

1. The meeting was resumed at 9:10 a.m. on 5.1.2015.
2. The following Members and the Secretary were present at the resumed meeting:

Mr Thomas T.M. Chow

Chairman

Mr Stanley Y.F. Wong

Vice-chairman

Mr Roger K.H. Luk

Professor S.C. Wong

Professor Eddie C.M. Hui

Dr C.P. Lau

Ms Anita W.T. Ma

Ms Bonnie J.Y. Chan

Professor K.C. Cheong

Mr Lincoln L.H. Huang

Ms Janice W.M. Lai

Mr Dominic K.K. Lam

Mr Stephen H.B. Yau

Mr F.C. Chan

Mr David Y.T. Lui

Director of Lands

Ms. Bernadette H.H. Linn

Assistant Director (2), Home Affairs Department

Ms Ann N.K. Ho Wong

Principal Environmental Protection Officer (Strategic Assessment)

Environmental Protection Department

Mr Victor W.T. Yeung

Director of Planning

Mr K.K. Ling

3. The Chairman said that as representatives representatives/representers' representatives had not arrived at the meeting room at this time, the meeting would be adjourned for the time being.

[The meeting was adjourned for a break of 50 minutes.]

Presentation and Question Sessions

[Open meeting]

4. The following representatives from the Planning Department (PlanD) were invited to the meeting at this point:

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

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

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

5. The following representatives' representative were invited to the meeting at this point:

FLN-R1288, KTN-R842 – 何貴華

FLN-R1298, KTN-R852 – 盧振華

Ms Au Hei Man (東北城規組) - Representatives' representative

FLN-R1299, KTN-R853 – 陳太

FLN-R1302, KTN-R856 – 譚伯伯

FLN-R1314, KTN-R868 – 區傑

FLN-R1318, KTN-R872 – 林寶珠

FLN-R1319, KTN-R873 – 區強

FLN-R1320, KTN-R874 – 區強兒子

Ms Wong Suk Wai (東北城規組)

- Representers' representative

FLN-R1674, KTN-R1225 – Joanna

FLN-R2240, KTN-R1788 – 羅佩琪

FLN-R2278, KTN-R1826 – 普通市民

FLN-R2334, KTN-R1882 – Kong Yeung

FLN-R2370, KTN-R1918 – 徐麗文

FLN-R2372, KTN-R1920 – 廖敏誠

FLN-R2373, KTN-R1921 – 盧騷紅

FLN-R2375, KTN-R1923 – 廖敏亮

FLN-R2376, KTN-R1924 – 廖敏志

FLN-R2377, KTN-R1925 – 廖敏光

FLN-R2378, KTN-R1926 – 廖鑑培

FLN-R2385, KTN-R1933 – 張仲明

FLN-R2392, KTN-R1940 – 李政源

Ms Chan Dai Gut (東北城規組)

- Representers' representative

FLN-R2393, KTN-R1941 – 李政文

FLN-R2394, KTN-R1942 – 羅灶金

FLN-R2395, KTN-R1943 – 梁彩玲

FLN-R2396, KTN-R1994 – 何志佳

FLN-R2397, KTN-R1945 – 何家俊

FLN-R2398, KTN-R1946 – 何家豪

Mr Yu Wai Pan (東北城規組)

- Representers' representative

FLN-R2399, KTN-R1947 – 許躍鶯

FLN-R2400, KTN-R1948 – 梁彩豔

FLN-R2401, KTN-R1949 – 邱佩倩

FLN-R2402, KTN-R1950 – 邱佩珊

FLN-R2403, KTN-R1951 – 吳瑞光

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

FLN-R2404, KTN-R1952 – 吳天恩

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

FLN-R2405, KTN-R1953 – 吳天悅

FLN-R2406, KTN-R1954 – 馮志年

FLN-R2407, KTN-R1955 – 梁健安

Mr Chan Chi Ping (東北城規組) - Representers' representative

FLN-R2408, KTN-R1956 – 梁建禮

Mr Chow Nok Hang (東北城規組) - Representers' representative

FLN-R2409, KTN-R1957 – 張燕馨

Ms Tong Hiu Yan (東北城規組) - Representers' representative

FLN-R2410, KTN-R1958 – 黃小蓮

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

FLN-R2411, KTN-R1959 – 馮寶耀

Ms Li Yin Fong (東北城規組) - Representers' representative

FLN-R2413, KTN-R1961 – 馮美華

FLN-R2414, KTN-R1962 – 馮美卿

Mr Yu Chun Hung (東北城規組) - Representers' representative

FLN-R2416, KTN-R1964 – 梁耀武

FLN-R2417, KTN-R1965 – 梁嘉敏

FLN-R2422, KTN-R1970 – 鄭偉賢

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

FLN-R2423, KTN-R1971 – 鄭伯森

Ms Choi Siu Ying (東北城規組)

- Representer' representative

FLN-R2424, KTN-R1972 – 何豔珍

FLN-R2425, KTN-R1973 – 鄭偉民

FLN-R2426, KTN-R1974 – 鄭寶瓊

FLN-R2427, KTN-R1975 – 鍾玉芳

FLN-R2428, KTN-R1976 – 鄭瑞歡

Mr Choy Cheuk Yeung (東北城規組)

- Representatives' representative

6. 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 more than 3,400 representers/commenters had indicated that they would either attend in person or send an authorised representative to make oral submission, it was necessary to limit the time for each oral submission;
- (b) each representer/commenter would be allotted a total of 10-minute speaking time. However, to provide flexibility to representers/commenters to suit their situations, there were arrangements to allow cumulative speaking time for authorised representatives, swapping of allotted time with other representers/commenters and requesting an extension of time for making the oral submission;
- (c) the oral submission should be confined to the grounds of representation/comment in the written representations/comments already submitted to the Town Planning Board (the Board) during the

exhibition period of the respective Outline Zoning Plans (OZPs) or the publication period of the representations; and

- (d) to ensure a smooth and efficient conduct of the meeting, the presenter/commenter should not repeat unnecessarily long the same points which had already been presented by others earlier at the same meeting. Presenters/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.

7. 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 presenters and presenters' representatives 2 minutes before the allotted time was to expire and when the allotted time limit was up.

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

9. The Chairman then invited the presenters' representatives to elaborate on their representations.

FLN-R1299, KTN-R853 – 陳太

FLN-R1302, KTN-R856 – 譚伯伯

FLN-R1314, KTN-R868 – 區傑

FLN-R1318, KTN-R872 – 林寶珠

FLN-R1319, KTN-R873 – 區強

FLN-R1320, KTN-R874 – 區強兒子

10. Ms Wong Suk Wai made the following main points:
- (a) the development of the North East New Territories (NENT) New Development Areas (NDAs) was postponed due to the collapse of the property market in 2003. It was later reactivated in 2007 and about 600 ha of land in KTN and FLN were involved, which would be 32 times the size of Victoria Park. Such an extensive area was unjustified;
 - (b) there was procedural unfairness in respect of the NENT NDAs. The Finance Committee of the Legislative Council (LegCo) had approved the funding for the advanced works of the NDAs before the confirmation of the concerned OZPs. It was a poor example of the ‘destroy first, build later’ approach. The commencement of the advanced works would adversely affect the villagers, forcing them to leave their homes;
 - (c) the implementation approach for the NDAs was changed from the Public-Private Partnership (PPP) to the Conventional New Town Approach (CNTA) to avoid suspicion on collusion between the Government and the concerned parties. However, the CNTA would only make it easier for collusion and transfer of interests as the major developers who had been acquiring land in the NENT in the 1990s would benefit substantially. Henderson, for example, had purchased land from indigenous villagers in Ma Shi Po village in Fanling since 1996. The developers would be compensated first by land resumption. They would also be the only ones with land holding of not less than 4,000m² for entering into land exchange with the Government. It was uncertain how the minimum size area requirement of 4,000m² was formulated;

- (d) in its reply to LegCo, the Development Bureau (DEVB) claimed that in-situ land exchange in the NENT NDAs was not an arrangement that would involve transfer of interests nor had they taken the existing land ownerships into consideration in the planning of the NDAs. However, upon the allegation that the Government had previously appointed consultants to look into land ownership in the NENT, the Secretary for Development (SDEV) then admitted that he had details of the land ownership patterns. It was also identified by the local groups and media that the boundaries of the land designated for housing tallied with those owned by the major property developers. Due to the in-situ land exchange arrangement, 8 pieces of land designated for private housing in the centre of the FLN NDA had been acquired and shared by Henderson and New World. In the case of Long Valley in KTN NDA, its boundaries were determined based on the land holding of Li Ka-shing;

- (e) the size of land holding including agricultural land by developers was greater than that owned by the Government. The lack of land in Hong Kong as claimed by the Government was simply untrue. Taxation on land acquisition had been imposed in other countries to prevent random land acquisitions so as to prevent wastage of valuable land resources. However, as the Government was afraid of developers and major landowners, such taxation policy had not been implemented in Hong Kong;

- (f) the NENT NDAs would cost almost \$120 billion, and each of the 7 million people of Hong Kong would have to pay \$17,000. Public revenue would be used for constructing infrastructure for the NDAs which would facilitate developers to convert agricultural land for residential development. The public would also be kept in the dark concerning the monetary information of the land exchange between the Government and developers;

- (g) as long as the Government continued to lead the supply of land and town planning procedures, the housing problem would remain a black-box operation. The Government as landlord and property developers would be the two parties benefiting from the NENT NDAs at the expense of those residents living in the area who would lose their homes. The residents had no choice but to protest for the withdrawal of the NDAs;

- (h) the CNTA was an outdated approach for implementation by the Government. It was ridiculous that such an approach would still be adopted in face of the strong criticism from the public on how the planning of New Towns in Tseung Kwan O, Tuen Mun and Tin Shui Wai had failed. The mistakes made elsewhere should not be repeated. How could it be ensured that job opportunities and the skills of the future residents would match with those required by the innovative industries designated in the future New Town? How would the innovative industries be developed? Experience from Cyberport and the West Kowloon Cultural District had clearly shown that without a comprehensive plan on the part of the Government, it would be difficult to realise the proposals. How could Long Valley alone be able to promote agricultural rehabilitation? Demolition and building under the CNTA might increase gross domestic product (GDP), but it would be against the global sustainability approach;

- (i) the Government had ignored the existence of many wonderful things in the NENT. The NDAs would irreversibly eliminate existing villages/communities, agricultural industry, wood and soy sauce factories as well as organic and sustainable life style that placed emphasis on small self-help communities. All those would not be found in a new town. The way that a new town was designed would perpetuate alienation amongst people. It was ironic that the NDAs, where concrete towers would be erected, were promulgated to be environmentally friendly, economically vibrant and sustainable;

- (j) residents were misled to believe that the NENT NDAs would help address the housing shortage problem for the working class. The two NDAs would only provide 60,700 new flats, and the public-private housing ratio was 60:40. The housing land would occupy 90 ha of land, which was equivalent to only 1/6 of the total area of the two NDAs. It had even been pointed out that only 6% of the total land of the NDAs (i.e. about 600 ha) was for public housing. Taking into account that the first population intake for the NDAs was scheduled for 2023, more than 10 years from now, the justification for developing the NDAs was unfounded. The Government had already got plans for addressing housing shortage for the next 5 years, without the need to develop NDAs. There were about 4,000 ha of land available for development in Hong Kong, including 2,000 ha of residential land and 2,000 ha of Government land that were under short-term tenancies (STT). All those lands could be used to meet the housing needs, without the need to develop the NDAs and country parks nor reclaiming land at sea. The residents of Hong Kong, especially those awaiting for housing, should come out calling for the withdrawal of the NENT NDAs;
- (k) according to DEVB, as at June 2012, out of the 4,000 ha of unallocated and unleased Government land which included 952 ha of residential land, 580 ha were already designated for high-rise residential development. It had never been properly explained as to why there were so many unallocated and unleased sites and why they would not be used for public housing. DEVB had stated that many of those sites were unsuitable for development and that technical assessments would be needed to verify their suitability for development, such as those being less than 0.05 ha in area and those located on slopes. However, those types of sites had all along been used by DEVB for development. The 2013-14 Land Sale Programme had included a site in Kowloon that was less than 0.025 ha in size. According to the media report, a slope near Chi Fu Fa Yuen in Pokfulam would be able to provide over 6,000 residential units and sites with steep slopes in Wanchai had been

developed by Hopewell;

- (l) one of the reasons why the Government pushed ahead with the NENT NDAs was that the affected residents were mainly non-indigenous villagers who did not have special rights as indigenous villagers. That was illustrated by the example in which the Government planned to develop a brownfield site in Yuen Long for residential use, but the site was owned by indigenous villagers who had objected to the proposal. Due to the fierce objections from indigenous villagers, the Government had abandoned the proposal;
- (m) the elderly would be most affected by the NENT NDAs, which would destroy the social fabric of their community and their usual way of life. Moreover, during the preparation of the environmental assessment report for the NDAs, a large amount of arsenic was discovered underneath the site of Drills Corner Garden (DCG) where many elderly were residing. The investigation works had resulted in the release of such substance to the environment. The Government had only proposed to relocate the elderly from DCG in 2023, exposing them to the toxic substance when the construction works would be carried out around DCG. The future residents would also be subject to such health hazard;
- (n) the existing residents in the NENT requested that their simple way of life and their relationship with the land for making a living be maintained. The non-indigenous residents in the NENT had in fact requested that a freezing survey be undertaken now so that they would not be forced by landlords to move out from their homes. The Government had ignored such requests. While DEVB had indicated that over 1,000 households would be offered a special ex-gratia compensation package, it should be noted that what they demanded was 'no removal, no clearance' (不遷不拆) and withdrawal of the NENT NDAs;

- (o) to address the housing problem, the Government should first consider the use of about 803 ha of brownfield sites in the NT such as those involving open storage of containers and vehicle for stripping/repair. That could help provide more public housing units, 10 times more than the 40 ha of land earmarked for public housing within the NDAs and could save the costs for land resumption and compensation;
- (p) the site of Fanling Golf Course occupied an area of 172 ha. It could be developed to meet the housing needs. According to a local professional group, the Fanling Golf Course site could provide most of the proposed housing units proposed by the NDAs;
- (q) to embark on building a large-scale environmentally friendly, economically vibrant and sustainable community, the Government should consider resuming agricultural land from the property developers, allocating the land to farmers, formulating agricultural policy and setting up a fund to assist farmers in agricultural rehabilitation. The current farmers in the NENT should be allowed to continue their farming in-situ and that NENT should be developed as a production base for vegetables of a high food safety standard. Agriculture could help recycle domestic food waste which in turn could become organic fertilisers for vegetables. As food waste made up about one third of the total refuse, recycling of food waste would help reduce the need for landfill sites and incinerators. Hong Kong needed to set up and operate a sustainable agricultural economy;
- (r) as provided by DEVB, there were 58 ha of land zoned “Agriculture” (“AGR”) and 130 ha of land zoned “Green Belt” (“GB”) within the NENT NDAs. The land zoned “AGR” covered current active agricultural land in Long Valley and Fu Tei Au, without increasing nor compensating any agricultural land. Citing that the “GB” zoning would maintain the rural landscape was untrue nor realistic;

- (s) the public had queried that the rationale of developing the NENT NDAs was to allow Mainlanders entering Hong Kong without the need of using passports since the KTN and FLN NDAs would serve as special development areas for them. The NENT NDAs would likely be another project in which the Government sold Hong Kong down the river, and it might well be another example of overspending as in the case of the Hong Kong Section of the Guangzhou-Shenzhen-Hong Kong Express Rail Link project;
- (t) as Members of the Board were appointed by the Chief Executive, the independence of the Board was questionable. It was uncertain as to whether the interests of the general public would be at the forefront in the consideration of the NDAs by the Board;
- (u) Members should consider the NENT NDAs from the perspective of the local residents. The NENT NDAs was a mistake from the start. There should be a proper discussion on the direction of development in Hong Kong. The NENT NDAs should be withdrawn. By doing so, it would save public money, be good for local residents and maintain the rural environment; and
- (v) the Government should immediately provide a full listing of the 4,000 ha unallocated and unleased sites as well as 2,200 ha of land under STT, including the location and site area, etc. That would help address the public concern on whether DEVB had fully considered all the available alternative sites. The Government should provide the information relating to the appointment of planning consultants by DEVB in 2008/09 concerning land ownership patterns in the NENT NDAs, so as to allow the public to determine if the planning of NENT NDAs had taken into account the respective developers' land holdings. Information on the overseas subsidiary companies and the Directors of State Industries Limited associated with SDEV should also be released.

[Actual speaking time: 52 minutes]

FLN-R1288, KTN-R842 – 何貴華

FLN-R1298, KTN-R852 – 盧振華

11. Ms Au Hei Man made the following main points:

- (a) she was a resident of Ma Shi Po village in FLN;
- (b) she had obtained an article entitled “NENT should be used in the planning of Hong Kong, not Central”, which was written by Yuen Yik Tin in February 2014, and she would read out such article at the meeting, the main points of which were summarised as follows:
 - (i) cities had become unnecessary. Like parasites, they were dependent on the areas beyond them for their survival. The planning of the NENT NDAs should be for the future planning of Hong Kong, which should not be based on the value of Central;

[Dr C.P. Lau left the meeting temporarily at this point.]

- (ii) the rural NT had all along accommodated the needs of the cities. Agriculture in the NT began when a large population was moved to settle there in the 1950s. Subsequent to the domination of the Hong Kong’s rice market by the rice produced in Thailand, the farmers in the NT then switched from the growing of rice to vegetables and poultry/animal farming;
- (iii) under the agricultural policy of the then British Government, there was a political agenda for the NT. The setting up of agricultural cooperatives by the Agriculture, Fisheries and Conservation Department and the wholesale food markets in

the 1950s had provided farmers with support for the production and sale of their produce, and that the self-sufficiency rate of Hong Kong at that time was about 50%;

- (iv) the agricultural industry in the NT faced major changes in the 1980s when Hong Kong was to be returned by the then British Government resulting in the abandonment of the political agenda. Agriculture was no longer important nor required as a political tactic for the NT. Vegetables from the Mainland were legalised in Hong Kong as long as they were the products of investments made by the residents of Hong Kong who were members of the agricultural cooperatives, leading to their dominance in the Hong Kong market. After 1980s, acquisition of agricultural land by developers had contributed to the decrease in agricultural land. The existing farmers were no longer willing to invest in new agricultural installations/facilities. With the gradual reduction in production of produce by local farmers, the self-sufficiency rate of Hong Kong was decreased to less than 2% in recent times;

- (v) while the NENT NDAs were proposed to address the housing shortage problem, the problem itself had never been resolved. Hong Kong was not only lacking in land, it lacked a good public policy. If the logic for urban expansion was to facilitate economic development, then what would be the result when the land in the NT was used up after 10 years? How could the NENT NDA be justified without addressing this question first? It was imperative to conserve the NT, including its special characteristics, as Hong Kong was not without limits in terms of its space and resources;

- (vi) Hong Kong's self-sufficiency rate should be specified first, such that the limit of urban expansion could be determined. To tally with those of the major cities in the Mainland, the self-sufficiency rate for Hong Kong should be 30%, and thus 3,000 ha of agricultural land would be required. A rational public policy should be based on such requirement, together with the considerations on location and spacing of cities;
- (vii) city planning without agriculture was unsustainable. As government officials continued to push forward the economic integration between Hong Kong and the Pearl River Delta, as reflected by the NENT NDAs, the sustainable value of the NT would be lost. The differences between the cities in the Mainland and Hong Kong would ultimately be eliminated; and
- (viii) many people had requested for the withdrawal of the NENT NDAs. According to SDEV, the NDAs must be implemented as planned, rendering consultation a mere gesture. It was doubtful if the review on the agricultural policy as called for in the Policy Address was a sincere one. The review also proposed modernisation of the agricultural industry. The real motive behind the review was to remove autonomy from the local agricultural industry, as per the belief of government officials, which would be the last straw leading to the demise of the industry.

[Actual speaking time: 32 minutes]

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

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

FLN-R1674, KTN-R1225 – Joanna

FLN-R2240, KTN-R1788 – 羅佩琪

FLN-R2278, KTN-R1826 – 普通市民

FLN-R2334, KTN-R1882 – Kong Yeung

FLN-R2370, KTN-R1918 – 徐麗文

FLN-R2372, KTN-R1920 – 廖敏誠

FLN-R2373, KTN-R1921 – 盧騷紅

FLN-R2375, KTN-R1923 – 廖敏亮

FLN-R2376, KTN-R1924 – 廖敏志

FLN-R2377, KTN-R1925 – 廖敏光

FLN-R2378, KTN-R1926 – 廖鑑培

FLN-R2385, KTN-R1933 – 張仲明

FLN-R2392, KTN-R1940 – 李政源

[Ms Anita W.T. Ma and Ms Bonnie J.Y. Chan returned to join the meeting at this point.]

12. Ms Chan Dai Gut said that she could commence her oral submission upon the returning of all Members after the break. The Chairman said that there were enough Members at the meeting to form a quorum and she could begin her oral submission. She replied that she might need to repeat her submission in the absence of some Members. The Chairman said that it would not be necessary given that Members would be provided with minutes of meeting. After checking with the Chairman that sufficient time would be allowed for Members to go through the relevant minutes, she made the following main points:

- (a) she did Asian Studies and graduated from the City University of Hong Kong; and
- (b) she had worked at the university and non-government organizations. She was presently engaged with a social organization in the FLN.

13. Ms Chan said that since a few more Members had returned to the meeting, she would like to raise a question for Members' attention. She continued to say that by August 2014, the Board had published statistics on the two OZPs, including over 40,000 representations and over 10,000 comments. Out of those representations and comments, over 1,400 had authorized 3 bodies/organisations to represent them at the hearing, among

which more than 1,300 had authorized 東北城規組 (the Group). However, up to now, the Group had only been allotted with the speaking time for about 300 representations and comments up to 13.1.2015, and the speaking time for the remaining 1,000 representations and comments was outstanding (the outstanding speaking time). She then repeatedly asked where the outstanding speaking time had gone. She added that their request for the outstanding speaking time had also been conveyed to the staff of the Board at the lobby of the North Point Government Offices in that morning and requested that Members should grant the Group the outstanding speaking time.

14. Ms Chan and the other attendees began clamouring at the meeting for the Board to grant the outstanding speaking time to the Group. The Chairman then asked Ms Chan to continue her oral submission and the other attendees to cease clamouring which was prohibited at the meeting, as stated in the Guidance Notes. The Chairman said that the speaking time given to the Group was in accordance with the authorization letters the Secretariat had received from the Group, as explained by the Secretariat, and reminded the other attendees to behave orderly. After repeated requests from the Chairman for Ms Chan to continue her oral submission, Ms Chan stood up and demanded a response from the Chairman regarding the outstanding speaking time. Some other attendees followed suit. Ms Chan continued to ask for the outstanding speaking time, adding that the 10 minutes time allowed for each representer and commenter were already insufficient. She then questioned whether the hearing was orchestrated in a way such that it would be completed for a timely submission of the OZPs to the Executive Council (ExCo) for approval. If that was the case, the meeting might as well be dismissed. The Chairman said that he had already explained the arrangement for the authorization and that Ms Chan had been reminded 4 times already to continue with her oral submission. He also reminded other attendees that no photo-taking or video recording was allowed at the meeting as already explicitly specified in the Guidance Notes.

15. At this point, Mr Danial Tam, the representers' representative, said that the Town Planning Ordinance (the Ordinance) had stipulated that each representer/commenter was entitled to be heard and the outstanding speaking time should be given back to the Group. On the Chairman's remark that the Secretariat of the Board had already discussed with the Group regarding the matter on 17.12.2014, Ms Chan said that the discussion with the Group on 17.12.2014 was mainly on the arrangements of the

remaining 250 authorizations received from the Group, as only the speaking time for 50 authorizations had been arranged on 17.12.2014. The speaking time for 1,000 representations and comments remained outstanding. Mr Tam further asked if the Ordinance had explicitly stipulated that the oral submission by each representer/commenter would be confined to 10 minutes only. In response, the Chairman said that the Board was empowered under the Ordinance to make arrangements for the hearing and that the 10-minute speaking time for each representer/commenter was considered appropriate. Ms Chan further said that the 10-minute speaking time was far from adequate nor reasonable for an ordinary resident who wanted to submit his/her own oral submission and that it would be difficult for the representer/commenter to obtain authorization from others in order to have more speaking time. The Chairman explained that the representations/comments, including both the written and oral submissions of the representers and commenters, would be considered by Members and each of the oral submissions should only elaborate on or highlight the essential points of the written submission.

16. Ms Chan and other attendees continued to make their demands for the outstanding speaking time. As Ms Chan was banging her hand repeatedly on the table, the Chairman asked her to discontinue such disorderly behaviour and to carry on with her oral submission. Ms Chan said that she was continuing her oral submission by requesting the outstanding speaking time. Once again, she asked for a direct response from the Chairman. The Chairman said that his response had already been given at the meeting. Ms Chan said that at least 20 more days would be required for making oral submissions of 1,000 representations and comments based on the 10-minute time limit. Given that the hearing sessions would be held weekly from Monday to Wednesday, the hearing sessions would last until end of March 2015. She further asked if timely submission of the OZPs to ExCo for approval was the reason for not granting the outstanding speaking time, and if other government officials or the Chairman himself would like to have an early submission to ExCo, and that the Chairman should declare interest on the item. The Chairman said that the authorization letters for the Group had been provided to the Secretariat on 17.12.2014 and 5 additional days had already been arranged for the Group to make its oral submissions. In response to Ms Chan's allegation that the Secretariat was solely responsible for making the arrangements, the Chairman said that the Secretariat was acting under the directives of the Board.

17. The Chairman requested Ms Chan and other attendees again to sit down and behave in an orderly manner to facilitate the meeting to proceed further. His appeals were ignored and the Group's representatives continued clamouring. At this point, the Chairman said that if Ms Chan did not wish to proceed with her oral submission, he would ask the next representer to make his/her oral submission. Mr Tam indicated that the speaking time being outstanding related to 1,348 representations and comments which would amount to 37 days, based on a 10-minute time limit for each representer/commenter and a 6-hour hearing session per day. Deducting the 6 days already conducted so far including 17.12.2014, the Group should still have 31 days. Ms Chan and other attendees continued to clamour for 31 hearing sessions. Soon after, Ms Chan said that she should directly approach the Chairman. While the Chairman repeatedly reminded her to stay in her seat, she refused and proceeded to walk towards the Chairman. At this juncture, in view of the commotion, the Chairman ordered that the meeting be adjourned for the time being. All Members left the meeting at this point.

[The meeting was adjourned for a break of 9 minutes.]

18. The meeting was resumed after the Chairman and the Members had returned to the meeting room. Ms Chan then continued with her oral submission and made the following main points:

- (a) she attended some classes on bee farming at Kadoorie Farm and Botanic Garden in 2008. Her interest in bee farming had prompted her relocation to Sha Tau Kok in 2013;
- (b) bee farming was relevant to the NENT NDAs. She requested that Members pay extra attention to her oral submission on bee farming. She began bee farming once she had moved to Sha Tau Kok. There were two types of bees in Hong Kong and China, namely local bee and Italian bee. Local bees, relatively small in size, fed on nectar of various flowers and were highly adaptable and resilience to the climatic conditions in the southern region of China. Italian bees, on the other hand, were bigger and more selective in

what they consumed. While keeping Italian bees was a challenging task, such breed of bees had become increasingly popular as they lived together in greater numbers and could collect more nectar for the production of honey, making them more cost effective than local bees. In addition, local honey was far better in quality than that imported from overseas, namely the local honey made from the nectar of flowers from longan, lychee, and wood ducks feet plants. Every year, flowers of longan and lychee blossomed after Chinese New Year while wood ducks feet flowers blossomed during autumn; and

- (c) the development mode adopted in Hong Kong, including that for the NENT NDAs, would lead to the demise of Hong Kong's living creatures, including bees. Forests were removed to make way for developments, thereby destroying the food source of the bees. Plots of agricultural land were abandoned and hoarded by developers, making them a breeding ground for mosquitos and snakes. During summer and winter times, bees had insufficient food source to rely on. As a beekeeper, she would feed her bees with sugar water and flower pollen during these times.

19. At this point, she reiterated her request for the outstanding speaking time, stating that she would need more days to present her case on the topic of bees alone so as to facilitate Members' understanding on the significance of the area in the NENT for bees. She asked if the Members could hear her and then proceeded to continue her oral submission with the following main points:

- (a) after summer, the bees would begin to feed on the nectar of wood ducks feet flowers and that she would share her honey produced with villagers, and sharing was a common courtesy among the villagers in the NENT; and

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

- (b) in the past, agricultural land was actively in use and nectar was plentiful as there was a wide variety of flowers such as those relating to vegetables and fruits. At present, however, the bees in Hong Kong could only rely on the nectar gathered in spring and autumn times as their only food source.

[Mr Lincoln L.H. Huang left the meeting temporarily at this point.]

20. Noting a Member had just left the meeting, Ms Chan asked whether she should continue. In response, the Chairman said that there were enough Members at the meeting to form a quorum to enable the continuation of the meeting and that the quorum was 5 Members. She then made the following main points:

- (a) while the Hong Kong Government had been destroying forests, it had in the past planted the same species of trees in some areas of forests, homogenizing the forest landscape. Only one species which was considered to be the optimal one at the time was selected by the Government. That type of homogenization had also been applied to economic development in Hong Kong and the Government, having considered property development as the optimal form of economic development, was pro-development. As such, the bees had been deprived of valuable food sources;
- (b) bee farming embodied life principles or rules of life that Members should pay particular attention to. Bees would strive to collect more nectar should the nectar be taken away from the beehives during springs and autumns when they were busy working. However, that would shorten their lifespan from 2 months to 1 month. Likewise, through the implementation of the NENT NDAs which would involve the removal of forests and agricultural land, Hong Kong would be digging its own grave;
- (c) with reference to the KTN and FLN OZPs displayed at the meeting, Members were requested to seriously consider visiting the KTN and FLN, including the 5 villages in FLN;

- (d) the existing residents in the NENT were non-indigenous villagers who were refugees from the Mainland in 1950/60s. They were engaged in farming once they had settled down in the area. Many had built houses along river and hillsides. They were the elderly currently residing in the NENT and some of them were present at the hearing session. Many of them wanted Members to know how much effort they had spent in building their own houses in the NENT. Why should they come all the way to attend the hearing in North Point? Some of them were in wheelchairs. Members were obligated to serve the public and should visit the homes of the elderly in the villages in KTN and FLN. The NENT NDAs were unnecessary and if withdrew, the costs for caring for these elderly could be saved. The elderly residing in villages could take care of each other in the communities with strong ties. Close ties had been developed and reinforced in the existing communities over the years, perpetuated by the arrival of relatives and friends of the earlier settlers, who then pursued various agricultural activities that had coexisted in harmony;
- (e) through incremental improvements over the years, the houses of the villagers were installed with modern installations, contrary to the common perception. The non-indigenous residents were not respected by the Government. In 1982/84, these houses of the villagers were classified by the Government as illegal temporary structures/squatters, where government approvals would be required before repair works could be carried out. That was not reasonable as those houses had been permitted by the Government in view of its inability to resolve the housing problem at that time and farming was also encouraged in the NT at that time;
- (f) Fanling South had largely been occupied by private housing. It was doubtful if one of the key purposes of the NENT NDAs was to provide public housing. As an alternative, 1/3 of the area of the Fanling Golf Course site could be developed for such purpose. She

objected to the Fanling Golf Course as chemicals were used in the lawns and it posed serious physical danger to the staff who were responsible for retrieving golf balls; and

- (g) the Government had eliminated the ability of Hong Kong to produce its own food and water. The Mainland provided Hong Kong with much of its water for consumption. The water in the reservoirs of Hong Kong was no longer used for consumption. Water imported from Dongjiang was highly polluted with pesticides and chemical fertilisers. The local agricultural industry had also been diminishing. Developers had been acquiring agricultural land, which had adversely affected land availability for farmers. Poultry farming, which had been subject to stringent control due to outbreaks of bird flu, was diminishing as well.

21. As Ms Chan made some offensive and abusive comments on Members, the Chairman reminded her to act respectfully and avoid the use of offensive and insulting language at the meeting, as in accordance with the requirements stated in the Guidance Notes. She protested and reiterated her request for the outstanding speaking time. The Chairman remarked that if Ms Chan did not wish to proceed with her oral submission, she could discontinue. She then made the following main points:

[Professor S.C. Wong left the meeting temporarily at this point.]

- (a) Hong Kong's reliance on the Mainland for food and water had brought along environmental concerns for poor provinces. The homogenous approach in city planning had been adopted in Mainland, leading to the relocation of its agricultural industry elsewhere, exacerbating the environmental problems globally. Hong Kong people would be deprived of its food source in the future;
- (b) the Government had created its own problem of domestic waste as the agricultural industry had been set aside and recyclable resources

such as food waste would have no alternative but to go to the landfill sites;

- (c) the NENT had many areas of natural environment. In FLN, there were people engaging in bee and sheep farming in Shek Wu San Tsuen and active growing of vegetables in Fu Tei Au. Members were encouraged to find out more about the sheep farming via the relevant Facebook and websites;
- (d) Henderson had acquired agricultural land in Ma Shi Po Tsuen and Shek Wu San Tsuen. Those areas were simply left idle, wasting valuable land resources; and
- (e) she had then reiterated once again the request for the outstanding speaking time, and that the OZPs should not be rushed for submission to ExCo.

22. Ms Chan asked Ms. Bernadette H.H. Linn, Director of Lands, on the current status of a piece of agricultural land over 2,000m² in Ma Shi Po Tsuen and if site inspection had been conducted by the Lands Department (LandsD). She said that the subject site was government land and was put up for tender. LandsD had indicated that it would closely monitor the site to ensure that it would be actively utilised. The site was however currently covered by plastic. She demanded LandsD to report back on the site at the next hearing session. Ms Linn said that the inquiry concerning a specific site was not directly relevant to the hearing session, the purpose of which was to hear the representations on the KLN and FLN OZPs. She added that a site inspection had been conducted by LandsD and Ms Chan was advised to contact the subject officer of LandsD separately as regards the existing conditions of the site. Ms Chan disagreed. The Chairman indicated that it was not a suitable time to discuss further the case which was not related to the land uses in the two OZPs. He asked Ms Chan to continue with her oral submission. Ms Chan then made the following main points:

[Professor Eddie C.M. Hui returned to join the meeting at this point.]

- (a) Henderson had financially supported a farming scheme operated by The Lutheran Church Hong Kong Synod on its land. The scheme allowed various plots of agricultural land to be rented by urban dwellers for farming. However, the concerned land was now fenced off by Henderson and the villagers could no longer continue the farming activities on the land;
- (b) the CNTA adopted by the Government would destroy irreversibly the social fabric of the existing communities, adversely affecting the elderly. Developers had monopolised the property market. Residents had no choice but to shop in chain stores and the produce being offered in these stores were from the Mainland and were highly polluted. Residents of New Towns remained having to commute long distances beyond New Towns to work, at the expense of time with the families;
- (c) the NENT NDAs should not be proceeded with further. Local villagers were not properly consulted. Out of the 612 ha of land in the two NDAs, only 40 ha was proposed for public housing, constituting 6.35% of its total. The NDAs involved transfer of interests between the Government and the concerned parties. Only the developers and indigenous villagers would benefit from the NDAs;
- (d) the Government should instead develop 2,600 ha of land under STTs to meet the housing needs; and
- (e) agricultural industry was important for Hong Kong's future and should be developed.

[Actual speaking time: 108 minutes]

23. Ms Chan and the other attendees then clamoured for the Board to return the outstanding speaking time to the Group. She reiterated that 10-minute time limit for each

oral submission was inadequate. She added that the NENT NDAs should be withdrawn.

24. The Chairman said that the meeting would be adjourned till 2:45 p.m. for a lunch break. Before the break, the Chairman asked Ms Linn to provide further response to the inquiry raised by Ms Chan during her oral submission. In reply, Ms Linn said that in general she would not respond to any question asked by a representer during the hearing procedure, but in order to avoid giving the wrong impression to Ms Chan that not providing a response was an admission on her part regarding Ms Chan's allegation, she therefore had to respond. The speaking of Ms Linn was interrupted at this juncture as Ms Chan and other attendees put up a banner and clamoured for the same demand for the outstanding speaking time. The Chairman reminded them that the use of banner was prohibited at the meeting. His appeal was ignored. In view of the disorder, the Chairman called an adjournment of the meeting.

25. The meeting was adjourned at 1:40 p.m. for lunch break.

26. The meeting was resumed at 2:45 p.m. on 5.1.2015.

27. 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

Mr Clarence W.C. Leung

Ms Anita W.T. Ma

Mr H.W. Cheung

Mr Sunny L.K. Ho

Mr Dominic K.K. Lam

Mr Francis T.K. Ip

Mr Frankie W.C. Yeung

Principal Environmental Protection Officer (Strategic Assessment)

Environment Protection Department

Mr Victor W.T. Yeung

Deputy Director of Lands (General)

Mr Jeff Y.T. Lam

Director of Planning

Mr K.K. Ling

Presentation and Question Sessions

[Open Meeting]

28. The afternoon session resumed at 2:45 p.m. and the Chairman said that as no representer had turned up, the meeting would have to be adjourned until there were representers turning up.

29. Members noted that it was already 20 minutes past the scheduled time of the meeting but no representer had turned up. The Chairman asked the Secretariat to give phone calls to the representers' representatives to find out whether they would come to the meeting. As reported by the Secretariat, the Chairman informed Members that the phone calls to Ms Chow Koot Yin and Ms Au Hei Man were not answered, while the spouse of Mr Chan Chi Ping advised in the phone call that Mr Chan would not return to the afternoon session of the meeting.

30. Members noted that it was already half an hour past the scheduled time of the afternoon session of the meeting but no representer had turned up. The Chairman suggested and Members agreed that the meeting be adjourned and resumed at 9:00 a.m. on 6.1.2015.

31. The meeting was adjourned at 3:15 p.m.