduct of the hearing.

35. The Chairman invited the representative of PlanD to brief Members on the representations and comments in respect of the draft CLK OZP.

36. With the aid of a Power Point presentation, Mr Richard Y.L. Siu, STP/Is, made the following main points as detailed in TPB Paper No. 10056:

#### Background

- (a) on 8.5.2015, the draft Chek Lap Kok OZP No. S/I-CLK/13 was exhibited for public inspection under section 5 of the Town Planning Ordinance (the Ordinance). During the public inspection period, a total of 12,220 representations and 346 comments in representations were received. Eleven representers subsequently indicated that they had not made any submission in respect of the draft OZP. Hence, there was a total of 12,209 valid representations;

#### *The 3RS project*

- (b) in late 2010, AAHK drew up the "Hong Kong International Airport Master Plan 2030" (MP 2030) and recommended two development

options for the Hong Kong International Airport (HKIA): maintaining the existing two-runway system (2RS) or expanding it into a 3RS;

- (c) in March 2012, the Executive Council gave in-principle approval for AAHK to adopt the 3RS as the future development option for HKIA for planning purpose. Since then, AAHK had embarked on the necessary planning work, namely, the statutory Environmental Impact Assessment (EIA), the associated design details and the financial arrangements;
- (d) on 7.11.2014, the 3RS EIA report was approved by the Director of Environmental Protection (DEP) under the EIA Ordinance. The Environmental Permit (EP) was also granted with conditions on the same day. On 17.3.2015, the Chief Executive in Council (CE in C) affirmed the need for the 3RS project;
- (e) on 10.4.2015, AAHK provided a brief overview on the proposed 3RS development to the Board. On 17.4.2015, the Rural and New Town Planning Committee of the Board considered and agreed to the proposed amendments to the OZP to facilitate the HKIA 3RS development;
- (f) on 8.5.2015, the 3RS reclamation scheme was gazetted under the Foreshore and Sea-bed (Reclamations) Ordinance (FS(R)O). On the same day, the draft Chek Lap Kok OZP No. S/I-CLK/13 was exhibited for public inspection under section 5 of the Ordinance;

*Public Consultation in relation to 3RS*

- (g) since the promulgation of MP 2030, AAHK reached out to a wide spectrum of stakeholders to seek their views on the airport's development plans. From November 2008 to October 2015, over 1,400 engagement activities such as public forums, roundtable meetings, workshops, airport visits, briefings, exhibitions and seminars with a variety of stakeholder groups were organised;

- (h) among the various engagement initiatives, AAHK had set up four Technical Briefing Groups to collect the professional views from experts and academia with technical expertise in specific environmental aspects (including air quality, noise, marine ecology and fisheries, as well as Chinese White Dolphins); and five Community Liaison Groups in HKIA's neighbouring districts (including Islands, Kwai Tsing, Shatin, Tsuen Wan and Tuen Mun) in order to exchange views with the District Councillors and the community leaders on the 3RS development;
- (i) the 3RS EIA report was made available for public inspection between 20.6.2014 and 19.7.2014 in accordance with the EIA Ordinance. During the public inspection period of the EIA report, AAHK had organized briefings for business partners and media, roving exhibition, as well as two public forums to update the public on the findings of the EIA and the initiatives to mitigate the potential impacts of the 3RS development;
- (j) after the approval of the EIA report, a new round of communication and engagement campaign had been launched by AAHK since March 2015 to explain to the public the need for the 3RS and to clarify common misconceptions;

#### *Judicial Review in relation to 3RS*

- (k) there were a total of five judicial reviews (JRs) lodged against the decisions of AAHK, DEP and CE in C in relation to the 3RS project. Another JR lodged by a commenter (C340) had also been received against the representation procedure and consultation arrangement of the draft CLK OZP. The Court had granted leave to two JRs against DEP, but not yet granted leave to the remaining JRs;

#### The Representations

- (l) among the 12,209 representations, four supported the proposed amendments of the draft OZP while the remaining 12,205

representations opposed the draft OZP/3RS project. The representation site covered the sea to the north of HKIA;

*Supportive Representations (R1 to R4)*

(m) the major grounds of the supportive representations and PlanD's responses, as detailed in paragraphs 4.2 and 6.6 of the Paper respectively, were summarised below:

- (i) the capacity constraint of the current runway was a major threat to the future development and expansion of the HKIA. The 3RS would sustain HKIA's competitiveness and growth to strengthen Hong Kong's position as an international aviation hub;
- (ii) the 3RS development would bring tremendous economic benefits and create ample job opportunities for Hong Kong;
- (iii) the EIA study undertaken by AAHK for the 3RS project was considered a thorough and well balanced study that had examined the critical elements for protecting the environment. The proposal to designate a new marine park was supported;
- (iv) the potential adverse environmental and ecological impacts of the 3RS development could be overcome by adopting a state-of-the-art construction technology, i.e. deep cement mixing method which was a non-dredging technique for reclamation to stabilize the marine clay;
- (v) response: the supporting views were noted;

*Adverse Representations (R5 to R12220)*

(n) the major grounds of the adverse representations and PlanD's

responses, as detailed in paragraphs 4.3(a) to (x) and 6.7 to 6.24 of the Paper respectively, were summarised below:

*Need for 3RS/Efficiency and capacity of existing 2RS*

- (i) there were insufficient information/technical assessments to justify that 3RS was the most feasible option for HKIA expansion. AAHK failed to demonstrate that 3RS was the most feasible option in terms of, inter alia, financial viability and environmental impact;
- (ii) the allegation that the existing 2RS had reached its maximum capacity was doubtful. The feasibility of the options to enhance the operation efficiency under 2RS, such as removing the hilly terrain at northeast Lantau; reducing flights to less popular destinations; use of wide-bodied aircrafts; and provision of additional ground support facilities, had not been fully investigated;
- (iii) there were other options like cooperation with nearby airports in the region, building a new airport and improvements in air traffic management to enhance the operation efficiency of 2RS instead of establishing 3RS;
- (iv) there were concerns that the commissioning of the Express Rail Link (XRL) would compete with the short-haul flights currently provided in HKIA. The lack of coordination of passenger flow between XRL and 3RS would result in Hong Kong people paying the social and environmental costs for unnecessary expansion of HKIA;
- (v) the responses to the above grounds were:
  - expansion of the midfield would not increase the airport's overall handling capacity as the bottleneck lied in the

airport's runway capacity. A third runway was still needed to meet long-term traffic demand;

- without a major expansion plan like 3RS at HKIA, Hong Kong would eventually lose out on its competitiveness as an aviation hub to major competitors;
- the need for 3RS in maintaining Hong Kong's competitiveness as a global and regional aviation hub and for catering Hong Kong's long-term economic and development needs was also reaffirmed by CE in C on 17.3.2015;
- the regional mainland routes that were particularly affected by XRL only contributed to about 4% of HKIA's passenger throughput in 2014. The potential adverse impact from XRL on HKIA would unlikely be significant;
- according to the "Airspace and Runway Capacity Study" undertaken by the British aviation expert, National Air Traffic Services (NATS), in 2008, there was limited room to increase the capacity of 2RS to handle more flights. NATS confirmed that even with the improvement measures, the maximum capacity of the 2RS at HKIA would be 68 movements per hour. Once the maximum practical capacity of 68 movements per hour was reached, there was little room to further increase the annual air traffic movements (ATMs) of the 2RS;
- regarding the option on collaboration with nearby airports in the region, Hong Kong could not rely on its neighbouring airports to help solve its capacity problem;
- on other alternative options to enhance the operation

efficiency under 2RS, the proposal of removing the peaks in northeastern Lantau was not feasible as major infrastructure and landmarks on Lantau would have to be removed;

- reducing flights to less popular destinations would have wide ramifications to HKIA's overall traffic, and also run counter to consumer choices and undermine the overall economic interests of Hong Kong;
- it was not for the airport operators or governments to dictate the decision of using wide-bodied aircrafts. In fact, HKIA was already one of the world's most efficient airports that had the second-highest proportion of wide-bodied aircraft;
- to increase ground handling capacity in short to medium terms, AAHK was pushing ahead with the Midfield Development Project, which would provide 20 additional parking stands to serve an additional 10 million passengers each year;

*Environmental and ecological concerns*

- (vi) the massive reclamation involved in constructing 3RS would destroy the travelling corridor and marine habitat of Chinese White Dolphins (CWD), and brought irreversible impact on the natural environment, marine ecology and the fisheries resources. The cumulative impact of several consecutive construction projects at the waters off North Lantau would aggravate the problem;
- (vii) the proposal of establishing a Marine Park upon completion of 3RS was not acceptable as it was tantamount to "Destroy First, Compensate Later";

- (viii) the 3RS project would aggravate noise and air pollutions to residents in Shatin, Ma Wan, Sham Tseng as well as villagers of Sha Lo Wan and San Tau, Tung Chung. However, no effective mitigation measure had been proposed to alleviate the impacts;
- (ix) the 3RS construction works would have adverse impact on Sha Chau Egrettry, the second largest breeding and nesting ground for birds. The construction of 3RS would disturb the egrettry, leading to abandonment of the breeding and nesting activities there;
- (x) the construction/development of HKIA had caused adverse impact on the natural environment of Ma Wan, Sha Lo Wan and San Tau Village and severe loss of sand in the beach at Sha Lo Wan;
- (xi) the responses to the above grounds were:
- DEP considered that all those concerns were adequately addressed in the 3RS EIA report to meet the requirements of the EIA Study Brief and the EIA Ordinance-Technical Memorandum (EIAO-TM);
  - the footprint of the airport expansion layout had been minimised and a Marine Park as a compensatory measure had been proposed in the EIA report which would provide a protected habitat for the marine ecology;
  - appropriate mitigation measures had been proposed to mitigate the potential adverse impact of 3RS project on CWD habitat, Sha Chau Egrettry and Sha Lo Wan, as well as the potential adverse noise and air impacts;

*Traffic concerns*

- (xii) no detailed information on the Traffic Impact Assessment (TIA) on 3RS was available for the public;
- (xiii) there was no Marine Traffic Impact Assessment (MTIA) nor hydrodynamics impact assessment conducted for 3RS;
- (xiv) no air traffic impact assessment and relevant assessments as required by the International Civil Aviation Organization (ICAO) for 3RS was provided;
- (xv) the responses to the above grounds were:
  - TD considered that the overall traffic impact on roads within HKIA and adjoining road network arising from 3RS was considered acceptable by 2026. While the Government acknowledged the need to provide an alternative route to HKIA, the traffic situation beyond 2026 would be constantly monitored and reviewed and suitable measures would be worked out, if necessary, to mitigate the traffic situation;
  - MD advised that the findings of the MTIA affirmed that with the implementation of the recommended marine traffic mitigation and enhancement measures, the 3RS project would not pose any insurmountable navigational risk;
  - CAD had implemented the Safety Management System in accordance with ICAO guidelines and would ensure that necessary safety risk assessment for 3RS would be conducted at appropriate stages;

*Insufficient/Ineffective land use and development controls*

- (xvi) the control on the permissible uses and development intensity in

the zones under the Amendment Items was very loose that all uses were put under Column 1 as always permitted uses and no gross floor area (GFA) restrictions were imposed. Also, the 'People Mover Depot' should be regarded as an industrial use and should not be always permitted;

(xvii) the Board should not consider the land use/amend the OZP given the uncertainty over the reclamation and on land which had not yet existed, especially when the statutory procedures for reclamation works (i.e. gazettal under the FS(R)O (Cap. 127)) were still ongoing;

(xviii) the responses to the above grounds were:

- the draft OZP was prepared to put the development of Chek Lap Kok under statutory planning control;
- the zonings designated on the draft OZP and the amendments to the covering Notes aimed to support the development of HKIA and to allow the maximum flexibility for airport operational development;
- as the proposed uses of the amendment sites were the same as the existing HKIA, the current land use and development control imposed on the draft OZP were considered appropriate. Similarly, no GFA/building height restriction was imposed on those zonings to allow the maximum flexibility for airport development;
- incorporating 'People Mover Depot' on top of the existing 'People Mover Track' as an use that was always permitted on land falling within the boundaries of the draft OZP was to facilitate the services of the existing and new automated people mover system, which was an essential facility at

HKIA and the 3RS;

- the administrative arrangement to concurrently gazette reclamation works under FS(R)O and land use proposals on the reclamation under the Ordinance would ensure that the public was consulted concurrently on both the proposed reclamation and the associated land uses;

*Procedural injustice*

- (xix) given the fact that the EIA report and the EP granted for 3RS project were subject to JRs, the environmental impact of the 3RS project and its associated reclamation could not be ascertained. As environmental acceptability was the most important consideration for the project, it was premature to amend the OZP until a decision on the JRs was made by the Court;
- (xx) the Government should not proceed with the statutory procedures for reclamation and OZP amendments for the 3RS project until such legal issues were resolved;
- (xxi) the response to the above grounds was:
- the legal advice was that the JR applications concerned did not constitute legal restriction prohibiting the Board from continuing the ongoing statutory amendment process of the OZP under the Ordinance, unless and until the Court directed that there should be a stay of the proceedings to which the JR application was related;

*Improper Public Consultation*

- (xxii) the public consultation for HKIA expansion conducted by AAHK was biased and misleading by providing information favourable for 3RS. As a matter of due diligence, AAHK had to explain why the original design capacity of handling 86

million passengers and 9 million tonnes of cargo under 2RS could not be achieved. The public were not convinced that 3RS could achieve its design capacity without such explanation;

(xxiii) the responses to the above ground were:

- AAHK conducted a 3-month public consultation exercise on MP 2030 between June and September 2011 to seek public views on the future development of HKIA;
- AAHK had reached out to promote the 3RS project and conducted regular 3RS briefings as well as airport visits for a broad range of stakeholder groups;
- there had been several public hearings at the Legislative Council (LegCo) where AAHK attended to explain issues concerning the 3RS project;

*Unresolved airspace issues*

(xxiv) the assumption of no restriction on the use of airspace upon completion of 3RS was doubtful;

(xxv) the proposal to set up “the Southern Pearl River Delta Terminal Area” jointly managed by the relevant authorities in Guangdong and Hong Kong might contravene Article 130 of the Basic Law (BL) that the Hong Kong Special Administrative Region (HKSAR) should be responsible on its own for matters of routine business and technical management of civil aviation;

(xxvi) as the aircraft movement within the airspace was constrained by the operation of Shenzhen Bao’an International Airport and the altitude and geographical location requirements for handover of flights between air traffic control units in Hong Kong and in the Mainland (referred to by the representers as “Air Wall”

constraint), the effectiveness of 3RS was doubtful if these issues could not be resolved;

(xxvii) the response to the above grounds was:

- the Civil Aviation Administration in the Mainland, CAD of HKSAR and the Civil Aviation Authority of Macao SAR set up a working group in 2004 to formulate measures to rationalise the airspace structure and air traffic management arrangements in the Pearl River Delta (PRD) region. CAD would ensure that the arrangements made were in compliance with the relevant provisions of BL and the relevant requirements set down by ICAO;

*Cost-effectiveness and financial viability*

(xxviii) the construction cost was extravagant and there might be risk for cost overruns. The expenses for 3RS could be used for other policies beneficial to the public;

(xxix) AAHK's financial arrangement proposal for 3RS would bypass approval and monitoring by LegCo. Such arrangement might contravene Article 73 of the BL 73 that LegCo could exercise its power to approve taxation and public expenditure;

(xxx) the employment opportunities created by 3RS might not bring benefits to the local labour as there was currently lack of manpower in aviation and construction sectors;

(xxxi) the responses to the above grounds were:

- the 3RS project would create tremendous job opportunities which were beneficial to the public;
- since the financing arrangement proposed by AAHK did

not involve taxation or public expenditure, the requirements under Article 73 of BL were not applicable;

- AAHK was reviewing its projected construction labour requirement to ensure timely provision of labour to meet the future demands of 3RS construction. The Government had proposed various measures to support the training and development of aviation personnel;

*Compensation to affected villagers*

(xxxii) applications for Small Houses within Sha Lo Wan Village had been frozen due to the development/operation of HKIA since 1998, and there had been no compensation/mitigation measure provided to compensate the loss of Sha Lo Wan villagers;

(xxxiii) the responses to the above ground were:

- the issue on compensation to the villagers affected by the 3RS project was not related to the OZP amendments;
  - the District Lands Officer/Islands, Lands Department advised that the preparatory works for Small House applications outside the Noise Exposure Forecast 25 contour under 3RS would be resumed in accordance with the applicable procedures;
  - AAHK had also offered a one-off ex-gratia payment, in the form of “HKIA Village Home Improvement Scheme” to seven villages in North Lantau, including Sha Lo Wan, to help improve villagers' living environment;
- (o) the representers’ proposals and PlanD’s responses, as detailed in paragraphs 4.3(y) to (aa) and 6.25 to 6.29 of the Paper respectively, were summarised below:

- (i) building a new airport or diverting air-bound cargo operation to Zhuhai (R4 only);
- (ii) amendments to the draft OZP and its Notes:
  - transferring the uses in Column 1 to Column 2 under the “Other Specified Uses” annotated “Airport” (“OU(Airport)”) and “OU(Airport Service Area)” zones with the requirement of Master Layout Plan submission;
  - imposing restrictions on the floor area for commercial uses particularly for eating place and shop and service uses in the “OU(Airport)” and “OU(Airport Service Area)” zones;
  - deleting ‘People Mover Depot’ use in the Covering Notes of the OZP;
- (iii) to defer making a decision on the draft OZP/suspend 3RS development (R47 and R48 only);
- (iv) to establish funds to promote protection and safeguard the marine ecology, and interests of the local fishery industry and Sha Lo Wan villagers;
- (v) the responses to the above proposals were:
  - the twin airport operation in Hong Kong would be highly costly and operation-wise inefficient. The suggestion to funnel flights to other airports was outside Hong Kong’s jurisdiction;
  - the proposed land use zonings and associated schedule of uses were basically the same as those currently designated for the area covering the existing HKIA to allow flexibility for airport operational development and were considered appropriate from the land use planning perspective;

- the ‘People Mover Track and Depot’ proposed to be incorporated as uses always permitted was to facilitate the proposal to set up an integrated maintenance depot to serve the existing and new automated people mover system, which was an essential facility at HKIA and the 3RS;
- as advised by THB, the comprehensive studies conducted by AAHK revealed that expanding HKIA into 3RS was the most feasible option to cater for the long-term air traffic demand in Hong Kong;
- under EP conditions, AAHK would establish an independent Marine Ecology Enhancement Fund for the conservation of marine life particularly the CWD within the Hong Kong and the Pearl River Estuary waters, and an independent Fisheries Enhancement Fund for supporting the fishing industry and enhancing fisheries resources in the western Hong Kong waters;

#### Comments on Representations

- (p) a total of 346 comments on the representations had been received;
- (q) AAHK (C1) made responses to all adverse representations (R5 to R12220) which were detailed in paragraph 5.2 of the Paper and summarised below:
  - (i) the planning process of 3RS was transparent. AAHK also implemented extensive communication and engagement plan during the statutory EIA study;
  - (ii) the practical maximum capacity of HKIA 2RS could be increased to 68 movements per hour;

- (iii) AAHK had considered the alternatives raised by the representers to meet the projected air traffic demand, but they were neither pursued nor found to be feasible;
- (iv) AAHK understood from the Government that short, medium and long-term optimisation targets and measures had been formulated for implementation before 2020 to improve the airspace structure and air traffic control arrangements in the PRD region to optimise the use of airspace and enhance safety;
- (v) according to the latest design, the entire Terminal 2 (T2) foundation, substructures and most of the building services facilities and airport system works could be retained. The materials demolished from the existing T2 would be reused or recycled in the 3RS project;
- (vi) XRL and 3RS were in fact complementary and would create synergy between the cross-boundary railway services and aviation industry;
- (vii) AAHK estimated that the overall economic benefits of 3RS would be around HK\$1,046 billion (2012 dollars) over the 50-year period from 2012 to 2061. The financial proposals had been vetted and validated by the Government and the Government was satisfied that AAHK's financial proposal was overall reasonable and practicable;
- (viii) AAHK had conducted robust environmental and traffic impact assessments for the 3RS project and appropriate mitigation measures had been proposed. AAHK had been proactively taking forward its plan to comply with the respective requirements stipulated in the EP;

- (r) 126 commenters (C2 to C127) supported the supportive representations (R1 to R4) or generally supported the draft OZP/3RS. Their major comments were detailed in paragraph 5.3 of the Paper and summarised below:
- (i) there was an imminent need for development of 3RS in view of the soon-to-be saturated capacity of the current 2RS;
  - (ii) the 3RS would act as an impetus to the economy of Hong Kong, in particular the retail and tourism sectors as well as Meetings, Incentives, Conferences, and Events (MICE) development;
  - (iii) the 3RS development, together with the surrounding new developments and infrastructures would create a synergy effect for a new tourism hub with retail and commercial facilities;
  - (iv) if 3RS could not be implemented, the aviation network would be shrunk due to failure in increasing the direct flight destinations and flight frequencies;
  - (v) AAHK would be capable to minimise the environmental impacts with deployment of the latest technology, proposed mitigation measures being effectively carried out and closely monitored;
  - (vi) some commenters agreed with AAHK's current financial proposal of "joint contribution";
- (s) the remaining commenters (C128 to C346) either objected to the supportive representations (R1 to R4) or supported the adverse representations (R5 to R12220). The grounds of comments were largely similar to those raised in the adverse representations summarised in paragraph 36(n) above;

- (t) the responses to the major grounds of the comments were similar to the responses to the representations above;

PlanD's Views

- (u) the supportive views of Representations No. R1 to R4 were noted; and
- (v) the remaining views of Representation No. R4 and Representations No. R5 to R12220 were not supported and the draft OZP should not be amended to meet the representations.

37. The Chairman invited the representers and the representers' representatives to elaborate on their representations.

R4 – Hong Kong Institution of Highways and Transportation (HKIHT)

38. Ir Tse Pak Kin made the following main points:

- (a) the provision of infrastructures was important to support the future growth of Hong Kong's economy and the long term development of Hong Kong as a World Class City;
- (b) any major infrastructure project including the 3RS project should be sustainable balancing the needs of economic benefits, social well-being and environmental quality;
- (c) on economic benefits, HKIA generated enormous economic value for Hong Kong, supporting Hong Kong's four economic pillars, namely financial services, trading and logistics, tourism and producer and professional services. According to AAHK, the overall economic benefits of 3RS would exceed HK\$1,000 billion over the 50-year period from 2012 to 2061;

- (d) on social well-being, the 3RS project would create direct employment of around 123,000 jobs as well as indirect and induced employment of 165,000 jobs;
- (e) it was also noted that AAHK had conducted a comprehensive EIA for the 3RS project and appropriate mitigation measures, including those on marine ecology, the CWD habitats and fisheries, Sha Chau Egrettry, noise and air qualities, and road and marine traffic, had been proposed. The proposed mitigation measures had also been incorporated in the EP granted for 3RS on 7.11.2014. It was believed that AAHK would proactively comply with the requirements stipulated in the EP;
- (f) in view of the above, as the 3RS project had struck a balance among the economic, social and environmental aspects, HKIHT supported the 3RS project and the proposed amendments to the draft OZP;
- (g) noting that the proposed 3RS project could only cope with the future air traffic demand for about 20 years, he asked if the Government or AAHK had any long-term development plan to meet the anticipated increase in air traffic demand beyond that horizon; and
- (h) Hong Kong was currently facing a severe manpower shortage in the construction sector, the implementation of the 3RS project would further aggravate the problem. He wondered if the Government had any measure to address the problem.

39. One attendee asked if there was any representative from AAHK at the meeting. Another attendee would like to know which government departments were represented at the meeting. Upon the Chairman's request, Ms Donna Y.P. Tam, DPO/SKIs, said that the government representatives attending the meeting were representatives from PlanD, THB, EPD, AFCD, MD, TD and CAD.

40. In response to query from a representer's representative on whether the

government representatives would respond to the questions raised by R4, the Chairman explained again the hearing arrangement and said that there would be a Q&A session after all the attendees had finished their oral submissions. The Q&A session was for Members to direct questions to the government representatives or the representers/commenters or their representatives but not for the attendees to address questions to, or to debate with the government representatives.

41. Two attendees raised concern on the arrangement of the hearing procedures given that the Q&A session would only be held after the completion of all oral submissions by the attending representers/commenters or their representatives. Under such arrangement, the attendees who made their oral submissions at the early part of the hearing would have to wait for hours if they wanted to participate in the Q&A session. One of the attendees further said that the hearing would become more effective and fruitful if Members could ask questions or seek clarifications from the attendees right after their oral submissions. The Chairman said that the procedures adopted for the current hearing were similar to the established practice for the hearings of other OZPs. The present hearing arrangement was not unreasonable in that the representers would be given a chance to listen to and better understand other representers' views. While the participation of more representers at the Q&A session was welcome, whether to stay until the Q&A session was purely a decision of the representers/commenters or their representatives.

42. Mr Tam Hoi Pong said that he had a reasonable expectation on the new Chairman who might initiate a timely change to the hearing procedure. He urged the Chairman to stagger the Q&A session for the subject hearing into two separate sessions, one in the morning and the other in the afternoon. In response, the Chairman said that the procedure for the subject hearing would follow the established practice. Consideration might be given to exploring whether there was scope to enhance the procedure of future hearing.

43. To address the concern of another representer's representative, the Chairman clarified again that it was the established practice to invite the representers/commenters or their representatives and the government's representatives to answer Members' questions during the Q&A session of the meeting. The meeting including the oral presentation and

Q&A session should not be taken as an occasion for cross-examination or debate among concerned parties. The meeting procedure was clearly set out in the Guidance Notes. The Chairman then invited Mr Wong Wai Hung, Ernest (R7) to make his oral submission.

44. Mr Wong raised a concern that not all Members were present at the meeting. In response, the Chairman said that on consideration that it might not be possible for all Members to attend all the hearing sessions, it was the established practice that all Members would be provided with the draft minutes and video recording of each hearing session before they participated in the deliberation session.

45. Ms Tang Wing Yan remarked that consideration might be given to changing the established procedures of the hearing taking into account the suggestions made by various representers/commenters or their representatives at the present meeting.

46. In response to the Chairman's question on whether Mr Wong would only make his oral submission in the presence of all Members, Mr Wong said that as it was his first attendance at a hearing, he was not familiar with the hearing procedure. He indicated that he did wish to participate in the hearing and hoped that his views would be duly considered by the Board.

47. As requested by the Chairman, the Secretary said that the relevant Guidance Notes on attending the hearing had been distributed to all representers/commenters before the meeting. The open part of the meeting proceedings including the oral presentations by the attendees could be viewed at the public viewing room of the Board. All the video recordings of the hearing sessions, together with the relevant draft minutes, would be sent to all Members before the deliberation session which would be held on another date after completion of the hearing sessions. This was to ensure that Members would have a thorough understanding of the points raised by representers/commenters or their representatives at the hearing.

R6 - 周婕群

R7 - Wong Wai Hung

48. With the aid of a Power Point presentation, Mr Wong Wai Hung, Ernest made

the following main points:

- (a) he strongly objected to the 3RS project from the perspective of sustainable development in that it would not bring any economic and social benefits to Hong Kong but would cause significant adverse impacts on its environment. That 'White Elephant' project was a waste of public and natural resources and would create huge economic burden for Hong Kong as a whole;

*The 3RS project*

- (b) the 3RS project comprising the construction of a new runway, apron, passenger concourse building; the expansion of the existing T2 building; and the reclamation of about 650 ha new land would incur a construction cost of more than HK\$141.5 billion. He was in doubt of the need for and the cost-effectiveness of the project and was concerned about its significant adverse environmental impacts. He also understood that the newly-built third runway of the Guangzhou Baiyun Airport had only increased 10 ATMs per day. Hence, he had a grave concern on whether the projected capacity of the 3RS was realistic and achievable;
- (c) based on the financing plan of the 3RS project, HK\$26 billion of the construction cost would come from the collection of Airport Construction Fee (ACF) from all passengers using HKIA until 2030 or beyond. That might have a negative impact on the number of passengers using the HKIA. He wondered if any study was conducted by CAD or AAHK to investigate the potential impact of ACF on the usage of the airport;
- (d) as compared with the total construction cost of HKIA as well as the Airport Express Line and North Lantau Highway (about HK\$150 billion), the construction cost of the 3RS project alone, which required more than HK\$141 billion, was unreasonable. Besides, the estimated budget for the 3RS project had not yet included the

construction cost for the remaining half of the passenger concourse building. Additional construction cost might be required for future expansion. Coupled with the anticipated cost overruns of the project similar to other major infrastructural projects including XRL and the Hong Kong-Zhuhai-Macao Bridge (HZMB), the 3RS project was a financial 'blackhole' which would require public contribution for an unreasonably long time with no economic gains for Hong Kong. The project was totally unsustainable on economic term;

*The issue of 'Air Wall'*

- (e) according to the original design capacity of HKIA, the maximum hourly ATMs would be around 82 to 86. However, due to unresolved issues such as the geographical constraint of the airport and the presence of 'air wall', the current maximum ATMs was only about 68 per hour (-20%);
- (f) currently, there were five airports in the PRD Region and the airspace in the region was already very congested. With rapid economic developments of those cities in the region, the competition of airspace would be keen;
- (g) due to the presence of an 'air wall' in the Guangzhou airspace, flights departing from Hong Kong had to reach an altitude of over 15,700 feet before it entered the Mainland airspace. The 'air wall' had prohibited the northward flight path of HKIA and lengthened the flight time, thus preventing the existing 2RS of HKIA from optimizing its operation efficiency. If the 'air wall' issue was not resolved, the 3RS project could hardly maximise its operation capacity and the project would merely become a 'White Elephant' project;
- (h) it was reported in the 1980s that during the negotiation on the expansion proposal of HKIA, the Shenzhen authority had previously requested the Hong Kong Government to surrender the 'freedoms of

the air' (國際航空權) to them. The same condition might be proposed by the Mainland authority if the 'air wall' issue, which was fundamental to the feasibility of the 3RS project, was to be settled. The surrender of the 'freedoms of the air' to the Mainland authority would adversely affect Hong Kong's position as an international aviation hub. More importantly, it would be detrimental to the autonomy of the Hong Kong Government on the control of its routine business and technical management of civil aviation;

*Adverse environmental impacts*

- (i) he was a resident of Ma Wan. Due to the 'air wall' constraint, all departing flights from HKIA had to route southward flying over Ma Wan. The local residents were therefore exposed to excessive noise pollutions for years. The increased number of southbound flights resulting from the construction of the third runway would further aggravate the noise and air pollutions in Ma Wan as well as other areas like Tsing Yi and Sham Tseng;
- (j) as revealed from a recent typhoon incident, the bottleneck in the operation efficiency of HKIA was the lack of aircraft parking spaces rather than the runway capacity. As the 'air wall' issue might not be resolved, the feasibility of the northbound flights from HKIA was in doubt. The construction of the third runway could therefore only slightly increase the number of flights but not the operation efficiency of HKIA;
- (k) the 21<sup>st</sup> session of the Conference of the Parties (COP 21) recently held in Paris had reached an universal agreement on reduction in global emissions which was binding on all participating nations including China. The carbon emission and other pollutions generated by aircrafts were the most substantial among different modes of transportation and had therefore contributed significantly to global warming. The construction of the 3RS was in contravention with the agreement of COP 21;

- (l) while reduction in carbon emission would be one of the agenda in the coming 13<sup>th</sup> Five-Year Plan of China, the implementation of the 3RS might further worsen the pollution problem of Hong Kong. He worried that the pollution problem might become as severe as the ‘Beijing Haze’;
- (m) the pollutants from the aircrafts including carbon monoxide, nitrogen oxides, sulfuric acid, respirable suspended particulates, etc. would be harmful to the health of the present and future generations;

*Marine Ecological Impact*

- (n) the construction of the 3RS would have significant adverse impact on the marine ecology. The number of CWD sighted in the area had reduced drastically by 60% over the past decade;

*Others*

- (o) the frequency of non-essential business trips would be reduced upon technological advancement. The genuine demand for air traffic industry had been over-estimated or exaggerated by the Government. There was no point to worsen the environment of Hong Kong by taking forward the 3RS project which was unnecessary;

*Conclusion*

- (p) the Government was urged to use the public money wisely. The construction cost of over HK\$141.5 billion could be put to other infrastructural projects which would be more beneficial to Hong Kong; and
- (q) the 3RS project was unsustainable in terms of economic, social and environmental aspects. The Board was requested not to support the 3RS.

49. Mr Choi Ka Man, Thomas, made the following main points:

- (a) the living environment of the residents in Tung Chung and North Lantau area was poor for they were exposed to severe air and noise pollution of aircrafts. The construction of the 3RS of the HKIA together with other planned infrastructural projects in Lantau would further degrade the environmental quality and destroy the natural habitats of valuable species;
- (b) given the low utilisation rate of the T2 building of the HKIA, the need for the construction of the 3RS was doubtful;
- (c) the assessment of the approved EIA report was misleading and unreliable as it failed to thoroughly consider the adverse health impacts of increased aircraft emissions generated from the 3RS on the local residents of Lantau. The findings of the approved EIA report was unreasonable in that the adverse environmental impacts of the 3RS project were assessed to be less significant than those of HZMB project;
- (d) the cumulative impacts of various planned projects in the Lantau area such as Siu Ho Wan Organic Waste Treatment Facilities; expansion of Disneyland; and HZMB, should be taken into account in assessing the environmental impacts on the local residents;
- (e) as the Government was planning to develop the Tung Chung New Town extension to accommodate a planned population of about 100,000 people, it was important that a quality and livable environment would be provided for the future residents;
- (f) the Government should not sacrifice the well-being of the local residents for the economic benefits brought about by the 3RS project, in particular when the local community might not benefit from the

short-term employment generated from the project. The huge sum of about HK\$141 billion would be wasted;

- (g) the Board should comprehensively assess the 3RS project from a broader perspective taking into account the future development of Lantau and Hong Kong as a whole as well as the needs of the future generations;
- (h) noting that the majority of the representations and comments in respect of the OZP were against the 3RS project and those few supportive representations were submitted by stakeholders who would benefit from the project, the Board should pay due regard to the sentiments and views of the public at large; and
- (i) the 10-minute time limit for oral submission was insufficient for the representers/commenters or their representatives to clearly elaborate their views. The attendees were willing to provide more information/clarifications with a view to assisting the Board to make an informed decision, and Members were most welcome to ask them questions.

50. Mr Wong Wai Hung, Ernest indicated that the 10-minute time limit was insufficient for him to complete his oral presentation and asked whether it was an established practice for other hearings. In response, the Chairman clarified that a 10-minute time limit for each representer/commenter or their representatives to make oral submission was set for the subject hearing having regard to the large number of attendees. Yet, flexibility might be allowed for the representers/commenters to extend the time limit if circumstances allowed. The meeting arrangement as agreed by the Board on 16.10.2015 was similar to the hearings of other OZPs which had a large number of attendees.

51. The Secretary supplemented that the rationale for setting a time limit on the oral submission for each representer/commenter was set out in the Guidance Notes which had been distributed to all representers/commenters before the hearing.

52. Noting that the number of attendees at the present hearing session was not large, Dr Samuel Hung asked if Mr Wong could be allotted a longer presentation time. In response, the Chairman said that flexibility might be exercised on the case by case basis having regard to the prevailing circumstances. He expressed appreciation for the cooperation of those representers who had made effort to finish their oral presentations within the allotted time limit. The Chairman continued to say that the oral submission of the hearing was to elaborate the essential points in support of the representation and the content should be confined to the grounds of representations already made to the Board.

53. Mr Wong reiterated that in view of the time limit, he was only able to give a brief elaboration of the PowerPoint slides. The setting of time limit for oral presentation had deprived the right of the public to fully and comprehensively present their views to the Board.

54. Having regard that there were only a few attendees at the present hearing session, Ms Tang Wing Yan suggested the Chairman to grant Mr Wong a further presentation time of 10 minutes. In response, the Chairman said that the arrangement for the subject hearing, which was previously agreed by the Board, should be adhered to as far as possible. He appreciated the cooperation of all the attendees to follow the rules of the hearing.

55. In response to Mr Wong's question, the Chairman said that a short break would be arranged after the oral submission of R386.

#### R386 – WWF

56. Ms Samantha Lee remarked that it would be desirable if the hearing procedures of the Board could be improved in the coming year with regard to the suggestions made by the attendees. With the aid of a Power Point presentation, Ms Lee made the following main points:

- (a) the Board was responsible for promoting better integration between urban development and natural environment for the benefits of the

community. The construction of the 3RS would not be beneficial to the environment nor the general public but would destroy the marine environment, in particular the habitat of CWD;

- (b) under the EIA process, the general principles for mitigating impacts on important habitats, following the order of priority, were ‘avoidance’, ‘minimising’ and ‘compensation’. The approved EIA report for the 3RS project had failed to comply with the above principles;
- (c) the Board was urged to take into account the strong public objection to the project and make a fair and appropriate decision by rejecting the proposed amendments to the draft OZP;

*Ineffectiveness of the Compensation Measures*

- (d) it was noted in the approved EIA that the impact of the proposed 3RS project on CWD was deemed to be of moderate and high. As the adverse impact on CWD could not be avoided nor mitigated, a Marine Park of about 2,400 ha was proposed in the approved EIA as a compensation measure;
- (e) the proposed Marine Park was ineffective to mitigate the significant impact on the habitat of CWD due to wrong timing and wrong location. The designation of the proposed Marine Park in 2023 after the completion of the project would not be an effective compensation measure since the construction works, which would take at least eight years, would have already caused large-scale and significant destruction of the marine environment in North Lantau. Moreover, the proposed Marine Park located in the water areas surrounding the third runway was not the most core dolphin habitat or important fishers spawning/nursery ground;
- (f) according to the approved EIA report for the project, there were over 600 trips of marine vessels utilizing the airport north area every day. It was anticipated that an additional 300 construction vessels would use

the same water area during the peak construction period of the 3RS. The high volume of marine traffic with more than 1,000 marine vessels per day would cause significant disturbance to the CWD inhabiting in the area;

*Lessons learned from the HZMB project*

- (g) according to the EIA report of the HZMB project which was approved in 2008, the adverse impact of the project on the marine environment and the CWD could be properly mitigated. However, there was a sharp decline of CWD using the Northeast Lantau waters after the commencement of the reclamation project in early 2013. Recently, very few or no CWD could be sighted in the project area. The construction works of HZMB had posed an adverse impact on the CWD in the northeast Lantau area and such adverse impact had not been effectively mitigated;
  
- (h) with regard to the scale of the footprint of the third runway project (650 ha) which was five times bigger than that of HZMB (130 ha), and the impact duration of the 3RS (eight years) which doubled that of HZMB (four years), the mitigation measures proposed in the EIA of the 3RS project could not address the adverse impact on the CWD habitat. On the contrary, the 3RS project might adversely affect the effectiveness of the existing Sha Chau and Lung Kwu Chau Marine Park in protecting the habitats of CWD;

*Ineffectiveness of the on-site mitigation measures*

- (i) a number of on-site measures were proposed to mitigate the impacts incurred during the construction phase of the 3RS. However, the majority of the mitigation measures were those which had been adopted in the construction of HZMB, for example, installation of silt curtain, establishment of dolphin exclusion zone, etc. which were proven to be ineffective as a survey had revealed that there was a drastic decline in the number of CWD in northeast Lantau resulting from the HZMB project;

*Overlapped construction period of various development works*

- (j) apart from the construction of HZMB, a number of reclamation projects such as the third runway, Tung Chung New Town development, Lung Kwu Tan, Siu Ho Wan and Sunny Bay Reclamation had also been proposed in the western waters of Lantau. The cumulative impact of those reclamation projects might result in the loss of another 1,400 ha of habitat for CWD; and

*Conclusion*

- (k) in view of the large number of adverse representations against the 3RS project and that the adverse environmental impact of the project was not satisfactorily mitigated, the Board was urged not to approve the amendments to the OZP.

[Dr Lawrence W.C. Poon left this session of the meeting at this point.]

[The meeting was adjourned for a short break.]

57. Given that Ms Tang Wing Yan (R1250) had requested to make her oral submission in the morning session and there was no objection from other attendees, the Chairman invited Ms Tang to present her views at this point.

R1250 – Tang Wing Yan, Grace

58. Ms Tang Wing Yan made the following main points:

- (a) she opined that the comments previously provided by other attendees regarding the hearing arrangement should be duly considered by the Board. The meeting practices and procedures should be flexible and adaptive to the prevailing circumstances;
- (b) she objected to the 3RS project in that AAHK had failed to clearly explain why a new third runway was imminently needed when the

original design capacity of HKIA should only be saturated by 2040. The assessments made by AAHK to substantiate the need for the 3RS project were doubtful;

- (c) there were other options to enhance the operation efficiency of the existing HKIA under 2RS. Consideration should be given to reducing flights travelling to less popular destinations with low passenger demand. AAHK should conduct assessment on the financial viability of those flight routes and their impacts on the operation efficiency of the existing HKIA;
- (d) the employment opportunities created by 3RS might not bring benefits to the local labour as there was currently a lack of manpower in the construction industry for various infrastructural projects;
- (e) the carrying capacity of the existing HKIA was constrained by insufficient aircraft parking spaces to meet the high demand. The existing provision of aprons was incapable to cater for additional flights of the third runway. The bottleneck in enhancing the operation efficiency of the HKIA would remain if AAHK continued to ignore the problem;
- (f) due to limited aviation resources, consideration might be given to developing improved collaboration and coordination with other airports in Shenzhen and Guangzhou in the provision of aviation services. Hong Kong should concentrate its resources in providing more international flights while those second or third-tier cities of Mainland should more appropriately be served by the Shenzhen and Guangzhou airports;
- (g) apart from its high conservation value, CWD was also a valuable tourism resources in Hong Kong. The construction of the 3RS project which would have a significant adverse impact on CWD might also cause a negative impact on the tourism industry;

- (h) as revealed from the recent traffic accident on Tsing Ma Bridge, the connectivity of the HKIA should be improved by the provision of more supporting transport and infrastructural facilities. The implementation of the 3RS project, which would generate additional traffic and passengers, would have adverse impacts on the local area if additional transport and infrastructural facilities were not timely provided; and
- (i) Members were urged to carefully consider whether there was a genuine and imminent need to construct the 3RS at the moment.

59. Mr Ha Hei Lok, representative of R1891, enquired if the Chairman and Members of the Board might have any conflict of interest in considering the subject matter. In response, the Chairman said that he held the post of the Permanent Secretary for Development (Planning and Lands) and was appointed by the Chief Executive to be the Chairman of the Board. There was previous judicial precedent which recognised that the involvement of official members in the Board was legally in order. Besides, there was an established practice with regard to declaration of interests by all Members of the Board. Apart from the regular registration of pecuniary interests by Members, Members would also have to declare their interests in any matters to be transacted by the Board before or at the relevant meeting. All the interests declared by the Members would be properly recorded in the minutes of meeting.

60. Mr Tam Hoi Pong raised concern on the current practice of declaration of Members' interests. Occasionally, the attendees were not informed of such interests which were reported before they entered the meeting room. In response, the Chairman said that the mechanism of declaration of interest was to ensure that the decisions made by the Board were fair and impartial and would not be biased by any Member's personal interest. The interests declared by Members would be recorded in the minutes of meeting for public scrutiny.

61. To address Mr Tam's concern, the Secretary, upon the request of the Chairman, repeated Members' declaration of interests as detailed in paragraphs 5 to 7 above.

62. In response to Mr Ha's question on the mechanism for raising objection against Members' potential conflict of interests, the Chairman said that various remedial proceedings were available for any person felt aggrieved by the procedural impropriety of a meeting.

63. While Dr Samuel Hung considered that the Board's practice with regard to Members' interests for the subject hearing was appropriate, he raised a concern on the potential conflict of interest of the Chairman, who was a government official, to chair the meeting. In response, the Chairman said that there was previous judicial precedent that recognised that the involvement of official members in the Board was in order.

64. Given that the total speaking time for Dr Samuel Hung, representative of R387 and others, and Mr Tam Hoi Pong, representative of R390 and others, was 100 minutes each, Dr Hung and Mr Tam proposed to allow other representers to speak first to avoid them from waiting long. They would make their oral submissions in the afternoon session. Members agreed.

#### R396 – Tam Kai Hei

65. Mr Tam Kai Hei made the following main points:

- (a) the financing proposal for the construction of the 3RS project, which circumvented the scrutiny of LegCo, had prevented the public from accessing the necessary information to monitor the implementation of the project;
- (b) on the assumption that the airspace issue was resolved and the 3RS would be operated to its designed capacity, it was estimated that the total number of overnight tourists in Hong Kong would increase from about 14.47 million in 2014 to about 18.42 million upon the commissioning of the third runway;
- (c) based on the assumption that each tourist would stay in Hong Kong for 3.3 nights, an additional 114 hotels providing 35,000 hotel rooms would have

to be built to cater for the accommodation demand generated from the increased overnight tourists of about 3.9 million. It was estimated that about 104 ha of land was required in the urban area for providing the needed hotel facilities and the construction period would span over 10 years;

- (d) the unmet demand for more hotel accommodation facilities generated by the 3RS project might lead to an increase in the rent for residential flats due to the large-scale conversion of residential units into hostels/guesthouses. According to an article of Professor Yiu Chung Yim published in Ming Pao on 23.2.2014, it was estimated that more than 60,000 residential units would be converted into guesthouses to serve the tourists;
- (e) the carrying capacity of tourism industry of Hong Kong had been overstretched to an extent which had affected the effective ruling of the Hong Kong Government;
- (f) if the airspace problem was not resolved, there was no strong justification for building the third runway. In the event that the airspace problem could be resolved, the substantial increase in tourists brought about by the 3RS project would render the existing urban area even more congested;
- (g) in conclusion, he objected to the 3RS project based on the following considerations:
  - (i) the project alone would overtax the existing carrying capacity of tourism which had already saturated;
  - (ii) the financing proposal which circumvented the resource allocation mechanism of LegCo was procedurally improper and unfair to the public who should be allowed to access to more information about the project;
  - (iii) during the process, AAHK had not critically assessed whether the

existing airport had genuinely reached its saturation and had not reviewed the problems associated with the HKIA under 2RS;

- (iv) the airspace in the region was very congested and the fundamental airspace issue remained unresolved;
- (v) the proposal of 'shared use of airspace' (空域共享) as mentioned by the Secretary for Transport and Housing (STH) would undermine the principles of 'One Country, Two System';
- (vi) with a view to gaining the government's support for the 3RS project, AAHK had purposely trimmed the scope of the project. The estimated construction cost of HK\$141 billion only covered part of the 3RS project and it was likely that additional construction cost would be incurred in future. Moreover, having regard to the likelihood of cost overruns of 66% like other infrastructural projects, the total construction cost for the project would increase to about HK\$232 billion;
- (vii) the financial viability of the 3RS project was doubtful and its ability to secure loans from banks/financial institutions was questionable. Failing that, AAHK would continue to stop paying annual dividends to the Government and prolong the collection of ACF which would result in the loss of substantial public revenue and poor image of Hong Kong;
- (viii) the public was unable to monitor the project as the proposed financing model would bypass the approval of the LegCo;
- (ix) the approval of the EIA in relation to the 3RS project was subject to JRs and it was premature to amend the OZP when the decisions of the JRs were still unknown;
- (x) the EIA for each infrastructure project was conducted and assessed

separately in a piecemeal manner and the proposed mitigation measures could merely address the problems of the respective project. The cumulative environmental impacts of various infrastructure projects on the Lantau area should be taken into account in assessing the environmental impacts of the 3RS project; and

- (h) in conclusion, in the circumstance that the airspace problem could be overcome, the significant increase in tourists resulting from the completion of the 3RS project would impose additional and long term pressure on the severe shortage in housing and land supply of Hong Kong.

66. At this juncture, Mr Ha Hei Lok requested to have a total speaking time of 30 minutes. It was later clarified that he was not a representative of Green Sense but the authorised representative of R1891. The Chairman said that Mr Ha's entitled speaking time would be subject to the verification of concerned authorisations by the Secretariat. As more time was needed for verification, the Chairman invited Mr Wright Fu (R4037) to make his oral submission first.

[Mr Martin W.C. Kwan and Mr David Y.T. Lui left this session of the meeting at this point.]

R1163 – Fu Ka Ho

R4037 – Wright Fu

67. Mr Wright Fu made the following main points:

*Inadequate Public Consultation*

- (a) there were only limited formal channels for the people of Hong Kong to express their views on the contentious 3RS project and its associated works;
- (b) although a number of public engagement exercises were organised by AAHK during the public consultation on the MP 2030, the consultation was not effective as demonstrated by the large number of adverse representations on the CLK OZP against the 3RS project;

*Financing Arrangements*

- (c) AAHK's financing proposal for the 3RS project, which did not require the seeking of government funding, had bypassed the approval of and monitoring by LegCo and the general public;
- (d) it was inaccurate to say AAHK's proposed financing arrangements would not cost the Government any money. The authority planned to stop paying annual dividends to the Government which would reduce the government revenue in the next decade. That might have resource implication on the Government's provision of other much needed social or community services in future;
- (e) as compared with the initial estimated construction cost of over HK\$200 billion for the 3RS project as quoted during the public consultation of the EIA report, the current estimated construction cost of HK\$141 billion had been substantially reduced. As revealed by many critics, the reduced construction cost was achieved by minimising the scale of the project through reduction in the size of the passenger concourse building and the deletion of other associated facilities. In view of the ever-increasing costs in construction and reclamation works, the possibility of cost overruns for the project was very high. Injection of huge sum of public money might be the last resort to address the problem of cost overruns and the bill had to be paid by the taxpayers at the end;

*Airspace Issue*

- (f) STH had previously mentioned that the "PRD Region Air Traffic Management Planning and Implementation Tripartite Working Group" set up by the civil aviation authorities of the Mainland, HKSAR and Macao SAR in 2004 had formulated an agreed airspace plan which had already taken into account the development of the 3RS of HKIA. However, details of such agreement were not available for public inspection and the general public was doubtful on the existence of such agreement;

- (g) having regard to the keen competitions among different airports in the PRD region, each with their respective expansion plan, there was grave concern on whether an agreement on the airspace issue could be reached;

*Design Capacity of 2RS*

- (h) as revealed from the 1992 New Airport Master Plan (1992 NAMP), the design capacity of the 2RS was 86 ATMs per hour. However, according to the advice of the British aviation expert, the practical maximum capacity of the 2RS at HKIA would be 68 ATMs per hour. While the 'air wall' constraint had limited the runway capacity of the 2RS, the Government should consider removing the hilly terrain of Tai Yan Teng and Fa Peng Teng at Northeast Lantau (hill levelling) which was one of the options for enhancing the operation efficiency of 2RS proposed in the 1992 NAMP;
- (i) the public was misled by the government's responses that the option of hill levelling would have significant adverse impacts on the landscape of Lantau. The reason for not pursuing the option was in fact due to the agreement between the Government and the Hong Kong Disneyland that the views of visitors of the theme park to the surrounding landscape features should be protected;
- (j) given that the constraints which prevented the 2RS from enhancing its carrying capacity were not insurmountable, efforts should therefore be made to resolve the problems instead of pursuing the 3RS project. It was unwise to implement the 3RS project which required huge investment but could only yield low return;
- (k) it was unnecessary to construct a second airport in Hong Kong to meet the air traffic demand. Careful consideration should be given to reviewing whether it was the right approach to expand the airport so as to cater for the ever-increasing demand in ATMs on consideration that such demand could not be fully met in the end;

*Environmental Impact*

- (l) the development of a Marine Park at Southwest Lantau was first proposed in the Lantau Development Concept Plan promulgated in 2007. The proposal to use the previously planned Marine Park as a compensation measure in the EIA of the 3RS project, which was a major consideration of the ACE in approving the EIA report, was improper;
- (m) as the proposed Marine Park was located in the midst of a busy navigation channel, its effectiveness in compensating for the loss of habitat for CWD was in doubt;
- (n) a total of five JRs were lodged against the approval of the EIA report for the 3RS project and the CE's endorsement of the project. As the JRs were yet to be heard, the implementation of the project should be withheld at the moment. To avoid affecting the result of the legal proceeding, the Government should adopt a similar approach to that of the HZMB project, the construction of which had been suspended for several years pending the completion of the JR proceeding;

#### *Conclusion*

- (o) the approval of the OZP amendment was critical to the implementation of the 3RS project. Given that there was no need for AAHK to seek government funding, the authority could commence the development of the 3RS upon approval of the OZP despite of the ongoing JRs;
- (p) the number of infrastructure projects currently planned would likely put Hong Kong into a financial crisis in the long run. Implementing these projects was at the expense of other more imminent and essential services for the benefits of the present and future generations; and
- (q) the subject hearing was the last opportunity for the public to express their views and objections against the 3RS project. The Board was urged to reject the amendments to the OZP and to consider improving the meeting arrangement taking into account the views expressed by other attendees of the meeting.

R1891 – Charlotte Lai

68. In response to Mr Ha Hei Lok's enquiry on his total speaking time, the Chairman said that Mr Ha could have a speaking time of 20 minutes upon verification of the authorisation and taking into account his application for more speaking time. Flexibility might be exercised for Mr Ha to further extend his speaking time if appropriate. The Chairman also confirmed that Mr Ha's speaking time would not take up the total speaking time of Green Sense.

69. With the aid of a Word document, Mr Ha made the following main points:

- (a) he was the spokesman of the working group against the 3RS project and the community officer of the Sham Tseng area of the Labour Party;

*Airspace issue unresolved*

- (b) the presence of 'air wall' between the Hong Kong and Mainland airspaces had prevented the departing aircraft of HKIA from using the originally planned northward flight path. Some of the flights were detoured to the Sham Tseng area which had caused noise pollution to the local residents. As the Shenzhen Airport was planning to construct the third runway, it was unlikely that permission would be granted for Hong Kong to use part of the airspace in Shenzhen. Given the limited airspace of Hong Kong, there would be no scope to further increase the ATMs if the airspace problem was not resolved;

*Noise impact on Sham Tseng residents*

- (c) due to the geographical constraint of the HKIA, the third runway would only be used for landing while the second runway in the middle would mainly for taking-off. Such operation pattern would further aggravate the noise pollution of the Sham Tseng area;

*Importation of Labour*

- (d) in view of the remote location of HKIA which involved high transportation

and time costs, there had been a persistent manpower shortage at the airport for a long time. Long working hours of the existing airport staff had resulted in an increased manpower wastage;

- (e) the levying of ACF from airlines and passengers would increase the operational costs of the companies. Staff unions worried that it might provide an excuse for the companies to import labour which would result in a wage cut for the local employees;

*'White Elephant' project*

- (f) the bottleneck of improving the operation efficiency of the HKIA was the lack of aircraft parking facilities and baggage conveyance system. According to the 1992 NAMP, sufficient land had been reserved in the central part of the Airport Island for the construction of an X-shaped Midfield concourse to meet the anticipated increase in air traffic demand. However, for some unknown reasons, the X-shaped Midfield concourse, which would provide a large number of aircraft parking spaces and other supporting facilities, were not constructed. As compared with the currently proposed I-shaped Midfield concourse, the number of aircraft parking spaces would be reduced;
- (g) consideration should be given to building an X-shaped Midfield concourse for the provision of more aircraft parking spaces so as to maximise the design capacity of the HKIA under the existing 2RS. The need for the third runway should be reviewed after assessing the impact of increased aircraft parking spaces on the carrying capacity of the existing 2RS;

*Option of hill levelling*

- (h) the carrying capacity of the existing 2RS was affected by the terrain constraints of Tai Yam Teng and Fa Peng Teng resulting in a longer interval in between the take-off of two flights in order to maintain a safety distance in the air. Consideration should be given to removing the terrain of two peaks in the Tai Yam Teng and Fa Peng Teng areas of Northeast Lantau, as stated in 1992 NAMP, such that the dependent mixed mode

operation could be used to increase the capacity of the two runways;

- (i) the Air Intrusion Limitation Area for the Hong Kong Disneyland, which was established to prohibit aircraft flying below 4,000 feet above the theme park in order to protect the park against visual intrusion, should be deleted. That would allow the creation of new flight paths over the theme park area after removal of the terrains, hence improving the operation capacity of the HKIA under the 2RS;

*False demand*

- (j) the drastic and sudden surge in demand for both cargo and passenger throughput after 2015, as projected by AAHK, was abnormal and deviated from the statistical principles. Representatives from AAHK or CAD should be requested to answer such query;
- (k) flights travelling to/from the Mainland accounted for about 30% of the total air traffic of Hong Kong. It was anticipated that the demand for cargo and passenger traffic would be partly alleviated upon the commissioning of XRL. Moreover, the use of wide-bodied aircrafts for travelling to those third-tier cities would be sufficient to cater for the demand and there was no need to increase the number of flights. If the above airspace and terrain problems could be resolved, the design capacity of 82 to 86 ATMs per hour, as originally planned in 1992, might be maximised and the anticipated increase in air traffic demand would be met. It would no longer be necessary to construct the third runway;

*Regional cooperation*

- (l) Hong Kong, being the global and regional aviation hub, should continue to maintain its competitiveness by providing more international flights to other world cities. Upon completion of HZMB, XRL and the Western Corridor, flights to other less popular destinations in the Mainland should be cancelled and the air traffic demand for passengers and cargoes to those cities should be met by nearby airports;

- (m) it was estimated that the number of long-haul passengers of XRL was about 15,000 persons which was equivalent to the total passenger capacity of 70 flights per day. The commissioning of XRL would help alleviate the air traffic demand to a certain extent. The need for the 3RS project should therefore be further reviewed upon the completion of other infrastructural projects such as HZMB and XRL;

*Procedural unfairness*

- (n) the Government had opted to bypass LegCo's approval for the project since no government funding was required. Under the financing model proposed by AAHK, the authority would stop paying annual dividends to the Government, which would result in the loss of government revenue. Moreover, the collection of ACF would shift the financial burden to travellers. The issue of bonds would also incur high interests which had to be borne by the taxpayers in the long run;
- (o) most importantly, the Government would set an undesirable precedent of circumventing due supervision of project financing by the LegCo which would have far-reaching implications. The 3RS project should be submitted to and scrutinised by the LegCo;

*Huge construction cost*

- (p) the estimated construction cost for the 3RS together with the projected cost overruns would be about HK\$200 billion while the total cost for the 10 infrastructure projects under the Airport Core Programme completed in 1997, including the Airport Express Line, Tsing Ma Bridge and the Chek Lap Kok Airport, was only HK\$155.3 billion;
- (q) as compared with the construction costs of other airports in Brisbane, Calgary and Guangzhou, which were also for building one additional runway and associated facilities, at about HK\$8 billion, HK\$12.4 billion and HK\$23.5 billion respectively, the huge construction cost of the 3RS was totally unacceptable;

- (r) upon the completion of the third runway for the Guangzhou Airport, the number of ATMs was only increased by 10 per day due to the airspace constraint. In view of the small size of Hong Kong as compared with that of Guangzhou, it was unlikely that permission would be granted for Hong Kong to substantially extend the airspace. The effectiveness of 3RS was doubtful if the airspace issue could not be resolved; and

*Conclusion*

- (s) in view of the above, it would be prudent for the Government to reconsider the need of the 3RS project upon the completion of HZMB and XRL which would help alleviate certain air traffic demand. Moreover, options to increase the carrying capacity of the existing 2RS should be further examined.

70. Before closing his presentation, Mr Ha read out a declaration against the building of the third runway jointly made by the British Airways Cabin Crew Trade Union in Hong Kong, Cathay Pacific Airways Flight Attendants Union and Hong Kong Dragon Airlines Flight Attendants Association. Their main grounds of objection were that the 3RS was a 'White Elephant' project; the livelihood of the airport staff would be directly affected by the importation of labour; the huge construction cost should be used to meet the needs of the community; and the adverse ecological impact on CWD was irreversible.

71. The meeting was adjourned for a lunch break at 1:15 p.m.

72. The meeting was resumed at 2:30 p.m. on 14.12.2015

73. The following Members and the Secretary were present at the resumed meeting :

Mr Michael W.L. Wong

Chairman

Mr Stanley Y.F. Wong

Vice-chairman

Mr Roger K.H. Luk

Dr C.P. Lau

Mr Clarence W.C. Leung

Ms Anita W.T. Ma

Professor K.C. Chau

Mr Lincoln L.H. Huang

Mr Frankie W.C. Yeung

Mr Peter K.T. Yuen

Mr. Philip S.L. Kan

Chief Traffic Engineer (New Territories East)

Transport Department

Mr. K.C. Siu

Assistant Director (Environmental Assessment)

Environmental Protection Department

Mr K.F. Tang

Assistant Director (Regional 3)

Lands Department

Mr Edwin W.K. Chan

Director of Planning

Mr K.K. Ling

74. The Chairman said that the meeting was adjourned until the representers and representatives of representers/commenters returned.

[The meeting was adjourned for 15 minutes.]

Presentation and Question Sessions

75. The following Government's representatives, representers and representatives of representers/commenters were invited to the meeting at this point :

**Government Representatives**

*Planning Department (PlanD)*

- Ms Donna Y.P. Tam - District Planning Officer/Sai Kung and Islands (DPO/SKIs)
- Mr Richard Y.L. Siu - Senior Town Planner/Islands (STP/Is)
- Mr Gary T.S. Lui - Town Planner/Islands (6) (TP/Is6)

*Transport and Housing Bureau (THB)*

- Mr Wallace K.K. Lau - Deputy Secretary (Transport) 4 (DS(T)4)  
(arrived at 4 p.m.)
- Ms Candy K.Y. Nip - Principal Assistant Secretary (Transport) 8 (PAS(T)8)
- Mr Henry C.K. Chu - Assistant Secretary (Airport Expansion Project Coordination Office) A (AS(AEPCO)A)

*Transport Department (TD)*

- Mr Tony K.K. Wu - Senior Engineer 2/Transport Planning (SE2/TP)

*Environmental Protection Department (EPD)*

- Mr Lawrence K.K. Ngo - Senior Environmental Protection Officer (Regional Assessment) (SEPO)

*Marine Department (MD)*

- Mr Tony T.F. Li - Senior Marine Officer/Planning & Development (3) (SMO/P&D3)
- Mr P. Zou - Marine Officer/Planning & Development (3) (MO/P&D3)

*Civil Aviation Department (CAD)*

- Mr Gabriel P.K. Cheng - Chief (Technical and Development) (C(TD))  
Mr Raymond C.O. Ng - Chief Safety Officer (Airport & Safety  
Regulation) (CSO(A&SR))  
Mr Samuel Ng - Senior Evaluation Officer (1) (SEVO(1))

*Agriculture, Fisheries and Conservation Department (AFCD)*

- Mr Dick K.C. Choi - Senior Marine Conservation Officer (West)  
(SMOC(W))

**Representers and Representatives of Representers and Commenters**

R387- Hong Kong Dolphin Conservation Society (HKDCS)

R2727 – 盧小雁

R4569 – Lam Tsz Kwan

C141 – Luk Hiu Kiu

C143 – Tsang Chin Lung

C145 – Luk Kin Fai

C146 – Hong Lok Tou

C226 – Lam Sze Kwan

C251- 黎倩宜

C337 – Yuek Kee Lam

Dr Samuel K.Y. Hung – Representative of representers and commenters

R390 – Green Sense

Mr Tam Hoi Pong – Representer's representative

R449 - Cecilia Lee

R854 – Lee Ching Yi

R1012 – Wong Suet Mui Elly

R1254 – Mak Chi Kt

R3246 Kwong Wai Chun

Ms Luk Ting Yan

]

Ms Wong Pui Chi ] Representers' representatives

Ms Ho Ka Po ]

(Green Sense)

R1163 – Ka Ho Fu

R4037 – Wright Fu

Mr Wright Fu – Representer and Representer's representative

R1250 – Tang Wing Yan ,Grace

Ms Tang Wing Yan – Representer

76. The Chairman extended a welcome and then invited the representers and representatives of representers/commenters to elaborate on their written submission.

R449 - Cecilia Lee

R854 – Lee Ching Yi

R1012 – Wong Suet Mui Elly

R1254 – Mak Chi Kit

R3246 Kwong Wai Chun

77. Ms Luk Ting Yan made the following main points :

- (a) Green Sense objected to the three-runway system (3RS) project as they doubted about its need. The existing two-runway system (2RS) of the Hong Kong International Airport (HKIA) could only achieve 70% and 50% of its original design capacity for passengers and cargo movements respectively. In particular, the original design of the 2RS could allow 82 to 86 air traffic movements (ATMs) per hour, but the current operating capacity was limited to 68 ATMs per hour as the flight path to the north of the HKIA could not be utilized due to the airspace issue. If the airspace issue was not resolved, the number of ATMs per hour would still be restricted even with the 3RS. If the airspace issue was resolved, the existing 2RS would be able to cater for the demand and the 3RS project would not be required;

- (b) the reclamation works would not only lead to the habitat loss for the Chinese White Dolphin (CWD), but also reduce the visibility of the waters which would threaten the life of the sea birds and other marine species. CWD was an endangered species which fed in shallow river estuary near Chek Lap Kok. The number of CWD had already diminished rapidly due to the construction of HKIA many years ago and the on-going reclamation projects such as the artificial island for Hong Kong Boundary Crossing Facilities (HKBCF). The further reclamation of 650 ha water areas for 3RS would lead to substantial loss of the remaining habitat of CWD. Besides, the construction works in the waters would disturb the breeding, feeding and growth of CWD, and there were no other water areas for CWD to take refuge. All those factors might make CWD disappear in Hong Kong waters permanently ;
  
- (c) the 3RS project would be a ‘white elephant’ project similar to the Express Rail Link (XRL) project, its construction cost at the end could far exceed its current estimate. In fact, the estimate for the construction cost of the 3RS had already increased from HK\$84.5 billion to HK\$141.5 billion, i.e. nearly doubled. A large portion of the construction cost was for reclamation works which had been estimated to increase from HK\$36.8 billion to HK\$56.2 billion. Similarly, the construction cost for the Terminal 2 (T2) 8 years ago was HK\$2.8 billion, but its current proposed expansion would incur HK\$16.5 billion. While the 3RS project would incur such huge capital cost, its annual economic return estimated by the Airport Authority Hong Kong (AAHK) was only about HK\$10 billion, let alone that there was doubt on whether it could be achieved. Given that there was no wide public consensus on the 3RS project, its community benefits could not be ascertained;
  
- (d) the aircraft noise of HKIA was affecting more than 100,000 residents living in Park Island, Sham Tseng, Tung Chung and Tsing Yi north along the flight paths. The number of aircraft movements along Ma Wan at night time had increased from 7,300 in 2005 to more than 8,000 in 2013. The existing aircraft noise impact on the local residents had not been

resolved over the years. The 3RS project, which would bring in more frequent aircraft noise, should not be built to aggravate the problem;

- (e) aircraft movement was a major source of carbon emission. With more aircraft traffic upon completion of 3RS, the carbon emission level would be significantly higher which would further worsen the global warming. The 3RS project should not be built if there was no detailed assessment of its impact in respect of carbon emission; and
- (f) instead of building 3RS, AAHK should increase the efficiency of the existing 2RS by consolidating the existing resources and using larger aircrafts.

78. Ms Wong Pui Chi continued to make the following main points :

- (a) a large number of representations received in respect of the Chek Lap Kok Outline Zoning Plan (OZP) were in opposition of the 3RS project and strong grounds of objection had been provided in those adverse representations;
- (b) Green Sense had studied the data of aircraft movements including landing/taking-off at HKIA over years to illustrate to the Government that the 3RS project would be a 'white elephant' project, but the Government insisted on pushing it forward. She therefore doubted that the Government and AAHK would be impartial in considering the need for 3RS;
- (c) when the Hong Kong-Zhuhai-Macao Bridge (HZMB) and XRL were first proposed years ago, the Government announced that they were to facilitate the integration between Hong Kong and the Mainland and to create synergy effects on both sides. For the 3RS project currently proposed, the Government said that the 3RS was to enhance Hong Kong's competitiveness in the Pearl River Delta (PRD) region and to maintain Hong Kong's position as an international and regional aviation hub. It

revealed that the Government had put forward contradictory justifications to the public when proposing different projects at different time;

- (d) the airspace issue was raised several years ago. The airspace was shared among 5 airports in the PRD region. As adequate buffer distance should be allowed between the moving aircrafts and there were a lot of overlapping flight paths, particularly for the aircrafts from Macau and Shenzhen airports, the air traffic in the region was very congested. To avoid air traffic congestion, the landing/taking-off aircrafts should climb up to/circle at an altitude of above 15,700 feet, which would take a longer time for landing/taking-off. As the air traffic congestion below the altitude of 15,700 feet, forming an air wall, was the bottleneck, the addition of a runway would not increase the air traffic handling capacity of HKIA. That airspace issue was critical in considering the need for the 3RS, but was just briefly addressed in the presentation of the government's representative earlier; and
- (e) the Government should defer the 3RS project as well as conduct a wider consultation with stakeholders including aviation experts and a more comprehensive and detailed Environmental Impact Assessment (EIA) study for the project. Green Sense did not accept the 'build first and resolve later' approach.

79. With the aid of a PowerPoint presentation, Ms Ho Kai Po continued to make the following main points :

- (a) since 2010, Green Sense had offered their views on the proposed expansion of HKIA to AAHK. Green Sense also expressed their opposition to the 3RS project at various occasions as well as through media announcement;
- (b) on 2.6.2011, AAHK released the Master Plan 2030 (MP2030) for public consultation, which lasted until 2.9.2011, on the two development options (i.e. 2RS option and 3RS option). Despite two development options were proposed, all the propaganda and consultation documents on MP2030

were geared towards the 3RS option. For example, the title of the paper submitted to the Legislative Council (LegCo) Panel on Economic Development in July 2011 mentioned only the 3RS option. AAHK also made a whole-page newspaper advertisement on MP2030 which emphasized the pressing need for 3RS to support Hong Kong's economic growth. All the public consultation documents also put great emphasis on the economic benefits of 3RS;

- (c) on 17.6.2011, the nine environmental concern groups announced their opposition to MP2030 as they considered it not reflecting the truth and was very biased towards the 3RS option. AAHK then responded that MP2030 was for public consultation and the development option for the HKIA had not yet been decided. The nine environmental concern groups requested AAHK (i) to provide more data on the environmental and ecological impacts of the 3RS project; (ii) to extend the public consultation period to let the public have more time to analyse the newly released information and data on the environmental and ecological impacts; (iii) not to understate the environmental impacts; and (iv) to adopt an impartial attitude in the public consultation and not to overemphasize the 3RS option and its economic benefits;
- (d) as revealed from the noise data collected by Green Sense at Ma Wan, the aircraft noise impact on the residential area was severe despite it was located outside the Noise Exposure Forecast (NEF) 25 contour. The existing aircraft noise from HKIA had not been resolved, and she doubted how the Government and AAHK could ensure the aircraft noise impact from the 3RS project, which should be more intensive and affect a wider area based on its forecast air traffic volume, could be resolved in future;
- (e) in August 2011, after AAHK released some information on environmental impacts, the nine environmental concern groups requested AAHK to re-convene the public consultation but the request was not acceded to;

- (f) Mr Tam Hoi Pong of Green Sense published an article in Ming Pao on 8.2.2011 on the subject that the traditional path for economic growth was no longer applicable and the controversy over the needs for the 3RS. The previous Kai Tak Airport with a single runway handled about 50 ATMs per hour, HKIA with 2RS was originally designed to handle about 90 ATMs per hour but AAHK currently stated that it could only achieve 68 ATMs per hour. She doubted how AAHK could ensure that the estimated handling capacity of about 100 ATMs per hour for the future 3RS and the economic benefits of the 3RS due to the projected traffic growth could be achieved;
- (g) in the second paragraph of Mr Tam's article issued on 8.2.2011, it was pointed out that the level of carbon emission from the moving aircrafts was more significant than that of a power plant. The carbon dioxide level on earth was now at a critical level. She doubted whether economic benefits should override environmental costs, and the scarce resources should be spent to meet the never-ending needs of human beings;
- (h) an article published in the Economic Daily News on 17.6.2011, Mr Stanley Hui (AAHK's ex-Chief Executive Director) said that the expansion of HKIA from 2RS into 3RS would turn it into the most environmentally-friendly airport. He mentioned only that aircraft with new technology would have lower emission, but there was no mention about the aviation industry was still a major source of carbon emission, the aircraft noise impact and the ecological impact of the 3RS project. Side-by-side with Mr Hui's article, Mr Lau Ming Chun (Green Sense's ex-Vice-chairman) said that building a new runway to enhance Hong Kong's competitiveness contravened Hong Kong's target for being a 'low carbon city'. It could show that there were diverging views in society on the 3RS project. However, no sufficient information was released for the 3RS project and the 3-month public consultation period was too short for the public to understand the issues involved;

- (i) the exhibition panels for MP2030 at HKIA had a comprehensive coverage on 3RS option while those for the 2RS option were very limited without mentioning the possibility of increasing the efficiency of 2RS by taking various improvement measures. The design of the feedback questionnaire for MP2030 was also very biased and favoured the expansion of the airport, particularly the last question asking whether the public agreed AAHK should make a decision immediately on how the airport should be further developed. The questionnaire did not provide room for the public to freely express their views;
- (j) the Report on the Public Consultation Exercise for MP2030 released on 29.12.2011 stated that a majority of respondents preferred the 3RS option. However, of the 24,242 feedback questionnaires received during the consultation, some 5,640 were from the collection boxes located in HKIA. Among the opposing comments, Green Sense submitted 1,226 signatures in the public consultation exercise, which was also reflected in the report. The Report stated that it was clear that different stakeholders had very different views on how or even whether the environmental costs and economic benefits could be balanced;
- (k) subsequent to the publication of the Report, Green Sense made an public announcement on the six wrongdoings in the AAHK's public consultation for MP2030 which were (i) leading questions in the feedback form; (ii) unfair sampling; (iii) the brain-washing propaganda; (iv) exaggerating the economic benefits; (v) playing down the environmental impacts; and (vi) late release of the preliminary findings of the EIA;
- (l) a blogger in the website of Go Green Hong Kong wrote that the budget airlines or low cost carriers, 3RS and carbon emission were interconnected issues. The need for a larger airport was related to the rapid growth of the low cost carriers which had attracted more people to travel abroad at a low cost. The development of 3RS would further encourage that life style resulting in more aircraft movements with more carbon emission and that would aggravate the global warming problem. AAHK claimed that 3RS

would soon be saturated upon its completion which meant that even more runway(s) might be required. It was impossible to keep expanding HKIA to meet the never-ending demand. Such lifestyle was not sustainable and should not be encouraged by expanding HKIA;

- (m) the 21<sup>st</sup> session of the Conference of the Parties (COP 21) held in Paris recently announced an agreement to limit the global temperature rise below 2°C, or 1.5°C if possible. It was noted that if the countries maintained their current practices, the global temperature would be increased by more than 2°C. Active efforts were required with a view to controlling the global temperature increase to below 2°C. As such, she doubted whether Hong Kong should expand the airport to encourage more aircraft movements that would worsen the global warming problem;
- (n) the report on Hong Kong Climate Change 2015 issued by the Environment Bureau did not include the assessment of the greenhouse gas emitted from aviation and international marine transportation, as it claimed that those were reported at the national level to avoid double-counting. It was ridiculous that there was an airport in Hong Kong but its greenhouse gas emission was being excluded. Nevertheless, it was pointed out in an article issued by Aviation Policy Research Centre at the Chinese University of Hong Kong that the emission from the aviation industry was closely related to the concentration level of carbon dioxide in the atmosphere;
- (o) according to a news report in Ming Pao on 2.12.2015, AAHK admitted that the internal rate of return of the 3RS project was significantly different from the original estimate but the latest figure had not been released. Given that the maximum air traffic handling capacity of 3RS might not be achievable, its economic benefits were uncertain, and its environmental damage would be irreversible, she doubted whether the Government and AAHK should proceed with the 3RS project; and

- (p) in considering the need for 3RS, she requested the Board to consider whether the Government, AAHK, Hong Kong community, construction industry sector, residents of Tung Chung and its nearby areas, marine ecology or next generation would benefit from the project.

R387- HKDCS

R2727 – 盧小雁

R4569 – Lam Tsz Kwan

C141 – Luk Hiu Kiu

C143 – Tsang Chin Lung

C145 – Luk Kin Fai

C146 – Hong Lok Tou

C226 – Lam Sze Kwan

C251- 黎倩影

C337 – Yuek Kee Lam

80. With the aid of a PowerPoint presentation, Dr Samuel K.Y. Hung made the following main points :

- (a) HKDCS opposed the 3RS project or the OZP on behalf of CWD. He was an academic involving in dolphin study for 18 years. He was compelled to protest as it was a critical moment for CWD and only human being could speak for them. HKDCS had launched a campaign on ‘30 Third Runway Victims’ (海豚三十) in its website, with the slogan of campaign was ‘Hear their cries! Save their lives!’, which was supported by more than 9,000 followers. He considered that the 3RS project was a ‘white elephant’ project incurring huge capital cost which should be better spent in other areas such as the universal retirement scheme benefitting the underprivileged and next generation;

[Mr Wallace K.K. Lau, DS(T)4, THB, arrived to join this session of the meeting at this point, and Ms Candy K.Y. Nip, PAS(T)8, THB, left this session of the meeting at this point ]

- (b) HKDCS was initially very open-minded when AAHK started liaising with them for the expansion plan of HKIA in 2010. Since then, they had been kept offering comments to AAHK with a view to striking a balance between the needs for expansion of the airport and conservation. However, they were very disappointed when MP2030 was published in 2011 for public consultation as it played down the impact of the 3RS project on CWD. He raised the issue with AAHK immediately and its vice-CEO had to make an apology to him. He also considered that the public consultation was biased towards the 3RS option and not letting the public to choose;
  
- (c) HKDCS was involved in the EIA for the 3RS project, but it was later realized that AAHK did not genuinely wish to address the environmental issues arising from the 3RS project. They had provided comments on the study brief and scope of the study, etc, but they were not taken on board. The standard of the EIA report issued in 2014 was not acceptable. There were many discussions by the public and at the meeting of Advisory Committee on Environment (ACE), the EIA report was approved eventually with the Environmental Permit (EP) granted by the Director of Environmental Protection (DEP). HKDCS had assessed the social return on investment and the environmental costs of the 3RS project which concluded that the 3RS project incurred some ten billion Hong Kong dollars. A public survey conducted by HKDCS also showed that a majority of the public supported exerting greater efforts in the protection for CWD and exploring means to increase the efficiency of the existing 2RS airport, rather than constructing 3RS. HKDCS had no choice but to file judicial reviews against the decision of DEP in granting the EP;

*Abundance of CWD in Hong Kong*

- (d) CWD was an indigenous habitant in Hong Kong waters and should not be forced to move out due to the construction works carried out by human being. A cartoon in South China Morning Post on 7.6.2011 portrayed several CWDs departing Hong Kong sadly, but in fact CWD would not

migrate as CWD needed to live and find food in shallow river estuary like the waters at the north and west Lantau;

- (e) the field data collected by HKDCS over the past 18 years revealed that the number of CWD in the waters of the north and west Lantau was declining significantly from 158 in 2003 to 61 in 2014 (about 60% reduction). At present, that waters area was a huge construction site with 24-hour on-going construction activities. In addition, there were sea-bed dredging and fill disposal activities, frequent high-speed ferries passing by as well as intensive fishing and serious water pollution. The present environment of that waters area was already difficult for CWD to live in and would be even worse with the forthcoming reclamation projects;

*CWD Distribution in Hong Kong and Pearl River Estuary*

- (f) CWD was once abundant in the east and west Pearl River Estuary, and particularly in the north and west Lantau waters, but its population was diminishing. Over the years, HKDCS had followed 30 dolphins and some of which could no longer be spotted after commencement of the construction works of HZMB. CWD should not be forced to move to other parts of Pearl River Estuary where the water quality was also deteriorating with an increasing number of construction projects nearby. Forcing CWD out of Hong Kong waters also contravened the intention of the Conservation Programme for CWD in Hong Kong launched by AFCD in 2000 which was to enable CWD to continue to use waters of Hong Kong as a portion of their population range and to enhance the continued survival of the dolphin population inhabiting in the Pearl River Estuary;

*Individual Range Use and Social Organization of CWD*

- (g) each dolphin in the '30 Third Runway Victims' programme had its own activity range. Based on the activity range analysis, two clusters of dolphins could be identified, one was active in the north and west Lantau waters and another was active in the west and south Lantau waters. The 3RS project would mostly affect the former clusters of dolphins. The

west Lantau waters was in fact the focal point where the two clusters of dolphins interacted socially;

- (h) according to the EIA report for the 3RS project, the results of the 24-hour sound recorder at the sea-bed that CWD appeared at the 3RS project area in the night time rather than the day time. HKDCS had conducted similar study which revealed that CWD also gathered at the waters near Siu Ho Wan, Sham Wat, Fan Lau and Lung Kwu Tan;

*Threats Faced by CWD*

- (i) CWD was facing a lot of threats including the high-speed ferries, suffocation due to the entanglement of fishing nets and health deterioration due to a high concentration of toxic substances in waters. Under such adverse conditions, CWD had a low breeding rate and the baby dolphins had a high mortality rate;
- (j) there were a lot of high-speed ferries from SkyPier at HKIA, HK-Macau Ferry Terminal and China Ferry Terminal passing the north and south Lantau waters which had profound adverse impacts on CWD. The underwater sound of the moving high-speed ferries would disturb the acoustic detection system of CWD which could separate them from their companions, in particular, baby dolphins from their mothers, and also impair their ability to avoid the moving high-speed ferries;
- (k) the habitat of CWD in north Lantau waters was degraded significantly over the years due to the developments of Disneyland, HKIA, Tung Chung New Town, North Lantau Highway and the river trade terminals at Tuen Mun, as well as the provision of a series of contaminated mud pits to the north of HKIA. The contaminated mud pits were to receive the mud dredged from the sea-bed for the previous reclamation of HKIA. For the 3RS project, AAHK would need to spend huge cost to stabilize those contaminated mud pits for further reclamation;
- (l) the on-going projects included the artificial island for HKBCF, HZMB and Tuen Mun-Chek Lap Kok Link (TM-CLKL) had already led to substantial

loss of water areas and the habitat of CWD. The EIAs for those projects concluded that the impacts on CWD were acceptable on the basis that the project proponents would implement the proposed mitigation measures and EPD would ensure the proper implementation of those measures. However, it was clearly shown on the aerial photo that a sediment plume was dispersing from the construction site of the artificial island, and the recent news report also revealed that the contractor of the Central and Wan Chai Bypass project dumped the contaminated mud into the harbour direct. He doubted whether the enforcement action taken by the relevant authority was effective. With the commencement of the artificial island and HZMB projects, HKDCS's study found that the occurrence of CWD in the northeast and northwest Lantau waters was rapidly declining and individual dolphins had shifted their activity ranges away from the area; and

- (m) while the habitat of CWD was yet to be recovered from the adverse impacts of the on-going projects, more reclamation projects such as 3RS, Siu Ho Wan, Yam O, Lung Ku Tan and Tung Chung had already been planned. He doubted whether the Government sincerely wished to protect CWD. HKDCS had approached various departments and each had put forth different reasons for not accepting their proposals for protecting CWD.

[The meeting took a short break of 15 minutes.]

[Mr Frankie W.C. Yeung left this session of the meeting at this point.]

81. With the aid of a PowerPoint presentation, Dr Hung continued to make the following main points:

- (a) he considered that there could be a compromise between the construction of the 3RS project and the conservation of CWD, and had discussed the issue with AAHK. He proposed to designate a wider protection area for CWD, divert the routes of the high-speed ferries, and assess the

cumulative impacts of all the projects in PRD on CWD, but all had not been accepted by AAHK;

*Massive Habitat Loss*

- (b) the impacts of 3RS on the loss of habitat for CWD was significant as its reclamation would take away 650 ha of water area which was largest in scale in Hong Kong's history. HKDCS did not oppose all development projects, but considered a very cautionary approach should be taken for any reclamation projects in particular as they would cause irreversible loss of marine habitat and permanent disturbance to the marine ecology. The Government should carefully deliberate whether the reclamation projects were justified, and whether the society could bear the damage of water area with high ecological value like the north and west Lantau waters which were a very important habitat for CWD;
- (c) the Sha Chau and Lung Kwu Chau (SCLKC) Marine Park (MP), the committed Brothers Islands MP and west Lantau waters were three core activity areas for CWD. The proposed 3RS site was at a central location among the three areas and was a gathering place for dolphins. AAHK's dolphin expert claimed that the dolphins could detour to the north of Sha Chau via Urmston Road, for commuting among the three water areas. However, Urmston Road was a very busy channel with heavy marine traffic, including high-speed ferries and ocean-goers, which was not conducive to the passage of CWD. If the commuting corridor was blocked, the committed Brothers Islands MP would be ineffective for the conservation of CWD;
- (d) EIA report for the 3RS project had already acknowledged that the high-speed ferries from SkyPier had significant impacts on CWD passing through the waters to the north of HKIA. If AAHK was sincere to conserve CWD, they could implement the mitigation measures of re-routing the high-speed ferries immediately rather than pending the completion of the 3RS project;

*Impacts on Marine Park*

- (e) The SCLKC MP was set up in 1996. There was an aviation fuel receiving facility in Sha Chau for HKIA which required regular dredging of the sea-bed in Sha Chau waters for the movement of fuel tankers. The sea-bed dredging works had adversely affected the water quality of the area and the habitat of CWD;
- (f) the 3RS, being a mega project in Hong Kong's history, was less than 1 km away from the SCLKC MP. Such a short distance could not serve as an effective buffer for protecting the marine ecology in the MP. Although the Country and Marine Parks Board raised a number of concerns on the impacts of 3RS on the SCLKC MP, it was not a statutory body and had no statutory power to reject the 3RS proposal;
- (g) the Brothers Islands MP committed under the artificial island for the HKCBF project for marine habitat compensation was only 2km away from 3RS. In fact, despite enhancements would be provided in the proposed MP, the water area was all along used by CWD, and should not be regarded as compensation to the habitat loss. Moreover, the Brothers Island MP was then proposed without knowing that there would be 3RS and other forthcoming reclamation projects in the area. Its viability in revitalizing marine life, including CWD, was yet to be demonstrated as the construction works in the nearby area had not been completed. The chance for its success was getting slimmer as the forthcoming reclamation projects would prolong the disturbance to the waters up to at least 2023 and the 3RS project would block the commuting corridor of CWD. The large number of on-going and proposed developments in the north Lantau waters were in conflict with the conservation policy for CWD promulgated by the Government;

*Impacts from High-Speed Ferries*

- (h) although the EIA had acknowledged that the high-speed ferries from SkyPier had significant impacts on CWD, AAHK refused to relocate the SkyPier even though it was also requested by ACE members. Despite the

HZMB would be in place soon, AAHK claimed that the SkyPier was very important to the air passengers from the Mainland. AAHK only agreed, upon ACE's request, to cap the traffic volume of the high-speed ferries to an average of 99 trips per day which in fact was the existing traffic volume. AAHK had no intention to make any compromise between the 3RS development and the conservation of CWD;

- (i) at present, the north Lantau waters already had a lot of working boats. With the 3RS project, it would bring in about 300 more construction boats which might also anchor in the area. Those construction boats were in close proximity to the existing and proposed MPs. While anchorage of boats was not allowed in the MPs, they could move inside the MPs with restricted speed. The EIA report for the 3RS project had acknowledged that CWD would not stay in the waters in the area during the construction period but claimed that they could use other areas in the wider Pearl River Estuary. However, there were no tracking on the movement of CWD, nor a definite water area for refuge was identified or proposed for CWD;

*Cumulative Impacts*

- (j) apart from the 3RS project, reclamation works were proposed at Tung Chung, Siu Ho Wan, Yam O and Lung Kwu Tan which would bring in a substantial number of construction boats. In addition to the construction boats, there would be other commuting boats for workers of those reclamation projects and the high-speed ferries. For such a busy water area, it was necessary to undertake a cumulative marine traffic impact assessment for all those projects, but no such assessment had been provided;

[Mr Clarence W.C. Leung left this session of the meeting at this point.]

*Effectiveness of Mitigation Measures/Compensation*

- (k) AAHK proposed that upon completion of the 3RS project, the high-speed ferries from SkyPier would redirect their routes to navigate along Urmston Road to the north of Lung Kwu Chau with restricted speed. Lung Kwu

Chau was the place where a few dolphins could still be spotted. A lower speed limit meant that the high-speed ferries would stay longer in the area which would be more unfavourable for CWD to use the waters north of Lung Kwu Chau and swim along Urmston Road to the committed Brothers Islands MP. He considered that the most effective means was to reduce the traffic volume of the high-speed ferries;

- (l) despite the 2,400 ha MP proposed under the 3RS project appeared to be substantial, it was at a wrong location and a wrong timing. The habitat of CWD was lost once the water area was fenced off for the construction of 3RS, but the proposed MP would only be implemented after 2023 and CWD had no water body to take refuge during the construction period. That was tantamount to 'destroy first, build later'. The compensation for habitat loss should be provided first or at a very early stage of the construction phase which was also the requirement of the Technical Memorandum of the Environmental Impact Assessment Ordinance (EIAO-TM). It was also one of the grounds in the JR filed by HKDCS and he considered that the ground was well justified;
- (m) despite the Government put forward the proposal of designating the waters at Southwest Lantau and Soko Islands as MPs in 2002, the study on the proposal had just commenced for its possible implementation in 2017. HKDCS proposed to extend that MPs to Tai O and Sha Chau/Lung Kwu Chau which was not accepted by AAHK and the Government. The MP proposed by AAHK was a residual water body with degraded environment after years of construction works. There were no data and justifications to support that CWD could survive during the long construction period and the proposed MP was effective in bringing back CWD. The proposed MP was not compensation to the habitat loss of CWD as the CWD was all along active in the area but the environment of that waters had deteriorated due to various projects; and
- (n) he requested the Board to better understand the cumulative impacts of various projects on CWD and to obtain more data/information on marine

traffic impacts in the area. The JRs in respect of the EP for the 3RS project granted by DEP had not been settled. There would be uncertainties pertaining to the acceptability of the environmental impacts of the 3RS project. Moreover, the airspace issue had not been resolved. The Board should not decide the 3RS project hastily as the reclamation for the project would result in irreversible loss of marine habitat.

R390 – Green Sense

82. With the aid of a PowerPoint presentation, Mr Tam Hoi Pong made the following main points:

- (a) Green Sense followed closely the public consultation conducted by AAHK on MP2030 since 2011. Out of the 28,000 returned questionnaires, 8,000 were received at the collection boxes placed in HKIA. Such arrangement would facilitate the supporting stakeholders to return their questionnaires, and that was the reasons for 70% of the returned questionnaires supporting the 3RS project;
- (b) upon completion of the 3Rs, the air traffic handling capacity of HKIA would be increased from 68 ATM per hour to 102 ATMs per hour based on the assumption that the airspace would be managed jointly by aviation authorities in Hong Kong and the Mainland. Such joint management approach would contravene the Article 130 of Basic Law which stated that the Hong Kong Special Administrative Region should be responsible on its own for matters of routine business and technical management of civil aviation. In addition, it was not clear how the joint management of the airspace could be ensured while at the same time it could avoid the flights of People's Liberation Army landing on HKIA on their own;
- (c) the environmental damage of a reclamation project was not restricted to the water area at the reclamation site, but also, as pointed out by a newspaper critic, other areas where the marine sand for filling the reclamation area was obtained;

- (d) the EP granted under EIAO was supposed to protect the environment but it was currently used as a tool to cover up the environmental damage of the proposed project. A majority of ACE members had a pro-government stance and the power of granting an EP rested upon DEP who was a government official. Therefore, the approval of EP did not mean that the impacts of the 3RS project were environmentally acceptable; and
- (e) lesson should be learnt from the cost overruns of XRL and HZMB projects and the Board should not allow another one like 3RS to commence. While there were so many adverse representations against the 3RS project, the Paper submitted to the Board had only 27 pages without providing any reports on airspace, marine ecology and marine traffic issues. He considered that it was difficult to convince the public to accept the 3RS project.

83. As the presentations from the representers and representatives of representers/commenters had been completed, the Chairman invited questions from Members.

#### Impacts on CWD

84. A Member said that the adverse impacts of the 3RS project on CWD presented at the meeting appeared to be much greater than the one at the ACE meeting, and asked Dr Samuel Hung of HKDCS (R387) to give his views to the Board on what measures he would recommend for mitigating the adverse impact on CWD and how the habitat loss could be compensated if the proposed MP was considered not effective.

85. In response, Dr Hung made the following main points :

#### *Impacts presented to the Board versus that to the ACE*

- (f) he could not convey his message directly to the ACE members as the EIAO did not have the provisions for those submitted comments to make oral submission at the meeting. If Members agreed that the adverse impacts of the 3RS project on CWD were not acceptable, they should reject the OZP so that the 3RS project could not go ahead. The Board

was not a rubber stamp and the approval of the EIA report for the 3RS project did not imply that the Board should also approve the corresponding amendments to the OZP; and

*Effective Compensation of the CWD's Habitat Loss*

- (g) a better compensation to the loss of CWD's habitat was to divert the route of the high-speed ferries along the South Lantau coast to the further south, i.e. south of Cheung Chau, Shek Kwu Chau and Soko Islands. Without the threat of the high-speed ferries, the waters between the proposed MPs at Fau Lau and Soko Islands could be designated as a new MP and the water areas would be a new marine habitat for CWD. In the Study Brief for the 3RS project, AFCD had requested AAHK to study the feasibility of such diversion of marine traffic, but the EIA report did not recommend it due to the objection from the Marine Department. The Hong Kong Baptist University had conducted a survey on the Social Return of Investment for the 3RS project which found that majority (about 70%) of the respondents were willing to spend more time and pay more for a longer ferry trip in return for the protection of CWD.

Forecast of Air Traffic Growth

86. The Vice-chairman enquired on what the ATMs for passengers and cargo to the Mainland and other international cities assumed in the baseline year of 2014 and in the forecast year of 2030, and whether the impacts of XRL and HZMB had been taken into account in the forecast.

87. In response, Mr Wallace K.K. Lau, DS(T)4, THB, made the following main points :

- (a) the forecast was conducted by AAHK and he did not have the breakdown of the ATM forecast for flights to the Mainland and other international cities at hand. However, the recently released figures by AAHK indicated that there was a clear increase in the volume of air passengers and cargoes over the past twelve months and in overall terms, the increasing trend of the air traffic over the years was evident; and

- (b) the overlapping destinations between XRL and the short-haul flights of HKIA only contributed to about 4% of HKIA's passenger throughput, and the XRL could not totally replace those short-haul flights, particularly for transit passengers.

[Mr Roger K.H. Luk left this session of the meeting at this point.]

#### Impacts of the Reclamation Projects on CWD

88. The Vice-chairman asked Dr Hung whether there were any studies on the abundance of CWD before and after construction of HKIA so as to determine the impact of reclamation; and the impacts of the artificial island of HKBCF on the 30 dolphins that were monitored by HKDCS.

89. In response, Dr Hung made the following main points:

#### *Completed Studies on the Impact of Reclamation on CWD*

- (a) there was no complete set of data for the impacts on CWD before and after a large-scale reclamation project in Hong Kong. HKDCS commenced its study on the habitat of CWD in 1995 when the reclamation works of HKIA was half completed. The assessment undertaken by AAHK's consultant was not a good reference as it only referred to the waters around Sha Chau and Lung Kwu Chau and the baseline survey conducted there was only conducted for 2 to 3 months. HKDCS had collected data on CWD before and during the reclamation works for the artificial island of HKBCF but as the project had not yet completed there was no data on the after reclamation situation. As such, the feasibility of re-establishing of the marine ecology in the area could not be ascertained as the 3RS would commence once the artificial island was completed; and

#### *Impacts of the Artificial Island of HKBCF on 30 Dolphins*

- (b) some of the 30 dolphins moved to the Mainland waters and some disappeared without knowing whether they were still alive. The conservation policy for marine ecology lagged behind the development pace in Hong Kong, and it was critical that the Board should adopt the

‘conserve first, develop later’ approach. HKDCS’s proposed designation of waters from Sha Chau, Tai O, Fan Lau to Soko Islands as MP was a genuine compensation, and should be implemented before the construction of 3RS.

[Professor K.C. Chau left this session of the meeting at this point.]

Implication of the Board’s Agreement on the Draft OZP

90. A Member asked whether the 3RS project could commence irrespective of the outcome of the JRs if the Board agreed to the OZP amendments as public funding for the 3RS project was not required.

91. In response, Ms Donna Y.P. Tam, DPO/SKIs, made the following main points :

- (a) as far as the Town Planning Ordinance was concerned, the Board was responsible for preparation of statutory plan for areas of Hong Kong including the land use and development parameters for the developments within the planning area. Upon the Board’s agreement to the OZP amendments, the draft OZP together with the representations and comments on representations would be submitted to the Chief Executive in Council for consideration on whether the OZP could be approved; and
- (b) the concerned JR applications did not prohibit the Board from proceeding with the statutory planning process of the OZP under the Ordinance, unless and until the Court directed that there should be a stay of the Board’s proceedings. The financial and implementation arrangement of the 3RS project would be subject to discussion between relevant government departments/bureaux and AAHK.

92. In response, Dr Hung said that according to his understanding, as the JR applications related to the 3RS project was yet to be decided by the Court, AAHK could commence the reclamation once the statutory processes relating to the 3RS project including, inter alia, approval of the OZP by CE in C were completed.

Proposed a Continuous MP from Sha Chau/Lung Kwu Chau to Soko Islands

93. The same Member asked Dr Hung whether southwest Lantau waters was a suitable habitat for CWD as it was far away from the Pearl River Estuary; and whether it was feasible to divert the marine traffic to the south of Soko Islands/Shek Kwu Chau as proposed by HKDCS. Another Member asked MD whether the high-speed ferries operators were consulted on the proposed alternative route for the high-speed ferries.

*Suitability of Southwest Lantau for CWD*

94. In response, Dr Hung said that the HKDCS and WWF proposed to a continuous MP from Sha Chau/Lung Kwu Chau to Soko Islands. If the proposed MP could set up first or at the early stage of the construction phase for the 3RS project, CWD could take refuge in those water areas.

95. In response, Mr Tony T.F. Li, SMO/P&D(3), MD, made the following points :

*Re-Routing of High-speed Ferries*

- (a) the high-speed ferries should travel at the recommended routes under a Permit to Operate High Speed Craft for plying between Hong Kong and Macau/PRD Ports which were devised on marine traffic safety and operational grounds. In general, it would take into account the available width and depth of the waters, the sea state and weather conditions along the route. The existing route along the southern coast of Lantau was used by the high-speed ferries from HK-Macau Ferry Terminal and China Ferry Terminal rather than SkyPier;
- (b) from marine traffic safety point of view, the proposed re-routing to south of the Soko Islands were found to be less sheltered, potentially exposing the high speed ferries to greater wave heights and swell than currently experienced. The proposed re-routing would take a longer distance and thus a longer travelling time for the passengers. It would also need more fuel oil consumption and incur higher fuel costs to the operators;

- (c) the high-speed ferries operators were not consulted on the proposal as the feasibility of the re-routing had not been ascertained under the permit system.

96. In response to the Chairman's invitation to supplement, Dr Hung also said that the high-speed ferries to Macau were travelling in exposed waters area when they passed beyond Lantau. As such, diverting the route of high-speed ferries to further south of Lantau should not have any marine safety concern. According to his understanding, AAHK and relevant government departments had consulted MD on the feasibility of the proposed alternative route for high-speed ferries during the EIA process.

#### Air Traffic Handling Capacity of the Existing HKIA

97. The same Member asked about the reasons for HKIA could not achieve the air traffic handling capacity of 86 ATMs per hour as quoted by some representers. The Vice-chairman also asked whether it was feasible to increase the air traffic handling capacity of the existing HKIA by removing the peaks of Tai Yam Teng and Fa Peng Teng of northeastern Lantau.

98. In response, Mr Gabriel P.K. Cheng, C(TD), CAD, made the following main points :

#### *Constraint on the Air Traffic Handling Capacity of the Existing HKIA*

- (a) a number of studies on the runway capacity of HKIA had been conducted in the past. According to the results of these studies, in full compliance with the safety standards/ requirements of the International Civil Aviation Organization (ICAO), the practical maximum runway capacity of HKIA 2RS could be increased to 68 ATMs per hour. The handling capacity of 86 ATMs per hour in the 1992 New Airport Master Plan (1992 NAMP) was only a theoretical figure, and the terrain of the Lantau Island had constrained the aircraft movement in the airspace to the immediate south of HKIA. The study conducted by the Washington Consultancy Group in 1994 indicated that given the surrounding terrain, the runway capacity of HKIA 2RS could reach 63 ATMs per hour. The study conducted in 2008

by the National Air Traffic Services (NATS) had confirmed that, after implementing a list of enhancement recommendations for HKIA 2RS, the practical maximum capacity of HKIA 2RS could be increased to 68 ATMs per hour; and

*Removal of the Peaks on Lantau to Increase HKIA's Air Traffic Handling Capacity*

- (b) as mentioned in the 1992 NAMP, the removal of peaks at north-eastern Lantau was only intended to reduce the restriction on the aircraft engine-out climb performance, and not to support a higher runway capacity. If Independent Mixed Mode operation was to be adopted for 2RS, most of the high mountains on Lantau including Lantau Peak and Sunset Peak would have to be levelled in order to conform to the safety standards/requirements of the ICAO. As a result, major infrastructures and landmarks on Lantau such as Ngong Ping Cable Car, Big Buddha and Po Lin Monastery would have to be removed. All the three studies concluded that due to the terrain of Lantau, the practical maximum runway capacity of HKIA 2RS was 68 ATMs per hour.

99. In response to the Chairman's invitation to provide supplementary views, Mr Tam Hoi Pong (R390), with reference to a PowerPoint slide, said that the airspace should be the main constraint to the efficiency of HKIA. The airspace to the north of HKIA could not be utilized as it was shared among the airports in the PRD region. As long as the airspace constraint existed, the target handling capacity of 3RS could not be achieved. If the airspace constraint was removed, the handling capacity of the HKIA 2RS could be increased without the need for 3RS.

100. As Members had no more question to raise, the Chairman said that the hearing on the day was completed. He thanked the government's representatives as well as the representers/commenters and their representatives for attending the meeting and said that the Board would deliberate the representations in their absence after completing all the hearing sessions and would inform the representers and commenters of the Board's decision in due course. They left the meeting at this point.

101. The meeting was adjourned at 6:40 p.m.