

1. The meeting was resumed at 9:05 a.m. on 16.12.2015.
2. The following Members and the Secretary were present at the resumed meeting:

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

Mr Stanley Y.F. Wong Vice-chairman

Mr Roger K.H. Luk

Professor S.C. Wong

Professor Eddie C.M. Hui

Ms Anita W.T. Ma

Dr W.K. Yau

Mr H.F. Leung

Mr Stephen H.B. Yau

Mr F.C. Chan

Mr David Y.T. Lui

Mr Peter K.T. Yuen

Dr Laurence W.C. Poon

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

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

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

Chief Traffic Engineer/New Territories East,
Transport Department
Mr K.C. Siu

Director of Planning
Mr K.K. Ling

Agenda Item 1 (cont'd)

[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)

[The meeting was conducted in Cantonese.]

3. The Chairman said that the meeting was a continuation of the hearing of the representations and comments in respect of the draft Chek Lap Kok Outline Zoning Plan (CLK OZP) No. S/I-CLK/13 which commenced on 14.12.2015.

4. The Secretary said that Members' declaration of interests were detailed in paragraphs 5 to 7 of the minutes of 14.12.2015.

5. Professor S.C. Wong said that although he was the council member of the Chartered Institute of Logistics and Transport in Hong Kong which was a representer (R2), he was not involved in the submission of the representation. The meeting noted and agreed that Professor Wong's interest was indirect and he could stay at the meeting.

6. The Chairman noted that reasonable notice had been given to the representers and commenters inviting them to attend 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, Members agreed to proceed with the hearing of the representations and comments in their absence.

Presentation and Question Sessions

7. The following government representatives and the representers 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 & Islands (DPO/SKIs)
- Mr Richard Y. L. Siu - Senior Town Planner/Islands 1 (STP/Is(1))
- Miss Helena Y. S. Pang - Assistant Town Planner/Islands 3 (ATP/Is(3))

Transport and Housing Bureau (THB)

- Mr Wallace K.K. Lau - Deputy Secretary (Transport) 4 (DS(T)4)
- 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 T.F. LI - Senior Marine Officer/Planning and Development 3 (SMO (P&D)3)
- Mr P. Zou - Marine Officer/ Planning and Development 3 (MO/P&D)3

Civil Aviation Department (CAD)

- Mr Gabriel P.K. Cheng - Chief (Technical and Development) (C(TD))
- Mr Samuel Ng - Senior Evaluation Officer (1) (Technical and Development) (SEO(1)(TD))

Agriculture, Fisheries and Conservation Department (AFCD)

Mr Dick K.C. Choi - Senior Marine Conservation Officer (West)
(SMCO(W), AFCD)

Representers and their representatives

R1450 - Hon Lai Yin

Mr Hon Lai Yin - Representer

R1281 - Cheung Ka Wan

R2393 - Wong Ka Yan Winnie

R2475 - Tam Ying Kit

Mr Lam Chiu Ying - Representer's Representative

R2417 - Candy Cheung

Ms Candy Cheung - Representer

R2528 - Lai Ying Lung

Mr Lai Ying Lung - Representer

R2557 - Ng Wai Ying

Ms Ng Wai Ying - Representer

R2962 - Lau Yin Chiu

Mr Lau Yin Chiu - Representer

R3120 - 趙智恒

R3260 - 陳卓錚

R3340 - quizasiris@hotmail.com

R3445 - 鄭懷寧

R3586 - 陳穎彤

R4282 - Bonnie Cheng

R4451 - Go Ming Tsun

R12035 - Gabrielle Ho

R1475 - 余顯璧

Mr Tam Hoi Pong and Mr Mak Chi Kit
(Green Sense) - Representers' Representatives

R2619 - Kennis Chow

R3319 - Leung Yee Tak

R3357 - Thomas

R12203 - 梁樂德

Dr Samuel K.Y. Hung
(Hong Kong Dolphin Conservation Society) - Representers' Representative

R3806 - Lee Ka Ho

Mr Lee Ka Ho - Representer

R4020 - Fung Kam Lam

Mr Fung Kam Lam - Representer

R4353 - Ho Ho Sum

Mr Ho Ho Sum - Representer

R12206 - Ng Suet Yee

Ms Ng Suet Yee - Representer

8. The Chairman extended a welcome and explained the schedule and procedures of the hearing which had been set out in the "Guidance notes on attending the meeting for consideration of the representations and comments in respect of the draft CLP OZP No. S/I-CLK/13". He said that to ensure the efficient operation of the meeting, each representer/commenter or their representatives would be allotted 10 minutes for making oral

submission. The representers/commenters had been informed about the arrangement before the meeting. There was a timer device to alert the representers/commenters and their representatives two minutes before the allotted time was to expire, and when the allotted time limit was up. The Chairman then invited the representative of PlanD to brief Members on the representations.

9. With the aid of a PowerPoint presentation, Mr Richard Y. L. Siu, STP/Is(1), repeated the presentations which were made in the morning session of the meeting on 14.12.2015 as recorded in paragraph 38 of the minutes of 14.12.2015.

[Dr W.K. Yau, Mr Peter K.T. Yuen and Mr H.F. Leung arrived to join this session of the meeting during the presentation.]

10. The Chairman then invited the representers and their representatives to elaborate on their representations.

11. Mr Tam Hoi Pong said that the current hearing meeting should be adjourned and postponed as it might be illegal as many of the representers and commenters were not properly notified about the date, time and venue of the scheduled meetings. He requested the Board to review the hearing procedures. He then submitted a letter dated 11.12.2015 issued by his legal representative which was already tabled in the morning session of the meeting on 14.12.2015. In response, the Chairman said that preliminary legal advice had been sought and did not point to a need to adjourn the hearing. A copy of the letter submitted by Mr Tam was distributed to Members for reference.

R1281 - Cheung Ka Wan

R2393 - Wong Ka Yan Winnie

R2475 - Tam Ying Kit

12. Mr Lam Chiu Ying said that he was both a representer (R399) and a commenter (C128) regarding amendments to the OZP, however, he had only received a letter on the hearing meeting as a commenter but no invitation letter regarding his representation was received so far. In response, the Chairman requested the Secretariat to double check

whether the invitation letter for representers had also been sent to Mr Lam.

13. With the aid of a PowerPoint presentation, Mr Lam made the following main points :

- (a) he was representing the views of youngsters and middle age people who had authorized him to speak on their behalf in the current hearing session and he would make oral presentation of his own submission in another hearing session. All the representers he represented opposed the amendment items of the OZP in respect of the three-runway system (3RS) as well as the associated reclamation works;
- (b) they considered that the existing management of Hong Kong International Airport (HKIA) should be improved and the current two-runway system (2RS) should be enhanced first. The proposed 3RS could not increase the competitiveness of HKIA;
- (c) the purpose of the Town Planning Ordinance (the Ordinance) was to promote the health, safety, convenience and general welfare of the community by making provision for the systematic preparation and approval of plans for the lay-out of areas of Hong Kong as well as for the types of building suitable for erection therein and for the preparation and approval of plans for areas within which permission was required for development;
- (d) as land resources including the sea were scarce and valuable in Hong Kong, land use planning should be for the interest of the community at large while taking the future need into account at the same time. In designating a land use zone for a large area, it was necessary to consider the alternatives whether the proposed use could serve the best interest of Hong Kong based on the principles of health, safety, convenience and general welfare of the community;

- (e) the reclamation area for the proposed 3RS was equivalent to the size of the Yau Tsim Mong District. Should the same size of land be used for developing a new Kowloon, with one-third of the area for development at a plot ratio of 10, it would provide homes for more than 300,000 people and the property value would be over HK\$2,000 billion. The resultant additional gross domestic product (GDP) would be amounting to about HK\$100 billion;
- (f) designating such an area with the size of 650 ha for airport use was an important decision which meant offering a sum of HK\$2,000 billion to the Airport Authority Hong Kong (AAHK) and giving up of HK\$100 billion GDP and homes for 300,000 people;
- (g) the 3RS would not be the option of the youngsters if they had the opportunity to choose from using such valuable land resource for developing either a new town or the useless runway;
- (h) the justifications provided by AAHK for 3RS were that there was a strong traffic growth of HKIA, the existing 2RS would likely reach its maximum capacity, and it would increase the competitiveness of HKIA. However, in reality, there was doubt that the existing 2RS had reached its maximum capacity. It was bad management that led to decrease in the competitiveness of HKIA rather than the number of runways;
- (i) according to the annual report of AAHK in 2014/15, the passenger traffic was 64.7 million which were rising, but the cargo throughput was rather stagnant for the last five year which was only 4.4 million tonnes;
- (j) according to the previous 'New Airport Master Plan' published by AAHK, the design capacity of HKIA for passenger traffic was 87 million per year, cargo throughput was 9 million per year, and the air traffic movements (ATMs) were 86 per hour, however, the actual figures for 2014/15 were 64.7 million, 4.4 million, and 68 respectively which were only 75%, 49%

and 79% of the respective design capacity. The allegation that the existing airport had reached its maximum capacity was doubtful and there was no strong justification for 3RS;

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

- (k) AAHK had adopted a wrong strategy which encouraged low-cost carriers with low passenger capacity. As a result, the increase in ATM was higher than the rate of passenger increase and had worsened the capacity problem of the existing 2RS. The average passenger per flight was only 169 which was 74% of the design capacity of 229 in 2012 and the figure was only 192 which was 61% of the design capacity of 314 in 2013. AAHK had not been able to raise the ATM per hour for a few years and the reasons would be explained later in another session;
- (l) when HKIA first commenced its operation, the single runway system had a maximum capacity of 52 ATMs per hour, the current capacity of 68 for 2RS represented only an additional of 16 ATMs. Thus, it had demonstrated that the number of runway did not have much effect in increasing ATM;

[Mr F.C. Chan arrived to join this session of the meeting at this point.]

- (m) the proposed 3RS could not increase the ATM and the Guangzhou Baiyun Airport was a recent example in which the ATM per day of the airport could only be increased by 10 after its third runway was in operation since February 2015. That was due to airspace conflict with Fushan Airport and air traffic congestion in the region. HKIA would probably face similar problems;
- (n) it would be feasible to enhance the competitiveness of 2RS without the construction of 3RS. The options might include, inter alia, using wide-bodied aircrafts with higher loading capacity; expanding Terminal 1

Building and mid-field passenger concourse; enhancing the operation efficiency of 2RS; improving the cooperation with nearby airports in the region and the Express Rail Link (XRL); focusing on international flights; and reducing flights with insignificant passenger demand. The real competitors of HKIA were international airports such as Singapore Changi Airport, Seoul Incheon Airport and airports of Tokyo instead of Mainland airports. HKIA was once the best airport in the world but its status had been declining; and

- (o) he objected to sacrificing valuable land resources for the 3RS project and requested the Board to take a broader view in the light of competing land uses. Hong Kong needed an airport with quality services rather than focusing on the number of runway. Besides, bad management and wrong strategy should not be rewarded with even more resources.

R2417 – Candy Cheung

14. Ms Candy Cheung made the following main points from environmental and ecological perspectives:

- (a) she considered that the environment and land resources should be shared among all the living creatures both on land and in sea. We did not have the right to snatch nor to waste the common resources;
- (b) there were about 100 to 200 Chinese White Dolphins (CWD) in the area in the past with only about 60 remained after the Hong Kong-Zhuhai-Macau Bridge (HZMB) works had commenced. She doubted if the environmental impacts of the HZMB project were taken into account in the Environmental Impact Assessment (EIA) for the 3RS project. The environment of the area could not be sustained if there were additional developments and works;
- (c) the proposal of designating the waters around the 3RS project as an ecology

compensation area upon completion of the project was ineffective and unacceptable. The construction works of 3RS would destroy the marine habitat of CWD. It would bring irreversible impact as CWD might die and could not come back again. Though CWD was not only found in Hong Kong, it should be noted that CWD had existed in the area long before the people of Hong Kong. There was no reason to sacrifice them for the project;

- (d) the existing 2RS operation had already caused unacceptable noise and air pollutions to villagers of Sha Lo Wan. The adverse environmental impacts from the HZMB project had worsen the conditions and the 3RS project would impose additional impacts on the area which would be unfair to the residents of north Lantau; and
- (e) she requested the Board to take into account the environmental and ecological impacts of 3RS in considering the subject OZP.

R2528 – Lai Ying Lung

15. Mr Lai Ying Lung made the following main points:

- (a) the latest cost estimate of the 3RS project was about HK\$141.5 billion which was more than the estimate made seven years ago at HK\$5.5 billion. The people of Hong Kong might need to bear the cost if there was any cost overrun again;
- (b) the proposal of supporting the 3RS construction cost by imposing an additional levy of HK\$180 for departure and transits at HKIA would have an adverse impact on tourism and airline business, in particular for the visitors from Mainland;
- (c) there would be airspace conflict in the area which, if unresolved, would render 3RS useless. The Government should learn from the lesson of

Guangzhou Baiyun Airport;

- (d) according to section 3 of the Ordinance, the Board was to promote health, safety, convenience and general welfare of the community and to undertake the systematic preparation of plans as the Chief Executive may direct. As there was no existing land for construction of the 3RS project, it was not covered by any of the scope listed under section 4 of the Ordinance;
- (e) the proposed reclamation area for 3RS would be located on the main corridor and marine habitat of CWD and would bring irreversible impact on the natural environment including noise and water pollution. He doubted if CWD would return to the area upon completion of 3RS; and
- (f) constructing an useless project with no economic returns would be against the Mainland policies.

R2557 – Ng Wai Ying

16. Ms Ng Wai Ying made the following main points:

- (a) she was a student who came from a grassroot family. She opposed 3RS as there was insufficient public consultation. She did not know anything about the project until she received an email inviting her views on the OZP amendments. She did not agree that extensive consultation had been carried out as she did not see any publication materials nor consultation activities in her neighbourhood, school and even at HKIA. The information on the 3RS hearing meeting was merely published in a very small corner at the Board's web site;
- (b) according to PlanD's presentation earlier in the meeting, they did not support the adverse representations. However, there were more than 12,000 representations opposing the draft OZP/the 3RS project. Ignoring

the large number of objections, the Government was not respecting the public views;

- (c) the environmental impact assessment was insufficient, in particular for CWD. It should be noted that once the environment was destroyed, it could not be compensated and the damage was irreversible. A balance between the natural environment and the need for economic development should thus be struck;
- (d) the 3RS involving a reclamation of 650 ha sea area which should be regarded as public space. The proposal would take away public space and cause damages to the existing environment of local residents. There was no consultation. She queried who would be benefited from the project and what the meaning of having 3RS would be;
- (e) she doubted that the existing 2RS had reached its maximum capacity and a better management of the existing facilities could solve the capacity problem. Besides, the possible cost overrun issue had also not yet been addressed. The cost overrun of the XRL project was more than HK\$50 billion. There were many other social and community needs such as universal retirement protection which would require huge public finance and the people of Hong Kong should not bear such opportunity cost;
- (f) the Board was requested to consider carefully about the 3RS project. If the adverse representations were not accepted, she doubted what the meaning of having the hearing was.

R2962 - Lau Yin Chiu

17. Mr Lau Yin Chiu made the following main points:

- (a) he represented not only himself but also the major stakeholder of the project, a CWD in north-east Lantau. CWD were losing in numbers, they

had reduced from 158 to 61 over the past 10 years and five more baby dolphins had died in June 2015. When the 3RS construction works commenced, CWD in the area would probably be all dead;

- (b) he doubted the saying that CWD would not be affected during construction of 3RS. CWD would not see the signage of the Marine Park and the area would also be subject to severe disturbance from heavy marine traffic;
- (c) the HZMB project had already led to a sharp decrease in the number of CWD in the area, more disturbance would be anticipated during the construction of 3RS as a result of changing in the 'navigable channel'. As dolphins used sonic system in their communication, the noise pollution would seriously affect the lives of CWD in particular the baby dolphins;
- (d) although the reclamation area was said to be 650 ha, there were also areas designated for works area. The total affected area would probably be up to 981 ha. Besides, most of the nearby water areas were also affected by many other on-going projects;
- (e) the proposal of establishing a marine park upon completion of 3RS was not effective. The reclamation works for 3RS would be carried out right after the completion of HZMB in 2016. CWD would not use the proposed marine park upon completion of HZMB when the 3RS had just commenced its construction works;
- (f) he wondered how all these could be allowed under Convention on Biological Diversity, which was extended to Hong Kong in 2011. The disaster to the Romer's Tree Frog in Chek Lap Kok 23 years ago during the development of HKIA would be repeated once more for CWD; and
- (g) there were many tragic stories of CWD since 2007. They had to live in the polluted water environment and were hurt by the wastes in the waters. Many baby dolphins died as their nursery ground and food resources in the

area had been polluted.

R3120 – 趙智恒

R3260 – 陳卓錚

18. In response to Mr Mak Chi Kit's query on Members' declaration of interests on the item, the Chairman said the declaration was done at the start of in the meeting but he would ask the Secretary to repeat them. The Secretary then repeated the list of Members who had declared interest on this item which were the same as those as recorded in paragraphs 5 to 7 of the minutes of 14.12.2015 with the updates of Professor S.C. Wong as recorded in paragraph 5 above.

19. Mr Tam Hoi Pong said that the Chairman as a government official should declare interest on the item to ensure a fair hearing. He further said that they would like to divide their oral submission into two parts. The first part would be about 20 minutes and the second part which would be longer could be made after other representers attending the session had finished their presentation. In response, the Chairman reiterated that there was judicial precedent which recognised that the involvement of official members in the Board was legally in order. The Chairman also agreed that Green Sense might divide their oral submission into two parts.

20. With the aid of a PowerPoint presentation, Mr Mak Chi Kit made the following main points:

- (a) the conventional public consultation methods including questionnaires and public forums were found to be ineffective. Approval of the HKIA expansion by the Chief Executive in Council (CE in C) was based on the documents submitted by AAHK. The consultation exercises carried out by AAHK, the key stakeholder of the 3RS project, were fake and misleading. The questionnaire in 2011 was wrongly placed, the exhibitions were for publicity rather than collecting views, and the forums were mainly for AAHK to make propaganda with limited chance for public

to express their views. It had thus resulted in over 12,000 adverse representations to the OZP. As the comments were not responded to, more drastic actions such as judicial review might be taken to prevent the project to proceed;

- (b) those opposing 3RS were people who cared for the society and were looking forward for social progress. Their comments should be responded to. He requested the Board to listen to their views and to withdraw the OZP amendments;
- (c) government officials had told them that the quantity of representations received was not the key consideration, but the grounds of representations provided. However, with only four supporting representations and more than 12,000 adverse representations received, it implied that 3RS was not supported by the general public. The Board should take the public views into consideration. It was necessary for AAHK to conduct better consultation exercise and to provide more details of the project in order to gain support from the general public;
- (d) infrastructure facilities such as 3RS were planned for the future. Support from the young generation was more important as they would be the future users of these facilities. Town planning was for the general welfare of the community and not just for financial return. As such, planning decisions should be made on a much wider perspective under the Ordinance. The general welfare of the community should include the natural environment, living space and living quality etc.;
- (e) XRL was the best example of inaccurate estimates for economic benefits and that infrastructure was not equivalent to economic development. Based on the information posted on the facebook of Mr Leung Kai Chi, the Government intended to cover up the over-estimated patronage forecast of the XRL project. In the paper submitted to the Legislative Council (LegCo) in 2009 for funding approval, there were 23 pages detailing the

economic benefits of the project. However, in the LegCo paper submitted for additional funding for the project in 2015, there was only half a page describing the updated economic benefits estimation;

- (f) in 2009, the Government emphasized that XRL would bring huge economic benefits, but in 2015, additional funding was required because of the cost overrun and explanation on the details of the updated patronage forecasts was not provided. It was noted that the GDP annual growth rate forecasts adopted for the nearby areas in the Mainland were lower than the actual growth rates. Given the slower economic growth in the Mainland, the previous XRL patronage forecasts were not accurate. As a result, the patronage forecast for 2016 could not be met. The example of XRL demonstrated that even with independent, professional economic specialists to prepare the reports and assessments, the forecasts could still be inaccurate. The outcome of such inaccurate estimates would be serious including wastages of money and land resource, as well as damages to the environment;
- (g) to allow the financing of 3RS project bypass LegCo would imply that there was no public scrutiny of the project. It should be noted that the previous promise by the Government that there would be no cost overrun of the XRL could not be kept. AAHK also mentioned that there would be 'no guarantee' of the 3RS on the cost overrun issue. It was anticipated the damages brought by cost overrun of the 3RS project would be even worse. Even the Financial Secretary had reminded that the interest rate was on a rising trend. He wondered why AAHK would finance the project through loans;
- (h) similar to the XRL project, the assessments on the 3RS project were also prepared by independent, professional economic specialists and they claimed that the project would be feasible. The Government had made an incorrect decision once, and should not waste any resources again. The proposed 3RS project would be in the same situation in future as that for

the XRL project;

- (i) though the EIA was approved, it was inaccurate. The respective government departments failed to discharge their duties. For example, the column and water pollution problems of the HZMB project, ineffective mitigation measures for protecting dolphins due to the on-going construction works, shifting of artificial island for boundary crossing facilities, etc., revealed the serious impacts resulted from reclamation and unreliability of the EIA;
- (j) the Environmental Protection Department (EPD) failed to discharge its duty and could not be trusted. The EIA was considered insufficient and the procedure of approving the EIA Report for the 3RS project was considered unjust;
- (k) CAD in particular the Director-General of Civil Aviation was not trustworthy at all. The installation of the new aviation control system was delayed and was substandard. As such, the Board should not trust the information on airspace provided by CAD;
- (l) the Board was an independent statutory body empowered by the Ordinance to undertake the systematic preparation of draft plans for approval by CE in C. However, the Paper was mainly based on the AAHK's documents. He wondered whether PlanD was to help the public and the Board to assess the 3RS project or to facilitate the work of AAHK;
- (m) while everyone was talking about 'to strike a balance between environmental protection and economic development', in reality, our environment was getting worse because of the adverse cumulative impacts arising from the projects. Up to 2015, it was realised that there were serious climatic problems;
- (n) the environment should no longer be sacrificed for the sake of on-going

infrastructure projects and development. To strike a real balance, the pace of the development should be less rapid and the environment should be protected; and

- (o) the Board should listen to the public views, uphold the representations and withdraw the OZP amendments. The Board should request AAHK to release more information on economic benefits and solution of the airspace issue.

R3806 – Lee Ka Ho

21. Mr Lee Ka Ho made the following main points:

- (a) he questioned about the need for 3RS. According to Mr Lam Chiu Ying, the existing capacity of HKIA was 68 ATMs per hour and the maximum should be 86 ATMs per hour. According to AAHK, with 3RS, the capacity would be increased to more than 100 ATMs per hour. As the airspace issue with the Mainland had not been resolved, he doubted whether the above capacity could be achieved. It was not appropriate to use about HK\$141.5 billion for the 3RS project;
- (b) there were also environmental concerns as many infrastructural projects were being/would be carried out in the area including the artificial island, HZMB, Siu Ho Wan and Sunny Bay, etc. Though the EIA of these projects were all approved, the cumulative impacts of these projects had not been taken into account. Mitigation and compensatory measures would not be effective once the environment was damaged;
- (c) most of the projects in Hong Kong had the problem of cost overrun, such as the XRL, HZMB, Central-Shatin Link, the West Kowloon Cultural District, and the Liantang/Heung Yuen Wai Boundary Control Point. The total sum of the cost overruns would be sufficient to construct more than 20 new hospitals. The 3RS project would bypass the LegCo as AAHK

intended to finance the project through loans. As such, there would be no public scrutiny of the project; and

- (d) the Board was requested to consider stopping the 3RS and upholding the representations opposing the amendments.

[The meeting was adjourned for a short break of 5 minutes.]

R4020 – Fung Kam Lam

22. With the aid of a PowerPoint presentation, Mr Fung Kam Lam made the following main points :

- (a) holding hearing sessions during office hours was not fair to those representers and commenters who were at work. He also queried about the age and gender distributions of Members of the Board as it appeared that the views of youngsters and the female group was not adequately represented;
- (b) he was a resident of the Islands District and had adverse comments on the proposed 3RS which would involve large-scale reclamation. He noted that north-east Lantau area was proposed for container terminal development previously and would likely be subject to further reclamation pending completion of the study of ‘Artificial Islands in the Central Waters’. There were also planned reclamations at Siu Ho Wan, Tung Chung East, and Sunny Bay. There would be too many reclamation works in the Lantau area;
- (c) he queried the fairness in the procedures of considering the 3RS. He noted that the Advisory Council on the Environment (ACE) had endorsed the EIA report of “Expansion of HKIA into a 3RS” submitted by AAHK with conditions at its meeting on 15.9.2014. The EIA Subcommittee of ACE had held five meetings since August 2014 to deliberate the EIA report.

Though the proposed amendments to the OZP were considered by the Rural and New Town Planning Committee of the Board on 17.4.2015 and AAHK had briefed the Board on the 3RS on 10.4.2015, it was noted that the Board on 5.9.2014 had already agreed that the CE in C should be requested to refer the CLK OZP to the Board for amendment in its 1066th meeting (TPB Paper No. 9703). Hence, the town planning procedures had commenced behind closed door prior to the approval of the EIA report of the 3RS project; and

- (d) worst of all, the subject item regarding the reference of OZP to the Board for amendment was not shown on the agenda of the meeting held on 5.9.2014 and the minutes of the meeting only reflected that there were two items recorded under confidential cover. The public would be interested to inspect TPB Paper No. 9703 and know the details of the discussion on the item. As such, he asked whether the Paper and minutes of the meeting for the item would be accessible to the public.

23. In response to Mr Tam Hoi Pong's question, the Chairman noted some matters were considered by the Board in closed meetings and the corresponding minutes would be kept under confidential cover. The Secretariat might wish to see if this was the case with respect to the subject item in question.

R4353 –Ho Ho Sum

24. With the aid of a visualizer, Mr Ho Ho Sum shown an online flight tracker programme of the air traffic of the Pearl River Delta (PRD) and made the following main points:

- (a) a large piece of land in HKIA had no movement but with 20 aircraft parking spaces. The area should be the Midfield Concourse development. Should the original x-shaped layout of the Midfield concourse be developed, the handling capacity of HKIA could be increased;

- (b) in comparing with other airports in the PRD, the air traffic in the vicinity of HKIA was already very busy even when it was not in peak hours. It implied that there was insufficient airspace for any increase in air traffic. The 3RS project would therefore create more problems in terms of airspace constraint;
- (c) the airspace constraint was not the problem only for HKIA, but also the neighbouring airports. The Baiyun Airport in Guangzhou was a vivid example to show how a new runway could not correspondingly increase ATMs due to airspace issue in the area;
- (d) HK\$2.8 billion was invested for the construction of the Terminal 2 of HKIA. In the current 3RS proposal, the Terminal 2 building would need to be modified and expanded to suit the new airport layout. AAHK was obviously incompetent in managing HKIA which was managed as a commercial complex;
- (e) when the local public pier at HKIA (the ex-CLK pier), which provided ferry connection to Tuen Mun, was converted into a cross-boundary pier (known as SkyPier), AAHK had promised the residents of Tuen Mun that the local ferry service would be retained as it was often used by residents in the North West New Territories (NWNT) to travel to HKIA. However, AAHK did not keep its promise and the residents in NWNT had to spend more time travelling to the airport. The public could not trust AAHK on its claim about the effectiveness of the proposed 3RS;
- (f) besides, CAD also could not be trusted upon as there was no scientific proof for the need of 3RS and the airspace issue was neglected;
- (g) the role of PlanD in the project was very confusing too. The presentation made by PlanD was only to facilitate the AAHK's proposal instead of providing an objective planning assessment;

- (h) with the implementation of a number of reclamation works and the HZMB project, the water in western territory of Hong Kong was already severely polluted and the ecology there could not be sustainable any more. Further reclamation in the western territory was unfair to the residents in Lantau area; and
- (i) there would be significant ecological and environmental impacts arising from the 3RS project. There might also be financial problems as the project would be financed through loans, and cost overrun was also anticipated. He urged the Board not to accept the proposed 3RS project so that Hong Kong could have a sustainable environment and a financially healthy economy.

12206 – Ng Suet Yee

25. Ms Ng Suet Yee made the following main points:

- (a) she studied building construction;
- (b) although Members of the Board were appointed by CE, they should be responsible to the people of Hong Kong instead of CE as the main role of the Board was to promote the general welfare of the community by preparation and approval of plans;
- (c) the 3RS project was not the most effective option to increase the capacity of the airport. She shared her experience of taking budget airlines at Terminal 2. Terminal 2 appeared to be more of a shopping centre with visitors from the Mainland as most of airline operations such as the baggage handling, arrival and boarding were still being carried out at Terminal 1;
- (d) according to PlanD's responses, XRL and 3RS were complementary to each other. XRL would shorten the current travel time by rail to Hong

Kong and would provide convenient and frequent link-up to second-tier and third-tier cities in the Mainland with no airport facilities and thus enlarging the catchment area of HKIA. However, XRL would also attract Hong Kong people to travel to nearby airports in the Mainland for taking long haul services there. In addition, the short-haul services in HKIA would also be competing with the XRL. That would have an impact on the air traffic of HKIA;

- (e) the infrastructure capacity around HKIA had already saturated. The associated road networks and means of transportation to cope with the increased passengers brought by 3RS were not known to the public, not to mention the supporting infrastructure and facilities that would be required to cater for the induced workforce from the airport expansion. It should be noted that there was only one road connection to the Lantau, any accident such as the closure of the Tsing Ma Bridge incident happened recently would isolate HKIA and even the whole Lantau from other parts of Hong Kong;
- (f) PlanD mentioned that while the five nearby airports in the PRD had already committed/planned or were implementing expansion plans, co-operation/collaboration with neighbouring airports was not feasible. The airspace issue would become more serious when the air traffic was increased;
- (g) the issue on the co-location arrangements of immigration and customs facilities of the Mainland and Hong Kong for the XRL project had yet been solved. It revealed that it would take a long time to liaise with the Mainland on airspace issue;
- (h) the case of Guangzhou Baiyun Airport mentioned by other representers had shown that much less than the expected ATMs could be increased even after making a large investment due to inadequate airspace in the area. The 3RS project would probably be facing similar constraints and the investment in 3RS might result in a wastage of public money;

- (i) in the Paper, PlanD mentioned that the aircraft mix at HKIA was driven by market demand and determined by airlines. Based on her experience of travelling in budget airlines, she found that less than half of the seats were occupied even though a narrow-bodied aircraft was used. She had doubts on the passenger forecasts made by AAHK as it appeared that there would only be an increase in the number of ATM rather than the actual passenger patronage. The implementation of 3RS would not result in a robust passenger growth;
- (j) she was also aware of the significant cost overrun of various projects as well as the potential competition for visitors among various infrastructure projects including XRL, HZMB and 3RS. The employment opportunities created by the 3RS project might not be able to benefit the local labours as there was currently insufficient manpower in the construction industry and it would probably lead to importation of overseas workers. Cost overrun of the 3RS project was expected; and
- (k) the public consultation conducted was rather misleading and the information provided was not sufficient, the public was only being told about the importance of the 3RS project and that expansion was necessary but not the financial implications of the project. Once the inefficient management of AAHK was made known to the public, most of the people changed their stance and opposed the expansion project.

[Professor Eddie C.M. Hui left this session of the meeting at this point.]

R1450 - Hon Lai Yin

26. Mr Hon Lai Yin made the following main points:

- (a) from the perspective of a Tuen Mun resident, he had concerns on the impacts of 3RS on CWD. Wild life and environmental protection were

accorded high priority by many countries in recent years. The 3RS project would bring irreversible impacts on the ecology of the area and the number of CWD. He doubted if CWD would return to the area upon completion of 3RS;

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

- (b) he also doubted whether the current capacity of 68 ATMs per hour were really the maximum. In the report published in 1992, AAHK had quoted a maximum capacity of 86 ATMs per hour. Whether the capacity of HKIA could be increased would depend on the availability of a solution to the airspace constraint, putting aside the problems of the cost overrun and over-estimated economic benefits. As the third runway was only intended for landing purposes, its actual function was limited;

[Mr David Y.T. Lui and Mr Stephen H.B. Yau left this session of the meeting at this point.]

- (c) although the Tuen Mun residents were consulted on the 3RS project, the emphasis was on the development and economic benefits and they were not informed on the details of the project. Once the details of 3RS were revealed via different channels later, they realised that the project was not as beneficial as that was told. Tuen Mun district would be directly affected by the project, and the living environment of the local residents would be deteriorated. For instance, the existing waterfront which were precious and popular public space of the local residents for fishing and swimming activities would be polluted;
- (d) the massive investment in 3RS would mainly serve the Mainland visitors and not the local residents. It was probably based on a political consideration rather than economic and social considerations. The employment opportunities created by the project might not benefit the local labours due to the lack of manpower in the construction sector currently. Importation of overseas workers would be the result which would induce more competition in job and reduction in wage. There were still

vacancies in the existing airport as it was not an attractive workplace in view of its long travelling time involved; and

- (e) he suggested that the feasibility of developing a new airport, the enhancement of the existing 2RS and the capacity of the surrounding infrastructure project should be examined first. There was no need to develop another commercial complex in HKIA.

27. In response to Mr Mak Chi Kit's query on whether AAHK would respond to the questions and issues they had raised, the Chairman said that he understood AAHK was one of the commenters and would take part in the corresponding hearing session.

R2619 – Kennis Chow

R3319 – Leung Yee Tak

R3357 – Thomas

R12203 – 梁樂德

28. In response to Dr Samuel K.Y. Hung's question, the Chairman explained the established procedure of the hearing sessions and all Members to be involved in the deliberation would be fully apprised of all matters raised in the hearing sessions through the minutes and video recordings. There was no need for Dr Hung to repeat his presentation on 14.12.2015.

29. With the aid of a PowerPoint presentation, Dr Hung made the following main points:

- (a) the Study on Social Return on Investment (SROI) for 3RS was jointly launched by Friends of the Earth (Hong Kong), the Hong Kong Dolphins Conservation Society (HKDCS) and the Professional Commons. It aimed to assess the value of CWD;
- (b) as it was difficult to monetise the value of CWD, the SROI assessed the social and economic values of CWD by using the 'willingness-to-pay' (WTP)

approach. A territory-wide random sampling survey was conducted to understand the community's views on protection of CWD, which was needed to estimate the public's WTP value for protection of CWD;

- (c) the telephone survey was conducted by the 'Hong Kong Transition Project' of the Hong Kong Baptist University (led by Dr. Michael DeGolyer) during 18.12.2013 to 31.12.2013 by interviewing 1,007 Hong Kong residents on their opinions for protecting CWD. Two out of the five questions were specifically designed to gauge the WTP in money terms, viz a direct question on WTP to protect CWD and an indirect question on willingness on extra time to take a longer ferry journey. Contingent valuation method was used to elicit the non-market value of a good;
- (d) the key finding of the survey were : a clear majority (73%) thought that CWD were priceless; a vast majority (86%) were willing to take a longer ferry journey (10 to 40 minutes more) in order to protect CWD; a clear majority (71%) were willing to spend HK\$100 to 1,500 each year for the next 10 years to protect CWD; a clear majority (75%) wished the next generation to have a chance to see CWD; and a higher proportion (47%) preferred 2RS compared to 3RS (39%) due to the cost-benefits and conservation concerns. The survey result revealed that most people of Hong Kong were willing to pay for protecting CWD; and
- (e) the survey method was very different from that adopted by AAHK which was not conducted by random sampling and might thus be geographically biased, and have distributional issues by income, occupation and age;

30. With the aid of another PowerPoint presentation, Dr Hung made the following main points, some of which were made in the afternoon session of the meeting on 14.12.2015:

- (a) HKDCS objected to the draft Chek Lap Kok OZP. He was an academic involving in dolphin study for 18 years. He should have continued

focusing on his research in dolphin conservation but was compelled to make protest in view of the serious threats to CWD by the infrastructural projects. He trusted that the Board would be reasonable and listen to their views;

The “30 Third Runway Victims” Campaign

- (b) he was the Chairman of HKDCS. He was not just representing the above four representers but also CWD in Hong Kong which were all his friends. HKDCS had launched a “30 Third Runway Victims” Campaign which was supported by more than 9,000 followers at their website. The slogan of campaign was ‘Hear their cries! Save their lives!’. The purpose was to raise public awareness and concern for the dolphins. The dolphins had cried for help, though no one could understand their language. As many CWD routinely used the waters of the proposed 3RS reclamation site as their main habitat, they were the direct victims of the 3RS project. As the CWD could not speak for themselves, he needed to voice out their concerns on their behalf. He was involved in conducting study and monitoring surveys on dolphin conservation for many government projects and understood the difficulties faced by government officials. However, potential impacts and problems should be resolved prior to implementation of any infrastructural projects so as to avoid the huge irreversible social cost;

- (c) HKDCS was initially very open-minded to the 3RS project when AAHK started liaising with them for the expansion plan of HKIA in 2010. However, they were very disappointed when the unacceptable EIA report was submitted in 2014. HKDCS had no choice but to file judicial reviews against the decision of Director of Environmental Protection. The Board should listen to public views and not to accept the amendments to OZP for the 3RS project even the EIA report was approved as the two were under two different regimes;

CWD in Hong Kong

- (d) CWD were indigenous habitant in Hong Kong waters around the Pearl River Estuary (PRE) and they had the right to live in the area. Reclamation was people-centred and came from the word 'reclaim' which meant recovering of possession. The Hong Kong waters did not belong to human beings who were living on land and human beings had no right to recover anything in the waters. In the past few decades, CWD in Hong Kong were facing threats from reclamation works. They were forced to move due to the construction works carried out by human beings;

- (e) the public consultation for 3RS project was conducted in 2011 and it played down the impacts on CWD. He raised the issue with AAHK immediately and its vice-Chief Executive Officer had to make an apology to him. A cartoon in South China Morning Post on 7.6.2011 portrayed several CWD departing Hong Kong sadly, but in fact CWD would not migrate as they needed to live and got food in the PRE in particular the north and east Lantau waters. They did not even appear in other waters in Hong Kong such as Sai Kung and Po Toi Islands;

Threats Faced by CWD

- (f) the field data collected by HKDCS for AFCD revealed that the number of CWD in the waters of the north east Lantau was declining significantly (158 in 2003) by about 60% as compared to 2014. In addition to the proposed 3RS project, the current impacts on CWD included sea-bed dredging and fill disposal activities, frequent high-speed ferries passing by (including hurting and posing acoustic disturbance on CWD), intensive fishing, and serious water pollution;

- (g) the HZMB project cum the boundary crossing facilities and Tuen Mun – CLK Link Road would involve 160 ha reclamation and substantial piling, column building and tunnel works. The EIA for the HZMB project concluded that the impacts on CWD were acceptable on the basis that the project proponent would implement the proposed mitigation measures and

EPD would ensure the proper implementation of those measures. With the commencement of the HZMB project, HKDCS found that the occurrence of CWD in the north-east and even north-west Lantau waters was rapidly declining and individual dolphins had shifted their activity ranges away from the area. While the 3RS reclamation would be at least four times the size of the HZMB, more serious problems would be encountered;

- (h) to know more about individual members of the '30 victims', Members might visit the HKDCS campaign website to read their stories. Each member had its own character and their activity range was mainly in north east Lantau. CWD would not migrate as they needed to live and find food in the PRE in particular the north and east Lantau waters. While the habitat of CWD was yet to be recovered from the adverse impacts of the on-going HZMB project, more reclamation projects such as 3RS, Tung Chung, Siu Ho Wan, Sunny Bay, and Lung Kwu Tan had already been planned;
- (i) the habitat of CWD in north Lantau waters was degraded significantly since the development of HKIA in early 1990's which produced a series of contaminated mud pits to the north of the airport island. The contaminated mud pits were to receive the mud dredged from the sea-bed for the previous reclamation of HKIA and then for other infrastructure projects. AAHK would need to spend huge cost to stabilize those contaminated mud pits for further reclamation. The 3RS project which would involve reclaiming another 650 ha of the seabed would threaten the survival of an already stressed and declining dolphin population in Hong Kong;
- (j) the proposed 3RS site was at the central location among the three core activity areas for CWD, i.e. the Sha Chau and Lung Kwu Chau (SCLKC) Marine Park (MP), The Brothers Islands and east Lantau waters. It was a major gathering place along their travelling routes. The EIA report for the

3RS project had mentioned that CWD appeared frequently at the 3RS project area. Construction works would impede their ability to move from one area to another. The results of the 24-hour sound recorder at the sea-bed placed by AAHK revealed that many CWD stayed at the 3RS project area during the night time compared with just travelling through during the day time;

Impacts on Marine Park

- (k) the SCLKC MP was set up in 1996. It was nearly 20 years later that The Brothers Islands MP was committed under the artificial island for the HZMB project. The 3RS project, being a mega project in Hong Kong's history, was less than 1 km away from the SCLKC MP (the closest being 700m and the farthest being to 900m). Such a short distance could not serve as an effective buffer for protecting the marine ecology in the MP. AAHK's dolphin expert claimed that the dolphins could detour to the north, for commuting among the three waters areas. However, Urnston Road was a very busy channel with heavy marine traffic which was not conducive to the passage of CWD. If the commuting corridor was blocked, the committed The Brothers Islands MP would be ineffective for the conservation of CWD. 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;

- (l) The Brothers Islands MP was proposed under the HZMB project 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 areas 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;

Impacts from High-Speed Ferries

- (m) AAHK proposed that upon completion of the 3RS project, the high-speed ferries from SkyPier would be redirected to travel along Urmston Road to the north of Lung Kwu Chau with restricted speed. Lung Kwu Chau was the place where a few CWD could still be spotted, and a lower speed limit meant that the high-speed ferries would stay longer in the area which would be more unfavourable for CWD to swim along Urmston Road to The Brothers Islands MP. The most effective means was to reduce the traffic volume of the high-speed ferries;

Cumulative Impacts

- (n) at present, the north Lantau waters already had a lot of working vessels and with the 3RS project, it would bring in about 300 more construction vessels travelling through and/or anchoring in the area. The latest Tung Chung expansion proposal would bring in another 42 to 56 more vessels. 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 return after completion of the project. However, there were no tracking on the movement of CWD nor a definite water area for refuge was identified or proposed for CWD. Besides, as the 3RS reclamation would overlap with the HZMB construction works, CWD would not return to the proposed MP upon completion of HZMB as the 3RS project would just commence. As the proposed MP would only be implemented after 2023, CWD had no water body to take refuge during the construction period. When 3RS was completed, the CWD would have left the area for over 12 years and would not return;
- (o) aside from the previous reclamations, the ongoing HZMB project and the proposed 3RS project, there were many planned reclamation works in north Lantau waters including Tung Chung Expansion (about 145 ha), Sunny Bay (about 80 - 100 ha), Siu Ho Wan (about 120 - 150 ha), and Lung Kwu Tan (about 300 ha). The Tung Chung Expansion plans would soon be published and the associated reclamation works would follow. Other

reclamation projects would also be in the pipeline to cater for the housing needs. The cumulative impacts of these reclamation projects would greatly affect the survival of the dolphins as the two proposed MPs would be incompatible with the surrounding development projects and render them ineffective in protecting CWD. 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;

Effectiveness of Mitigation Measures/Compensation

- (p) despite an aggregated area of 5,200 ha which appeared to be substantial, the MPs proposed under the 3RS project was at a wrong location and a wrong timing. The water was seriously polluted and not a suitable location for CWD. The compensation for habitat loss should be provided first or at a very early stage of the construction phase;

- (q) the Board was urged to understand better the cumulative impacts of various projects on CWD in considering the OZP amendments. There could be a compromise between the construction of the 3RS project and the conservation of CWD. There were uncertainties pertaining to the acceptability of the environmental impacts of the 3RS project. He had 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, but AAHK did not listen. Moreover, the airspace issue had not been resolved. The Board should not decide the 3RS project hastily as it was a 'white elephant' project and the public money should be better spent in other areas such as the universal retirement scheme benefitting the next generation. The reclamation for 3RS would result in irreversible loss of marine habitat.

[The meeting was adjourned for lunch break at 1:15 p.m.]

31. The meeting was resumed at 2:30 p.m. on 16.12.2015.

32. 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

Professor S.C. Wong

Mr Clarence W.C. Leung

Mr Ivan C.S. Fu

Mr Lincoln L.H. Huang

Mr F.C. Chan

Mr David Y.T. Lui

Mr Peter K.T. Yuen

Mr Philip S.L. Kan

Assistant Director (Environmental Assessment)

Environmental Protection Department

Mr K.F. Tang

Chief Traffic Engineer/New Territories East

Transport Department

Mr K.C. Siu

Chief Engineer (Works)

Home Affairs Department

Mr Martin W.C. Kwan

Director of Lands

Ms Bernadette H.H. Linn

Director of Planning
Mr K.K. Ling

Presentation and Question Sessions

[Open Meeting]

33. The following government representatives, representatives and representatives' 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)
- Miss Helena Y.S. Pang - Assistant Town Planner/Islands 3 (ATP/Is(3))

Transport and Housing Bureau (THB)

- Mr Wallace K.K. Lau - Deputy Secretary (Transport) 4 (DS(T)4)
- 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 T.F. Li - Senior Marine Officer/Planning & Development (3) (SMO/P&D(3))
- Mr P. Zou - Marine Officer/Planning & Development (3) (MO/P&D(3))

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(ASR))
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)
(SMCO(W))

Representers and Representers' Representatives

R12218 – 許倩珩

R1450 – Hon Lai Yin

- Mr Hon Lai Yin - Representer and Representer's
Representative

R1475 – 余顯璧

R3120 – 趙智恒

R3260 – 陳卓錚

R3340 – quizasiris@hotmail.com

R3445 – 鄭懷寧

R3586 – 陳穎彤

R4282 – Bonnie Cheng

R4451 – Go Ming Tsun

R12035 – Gabrielle Ho

- Mr Tam Hoi Pong] Representers' Representatives
Mr Mak Chi Kit]
(Green Sense)

R1420 – 謝慧怡

R12179 – Lai Siu To

Mr Choi Ka Man, Thomas - Representers' representative

R2619 – Kennis Chow

R3319 – Leung Yee Tak

R3357 – Thomas

R12203 – Leung Lok Tak

Dr Samuel K.Y. Hung - Representers' Representative

(Hong Kong Dolphin

Conservation Society)

R4353 – Ho Ho Sum

Mr Ho Ho Sum - Representer

34. The Chairman extended a welcome to the government representatives, representers and representers' representatives. He then invited the representers' representatives to elaborate on their representations.

R1420 – 謝慧怡

R12179 – Lai Siu To

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

- (a) although it was claimed that Airport Authority Hong Kong (AAHK)'s financial arrangement for the three-runway system (3RS) would not contravene Article 73 of the Basic Law (BL 73), there was concern on procedural injustice as it would circumvent the scrutiny of the Legislative Council (LegCo). If such a large-scale reclamation works which would have substantial adverse impacts on the environment could circumvent the scrutiny of the LegCo, he worried that the plutocrats could use similar excuses to initiate reclamation works for their own benefit in future;
- (b) the 3RS project would have irreversible adverse impacts on the Chinese White Dolphins (CWD) which had a core habitat in the western waters of the Hong Kong International Airport (HKIA). Although a marine park

(MP) would be established as a mitigation measure, he doubted whether the CWD would return to the proposed MP upon completion of the project;

- (c) the operation of HKIA had already caused unacceptable noise nuisances and air pollution to local residents in particular those in Tung Chung. The 3RS project would aggravate the noise nuisances and air pollution which would affect the health and mental well-being of the residents. He cast doubt on the economic benefits that might be generated by the 3RS and queried if the project would only be beneficial to AAHK at the expense of the local residents;

[Ms Bernadette H.H. Linn arrived to join this session of the meeting at this point.]

- (d) a number of development projects had been proposed on Lantau Island which would have profound adverse impacts on the area. Although the environmental impact assessment (EIA) had demonstrated that there was no insurmountable environmental problems for the construction of the 3RS, the cumulative impact of proposed developments on Lantau Island had not been adequately assessed;
- (e) given that a global agreement to limit the global temperature rise was just reached in the recent 21st session of the Conference of the Parties (COP 21) held in Paris, Hong Kong should not pursue the 3RS merely for the sake of economic development as aircraft, which was the most polluting means of transport with high carbon emission, would aggravate the pollution problem in Hong Kong; and
- (f) it was claimed that Hong Kong would be marginalised and lose its competitive edge if the 3RS was not constructed. However, there was a lack of a holistic development strategy for Hong Kong covering aspects such as population growth, tourism and economic development. At present, certain area in Tung Chung New Town was very congested due to the increasing number of tourists, especially during weekends. The expansion of HKIA would attract more tourists and affect the

living environment of the local residents. Whether the 3RS should be pursued should be considered based on the carrying capacity of the environment rather than the economic benefits of AAHK, the Government or the plutocrat.

R1475 – 余顯璧

R3340 – quizasiris@hotmail.com

R3445 – 鄭懷寧

R3586 – 陳穎彤

R4282 – Bonnie Cheng

R4451 – Go Ming Tsun

R12035 – Gabrielle Ho

36. Mr Tam Hoi Pong of Green Sense questioned whether the Town Planning Board (TPB) paper provided by the Planning Department (PlanD) only had 27 pages, and whether the paper received by the representers/commenters was the same as that received by the Town Planning Board (the Board) Members. The Secretary said that the paper (i.e. TPB Paper No. 10056) received by the Board Members, the representers and the commenters was the same. Apart from the 27 pages of main text, there were a number of annexes including the representations and comments received, summary of representations/comments and PlanD's responses. The paper had also been uploaded onto the Board's website for information of the general public.

37. Mr Tam Hoi Pong made a 7-point statement at the start of his presentation:

- (i) Green Sense did not agree with the allotment of 10 minutes for each representer in making oral submission as that restriction was unreasonable;
- (ii) the legality of the subject meeting was in doubt due to procedural impropriety of the meeting arrangement in that not all the representers and commenters had been informed of the date, time and place of the hearing. A letter prepared by the legal representative of Green Sense had already been issued to the Board in that respect;

- (iii) Green Sense disagreed with the 10-minute restriction for oral submission, and the arrangement that representers could only extend their speaking time by collecting authorizations from other representers, which was ridiculous;
- (iv) it was undesirable for the Board to schedule all the hearing sessions on weekdays as the representers/commenters needed to take leave from their work. By making reference to the public hearings of the LegCo and the other public consultation forums, the Board should consider scheduling the hearing sessions on weekends so that more representers/commenters could attend the hearing to make oral submission in person;
- (v) there was no provision under the Town Planning Ordinance (the Ordinance) for not allowing the representers/commenters to direct their questions to government representatives;
- (vi) the impartiality of the meeting was in doubt as the Government had a strong position on the 3RS project and the meeting was chaired by a government official; and
- (vii) the deliberation session should not be a closed one and government officials should not participate in the deliberation and make decision on projects for which the Government had a strong position.

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

Public consultation/Public support

- (a) although the planning process for the 3RS was full of faults and defects, he was surprised to find that PlanD only provided a 27-page paper without any report on airspace, traffic impact, marine safety nor economic assessments to convince Members on the proposed amendments to the Chek Lap Kok Outline Zoning Plan (CLK OZP). PlanD had not adequately addressed

the huge number of adverse representations from the general public with clear opposition to the 3RS before recommending to the Board of not upholding the adverse representations. According to past experience, the Board would agree with PlanD's recommendations in most of the cases and had become a "rubber stamp". That situation could only be changed if the official Members were replaced by those elected by the general public. In the planning process for large-scale infrastructure projects, he doubted whether the Board had the courage to reject the government proposals for which a number of studies and assessments had been conducted. He urged the Board to reject the 3RS project as lesson should be learnt from the cost overruns in the Guangzhou-Shenzhen-Hong Kong Express Rail Link (XRL) and the Hong Kong-Zhuhai-Macao Bridge (HZMB) projects;

- (b) there was a lack of an independent and extensive consultation for the construction of the 3RS. AAHK had only conducted a large-scale public consultation exercise on "Hong Kong International Airport Master Plan 2030" (MP2030) in 2011 and the design of the questionnaire was misleading. Out of the 28,000 returned questionnaires, 8,000 (about 28%) were received at HKIA. It was misleading for AAHK to conclude that about 70% of the general public supported the 3RS project. The whole consultation exercise was window dressing as it mainly focused on the aircraft related industries and the tourism industry;
- (c) AAHK was wholly owned by the Government and the cost of the reclamation works for the 3RS project would be borne by the Government. The support of the general public was essential for large-scale infrastructure projects which involved substantial amount of public resources. As the 3RS project had circumvented the scrutiny of the LegCo and was not supported by the general public, the Board, which acted as the last gatekeeper, should not approve the amendments to the OZP;

Environmental Concerns

- (d) the EIA for the 3RS project was neither convincing nor reliable, in particular the effectiveness of the proposed MP as a mitigation measure to revitalize the marine habitat of CWD. The impartiality of the EIA, which was conducted by environmental consultants commissioned by AAHK, was in doubt. It was not uncommon for the environmental consultants to play down the adverse impacts of the proposed infrastructure projects. Besides, the recent incidents including the changes of some of the seawall structure in the HZMB project and the dumping of contaminated mud into Victoria Harbour in the Central – Wan Chai Bypass (CWB) project demonstrated that the Environmental Protection Department (EPD) had failed to take enforcement actions against unauthorized operations;
- (e) in view of the climate change, COP 21 held in Paris recently announced an agreement amongst participating countries to reduce carbon emission. Hong Kong should not pursue the 3RS as the increase in aircraft movements would aggravate the carbon emission problem;

Economic Return

- (f) as half of the passenger concourse for the 3RS would be postponed, he queried if the 3% internal rate of return (IRR) for the 3RS as claimed in 2011 could be achieved and requested to have the latest IRR figure for reference. He doubted if the main purpose for the construction of the 3RS was to serve the transfer passengers from the Mainland;

Limitation of Airspace

- (g) there were 5 airports in the Pearl River Delta (PRD) region. The close proximity of the airports had created severe constraints on aircraft movements. In accordance with Article 130 of the Basic Law (BL130), the Hong Kong Special Administrative Region should be responsible on its own for matters of routine business and technical management of civil

aviation, including the management of airports, the provision of air traffic services within the flight information region. The capacity of Hong Kong's airspace was crucial to achieve the maximum capacity of 102 air traffic movements (ATMs) per hour after the commissioning of the 3RS. However, there was a 15,700 feet "air wall" between Hong Kong and Shenzhen airspaces which rendered the number of aircraft movements in the two runways (2RS) at HKIA unable to reach the designed capacity as proposed in the 1992 New Airport Master Plan (NAMP). The departing aircrafts from HKIA flying northward needed to detour a long way within Hong Kong to reach an altitude higher than 15,700 feet before they could pass the "air wall" and enter the adjacent airspace. The situation was the same for the aircrafts flying southward to land at HKIA. The "air wall" not only led to a prolonged flight time and a waste of fuel, but also imposed severe limitation on flight paths and airspace in Hong Kong. As the "air wall" was the major bottleneck and could not be removed, the addition of a runway could not increase the aircraft movement as planned. Notwithstanding that constraint, Green Sense was of the view that the "air wall" should be maintained to ensure "One Country, Two Systems" in Hong Kong as well as the flight safety in both Hong Kong and Shenzhen;

- (h) the former Director-General of Civil Aviation pointed out that the flight paths of the 3RS would overlap with the existing flight paths of Shenzhen Bao'an Airport. According to a flight count in Shenzhen Bao'an Airport conducted by Green Sense in January 2015, more than 4,000 flights out of about 18,000 flights would overlap with the proposed flight paths for the 3RS. In particular, the northward flight paths of the 3RS would cross over Shenzhen's flight paths to and from the southern, south-western and western directions, which in turn would affect the operation of Shenzhen Bao'an Airport; and

[Mr F.C. Chan left this session of the meeting at this point.]

- (i) although the Government and AAHK claimed that discussion with the Mainland counterparts was on-going and the airspace issue was

expected to be resolved before the completion of the 3RS, such liaison could not be trusted upon due to the lack of integrity of the Government and the Civil Aviation Department (CAD). The issue on the co-location of customs, immigration and quarantine facilities in the XRL was a good example demonstrating that the Government was unable to reach consensus with the Mainland counterparts without sacrificing Hong Kong's autonomy. Although the Secretary for Transport and Housing mentioned that liaison had been made with the Mainland counterparts in the PRD region to formulate a plan for joint management of airspaces, such arrangement might contravene BL 130. He worried if the arrangement would result in an opening up of HKIA for flights of the People's Liberation Army. He urged the Board to ask the Government to provide the report on joint management of airspaces rather than merely relying on the simple responses of the government officials in making a decision on the OZP.

39. In response to the request of Mr Tam Hoi Pong for a break during his oral submission, the Chairman invited the representative of the next representer to elaborate on the representation.

R12218 – 許倩珩

40. Mr Hon Lai Yin made the following main points:

- (a) no detailed information on the joint management of airspaces had been provided, including the implementation details and whether it would contravene Basic Law. He doubted if such arrangement would lead to a loss of Hong Kong's autonomy in the management of airspaces within its administrative region;
- (b) all of the three financial arrangements to raise funds for the 3RS project involved public interest. The introduction of airport construction fee was in fact a kind of departure tax. Retaining HKIA's distributable profits would affect the Government's general revenue. Besides, raising funds

from the market for such a large-scale infrastructure project might require the Government to act as a guarantor. In view of the public interest involved, AAHK's attempt to circumvent the scrutiny of the LegCo was unjustified;

- (c) since no detailed information and justifications for the construction of the 3RS had been provided in the TPB paper, the general public could not judge if the project was justified. He noted that the IRR for XRL had decreased but no detailed assumptions and analysis had been provided. Given the aviation market in the PRD region was highly competitive, the IRR for the 3RS project would be more unpredictable. The Government should reconsider if the investment was justified and whether the runway capacity of the existing 2RS could be increased by other lower cost means such as improvement in airport management and levelling of the hills near HKIA. The 3RS should only be constructed after the various ways to increase the runway capacity of the 2RS were exhausted and the demand for aviation services was ascertained; and
- (d) the Board should carefully consider whether there was a genuine need for the construction of the 3RS, or it was merely a measure to tie in with Mainland's development strategy at the expense of Hong Kong's autonomy in airspace management.

[Mr David Y.T. Lui left this session of the meeting at this point.]

R1475 – 余顯璧

R3340 – quizasiris@hotmail.com

R3445 – 鄭懷寧

R3586 – 陳穎彤

R4282 – Bonnie Cheng

R4451 – Go Ming Tsun

R12035 – Gabrielle Ho

41. With the aid of PowerPoint presentation, Mr Tam Hoi Pong resumed his oral submission and made the following main points:

Reclamation

- (a) the reclamation of 650 ha of water area for the 3RS with about 100 million cubic metres of marine sand would be the largest reclamation works in the Hong Kong history. The marine sand would need to be sourced from the Mainland given there was no such supply in Hong Kong. As the marine sand was mainly dredged from the ocean to the south of the Pearl River, the damage caused by a reclamation project was not only restricted to the waters at the reclamation site, but also the waters in other areas where the marine sand for the reclamation area was obtained. The insufficient supply of marine sand had led to cost overrun in the HZMB project. He worried that the 3RS project might face the same problem but the Government was reluctant to provide more details in that respect;
- (b) the actual area affected by reclamation works would be larger than the area to be reclaimed as the operation of the construction vessels would cause adverse impacts on the adjacent areas. Making reference to the other large-scale infrastructure projects such as HZMB and CWB, the adverse impacts caused by the construction vessels, which might involve unauthorized operation or dumping of wastes into the ocean, should also be taken into account;
- (c) given a number of reclamation works had been proposed at north Lantau, Tuen Mun as well as the adjacent cities, their cumulative impacts on the marine habitat would be very substantial and should be assessed. The Board, which acted as the last gatekeeper for large-scale infrastructure projects, should reject the 3RS proposal to prevent environmental disaster. However, should the Board decide to approve the amendments to the OZP, a condition restricting the commencement date of the 3RS project to one year after the completion of the HZMB should be imposed;

Aircraft Noise

- (d) based on EIA's assumption that the northward flight paths for HKIA were feasible, AAHK claimed that the noise nuisances to Ma Wan residents would be reduced after the construction of the 3RS. In the EIA report, Ma Wan was just outside the Noise Exposure Forecast (NEF) 25 Contour and the aircraft noise level was considered to be acceptable. However, as the northward flight paths for HKIA were highly infeasible due to the "air wall" constraint, the aircrafts could only use the southward flight paths which would have direct impact on Ma Wan. Based on his personal experience, the aircraft noise impact on Ma Wan residents was very severe. He doubted the reliability of the EIA report and queried if the aircraft noise impact on Ma Wan would still be acceptable if the "air wall" issue was taken into account;

Air pollution

- (e) Tung Chung was the most polluted area in Hong Kong given the existence of an airport, its close proximity to Urmston Road and Castle Peak Power Station, as well as the lack of physical shelter for the pollutants from the PRD region. The Government's proposal to expand Tung Chung New Town and the proposed 3RS would further aggravate the air pollution problem in the area. Based on the assumption that the pollution level in both Hong Kong and Guangdong would be reduced, the EIA concluded that the air pollution level would be acceptable with the addition of the 3RS. He queried if the assumption on the achievement of the pollution reduction target in both Hong Kong and Guangdong was too optimistic and if the worst case scenario had been taken into account in the EIA. If the pollution reduction target could not be achieved, the addition of the 3RS would cause insurmountable air pollution problem to Tung Chung. Besides, he queried why Hong Kong had the right to add in more pollutants by constructing the 3RS even if the pollution reduction target could be achieved;

Impact on Chinese White Dolphins

- (f) AAHK's claim that CWD, which would move to adjacent waters in the PRD region during the 7-year construction period of the 3RS and return to the proposed MP afterwards, was unrealistic. By the time the MP was completed in 2023, most of the CWD might have died or forced to leave Hong Kong waters permanently. He urged the Board to request the Government to provide more justifications before making a decision on the proposal;

Financial Arrangement

- (g) the construction cost of HK\$141.5 billion for the 3RS was unreasonably high and there might be risk of cost overrun. A large portion of the construction cost was for reclamation works but no breakdown was provided. The high construction cost was mainly due to the Government's decision to proceed with a number of large-scale infrastructure projects such as XRL and HZMB concurrently. As the benefit of the 3RS to enhance the runway capacity of HKIA was uncertain, construction of the 3RS might turn out to be a destruction of the environment and a waste of resources;
- (h) the "joint contribution and user-pay principle" for the financial arrangements for the 3RS was misleading. As AAHK would retain HKIA's distributable profits and introduce an airport construction fee to departing passengers, the construction cost was in fact borne by the Government and the general public. The airport construction fee was contradictory to the user-pay principle given it was a kind of pre-payment charged 10 years before the completion of the 3RS. Besides, raising funds from the market would be risky. As the financial arrangements had circumvented the scrutiny of LegCo without the agreement of the general public, it was unfair for the public at large to bear the construction cost of the project;

- (i) based on the experience of implementing large-scale infrastructure projects such as XRL, the original estimated IRR might not be achieved and the cost overrun could be substantial. AAHK's claim that the cost overrun, if any, would not be borne by the public was unrealistic. Since the 3RS was a very risky project with high possibility of cost overrun, he worried that once green light for the project was given, Hong Kong as a whole would need to inject enormous resources to sustain the construction works for the completion of the project. In view of the above, the Board should ask for the latest IRR figure to ensure that an informed decision could be made;

Judicial Review

- (j) the Court had granted leave to two Judicial Reviews (JR) against the decisions of the Director of Environmental Protection (DEP) in relation to the 3RS project. Since the environmental acceptability of the 3RS project could not be ascertained, it was premature for the Board to amend the OZP to facilitate the implementation of the project. The Board should only proceed with the statutory planning procedures for the 3RS after the legal issues were resolved, otherwise it would inevitably be subject to legal challenge by another JR;

Public Opinion

- (k) the increasing conflicts between the Government and the general public in recent years were mainly due to the Government's reluctance to listen to public opinion and the implementation of policy based on its absolute power. He noted that most of the Members were still adopting the ideology in the 1970-80's for planning, which was pro-development in a "bull-dozer" approach. That ideology was not accepted by most of the younger generations who were more cautious on the development of large-scale infrastructure projects. He urged the Board to withdraw the amendments to the OZP, as well as request the Government to re-launch a fair and unbiased consultation exercise, re-assess the environmental

impacts and release documents in relation to airspaces, IRR and marine traffic impacts for public reference. If the Board insisted on amending the OZP to facilitate the 3RS project amid strong public objection, the public would resort to more radical actions in objection to the proposal;

- (1) he took the opportunity to respond to Members' questions raised in the previous hearing sessions. In response to the question on what the Board could do with respect to the 3RS, he said that the Board's decision on the amendments to the OZP would be the last part in the statutory process before a final decision on the 3RS project was made by the Government. In view of that, the Board's rejection of the 3RS project was important in avoiding the implementation of the 'white elephant' project. In response to another question on whether there was a balancing point for the 3RS project, he said that in some circumstances the balance between economic development and conservation did not exist. Given the irreversible adverse impacts of the 3RS on the environment and the marine habitat, the Board had no choice and should reject the amendments to the OZP.

[The meeting was adjourned for a short break of 5 minutes.]

[Mr Roger K.H. Luk left this session of the meeting during the break.]

42. As the presentations from the representers' representatives had been completed, the Chairman invited questions from Members. He explained that Members would direct their questions to the government representatives or the representers' representatives for clarifications on the points presented. He emphasized that this was not a forum for debates among participants.

Runway Capacity and Airspace's constraint

43. The Vice-chairman said that the need of the 3RS depended on whether the existing runway capacity of the 2RS at HKIA had been saturated and asked whether 68 ATMs per hour was the maximum capacity for the 2RS. The Vice-chairman and a Member asked whether airspace was a major constraint to increase HKIA's runway capacity.

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

- (a) several studies had been conducted in the past to assess the runway capacity of the 2RS. The 1992 NAMP pointed out that the major constraints for HKIA was the terrain of Lantau Island. The consultancy study commissioned by the CAD and conducted by the Washington Consultancy Group in 1994 stated that given the constraints from the surrounding terrain and the need to fully comply with relevant International Civil Aviation Organization (ICAO) standards, the maximum runway capacity of the 2RS was 63 ATMs per hour;
- (b) in 2008, AAHK commissioned the National Air Traffic Services (NATS), the United Kingdom-based aviation consultancy who was also the air traffic service provider of the Heathrow Airport, to assess the runway capacity for HKIA. Factors including the surrounding terrain, the infrastructure and airspace of HKIA, as well as the latest air traffic control techniques and international standards had been taken into account. The study confirmed that, after implementing 46 enhancement recommendations for HKIA 2RS, the practical maximum capacity of the 2RS could be increased to 68 ATMs per hour; and
- (c) all the three studies concluded that due to the terrain of the Lantau Island and in full compliance with the international standards of ICAO, the practical maximum capacity of the 2RS was 68 ATMs per hour. If there was no change to the natural terrain, the maximum capacity of 68 ATMs per hour for HKIA 2RS could not be increased substantially even with improvement in airspace.

45. Mr Wallace K.K. Lau, DS(T)4, THB, with reference to a chart on Hong Kong Flight Information Region (FIR) shown on the visualiser, made the following main points:

- (a) in accordance with the requirements of ICAO, Hong Kong was responsible

for the provision of the necessary information such as wind speed and weather condition for flights passing through its FIR. The air traffic control units in Hong Kong and the adjacent FIRs have been working closely to ensure flight safety. The airspace mentioned by some representers was in fact the area of the FIR. As provision of air traffic control service to all flights entering a specific FIR would need to be assigned by ICAO, the allegation of intrusion of airspaces was factually incorrect;

- (b) although the runway capacity of an airport was related to the airspace, the major constraint for aircraft movement was the number of runways available for taking-off and landing. Given the airspace was 3 dimensional with flight paths at different altitudes, it was easier to plan more flight paths in an airspace rather than adding runways on ground level. From aviation management point of view, the runway and airspace were interrelated and influenced each other. Without the 3RS, the runway capacity of HKIA could not be enhanced no matter how good the airspace was planned;
- (c) in view of the future development plan for airports in the PRD region, Hong Kong had maintained close liaison with the Mainland counterparts to optimize the use and management of the PRD airspace. The Civil Aviation Administration of China (CAAC), the CAD of Hong Kong and the Civil Aviation Authority of Macao (CAAM) had set up a tripartite working group to formulate measures to rationalise the airspace structure and air traffic management arrangements in the PRD region, which had taken into account the future expansion needs of the airports within the PRD region, including the development of the 3RS of the HKIA, the three-runway planning of Bao'an Airport in Shenzhen and the five-runway planning of Baiyun Airport in Guangzhou;
- (d) a number of air traffic management enhancement measures proposed by the PRD Region Air Traffic Management, Planning and Implementation Plan (Version 2.0) in 2007 (the 2007 Plan) had been implemented,

including the establishment of peripheral flight paths in the PRD region, addition of handover points and adjustment of the Zhuhai airspace structure. With effect from 7.1.2016, new air routes for the eastern part of the Mainland and an associated additional handover point between the Hong Kong and Guangzhou FIRs would be established for flights operating among Hong Kong, Macau and the eastern part of the Mainland, with a view to alleviating the overloading of the existing flight paths; and

- (e) to optimise the use and management of the PRD airspace, the CAD would continue to discuss with the CAAC and the CAAM the ways to gradually take forward the medium and long-term optimization measures of the 2007 Plan. That would not only facilitate the development of the 3RS in Hong Kong, but also cater for the development needs of all airports in the region.

46. In response to the Chairman's question, Mr Tam Hoi Pong, making reference to the chart on Hong Kong FIR and a matrix table regarding the runway capacity of the 2RS and 3RS under the scenarios of "with airspace constraint" and "without airspace constraint" as shown on the visualiser, made the following main points:

- (a) although the airspace seemed to be very large, the busiest area was at the Pearl River Estuary where the Hong Kong, Shenzhen and Macau airports were in close proximity. As a minimum distance was required between the aircrafts to ensure flight safety, the aircrafts could not fly freely on the sky. He disagreed with Mr Wallace K.K. Lau's interpretation on airspace as the flight volume of the airspace would hinge on the flight paths;
- (b) under the scenario of "with airspace constraint", there was no dispute with AAHK's figure regarding the runway capacity of 68 ATMs per hour for the 2RS. However, the most concerned figure on the runway capacity of the 3RS had not been given. Although a newspaper had once quoted a figure of 86-88 ATMs per hour from a source of the Government, no formal confirmation had been made by the Government and the Board should ask for such figure for reference; and

- (c) under the scenario of “without airspace constraint”, he did not agree with AAHK’s estimation of 82-86 ATMs per hour for the 2RS but had no dispute with 102 ATMs per hour for the 3RS despite it was unlikely that the Shenzhen authority would open its airspace for Hong Kong’s use.

Competition between Air and Rail Traffic

47. The Vice-chairman asked whether the impact of XRL and HZMB on HKIA’s passenger throughput had been taken into account in deriving the runway capacity for the 3RS. Mr Wallace K.K. Lau said that the overlapping destinations between XRL and the short-haul Mainland flights of HKIA only accounted for about 4% of HKIA’s passenger throughput. Since not all of HKIA’s short-haul air passengers would switch to XRL, its negative impact on HKIA would unlikely be significant. The market for rail and air transportation was not mutually exclusive.

Airports in the PRD Region

48. The Vice-chairman and two Members asked the following questions:
- (a) the positioning of the airports in the PRD region in terms of domestic and international flights;
 - (b) a comparison on runway capacity among the five airports in the PRD region;
 - (c) the proportion of PRD air passengers choosing HKIA and the PRD airports for domestic and international flights;
 - (d) whether the runway capacity of HKIA’s 2RS had been saturated in terms of air passenger/cargo forecasts and aircraft movements;
 - (e) the proportion of short-haul/long-haul and domestic/international flights at HKIA; and
 - (f) the proportion of flights operated by budget airlines at HKIA.

49. Mr Wallace K.K. Lau made the following main points:

- (a) Zhuhai airport was a domestic airport with no customs and excise facilities. Guangzhou and Hong Kong airports had similar number of destinations for international flights but the frequency of flights from Hong Kong was higher. For Shenzhen Bao'an Airport, international flights only accounted for 5% of the air passengers. Among the airports in the PRD region, the comparative advantage of HKIA was its extensive international flight network. After the completion of the 3RS, it was estimated that only about one third of HKIA's passengers would choose Mainland as the destinations;
- (b) recently, Hong Kong and Shenzhen airports had strengthened cooperation by facilitating Shenzhen residents to take international flights at HKIA and Hong Kong residents to take domestic flights at Shenzhen Bao'an Airport. After completing the check-in procedures in Bao'an Airport, the Shenzhen passengers could go directly to HKIA's boarding gate by shuttle bus or ferry. Mirror arrangements were also available to Hong Kong residents taking domestic flights in Bao'an Airport. An agreement had also been reached by Hong Kong and Shenzhen airports to facilitate Mainland passengers to use HKIA for international flights after the completion of the 3RS; and
- (c) for the other questions, AAHK had conducted extensive research and would respond in their presentation to the Board in the subsequent hearing session.

Chinese White Dolphins in Hong Kong

50. The Chairman said that while there was a decreasing trend in the number of CWD in the waters near Lantau Island, he noted that the number of CWD in the west Lantau waters had increased from 2012 to 2014. He asked if Dr Samuel K.Y. Hung of Hong Kong Dolphin Conservation Society (HKDCS) could explain the reasons behind.

51. Dr Hung, with reference to a PowerPoint slide, made the following main points:
- (a) every survey would have errors and a small fluctuation in the field data should be acceptable. It was more important to note the overall declining trend in the numbers of CWD in particular in the north-east and north-west Lantau waters;
 - (b) the field data collected by HKDCS revealed that the number of CWD in the north-east Lantau waters was declining substantially from around 20 in 2001 to 1 in 2014 and no CWD could be found in 2015. The number of CWD in the north-west Lantau waters also declined substantially from around 80 in 2001 to around 20 in 2014 and there was an even lower record in 2015; and
 - (c) the number of CWD dropped significantly after the construction works for HZMB started in Mainland in 2011. As the quality of the waters near the construction site was very poor at that time, CWD might have moved eastwards.

Distribution of Chinese White Dolphins in Pearl River Estuary

52. A Member asked Dr Samuel K.Y. Hung the following questions:
- (a) whether there was any survey on the distribution of CWD in the PRD region; and
 - (b) whether the total number of CWD in the PRD region was increasing or decreasing in recent years.
53. Dr Hung, with reference to some PowerPoint slides, made the following main points:
- (a) Hong Kong waters only formed part of the marine habitat for CWD in the Pearl River Estuary. According to a joint-survey with the South China

Sea Fisheries Research Institute (SCSFRI) in 2007, about 2,500 dolphins were recorded in the estuary of all eight tributaries of the Pearl River extending to Yangjiang waters in the west. A National Natural Reserve (NNR) for CWD was then designated in the Pearl River Estuary. However, the survey data had not been updated due to the lack of funding;

- (b) another joint survey with SCSFRI conducted before the construction works for HZMB in 2011 showed that the number of CWD was diminishing in the area. Although there was no update on the survey data in the past years due to changes in the funding sources and the methodology adopted for the survey, he noted that the construction of HZMB had caused profound adverse impacts on CWD. According to the figures provided by the NNR, the number of CWD within the conservation area and Lingdingyang was declining in recent years, which echoed with the figures in Hong Kong;
- (c) as the water quality in other parts of Pearl River Estuary was deteriorating, the EIA should not confine to Hong Kong waters. There was a need to study the movements of CWD during the construction period of HZMB to ascertain whether it was realistic to assume that CWD could survive outside Hong Kong waters during the 7-year construction period for the 3RS. However, AAHK refused to conduct such a study and only used the outdated survey data to demonstrate that CWD was abundant in the Pearl River Estuary;
- (d) in accordance with the Conservation Programme for CWD in Hong Kong launched by Agriculture, Fisheries and Conservation Department (AFCD) in 2000, the Government had the responsibility to enable CWD to continue using waters of Hong Kong and to enhance their continued survival. CWD should not be forced to move to other parts of Pearl River Estuary where the water quality was also deteriorating. As the mitigation measures proposed in the EIA could only be implemented within Hong Kong waters, there was a need to strengthen the conservation of CWD in Hong Kong waters; and

- (e) while HKDCS did not have enough resources to maintain a complete data set on the distribution of CWD in the PRD region, AAHK had the responsibility to fill the gaps in the data set. However, AAHK only proposed to set up funds for the research institutes to conduct surveys on CWD after the approval of the EIA for the 3RS project, which would be too late as the loss in marine habitat would be irreversible.

Impacts of High-Speed Ferries on Chinese White Dolphins

54. The Vice-chairman asked whether the frequency of high-speed ferry services at SkyPier for transfer passengers in the PRD region could be reduced after the completion of HZMB. A Member also followed up the proposal raised by Dr Samuel K.Y. Hung at the previous hearing to divert the routes of the high-speed ferries along the southern coast of Lantau to the south of Soko Islands as a compensation to the loss of CWD's habitat and asked the representative of MD if a marine traffic impact assessment had been conducted in that aspect.

55. Mr Wallace K.K. Lau made the following main points:

- (a) SkyPier at HKIA provided high-speed ferry service for transfer passengers in nine ports in the PRD region. Passengers could check in for Hong Kong flights with participating airlines at the satellite terminals in PRD and arrive at HKIA's boarding gate directly. However, that service might not be available at XRL nor HZMB. Given the demand for high-speed ferry services, SkyPier would be retained after the completion of the 3RS. As regards whether the frequency of high-speed ferry services could be reduced, it would be subject to the review of AAHK; and
- (b) the EIA for the 3RS did not cover a detailed marine traffic impact assessment for high-speed ferry routes in south Lantau waters.

56. Ms Donna Y.P. Tam, DPO/SKIs, PlanD and Mr Tony T.F. Li, SMO/P&D(3), MD made the following main points:

- (a) the high-speed ferry services among Hong Kong, Macau and the PRD region were provided at HK-Macau Ferry Terminal, China Ferry Terminal and SkyPier. 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) each high-speed ferry should travel at the recommended routes under a Permit to Operate High Speed Craft (PTO HSC) for plying between Hong Kong and Macau/PRD Ports which were devised on the characteristic, navigation safety and operational grounds of the vessel. Any alteration to the recommended routes should be raised by the ferry operators to MD for assessment and acceptance prior to the amendment to the PTO HSC. The relevant MD committees in particular the High Speed Craft Consultative Committee (HSCCC) should be consulted on any new HSC routing proposal between Hong Kong and the PRD region; and
- (c) from marine traffic safety point of view, the proposed re-routing to south of the Soko Islands would be less sheltered, potentially exposing the high-speed ferries to greater wave heights and swell than currently experienced. Meanwhile the proposed re-routing would generate more crossing traffic situations at the junctions of the proposed diversions. It was undesirable for the ferries to take a longer distance with longer travelling time and with greater exposure to off-shore climate. According to the EIA for 3RS, the consultant has conducted an assessment on the re-routing of high speed ferry to further south of Lantau. Given the adverse impacts on marine users, the EIA for the 3RS did not recommend the re-routing of existing high-speed ferries to south Lantau waters as a measure for marine habitat conservation.

57. Dr Samuel K.Y. Hung made the following main points:

- (a) before the construction of HZMB, the high-speed ferries from SkyPier were the major threat to the marine habitat of CWD. There was a clear

correlation between the introduction of high-speed ferries in SkyPier in 2003 and the continuous decline in the number of CWD after 2003. Although AAHK disagreed with that correlation, the EIA report for the 3RS project had acknowledged that high-speed ferries from SkyPier had significant impacts on CWD;

- (b) HKDCS proposed to close SkyPier as the construction of the 3RS and the other infrastructure projects should have provided a good opportunity to review the high-speed ferry services at SkyPier. The issue had been discussed at the ACE meetings but the Government only agreed to cap the traffic volume of the high-speed ferries from SkyPier to an average of 99 trips per day and to redirect their routes to the north of Sha Chau and Lung Kwu Chau MP;
- (c) HKDCS did not have information on the traffic volume of high-speed ferries from SkyPier as AAHK refused to provide the required data. The Board should ask AAHK to provide the traffic volume of high-speed ferries for reference. If it could be demonstrated that the increase in traffic volume was the main reason for the decline in the number of CWD, the ferry services at SkyPier should be replaced by XRL and other means of transportation using HZMB. There could be a compromise between the construction of the 3RS and the conservation of CWD but AAHK refused to do a little bit more for the conservation of CWD;
- (d) given the re-routing of marine traffic in south Lantau waters was an important mitigation measure for the conservation of CWD, he proposed to study the feasibility of marine traffic re-routing. His proposal was accepted by the Government and such requirement had been included in the Study Brief for the EIA of the 3RS project. However, the EIA did not address the issue seriously. It simply stated that the marine traffic in south Lantau waters was not related to SkyPier and the re-routing was undesirable as the safety and comfort of the ferry passengers would be affected;

- (e) he disagreed with Mr Wallace K.K. Lau's statement that no marine traffic impact assessment had been conducted for high-speed ferry routes in south Lantau waters and pointed out that such study had in fact been conducted by the environmental consultants under the EIA. He noted that the Government had given the same answer when asked by the ACE members and did not understand why the report could not be released. Due to the lack of information on marine traffic impact assessment, the Board should reject the amendments to the OZP; and
- (f) relevant papers and documents on CWD could be provided for the Members' reference. Members were also welcome to conduct site visits with him to have a better understanding of the whole issue.

58. Dr Hung went on to suggest that the hearing arrangement should be improved by allotting time for the question and answer session in both the morning and the afternoon sessions so that the representers/commenters attending the morning session did not have to wait till the end of the afternoon session merely to answer questions from Members. That arrangement would be beneficial to both the representers/commenters as well as Members.

59. As Members had no more question to raise, the Chairman said that the hearing on the day was completed. Mr Tam Hoi Pong asked if response from the Government representatives on his question regarding the runway capacity of the 3RS with airspace constraint would be provided. The Chairman said that the representation hearing was to provide a platform for the views of the representers/commenters to be heard rather than a debate among the participants. He thanked the government representatives as well as the representers and representers' representatives for attending the meeting and said that the Board would resume the hearing on 11.1.2016. The Board would deliberate the representations and comments in closed meeting after completing all the hearing sessions and would inform the representers and commenters of the Board's decision in due course. The government representatives as well as the representers and representers' representatives left the meeting at this point.

[Closed Meeting]

60. The Secretary recapitulated that in the first hearing session on 14.12.2015, Green Sense submitted a letter prepared by its legal representative alleging that the way the Board informed the representers and commenters of the hearing arrangement of the draft OZP had contravened the Ordinance. A reply to the letter was under preparation. Moreover, in response to media enquiries on the hearing arrangement, a press statement on the matter was issued on 14.12.2015. The press statement was tabled for Members' information.

[Post-meeting Note: The press statement was sent to all Members for information on 17.12.2015.]

61. In response to the Chairman's request in the morning session to double check whether invitation letters had been sent to Mr Lam Chiu Ying, who was both a representer (R399) and a commenter (C128), the Secretary reported that letters were issued on 20.10.2015 by the Secretariat to all representers who had provided contact details, including Mr Lam, enquiring whether they would attend the hearing tentatively scheduled to be held in mid December 2015. No reply from Mr Lam was received. Similar letters were sent to the commenters including Mr Lam on the same day. As Mr Lam had replied in the capacity of a commenter and indicated that he would attend the hearing, arrangement was made for him to give oral submission as a commenter on 11.1.2016. The oral submission made by Mr Lam on the day's hearing was authorized by three other representers.

62. The meeting was adjourned at 5:45 p.m.