

1. The meeting was resumed at 9:00 a.m. on 2.7.2024.
2. The following Members and the Secretary were present in the morning session:

Permanent Secretary for Development
(Planning and Lands)
Ms Doris P.L. Ho

Chairperson

Mr Stephen L.H. Liu

Vice-chairperson

Mr Daniel K.S. Lau

Mr K.W. Leung

Professor Jonathan W.C. Wong

Mr Ben S.S. Lui

Mr Timothy K.W. Ma

Professor Bernadette W.S. Tsui

Ms Kelly Y.S. Chan

Dr C.M. Cheng

Mr Daniel K.W. Chung

Mr Rocky L.K. Poon

Professor B.S. Tang

Professor Simon K.L. Wong

Mr Simon Y.S. Wong

Mr Derrick S.M. Yip

Chief Traffic Engineer/New Territories West
Transport Department
Ms Carrie K.Y. Leung

Assistant Director (Environmental Assessment)
Environmental Protection Department
Mr Terence S. W. Tsang

Director of Planning
Mr Ivan M.K. Chung

Fanling, Sheung Shui and Yuen Long East District

Agenda Item 1 (continued)

[Open Meeting (Presentation and Question Sessions only)]

Consideration of Representations in respect of the Draft San Tin Technopole Outline Zoning Plan No. S/STT/1, the Draft Mai Po and Fairview Park Outline Zoning Plan No. S/YL-MP/7 and the Draft Ngau Tam Mei Outline Zoning Plan No. S/YL-NTM/13
(TPB Paper No. 10973)

[The item was conducted in Cantonese, English and Putonghua.]

3. The Chairperson said that the meeting was to continue the hearing of representations in respect of the draft San Tin Technopole Outline Zoning Plan (OZP) No. S/STT/1 (STT OZP), the draft Mai Po and Fairview Park OZP No. S/YL-MP/7 (MP OZP) and the draft Ngau Tam Mei OZP No. S/YL-NTM/13 (NTM OZP) (collectively the draft OZPs).

4. The Secretary reported that on 2.7.2024, the Secretariat of the Town Planning Board (TPB/the Board) received a petition letter jointly submitted by The Conservancy Association (R105 of STT OZP and R6 of MP OZP), 廣州珠灣人和生態環境研究中心 (R106 of STT OZP), the Hong Kong Bird Watching Society (HKBWS) (R109 of STT OZP and R7 of MP OZP), Designing Hong Kong Limited (R112 of STT OZP and R9 of MP OZP) and six other green/concern groups indicating their concerns in respect of the draft OZPs to the Board. The content of the petition letter was generally the same as that of the letter received on 26.6.2024 which had been reported to the Board on the first day of the hearing (i.e. 28.6.2024). The petition letter was submitted after the statutory publication period of the draft OZPs, which should be treated as not having been made under section 6A(3)(a) of the Town Planning Ordinance (the Ordinance). Those who had submitted representations could make their oral submissions at the meeting. The Secretary also reported that Members' declaration of interests had been made in the previous session of the meeting and was recorded in the minutes of meeting on 28.6.2024.

Presentation and Question Sessions

5. The following government representatives (including the consultants), representatives and their representatives were invited to the meeting at this point:

Government Representatives

Development Bureau (DEVB)

Mr Vic C.H. Yau - Director, Northern Metropolis Coordination Office (D of NMCO)

Mr Eric T.H. Chung - Assistant Secretary (Northern Metropolis) (AS(NM))

Environment and Ecology Bureau (EEB)

Mr Desmond C.C. Wu - Principal Assistant Secretary for Environment and Ecology (Nature Conservation) (PAS(NC))

Mr Simon S.W. Wang - Principal Manager (Conservation in Northern Metropolis) (PM(CNM))

Innovation, Technology and Industry Bureau (ITIB)

Ms Vicky Cheung - Principal Assistant Secretary for Innovation, Technology and Industry (PAS(ITI))

Planning Department (PlanD)

Mr K.W. Ng - District Planning Officer/ Fanling, Sheung Shui and Yuen Long East, and Acting Assistant Director of Planning/ New Territories (AD/NT)

Mr Kimson P.H. Chiu	-	Senior Town Planner/Fanling, Sheung Shui and Yuen Long East (STP/FSYLE)
Mr Timothy Y.M. Lui	-	Senior Town Planner/Studies and Research (STP/SR)
Miss Karen K.Y. Chan Mr Louis H.W. Cheung]]	Town Planner/Fanling, Sheung Shui and Yuen Long East (TP/FSYLE)

Civil Engineering and Development Department (CEDD)

Mr Tony K.L. Cheung	-	Project Manager (North) (PM(N))
Mr Gavin C.T. Tse	-	Deputy Project Manager (North) (DPM(N))
Mr Gavin C.P. Wong	-	Chief Engineer/North (CE/N)
Ms Teresa O.S. Ma	-	Senior Engineer (SE/N)

Agriculture, Fisheries and Conservation Department (AFCD)

Mr Simon K.F. Chan	-	Assistant Director (Conservation) (AD(C))
Mr Boris S.P. Kwan	-	Senior Nature Conservation Officer (North) (SNCO(N))
Mr Eric K.Y. Liu	-	Senior Conservation Officer (Technical Services) (SCO(TS))
Ms Virginia L.F. Lee	-	Senior Fisheries Officer (Technical Services) (SFO(TS))

AECOM Asia Company Limited (AECOM)

Mr Martin M.T. Law]	
Ms Becky S.M. Wong]	
Ms H.L. Li]	
Ms Anna Y.M. Chung]	
Ms Avery T.Y. Lam]	Consultants
Mr H.W. Tsang]	
Mr K.B. Yim]	
Ms Hazel W.N. Yun]	
Mr C.L. Yuen]	

Representers and Representers' Representatives

R104 of STT OZP – The Hong Kong Countryside Foundation

Mr Roger Anthony Nissim - Representer's Representative

R105 of STT OZP and R6 of MP OZP – The Conservancy Association

Mr Ng Hei Man - Representer's Representative

R106 of STT OZP – 廣州珠灣人和生態環境研究中心

Mr Lu Zhi Jian] Representer's Representatives

Mr Wu Bing Bin]

R107 of STT OZP – Birdlife International

R657 of STT OZP and R502 of MP OZP – 葉家潤

Ms Yip Ka Yun - Representer and Representer's Representative

R109 of STT OZP and R7 of MP OZP – Hong Kong Birds Watching Society

Ms Wong Suet Mei - Representer's Representative

R111 of STT OZP, R8 of MP OZP and R1 of NTM OZP – The Society for the Prevention of Cruelty to Animals (Hong Kong)

Ms Fiona Margaret Woodhouse] Representers' Representatives
Ms Wong Mei Chi]

R112 of STT OZP and R9 of MP OZP – Designing Hong Kong Limited

Mr Wong Wan Kei Samuel] Representers' Representatives
Mr Paul Zimmerman]

R113 of STT OZP – Doctoral Exchange (博匯智庫)

Mr Cheung Neo Ton Francis] Representers' Representatives
Ms Zhao Jixuan]

R115 of STT OZP and R11 of MP OZP – Ruy Octavio Barretto

Mr Ruy Octavio Barretto - Representer

R117 of STT OZP – 林超英

Mr Lam Chiu Ying - Representer

R120 of STT OZP and R519 of MP OZP – Li Chung Hoi, Tom (李鍾海)

Mr Li Chung Hoi Tom - Representer

R121 of STT OZP and R20 of MP OZP – Lee So Shan

Ms Lee So Shan - Representer
Ms Chow Oi Chuen - Representers' Representative

R390 of STT OZP and R290 of MP OZP – Kung Ching Kiu Jonathan (孔正翹)

Mr Kung Ching Kiu Jonathan - Representer

6. The Chairperson extended a welcome and briefly explained the procedures of the hearing. She said that the presentations made by the government representatives in the morning and afternoon sessions of 28.6.2024 had been uploaded to TPB's website for public

viewing. The representatives from CEDD would be invited to brief Members on the salient points related to the relevant mitigation measures and approval conditions imposed on the approved environmental impact assessment (EIA) Report at this session of the meeting, which would also be uploaded to TPB's website for public viewing. After the presentation of government representatives, the representers and/or their representatives would be invited to make oral submissions. To ensure efficient operation of the hearing, each representer and/or their representative would be allotted 10 minutes for making presentation. There was a timer device to alert the representers and/or their representatives two minutes before the allotted time was to expire, and when the allotted time limit was up. A question and answer (Q&A) session would be held for the respective morning and afternoon sessions. Members could direct their questions to the government representatives (including the consultants), the representers and/or their representatives. After the Q&A session, the government representatives (including the consultants), the representers and/or their representatives would be invited to leave the meeting. After the hearing of all the oral submissions from the representers and/or their representatives, the Board would deliberate on the representations in closed meeting and would inform the representers of the Board's decision in due course.

7. With the aid of a PowerPoint presentation and three video clips, Mr Tony K.L. Cheung, PM(N), CEDD briefed Members on the environmental issues covered in the EIA Report, the assumptions and methodology for formulating the wetland compensation strategy, the birds' flight path/corridor preserved, the enhancement of wildlife corridor, as well as major approval conditions and recommendations attached to the EIA Report.

8. The Chairperson then invited the representers and/or their representatives to elaborate on their representations.

R104 of STT OZP – The Hong Kong Countryside Foundation

9. With the aid of some PowerPoint slides, Mr Roger Anthony Nissim made the following main points:

- (a) he opposed the development of the San Tin Technopole (the Technopole), taking into account the prime ecological location of the wetlands concerned and the substantial scale of proposed development;

- (b) being located adjacent to the Mai Po Inner Deep Bay Ramsar Site (the Ramsar Site) as well as the Mai Po Nature Reserve (MPNR), the development of the Technopole would have substantial impacts on the ecological function of the extensive wetland due to massive scale of construction and site formation works;
- (c) the total planned population of the San Tin area would increase from approximately 18,000 to 165,600 with the development of the Technopole. The technical assessments should take into account human activities arising from a rapid rise of population. Given the large population intake and intrusion of human activities, the ecological character of the entire wetlands would be distorted;
- (d) the total site area of about 1,004 hectares (ha) and the permissible development intensity of the Technopole were considered excessive as compared to those of the Loop and Hong Kong Science Park. The implementation of the Loop was in progress with a planned working/student population of about 50,000. Stage one of the Loop was four times the size of the existing Hong Kong Science Park in terms of development scale. The total gross floor area (GFA) of the Technopole was about 5.7 million m², much larger than that of Hong Kong Science Park which was approximately 330,000 m². The building height (BH) at the Technopole was twice as high as that of the Loop (i.e. around 46 metres above Principal Datum (mPD)-54mPD), which would create disruption to birds' flight corridors/paths; and
- (e) given that the People's Republic of China (PRC) was one of the contracting parties of the Ramsar Convention and the Ramsar Site was listed in 1995, the development of the Technopole at the expense of wetlands, which would affect the integrity of the wetland system, should be reported to the Convention authority prior to the gazettal of the draft OZPs. A precautionary approach should be adopted for ecological conservation.

10. With the aid of a PowerPoint presentation, Mr Ng Hei Man made the following main points:

- (a) he opposed the Technopole development given (i) it was not in line with the earlier recommendations in the 'Study on the Ecological Value of Fish Ponds in the Deep Bay Area' (the Fish Pond Study) in 1997; and (ii) the "Other Specified Uses" ("OU") annotated "Innovation and Technology" ("OU(I&T)") zone on the STT OZP was incompatible with the surrounding village environment;
- (b) based on the scientific survey data collected under the Fish Pond Study, the 'precautionary approach' and 'no-net-loss' principles for future development of the Deep Bay Area had been formulated and adopted. The assessment of the ecology of the fish ponds should not be confined to the San Tin area but also cover the Deep Bay and MPNR areas. The fish ponds in the San Tin area functioned ecologically as a substantial source of food supply for the birds, and thus they were ecologically connected to the MPNR and formed an integral part of the Deep Bay wetland ecosystem. The integral wetland function would be disrupted when more than 90 ha of fish ponds were filled and 247 ha of ecologically sensitive area was destroyed;
- (c) apart from potential impact on the ecologically sensitive area, the Technopole was also not compatible with the rural setting of the San Tin area. There was a lack of development restrictions on the "OU(I&T)" zone on the STT OZP. There was also no conservation element reflected in the planning intention of the "OU(I&T)" zone;
- (d) more than 40 uses were included under Column 1 for the "OU(I&T)" zone, some of which, such as 'Eating Place' and 'Hotel', were considered incompatible with the surrounding environment. Unlike other zonings such as "OU" annotated "Mixed Use" ("OU(MU)"), "Residential (Group A)" with stipulation of plot ratio (PR) restriction under the Remarks of the Notes of OZP, or "OU" annotated "Comprehensive Development to include Wetland Restoration Area" ("OU(CDWRA)") and "OU" annotated "Comprehensive

Development and Wetland Enhancement Area” (“OU(CDWEA)”) zones with specification on the submission of layout plan and some technical assessments for the Board’s consideration, there were no development restrictions such as maximum GFA, PR or submission of layout plan stipulated under the Remarks of the “OU(I&T)” zone. While flexibility should be given for the development of innovation and technology (I&T), a balance should be struck between environmental conservation and development;

- (e) while a stepped BH profile was incorporated under the STT OZP ranging from 15mPD, 35mPD to 130mPD from the north to the south within the “OU(I&T)” zone near the “Village Type Development” zone covering the recognised village of Lok Ma Chau (LMC), a drastic change in BH from 35mPD to 130mPD was not only undesirable from urban design perspective but also incompatible with the adjacent rural setting such as village of LMC. While the 300m-wide birds’ flight corridor was preserved by the designation of the non-building area (NBA) largely covered in the northern part of Planning Area 19A, it did not dovetail with the corridor set aside for birds’ flight path in the Loop. The effectiveness of the 300m-500m wide flight corridor recommended in the EIA Report of the Loop, acting as an undisturbed natural habitat to provide ecological connectivity between the Loop and its surrounding environment, was in doubt;
- (f) AFCD’s fisheries research centre with a BH of 15mPD was proposed within the “OU (I&T)” zone, and it fell within the 300m-wide birds’ flight corridor. Given the large number of permitted Column 1 uses for the “OU(I&T)” zone, it would be more appropriate to have specified/tailor-made zoning for the fisheries research centre lest the current zoning should make some incompatible developments in place, thus affecting the designated birds’ flight path; and
- (g) the large-scale pond filling would destroy the wetlands of international and national importance in the region. Some suggestions as detailed in the representation submission should be taken into account in formulating the planning principles for the future development of the Technopole.

R106 of STT OZP – 廣州珠灣人和生態環境研究中心

11. With the aid of some photos, Messrs Lu Zhi Jian and Wu Bing Bin made the following main points:

- (a) 廣州珠灣人和生態環境研究中心 was a non-governmental organisation concerned with ecological conservation to achieve cross-boundary wetland integrity;
- (b) the Technopole development was not supported as it went against five major planning principles/regulations at the national and regional levels. From a broader perspective, such a proposal would depart from the national principle of ‘prioritising ecological conservation and pursuing green development’ (生態優先, 綠色發展). It was also considered against the principle of avoidance that wetlands were not allowed to be involved in any construction project according to the Wetland Conservation Law of the PRC. Besides, under the national strategy of the ‘Outline of 14th Five-Year Plan for National Economic and Social Development of the PRC and the Long-Range Objectives Through the Year 2035’ (the National 14th Five-Year Plan), it emphasised the protection of wetlands/coastal management and increased the wetland protection rate up to 55%;
- (c) in terms of regional perspective, such proposal breached the objective of establishing an ecological protection barrier and joining hands to introduce measures to protect cross-boundary coastal wetlands as outlined in the ‘Outline Development Plan for the Guangdong-Hong Kong-Macao Great Bay Area’. The mutual agreement on cross-boundary conservation under the framework arrangement for the conservation of Shenzhen Bay (Deep Bay) wetlands was also contravened;
- (d) to take forward the proposal, about 150 ha wetlands accounting for approximately 8.6% of the wetlands in the Ramsar Site would be compromised, and segregated in the east and west. The high-rise building would threaten

the flight paths of migratory birds. The ecological integrity of the wetland system as well as the biodiversity would be significantly affected;

- (e) specifically, such development approach not only breached the ecological red line (生態紅線) that restricted development in ecologically sensitive areas at the national level but also the principles stipulated in the Town Planning Board Guidelines for Application for Developments within Deep Bay Area under Section 16 of the Town Planning Ordinance (TPB PG-No. 12C);
- (f) to echo the above planning principles/regulations, the site area of the Technopole development should be adjusted to minimise encroachment onto the wetlands of international importance. Development in Planning Area 19B (i.e. an ecologically sensitive area) should be avoided. Despite the claim made by the Government that the Technopole development had not encroached on the Ramsar Site, development near the ecologically sensitive area was unacceptable;
- (g) with reference to the practices in the Mainland, only necessary infrastructure could be developed at ecologically sensitive areas, which were subject to assessment and approval by the State Council. In the case of the railway development in Shenzhen, to avoid encroachment onto the Tanglang Shan country park (塘朗山郊野公園), the railway alignment connecting to Xili Station (西麗站) was adjusted from Tanglang Shan to the northern part of Shenzhen, demonstrating how to strike a balance between conservation and development; and
- (h) the principle of ‘Restore First, Build Later’ and ‘precautionary measures’ should be adopted, aiming to conserve and minimise the irreversible impacts on the fish ponds and wetlands before commencing the development proposal. Other alternative proposals, such as designating areas to the south-east of the Loop as I&T land, should be explored so that the existing network of wetlands would be maintained, which was crucial for wetland conservation.

R107 of STT OZP – Birdlife International

R657 of STT OZP and R502 of MP OZP – 葉家潤

12. Ms Yip Ka Yun played a video for oral presentation of Mr Dong Li Yong (the representative of Birdlife International) who made the following main points:

- (a) he, being the regional co-ordinator of Birdlife International, expressed grave concern on the Technopole development and requested the Board to reconsider the proposal, taking account of the significant impact on the wetlands in a wider context;
- (b) the Inner Deep Bay Wetlands (including Mai Po Marshes) were the most important wetlands in Asia for migratory species (at least 20 species) and for species in the East Asian-Australian Flyway (EAAF). It was highly recognised as an important Bird and Biodiversity Area and as a key Biodiversity Area by the Convention of Biological Diversity. It was one of the 50 most important wetlands in China;
- (c) over the past 30 years, most of the Inner Deep Bay and Shenzhen River catchment area had been protected by the designation of Wetland Conservation Area (WCA) and Wetland Buffer Area (WBA) under the TPB PG-No. 12C. Designating the ecologically sensitive area under the “OU(I&T)” zone on the STT OZP would inevitably result in the conversion of the existing wetlands into a development area;
- (d) specifically, more than 200 species of birds were recorded in the fish ponds. Owing to habitat loss arising from the Technopole development, many globally threatened species in the wetlands would be affected. Out of those species, 117, 19 and 33 were of conservation concern, globally threatened species and nationally protected wild animals respectively (which included Yellow-breasted Bunting (*Emberiza aureola*) (黃胸鵪), Black-faced Spoonbill (*Platalea minor*) (黑臉琵鷺), Sharp-tailed Sandpiper (*Calidris acuminata*) (尖尾濱鵪)). Developing the wetland would further threaten the population and

survival of these endangered bird species;

- (e) given the prime ecological location of San Tin (i.e. being located adjacent to the Ramsar Site), the damage to the ecological integrity of the wetland would be irreversible, and the Inner Deep Bay and Shenzhen River catchment area would be affected. To protect the overall ecological integrity, it was essential for the wetlands within the Ramsar Site to be protected together with the adjacent ecologically connected wetlands and fish ponds;
- (f) in a wider context, the Technopole development would also have a detrimental impact on the Shenzhen Bay areas, resulting in habitat fragmentation and overall loss of ecological functions;
- (g) approval of the draft OZPs would set an undesirable precedent of development encroaching onto the protected fish ponds and wetlands in the Deep Bay Area. Given the loss of 150 ha of WCA and hundreds of surrounding existing fish ponds or wetlands, the EIA Report failed to demonstrate how the wetland loss could be compensated; and
- (h) the draft OZPs should be further revised to address the above issues and demonstrate the regional commitments to environmental conservation.

R109 of STT OZP and R7 of MP OZP – HKBWS

13. With the aid of a PowerPoint presentation, Ms Wong Suet Mei made the following main points:

- (a) she opposed the Technopole development due to the deficiencies of the EIA Report conducted earlier in support of the proposed development;
- (b) while I&T development at the Technopole would create synergy effect with the Loop, Shenzhen and the Greater Bay Area (GBA), the ecological integrity within the whole Inner Deep Bay Area and Shenzhen River catchment area

should not be overlooked;

- (c) according to the findings of the Fish Pond Study, the designation of WCA and WBA was to protect the ecological integrity of the Deep Bay Area against proliferation of developments. Despite the dwindling wetland areas by 30% in Hong Kong and Shenzhen as compared to 30 years ago, the coastal wetland system in the Inner Deep Bay Area remained the most comprehensive one in the GBA;
- (d) the Technopole development took up about 10% of the total WCA of 1,500 ha. As elaborated by Birdlife International (i.e. R107 of STT OZP), the fish ponds and wetlands to be affected by the Technopole development were supporting high bird diversity. Among 200 species of birds recorded in San Tin, 31 species were in Red List of China's Vertebrates (中國脊椎動物紅色名錄), which were endangered species. According to the survey conducted in 2023, 78 globally protected Black-faced Spoonbills (*Platalea minor*) (黑臉琵鷺) were recorded in San Tin, accounting for approximately 30% and 1% of the total number in the Deep Bay Area and the world respectively;
- (e) the technical assessment focusing on individual and isolated fish ponds might underestimate the ecological value of the wetlands concerned and the ecological impact arising from the loss of fish ponds and wetlands as a whole;
- (f) there was no re-submission or further public consultation on the EIA Report with the fish ponds included in the proposed development of the Technopole, resulting in loss of 150ha wetland. When the Northern Metropolis Development Strategy (NMDS) was promulgated in October 2021, no wetlands would be affected. Until May 2023, the scale of the Technopole had been expanded at the expense of wetlands. Although the EIA Report was approved with conditions by the Director of Environmental Protection (DEP), the Board should be an independent statutory body responsible for considering and deciding on any recommendations related to planning applications/OZP amendments put forward by the proponents or government

bureaux/departments (B/Ds), and properly performing its gatekeeping function;

- (g) the findings of the EIA Report in support of the Technopole development were not reliable due to deficiencies in methodologies and baseline survey adopted. Given that the assessment area in the EIA Report did not cover the entire Ramsar Site, other compensatory wetlands and buffer areas (i.e. 500m outside the compensatory wetlands), the conclusion that there was no change in the ecological characters of the Ramsar Site after implementing the proposed mitigation measures was doubtful;
- (h) in the absence of a comprehensive baseline survey and due to limited survey field data in the EIA Report, the conclusion that the ecological functions of the fish ponds to be filled within the area around the San Tin/Lok Ma Chau area (the STLMC area) were relatively low was not justified. For those fish ponds, despite with no fish farming activities or being abandoned for years and might not have the same ecological value as the active fish ponds, still supported a variety of bird species;
- (i) the Government's claim that extensive ecological information within the study area had already been provided in the EIA Report, including information on the Nature Conservation Management Agreement Scheme since 2012, was questionable. The literature review in the EIA Report was limited in scope and did not reflect other relevant research results of ecological surveys;
- (j) given some textual errors were found in the ecological baseline survey, relevant government departments, including AFCD and Environmental Protection Department (EPD), should act as gatekeepers to verify the accuracy of the assessment;
- (k) the direct loss of foraging grounds in the egrettries was underestimated. Over the past 20 years, the Mai Po Lung Village (MPLV) (米埔隴村) and Mai Po Village (MPV) (米埔村) egrettries had supported nearly 200 nests of breeding ardeids, in particular, Little Egret (*Egretta garzetta*) (小白鷺), Chinese Pond

Heron (*Ardeola bacchus*) (池鷺), accounting for one third and one quarter respectively, of their total population in Hong Kong. While the potential impacts on their flight path were assessed in the EIA Report, the exact locations of roosting areas were not provided in the EIA Report. The assessment had overlooked the ecological impact on the egrettries without taking into account the loss of foraging grounds caused by the loss of fish ponds;

- (l) about 150 ha of WCA had been designated as “OU(I&T)” zone on the STT OZP, with 44 uses under Column 1 which were always permitted. Potential impact of such permitted uses had not been assessed in the EIA Report. The “OU(I&T)” zone in Planning Areas 19B and 19C should be reverted to the original WCA to adhere to the principles of ‘precautionary approach’ and ‘no-net-loss in wetland’;
- (m) to put the area of and around the egrettries under the “Open Space” (“O”) zone was not an efficient measures to preserve the egrettries given that there were a number of permitted Column 1 uses under the “O” zone and the planning intention of it was not for conservation purpose. With reference to the EIA Report of the Loop and the flight path of Black-faced Spoonbill (*Platalea minor*) (黑臉琵鷺), the designation of a 300m-wide east-west birds’ flight corridor near the LMC Boundary Control Point (LMC BCP) was also insufficient. Wider NBAs should be provided in Planning Areas 16A, 17, 18 and 19A to avoid or minimise the fragmentation of birds’ flight corridor;
- (n) there was also concern on the provision for seeking minor relaxation of BH restriction under the Remarks of the STT OZP as there was no further elaboration on the planning considerations applicable to such planning permission for minor relaxation and no mention of whether the principles of ‘precautionary approach’ and ‘no-net-loss in wetland’ under the TPB PG-No. 12C would be adopted to assess such application. Relevant remarks on restrictions on development as adopted in the TPB PG-No. 12C should be incorporated in the Notes of the respective zonings; and

- (o) while the planning intention of the “OU” annotated “Wetland Conservation Park” (“OU(WCP)”) zone on the MP OZP was for conservation of wetland as well as to compensate for impact on ecological and fisheries resources arising from the development of the Technopole, thus achieving ‘co-existence of development and conservation’, reference should be made to the planning intention of the “OU” annotated “Nature Park” zone (“OU(Nature Park)”) in Long Valley, which stipulated that new development was discouraged within the Nature Park.

R111 of STT OZP, R8 of MP OZP and R1 of NTM OZP – The Society for the Prevention of Cruelty to Animals (Hong Kong)

14. Ms Fiona Margaret Woodhouse made the following main points:

- (a) she opposed the Technopole development due to concerns about the need to maintain biodiversity at national and local levels;
- (b) the Central People’s Government had committed to promoting biodiversity, halting and reversing the trend of biodiversity loss, as evidenced by its involvement in the Kunming-Montreal Global Biodiversity Framework and the National Biodiversity Strategy and Action Plan. Currently, the Mainland paid due attention to small and micro wetlands, with initiatives on converting farmlands into wetlands, restoring degraded wetlands and improving the ecological landscape. Owing to its unique ecosystem, the Mai Po Marshes were important wetlands for species in the EAAF. More than 17 Black-faced Spoonbills (*Platalea minor*) (黑臉琵鷺) were observed at the wetland. Hong Kong’s role in promoting biodiversity should not be overlooked;
- (c) the Technopole development at the wetlands would directly put the high ecological value wetland system at risk, resulting in the fragmentation of wetlands and creating limited wildlife space. Such development would deviate from the Hong Kong Biodiversity Strategy and Action Plan;
- (d) the assessments on impact on wildlife species and hence the proposed

compensation for wetland loss were inadequate given that only a few species of conservation importance were taken as target indicators for evaluation. There was a significant gap in identifying and protecting biodiversity loss, leading to inadequate efforts for wetland conservation;

- (e) the Government's argument to enhance ecological function by the pond drain-down measure was not justified. Although individual fish ponds were small in size, their ecological impact should not be overlooked;
- (f) the sustainable principle should be adhered to, aiming to achieve harmony between human activities and wildlife conservation. In the absence of scientific observations, the Technopole development conflicted with the planning concepts of 'sponge city' and 'carbon neutrality' to combat climate change and achieve biodiversity; and
- (g) the Board should reconsider whether the Technopole development was justified, and whether the development scale should be reduced, the proposal revised, and other alternatives explored to ensure that the ecosystem and wildlife would not be adversely affected.

R112 of STT OZP and R9 of MP OZP – Designing Hong Kong Limited

15. With the aid of a PowerPoint presentation, Mr Paul Zimmerman made the following main points:

- (a) he opposed the Technopole development, considering the significant impact on the wetlands and buffer areas;
- (b) the current proposal deviated from the earlier submission discussed in Legislative Council (LegCo) in March 2021, where the Government indicated no intention to involve development in the existing WCA. For WBA, any development should be supported by an ecological impact assessment to demonstrate that there would be no environmental interface issue with WCA and that negative disturbance of developments would be buffered from the

wetlands in the WCA. On that basis, an area of about 520 ha was designated as Sam Po Shue Wetland Conservation Park (SPS WCP) to integrate the wetlands into the Northern Metropolis (NM). However, such proposal was later revised, reducing the total area of SPS WCP from 520 ha to 300 ha in 2023;

- (c) while funding for the Technopole was in progress (i.e. seeking funding approval from LegCo for the commencement of phase one stage one in site formation and infrastructure), there was a lack of details on funding, timeframe and action plan for the implementation of SPS WCP. Noting that the Technopole was put forward, there was no concerted effort to conserve the wetlands and prevent incompatible land uses in ecologically sensitive areas;
- (d) the need for massive land for I&T purposes was not justified. There was a sizable land supply for I&T development, such as Hong Kong Science Park, Cyberport, Global Innovation Centre in Po Fu Lam, and East Kowloon; and
- (e) with the rapid emergence of Shenzhen as I&T hub, Shenzhen was considered a partner of Hong Kong rather than being a competitor in terms of cross-boundary economic integration. Hong Kong had its own advantages with its world-renowned ecological area, which should be duly protected.

[Mr Timothy K.W. Ma left this session of the meeting during the presentation of R112 of STT OZP and R9 of MP OZP.]

R113 of STT OZP – Doctoral Exchange (博匯智庫)

16. With the aid of some photos/plans, Mr Cheung Neo Ton Frances made the following main points:

- (a) he supported I&T development at a suitable location. The Technopole, comprising the Hong Kong-Shenzhen Innovation and Technology Park (HSITP) at the Loop and an expanded STLMC area, would promote science

and technology innovation, establish an internationally competitive base for transformation, and create a platform for science and technology cooperation;

- (b) having said that, he was concerned that the Technopole was being taken forward at the expense of filling 150 ha of ponds. While the proposal was supported under the national strategy, there was no specification on the exact location of the I&T centre. High-end I&T development should be pursued without compromising a high-quality ecological environment;
- (c) to strike a balance between development and nature conservation, there was a more desirable alternative proposal, which was government land on hillslope zoned “Green Belt” (“GB”) with an area of 200 ha, to the southeast of the Loop;
- (d) the alternative proposal could maintain a similar development scale for the intended I&T development while avoiding the loss of 150 ha of fish ponds. The design layout of the I&T development would be more compatible with the surrounding village setting with no filling of ponds. The mountainous terrain to the south of the Loop could be utilised as a backdrop for future stepped BH design, similar to other developments in Hong Kong;
- (e) in terms of transport connectivity, the alternative proposal to designate I&T land to the southeast of the Loop could fully capitalise on the strategic location of the Northern Link (NOL) Main Line, transport node at LMC Spur Line and the proposed Kwu Tung Station of NOL, connecting to the cross-boundary transport. On the contrary, the current location of the proposed I&T land, being distant from the NOL, could not benefit from the enhancement of transport connectivity brought by NOL, particularly for I&T land near Chau Tau;
- (f) from a financial perspective, the alternative proposal was more feasible than the current proposal. Only government land would be involved without necessitating resumption of private land, while the current proposal would involve a lot of private land;

- (g) as long as no pond filling would be involved, the designation of the “OU(I&T)” zone at the Technopole was supported to cater for the operational requirement of I&T development. Carving out land for I&T development should fulfill the Urban Design Guidelines under the Hong Kong Planning Standards and Guidelines, such as stipulation of BH restriction, provision of NBA and control on building bulk. The 20m-35m wide NBA of “OU(I&T) zone” was not adequate to serve as a buffer area after deducting the areas for vehicular and pedestrian accesses and amenity under the current proposal; and
- (h) he appealed to the Board to consider the alternative proposal.

R115 of STT OZP and R11 of MP OZP – Ruy Octavio Barretto

17. With the aid of a plan, Mr Ruy Octavio Barretto made the following main points:

- (a) he opposed the Technopole development, considering its departure from the high-level policy directive under the NMDS, which aimed to integrate with the GBA and protect wetlands and buffer areas with action plan to establish SPS WCP of 520 ha;
- (b) the wetland system in Hong Kong was proactively managed to protect the birds’ flight path to the Mainland. The flight paths of migratory birds from the north to the south, and from the east to the west, leading to the Mainland and the location of SPS WCP were illustrated in the NMDS, which provided a detailed account of the planning background and objectives of development. The Government’s argument that the extent of the proposed SPS WCP under the NMDS was a conceptual plan was invalid;
- (c) against this backdrop, Hong Kong was responsible for protecting the flight paths of birds and the comprehensive wetland system. The large-scale development at the Technopole would result in fragmentation of wetlands and hence obstruction to birds’ flight paths;
- (d) from a people-oriented perspective, the Technopole development also

conflicted with the action plans in the NMDS, including the provision of green conservation area for people going east and west and the creation of an ecological habitat network;

- (e) the Board, in considering the draft OZPs, should not override or be in conflict with the high-level policy directive of the NMDS to protect the ecologically important wetlands. To prevent ecological loss, principle of “avoidance of development” should be adopted;
- (f) while the Technopole would be implemented,, there were still no details on the financial arrangement and implementation programme for SPS WCP;
- (g) given the abundant land available for I&T development in Hong Kong, such as the Hong Kong Science Park, the development of the Technopole at the expense of wetlands was not necessary. The Technopole would accommodate a total GFA equivalent to around 17 Science Parks. Hong Kong should not compete with Shenzhen in terms of scale of I&T development. There was a lack of justifications to support the planning intention and the extensive area of the Technopole; and
- (h) destruction of fish ponds and patches of farmland was unacceptable. The development of the Nature Park at Long Valley, with clearance of existing natural farmland and recreation of a nature park, should not be regarded as a good example of mitigation measure and should not be followed.

R117 of STT OZP – 林超英

18. Mr Lam Chiu Ying made the following main points:

- (a) while the Government’s intention to develop an I&T hub was supported, he, as a nature observer, scientist and patriotic resident, opposed the development of the Technopole development at the expense of wetlands adjacent to the Ramsar Site;

- (b) at the national level, under the new era of ecological civilisation, wetland protection to restore the degraded environment was highly emphasised by the Mainland. Over the years, concerted efforts had been made to strengthen ecological conservation and environmental protection across regions in the Mainland. In fostering high-quality development, environmental conservation was accorded top priority. Lucid waters and lush mountains were regarded as invaluable assets, and high-quality development did not equate to I&T industries;
- (c) under the National 14th Five-Year Plan, conservation-related works, including ecological protection, restoration of wetlands and coastal management, should be strengthened. Reclamation and coastal development were also strictly restricted;
- (d) at the international level, the Mainland had played a leading role in promoting wetlands conservation, such as hosting the 14th Meeting of Conference of the Contracting Parties to the Ramsar Convention on Wetland in 2022, setting up protection of four flyways for migratory birds, and designating Shenzhen Futian Mangrove Wetland as Wetlands of International Importance under the Ramsar Convention. Those measures had increased the coverage of wetlands of international importance and improved wetland ecosystem, ultimately protecting the authenticity and integrity of ecosystems;
- (e) at the regional level, the Technopole development would contradict the action plan of cross-boundary ecological conservation as advocated in the ‘Outline Development Plan for the Guangdong-Hong Kong-Macao Greater Bay Area’. The plan aimed to strengthen the protection and restoration of wetlands and comprehensively protect key wetlands of international and national importance in the region;
- (f) on that basis, the development at the wetlands would conflict with the national policy of ecological conservation and national commitments to wetland protection and ecological conservation, directly affecting the relationship between the Mainland and adjoining cities;

- (g) under the policy of 'One Country, Two Systems', Hong Kong as an inalienable part of the Mainland, should contribute to implementing national policy on ecological security by avoiding development at the wetlands;
- (h) the ecological significance of wetlands in San Tin was comparable to the Ramsar Site, and the wetlands concerned should be incorporated as part of the Ramsar Site; and
- (i) the Board should reconsider whether it was necessary to involve wetlands for further expansion of the I&T centre on top of HSITP and the feasibility of the alternative proposal as mentioned by Mr Cheung Neo Ton Frances (i.e. representative of R113 of STT OZP).

R120 of STT OZP and R519 of MP OZP – Li Chung Hoi, Tom (李鍾海)

19. With the aid of a PowerPoint presentation, Mr Li Chung Hoi, Tom made the following main points:

- (a) as a researcher in bird ecology, he opposed the Technopole development;
- (b) the Technopole development at the wetlands was not in line with the 'precautionary approach' under the TPB PG-No. 12C. Given the uncertain response of birds to future change in land use and carrying capacity, which had not been fully articulated according to the Fish Pond Study, the 'precautionary approach' was recommended to protect and conserve the existing ecological functions of fish ponds;
- (c) according to the Fish Pond Study, a higher bird usage had been observed to correlate with ponds which were contiguous and covered a larger continuous area, as opposed to fragmented and isolated ponds. Such observation also aligned with species-area relationship in the ecological field. The size and continuity of fish pond habitats positively correlated with bird species, and larger and continuous clusters of fish ponds could support a greater variety of

bird species due to ample food and roosting grounds;

- (d) the Technopole development was not in line with the principle of ‘no-net-loss in wetland’ stipulated in the TPB PG-No. 12C concerning the size of wetlands and their ecological functions. The Government’s argument that the impact on ecological resources arising from the Technopole development (i.e. loss of more than 100 ha of wetlands) could be compensated by enhancing the existing wetlands and fish ponds in the proposed SPS WCP, thereby achieving no-net-loss in ecological functions and wetland capacity, was doubtful. According to the survey conducted by American researcher(s), the diversity and abundance of bird species were largely dependent on the size of wetlands rather than the physical environment of habitats. Reduction in wetland areas would lead to a decrease in the number of rare species, including winter visitors like Baer’s Pochard (*Aythya baeri*) (青頭潛鴨), previously recorded in San Tin. Raptors such as Pied Harrier (*Circus melanoleuco*) (鵲鷄), which required larger wetland habitats, had also been observed in San Tin. It was anticipated that these species might no longer be found if the wetlands were lost;
- (e) due to the limited scope of assessment, the EIA Report had failed to comprehensively review the potential ecological value of the affected wetlands. The ecological impact might be underestimated as only eight waterbird species were selected as target indicator species for assessment out of the 209 bird species recorded in the concerned wetlands;
- (f) other bird species were not taken into account in the EIA Report. Over the past 20 years, the population of some bird species had dramatically declined in the Deep Bay Area (e.g; Green Sandpiper (*Tringa ochropus*) (白腰草鷗), Common Moorhen (*Gallinula chloropus*) (黑水雞)) out of unknown reasons and such phenomenon should be subject to further study. Development in wetlands would further threaten their population and survival;
- (g) other non-waterbird species found in wetlands were not mentioned in the EIA Report (e.g. Yellow-breasted Bunting (*Emberiza aureola*) (黃胸鵪), Collared

Crow (*Corvus torquatus*) (白頸鴉)). These species were highly dependent on wetlands for feeding and roosting habitats. It was anticipated that the number of those non-waterbird species could be greater than that of waterbird species. Since the EIA did not take into account the ecological impact on such species due to pond filling, the overall impact might have been underestimated;

- (h) the EIA Report was not comprehensive as it covered assessments on the conditions/population of waterbirds in dry season only. The use of fish ponds by birds during peak breeding seasons (e.g. summer) was not reflected. Some species, including Yellow Bittern (*Ixobrychus sinensis*) (黃葦鴉) and White-breasted Waterhen (*Amaurornis phoenicurus*) (白胸苦惡鳥), were often observed using fish ponds as breeding grounds in the summer, which was crucial for sustaining local species;
- (i) the 12-month ecological survey was not sufficient to cover fluctuations in the population of waterbirds over years, which might underestimate the impacts on the ecological functions and carrying capacity of fish ponds in San Tin; and
- (j) the EIA Report was overly simplified without a comprehensive review of the species involved in the concerned wetlands, potentially leading to irreversible ecological impacts.

R121 of STT OZP and R20 of MP OZP – Lee So Shan

20. With the aid of a PowerPoint presentation and a visualiser, Ms Lee So Shan and Ms Chow Oi Chuen made the following main points:

- (a) as a Hong Kong citizen and a birdwatcher, Ms Lee was concerned about the rights of wildlife in Hong Kong;
- (b) while Hong Kong was a well-developed city with high-rise buildings, birds still came over to Hong Kong, demonstrating the importance of the remaining fish ponds and wetlands. There were only a few fish ponds/wetlands left in Hong

Kong and further reduction of those habitats would be a significant issue;

- (c) Hong Kong should promote green travel by conserving and making use of wetlands as eco-tourism spots rather than destroying them. The beautiful natural landscape with fish ponds and wetlands of high biodiversity in San Tin, should be preserved for the enjoyment of visitors. However, such natural landscape was being threatened by the development of the Technopole;
- (d) in June 2021, the San Tin/Lok Ma Chau Development Node (ST/LMC DN) project was discussed at the LegCo Public Works Subcommittee meeting. In October 2021, the then Chief Executive announced the development of the Technopole and three wetland parks (including Sam Po Shue, Hoo Hok Wai and Nam Sang Wai). While the Government had mentioned the possibility of expanding the scale of Technopole development, it was not expected to be as large as currently proposed;
- (e) in connection with the proposed development of three wetland parks mentioned above, AFCD commissioned an 18-month ‘Strategic Feasibility Study on the Development of the Wetland Conservation Parks System under the Northern Metropolis Development Strategy’ (WCP Study) in August 2022 to delineate the boundaries of the proposed wetland parks. Under the WCP Study, the study area of the proposed SPS WCP covered 520 ha of WCA and 50 ha of WBA. In 2023, DEVB submitted to the LegCo the proposal for the Technopole development, which involved doubling the size of the original proposal with some overlapping area with SPS WCP, and also commenced the public engagement exercise before the completion of the WCP Study and the availability of findings on the ecological value of the affected wetlands;
- (f) according to NMDS announced in 2021, it was stated that “the remaining fish ponds located in the WCA, i.e. those near the Ramsar Site, can be developed as SPS WCP covering an area of about 520 ha”. However, in response to the media enquiry on 18.5.2023, the Government stated that the establishment of SPS WCP served as a mitigation measure and regarded it as compensation for the Technopole development. The proposed area of SPS WCP was also

reduced to about 300 ha;

- (g) under the current proposal, the proposed SPS WCP covered an area of about 338 ha, but details of the WCP were yet to be available. It was doubtful if the establishment of SPS WCP could compensate for the loss of affected wetlands due to the implementation of the Technopole;
- (h) although fish ponds could potentially be developed as eco-tourism resources, the proposed pond filling did not align with the concept of “tourism is everywhere” (無處不旅遊) as promoted by the Government;
- (i) Xixi Wetlands (西溪濕地) in Hangzhou was not a good reference for the Technopole development. In Xixi Wetlands, only low-rise scattered buildings were found, whereas there would be many high-rise buildings as shown on the notional drawings of the Technopole from the Government. The Government should not give the public the wrong impression that reference was made to Xixi Wetlands for the planning of the Technopole development; and
- (j) the Government expressed its intention to resume private land for conservation for the first time, but had been yet announced the amount, location and timeline for land resumption. The Government should be reminded to uphold its commitment and promises.

[The meeting was adjourned for a 15-minute break.]

21. As the presentations of government representatives, the representers and/or their representatives in this session had been completed, the meeting proceeded to the Q&A session. The Chairperson explained that Members would raise questions and the Chairperson would invite the representers, their representatives and/or the government representatives (including the consultants) to answer. The Q&A session should not be taken as an occasion for the attendees to direct question to the Board or for cross-examination between parties. The Chairperson then invited questions from Members.

Wetland and Environmental Conservation Policies of the Mainland

22. In response to a Member's question on whether the Technopole proposal had contravened the wetland and environmental conservation policy of the Mainland as suggested by some of the representers (e.g. Mr Lam Chiu Ying (R117 of STT OZP)), Mr Vic C.H. Yau, D of NMCO, DEVB made the following main points:

- (a) the implementation of the Technopole should comply with relevant legislations and applicable requirements in Hong Kong, including the Environmental Impact Assessment Ordinance (EIAO) and the Ordinance;
- (b) Article 1 of the Wetland Conservation Law of PRC stated that "This Law is enacted to strengthen wetland conservation, maintain the ecological functions and biodiversity of wetlands, ensure ecological security, promote the ecological conservation and environmental protection ..." and Article 19 stated that "... The site selection and route selection of a construction project shall avoid wetlands. If not possible, the occupation of wetlands shall be reduced as much as possible, and necessary measures shall be taken to mitigate the adverse impact on the ecological functions of the wetlands ..." Planning for the Technopole was consistent with the spirit of the Wetland Conservation Law;
- (c) I&T land currently proposed at the Technopole was so located to create synergy with the HSITP in the Loop and the Shenzhen's I&T Park. In choosing sites for development, priority had been given to using formed or idle land such as brownfield sites for I&T development. Site selection was constrained by the presence of the nearby mountainous areas which were not suitable for I&T development as explained before. With such considerations, some pond filling was proposed but had been minimised and wetland enhancement measures were proposed to achieve positive enhancement in the ecological function and capacity of the concerned wetlands; and
- (d) close liaison was maintained with the Mainland on the proposed Technopole development. Referring to Mainland experiences, Hangzhou had also undergone a similar development process where some wetlands were used for

economic development, and selected wetlands were preserved by the Government for tourism and recreational development, and part of it had been designated a Ramsar Site. Their experiences in monitoring wetland conservation with inclusion of recreational function were good reference to the project team in taking forward the Technopole development.

23. Mr Simon K.F. Chan, AD(C), AFCD supplemented the following main points:
- (a) the Government always maintained close dialogue with relevant departments in the Mainland on various environmental issues;
 - (b) the Ramsar Site would remain untouched in its totality with the Technopole development. After implementing the proposed mitigation measures as recommended in the approved EIA Report, there would be no change in the ecological characters of the Ramsar Site;
 - (c) with the establishment of the 338 ha-SPS WCP, there would be no-net-loss in the ecological function and capacity in the area, upon development of the Technopole. The ecological value of the wetlands in SPS WCP would be further enhanced, facilitating foraging of waterbirds;
 - (d) AFCD had already communicated with the Department of Wetland Management under the National Forestry and Grassland Administration (國家林業和草原局濕地管理司) on the matter and kept them informed. The Department took note of AFCD's position with no differing views; and
 - (e) to align with the 'Outline Development Plan for the Guangdong-Hong Kong-Macao GBA' to facilitate the implementation of the proposals laid down in the NMDS, AFCD signed a framework arrangement for the conservation of Shenzhen Bay (Deep Bay) wetlands to establish sister wetlands between the Ramsar Site and the Guangdong Neilingding Futian National Nature Reserve in January 2023, with a view to strengthening the synergy on conservation work in the GBA through close liaison and collaboration between the two

parties.

Validity of EIA

24. A Member said that some of the representers raised comments on the EIA Report that, for example, the EIA assessment area did not cover the entire Ramsar Site; there were insufficient surveys/investigation routes, only eight bird species were covered by the ecological survey, etc. In response, Mr Tony K.L. Cheung, PM(N), CEDD, with the aid of some PowerPoint slides, made the following main points:

- (a) based on the requirements stipulated under the EIA Study Brief, an assessment area that covered 500m from project boundary was adopted. Apart from the baseline ecological survey conducted for the assessment area, HKBWS' monthly data, including bird count data were also obtained from AFCD. Under the calculation of wetland compensation requirement, HKBWS' data were used as far as possible, while it had been duly considered and supplemented by survey data from the ecological survey to fill the data gap. Apart from the above, references had also been made to previously approved EIA reports and relevant literature in conducting the EIA;
- (b) according to the baseline ecological survey conducted by CEDD's consultants, a total of 152 bird species were recorded, of which 68 species were of conservation importance. A total of 98 bird species were assessed under the EIA with reference to relevant literature and research information/data. Bird species worthy of protection included Black-faced Spoonbill (*Platalea minor*) (黑臉琵鷺), Sharp-tailed Sandpiper (*Calidris acuminata*) (尖尾濱鷸), Red-necked Stint (*Calidris ruficollis*) (紅頸濱鷸) and other wetland-dependent species. The EIA had comprehensively reviewed all bird species within the assessment area; and
- (c) for deriving the required wetland area for enhancement, a calculation on offsetting the decrease in functional value (i.e. bird abundance) due to pond filling by the increase in functional value through wetland enhancement within

the proposed SPS WCP was conducted in the EIA. Under the calculation, four large waterbird species, which were key species using the pond habitats and with high disturbance sensitivity, were selected as indicator species for calculation purposes. When mitigation targets could be achieved for these larger and disturbance sensitive species, similar or higher levels of enhancement for other less sensitive wildlife species could be achieved. As the figures on bird count were dynamic over time, emphasis would therefore be put on the overall enhancement of the ecological function and capacity of the wetlands within SPS WCP. The Government would be responsible for the conservation work of SPS WCP.

Ecological Value of Fish Ponds and Wetlands

25. A Member said that in CEDD's earlier presentation in this session of the meeting, it was mentioned that the ecological value of fish ponds was largely attributed to fish farming activities and feeding of birds with fish. There was no ecological value for drained ponds drying under the sun. In response to the Member's request for further elaboration on the above and any additional information on abandoned fish ponds and their ecological value, Mr Tony K.L. Cheung, PM(N), CEDD, with the aid of some PowerPoint slides, made the following main points:

- (a) "drying" the ponds (曬塘) involved draining the fish ponds completely and excavating vegetation and re-profiling of pond bottom. The fish farmers generally undertook such work procedures once every two to three years. During the execution of the re-profiling works, the habitat could not be used and utilised by fauna species. However, after the pond was re-filled with water, the fish farming activity rendered the pond high ecological value. The above was to illustrate that fish pond habitat was artificially made and the ecological value depended on how to manage and use the ponds;
- (b) one of the main purposes of establishing SPS WCP was to provide foraging grounds for birds in a cost-effective way. All fish ponds, including active, inactive or abandoned ponds, within the assessment area had been covered by the EIA. Under the wetland compensation strategy, the proposed

enhancement measures would enhance the ecological function of the pond habitats to a mitigation target (i.e. at least 45% increase in terms of bird abundance at active/inactive fish ponds), while the actual percentage increase in SPS WCP could be higher as some ponds (e.g. abandoned ponds, some of which were overgrown with vegetation) were of lower functional and ecological value in their present state;

- (c) a baseline ecological survey, including a bird survey, was conducted in 2021 to 2022, and the findings, together with the HKBWS' five year bird count data, had also been taken into consideration under the EIA process; and
- (d) it was emphasised that the number of birds varied across different years. That said, CEDD would keep monitoring the situation during the implementation of SPS WCP and the Technopole. An Environmental Committee (EC) comprising representatives from relevant government departments, green groups and academics would be set up to monitor the effectiveness and implementation of the ecological mitigation/enhancement measures proposed in the EIA Report.

26. To follow up on the Member's questions mentioned above, Ms Wong Suet Mei (representative of R109 of STT OZP and R7 of MP OZP), with the aid of some PowerPoint slides, expressed concern about the ecological value of the abandoned fish ponds at Sam Po Shue (SPS) Zone B as illustrated in the EIA Report. She said that as pointed out by Mr Li Chung Hoi, Tom (R120 of STT OZP and R519 of MP OZP) in his oral presentation, some bird species (e.g. Yellow Bittern (*Ixobrychus sinensis*) (黃葦鶉) and diving ducks (潛鴨)) preferred roosting at abandoned fish ponds. While the EIA Report highlighted 15 bird species of ecologically importance in SPS Zone B, according to the data from HKBWS, at least 52 bird species within Zone B were of conservation importance. The EIA did not assess the ecological value of abandoned fish ponds or inactive ponds with no fish farming activities. She also supplemented that some bird species such as Little Ringed Plover (*Charadrius dubius*) (金眶鶉) and Oriental Pratincole (*Glareola maldivarum*) (普通燕鶉) might use the dried ponds (e.g. for breeding), and such dry ponds still had their ecological value.

27. In response to the same Member's further questions on the average number of migratory birds coming over to Deep Bay in winter and its attractiveness to birds after the establishment of SPS WCP, Mr Simon K.F. Chan, AD(C), AFCD said that while the number of migratory birds varied across different years, it was estimated that about tens of thousands of wintering birds going to Deep Bay each year. He supplemented that habitat enhancement measures for abandoned and inactive ponds would be carried out in SPS WCP in order to enhance the overall ecological value for roosting and foraging of birds. SPS WCP would also provide a better and protected wetland habitat for wetland-dependent species.

28. A Member sought the Government's response to the criticism made by Messrs Lu Zhi Jian and Wu Bing Bin (representatives of R106 of STT OZP) on the fragmentation of wetlands into eastern and western parts as a result of the Technopole development, and enquired about the ecological impact as a result of such fragmentation. In that connection, Mr Simon K.F. Chan, AD(C), AFCD made the following main points:

- (a) SPS WCP was located within the core flight corridor/path for migratory birds and in close proximity to MPNR and other wetlands. Establishment of SPS WCP would create synergy with these ecologically important wetlands, which in turn would protect the habitat ecosystems and connectivity of Deep Bay Area; and
- (b) the proposed 300m-wide east-west birds' flight corridor between SPS and the Loop was provided to preserve the wetland connectivity and the birds' flight paths.

Sam Po Shue Wetland Conservation Park

29. In response to a Member's question on the reduction in the size of SPS WCP from the originally planned 520 ha to the currently proposed 338 ha and the certainty of the implementation of SPS WCP, Mr Vic C.H. Yau, D of NMCO, DEVB made the following main points:

- (a) the reference to 520 ha appeared in the NMDS document promulgated in 2021. As its name suggested, NMDS was a high-level, strategic policy document,

with new ideas/directions proposed, including, among others, the development of a metropolitan area outside the Harbour Metropolis, the development of the Technopole for provision of ample I&T land, and the suggestion of establishing wetland conservation parks, etc. It was incumbent upon the Government to translate these ideas/directions into concrete proposals through detailed studies;

- (b) as stated in the “Foreward” section, the NMDS document “gave a detailed account of the planning background, general principles, objectives and action agenda of the Development Strategy”. Since then, further investigation with the technical assessments undertaken, including EIA as required under the EIAO, had been undertaken before coming up with the current proposals for the Technopole and SPS WCP; and
- (c) SPS WCP would be proactively managed by the Government upon its completion with a view to achieving a no-net-loss in ecological function and capacity of the wetlands concerned. The above had been clearly stated in the EIA Report for the Technopole and the Government was committed to its delivery. The EIA Report had also stated that no pond filling works of the STLMC area would be allowed prior to the commencement of construction of the ecologically enhanced fish ponds at the proposed SPS WCP.

30. Mr Simon K.F. Chan, AD(C), AFCD supplemented the following main points:

- (a) as mentioned by Mr Vic C.H. Yau, D of NMCO, DEVB, in the NMDS document, SPS WCP was a broadbrush proposal with an indicative area of about 520 ha and the suitability of all relevant areas for inclusion in SPS WCP had not yet been properly assessed. Subsequently, AFCD commissioned the WCP Study, under which boundary delineation criteria were formulated. Among the 520 ha of land proposed for SPS WCP, some of the areas concerned, such as the existing LMC BCP, compensatory wetlands for other developments and other development sites, should be excluded from the SPS WCP boundary. The WCP Study proposed that the area of SPS WCP would be about 338 ha;
- (b) the WCP Study had also put forward recommendations relating to the

establishment of SPS WCP including the extent, function, positioning, management objectives, planning of different sub-areas and zones and the facilities therein. The goal of establishing SPS WCP was to achieve the theme of co-existence of biodiversity and aquaculture in harmony, with the main management objectives of enhancing the ecological quality and biodiversity of the NM; compensating for ecological and fisheries impacts arising from the Technopole development, to achieve no-net-loss in ecological function; providing quality outdoor eco-education and recreation facilities for public enjoyment; and introducing ecologically friendly and modernised aquaculture in the park; and

- (c) after the completion of the WCP Study, the investigation study of SPS WCP would then be commenced, which would provide more details on the design and management of SPS WCP.

Implementation of the Proposed Ecological Enhancement/Conservation Measures

31. In response to a Member's questions on the Government's mechanism, regulations and commitments and whether resources would be available to ensure the proactive management of fish ponds with a view to enhancing their ecological value as recommended under the EIA Report, Mr Tony K.L. Cheung, PM(N), CEDD made the following main points:

- (a) financial resources were required for undertaking conservation work. In Hong Kong, currently there were about 1,130 ha of inland fish ponds. According to AFCD, the volume of fresh water fish production was about 1,052 tonnes in 2023. Based on the fish ponds to be affected directly (89 ha) and indirectly (63 ha) (i.e. the fish ponds being located at the indirect impact zones) by the Technopole, assuming a worst case scenario that all the fresh water fish production would be taken by birds, the annual amount of fish production affected was up to 141 tonnes, which was equivalent to a monetary value of about \$3.75 million (assuming about \$26,000/tonne for the selling price). Since the actual percentage of fish production taken by birds and the price of trash-fish would be much lower, when adopting fish-stocking method as an interim measure, the financial implication would be limited;

- (b) cost-effectiveness was one of the major considerations in enhancing the ecological function and capacity of SPS WCP. The fish-stocking method was only an interim measure for ecological enhancement; and
- (c) fish ponds on private land were currently under commercial operation and not all the fish farmers would collaborate with the Government on the proposed conservation work. It was the intention of the Government to resume control of the private land and establish the proposed SPS WCP under Government management. The management mode would be subject to a detailed study, which was currently under the tendering process. The investigation study would engage expert(s) with experience working in conservation of wetland of at least 300 ha and a fisheries specialist with experience in managing fish farm of at least 60 ha, assisting in formulating ecological and fisheries enhancement measures for the proposed SPS WCP.

32. On SPS WCP's management, the Chairperson remarked that it was the first time for the Government to express its intention to resume private land for implementation of the SPS WCP. To enhance the ecological value of SPS WCP to achieve the target of proactive conservation on one hand and compensate for the impact on ecological and fisheries resources arising from the Technopole on the other, there was a need for SPS WCP to be established on Government-controlled land, which was explicitly stated in paragraph 2.19 of TPB Paper No. 10973 (the Paper). SPS WCP comprised about 150 ha of government land and about 188 ha of private land. AFCD would commence the development of SPS WCP on government land first, which would tie in with the pond filling works to be undertaken by CEDD for the Technopole development in 2026/2027. The portion of SPS WCP on government land was expected to be completed by 2031. The land resumption process for the remaining portion of SPS WCP might also start around that time. As for the Government's commitment on the establishment of SPS WCP, the Chairperson said that the EIA Report for the Technopole development was approved by DEP with a number of conditions. The EIA Report proposed the establishment of SPS WCP to compensate for the impact on the ecological and fisheries resources in the area concerned. To ensure the Technopole development would be in full compliance with the EIA approval conditions, it would be incumbent upon Government to implement the SPS WCP.

Site Selection for I&T Land Use

33. A Member sought Government's responses to the proposal by some representers regarding the use of the government land to the south-east of the Loop (i.e. the land zoned "GB" in Planning Area 30) as an alternative site for I&T land, and enquired whether the Government would conduct technical assessments to ascertain the feasibility of the alternative site proposed by the representers, noting that such proposal had not been supported by scientific data and technical assessments at this juncture. With the aid of some PowerPoint slides, Mr Tony K.L. Cheung, PM(N), CEDD and Mr K.W. Ng, AD/NT, PlanD made the following main points:

- (a) the suggested alternative site zoned "GB" on the STT OZP had been assessed by the project team, and was considered not desirable as the area concerned was mostly mountainous area, and slope cutting, rock blasting, site formation and other associated infrastructure works would be required to create developable land for I&T uses. Such works would also take longer time, might affect the above-mentioned existing features and might result in ecological impact on terrestrial habitats. Besides, there were permitted burial grounds and a Grade II historic building (i.e. Lok Ma Chau Police Station) within the alternative site;
- (b) the suggested alternative site was situated on a hilly terrain with a height of as much as around 130mPD. While its size was comparable to the total area of the proposed I&T sites in Planning Areas 19B and 19C, it was anticipated that the developable land area at the alternative site would be much smaller taking into account the site formation scale and the land requirement for road access; and
- (c) while the I&T land in the STLMC area would aim at supporting the development of a comprehensive I&T ecosystem comprising upstream (research and development), midstream (prototype, application development) and downstream (manufacturing) processes, it was considered difficult for the I&T operation, especially for midstream and downstream processes, to be accommodated on uphill and/or sloping terrain.

34. In response to a Member's question on the rationale of providing 210 ha of I&T land in the STLMC area (which would accommodate a total GFA equivalent to around 17 Science Parks) given that sufficient I&T land had been provided in Hong Kong as pointed out by some of the representers, Mr K.W. Ng, AD/NT, PlanD said that the National 14th Five-Year Plan approved by the National People's Congress in March 2021 supported Hong Kong to enhance, establish and develop into, amongst others, an international I&T centre. It was also stated in the 'Hong Kong Innovation and Technology Development Blueprint' promulgated in December 2022 that there was a mismatch, in terms of time schedule, between the demand for and the actual supply of the land for I&T development in Hong Kong. Moreover, the overall occupancy rate of the existing I&T developments in Hong Kong, such as Hong Kong Science Park, Cyberport and InnoParks in Tai Po, Tseung Kwan O and Yuen Long had already reached around 90%. According to the final recommendations of 'Hong Kong 2030+: Towards a Planning Vision and Strategy Transcending 2030' (Hong Kong 2030+) released in October 2021, the demand for I&T land in Hong Kong was estimated to increase from the original 183 ha to 340 ha. The implementation of the Technopole development was responding to the bottleneck of I&T land provision in Hong Kong.

35. A Member raised a question to Mr Paul Zimmerman (representative of R112 of STT OZP and R9 of MP OZP) regarding his rationale on querying the argument for the need of land for promoting the I&T development in Hong Kong. Mr Paul Zimmerman responded that the crux of the issue was whether Hong Kong's most important habitat should be sacrificed for I&T development. He also queried whether Hong Kong should position itself to support or compete with Shenzhen in I&T development. While Shenzhen was successful in promoting technological economy, I&T development in Hong Kong could take place elsewhere but not necessarily in close proximity to Shenzhen. Land was still available in other parts of the New Territories for I&T development and the ecologically important wetlands and fish ponds concerned in the STLMC area should be preserved.

36. While appreciating the green groups and environmentalists for expressing their views at the hearing, the same Member raised a question to Mr Lam Chiu Ying (R117 of STT OZP) regarding his view on the future development direction of Hong Kong and that the Technopole development was in contravention with the national policies on wetland and environmental protection and conservation according to his oral presentation. Mr Lam Chiu Ying made the following main points:

- (a) the direction of developing an international I&T centre in Hong Kong was supported;
- (b) the initiative of “Beautiful China” (美麗中國) was incorporated in the national constitution amendment in 2018 for preserving the lucid waters and lush mountains. High quality development over quantity should be promoted;
- (c) Article 19 of the Wetland Conservation Law of PRC stated that “... The site selection and route selection of a construction project shall avoid wetlands. If not possible, the occupation of wetlands shall be reduced as much as possible ...”. “Avoidance” of wetlands for development should be the top priority;
- (d) when the Technopole development was proposed in 2021, the eastern part of the area to the south of San Tin Highway was designated for I&T development, but the area concerned was replaced by the proposed San Tin Town Centre in 2023 and the originally proposed I&T uses were relocated to the wetlands to the north of San Tin Highway. Moreover, according to the STT OZP, some of the land currently occupied by non-indigenous villages (to the further south-east of San Tin Highway) was designated for I&T uses. I&T development in the mountainous area to the south-east of the Loop was considered feasible from engineering perspective. The brownfield sites could also be utilized for I&T uses. In view of the above, alternative sites other than the wetlands in question were available for I&T uses; and
- (e) in the past decade, there had been a drastic change in the Mainland with a focus on prioritising ecological conservation and pursuing green development. While the proposed development of the Technopole was on wetlands, the action on pond filling could be considered as “reclamation”, which was unlawful and prohibited in the coastal water in the Mainland unless it was approved as a national strategic project.

37. In response to the comments made by Mr Lam Chiu Ying (R117 of STT OZP) regarding not utilising the existing brownfield sites for I&T uses, the Chairperson said that more

than a hundred hectares of brownfield sites in San Tin area would be resumed under the Technopole development. However, at the hearing session on 28.6.2024, some representers were concerned about the resumption of brownfield sites to the detriment of the livelihood of the brownfield operators.

38. As regards the criticism made by Mr Lam Chiu Ying (R117 of STT OZP) of not using the originally reserved land to the south of San Tin Highway for I&T uses, Mr K.W. Ng, AD/NT, PlanD, with the aid of some PowerPoint slides, made the following main points:

- (a) referring to footnote 2 of the Paper, according to the Broad Land Use Concepts of the New Territories North Strategic Growth Area proposed in the public engagement of Hong Kong 2030+ undertaken from October 2016 to April 2017, ST/LMC DN, with an area of only about 175 ha, was targeted to create a slightly job-biased community with strong economic links with the Pearl River Delta. No clear economic sector was suggested at that time. ‘Study on Phase One Development of New Territories North – San Tin/Lok Ma Chau Development Node – Feasibility Study’ (the Feasibility Study) was subsequently commissioned in 2019 before the promulgation of the National 14th Five-Year Plan which supported Hong Kong to develop into, among others, an international I&T centre. Under such circumstances, the recommendations of the Feasibility Study were unable to take into account the above-mentioned national policy and hence only a relatively small amount of land within the ST/LMC DN was proposed for enterprise and technology use. With the promulgations of the National 14th Five-Year Plan in March 2021 and the ‘Hong Kong Innovation and Technology Development Blueprint’ in 2022, the scale of proposed I&T development was substantially increased;
- (b) the Technopole should comprise a wide range of I&T uses and other non-I&T complementary uses to provide business support, living support and other talent attractive uses; and
- (c) after a thorough consideration and balancing different factors, the I&T land was proposed to be located mainly to the north of San Tin Highway to create synergy with the HSITP at the Loop and the Shenzhen’s I&T Park while the

area to the south of San Tin Highway was planned mainly as the town centre for residential and other supporting uses.

Development Control and Stepped Building Height Profile

39. A Member enquired whether it was appropriate to stipulate a stepped height profile with such a drastic increase in BH from 35mPD to 130mPD for areas adjoining the 300m-wide birds' flight corridor as raised by some of the representers. In response, Mr K.W. Ng, AD/NT, PlanD clarified that the BH restriction of 130mPD was only the maximum level, and the area with a BH restriction of 130mPD was not within the 300m-wide birds' flight corridor currently covered by a NBA with more stringent BH restriction of 15mPD only. A Planning and Design Brief (PDB) would be formulated to stipulate the relevant requirements for various "OU(I&T)" sites. The actual BHs of the development and individual plots of land could be varied and adjusted, taking into account the urban and visual requirements, environmental requirements, the approval conditions of EIA Report, air ventilation, etc., in accordance with the requirements as stipulated in the PDB. The PDB would provide guidance for preparation of the Master Plans covering concerned "OU(I&T)" sites, and the Master Plans to be prepared by future project proponents would be considered by a designated committee to be set up under the Northern Metropolis Coordination Office (NMCO), DEVB.

40. Another Member said that the development control in Hong Kong was governed under planning, land and building regimes. The "OU(I&T)" zone allowed a number of always permitted uses under Column 1, which planning permission was not required. In that connection, the Member enquired about the rationale for putting a large number of uses under Column 1 for the "OU(I&T)" zone, as raised by at least two representers in this hearing session, and whether non-I&T related uses such as 'Off-course Betting Centre' and 'Hotel' could be put under Column 2 or relocated to areas not zoned for I&T purpose, e.g. off-course betting centre to be accommodated in the proposed San Tin Town Centre. In response, Mr K.W. NG, AD/NT, PlanD said that 210 ha of land had been zoned "OU(I&T)" for development of the Technopole. According to the planning intention of "OU(I&T)" zone, apart from I&T uses, supporting facilities such as talent/staff accommodation, commercial/retail facilities and other complementary infrastructure would also be provided within the said "OU" zone. To allow provision of such supporting facilities, uses generally permitted in commercial areas had been included within the "OU(I&T)" zone. Such uses would support the development of the

Technopole into a liveable and integrated community which could attract and retain I&T enterprises and talents. In fact, the premises-based uses such as ‘Off-course Betting Centre’ were anticipated to have minimal impact on the surrounding areas. Commercial uses were also permissible in other I&T parks, such as Hong Kong Science Park and Cyberport, which allowed provision of basic needs to the talents working there.

41. The same Member also said that the consultancy study on the I&T development plan for the I&T land at the Technopole excluding the Loop was still being conducted by ITIB, the findings of which and the specific use(s) of each parcel of I&T land were not yet available. Under such circumstances, the Board might be perceived as endorsing the draft STT OZP in the absence of sufficient information. On land use planning, the same Member enquired why the Board would only be consulted on the PDB for I&T development and whether master plan submission for individual concerned plots or a whole parcel of I&T land (with a total of 210 ha outside the Loop) illustrating the major types of I&T uses and related/ancillary facilities would be submitted to the Board for consideration, noting that a master layout plan for development at “Comprehensive Development Area” sites was required to be submitted for the Board’s consideration and approval under the prevailing statutory planning mechanism. In response, Mr K.W. Ng, AD/NT, PlanD said that in view of the scale of the Technopole covering 210 ha of land and depending on the nature and scale of the enterprises to be developed in the Technopole, the number of enterprises and hence development sites might be substantial. Since the PDB to be prepared would set out detailed planning and design requirements/restrictions for the “OU(I&T)” sites under the STT OZP, taking into account the approval conditions and recommendations imposed under DEP’s approval of the EIA Report; mitigation/enhancement measures adopted in the EIA and other technical assessments; urban design, engineering and infrastructure requirements recommended under the ‘First Phase Development of New Territories North – San Tin/Lok Ma Chau Development Node – Investigation’ (Investigation Study); and the recommendations to be suggested under ITIB’s consultancy study, etc., it was considered more effective and efficient to require submission of master plan covering individual sites to a dedicated committee set up under NMCO of DEVB for detailed scrutiny. The Board would be consulted on the formulation of the PDB. Some of the detailed requirements/restrictions set out in the PDB might also be incorporated into the future land leases, when considered necessary.

42. On the above issues, Mr Vic C.H. Yau, D of NMCO, DEVB supplemented that it was the Government's intention to provide flexibility by permitting a wide range of I&T uses and other non-I&T complementary and supporting uses in the Technopole. Compared with building-type development as in Hong Kong Science Park, a wider range of permitted uses allowed flexibility for the Technopole to be developed in the form of I&T parks incorporating commercial and residential uses on par with those in the Mainland and overseas. The PDB would serve as an administrative mechanism to strike a balance between the development control and facilitation, ensuring various I&T uses at the Technopole would not deviate from the Government's intention. The Board would be consulted with the PDB before its finalisation. Other than the land lease, the Government did not preclude using other agreements or instruments to control the I&T companies' uses of the sites concerned.

[Messrs Daniel K.S. Lau and Derrick S.M. Yip left this session of the meeting during the Q&A session.]

43. As Members did not have further question to raise on the representers and/or their representatives, the Chairperson said that the Q&A session for the morning session of the hearing on the day was completed. She thanked the representers, their representatives and the government representatives (including the consultants) for attending the meeting. The Board would deliberate on the representations in closed meeting after all the hearing sessions were completed and would inform the representers of the Board's decision in due course. The representers, their representatives and the government representatives (including the consultants) left the meeting at this point.

44. The Chairperson said that the meeting would adjourn for lunch break.

[The meeting was adjourned for lunch break at 1:45 p.m.]

45. The meeting was resumed at 2:30 p.m.

46. The following Members and the Secretary were present in the afternoon session:

Permanent Secretary for Development
(Planning and Lands)
Ms Doris P.L. Ho

Chairperson

Mr Stephen L.H. Liu

Vice-chairperson

Mr K.W. Leung

Professor Jonathan W.C. Wong

Professor Roger C.K. Chan

Mr Ben S.S. Lui

Mr Timothy K.W. Ma

Professor Bernadette W.S. Tsui

Ms Kelly Y.S. Chan

Dr C.M. Cheng

Mr Daniel K.W. Chung

Professor B.S. Tang

Professor Simon K.L. Wong

Mr Simon Y.S. Wong

Mr Derrick S.M. Yip

Chief Traffic Engineer/New Territories West
Transport Department
Ms Carrie K.Y. Leung

Assistant Director (Environmental Assessment)
Environmental Protection Department

Mr Terence S.W. Tsang

Director of Planning
Mr Ivan M.K. Chung

47. The following government representatives (including the consultants), representers and their representatives were invited to the meeting at this point:

Government Representatives

DEVB

Mr Vic C.H. Yau - D of NMCO
Mr Eric T.H. Chung - AS(NM)

EEB

Mr Desmond C.C. Wu - PAS(NC)
Mr Simon S.W. Wang - PM(CNM)

ITIB

Miss Kristy H.L. Chan - Senior Management Services
Officer (Innovation,
Technology and Industry)
(SMSO(ITI))

PlanD

Mr K.W. Ng - AD/NT
Mr Kimson P.H. Chiu - STP/FSYLE
Mr Timothy Y.M. Lui - STP/SR
Miss Karen K.Y. Chan] TP/FSYLE
Mr Louis H.W. Cheung]

CEDD

Mr Tony K.L. Cheung - PM(N)

Mr Gavin C.T. Tse	-	DPM(N)
Mr Gavin C.P. Wong	-	CE/N
Ms Teresa O.S. Ma	-	SE/N

AFCD

Mr Simon K.F. Chan	-	AD(C)
Mr Boris S.P. Kwan	-	SNCO(N)
Mr Eric K.Y. Liu	-	SCO(TS)
Ms Virginia L.F. Lee	-	SFO(TS)

AECOM

Mr Martin M.T. Law]	
Ms Becky S.M. Wong]	
Ms H.L. Li]	
Ms Anna Y.M. Chung]	
Ms Avery T.Y. Lam]	Consultants
Mr H.W. Tsang]	
Mr K.B. Yim]	
Ms Hazel W.N. Yun]	
Mr C.L. Yuen]	

Representers and their Representatives

R207 of STT OZP and R106 of MP OZP – 許淑敏

Ms Hui Shuk Man	-	Representer
Ms Chow Oi Chuen	-	Representer's Representative

R224 of STT OZP and R123 of MP OZP – Cheng Chun Ho

Mr Cheng Chun Ho - Representer

R246 of STT OZP and R145 of MP OZP – Wong So Yung

Ms Wong So Yung - Representer

R273 of STT OZP and R172 of MP OZP – Au Chung Leung, Joanlin

Ms Au Chung Leung, Joanlin - Representer

R317 of STT OZP and R216 of MP OZP – Tsang Suet Ching Cecilia

Ms Tsang Suet Ching Cecilia - Representer

R318 of STT OZP and R217 of MP OZP – Law Wing Fai Teddy

Mr Law Wing Fai Teddy - Representer

R383 of STT OZP and R283 of MP OZP – Leung Kwok Yi (梁國頤)

Ms Leung Kwok Yi - Representer

R399 of STT OZP and R299 of MP OZP – 張蕙心

Ms Cheung Wai Sum - Representer

R403 of STT OZP and R303 of MP OZP – Tam Wai Chee

Mr Tam Wai Chee - Representer

R487 of STT OZP and R381 of MP OZP – Kwan Hok In (關學然)

R735 of STT OZP and R570 of MP OZP – Hui Wai Tung

Ms Hui Wai Tung - Representer and Representers' Representative

R503 of STT OZP and R397 of MP OZP – Ng Hon Lam

Mr Ng Hon Lam - Representer

R518 of STT OZP and R907 of MP OZP – Cheung Ka Chun

Mr Cheung Ka Chun - Representer

R519 of STT OZP and R908 of MP OZP – Wong Ka Man (汪嘉敏)

Mr Wu Lok Hang - Representer's Representative

R524 of STT OZP and R913 of MP OZP – Chong Chun Wing (莊俊穎)

Mr So Siu Hei - Representer's Representative

R527 of STT OZP and R430 of MP OZP – Wong Ching Lam Iris (王靖琳)

Ms Wong Ching Lam Iris - Representer

R546 of STT OZP and R418 of MP OZP – Tam Wing Lam (譚穎琳)

Ms Tam Wing Lam - Representer

R634 of STT OZP and R922 of MP OZP – Cheung Hoi Ning

Ms Cheung Hoi Ning - Representer

R649 of STT OZP and R934 of MP OZP – Wong Lok Chun (黃樂津)

Mr Leung Yat Nam - Representer's Representative

R659 of STT OZP and R504 of MP OZP – Lam Chiu

Mr Lam Chiu - Representer

R661 of STT OZP and R506 of MP OZP – Yu Yat Tung (余日東)

Mr Yu Yat Tung - Representer

R662 of STT OZP and R507 of MP OZP – Lo Hong Wu

Ms Lo Hong Wu - Representer

R663 of STT OZP and R508 of MP OZP – Chu Kong

Mr Chu Kong - Representer

R668 of STT OZP and R513 of MP OZP – Lau Yuen Ling Candice

Ms Lau Yuen Ling Candice - Representer

R711 of STT OZP and R546 of MP OZP – Pun Ho Yan

Ms Pun Ho Yan - Representer

R755 of STT OZP and R586 of MP OZP – 黃紀正

Mr Wong Kei Ching - Representer

R756 of STT OZP and R587 of MP OZP – Cheung Ka Hei Gabriel (張家曦)

Mr Cheung Ka Hei Gabriel - Representer

R767 of STT OZP and R598 of MP OZP – Wong Kit

Mr Leung Ho Nam Banson - Representer's representative

R789 of STT OZP and R968 of MP OZP – 郭志泰

Mr Kwok Chi Tan - Representer

R869 of STT OZP and R674 of MP OZP – Chan Hall Sion (陳可淳)

Ms Chan Hall Sion - Representer

R1103 of STT OZP and R859 of MP OZP – 黃舜澧

Mr Wong Shun Lai - Representer

R1151 of STT OZP and R1068 of MP OZP – Lee Yuen Man Touricheva Louise

Ms Lee Yuen Man Touricheva Louise - Representer

R1376 of STT OZP – Mak Hei Man

Ms Mak Hei Man - Representer

R1411 of STT OZP – Li Pui Sze

Ms Li Pui Sze - Representer

Ms Chow Oi Chuen - Representer's representative

48. The Chairperson extended a welcome and invited the representers and/or their representatives to elaborate on their representations:

R246 of STT OZP and R145 of MP OZP – Wong So Yung

49. With the aid of a PowerPoint presentation, Ms Wong So Yung made the following main points:

- (a) she worked in the environmental sector to promote environmental education and ecological conservation;
- (b) noting that migratory birds had seasonal flying patterns, the bird counts in the EIA should take into account the movements and activities of birds in different seasons;
- (c) it was misleading to say that abandoned fish ponds had low ecological value. The value of fish ponds should be considered from a wider perspective as they not only had high ecological value but were also important in urban development. Fish ponds in San Tin, which were located in low-lying areas, functioned as natural flood storage and helped reduce flooding. While stormwater storage facilities were proposed as mitigation measures, the proposed filling of 90 ha of ponds in the northern part of the Technopole would increase the flooding risk in San Tin during heavy storms, especially given the increased frequency of extreme weather in recent years. The proposed flood retention facilities, with a capacity to withstand heavy rainstorms up to a 200-year return period, were insufficient to cope with extreme weather. I&T companies would not prefer flood-prone areas when choosing location for setting up offices;
- (d) according to the Wetland Conservation Law of the PRC, priority should be given to strengthening wetland conservation and maintaining the ecological functions and biodiversity of wetland. Wetlands should be avoided in the selection of project sites. While the Wetland Conservation Law was not applicable to Hong Kong, it demonstrated the national effort and determination

in preserving wetlands. Many Mainland companies had been strictly complying with the Wetland Conservation Law by prioritising wetland conservation, and the Shenzhen Mangrove Wetland Museum had been set up in Futian District of Shenzhen. Hong Kong, as part of the Mainland China, should dovetail with the national strategy in terms of wetland conservation;

- (e) filling of fish ponds, which involved high costs, was not economically viable in particular when there was a budget deficit in Hong Kong. On the other hand, wetland preservation could promote economic growth regionally. While the designation of SPS WCP could enhance regional economic growth and strike a balance between conservation and I&T development, the current proposal to reduce the area of SPS WCP from 520 ha to about 328 ha and the exclusion of the existing egretty from SPS WCP would undermine the economic benefit brought by wetland; and
- (f) the planning of the Technopole should achieve the principle of ‘co-existence of development and conservation’. The existing wetland system, which was a precious resource for environmental education, should be preserved for the younger generations to experience the nature first-hand.

R207 of STT OZP and R106 of MP OZP – 許淑敏

50. With the aid of a PowerPoint presentation, Ms Chow Oi Chuen made the following main points:

- (a) resumption of land for the development of the Technopole was gazetted earlier, but there was no timeframe for land resumption for the development of SPS WCP. The tentative time for the commencement of construction for SPS WCP was two years after that for the Technopole. The pond filling and construction works for the Technopole before the provision of SPS WCP would adversely affect the surrounding environment and habitat for wildlife. As the first population intake of the Technopole in 2031 was before the completion of SPS WCP, the current planning failed to strike a balance between development and conservation;

- (b) while the development of the Technopole would involve more wetland loss than other projects in the Deep Bay Area such as developments in Loop and Fung Lok Wai, there was insufficient information in the EIA Report, particularly on wetland compensation. For example, detailed information and mitigation measures with a timeframe on wetland compensation were provided by the developers in other projects;
- (c) the EIA Report submitted for the Technopole development was not convincing due to the lack of information on the baseline study, long-term financial arrangement and Habitat Creation and Management Plan. Without a detailed management plan for SPS WCP, it was doubtful whether SPS WCP could effectively preserve and enhance the ecological function and capacity of the wetlands after a large scale of pond filling;
- (d) as compared with the “OU (CDWEA)” zone in the then San Tin OZP, the number of Column 1 uses had increased from three to 44 in the “OU(I&T)” zone in the STT OZP. As more uses were always permitted and planning permission from the Board would not be required under the new zoning, the Board’s function as a gatekeeper would be weakened; and
- (e) she opposed the STT OZP as it placed priority on development over conservation. As there were previous examples of rezoning “GB” areas on hill slopes in Ma On Shan and Kwai Chung for development, an alternative site at the fringe of the mountain in the north-eastern part of the STT OZP could be explored for I&T land uses so as to avoid filling of ponds.

R224 of STT OZP and R123 of MP OZP – Cheng Chun Ho

51. With the aid of a video clip, Mr Cheng Chun Ho made the following main points:

- (a) he was studying engineering and currently working in the I&T industry. He supported the development of I&T in Hong Kong but objected to the rezoning proposal for the Technopole;

- (b) a video clip of a song created by the representer was played to elaborate on the adverse ecological impact that would be caused by the Technopole development and the importance of conserving the wetland habitat for the birds. The Government was urged to conserve more wetlands for the natural habitat; and
- (c) the natural environment in San Tin was an important “get away” for people and the fish ponds had performed various functions such as providing a breeding ground for birds, promoting environmental education and offering inspiration to technological innovation. The design of the headstock of Japanese Shinkansen had made reference to the beak of the Common Kingfisher (*Alcedo atthis*) (普通翠鳥) to reduce noise and energy consumption and increase train speed.

R273 of STT OZP and R172 of MP OZP – Au Chung Leung, Joanlin

52. With the aid of a video clip, Ms Au Chong Leung, Joanlin made the following main points:

- (a) she was an architect working in Hong Kong;
- (b) the planning of the Technopole should be revisited as it did not offer an innovative and responsive solution that respected the nature. Tall buildings to be built along San Tin Highway and Shenzhen River on the side of Ngau Tam Shan and Ki Lun Shan would induce irreversible impacts on migratory birds, some of which were endangered species. It would be difficult to find alternative sites for the stopover of migratory birds if the natural habitat in San Tin was adversely affected;
- (c) suggestions were made to improve the design of the Technopole to strike a balance between development and conservation, such as covering the buildings by greenery, building underground structures to minimise the heat island effect, reducing BH and avoiding the use of overhead cables to protect birds’ flight paths. Bird-friendly design should be adopted with the simulation of natural

habitat in the building design. The villages should be connected with agricultural fields and fish ponds to integrate with the natural landscape. There should be no disturbance to the fish ponds, mudflat and bushes between San Tin Highway and Shenzhen River but to preserve them for natural inhabitants;

- (d) nature respecting design could be applied to the Technopole to showcase sustainable development embracing low carbon economy and eco-friendly design such that man-made structures could co-exist in harmony with the natural environment; and
- (e) a video clip was played to demonstrate the natural habitat and wetland environment in San Tin and to urge for an alternative solution for the Technopole development.

R317 of STT OZP and R216 of MP OZP – Tsang Suet Ching Cecilia

53. Ms Tsang Suet Ching, Cecilia made the following main points:

- (a) San Tin was a world-renowned wetland that could not be sacrificed for economic development. The primary objective was to conserve the wetland for the next generation as eco-education and eco-recreation resources, that was in line with the national strategy;
- (b) noting that Hong Kong was more prone to extreme weather such as heat waves and heavy storms, alternative sites should be explored to avoid developments on wetlands; and
- (c) there was a large area of productive fish ponds in Deep Bay Area which served as an important food source and foraging ground for birds. Aquaculture production should be maintained by managing the fish ponds in a way that was friendly to wildlife.

R318 of STT OZP and R217 of MP OZP – Law Wing Fai Teddy

54. Mr Law Wing Fai, Teddy made the following main points:

- (a) the planning area for the Technopole was enlarged but there was no update in the EIA Report. Approval of the current STT OZP would set an undesirable precedent for other public and private development projects in the environmentally sensitive areas, resulting in procedural injustice and negative impression to the public;
- (b) the EIA had not gone through a proper procedure and the credibility of the findings in the EIA Report was in doubt. The EIA Report was not scientifically sound and up to standard. The green groups and the public were deprived of the opportunities to provide comments;
- (c) according to TPB PG-No. 12C, the principle of ‘no-net-loss in wetland’ referred to both loss in “area” and “function”. The current planning for the Technopole contravened TPB PG-No. 12C; and
- (d) the planning for the Technopole prioritised development over conservation as the area for I&T development was enlarged at the expense of wetland area and quality. Given the deficiencies in the EIA process, the Board should take a more responsible role to ensure that the planning of the Technopole was professional and reasonable.

[Ms Carrie K.Y. Leung left this session of the meeting temporarily at this point.]

R383 of STT OZP and R283 of MP OZP – Leung Kwok Yi (梁國頤)

55. With the aid of a PowerPoint presentation, Ms Leung Kwok Yi made the following main points:

- (a) she attained a master degree in conservation science and had two years research experience in Eurasian Otter (*Lutra lutra*) (歐亞水獺);

- (b) concern should be on how to implement the Technopole to minimise the negative impact on the environment and to strike a balance between development and conservation;
- (c) according to the research on Eurasian Otter (*Lutra lutra*) (歐亞水獺) in Hong Kong, seven Eurasian Otters were identified in 2018 to 2019 and the species was mainly concentrated in the Deep Bay Area. Nevertheless, the data was classified as historical data in the EIA Report conducted in 2022. In the ecological baseline survey of the EIA Report, San Tin area was classified as an area without significant value to Eurasian Otter as no otter was recorded during the survey period. The survey methodology, with only three cameras set in the San Tin study area to monitor the natural inhabitants, was questionable. Research on the Eurasian Otter required strong professional knowledge but the EIA Report failed to provide sufficient and in-depth information to support its findings. The result could not reflect the actual situation and induced doubt on the credibility of the findings;
- (d) filling of pond would result in habitat loss that would hinder genetic diversity of the Eurasian Otter (*Lutra lutra*) (歐亞水獺) due to inbreeding as a result of a decrease in otter population. Inactive and abandoned fish ponds, which were important habitats for Eurasian Otter (*Lutra lutra*) (歐亞水獺) and other inhabitants, should also be preserved; and
- (e) by making reference to the financial hub development in Guangzhou, locating I&T developments underground could also be an alternative solution.

R399 of STT OZP and R299 of MP OZP – 張蕙心

56. Ms Cheung Wai Sum made the following main points:

- (a) she was studying biology and working as a research assistant in the Hong Kong Science and Technology Parks Corporation (HKSTP). She was also a part-time eco-guide;

- (b) she supported the development I&T industry in Hong Kong but objected to the STT OZP as there were no compelling justifications to develop the Technopole at the cost of eliminating the existing fish ponds. Alternative sites without the need to fill existing fish ponds should be explored for the “OU(I&T)” zone;
- (c) wetlands, which acted as natural service reservoirs to regulate surface run-off during rainy seasons, had performed an important function in regulating climate change and extreme weather. Filling of ponds would make the San Tin area more susceptible to flooding in extreme weather; and
- (d) wetlands also provided a natural habitat for migratory birds. With the increased population after the development of the Technopole, human activities would threaten and conflict with wildlife species. Pond filling and the change of land use would result in the loss of its ecological function. Appropriate wetland enhancement measures should be proposed to compensate for the loss of wetland habitat arising from the proposed development.

R403 of STT OZP and R303 of MP OZP – Tam Wai Chee

57. Mr Tam Wai Chee said that Hong Kong had evolved from a fishing village into a modern metropolis. He objected to the Technopole development as I&T land in Hong Kong usually turned out to be used for other purposes. The natural environment in San Tin, including fish ponds and agricultural land, should be preserved and revitalised.

R1103 of STT OZP and R859 of MP OZP – 黃舜澧

58. Mr Wong Shun Lai made the following main points:

- (a) he was an environmental educator, a birdwatcher, and a resident of Yuen Long who opposed the STT and MP OZPs;
- (b) the proposed developments in the Technopole, which lacked careful planning, were unnecessary and a waste of public funds. It would cause irreversible damage to the natural environment and wildlife habitat. The need, location,

and scale of land for I&T development were not fully justified and should be reviewed;

- (c) the proposed Technopole development would encroach onto about 150 ha of land in WCA, leading to a loss of wetland and damage to the integrity of the wetland system. This violated the principles of the ‘precautionary approach’ and ‘no-net-loss in wetland’ stipulated in TPB PG-No. 12C and would set an undesirable precedent;
- (d) the calculation of avifauna with reference to the EIA of the Fung Lok Wai project was inappropriate. The proposed development would directly affect MPV Egret and MPLV Egret, which had long been the breeding ground for ardeid for more than 20 years, accounting for about 15% of the surveyed nesting behaviours of Chinese Pond Heron (*Ardeola bacchus*) (池鷺) and Little Egret (*Egretta garzetta*) (小白鷺) in Hong Kong. The designation of MPLV Egret as “O” zone could not help conserve the habitat of egreties;
- (e) the 70m-wide NBA designated on the eastern side of the “OU(I&T)” zone in Planning Area 19C adjoining Planning Area 19B was insufficient to protect the birds’ flight paths. There was insufficient information in the EIA Report to prove the effectiveness of the proposed mitigation measures for the MPNR;
- (f) under the STT OZP, most areas falling within the proposed Technopole were zoned “OU(I&T)”, and the always permitted uses were overly diverse and excessive, many of which were not related to I&T developments. More stringent land use control was required;
- (g) Yuen Long was very densely populated and had already reached its infrastructural capacity. There were also other planned developments in its vicinity, such as Hung Shui Kiu New Development Area (HSK NDA) and Yuen Long South Development. The proposed developments in the Technopole would overstrain the infrastructural capacity in the area;

- (h) the Government emphasised that the existing I&T developments in Hong Kong had already reached an occupancy rate of about 90% and would need to provide more land for I&T uses to attract strategic I&T enterprises to set foot in Hong Kong. Nonetheless, there were still ample vacancies in the three InnoParks in Tai Po, Yuen Long and Tseung Kwan O, managed and operated by the HKSTP. Coupled with other planned developments such as HSITP located in the Loop, there was sufficient land for I&T uses, and the proposed Technopole was not necessary; and
- (i) he ended the presentation with a phrase from a song with lyrics, “if you love this home, please don’t let it fall.”

[Professor Bernadette W.S. Tsui left this session of the meeting during the presentation of R1103 of STT OZP and R859 of MP OZP.]

R487 of STT OZP and R381 of MP OZP – Kwan Hok In (關學然)

R735 of STT OZP and R570 of MP OZP – Hui Wai Tung

59. Ms Hui Wai Tung made the following main points:

- (a) wetlands and fish ponds had high ecological, economic and cultural value. Fish ponds could act as flood retention lakes while at the same time providing a livelihood for local fish farmers and aesthetic value for public visits. Inactive and abandoned fish ponds could also serve as alternative habitats for different species; and
- (b) the Technopole was located at the heart of the EAAF, which was home to millions of migratory waterbirds. The waterbirds relied on a network of wetland way stations to rest and feed before embarking on the next leg of their journey each year. Further loss of wetland habitats to development and the breaking up of the ecological connectivity would result in a rapid decline in the waterbird population, and the consequence would be irreversible.

60. Ms Hui Wai Tung played a video for the oral presentation of Mr Kwan Hok In, another representer, who made the following main points:

- (a) the Cotai Ecological Zone was the largest artificial wetland in Macau, which covered a bird inhabitation area (Ecological Zone I) and a mangrove protection and bird foraging area (Ecological Zone II). Recently, there had been developments of casinos, hotels and infrastructure surrounding Ecological Zone I, with no buffer zone to protect the wetlands from the works area. The closest development, located only 20m away from Ecological Zone I, had significantly affected the habitats;
- (b) Ecological Zone II had been an important bird foraging area for species under Class I protection in the list of National Key Protected Wild Animal (《國家重點保護野生動物名錄》). The number of birds had declined yearly due to the designation of the yacht berthing area nearby, which had led to increased sea traffic that posed a threat to endangered bird species;
- (c) according to the latest International Black-faced Spoonbill Census Report 2024, only 13 Black-faced Spoonbills (*Platalea minor*) (黑臉琵鷺) were recorded, which was the lowest number ever recorded in Macau. As compared to the 2019-2020 data, the recorded number had dropped by 75%. The significant decline was mainly due to construction activities in the vicinity of the Cotai Ecological Zone; and
- (d) an increase in human activities would bring pollution and disturbances, causing irreversible adverse ecological impacts on the wetland habitat. The Hong Kong SAR Government should learn the experience from Macau to avoid similar adverse ecological impacts on the Deep Bay Area.

R503 of STT OZP and R397 of MP OZP – Ng Hon Lam

61. Mr Ng Hon Lam made the following main points:

- (a) San Tin was a flood-prone area as seen in the extreme weather events in September 2023. Filling of ponds would undermine the function of ponds for flood storage and cause adverse drainage impact on the area around the STLMC area, hence increasing the likelihood of flooding;
- (b) the approval of the STT OZP without the support of a complete and high-quality EIA Report would violate procedural justice. The EIA Report underestimated the area's ecological value and violated the requirements under the EIAO and Technical Memorandum on Environmental Impact Assessment Process (the TM), including the 'avoidance principle'. There was also a lack of information on carbon emissions and carbon neutrality in the proposal. A 'Life Cycle Assessment' for the proposed Technopole should be conducted;
- (c) the proposed development would lead to a permanent loss of birds' breeding grounds and disruption of birds' flight corridors/paths. The development restrictions on the I&T land were too loose to provide proper control;
- (d) the Technopole development contradicted the "Two Mountains" theory, which stated that "lucid waters and lush mountains are invaluable assets", as advocated by Xi Jinping, the President of PRC. Given that Shenzhen had put considerable effort in protecting the wetlands in Shenzhen Bay, Hong Kong should not destroy the wetland system in the Deep Bay Area; and
- (e) the need for I&T development in San Tin should be reviewed. In light of the high office vacancy rate, existing land available for I&T use in Hong Kong with well-developed infrastructure and road networks should be fully utilised before planning for a new development area. Alternative sites that would not require pond filling should also be explored. The current proposal should be put on hold until viable solutions to the above problems were available.

R518 of STT OZP and R907 of MP OZP – Cheung Ka Chun

62. With the aid of a PowerPoint presentation, Mr Cheung Ka Chun made the following main points:

- (a) he had been working in ecological habitat management for more than 10 years and objected to the STT and MP OZPs;

Ecological Value of Abandoned Fish Ponds

- (b) the ecological value of abandoned fish ponds, which provided an alternative natural habitat and foraging ground for many endangered migratory bird species, including Yellow-breasted Bunting (*Emberiza aureola*) (黃胸鵪), was underestimated. Reedbeds developed at abandoned fish ponds supported insect species and provided shelters/hiding places for birds, as well as suitable foraging and roosting habitats for various wildlife of conservation value. As such, abandoned fish ponds had different habitat characteristics and their ecological functions should not be overlooked;

Impact on Ramsar Wetlands

- (c) according to AFCD's Information Sheet on Ramsar Wetlands, factors adversely affecting the ecological character of the Ramsar Site included major development activities such as filling of ponds in the surrounding area, which might have detrimental effects on the ecological system in the Ramsar Site. As such, the Ramsar Site would be adversely affected even though the proposed developments had avoided the Ramsar Site;
- (d) according to BirdLife International, the Inner Deep Bay and Shenzhen River catchment area formed two Important Bird Areas (IBAs). The filling of 90 ha of fish ponds under the Technopole development proposal would break the continuity of IBAs and the ecologically connected wetland system;

EIA

- (e) over 290 bird species had been recorded in the IBAs, among which some fell under Class I and Class II protection in the list of National Key Protected Wild Animal (《國家重點保護野生動物名錄》), including Oriental Stork (*Ciconia*

boyciana) (東方白鸛), Black-faced Spoonbill (*Platalea minor*) (黑臉琵鷺), Eastern Imperial Eagle (*Aquila heliaca*) (白肩鵟), Eurasian Eagle-owl (*Bubo bubo*) (鵟鴞), etc. The ecological values were evaluated by estimating the density of only four target indicator waterbird species. The EIA Report was not scientifically sound nor up to standard as the target indicator species had been seriously underestimated; and

- (f) given the Government's budget deficit, the costs for land resumption and the future management of the SPS WCP were not justified. The current situation of the wetlands and the natural management mode should be the optimal option. Should the draft OZPs be agreed, it would affect the reputation of Hong Kong.

[Mr Derrick S.M. Yip joined this session of the meeting during the presentation of R518 of STT OZP and R907 of MP OZP.]

R519 of STT OZP and R908 of MP OZP – Wong Ka Man (汪嘉敏)

63. With the aid of a video clip, Mr Wu Lok Hang made the following main points:
- (a) he was attending the hearing to assist his friend, Ms Christy Yung, who was not in Hong Kong, by playing a video clip for an oral presentation;
 - (b) fish ponds played a crucial role in the Deep Bay Area, serving not only as a source of freshwater fish but also as a foraging ground for waterbirds during harvesting and maintenance periods. As the ponds were drained, the remaining small fish of relatively low economic value would attract a variety of waterbirds to feed on them;
 - (c) abandoned fish ponds could be preserved and transformed into 'participatory fishery' operations with caged aquaculture, allowing the public to participate in leisure fisheries activities and learn more about fish farming culture and practices;

- (d) local food/farmers' markets and restaurants with on-site hobby farms could be established to enable the public to enjoy fresh and locally-sourced produce. This would not only provide opportunities for the public to engage in leisure agriculture activities but also promote broader economic activities within the local community;
- (e) the proposed developments in the Technopole should have more stringent control on BH. Besides, the landscape designs should incorporate features that could restore habitats for various wildlife species. A successful example of this approach was the Park Yoho residential development, which included a wetland restoration area with a brackish marsh habitat that supported damselflies like the Four-spot Midget (*Mortonagrion hirosei*) (廣瀨妹螳). Park Yoho also partnered with the Hong Kong Wetlands Conservation Association to organise wetland conservation education programmes for its residents; and
- (f) Members of the Board were urged to carefully consider the consequence of approving the draft OZPs.

R524 of STT OZP and R913 of MP OZP – Chong Chun Wing (莊俊穎)

64. Mr So Siu Hei made the following main points:

- (a) drained fish ponds during harvesting and maintenance periods provided valuable foraging grounds for many birds, including Northern Skylark (*Alauda arvensis*) (雲雀) and various other species as detailed in the representation of HKBWS;
- (b) the methodology used in the EIA was misleading. The evaluation of ecological values focused solely on estimating the density of four target waterbird species, while non-waterbird species were excluded from the assessment;

- (c) CEDD's claim that a 45% functional value enhancement in SPS WCP was sufficient to fulfil the compensation requirement was questionable. The methodology for the calculation was unclear, and there was no information on whether the ecological value of the drained fish ponds had been taken into account in the baseline calculation. There was a lack of information on the proposed methods to achieve the promised 45% functional value enhancement. There was also no clear indicator to demonstrate the effectiveness of the proposed enhancement measures. Additionally, the number of overwintering waterbirds was observed to fluctuate significantly from year to year, indicating that various external factors affected the bird population; and
- (d) while CEDD cited Long Valley Nature Park as a successful example of ecological conservation, insufficient information was provided to support claims about the effectiveness and benefits of the enhancement measures implemented at Long Valley Nature Park.

R527 of STT OZP and R430 of MP OZP – Wong Ching Lam Iris (王靖琳)

65. Ms Wong Ching Lam Iris made the following main points:

- (a) Hong Kong should be a livable city which not only catered for diverse modes of living but also prioritised the conservation of natural environment. The focus should not be solely on economic and commercial development;
- (b) the proposed developments would disrupt birds' flight corridors/paths between foraging grounds and egretries, and result in a loss of ponds as birds' foraging grounds. Filling of ponds would cause adverse ecological impacts on the Deep Bay Area, including fragmentation of the existing wetland system and disruption of the ecological connectivity of the area. As a consequence, it would pose serious threats to wildlife species;
- (c) Hong Kong was one of the important locations along EAAF for migratory waterbirds. If the flyway was affected by the proposed development, the consequences would not be easily mitigated. In the end, the ultimate victims

would be human beings;

- (d) inactive or abandoned fish ponds were not without ecological value. Moreover, an extended area of fish ponds could help achieve the concept of a “sponge city”, temporarily storing excess rainwater during heavy storms, reducing the chance of flooding in adjacent low-lying areas. As the area of fish ponds diminished, the “sponge action” would become ineffective, and flooding would occur frequently in the rainy season, posing threats to the future users of the Technopole and adjacent areas. The consequences of the loss of fish ponds were overlooked; and
- (e) the proposed Technopole development would displace a number of non-indigenous villages, disrupting social ties. Non-indigenous villages also encompassed important cultural heritage and should be valued.

[The meeting was adjourned for a 15-minute break.]

[Professor Roger C.K. Chan joined this session of the meeting after the break.]

R546 of STT OZP and R418 of MP OZP – Tam Wing Lam (譚穎琳)

66. With the aid of an audio clip, Ms Tam Wing Lam made the following main points:

- (a) she worked for a green group, studied ecology and environmental management and was also a farmer on the weekends. She played an audio clip of the sound of birds recorded in San Tin to let the Members have a feel of the natural environment;
- (b) fisheries and agriculture industries in Hong Kong had a rich and significant history deeply rooted in the local cultural heritage. Despite being relatively small in scale, the local agriculture and fisheries industries still played a role in ensuring food supply;
- (c) the EIA was not up to standard and should be conducted again. The width of the proposed wildlife corridor was insufficient. In situations of human-

wildlife conflict, humans should not be granted overriding privileges over the interests of wildlife. There was no conflict between preserving the existing fish ponds and I&T development and a balance between development and conservation should be struck;

- (d) she disagreed with the claim that Long Valley Nature Park was a successful example of ecological conservation as the area was even more beautiful before human interference. The existing landscape of wetlands/ponds in San Tin should be preserved. The ecological value of the abandoned ponds, which could be enhanced and converted back to active ponds, and the potential for developing wetland areas for eco-tourism should be recognised; and
- (e) development and conservation could coexist. While the development of the Technopole could be carried out, pond filling should be put on hold until more consultation with green groups and stakeholders had been conducted and viable solutions to the problems were available.

[Ms Carrie K.Y. Leung rejoined this session of the meeting at this point.]

R634 of STT OZP and R922 of MP OZP – Cheung Hoi Ning

67. Ms Cheung Hoi Ning made the following main points:

- (a) she was working in the health sector but had concerns about the Technopole development;
- (b) she disagreed with CEDD's claim that if mitigation targets could be achieved for the four larger, disturbance-sensitive indicator species, similar or higher enhancement levels for other less sensitive wildlife species could be achieved. Other bird species smaller in size were also sensitive to disturbances and should be assessed in the EIA;
- (c) the Technopole development was intended to create synergy for I&T development by leveraging the universities and two local medical schools in

Hong Kong. However, San Tin was not in close physical proximity to any of the universities. This suggested that well-developed communication and technology infrastructure, rather than spatial proximity, would be more critical to achieving synergy for I&T development. As such, alternative locations beyond San Tin should be explored for the Technopole development;

- (d) the Government claimed that the size of the wetlands could be reduced while their functional value could be enhanced. These contradictory concepts seemed impossible to achieve simultaneously. Given the resultant loss of wetland habitat and disruption of the corridor for wildlife, it was impossible that the ecological function and environmental carrying capacity of the concerned wetlands could increase;
- (e) developing the Technopole at the expense of the natural environment was against the original intent of innovation, which aimed to solve problems rather than create more. The shortage of land for I&T development should be solved using alternative methods through innovation rather than filling fish ponds. Existing I&T spaces in Hong Kong should be creatively utilised to optimise functions and capacity; and
- (f) the existing landscape of wetlands and fish ponds should be preserved for the enjoyment of future generations.

[Ms Kelly Y.S. Chan joined this session of the meeting during the presentation of R634 of STT OZP and R922 of MP OZP.]

R649 of STT OZP and R934 of MP OZP – Wong Lok Chun (黃樂津)

68. Ms Leung Yat Nam played a video for the oral presentation of Mr Wong Lok Chun, the representer, who made the following main points:

- (a) he was studying ecology in university and was also an enthusiast in bird watching and photography;

- (b) according to HKBWS's record, a total of 205 species of birds were recorded in San Tin, which was almost 40% of all birds recorded in Hong Kong. Hong Kong lay at the heart of EAAF for migratory waterbirds, and San Tin played a crucial role as part of a network of wetland way stations for those waterbirds. The wetland in San Tin also contributed to the increase in the Black-faced Spoonbill (*Platalea minor*) (黑臉琵鷺) population;
- (c) San Tin provided a quality and diversified ecological habitat for many endangered/vulnerable/threatened bird species under the International Union for the Conservation of Nature (IUCN) Red List of Threatened Species, including Yellow-breasted Bunting (*Emberiza aureola*) (黃胸鵪) and Greater Spotted Eagle (*Clanga clanga*) (花鵟), Ferruginous Duck (*Aythya nyroca*) (白眼潛鴨) and Common Pochard (*Aythya ferina*) (紅頭潛鴨). It was puzzling why some of the above bird species regularly spotted in San Tin were not included in the EIA Report;
- (d) the EIA Report was not scientifically sound and up to standard because the findings were not comprehensive. While additional area had been included for the Technopole development as compared with the development boundary first promulgated under the NMDS, new EIA had not been conducted to consider the environmental impacts arising from the new development area. Notwithstanding that, approval of the EIA Report violated procedural justice;
- (e) the Technopole development would cause a loss in wetland habitats and cut off ecological connectivity, resulting in a decline in the wildlife population and the consequence would be irreversible. The proposed compensation measures were overly optimistic; and
- (f) the areas zoned "OU(I&T)" under the STT OZP should be reverted back to the original zonings, i.e. "Conservation Area", "OU(CDWRA)" and "OU(CDWEA)", or other conservation zonings.

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

- (a) he had a master's degree in environmental management and had been working in the field of ecological conservation for more than 10 years. He opposed the STT and MP OZPs;
- (b) the wetlands in San Tin and Mai Po provided a diversified ecological habitat for numerous bird species, with over 100 bird species recorded within a single day. The biodiversity in San Tin was much higher than the survey recorded in the EIA Report;
- (c) he expressed opposition to the acceptance of the EIA Report for reasons that the process of conducting the EIA study lacked transparency, the EIA Report was full of mistakes, the assessment area did not include all the affected wetland areas and the findings could not reflect the actual ecological value of the wetland system. Given the doubt in the credibility of the findings in the EIA Report, it would therefore not be appropriate to accept the proposed compensatory measures from such an unprofessional report;
- (d) some areas within the Technopole were not covered by the survey in the EIA. Wildlife of conservation value was found but not recorded, including Siberian Rubythroat (*Calliope calliope*) (紅喉歌鶇), which fell under Class II protection under the list of National Key Protected Wild Animal (《國家重點保護野生動物名錄》). Moreover, some endangered/vulnerable/ threatened bird species under IUCN Red List of Threatened Species, rare/uncommon species of butterflies, such as *Hasora badra* (三斑趾弄蝶) and *Zizula hylax* (長腹灰蝶), as well as mammals such as Small Asian Mongoose (*Herpestes javanicus*) (紅頰獾), were missing in the project area survey record of the EIA Report. The ecological value of the area was therefore not reflected accurately;
- (e) the planning intention of designating WCA and WBA was to protect and

conserve the existing ecological functions of fish ponds to maintain the ecological integrity of the Deep Bay wetland ecosystem as a whole. As such, any alteration to the wetland area in San Tin would mean breaking the promise to protect the integrity of the wetland system; and

- (f) the EIA Report should be rejected and the environmental impacts arising from the proposed development should be re-assessed.

R661 of STT OZP and R506 of MP OZP – Yu Yat Tung (余日東)

70. With the aid of a PowerPoint presentation, Mr Yu Yat Tung made the following main points:

- (a) he had been engaging in the research of Black-faced Spoonbill (*Platalea minor*) (黑臉琵鷺) for about 20 years and was a member of the expert group in the IUCN. He objected to the development of the Technopole;
- (b) according to the information and data provided in the baseline survey of the EIA Report, the functional value of wetlands was incomplete. Some waterbird census data published in the public domain had not been incorporated in the EIA. As such, the EIA Report underestimated the population of the affected wildlife species, such as the Black-faced Spoonbill;
- (c) no information was provided regarding the time required and the areas that could be improved under the enhancement of the functional value of the commercially managed ponds by 45% upon implementing ecological enhancement measures. The Black-faced Spoonbills were found throughout the entire Deep Bay Area, not just in the fish ponds in the San Tin area. If the compensation plan only covered the planning scheme area in San Tin, the findings could not provide a holistic picture of the adverse impact of pond filling on Black-faced Spoonbills. The mitigation/enhancement measures proposed in the EIA Report could not guarantee enhancement in waterbird abundance if the environmental impacts arising from the proposed

developments were underestimated; and

- (d) a suggestion was made to enlarge the area of the Ramsar Site to enhance the conservation of Black-faced Spoonbill, waterbirds and wetlands.

R662 of STT OZP and R507 of MP OZP – Lo Hong Wu

71. Ms Lo Hong Wu made the following main points:

- (a) San Tin possessed high ecological value and had a significant effect on biodiversity, which included fish ponds that provided an important habitat for birds and wildlife species. Noting that there were records of various wildlife using abandoned fish ponds for foraging and roosting habitat, it was misleading to suggest that abandoned fish ponds had a low ecological function. Filling the abandoned fish ponds would adversely affect the nearby wetlands and the whole ecosystem, pose threats to endangered and protected species and induce irreversible change to the natural environment;
- (b) fish ponds were man-made wetlands which were initially used for agricultural purposes. While some fish ponds had been abandoned for years due to the decline of agriculture in Hong Kong, those fish ponds had been evolved into natural landscape resources and became part of the ecological system to support the wildlife inhabitants;
- (c) while the development scale of the Technopole had increased significantly during the processing of the EIA, there was no public consultation for the changes made to the EIA. The EIA process, which lacked transparency and credibility, breached procedural justice and demonstrated a lack of environmental protection responsibility. It was unreasonable that the EIA Report was still approved conditionally by the Advisory Council on the Environment (ACE). More than 90% of the representations objected to the STT OZP, implying that public opinions and concerns about the EIA Report had been ignored; and

- (d) the Technopole development should embrace the concept of sustainable development, with full regard to the natural environment and public comments in a just, transparent and accountable manner.

R663 of STT OZP and R508 of MP OZP – Chu Kong

72. Mr Chu Kong made the following main points:

- (a) he was working for an environmental protection organisation. He supported I&T development but opposed the conversion of wetlands for development as it would lead to the loss of valuable natural resources; and
- (b) the Board should perform the “gatekeeping” role to strike a balance between development and conservation. In the previous public engagement exercise on land supply held by the Task Force on Land Supply, different land supply options, such as developing public housing at the fringe of Country Park, were raised to increase housing supply. Similarly, in the development of the I&T industry, alternatives should be explored to provide I&T land without compromising the natural habitat, making the city a balanced, vibrant and liveable place.

R668 of STT OZP and R513 of MP OZP – Lau Yuen Ling Candice

73. With the aid of the visualiser, Ms Lau Yuen Ling, Candice made the following main points:

- (a) she had been a resident in San Tin for about 10 years;
- (b) the Technopole was a township development surrounded by local villages, which was different from the open and green natural landscape of San Tin. Although SPS WCP was proposed to compensate for the adverse impact on ecological resources arising from the proposed development, there would still be habitat loss for wildlife. Noting that the Technopole was targeted to be developed into a new community with a planned population of 165,500 to

support the I&T and other developments, the adverse impacts arising from the increased development intensity and BH in the area would hinder urban-rural integration; and

- (c) the fish ponds provided recreational and ecological functions, with local people participating in bird-watching activities in the area during holidays. While birds' flight corridors/paths were proposed to promote a bird-friendly environment, the landscape was altered because the low-lying plains would be transformed into areas occupied by tall buildings. The birds might not use the same flight path due to the change in terrain. According to the Projections of Population Distribution 2023-2031, some districts such as Sha Tin and Tin Shui Wai would have decreases in the projected population. Opportunity should be taken to redistribute the population to less dense districts rather than concentrating the developments in San Tin, with a view to retaining more fish ponds.

R711 of STT OZP and R546 of MP OZP – Pun Ho Yan

74. With the aid of a PowerPoint presentation, Ms Pun Ho Yan made the following main points:

- (a) she worked in the field of environmental conservation and led students to organic farms, where they could experience hands-on farming;
- (b) noting that Hong Kong was more susceptible to extreme weather, such as typhoons and heavy rainstorms, a connection should be built with nature to protect the natural resources;
- (c) development of I&T should not be at the expense of wetland conservation. In particular, abandoned farmlands covered by weeds could attract different wildlife species and their ecological value should be enhanced. Filling of ponds would reduce the area of natural habitat. The noise pollution during construction would also cause irreversible adverse impacts on the wetland habitat. In particular, migratory birds would not return to San Tin if the

habitat was disturbed by human activities;

- (d) it was preferred to protect the existing environment rather than compensate for the ecological impact caused by development. Preserving the wetlands in San Tin could allow future generations to experience the natural environment first-hand, such as by conducting bird-watching activities; and
- (e) situated in proximity to MPNR, San Tin should be part of the Ramsar Site without development and pond filling. While fish ponds were man-made wetlands, they had high ecological value and should be preserved. Various bird species were discovered in the wet and dry fish ponds during her visits to San Tin. By quoting the lyrics of a song, she pointed out the importance of environmental conservation and urged the Board to consider the development proposal with due care.

R755 of STT OZP and R586 of MP OZP – 黃紀正

75. With the aid of a PowerPoint presentation, Mr Wong Kei Ching made the following main points:

- (a) he was engaging in environmental conservation-related work;
- (b) Hong Kong was one of the important stations in the EAAF for migratory birds. According to the wetland definition adopted by the Ramsar Convention, both natural and human-made wetlands, including reedbeds and fish ponds, should be conserved. As such, the wetlands in San Tin had high conservation value. Fish ponds were human-made wetlands that provided an important feeding ground for endangered species, such as Yellow-breasted Bunting (*Emberiza aureola*) (黃胸鵪) and Black-faced Spoonbill (*Platalea minor*) (黑臉琵鷺);
- (c) various bird species were attracted to fish ponds during different operation phases, such as stocking and harvesting fish. According to his observation, different bird species, including migratory birds and resident birds, used the

dry and wet ponds as foraging and breeding grounds. When the fish ponds were drained out to remove harmful organisms accumulated at the bottom, different bird species, such as Oriental Pratincole (*Glareola maldivarum*) (普通燕鵻) and Little Ringed Plover (*Charadrius dubius*) (金眶鵻), would rest or build their nests at the bottom of the dried pond; and

- (d) for abandoned fish ponds not in operation, reeds growing on the pond could serve as a habitat for some bird species. As there was ecological value in keeping the abandoned fish ponds in San Tin, he objected to the filling of ponds for the Technopole development.

R756 of STT OZP and R587 of MP OZP – Cheung Ka Hei Gabriel (張家曦)

76. With the aid of a PowerPoint presentation, Mr Cheung Ka Hei, Gabriel made the following main points:

- (a) he was currently engaging in work related to eco-tourism and agriculture;
- (b) there were four types of agricultural land in San Tin, including active farmland, horticulture land, greenhouse and brownfield areas. Shun Sum Yuen Farm, occupying an area of about 4.1 ha, was the most well-known farm in San Tin for planting locally grown flowers for local sale and sightseeing;
- (c) the Technopole development would lead to a loss of farmland, but no land had been reserved for agricultural use in the planning scheme area of the STT OZP. In the NMDS, the successful example of the Long Valley Nature Park should be leveraged to resume private agricultural land for restoration and proactive conservation of natural ecology. It was doubtful why the planning of the Technopole had not made reference to the experience of Long Valley Nature Park but to remove agricultural land for development. Hong Kong needed local agricultural development to diversify economic growth;
- (d) the Technopole development also missed the opportunity in eco-tourism

development. The San Tin area was renowned and well-suited for bird-watching. Consideration should be given to including the area in the Ramsar Site, which could facilitate the development of a national wetland park, similar to the Hong Kong UNESCO Global Geopark. Eco-tourism could contribute to local jobs and incomes for the urban economy, and opportunities should be taken to develop nature-based tourism in San Tin, taking into account its proximity to the town centre and convenient transportation. As Shenzhen had already developed its I&T industry, a balanced development could be achieved by turning San Tin into a natural area; and

- (e) Hong Kong had many natural resources, such as country parks, which were attractive to foreigners and should be protected to promote the tourism industry.

R767 of STT OZP and R598 of MP OZP – Wong Kit

77. With the aid of a PowerPoint presentation, Mr Leung Ho Nam, Banson made the following main points:

- (a) while Wetland Enhancement Measures were proposed under the EIA Report to address the adverse ecological impacts brought by the Technopole development, the methodology in calculating functional value enhancement was questionable;
- (b) the Wetland Enhancement Measures proposed under the EIA were derived based on the LMC fish-stocking method. The practice included stocking in the dry season on a weekly basis, with 500 to 1000 kg of fish stock per restocking put into two selected ponds, while the average fish pond size of LMC was about 2 ha per pond;
- (c) when applying the LMC approach to San Tin for the 248 ha of the ecologically enhanced fish ponds under the proposal (i.e. 64 times the fishpond area of each LMC restocking), the fish stock needed per week would be about 32,000 kg, with a cost of about \$14,000,000. There was therefore a scaling mismatch in applying the LMC approach, and the proposal was also not financially viable;

and

- (d) the target of 45% functional value enhancement of SPS WCP was misleading.

R789 of STT OZP and R968 of MP OZP – 郭志泰

78. With the aid of some photos, Mr Kwok Chi Tan made the following main points:

- (a) he had been living in LMC for more than 50 years and represented the villagers of Ha Wan Tsuen (下灣村). He was an expert in ecological conservation and environmental education. He was also a witness in a lawsuit related to Long Valley Wetland;
- (b) he supported I&T development in San Tin and the designation of SPS WCP. However, he opined that the target of 45% functional value enhancement in SPS WCP was unachievable;
- (c) with about 50 years of experience in fish pond operation, he shared his experience of transplanting non-native vegetation into his fish pond, which resulted in an environmental disaster with the death of fish. It took him about 10 years to revive the fish pond. As such, careful selection of vegetation was very important for sustainable fish pond operation. He did not want the wetland compensation proposal of the Technopole to repeat the mistakes of his failed experience;
- (d) the ecological value of abandoned fish ponds was high. He raised ducks and flathead mullets in his fish pond 20 to 30 years ago. In recent years, he had used his fish pond as a gathering place and invited his friends to enjoy leisure fisheries activities. As such, abandoned fish ponds in San Tin could be converted back to active ponds to provide natural habitats for wildlife and leisure opportunities for the public;
- (e) San Tin had been a flood-prone area, particularly during extreme weather.

Fish ponds could temporarily store excess rainwater during heavy storms, reducing the chance of flooding in adjacent low-lying areas. If the area of fish ponds diminished, the “sponge action” would become ineffective and flooding might occur more frequently in the rainy season, posing threats to future users of the Technopole; and

- (f) Ha Wan Tsuen was a non-indigenous village which would be affected by the Technopole development. The villagers had been evicted for various development projects over the years and relocated several times. Ha Wan Tsuen encompassed important cultural heritage, including traditional activities such as ‘Floral Tribute Scrambling’ (搶花炮), which should be valued and preserved for future generations.

R869 of STT OZP and R674 of MP OZP – Chan Hall Sion (陳可淳)

79. With the aid of a PowerPoint presentation, Ms Chan Hall Sion made the following main points:

- (a) she worked for Greenpeace;
- (b) the planning of the Technopole was controversial and most of the representers objected to the proposal. The EIA Report was also criticised by various environmental experts and professionals for its flaws and questionable methodologies and findings;
- (c) the development previously proposed in ST/LMC DN had a smaller development area and no pond filling was required. Upon the publication of the Project Profile of ST/LMC DN and the subsequent public consultation, the Study Brief for the EIA was issued in June 2021. Nevertheless, during the processing of the EIA, the total development area was increased to 627 ha (+85%) and filling of about 90 ha of ponds was proposed without consultation with the public and ACE;

- (d) while there was a significant increase in the development area with a fundamental change in the key scope of the original EIA Study Brief for ST/LMC DN, the Study Brief was still used for the Technopole development without any update. In addition, according to EIAO, ACE and any person might comment on a project profile to DEP on environmental issues covered by the TM relevant to the designated projects within 14 days after its publication. If there was a fundamental change in the project scope of the proposal, a comprehensive consultation should also be conducted;
- (e) in previous development projects, such as LMC Loop, Tung Chung New Town Extension and HSK NDA, new Study Briefs were resubmitted as there were fundamental changes in transportation facilities, project scope or development boundary. While there was a fundamental change in the development boundary for the Technopole development, there was no update on the EIA Study Brief, which was not in line with the previous practice; and
- (f) as the quality and credibility of the EIA Report were questionable, the findings might not fully reflect the baseline condition of the ecological system in San Tin.

R1376 of STT OZP – Mak Hei Man

80. With the aid of some photos, Ms Mak Hei Man made the following main points:

- (a) she was engaging in the field of ecological survey and conservation;
- (b) many large I&T companies like Apple had introduced large-scale afforestation and green features in their headquarters, aiming to create a harmonious relationship with nature. The Technopole should also incorporate ecological elements in its planning and design to enhance the environmental carrying capacity;
- (c) San Tin was a tranquil area and a well-known bird-watching place.

Technology had been playing an important role in improving livelihood and providing solutions to climate change. The Technopole, which was aiming to promote I&T industry, should not be developed at the expense of the environment. Site selection should be carefully considered, and any environmentally sensitive areas should be avoided for development;

- (d) the third runway project of the airport was controversial and aroused objections from the public. The reclamation and construction had affected the habitat of the Indo-Pacific Humpback Dolphin (*Sousa chinensis*) (中華白海豚), reducing their presence not only in the project area but also in the nearby protected areas. The wildlife inhabitants were forced to visit different locations to find food and perches. Without a comprehensive understanding of the ecological value, the development of the Technopole would induce irreversible changes to the natural environment, leading to further loss of wildlife species, similar to the observed decrease in the humpback dolphin population after the construction of the third runway at Chek Lap Kok; and
- (e) Hong Kong should be a liveable city that embraced biodiversity and nature conservation. She urged the Board to consider the Technopole development carefully with a view to protecting the natural environment.

R1411 of STT OZP – Li Pui Sze

81. Ms Li Pui Sze made the following main points:

- (a) her job was related to nature conservation. Recently, she visited San Tin and saw numerous bird species. She knew that the cluster of fish ponds in San Tin had high ecological value; and
- (b) although it was common that the fish ponds or villages would give way to development, there could be a balance between conservation and development. Good planning was required to guard the natural resources left. The current proposal would lead to a loss of fish ponds and fragmentation of wetlands,

constituting an irreversible change. The roosting place for birds and other animals in San Tin should be treasured.

82. Ms Chow Oi Chuen, with the aid of some PowerPoint slides, made the following main points:

- (a) a flight path survey was conducted for the 4-ha proposed development in Fung Lok Wai. However, for the much larger Technopole development with pond filling of about 90 ha, the flight path survey was missing. Without such a survey, she doubted how to ensure the proposed stepped BH of 15mPD to 105mPD would not affect the birds' flight path. It was undesirable that buildings reaching a PR of 6 and a BH of 105mPD (about 19 to 20 storeys) would be situated adjacent to the MPLV Egrettry. The proposed birds' flight corridor through the egrettry was too narrow to be located on the plan. In addition, the effect of the non-binding Bird-friendly Design Guideline was in doubt. It was uncertain how compliance of the guideline could be enforced;
- (b) the MPLV Egrettry was designated as "O" zone on the STT OZP and supposed to be managed by the Leisure and Cultural Services Department (LCSD). There was a lack of conservation elements in the zoning and various recreational activities were always permitted. There was no way to ensure that the "O" zone would not cause adverse impact on the egrettries. Human disturbances near the egrettries should not be allowed. In 2017, trimming of tree branches by LCSD contract staff close to the Tai Po Market Egrettry caused the death of many fledglings. Such a tragic incident should not be repeated;
- (c) 37, 24 and 22 uses were always permitted in the "OU" zones for I&T uses in the Loop, Hong Kong Science Park at Pak Shek Kok and Cyberport at Pok Fu Lam respectively. In comparison, there were 44 uses always permitted in the "OU(I&T)" zone on the STT OZP. The project proponent would not be required to submit any detailed design to the Board for approval. In effect, the Board was stripped of its gatekeeping role; and
- (d) the proposed Technopole development involved enormous government

spending. Key information related to ecological compensation such as its management and financial arrangements was missing. The Government did not submit all the required documents for vetting except a flawed EIA Report. Taking Hong Kong Science Park as an example, 8 ha of land was reserved for expansion at Pak Shek Kok in 2013. Within a year, the reserved land was used for residential development and sold for \$12.1 billion. It was doubtful whether the Technopole development would follow suit or not. Given that over 90% of the representations objected to the proposed pond filling for the I&T development, the Board should serve as the gatekeeper for protecting the fish ponds.

R1151 of STT OZP and R1068 of MP OZP – Lee Yuen Man Touricheva Louise

83. Ms Lee Yuen Man Touricheva Louise made the following main points:

- (a) she was an enthusiast in bird watching. She joined her friends to watch birds at San Tin and appreciated the raw nature there. They recorded 105 species of birds in San Tin, including some endangered species. She hoped that others, including Members of the Board, could visit San Tin in person. She was surprised by using just four bird species to assess the fish ponds' functional value in the EIA. This might exaggerate the achievement of the proposed mitigation measures; and
- (b) as technological development should not be geographically constrained, locating the Technopole in San Tin was unnecessary. Conservation required integrated consideration and years of implementation to take effect. San Tin was unique in the territory. Members should seriously consider the content of each and every representation and request the relevant authority to reconduct the EIA.

84. As the presentations of the representers and/or their representatives had been completed, the meeting proceeded to the Q&A session. The Chairperson explained that Members would raise questions and the Chairperson would invite the representers, their representatives and/or the government representatives (including the consultants) to answer.

The Q&A session should not be taken as an occasion for the attendees to direct questions to the Board or for cross-examination between parties. The Chairperson then invited questions from Members.

Procedure of Conducting EIA

85. Noting that many representers had queried why the EIA did not need to be reconducted despite an increase in the development area for the Technopole in 2023 as compared with the previous scheme released in 2021, the Chairperson asked the government representatives to explain in detail. In particular, why the original Study Brief issued in 2021 was still applicable to the latest Technopole development and why a new EIA Study Brief was unnecessary. She acknowledged that the question should be clarified at the meeting as many representers mentioned it in their presentation, although the issue had been thoroughly discussed by ACE. A Member supplemented that the public concern was mainly due to the fact that more pond filling was required after the expansion of the development area.

86. In response, Mr Tony K.L. Cheung, PM(N), CEDD made the following main points, with the aid of some PowerPoint slides:

- (a) the EIA process was scientific, professional and comprehensive. In assessing the EIA Report, various aspects including the statutory standards, the requirements of the Study Brief and the TM, the public comments received during the public inspection period, the suggestions and views from green groups, as well as the endorsement conditions and recommendations raised by ACE had been thoroughly and carefully considered; and
- (b) when the development area for the Technopole changed in 2023, CEDD wrote to DEP and inquired whether it was necessary to apply for a new Study Brief. DEP replied in the negative. As explained in the ACE meeting on 22.4.2024, the original Study Brief had covered a list of 13 environmental issues that needed to be assessed, including air quality impact, noise impact, water quality impact and, in particular, ecological impact (e.g. loss of wetland habitats including fish ponds). Despite the expansion of the development area to the north with the inclusion of more fish ponds, the need to assess the ecological

impact caused by the loss of wetland habitats had already been covered by the original Study Brief. As such, even with the change in the development area for the Technopole in 2023, the environmental issues covered in the original Study Brief in 2021 were still sufficient for a comprehensive assessment, and a new Study Brief was therefore unnecessary.

87. Regarding the EIA process, Mr Terence S.W. Tsang, AD(EA), EPD also made the following main points:

- (a) the public and ACE were involved at an early stage of the statutory EIA process. In 2021, there was an opportunity for the public and ACE to comment on the project profile on environmental issues covered by the TM within 14 days before an EIA Study Brief was issued by DEP. In early 2024, there was another opportunity for the public (30 days) and ACE (60 days) to comment on the EIA Report before it was approved;
- (b) in general, a list of environmental issues to be studied in the EIA was set out in the Study Brief. For the development scheme in 2021, a Study Brief with 13 environmental issues identified for assessment, including ecological impact, water quality impact, fisheries impact, etc., was issued by EPD to CEDD. It was stated in paragraph 6.2 of the Study Brief that if there were any key changes in the scope of the project, the applicant must seek confirmation from DEP in writing on whether the scope of environmental issues covered by the Study Brief was still sufficient to cover the key changes. If the changes to the project fundamentally altered the key scope of the Study Brief, the applicant should apply to DEP for a fresh Study Brief; and
- (c) it was common for a project to undergo changes in the study process. Apart from following the provision in the Study Brief as mentioned in paragraph 86(b) above to determine the need to apply for a new Study Brief, project proponents might choose to apply for a new Study Brief direct to cater for changes in project scope or design in some cases cited by the representers. This might be driven by different considerations, for instance, whether the Study Brief had been included in a contract and whether the contract price would be affected.

88. Some Members queried whether the development area and the 500m assessment area, as shown on the plan in CEDD's PowerPoint, were included in the Study Brief issued in 2021. Mr Tony K.L. Cheung, PM(N), CEDD replied that the 500m assessment area was based on the requirement of EIA Study Brief. Adjustment to the boundary of the development area was common during the study process. The 500m assessment area was required to be updated in accordance with the changes in 2023. Although the 500m assessment area did not cover the entire SPS area which was proposed for implementation of compensation/enhancement measures, comprehensive survey data from HKBWS were available and adopted in the ecological impact assessment. This arrangement was supported by both AFCD and EPD. Mr Terence S.W. Tsang, AD(EA), EPD supplemented that the assessment area specified in the Study Brief would, in general, cover an area of 500m from the project boundary for ecological impact assessment. When the development area expanded, the assessment area would be expanded accordingly. The environmental issues covered in the Study Brief would not be affected.

89. Some Members noted that the Study Brief issued in 2021 was published for public comment for 14 days. When the development area expanded to cover the ponds in the north in 2023, many representers expressed that they did not have the opportunity to raise objections. The Members then raised the following questions:

- (a) whether the public had the opportunity to express comments on the expansion of the development area during the EIA process;
- (b) whether EPD or ACE was the authority to approve the EIA report; and
- (c) how the quality of the EIA report was determined.

90. In response, Mr Terence S.W. Tsang, AD(EA), EPD made the following main points:

- (a) when the EIA Report was submitted by CEDD to EPD for approval, it was published for public comment for 30 days in early 2024. A large number of public comments were received regarding the EIA Report during the public inspection period but there was no comment that the EIA Report had missed out any environmental issues;

- (b) according to the EIAO, the role of ACE was advisory in nature, and DEP was the approving authority of the EIA Report. DEP would have to consider ACE's advice before making a decision. The advice of ACE was sometimes accepted as condition(s) attached to the approval. After DEP approved the EIA Report with conditions, the project proponent would have to comply with the approval conditions when implementing the project; and
- (c) the criteria and guidance under the EIAO were clear and transparent. The EIA Report should comply with the requirements of the Study Brief and the TM. Comments/advice from relevant authorities (e.g. AFCD), ACE and the public would be sought before DEP made the decision. The EIA Report for the Technopole development was finally approved by DEP on 17.5.2024. The EIA Report had complied with all the statutory standards and requirements of the Study Brief and the TM.

Environmental and Ecological Impact

Fish Ponds

91. Some Members asked whether active management of ponds would be implemented before pond filling so that the birds could move to new foraging ground in time. In response, Mr Gavin C.P. Wong, CE/N, CEDD, with the aid of some PowerPoint slides, said that the pace of pond filling works for the development of the Technopole would tie in with the implementation of SPS WCP. In line with the approved EIA Report, pond filling works for the development of the Technopole would not take place prior to the commencement of construction of SPS WCP. Wetland enhancement measures including *Sonneratia* (海桑), improvement of tidal channels and interim wetland enhancement, e.g. restoration of abandoned fish ponds in Inner Deep Bay would be implemented to improve water quality and increase food sources for birds.

92. A Member raised the following questions:

- (a) whether the current proposal would affect the Ramsar Site and violate the national policy and if there had been any communication with the Mainland

authorities to align the development in Shenzhen; and

- (b) whether the dried-up ponds had any ecological value.

93. In response, Mr Simon K.F. Chan, AD(C), AFCD and Mr Tony K.L. Cheung, PM(N), CEDD, with the aid of some PowerPoint slides, made the following main points:

- (a) the Ramsar Site would be left untouched in its totality under the proposed development in the STLMC area. After implementing the proposed mitigation measures, there would be no change in the ecological character of the Ramsar Site. The proposed SPS WCP, with the restoration of inactive and abandoned fish ponds and brownfield sites into active ecologically enhanced fish ponds, would enhance the overall ecological and fisheries functions and capacity of the wetland system. AFCD had communicated with the Department of Wetland Management under the National Forestry and Grassland Administration on the matter, and kept the Secretariat of the Ramsar Convention informed. The proposed developments would not violate the Ramsar Convention; and
- (b) both abandoned and dried-up ponds had certain ecological value. They served as foraging ground for non-fish-eating birds and animals. Active management would enhance the functional value of those fish ponds. The photo shown in the PowerPoint slide was a pond in active use undergoing pond drying.

94. In view of the queries raised by Ms Cheung Hoi Ning (R634 of STT OZP and R922 of MP OZP) and Mr Yu Yat Tung (R661 of STT OZP and R506 of MP OZP) on the efficiency of wetland enhancement measures for pond habitats, a Member asked the government representatives to elaborate on the source of the survey data, the functional value of typical commercial fish ponds and the timeline of achieving the 45% functional value enhancement. Mr Tony K.L. Cheung, PM(N), CEDD, with the aid of some PowerPoint slides, explained that the EIA Report had taken into account the field survey data and analysis undertaken for previously approved EIA reports including the approved LMC Spur Line and Fung Lok Wai EIA Report in the estimation of compensation requirement. The EIA Report proposed

restoring inactive and abandoned fish ponds and adopting eco-friendly aquaculture practices within the proposed SPS WCP under active management by the Government, serving dual functions of ecological conservation and aquaculture production. Phase 1 works in SPS WCP involving about 150 ha of government land would commence in 2026/2027 with a target to complete in 2031. The Government aimed at enhancing the overall functional value by at least 45%. Measures to expedite the progress would be explored in the coming detailed investigation study for SPS WCP. Moreover, interim wetland enhancement measures would be implemented prior to commencement of pond filling works.

95. The Chairperson noted that some representers had doubts about the approved EIA Report, including the suggested 45% enhancement in functional value after adopting the wetland enhancement measures for pond habitats. She requested CEDD to explain in detail to clarify the misunderstandings. With the aid of some PowerPoint slides, Mr Tony K.L. Cheung, PM(N), CEDD replied that the calculation in the EIA concluded that wetland enhancement by 45% within 253 ha of ecologically enhanced fish ponds would sufficiently compensate for the loss brought by the development of the Technopole. Wetland enhancement measures such as fish-stocking method and pond drain-down had proven to be very effective in actual practice and would greatly increase bird density. Active management by the Government could control and coordinate the time and arrangement of pond drain-down, e.g. avoiding drain-down of too many ponds at the same time or extending the drain-down period to two to three weeks. Assuming a fish catch of 141 tonnes annually from all 152 ha of fish ponds directly and indirectly affected by the proposed development, which was worth around \$4 million, the Government was considered financially competent to provide fish to feed the foraging birds. In terms of the effectiveness monitoring, an EC comprising a wide representation of members including green groups would be set up to advise on and monitor the progress and effectiveness of the mitigation/enhancement measures, including interim measures. Subject to the Government's internal resource allocation mechanism, funding application for SPS WCP would be bundled with the Technopole development to demonstrate that both projects would be implemented hand in hand.

Birds

96. A Member raised the following questions:

- (a) whether the birds would come back and forage and roost in the enhanced fish ponds in SPS WCP after the proposed pond filling; and
- (b) whether there was scientific evidence to support the proposed flight path.

97. In response, Mr Simon K.F. Chan, AD(C), AFCD and Mr Tony K.L. Cheung, PM(N), CEDD made the following main points:

- (a) 253 ha of ecologically enhanced fish ponds and 35 ha of enhanced freshwater wetland habitat would be created in the proposed SPS WCP. Proposed ecological enhancement measures included consolidating smaller and fragmented fish ponds into larger waterbodies, creating habitat islands, reprofiling pond banks, managing and sequencing pond drain-down in the dry season, providing fencing to reduce disturbance from human activities and feral dogs, etc. These measures, based on current wetland management experience, would enhance ecological value in the area. The Government was confident that the enhanced fish ponds would be able to attract birds and other animals for foraging and roosting; and
- (b) a 300m-wide birds' flight corridor between the old Shenzhen River meander and SPS in the east-west direction was preserved by the designation of NBA and stringent BH restrictions. The proposed flight path was supported by the field observation by the consultants. While some birds would fly along Shenzhen River, most birds would fly along the meander at the Loop to SPS or Hoo Hok Wai. The proposed flight corridor served as an extension of the existing flight corridor for the Loop project so as to maintain the connectivity between SPS and Hoo Hok Wai.

98. In response to the request of the Chairperson to address the representers' concern on the selection of four waterbird species for assessment in the EIA, Mr Tony K.L. Cheung, PM(N), CEDD, with the aid of some PowerPoint slides, clarified that four species with high overall sensitivity to disturbances, namely, Black-faced Spoonbill (*Platalea minor*) (黑臉琵鷺), Great Egret (*Ardea alba*) (大白鷺), Grey Heron (*Ardea cinerea*) (蒼鷺) and Great Cormorant

(*Phalacrocorax carbo*) (普通鸕鶿), were selected as indicator species for calculation purpose in consultation with AFCD. When mitigation targets were achieved for these larger, more disturbance-sensitive indicator species, similar or higher enhancement levels could be achieved for other less sensitive wildlife species.

Otters

99. A Member asked whether the proposed pond filling would cause the near-threatened species (e.g. otters) to disappear and what strategy would be employed to attract otters to move and live in the proposed SPS WCP. In response, Mr Tony K.L. Cheung, PM(N), CEDD said that the existence of Eurasian Otters (*Lutra lutra*) (歐亞水獺) had been considered in the EIA. Under the EIA, wildlife corridors were proposed for non-flying mammals including Eurasian Otters (*Lutra lutra*) (歐亞水獺). While the proposed SPS WCP would be a free foraging ground for the birds, the current privately owned fish ponds with bird scaring devices and feral dogs did not welcome birds and other mammals such as otters. The SPS WCP would be the first wetland conservation park (WCP) in the territory and other future WCPs covering areas such as Nam Sang Wai would follow. The ecological condition in SPS WCP would also be monitored in consultation with the Environmental Committee.

100. In response to another Member's question on how the otters were monitored by one camera in the vast assessment area, Mr Tony K.L. Cheung, PM(N), CEDD said that a total of 20 camera traps were deployed in the consultants' survey. CEDD would maintain communication with the green groups in the Environmental Committee on how best to monitor Eurasian Otters' activities and design the wildlife corridors.

Others

101. A Member inquired whether the impact of the increase in population in the STLMC area on wildlife was assessed. In response, Mr Vic C.H. Yau, D of NMCO, DEVB replied that the population of about 165,600 would mostly reside south of San Tin Highway. The north, nearer the wetland, would be for I&T development accommodating mainly working population. It should be noted that there were currently economic activities near the wetland. For example, there were existing brownfield operations bringing nuisance to the surroundings.

The traffic through the LMC BCP was another source of nuisance. With cargo clearance function of LMC/Huanggang Port diminishing in the future, it was anticipated that freight traffic would decrease significantly. With the proposed mitigation measures identified in the approved EIA Report adopted, disturbance to wildlife from human activities could be further reduced.

102. A Member raised the following questions:

- (a) noting serious flooding problem in San Tin as raised by some representers, whether any measures to deal with the flooding problem in the future Technopole development was proposed; and
- (b) whether assessment of carbon emission for the proposed development was conducted.

103. In response, Mr Tony K.L. Cheung, PM(N), CEDD and Mr Gavin C.P. Wong, CE/N, CEDD, with the aid of some PowerPoint slides, made the following main points:

- (a) a sustainable urban drainage system to improve drainage management and enhance resilience to extreme climate and sea level rise would be provided. The concept of a 'sponge city' such as permeable paving and floodable landscape would also be adopted. Two main drainage channels, i.e. the San Tin Eastern Main Drainage Channel (STEMDC) and the San Tin Western Main Drainage Channel (STWMDC), would be revitalised with the provision of flood retention facilities of about 200,000 m². Underground storage tanks and retention ponds would be provided and integrated with STEMDC. Integrated ponds, combining flood retention lakes with underground storage tanks, would be provided and integrated with STWMDC. The existing drainage system in the rural areas could only withstand heavy rainstorm of up to 50 years return period. The proposed flood retention facilities would intercept runoff to prevent flooding in the downstream and have sufficient capacity to withstand heavy rainstorm of up to 200 years return period. The proposed flood prevention system would be designed and implemented in accordance with the latest design guidelines issued by the Drainage Services Department in March

2024 to cater for the extreme weather and climate change; and

- (b) various smart, green and resilient initiatives were proposed in response to the call for green planning and developing a carbon-neutral community under the 'Hong Kong's Climate Action Plan 2050' and to address climate change. The proposed initiatives included promoting the use of green fuel and electric vehicles. Based on the carbon appraisal conducted under the Investigation Study, zero net carbon emissions within the area should be achieved by 2050.

I&T Development

104. Noting that land resumption for the Technopole development was published in the Gazette but not for SPS WCP as pointed out by some representers, a Member inquired whether that implied the Government had given priority to I&T development over conservation. The Chairperson replied that the land resumption for the first batch of works for the proposed Technopole development (excluding the Loop) was published in the Gazette in March 2024 so that site formation works could commence by the end of the year. However, the first batch of works would not involve any pond filling. On the other hand, Phase 1 works of SPS WCP involving only 150 ha of government land would commence in 2026/2027 and be completed in 2031. All the 188 ha of private land would be included in Phase 2 works, which would commence upon completion of Phase 1 in 2031. Hence, the resumption of private land for SPS WCP would begin in 2030 at the earliest. This was in line with our land resumption practice whereby land would only be resumed to tie in with the progress of works and there was no question of Government prioritising development over conservation. Estimated expenditure on land resumption would be substantial. Assuming all the remaining 188 ha of private land would be resumed at Tier Two ex-gratia compensation rate, about \$11 billion would be required. This together with the construction works for SPS WCP signified Government's strong commitment to proactive conservation while taking forward the Technopole development. Alternative measures would be considered to manage the cash flow required for land resumption. For example, as some land might be owned by developers who had plans to develop other land outside SPS WCP, the land value of surrendered land within SPS WCP might be used to offset the premium payable by the developers in other projects outside SPS WCP.

105. A Member asked if pond filling was necessary for the Technopole development and whether the proposed development would create synergy with the Shenzhen's I&T Zone. In response, Mr K.W. Ng, AD/NT, PlanD, with the aid of some PowerPoint slides, said that the collaborations with Shenzhen was important for Hong Kong to develop into an international I&T centre. Shenzhen was very strong in midstream and downstream I&T processes including application development and manufacturing. On the other hand, Hong Kong, with five universities ranking in the world's top hundred and two world's top 40 medical schools, had competitive edge on research and development and could attract international talents and investment. Geographically, the proposed locations for I&T uses in the STLMC area would facilitate creation of synergy effects with both the HSITP at the Loop and the Shenzhen's I&T Park. On the STT OZP, land reserved for I&T uses within the STLMC area would not only locate to the north of San Tin Highway but also in the southern part in Planning Area 13A. Together with the HSITP at the Loop, the whole Technopole development could offer a land area of 300 ha with a GFA of 7 million m², creating a critical mass to foster I&T development. The current proposal was therefore well justified also given the general shortage of land for I&T development. Regarding the representers' proposal to use the "GB" area at the north-eastern part of the STT OZP for I&T development, there were a number of technical constraints as elaborated in the morning session. In gist, the "GB" area was mostly a natural and mountainous area of high and steep terrain where the foothills were covered with woodland. Large-scale slope-cutting, surface blasting and infrastructure works would be inevitable to create developable land for I&T uses of fair size and scale currently proposed under the STT OZP. Such works would not only require a longer construction time but also cause nuisances to the local neighbourhood and the surrounding environment.

106. Mr Vic C.H. Yau, D of NMCO, DEVB, said that the representers' concerns on the environment were appreciated, and the adverse views on pond filling were respected. Considering the land use, the positioning of I&T development, the topographical constraints, the synergy with the Loop and the Shenzhen's I&T Park, the Government had carefully chosen the land for I&T development by balancing development and conservation needs. Every attempt was made to minimise pond filling, and the current proposal had undergone a rigorous EIA process. Compared with the privately owned fish ponds, the proposal of active management of fish ponds by the Government provided an unprecedented opportunity to conserve the fish ponds better and enhance the overall effects of conservation in the area.

Development Restrictions

107. Some Members raised the following questions:

- (a) how Column 1 uses of “OU(I&T)” zone were proposed and whether Column 1 uses would be reduced to minimise disturbance as proposed by some representers;
- (b) the planning intention of the SPS WCP and the rationale for the designation of the “O” zone for the MPLV Egrettry; and
- (c) how the effect of the imposition of BH restrictions on birds’ flight path was determined.

108. In response, Mr K.W. Ng, AD/NT, PlanD and Mr Tony K.L. Cheung, PM(N), CEDD, with the aid of some PowerPoint slides, made the following main points:

- (a) in principle, the Schedule of Uses for individual zones followed the Master Schedule of Notes (MSN) for statutory plans. As there was no “OU(I&T)” zone in the current MSN, the uses proposed in Column 1 were drawn up having regard to the planning intention of the “OU(I&T)” zone. Apart from I&T uses, ‘Flat (Staff Quarters Only)’ and other supporting commercial and retail uses were included in Column 1 to facilitate the provision of talent accommodation units and cater for various demands from the future working population and visitors of the I&T land. The supporting commercial and retail uses had made reference to the “Commercial” zone in the MSN as appropriate;
- (b) SPS WCP would be established on Government-controlled land, hence its land uses could also be controlled by the Government. The “OU(WCP)” zone was intended primarily for the development of a WCP to compensate for the impact on ecological and fisheries resources arising from the Technopole development and to achieve no-net-loss in ecological function and capacity of the wetlands concerned. Eco-education and eco-recreation facilities would also be provided in SPS WCP for public enjoyment. The “O” zone designated for the

MPLV Egrettry covered a large area. Future design of the open space would take into account relevant mitigation measures identified in the EIA Report to minimise possible human disturbances on the egrettry. Concerned departments would also observe relevant measures and requirements in the design of the open space; and

- (c) the imposition of BHRs in the STT OZP had taken into account ecologically significant resources identified in the area including the bird's flight corridor and egrettries. Relevant conditions imposed on the approved EIA Report even required the submission of a Bird-friendly Design Guideline for buildings within the STLMC area, which would be a measure to minimise the risk of bird collision and the impact on birds. The corresponding specifications in the PDB to be formulated by PlanD would propose refined development restrictions/requirements for the "OU(I&T)" sites taking into account various considerations including, amongst others, the approval conditions of the EIA Report. During the preparation process of the PDB, the Board would be consulted. Future project proponents of relevant I&T sites would then be required to follow the PDB and submit master plans for their proposed development. Each master plan would be considered by a designated committee to be set up under the NMCO, DEVB. In view of the above, the BHRs on the STT OZP only represented the maximum attainable BH that could be achieved. There could be further restrictions/ requirements in the PDB to be prepared. Both MPLV and MPV Egrettries currently supported breeding of Little Egret (*Egretta garzetta*) (小白鷺) and Chinese Pond Heron (*Ardeola bacchus*) (池鷺), which were common resident species in Hong Kong and were relatively less sensitive. Observations of Tuen Mun Egrettry, Tai Po Market Egrettry, Kam Po Road Egrettry, Penfold Park Egrettry and Shan Pui River Egrettry showed that the birds roosting there exhibited tolerance to disturbance from the adjacent buildings, road, railway and human activities. In addition to designating the "O" zone to preserve the core area of the MPLV Egrettry, roosting substratum and associated vegetation of the egrettry, mitigation and enhancement measures were recommended, such as conducting pre-construction surveys, setting up 100m buffer area to prohibit construction

activities during the ardeid breeding season and avoiding tree crown pruning within the egretries.

109. As Members had no further question to raise, the Chairperson said that the afternoon session of the hearing on the day was completed. She thanked the representers, their representatives and the government representatives (including the consultants) for attending the meeting. The Board would deliberate on the representations in closed meeting after all the hearing sessions were completed and would inform the representers of the Board's decision in due course. The representers, their representatives and the government representatives (including the consultants) left the meeting at this point.

110. This session of the meeting was adjourned at 9:55 p.m.