

1. The meeting was resumed at 9:10 a.m. on 12.11.2014.
2. The following members and the Secretary were present at the resumed meeting:

Mr Thomas T.M. Chow

Chairman

Mr Stanley Y.F. Wong

Vice-chairman

Mr Roger K.H. Luk

Professor C.M. Hui

Ms Anita W.T. Ma

Dr W.K. Yau

Mr Ivan C.S. Fu

Mr Lincoln L.H. Huang

Ms Janice W.M. Lai

Mr Dominic K.K. Lam

Mr F.C. Chan

Mr David Y.T. Lui

Mr Peter K.T. Yuen

Chief Engineer (Works), Home Affairs Department

Mr Frankie W.P. Chou

Assistant Director of Lands/Regional 3, Lands Department

Mr Edwin W.K. Chan

Assistant Director (Environmental Assessment),

Environmental Protection Department

Mr K.F. TANG

Director of Planning

Mr K.K. Ling

Presentation and Question Sessions

[Open Meeting]

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

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

Mr Otto K.C. Chan – Senior Town Planner/Fanling, Sheung Shui 1 (STP/FS1), PlanD

Mr Kevin C.P. Ng – Senior Town Planner/Fanling, Sheung Shui 2 (STP/FS2), PlanD

FLN-10370, KTN-9920 – Leung Li

Mr Leung Li – Representer

FLN-9896, KTN-9446 – Adana Chan Lok Tung

Miss Adana Chan Lok Tung – Representer

FLN-R9833, KTN-R9383 – 麥湘雲

FLN-R10202, KTN-R9752 – 許閱

FLN-R10080, KTN-R9630 – 陳岱芝

FLN-R10343, KTN-R9893 – 梁偉晴

FLN-R10087, KTN-R9637 – 陳佩珍

FLN-R10070, KTN-R9620 – 陳秉鳳

Mr Ng Chuk Hang (東北城規組) – Representers' representative

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

all representers/commenters prior to the meeting. In particular, he highlighted the following main points:

- (a) in view of the large number of representations and comments received and some 3,400 representers/commenters had indicated that they would either attend in person or send an authorised representative, it was necessary to limit the time for making oral submissions;
- (b) each representer/commenter would be allotted a 10-minute speaking time. However, to provide flexibility to representers/commenters to suit their circumstances, there were arrangements to allow cumulative speaking time for authorised representatives, swapping of allotted time with other representers/commenters and requesting for extension of time for making the oral submission;
- (c) the oral submission should be confined to the grounds of representation/comment in the written representations/comments already submitted to the Town Planning Board (the Board) during the exhibition period of the respective OZPs or the publication period of the representations; and
- (d) to ensure a smooth and efficient conduct of the meeting, the Chairman might request the representer/commenter not to repeat unnecessarily long the same points of arguments which had already been presented by others at the same meeting. Representers/commenters should avoid reading out or repeating statements contained in the written representations/comments already submitted, as the written submissions had already been provided to Members for their consideration.

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

allotted time limit was up.

6. The Chairman said that the proceedings of the hearing would be broadcast on-line. The Chairman said that the video recording of the presentation made by the representative of the PlanD on the first day of the Group 4 hearing (i.e. 9.10.2014) had been uploaded to the Board's website and would not be repeated at the meeting. He would first invite the representers/authorized representatives to make their presentations. After the oral submissions, there would be a question and answer session at which Members could direct questions to any attendees of the meeting.

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

FLN-10370, KTN-9920 – Leung Li

8. Mr Leung Li made the following main points:

- (a) he did not support development of North East New Territories (NENT) on the grounds that the proposal was low in efficiency. The development scheme covered an area of 612 ha, but only 533ha (87%) would be developed to accommodate a population of 150,000. He pointed out that the other nine existing new towns had not reached their design capacity yet. For example, in 2012 the design population of Tuen Mun was 649,000 but the actual population was only 486,000; and the design population of Tseung Kwan O was 450,000 but the actual population was only 372,000. The spare capacity of the existing new towns should be well utilised first;
- (b) the experience of Tseung Kwan O was quoted to illustrate that developing a new town could take as long as 30 years. He queried the effectiveness of developing a new development area (NDA) for addressing the imminent and pressing housing needs. In view of the long lead time and huge resources involved in developing NDAs, he urged the Government to fully develop the existing new towns before

resorting to developing NDAs;

- (c) conserving the Long Valley as an ecological park was one of the Government's justifications for developing NENT. The existing wetland and rural environment at Long Valley were already well conserved without the help of NENT development scheme. Wetland conservation should not be used as an excuse to disturb the farmlands;

- (d) it was unclear why the proposed Special Industrial Area needed to be located in NENT and what specific industries it was targeting at. Currently, recycling industries were accommodated in the EcoPark; new technological industries in the Hong Kong Science and Technology Park in Tai PO; innovative technological industries and media in CyberPort and Kowloon Tong; and data centre in Tseung Kwan O. As there were still special industrial land that had not been taken up in Tseung Kwan O, there should not be imminent demand for special industrial land in NENT. The proposed Google data centre in Tseung Kwan O was eventually dropped due to the lack of infrastructure. The remote location of NENT would even be more disadvantageous for special industries; and

- (e) the public consultation in the past few years focused only on the land owners, indigenous villagers, Rural Committees and District Councils, but neglected the tenants and non-indigenous villagers. Instead of following the past practice, the Government should consider a more pro-active approach of consultation, to reach out to the local communities and the environmental groups. Although the tenants and the non-indigenous villagers had raised strong objections and adverse comments, their views had not been taken into consideration. The Fanling Golf Club was a more readily available solution space for housing needs, but was eventually excluded from the NENT development scheme after the first round of consultation, making local residents and villagers vulnerable to land resumption and displacement of homes.

[Actual speaking time: 9 minutes]

FLN-9896, KTN-9446 – Adana Chan Lok Tung

9. Miss Chan Lok Tung made the following main points:
- (a) she was a university graduate who had just completed her study in the summer. She had conducted a research on the consultation process of NENT. She objected to the development of NENT on the grounds relating to site selection issues and planning approach;
 - (b) whilst increasing land supply to address the housing needs was one of the justifications for developing NDA in NENT; the supply of housing land could be met from other various sources, including urban renewal, brownfield sites, vacant and unleased land, barracks, land with recreational lease, reclamation, etc. Those various sources of land supply should be fully explored before resorting to NDA in NENT. The Government should release information on the vacant land to the community;
 - (c) the existing policies on land and development (e.g. the policies governing development intensity, urban renewal and small house development, etc.) had ramifications on how efficient the land resource could be utilised and should be reviewed; the development potential had to be fully harnessed before resorting to developing NENT. Requests for review of those policies were raised in all the three stages of NENT consultation but were still unanswered;
 - (d) though she supported increasing public housing, she objected to developing NENT which was invasive in nature and would bring about irreversible changes to the area. In meeting the housing needs of the larger community, the Government should not jeopardise the rights of

those who were living and working in NENT, most of whom were the deprived groups. As the villagers and residents of NENT had requested for ‘no removal, no clearance’, the Government should have considered developing the Fanling Golf Course instead of disturbing the local communities. The Government should pay more attention to the rising significance of local culture, not to wipe out the long established local communities, villages, farms and rural industries; and

- (e) the scale of the NENT NDA was unprecedentedly large, and many populated areas, rural industries and farmlands would be affected. Though Government had make effort in improving the consultation process, it was considered far from adequate. The Government should have engaged the local communities in planning for the area in the early stage. The Government should now seriously review why there was still strong objection (over 40,000 representations) despite the effort of consultation. The Board should listen to the objectors and reject the OZPs.

[Actual speaking time: 10 minutes]

FLN-R9833, KTN-R9383 – 麥湘雲

FLN-R10202, KTN-R9752 – 許閱

FLN-R10080, KTN-R9630 – 陳岱芝

FLN-R10343, KTN-R9893 – 梁偉晴

FLN-R10087, KTN-R9637 – 陳佩珍

FLN-R10070, KTN-R9620 – 陳秉鳳

10. Mr Ng Chuk Hang said that he was an organiser of 東北城規組, a student of journalism and aged 20. He was the authorised representative speaking on behalf of 6 representers. Mr Ng made the following main points:

- (a) the channel for public participation in town planning was highly limited. Making representation to the Board and attending the representation

hearing sessions were the only two channels the public could participate in the whole planning process. The representation hearing arrangements, including time, date and the venue were not facilitating the representers. The six representers needed to work and were not able to attend the meeting, and they had no other choice but to authorise him to make oral presentation before the Board;

- (b) the formation of the Board was appointed by the Government and there was no basis for public participation in the selection of members. Nevertheless, the Board was a statutory body and the representation consideration process was laid down in the statute. As such, he would respect the process and make best use of the chance to make oral submission. Members, in exercising their power, should listen carefully to the views of the affected villagers;
- (c) he did not agree with the 10-minute speaking time limit, which was an unjust procedural rule to restrict the rights of the representers to make their points. Such time restriction should be abolished;

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

- (d) the relevant TPB papers and information were difficult to access. Firstly, the lengthy and wordy papers and documents with technical plans were too difficult for the villagers to comprehend; secondly, the TPB paper received by the representers was incomplete with missing pages; thirdly, if further information was required, the villagers and representers would have to visit the Planning Enquiry Counters of the PlanD or the official website of the Board. The two Planning Enquiry Counters of the PlanD located in Sha Tin and North Point were physically too distant from the affected area and villagers would have to take hours for a single trip to Sha Tin. He added that the education level of the villagers was generally low and many of them had no access to internet. That had imposed constraints on the villagers from accessing the necessary information. The Government should change the form of information dissemination, make greater effort

to reach out to the villagers and to explain to them the proposal and how it would affect the villages;

- (e) the venue of representation hearing at North Point was physically too far away from the villagers. The representation hearing sessions should be conducted in NENT so as to facilitate the participation of the affected villagers and residents. Such arrangement would in turn help Members better understand the views of the affected groups;
- (f) the unjust planning process was in essence collusion between Government and the capitalists and transfer of benefits to the developers; and the urge to uphold righteousness had compelled the residents, villagers and students to protest. He questioned why the Government had not included the Fanling Golf Course, which was more readily available for development, into the proposed scheme, but to destroy the last stretch of green rural area in NENT inhabited with local settlements and villages. During the visit of the Secretary for Development (SDEV) to Kwu Tung Village; SDEV on the one hand jotted down the residents' request of 'no removal, no clearance' but on the other hand turned down the request right away by saying "the request could not be acceded to". The Government had no intention to listen to the views of the affected; and
- (g) the Government was trying to turn the Board into a rubber stamp. The Government had pre-empted the Board's decision by applying to the Finance Committee of Legislative Council for funding of preliminary works for NENT well before the Board commenced the representation hearing process. Members should listen carefully to the views of the affected residents and villagers, and not to approve the two draft OZPs in haste or else there would be the risk of civil discontent. By rejecting the two plans, members could accede to residents' request and protect NENT. Members should not allow over-development at the expense of the rural communities, but to seek "urban-rural symbiosis". He read out an article on the criticism of the NENT proposal and the need to protect NENT to conclude his presentation.

[Actual speaking time: 60 minutes]

11. As the presentation from the representers and representers' representatives had been completed, the Chairman invited questions from Members.

12. In response to Mr Ng Chuk Hang's remarks that Members were not paying attention to the representers' presentations, the Chairman assured that he and other Members had been listening and would continue to listen attentively to the oral presentations.

13. The Chairman asked the Secretary to make clarifications on the TPB paper and the hearing arrangement. The Secretary stated that as there was a large number of representations received, letters notifying the representers about the details of hearing arrangement had been issued in batches since early September. The representers were also notified that a public viewing room was available for them to listen to the presentations made by other representers. Live webcast of the hearing sessions had also been arranged. In end September, the main paper of the TPB paper was distributed to all the representers and the attachments to the main paper were available from the TPB website and the hard copy of the attachment was available to representers upon request. The 'incomplete' TPB paper mentioned by Mr NG was actually replacement pages issued to the representers.

14. The Vice-chairman said that the various issues as raised by Mr Ng Chuk Hang on matters such as including the Fanling Golf Club into the NDAs development and the necessity to develop NENT, etc. had already been addressed by PlanD in the earlier session but Mr Ng however had left the meeting before the question and answer session. Mr Ng apologised for his absence as he had to leave early to attend lecture.

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

15. The Vice-chairman went on to explain that the 10-minute restriction on speaking time was intended to facilitate the participation by a large number of representers in an efficient manner. He invited Mr Ng Chuk Hang to make suggestions on the hearing

arrangement when there were thousands of oral presentations. Mr. Ng remarked that the arrangement of hearing sessions was the responsibilities of the Board, and not the representers. He expressed that to respect the freedom of speech, there should be no time-limit set for the representers, and the representers could speak in a sequential order. He understood that the hearing might then take a very long time and there would be difficulties in logistic arrangements, but he considered that those concerns should not impair the representers' rights to speak. Moreover, a more easily accessible venue should be identified to facilitate participation by the representers. The Chairman said that the Board did not only listen to oral presentation, but would consider all the written representations submitted. The purpose of hearing sessions was to allow representers to present the main points of their written submissions and for Members to raise questions.

16. A Member asked Miss Adana Chan Lok Tung to briefly introduce her research on the consultation process of NENT development, and to share the findings of her research with a view to improving the consultation process under the town planning regime. Miss Chan responded that she was a university graduate and the research mentioned was the subject of her dissertation. She commented that the NENT consultation exercise had skewed towards the pro-establishment organisations whilst there were only a few consultation forums/meetings for the local residents and villagers. She considered that the wordy and lengthy papers and consultation document were not right means to disseminate information to the residents in the early stages of the planning process. She agreed with Mr Ng Chuk Hang that Members of the Board, who were appointed by the Government, might incline towards the Government. She suggested the inclusion of NGOs, community organisations, etc. in the membership of the Board for more balanced participation. The venue of representation hearing should be located near the affected area so as to facilitate participation by the residents and villagers. The Member further asked Miss Chan whether her views were substantiated by statistics of academic/scientific research. Miss Chan supplemented that the methodology of her research was largely literature review, observations during the consultation sessions and interviews with Government officials, villagers and concerned group.

17. A Member asked whether Mr Ng Chuk Hang and Miss Adana Chan Lok Tung were objecting to the development of NENT, the proposed scheme, or the inappropriate timing of the development. Mr Ng responded that he objected to the

development at NENT.

18. As all the representers and representers' representatives attending the meeting had completed their presentations and Members had no further question to raise, the Chairman thanked the representers, representers' representatives and the government representatives for attending the meeting. They all left the meeting at this point.

19. The meeting was adjourned at 10:50 a.m.