

Urgent Return receipt Expand Group Restricted Prevent Copy

**Submission Number:**  
**TPB/R/S/STT/1-S702**

**From:** Eugene HKIA [REDACTED]  
**Sent:** 2024-05-06 星期一 18:59:50  
**To:** tpbpd/PLAND <tpbpd@pland.gov.hk>  
**Subject:** Representation for Outline Zoning Plan for San Tin Technology S/STT/1  
**Attachment:** S6x1x\_SanTin\_S\_STT\_1.pdf

**Representation Number:**  
**TPB/R/S/STT/1-R101**

Dear Sire/Madams,

Please find enclosed duly completed form S6 with details of Representation on the captioned Outline Zoning Plan for your review and consideration.

Thank you.

Sincerely,

Eugene Ching

For Official Use Only 請勿填寫此欄	Reference No. 檔案編號	
	Date Received 收到日期	

- The representation should be made to the Town Planning Board (the Board) before the expiry of the specified plan exhibition period. The completed form and supporting documents (if any) should be sent to the Secretary, Town Planning Board, 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong.  
申述必須於指定的圖則展示期限屆滿前向城市規劃委員會(下稱「委員會」)提出,填妥的表格及支持有關申述的文件(倘有),必須送交香港北角渣華道 333 號北角政府合署 15 樓城市規劃委員會秘書收。
- Please read the "Town Planning Board Guidelines on Submission and Processing of Representations and Further Representations" before you fill in this form. The Guidelines can be obtained from the Secretariat of the Board (15/F., North Point Government Offices, 333 Java Road, North Point, Hong Kong – Tel.: 2231 4810 or 2231 4835) and the Planning Enquiry Counters (PECs) of the Planning Department (Hotline: 2231 5000) (17/F., North Point Government Offices, 333 Java Road, North Point, Hong Kong and 14/F., Sha Tin Government Offices, 1 Sheung Wo Che Road, Sha Tin, New Territories), or downloaded from the Board's website at <http://www.tpb.gov.hk/>.  
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<b>1. Person Making this Representation (known as "Representer" hereafter) 提出此宗申述的人士(下稱「申述人」)</b>
Full Name 姓名 / 名稱 (Mr./Ms./Company/Organization* 先生/女士/公司/機構*)  Ching Yuk Yu Eugene
(Note: for submission by person, full name shown on Hong Kong Identity card/Passport must be provided) (注意:若個人提交,須填上與香港身份證/護照所載的全名)

<b>2. Authorized Agent (if applicable) 獲授權代理人(如適用)</b>
Full Name 姓名 / 名稱 (Mr./ Ms./Company/Organization* 先生/女士/公司/機構*)
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\* Delete as appropriate 請刪去不適用者

Please fill in "NA" for not applicable item 請在不適用的項目填寫「不適用」

3. Details of the Representation (use separate sheet if necessary) <sup>#</sup> 申述詳情(如有需要,請另頁說明) <sup>#</sup>		
The plan to which the representation relates (please specify the name and number of the plan) 與申述相關的圖則(請註明圖則名稱及編號)		S/STT/1 - SanTin Technopole
Nature of and reasons for the representation 申述的性質及理由		
Subject matters 有關事項 <sup>@</sup>	Are you supporting or opposing the subject matter? 你支持還是反對有關事項?	Reasons 理由 <sup>^</sup>
	<input type="checkbox"/> support 支持 <input type="checkbox"/> oppose 反對	
	<input type="checkbox"/> support 支持 <input type="checkbox"/> oppose 反對	
	<input type="checkbox"/> support 支持 <input type="checkbox"/> oppose 反對	
Any proposed amendments to the plan? If yes, please specify the details. 對圖則是否有任何擬議修訂? 如有的話,請註明詳情。		

<sup>#</sup> If the representation contains more than 20 pages, or any page larger than A4 size, 4 hard copies and 1 soft copy are required to be provided for the submission. Provision of email address is also required.  
若申述超過 20 頁或有任何一頁大小超過 A4, 則須提交硬複本一式四份和一份軟複本。另須提供電郵地址。

<sup>@</sup> Please describe the particular matter in the plan to which the representation relates. Where the representation relates to an amendment to a plan, please specify the amendment item number provided in the Schedule of Proposed Amendments. 請形容圖則內與申述有關的指定事項, 如申述與圖則的修訂有關, 請註明在修訂項目附表內的修訂項目編號。

<sup>^</sup> Please also note that section 6(3A) of the Ordinance provides that any representation received under section 6(1) **may be treated as not having been made** if, in the opinion of the Board that, the reason for the representation is a reason concerning compensation or assistance relating to, or arising from resumption/acquisition/clearance/obtaining vacant possession of any land by the Government. The above matters should be dealt with in accordance with the relevant statutory provisions on compensation and/or promulgated policy on compensation. Should you have any views on compensation or assistance matters, you may separately raise your views to the Director of Lands or the relevant authority. 請注意, 條例第 6(3A)條訂明, 如委員會認為根據第 6(1)條收到的任何申述所提出的理由是與政府收回/徵用/清理/取得任何土地的空置管有權而引起的補償或援助有關, 則有關申述可被視為不曾提出。上述事項應該按照相關補償的法律條文和/或已公布的補償政策處理。如對補償或援助事宜有意見, 可另行向地政總署署長或有關當局提出。

Please fill "NA" for not applicable item 請在不適用的項目填寫「不適用」

at the appropriate box 請在適當的方格內加上  號

**Appendix to Form No. S6**

**Details of the Representation : Draft San Tin Technopole OZP No. S/STT/1**

**NATURE OF AND REASONS FOR THE REPRESENTATION**

Support to the Plan

Item	Subject Matter	Reasons	Proposed Amendments
S1	Provision of outdoor open-air public space for active and/or passive recreational uses serving the needs of local residents as well as the general public	Adequate amount of open spaces in support of and providing a balance to future increase of density is necessary.	In addition to the uses provided, community farms or agriculture uses should be permitted within Open space to preserve existing rural assets.
S2	Mixed Uses and OU developments around proposed Santin Station are supported	A high degree of flexibility in height variations can be allowed especially for the "town centre" of the technopole, to achieve an interesting urban morphology. The current morphology has room for improvement.	Instead of relying on a minor relaxation mechanism, there shall be a comprehensive review of the allowable building height arrangement. Alternatively, the maximum allowable GFA shall be reduced.
S3	Residential Elements within OU(I&T) Zone and the idea of mixing domestic uses within the I&T Park are supported.	Staff quarters type of flat use is always allowed in column 1 of OU(I&T) zone will give possible round-the-clock activities within the Park. To further promote livability to retain talents, normal residences rather than just staff quarters shall also be allowed with the I&T Park.	"Flat" use is allowed on Column 2, however, to encourage such a use, the government shall indicate in the Remarks that, based on the individual merits, private residential developments occupying not more than 50% of intended no. of accommodation units may be considered.
S4	We support retaining 2 drainage channels STEMDC and STWMDC and denoting adjacent areas as NBA	The alignments of the two drainage channels cutting across the OZP as proposed may be more interesting and less restrictive. They are more than 1km and 2km in length respectively and should be planned alongside with more recreational uses, parks or nodal points.  Instead of being purely functional Drainage Channels, they can be developed into a Blue Green Urban Space with creative Landscape Design, enhancement of Greenery for the leisure and enjoyment of the public.	Consideration to allow a relatively easy mechanism to amend the alignments and extents of the two drainage channel zones should be included in the notes to allow flexibility for interesting urban design.  It is also suggested in the Explanatory Statement that the two channels shall be more explicit in detail on the flood resilient, amenity and biodiversity consideration design to be incorporated.

Appendix to Form No. S6

Details of the Representation : Draft San Tin Technopole OZP No. S/STT/1

Item	Subject Matter	Reasons	Proposed Amendments
		The existing San Tin Technopole is full of ponds which are wetlands among Deep Bay, Nature Reserve, Ng Tung River and has the function as buffer zone during flooding period. The existence of the two drainage channels should have an integrated design with landscape to discharge the flooding water easily. The flood resilient design with permeability for the land and buildings there have to be emphasized and with flood disaster risk considerations and management planning.	Only the STWMDC is zoned 'O' or Open Space. STEMDC should also be zone O to allow better use of the zone instead of simply Amenity, which will be sanitized with access roads and associated facilities only..
S5	Landscape Deck denoted in the Plan at the junction of San Tin Highway and Road L14 is supported	San Tin communities will be bisected by the new San Tin Highway and new developments should be planned to bridge the divided areas wherever possible. This optimizes landuse by allowing developments above land zoned as road akin to TOD above railway.	Landscape Deck should be zoned as OU instead of a note above the road to integrate with adjacent development similar to Tin Shui Wai Public Market above Tin Fuk Road.

Oppose to the Plan

Item	Subject Matter	Reasons	Proposed Amendments
O1	Inadequate statutory control in OU (Innovation and Technology) Zone over major development parameters such as Sustainability KPI, open space, green ratio and preservation of the existing wetland, etc.	Without clear statutory control or urban design guideline, the future development is only resorted to administrative control through drafting of the lease, which is not transparent to the public and does not provide adequate safeguard to public interest for a highly environmentally, culturally and ecologically sensitive area.	To provide better planning control, urban design considerations, including preservation of ecology and environment, a Note shall be incorporated for the developer to incorporate a sustainability assessment of an international accepted standard. Also, the Remarks requiring a set of urban design guidelines including the concept of urban and nature integration should be proposed
O2	In appropriate landuses allowed under column one in OU(Innovation and Technology) Zone that are unrelated to such zoning	The landuses allowed are similar to that in column two for a Comprehensive Development Area, where planning application for each of the uses are required to be further review. Uses such as Off-course Betting Centre, Hotel, Private Club, Residential	Off-course Betting Centre, Hotel, Private Club, Place of Public Entertainment, Residential Institution, Warehouses should be placed under column two in the Notes to the plan. While some leisure and

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Details of the Representation : Draft San Tin Technopole OZP No. S/STT/1

Item	Subject Matter	Reasons	Proposed Amendments
		Institution, Place of Public Entertainment, Warehouses are not related to Innovation and Technology and potential for abuse.	recreational facilities inside such large OU Zone is desirable, these should be submitted under S16 procedure to avoid abuse as seen in Cyberport development, which became primarily residential development unrelated to the I&T industry.
O3	The BHR adjacent village zone should be compatible and sensitive to existing community.	There are no clear building height restriction considerations for new developments around existing cultural sensitive historic villages/buildings. Government's intention of urban village integration might be jeopardized.	Guidelines for achieving NM Action Agenda Vision 6 – Preserving Local Cultural Heritage should be established, including building height restriction around existing cultural sensitive historic villages/buildings, villages shrines, fung shui trees and artefacts.
O4	Zone 19C with Building Height Restriction at 105 and 115mPD is considered too high	The sites are immediately adjacent to Mai Po Egretty and Mai Po San Tseun. The very tall buildings will be incompatible to the rural settlement and potential risk to the birds in their habitat.	The area should not be rezoned as the landuse is incompatible and contravene the TPB-PG No.12C. refer to item O5 below.
O5	Rezoning of area 19B and 19C OU(Innovation and Technology) landuses that require filling of fishpond and reduction of wetland area is not supported	The northern part of the STLMC area of the Technopole falls within the Wetland Conservation Area (WCA) or Wetland Buffer Area (WBA) (about 247 ha) under the TPB-PG No.12C. The loss of wetland function arising from pond filling was denoted to be compensated in a no-net-loss in ecological function. However, such large scale transformation of an ecological sensitive area covering over 90ha is untested. Furthermore, TPB-PG No. 12C clause 5 is very specific that the no-net-loss refer to both loss in "area" and "function". Paragraph 14 of the TPB Paper No. 10954 has neglect the fundamental of the TPB guideline.	The area should not be rezoned as the landuse is incompatible and contravene the TPB-PG No.12C.  Environmental protection and climate resilience are of prime importance for the coming era. The filling up of an extensive area of our wetland will increase the danger of flooding, lessen our resilience to climate change and in this area, endanger the migratory birds.  The Town Planning Board should ensure that the requirements under TPB-PG No.12C are met.

Appendix to Form No. S6

Details of the Representation : Draft San Tin Technopole OZP No. S/STT/1

Item	Subject Matter	Reasons	Proposed Amendments
O6	OU (Innovation and Technology) zone should be accompanied with Urban Design Guidelines	The EIA report prepared ahead of the draft OZP has only a simple urban design framework. As noted in item O1 above, better planning control is required. . The I&T Park will generate most of the vehicular and pedestrian traffic within this OZP area and there should be a set of urban design guidelines for the future development within the I&T Park and between the I&T Park and its neighbours.	Include in the Remarks to OU(I&T) zone that a set of urban design guidelines shall be established before site formation for the I&T Park to begin. This should include concept of urban and wetlands / water works integration that is unique in San Tin.
O7	OU(Innovation and Technology ) zone should not be located in Areas 19B and 19C. Area 30 can be a more viable and suitable area for development	<p>A similar size area for development in Area 30 should be considered as an alternative. The land is mostly government owned eliminating much time and cost required for assuming land held by private owners and developers.</p> <p>Current programme and location for rail connection to Area 19B and 19C in 2034 is too late and too far respectively, making the current selected site for the technopole unattractive. The land is in the flood plain and require substantial time and cost for land formation. Such large area of wetland loss would be highly questionable from an environmental perspective, despite an untested and unspecified compensation plan being proposed. This is a deterrent for enterprises/ investments with ESG requirements.</p> <p>The time and cost for land resumption is also substantial and risk the viability and completion of I&amp;T development under the timeline of the National Plan.</p>	<p>The Kwu Tong North station is under construction and due to complete in 2027. A branch line to Lok Ma Chau Loop under Tit Hung Shan or Area 30 can provide connectivity to Shenzhen and rest of Northern Metropolis at a much earlier date than the NOL extension at Chau Tau. Refer to attached figures 1 and 2 for location of proposed San Tin Technopole to replace Area 19B and 19C.</p> <p>Area 30 is spade ready and only an infrastructural backbone is required to allow parcels to be formed when and as they are required. Similar site formation works are already underway on hillside of Kwu Tung North, Hung Lung Hang and Yuen Leng Chai. Refer to Figure 3. A more sustainable site formation akin to Chinese University and HKUST campuses would be preferred.</p>
O8	Village Zone landuses should be revised. Village Type Development zone Area 22 is excluded from the current rezoning exercise,	<p>It seems that no consideration has been given into any integration of the two “totally segregated” village zones into the overall planning.</p> <p>Many “Villages inside City” (城中村) on the Mainland have been</p>	Comprehensively review the possibility of urban/village integration and indicate in under “Planning Intention” of “V” zone that comprehensive redevelopment into cultural,

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Details of the Representation : Draft San Tin Technopole OZP No. S/STT/1

Item	Subject Matter	Reasons	Proposed Amendments
	and loss the good opportunity for urban/rural integration	turned into vibrant cultural recreational, RDE and tourist destinations and even becoming supportive residential supply sources. They are usually results of government facilitated private enterprise and villager cooperative efforts. In certain similar efforts elsewhere on the Mainland, as compensation to the villagers, low to medium rise residential buildings are allowed within the transition zone between village and urban areas.	retail & tourist destinations along with residential uses. In this connection, we suggest the adding of "Exhibition or Convention Hall" and "Place of Recreation, Sports and Culture" to column 1, and the removing of the wordings of (Holiday House only) from Hotel use on column 2.
O9	OU (Mixed-Use) Zone – Segregation of Domestic and Non-domestic Uses not supported	In post COVID work culture, such segregation noted in the Remarks is not following current lifestyle trend.	Under Remarks (f), Section 16 application is required for mixed domestic and non-domestic uses in a building. It is suggested to consider whether such clumsy procedure is necessary.
O10	OU(Innovation and Technology) Zone not well serviced by proposed Railway Station	From the public consultation information, 2 stations are proposed to serve the San Tin area, which are unsatisfactory as they are very remote to the OU(Innovation and Technology) Zone. It is surprised to note that there is only one identified in the current Plan. The Plan should incorporate centrally located station(s) to serve the large area of OU(Innovation and Technology) Zone.	Considerations shall be given to optimum locations for MTR station, reducing the reliance on road traffic, provision of centralized carparks at the peripheral, thus leaving more land for green spaces or developments. Green internal transportation networks e.g. bike links, and alternative sources of energy/ renewable energy vehicles that can reduce carbon emissions are encouraged to be used in this future I&T Park.

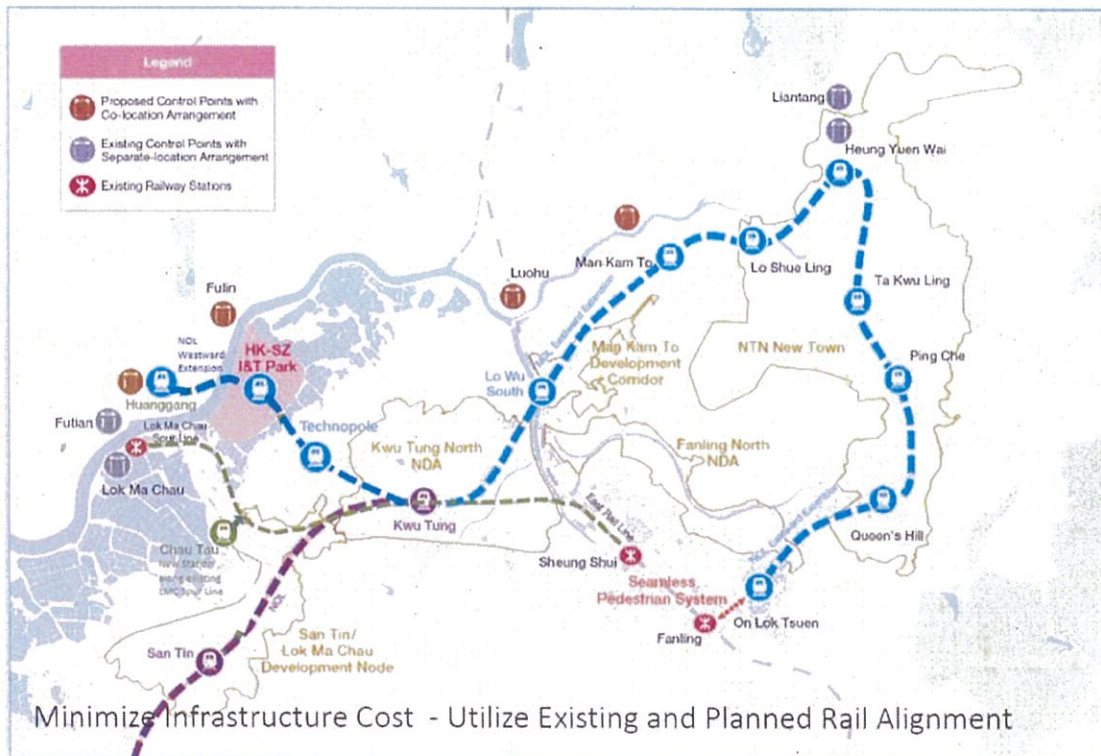


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Details of the Representation : Draft San Tin Technopole OZP No. S/STT/1

Figure 1

The Northern Link Spur Line to Shenzhen port via Lok Ma Chau Loop and Chau Tau from San Tin city centre is far from the proposed technopole and its alignment seems forced. The existing Lok Ma Chau Spur line from Sheung Shui to Lok Ma Chau BCP already run beside Huanggang BCP. To minimize cost and encroachment to the wetland, a new station built along the existing Lok Ma Chau spur line at Huanggang BCP is proposed. The Northern Link Eastern Extension can instead connect to HSITP at Lok Ma Chau Loop and Shenzhen via Kwu Tung North. Kwu Tung North thus become an interchange station of NOL spur line, Lok Ma Chau spur line and NOL Eastern Extension.

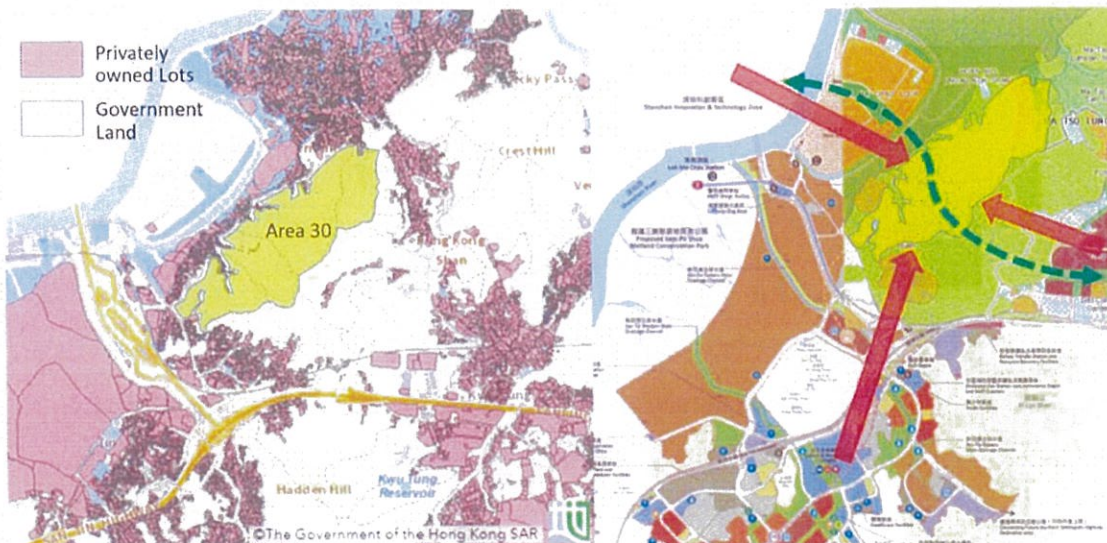
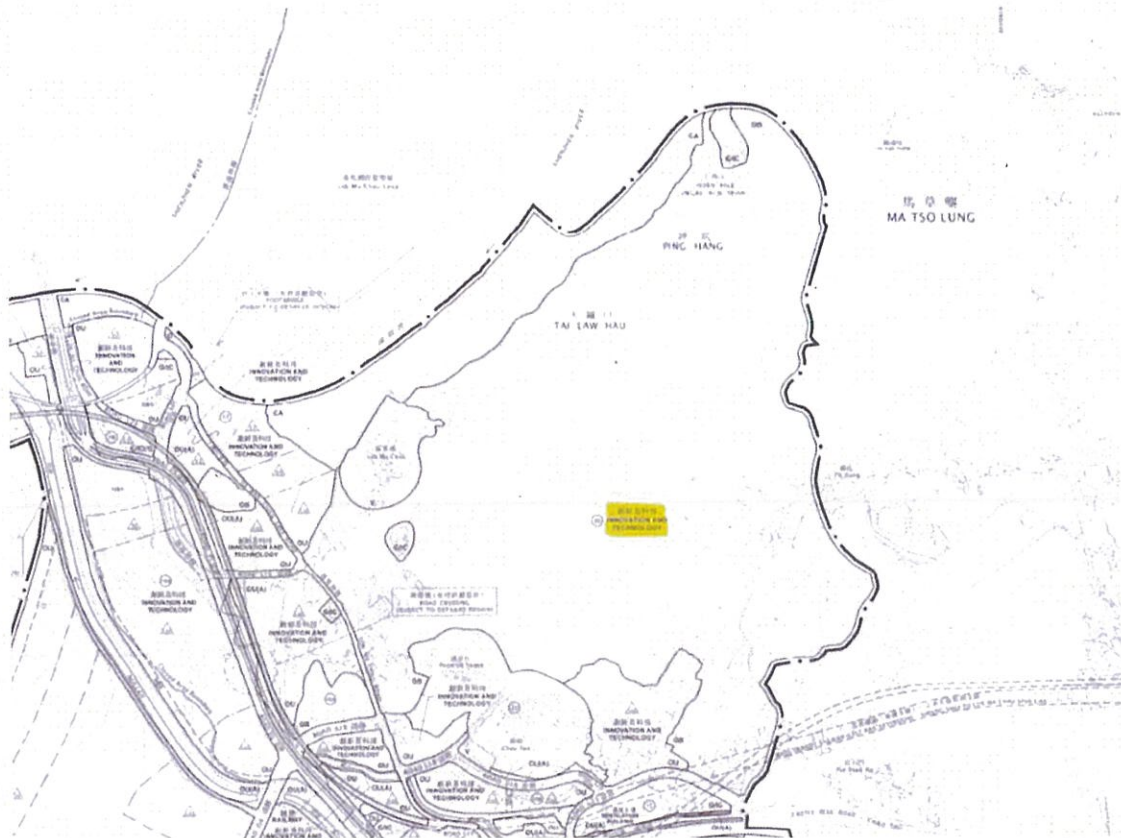


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Details of the Representation : Draft San Tin Technopole OZP No. S/STT/1

Figure 2

To accelerate the development of San Tin Technopole and to minimize cost of land resumption, Area 30 is proposed to be rezoned as OU(Innovation and Technology) in lieu of Areas 19B and 19C to also ensure the Technopole is protected from flooding risk. Wetland can then be preserved as requested by many interest groups to protect the loss of wetland ecology and environment.



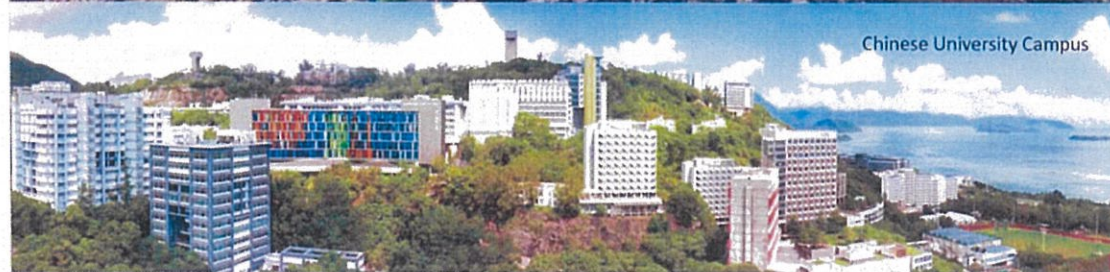
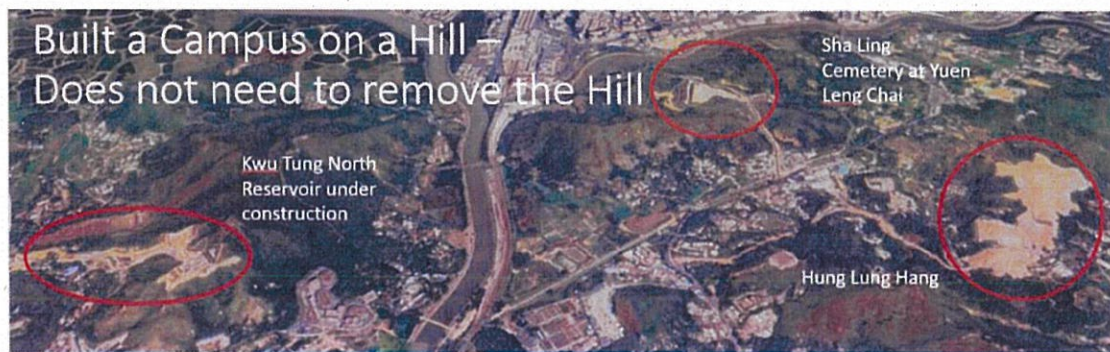
The Land is Government Owned.  
No Resumption – Save Time and \$\$\$

The Site is more Central to Shenzhen, Kwu Tung, Lok Ma Chau Loop and San Tin

Appendix to Form No. S6

Details of the Representation : Draft San Tin Technopole OZP No. S/STT/1

Figure 3.



For Official Use Only 請勿填寫此欄	Reference No. 檔案編號	
	Date Received 收到日期	

**Submission Number:**  
**TPB/R/S/STT/1-S787**

1. The representation should be made to the Town Planning Board (the Board) before the expiry of the specified plan exhibition period. The completed form and supporting documents (if any) should be sent to the Secretary, Town Planning Board, 15/F., North Point Government Offices, 333 Java Road, North Point, Hong Kong.

申述必須於指定的圖則展示期限屆滿前向城市規劃委員會（下稱「委員會」）提出，填妥的表格須送交香港北角渣華道 333 號北角政府合署 15 樓城市規劃委員會秘書收。

**Representation Number:**  
**TPB/R/S/STT/1-R102**

2. Please read the "Town Planning Board Guidelines on Submission and Processing of Representations and other representations" before you fill in this form. The Guidelines can be obtained from the Secretariat of the Board (15/F., North Point Government Offices, 333 Java Road, North Point, Hong Kong – Tel.: 2231 4810 or 2231 4835) and the Planning Enquiry Counters (PECs) of the Planning Department (Hotline: 2231 5000) (17/F., North Point Government Offices, 333 Java Road, North Point, Hong Kong and 14/F., Sha Tin Government Offices, 1 Sheung Wo Che Road, Sha Tin, New Territories), or downloaded from the Board's website at <http://www.tpb.gov.hk/>.

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**1. Person Making this Representation (known as "Representer" hereafter)**  
**提出此宗申述的人士（下稱「申述人」）**

Full Name 姓名 / 名稱 (Mr./Ms./Company/Organization\* 先生/女士/公司/機構\*)

Melody Gain Limited and  
Clanville Developments Limited



(Note: for submission by person, full name shown on Hong Kong Identity card/Passport must be provided)  
(注意：若個人提交，須填上與香港身份證／護照所載的全名)

**2. Authorized Agent (if applicable) 獲授權代理人(如適用)**

Full Name 姓名 / 名稱 (Mr./Ms./Company/Organization\* 先生/女士/公司/機構\*)

KTA Planning Limited

(Note: for submission by person, full name shown on Hong Kong Identity card/Passport must be provided)  
(注意：若個人提交，須填上與香港身份證／護照所載的全名)

\* Delete as appropriate 請刪去不適用者

Please fill in "NA" for not applicable item 請在不適用的項目填寫「不適用」

3. Details of the Representation (use separate sheet if necessary) <sup>#</sup> 申述詳情(如有需要, 請另頁說明) <sup>#</sup>		
The plan to which the representation relates (please specify the name and number of the plan) 與申述相關的圖則 (請註明圖則名稱及編號)		Draft San Tin Technopole Outline Zoning Plan No. S/STT/1
Nature of and reasons for the representation 申述的性質及理由		
Subject matters 有關事項 <sup>@</sup>	Are you supporting or opposing the subject matter? 你支持還是反對有關事項?	Reasons 理由 <sup>^</sup>
The Representation Site in Area 1A being zoned as "Government, Institution or Community"	<input type="checkbox"/> support 支持 <input checked="" type="checkbox"/> oppose 反對	Please refer to the Written Representation.
	<input type="checkbox"/> support 支持 <input type="checkbox"/> oppose 反對	
	<input type="checkbox"/> support 支持 <input type="checkbox"/> oppose 反對	
Any proposed amendments to the plan? If yes, please specify the details. 對圖則是否有任何擬議修訂? 如有的話, 請註明詳情。  Please refer to the Written Representation.		

<sup>#</sup> If the representation contains more than 20 pages, or any page larger than A4 size, 4 hard copies and 1 soft copy are required to be provided for the submission. Provision of email address is also required.  
若申述超過 20 頁或有任何一頁大小超過 A4, 則須提交硬複本一式四份和一份軟複本。另須提供電郵地址。

<sup>@</sup> Please describe the particular matter in the plan to which the representation relates. Where the representation relates to an amendment to a plan, please specify the amendment item number provided in the Schedule of Proposed Amendments. 請形容圖則內與申述有關的指定事項, 如申述與圖則的修訂有關, 請註明在修訂項目附表內的修訂項目編號。

<sup>^</sup> Please also note that section 6(3A) of the Ordinance provides that any representation received under section 6(1) **may be treated as not having been made** if, in the opinion of the Board that, the reason for the representation is a reason concerning compensation or assistance relating to, or arising from resumption/acquisition/clearance/obtaining vacant possession of any land by the Government. The above matters should be dealt with in accordance with the relevant statutory provisions on compensation and/or promulgated policy on compensation. Should you have any views on compensation or assistance matters, you may separately raise your views to the Director of Lands or the relevant authority. 請注意, 條例第 6(3A)條訂明, 如委員會認為根據第 6(1)條收到的任何申述所提出的理由是與政府收回/徵用/清理/取得任何土地的空置管有權而引起的補償或援助有關, 則有關申述可被視為不曾提出。上述事項應該按照相關補償的法律條文和/或已公布的補償政策處理。如對補償或援助事宜有意見, 可另行向地政總署署長或有關當局提出。

Please fill "NA" for not applicable item 請在不適用的項目填寫「不適用」

at the appropriate box 請在適當的方格內加上  號

By Hand

Our Ref: S3022a/NTM/24/001Lg

7 May 2024

Secretary, Town Planning Board  
15/F, North Point Government Offices  
333 Java Road  
North Point  
Hong Kong



**PLANNING LIMITED**  
規劃顧問有限公司

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電郵EMAIL kta@ktaplanning.com

Dear Sir/Madam,

**Submission of Written Representation in respect of  
Draft San Tin Technopole Outline Zoning Plan No. S/STT/1**

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On behalf of the Representers, Melody Gain Limited and Clanville Developments Limited, we submit herewith an original copy of the completed Application Form No. S6 and 4 hard copies of the Written Representation for the consideration by the Town Planning Board. An authorization letter and the completed "Particulars of "Representer" and Authorized Agent" are also enclosed with this letter.

Meanwhile, please do not hesitate to contact the undersigned should you have any queries in relation to the above.

Yours faithfully  
For and on behalf of  
KTA PLANNING LTD

A handwritten signature in blue ink, appearing to read 'Pauline Lam', written over a blue circular stamp.

Pauline Lam

Encl.

cc. the Representer & Team

KT/PL/GN/EC/vy



FS 579819

## Melody Gain Limited & Clanville Developments Limited

29 April 2024

The Secretary  
Town Planning Board  
15/F, North Point Government Offices  
333 Java Road  
North Point  
Hong Kong

Dear Sir/Madam,

### Authorisation Letter

#### Representation

Under Section 6(1) of the Town Planning Ordinance (Cap.131) for  
Draft San Tin Technopole Outline Zoning Plan No. S/STT/1

---

We hereby authorise KTA Planning Limited to act as our Authorised Agent on the Submission of Representation Under Section 6(1) of the Town Planning Ordinance (Cap.131) for the Draft San Tin Technopole Outline Zoning Plan No. S/STT/1 for dealing with the related matters.

Yours faithfully

For and on behalf of

Melody Gain Limited & Clanville Developments Limited

*For and on behalf of*

**MELODY GAIN LIMITED**

詠明有限公司

*For and on behalf of*

**CLANVILLE DEVELOPMENTS LIMITED**

.....  
*Authorized Signature(s)*

.....  
*Authorized Signature(s)*

(Authorised Signature with Company Chop)

Section 6(1) Representation  
Town Planning Ordinance (Cap. 131)

## **Written Representation**

**in respect of**

**Draft San Tin Technopole Outline Zoning Plan  
No. S/STT/1**

*“Government, Institution or Community” (“G/IC”) Zoning in Area 1A*

Melody Gain Limited and  
Clanville Developments Limited

Various Lots in D.D. 105,  
Ngau Tam Mei, Yuen Long

May 2024



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## **1. Introduction**

- 1.1 This representation is made on behalf of Melody Gain Limited and Clanville Developments Limited ("**Representer**"), the registered owners of various lots in D.D. 105 <sup>1</sup> ("**Site**"), in respect of the draft San Tin Technopole Outline Zoning Plan No. S/STT/1 gazetted on 8 March 2024 ("**draft OZP**"). Specifically, the proposed "Government, Institution or Community" ("**G/IC**") zoning in Area 1A relevant to the Site is referred to.
- 1.2 It is noted from the draft OZP that this G/IC zoning is intended to be:
- Fire Services Department New Territories Workshop and Related Facilities ("**FSD NT Workshop**") in its northern portion.
  - Indoor Sports Centre in its southern portion.

## **2. The Representation Site – Sizable, Formed, Accessible (Figure 1)**

- 2.1 The Site, measuring around 21,881.4 m<sup>2</sup> (including about 1,693.8 m<sup>2</sup> of Government Land), has mostly been formed for a transitional housing development. It is also currently occupied by various shops, open storage yards, etc.
- 2.2 By abutting San Tam Road which connects onward to Castle Peak Road - Mai Po and New Territories Circular Road (Route 9), the Site is conveniently accessible via existing road network.

## **3. The Nature of and Reasons for the Representation (Figure 2)**

- 3.1 Objection is lodged to the "G/IC" zoning on the Representation Site for the reasons as detailed in the followings.

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<sup>1</sup> Lots 1370, 1372, 1374, 1376, 1391 RP, 1392 RP, 1395 RP, 1396, 1397 RP, 1399, 1400, 1401, 1402, 1403, 1405, 1406, 1407, 1408, 1410, 1412, 1413, 1420, 1421, 1422, 1476, 1478, 1479, 1480, 1481, 1482, 1483, 1484, 1485, 1486, 1487, 1488, 1489, 1490, 1491, 1492, 1494, 1496, 1502 S.A, 1502 S.B, 1504, 1505, 1617, 1619, 1620, 1621, 1622, 1635, 1636, 1639 in D.D. 105, Ngau Tam Mei, Yuen Long.

**(A) The G/IC zoning was based on the absence of the transitional housing development at the Site which has been committed and implemented**

3.2 The Representer wishes to draw the Board’s attention on the following chronology of events relevant to the planning of the Site:

Date	Event
24 June 1994	The Site had been part of the “Residential” zoning on the Ngau Tam Mei Outline Zoning Plan since its first gazettal (vide Plan No. S/YL-NTM/1).
29 June 2018	Chief Executive announced 6 new housing initiatives to “expand developable land in order to significantly boost housing supply” <sup>2</sup> , including establishment of a task force on transitional housing under the then Transport and Housing Bureau (THB).
14 January 2022	S.16 Planning Application for a transitional housing development (1,080 flats), covering the majority of the Site, was supported in-principle by the then THB and <b>approved</b> by the Town Planning Board under Application No. A/YL-NTM/431 ( <b>Figure 3</b> refers). The transitional housing project is planned to operate for 5 years upon completion in <b>Q2 2024</b> , i.e. <b>till 2029</b> tentatively. <sup>3</sup>
23 May 2023	Recommended Outline Development Plan (RODP) proposing land uses for San Tin Technopole, inclusive of the Site, was released. The RODP indicated <b>first-ever</b> : (1) the proposed uses of FSD NT Workshop and Indoor Sports Centre on the Site and (2) the uses are to be implemented under “ <b>Phase 1 Development</b> ” with estimated land resumption schedule from <b>end 2024</b> and population intake from <b>2031</b> . <sup>4</sup>

(To be continued on next page)

<sup>2</sup> The Government of HKSAR Press Release (June 29, 2018). “Government announces six new initiatives on housing”: <https://www.info.gov.hk/gia/general/201806/29/P2018062900967.htm?fontSize=1>

<sup>3</sup> Housing Bureau, Transitional Housing Projects under Construction. “Transitional Housing Project at Ngau Tam Mei North (San Tam Road), Yuen Long” : [https://www.hb.gov.hk/eng/policy/housing/policy/transitionalhousing/details\\_24.html](https://www.hb.gov.hk/eng/policy/housing/policy/transitionalhousing/details_24.html)

<sup>4</sup> Legislative Council Paper No. CB(1)506/2023(03). “Land Use Proposal of San Tin Technopole”: <https://www.legco.gov.hk/yr2023/english/panels/dev/papers/dev20230523cb1-506-3-e.pdf> (“Annex A” for proposed land uses and “Annex B” for development phasing).

(Continued)

Date	Event
28 July 2023	Written comment was made by the Representer during the public engagement period regarding the <b>programme mis-match</b> of the approved transitional housing project vis-à-vis the RODP indication.
8 March 2024	The draft OZP was gazetted, denoting the "G/IC" zoning on the Site and maintaining its intended uses of FSD NT Workshop and Indoor Sports Centre ( <i>Explanatory Statement para. 12.3.2</i> ).  Only at this point, the Government indicated the Site to be under " <i>Phase 1 Stage 2</i> " in the Development Schedule of San Tin Technopole, with no further specification of dates for this stage implementation. <sup>5</sup>

- 3.3 As the transitional housing project implementation involves the public account (Government's grant of \$607.94 million) and a provision of accommodation to around 2,700 residents, it shall not be undermined for the public interest. To this end, it is evidently **not practical to assume land availability of the whole site before end of the committed transitional housing operational period (anticipated in mid-2029)**, not to mention the time needed for site clearance.
- 3.4 In fact, the committed uses on the Site may fundamentally impact the feasibility/practicability of the intended G/IC uses, especially the trajectory of public provisions to serve the population timely. The manifest programme mis-match on the site planning between the transitional housing project (*end in 2029*) versus the intended G/IC development (*expected to serve the population intake of the surrounding "Phase 1" developments in 2031*) is a concern, suggesting that the G/IC planning and zoning were not premised on the actual site context and planning information per se.
- 3.5 In the context of this interference of implementation schedules at the planning stage, the Board is invited to re-visit the land use feasibility and the practicability of specific G/IC uses at the Site.

<sup>5</sup> Civil Engineering and Development Department and Planning Department, Development Schedule of San Tin Technopole: <https://nm-santintech.hk/en/implementation-arrangement/development-schedule/>

**(B) Consistency should be applied in the draft OZP**

- 3.6 The planning intention of the G/IC zoning subject of the Site is very specific on the draft OZP, as depicted in the Explanatory Statement viz. *“GIC facilities include two sites for indoor sports centre in Areas 1A and 10... a workshop and related facilities of the Fire Services Department at Area 1A”* (para.12.3.2). The subject G/IC zoning hence “freezes up” the Site for *any other uses* in accommodating the community aspirations/requirements and in meeting demand for better utilisation of the site potential - except for the 2 specific uses.
- 3.7 It is, however, observed that not all Government’s proposed G/IC uses on the RODP are subject to the same treatment on the draft OZP. For instance, a site of about 15 hectares located also to the south of San Tin Highway was illustrated as “G/IC” on RODP for performance venues and museum, library and swimming pool complex. This site is nonetheless being zoned now as *“Other Specified Use (Cultural and Community Uses with Supporting Uses and Facilities)”* on the draft OZP, i.e. not “G/IC” zone, **with more flexibility on permissible uses** e.g. “shops and services” and “eating place” in Column 1.
- 3.8 In fact, the Representer’s efforts in developing the Site for housing supply have been made continually, including the submission of a S.12A Planning Application (No. Y/YL-NTM/5) to the Town Planning Board since September 2021 for provision of 1,980 residential units on the Site which has been progressed to a mature stage (**Figure 4**). Comments were also made in the public engagement of the RODP concerning the mentioned programme mismatch and the potential jeopardisation of development efforts under the prevailing “Residential” zoning. Regrettably, these all have been apparently **not attended to** in the draft OZP formulation.
- 3.9 Given the long genuine efforts on development at the Site with technical feasibilities confirmed (to be further detailed in later sections), alongside the unique site attributes, the Representer would like to respectfully request for the Board’s re-consideration on the feasible zoning at the Site in the principle of consistency.

**(C) Need for the specific G/IC uses on the Site is in doubt**

- 3.10 According to the TPB Paper No. 10954 for the draft OZP dated 23 February 2024, a surplus of +1 sports centre is recorded in the planning area with reference to the requirements of Hong Kong Planning Standards and Guidelines (HKPSG). Meanwhile, in the TPB Paper No. 10917 for the proposed amendments to Yuen Long OZP dated 7 September 2023, it was revealed that there is a deficit of -3 sports centres in the entire Yuen Long District Council Area (**Figure 5**).
- 3.11 The above information illustrates that (1) indoor sports centre is not in deficit in the San Tin Technopole based on the HKPSG benchmark; and (2) the proposed provision on the Site appears to be only for serving the demand in **other planning areas** of Yuen Long District Council Area. Hence, it is questionable if no single suitable and spade-ready site (requiring < 1 hectare as is on the Site) could be found within the planning areas in need of sports centres, while the Site occupied with transitional housing development is designated for the use which could only serve the public at a very late stage.
- 3.12 Similarly, most FSD NT Workshops in the territory co-exist with fire stations for operational efficiency, like those in Kwai Chung and North Point. Noting that there is a site of more than 1.4 hectares allocated for divisional fire station at the centre of the Technopole (Area 12A), the FSD NT Workshop could also be absorbed there, among other beside G/IC sites, for better management and operation by FSD in avoidance of any foreseeable implementation mismatch in fire-fighting services provisions.

**(D) Feasible alternatives exist on the Site which deserve to be given equal weight in the zoning formulation**

- 3.13 As aforementioned, the Representer has put forward development proposals for the Site, including the residential proposal under Application No. Y/YL-NTM/5. Various technical assessments have been conducted to confirm the technical feasibility of the proposed development to the satisfaction of relevant Government Departments over the past 2.5+ years (see **Annex 1**).

- 3.14 Given the proven technical feasibilities, the Board is invited to give equal weight to the proposed uses put forward by the Representer in the same manner as the specified G/IC uses in the formulation of the zoning.
- 3.15 Even in the event that the 2 specific G/IC uses are considered by the Board to be really needed on the Site, it is feasible to integrate these G/IC uses with residential flat supply under the “**Single Site, Multiple Use**” model as advocated by the Government vide the Chief Executive’s Policy Addresses. This approach enables a more optimal use of land, **potentially resulting in an additional gain to the community** which should be given relevant weight by the Board.<sup>6</sup> The alternative proposal is detailed in the following section for the Board’s consideration.

#### 4. Alternative Proposal

- 4.1 To ensure feasibility, the following references are made in the Alternative Proposal:
- The layout of existing FSD workshop facilities, namely FSD New Territories Workshop (Kwai Chung), Hong Kong Workshop (North Point) and Kowloon Workshop (Kowloon Bay).
  - The provisions in Luen Wo Hui Sports Centre, Sai Wan Ho Sports Centre, Macpherson Stadium, etc.
  - The Artist’s Impressions provided by the Government in RODP and associated Environmental Impact Assessment on the 2 specific G/IC uses (**Figure 6**).
  - Supporting technical assessments for the residential proposal under Application No. Y/YL-NTM/5 with the acceptance of relevant Government Departments.
- 4.2 The Alternative Proposal, as shown in **Figures 7A and 7B**, seamlessly integrates the G/IC facilities with residential use above for optimising the scarce land resources. It is to be implemented in 2 phases:

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<sup>6</sup> Halsbury’s Laws of Hong Kong, Vol. 48, §[385.270].

- **Phase 1** - A portion of the Site of around 2,550.7m<sup>2</sup> is under the Representer's sole ownership whilst not being within the transitional housing development area, i.e. readily available for development. This portion could first be implemented to accommodate a residential tower cum FSD storage facilities aligning with the draft OZP. Uncovered area for parking as shown in the Government's Artist's Impressions (and as in the existing FSD workshop facilities) will be also accommodated.
- **Phase 2** - The remaining portion, with development site area of around 16,728.9m<sup>2</sup>, could be developed as Phase 2 after the cease of the transitional housing operation. It comprises: (1) Indoor Sport Centre; (2) FSD workshop which will be enclosed to address potential industrial-residential interfaces with adequate headroom to meet operational needs; and (3) 3 nos. of residential towers.

**Table 1: Proposed Development Parameters for the Alternative Proposal (Phases 1 & 2)**

	Representation Site	
<b>Total Area (Approx.)</b>	21,881.4 m <sup>2</sup> *	
	<b>Phase 1</b>	<b>Phase 2</b>
<b>Development Site Area (Approx.) ^</b>	2,550.7 m <sup>2</sup>	16,728.9 m <sup>2</sup>
<b>Proposed Uses</b>	Domestic, FSD storage	Domestic, Indoor Sports Centre, FSD workshop
<b>Proposed Domestic Plot Ratio</b>	5 (same as No. Y/YL-NTM/5)	5 (same as No. Y/YL-NTM/5)
<b>Proposed Domestic GFA</b>	12,754 m <sup>2</sup>	83,645 m <sup>2</sup>
<b>No. of Units (approx.)</b> *Assume average unit size of 50m <sup>2</sup>	255	1,673
<b>Proposed Max. Building Height #</b>	135mPD	135mPD / 155mPD (stepped building heights)

\* Including Government Land of 2,536.7m<sup>2</sup> and minor third-party lots at the periphery of 2,601.8m<sup>2</sup>.

^ Excluding the third-party lots, which consist of Tso Tong land. While it is noted that there may be extension of "Enhanced Conventional New Town Approach" to New Development Areas facilitating land consolidation in future, areas of third-party lots are nonetheless be excluded as a conservative approach.

# As compared to the max. building height of 170mPD at the "Residential (Group A)1" zone to the immediate south of the Site.



4.3 The building form/layout of residential towers under the Application No. Y/YL-NTM/5 is also maintained as practicable to ensure validity of the tested technical feasibility. As such, a domestic plot ratio of about 5 could be attained following the tested indicative scheme of Y/YL-NTM/5, while concurrently offering the construction of G/IC facilities in the Proposal through private initiatives. The Alternative Proposal is justified as follows:

**(a) No Disruption to G/IC Provision**

4.4 Developments with residential uses atop Indoor Sports Centres are not unprecedented in the territories. Examples include:

- Grand Regentville in Fanling (with Luen Wo Hui Sports Centre)
- Felicity Garden in Sai Wan Ho (with Sai Wan Ho Sports Centre)
- Macpherson Place in Mong Kok (with Macpherson Stadium)

**Table 2: Reference Cases of Residential Use atop Indoor Sports Centres**

	<b>Grand Regentville in Fanling (with Luen Wo Hui Sports Centre)</b>	<b>Felicity Garden in Sai Wan Ho (with Sai Wan Ho Sports Centre)</b>	<b>Macpherson Place in Mong Kok (with Macpherson Stadium)</b>
<b>Site Area</b>	About 14,483m <sup>2</sup>	About 5,673m <sup>2</sup>	About 2,428m <sup>2</sup>
<b>Zoning</b>	"Commercial / Residential (2)"	"OU (Residential cum Commercial and Community Facilities)"	"Residential (Group A)4"
<b>Maximum GFA</b>	<b>Domestic:</b> 35,292m <sup>2</sup>  <b>Non-Domestic:</b> 48,848m <sup>2</sup> (of which not less than 27,277m <sup>2</sup> should be for Government uses)	<b>Domestic:</b> 53,590m <sup>2</sup>  <b>Non-Domestic:</b> 13,540m <sup>2</sup>	<b>Domestic:</b> 16,705m <sup>2</sup>  <b>Non-Domestic:</b> 8,062m <sup>2</sup> (not less than 3,337m <sup>2</sup> for indoor stadium and not less than 2,282m <sup>2</sup> for youth centre)
<b>Maximum Building Height</b>	135mPD	120mPD	115mPD

- 4.5 Importantly, the Alternative Proposal can accommodate even the most stringent dimensions of a conventional Indoor Sports Centre. Space for a standard multi-purpose arena, which can be converted into a standard basketball/volleyball court with spectator stands similar to that in other Indoor Sports Centres, has been reserved, together with other requirements including thoroughfares for places of public entertainment.
- 4.6 The FSD NT Workshop is also included in the Alternative Proposal on a like-for-like basis, with reference to the current provision. With the future incorporation of adequate compartmentation as in the residential developments atop railway depots, technical difficulties of the provision are not anticipated, thereby assuring no reduction or disruption to the proposed G/IC provision.

**(b) Facilitating Timely Implementation via Private Initiatives**

- 4.7 The Alternative Proposal does not require lengthy land resumption. The portion of the Site under the Representer's ownership which is spade-ready could be commenced imminently as the Phase 1 development. As such, Government resources on resuming land, including time and cost compensation, will be largely minimised.
- 4.8 At the same time, the G/IC facilities could also be constructed via private sector participation - as in the various precedents including Tsuen Wan Sports Centre and Tai Wai Station Post-Secondary College - to be implemented via necessary land grant conditions. Delivery of certain G/IC uses could then be pragmatically **pushed ahead for earliest operations**, whilst project interfaces could be smoothed. This "one-stop shop" approach through the private sector's efforts should be regarded as a positive initiative in effectively relieving the Government's intense burden in infrastructural provisions in the Technopole.

**(c) Opportunities for Provision of ~2,000 Flats Through Optimisation of the Site**

- 4.9 It is noted that the I&T Park and San Tin Town Centre will together create about 165,000 jobs in the Technopole (including 120,000 on the I&T sites). The 50,000-54,000 nos. of public and private housing units (in a 70:30 ratio) now planned in San Tin Town Centre, together with the 6,400 talent

accommodation units in the I&T Park, appear to be unlikely to fully meet the housing demand of I&T professionals, workers and their families. The cohorts may have to depend on housing in other districts (such as Yuen Long and Kwun Tung North) or even Shenzhen.

- 4.10 By including the residential component, the Alternative Proposal offers private housing options to the I&T talents in proximity to their work. Unnecessary traffic pressure to and from other districts can hence be alleviated, whereas a stronger sense of community could be rooted with more homes offered within the Technopole.

**(d) Compatible with the Adjacent Area**

- 4.11 The proposed domestic plot ratio of the Site is 5 with a building height of 135mPD/155mPD at the northern and southern portions respectively, adopting a stepped building height profile aligning with the overall profile in the Technopole (**Figure 8**). The proposed building layout is also capable of being responsive to the “major breezeway/airpath on Figure 5 of the Explanatory Statement of draft OZP.

(NB: a maximum plot ratio of 6.8 and a building height of 170mPD are allowed in the “R(A)1” zoning to the immediate south of the Site, amongst the various other “R(A)” sites with the same development intensity demarcated at the future San Tin Town Centre).

**5. Proposed Amendments to the Draft OZP**

- 5.1 To enable the “Single Site, Multiple Use” model on the Site for optimising the use of land as portrayed in the Alternative Proposal, the Board is requested to re-visit the zoning on the Site for allowing more flexible land uses. The following zonings are considered suitable under the site context:
- **“Residential (Group A)”** blending in the zoning for the surrounding sites at San Tin Town Centre in the draft OZP. “Government Use” and “Flat” are always permitted in Column 1;
  - **“Other Specified Use (Residential with Government and Community Facilities)”** which is more tailor-made aligning with the aforementioned “Other Specified Use (Cultural and Community Uses with Supporting Uses

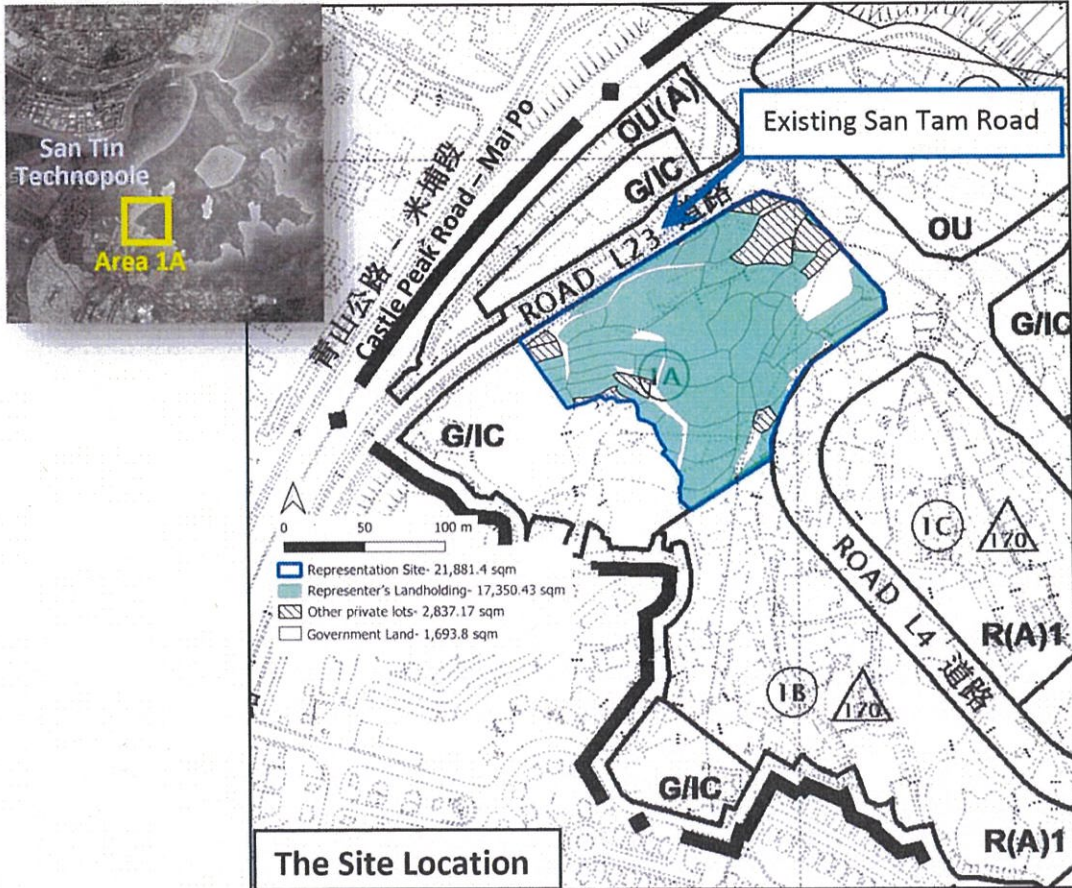
*and Facilities)*" in Area 7 on the same draft OZP, and the "*Other Specified Use (Residential cum Commercial and Community Facilities)*" subject of Sai Wan Ho Sports Centre; or

- "**Comprehensive Development Area**" in which all uses are in Column 2, should the Board consider necessary to exercise control in the planning regime.
- 5.2 Building height restrictions of 135mPD and 155mPD could be imposed on the northern and southern portions of the Representation Site, respectively, to ensure the stepped height profile, while "non-building area" may be considered for the breezeway/airpath in the southernmost part. It should be highlighted that, regardless of which zoning option, any obligations on the construction of the G/IC facilities could nonetheless be policed under the Land Grant requirements.

## 6. Conclusion

- 6.1 The Representer would like to highlight that the committed transitional housing project on the Site has not been apparently orchestrated at the planning and RODP/draft OZP formulation stage which may potentially affect 2,700 residents and the intended provision of the specific G/IC facilities.
- 6.2 The currently proposed "G/IC" zoning on the draft OZP may only lead to the **G/IC operations well after the population intake of the surrounding areas (anticipated in 2031)**, thus being unable to timely support the public services as originally intended and planned.
- 6.3 On the other hand, riding on the development efforts for the Site with proven technical feasibility, the Representer puts forward a **feasible proposal integrating residential flat supply with G/IC uses** as an optimum and pragmatic solution to accelerate the implementation through private initiatives. This is concurrently in line with the "Single Site, Multiple Use" model on G/IC sites under Chief Executive's Policy Address initiative to optimise land use with multiple compatible uses.
- 6.4 The Board is hence earnestly requested to consider one of the proposed zoning options for an additional gain of the community per se.

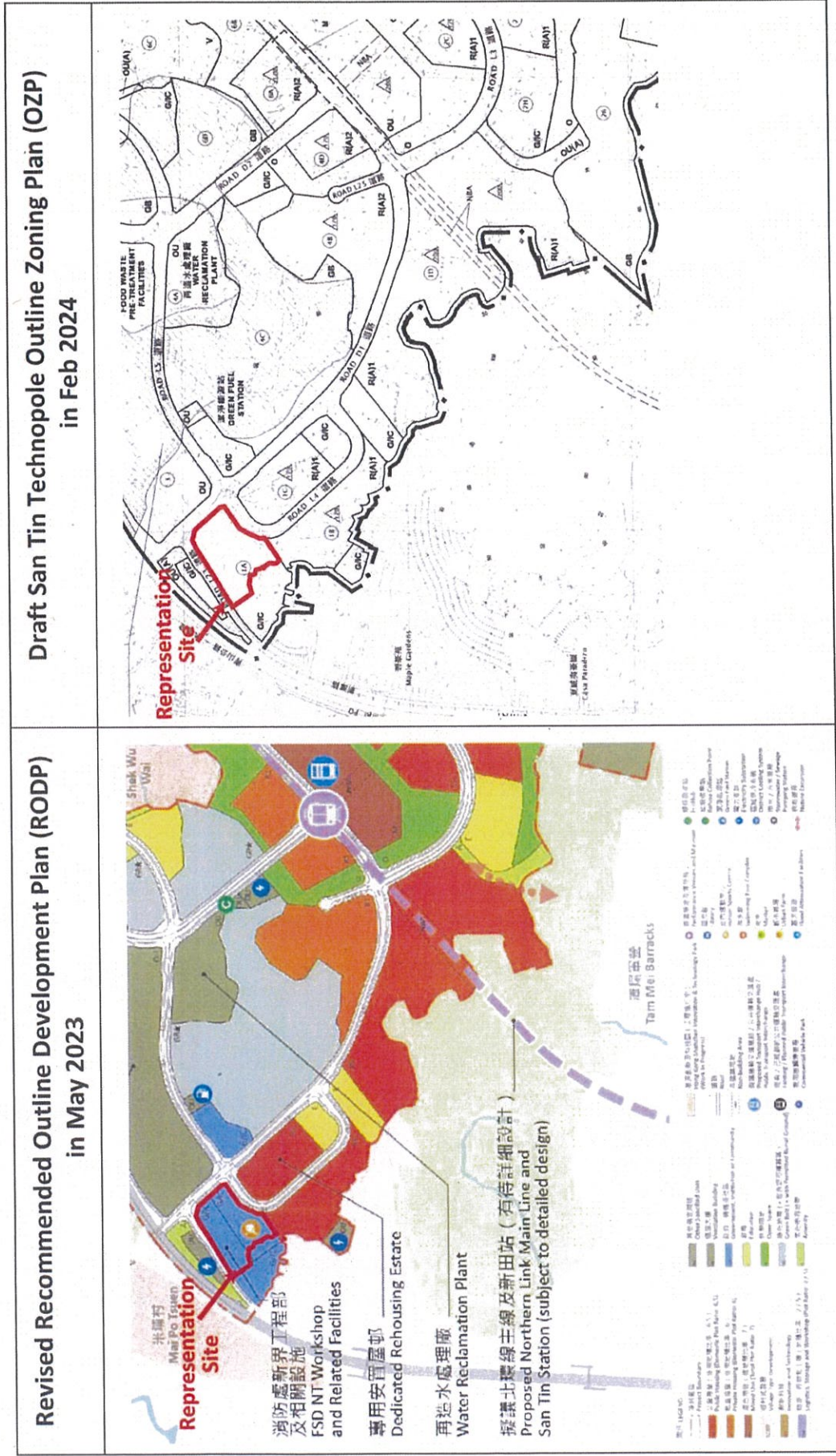
**Figure 1 – The Representer’s Landholdings on the Site**



Various Lots in D.D. 105 owned by Melody Gain Limited			
1370	1405	1481	1502 S.A
1372	1406	1482	1502 S.B
1374	1407	1483	1504
1376	1408	1484	1505
1391 RP	1410	1485	1617
1392 RP	1412	1486	1619
1395 RP	1413	1487	1620
1396	1420	1488	1621
1397 RP	1421	1489	1622
1399	1422	1490	1635
1400	1476	1491	1636
1401	1478	1492	1639
1402	1479	1494	
1403	1480	1496	

Various Lots in D.D. 105 owned by Clanville Developments Limited			
1408	1484	1639	

Figure 2 – Extracts of RODP and draft OZP relevant to the Site

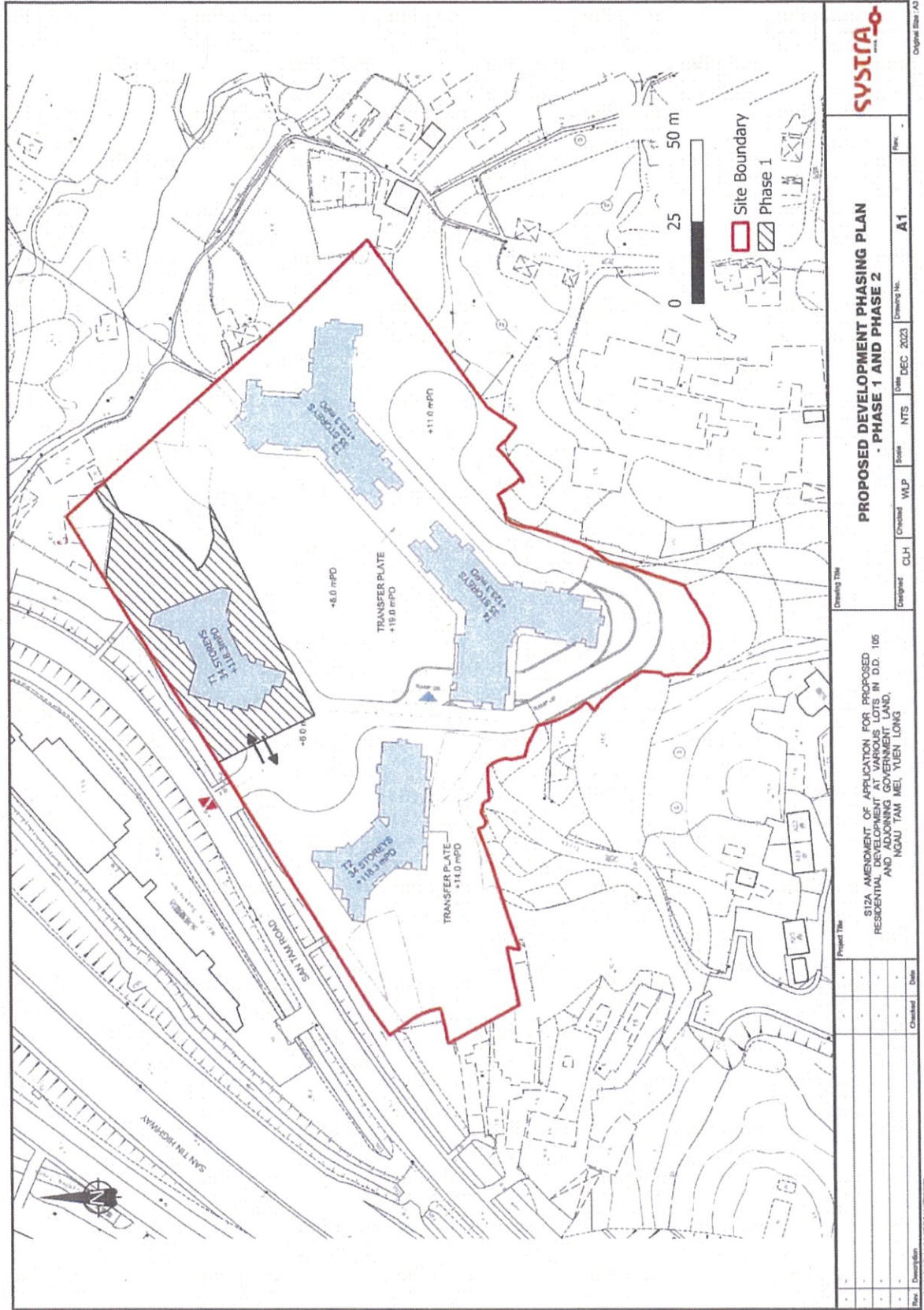


**Figure 3** – Transitional Housing Development under Planning Application No. A/YL-NTM/431 Approved by the Town Planning Board in January 2022



Photo taken in Apr. 2024  
 Note: Representation Site Boundary for indicative purpose only, subject to detailed site survey

**Figure 4 – Proposed Residential Development under Planning Application No. Y/YL-NTM/5 Submitted to the Town Planning Board in September 2021**





**Figure 5 – Extract of Provision of Sports Centre in San Tin Technopole OZP and Yuen Long District Council Area**

**Provision of Sports Centre in San Tin Technopole OZP**

Type of Facilities	Hong Kong Planning Standards and Guidelines (HKPSG)	HKPSG Requirement (based on planned population)	Provision		Surplus/ Shortfall (against planned provision)
			Existing Provision	Planned Provision (including existing provision)	
District Open Space	10 ha per 100,000 persons	16.56 ha	3.36 ha	58.59 ha <sup>#</sup>	+25.47 ha <sup>#</sup>
Local Open Space	10 ha per 100,000 persons	16.56 ha			
Sports Centre	1 per 50,000 to 65,000 persons  (assessed on a district basis)	2	0	3	+1

*Extract of Provision of Major Community Facilities and Open Space in San Tin Technopole OZP from Appendix F of TPB Paper No. 10954 in Feb 2024*

**Provision of Sports Centre in Yuen Long District Council Area**

Type of Facilities	Hong Kong Planning Standards and Guidelines (HKPSG)	HKPSG Requirement (based on planned population)	Provision		Surplus/ Shortfall (against planned provision)
			Existing Provision	Planned Provision (including Existing Provision)	
District Open Space	10 ha per 100,000 persons <sup>#</sup>	125.09 ha	30.18 ha	140.52 ha	15.43 ha
Local Open Space	10 ha per 100,000 persons <sup>#</sup>	125.09 ha	112.1 ha	203.70 ha	78.61 ha
Sports Centre	1 per 50,000 to 65,000 persons <sup>#</sup>  (assessed on a district basis)	19	8	16	-3

*Extract of Provision of Major Community Facilities and Open Space in Yuen Long District Council Area from Annex VIII of TPB Paper No. 10917 in Aug 2023*

**Figure 6 - Artist's Impressions for San Tin Technopole relevant to the Site**



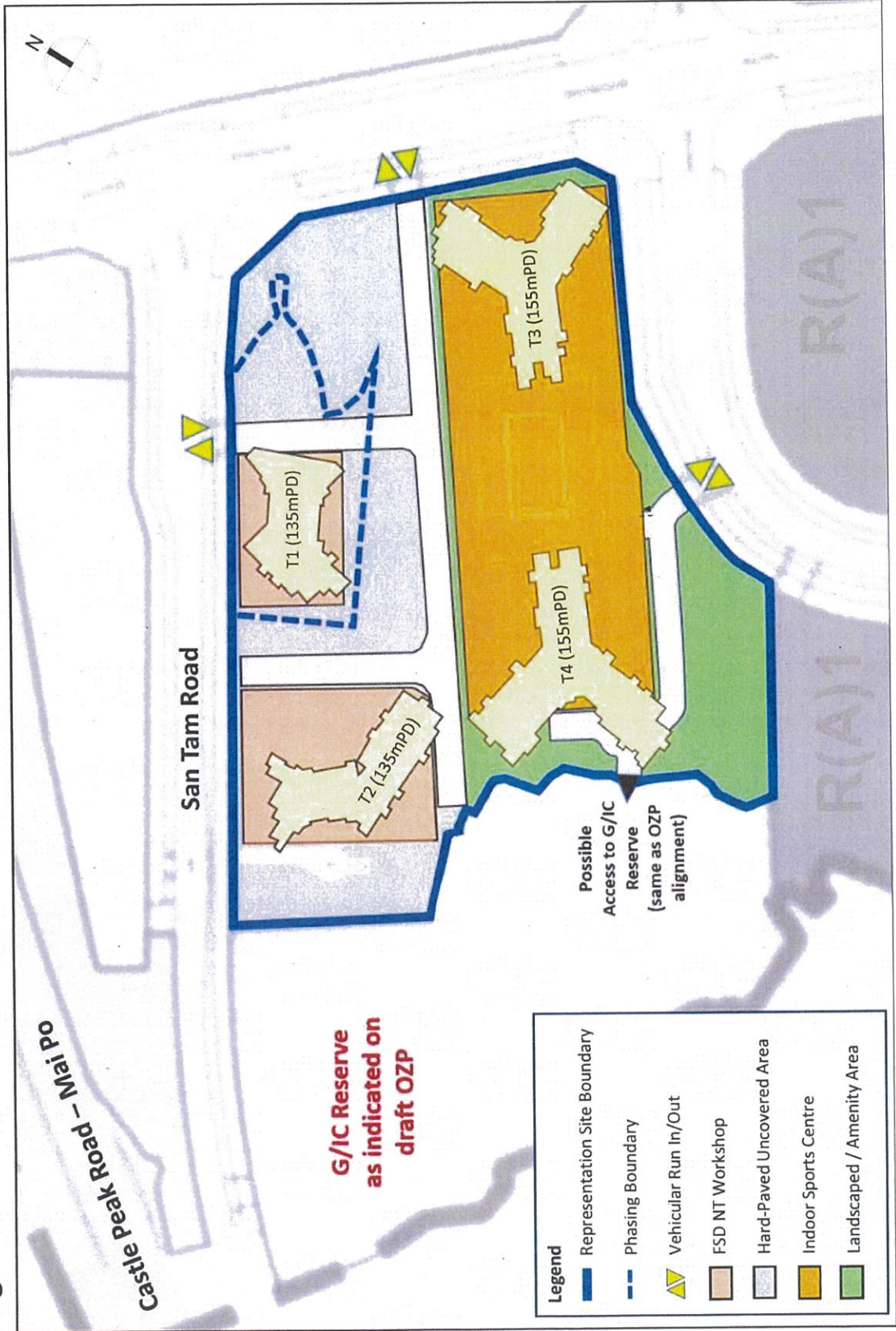
*Extracted from the Artist's Impression for San Tin Technopole by the Government in Jun 2023*



*Extracted from Revised Recommended Landscape Master Plan of Environmental Impact Assessment (EIA) report for the San Tin/Lok Ma Chau Development Node (Figure 4.7) in Jan 2024*

Note: Boundary of the Site for indicative purpose only.

Figure 7A - Alternative Proposal

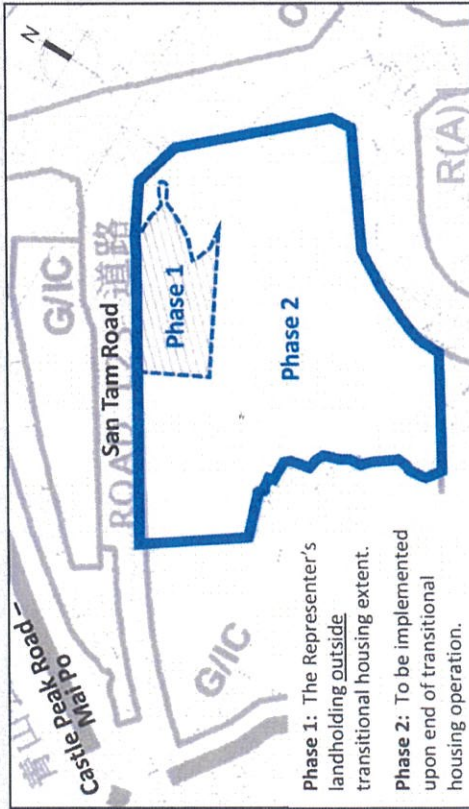


**Main Features:**

- (1) The followings **adhere to** the indicative layout on RODP / EIA (basis of draft OZP):
  - Vehicular run-in/out.
  - General road alignments.
  - General building layout of G/IC facilities.
- (2) Hard-paved uncovered areas reserved in FSD NT Workshop for parking of fire engines and other purposes as in RODP.
- (3) Building heights of the notional layout for G/IC uses as in RODP are followed as the podium height.
- (4) Form and layout of residential towers generally follow those in the Application No. Y/L-NTM/5 (domestic plot ratio 5).

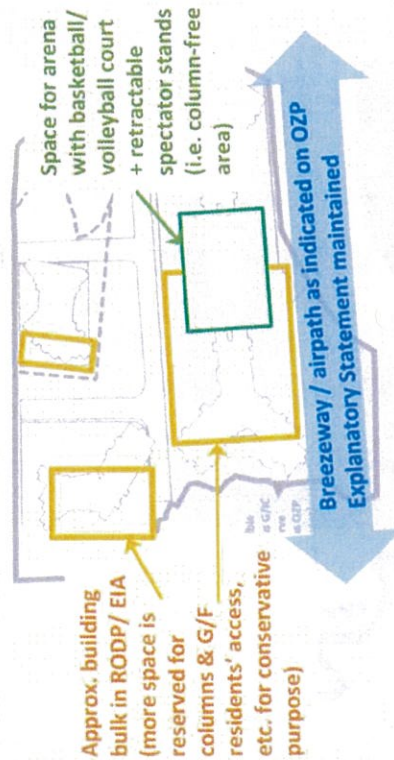
Figure 7B - Alternative Proposal (Cont'd)

Phasing Plan

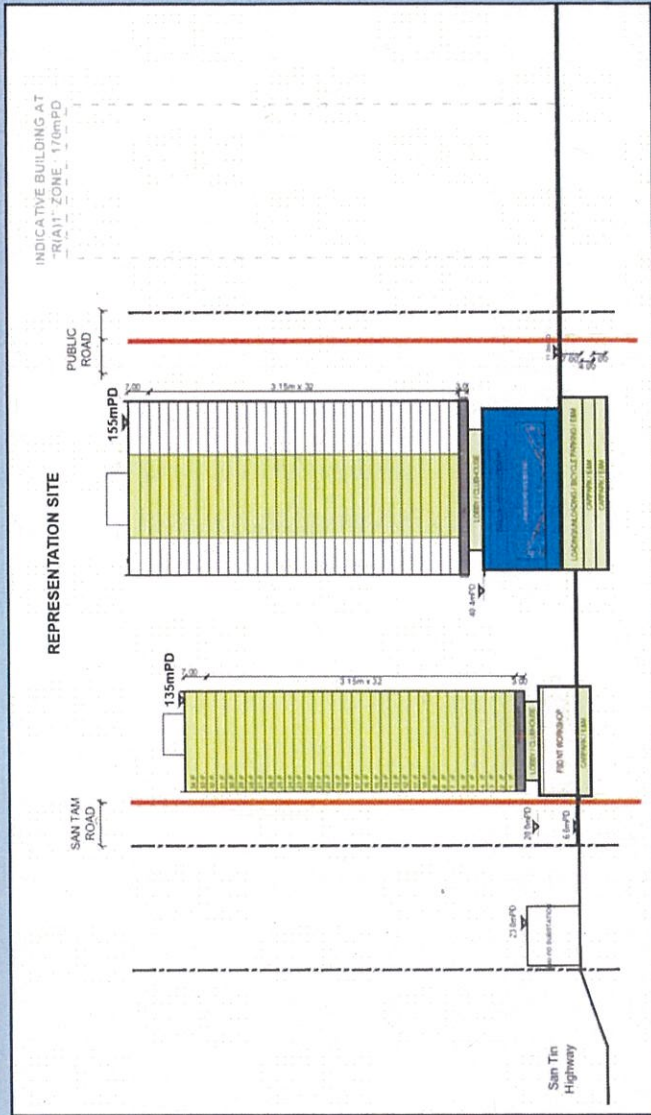


Spatial Design Considerations

For illustrative purposes only



Section

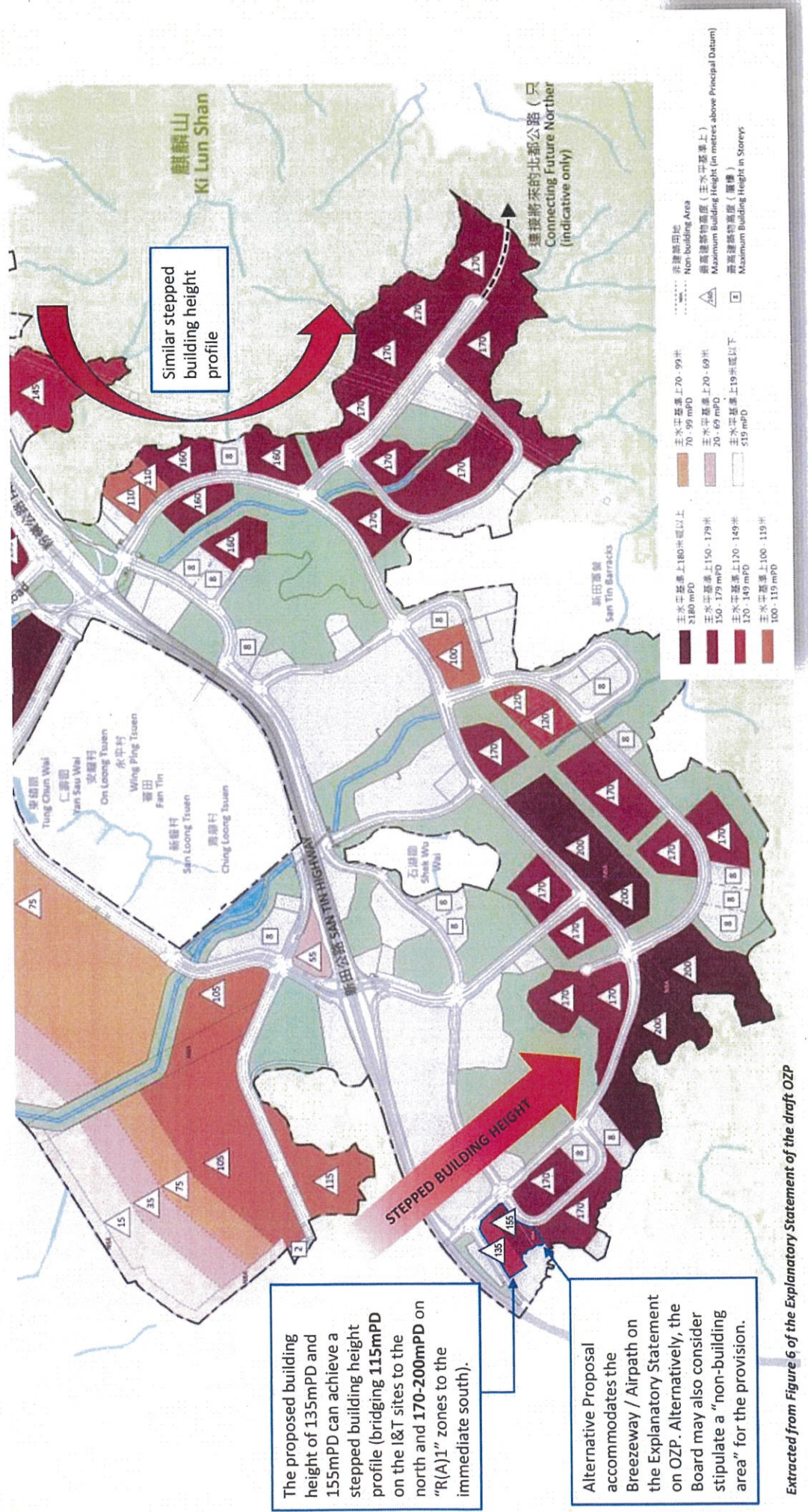


Section Cut Line

- **Stepped Building Height Profile** achieved with the adjoining developments while accommodating the G/I/C uses.
- **Adequate Building Separations.**
- **Uncovered Areas Reserved** for FSD workshop. Also suit the requirements of Indoor Sports Centre & provide amenities.



Figure 8 - Compatible with the Adjacent Area



The proposed building height of 135mPD and 155mPD can achieve a stepped building height profile (bridging 115mPD on the I&T sites to the north and 170-200mPD on "R(A)1" zones to the immediate south).

Alternative Proposal accommodates the Breezeway / Airpath on the Explanatory Statement on OZP. Alternatively, the Board may also consider stipulate a "non-building area" for the provision.

Extracted from Figure 6 of the Explanatory Statement of the draft OZP

## Summary of Technical Feasibility of Residential Use on the Site

Aspects	<b>Technical Summary for Feasibility of Residential Development on the Site</b> (as referenced to the technical assessments of Planning Application No. Y/YL-NTM/5 – Domestic plot ratio 5 on the Site)	Remarks																								
Traffic	<p>Junction and road link capacity assessments have been undertaken for both the Year 2028 reference and design scenarios. The results indicate that all identified junctions and road links would be operated within capacity. Since the junction at Castle Peak Road – San Tin Section/Shek Wu Wai Road is currently operating close to capacity, the Applicant will upgrade the existing priority junction into a roundabout junction with a cautionary crossing.</p> <p>Based on the public transport service assessment, it is proposed to enhance the nearby public transport service by increasing the frequency of KMB 76K to 7 buses per hour and GMB 78 to 5 GMBs per hour during both AM peak and PM peak. Both routes will be at a frequency of approx. 8.5-minute and 12-minute headway at AM and PM peak, respectively.</p>	<p>The Proposed Development would only make negligible change to the existing junctions nearby.</p> <p>Moreover, the traffic condition would inevitably further enhanced with the planned upgrading of road infrastructure under the development of San Tin Technopole.</p>																								
Air Quality	<p><u>Vehicular Emission</u></p> <p>No openable window, fresh air intake and recreational uses within the buffer zone under the Indicative Development Scheme of the Proposed Development to fulfil the separation requirements stipulated in HKPSG as shown:</p> <table border="1" data-bbox="384 1451 1070 1850"> <thead> <tr> <th>Road</th> <th>Road Type</th> <th>HKPSG Requirement</th> <th>Separation Distance Proposed</th> </tr> </thead> <tbody> <tr> <td>San Tin Highway</td> <td>PD</td> <td>&gt;20m</td> <td>66m</td> </tr> <tr> <td>Sam Tam Road</td> <td>DD</td> <td>&gt;10m</td> <td>11m</td> </tr> <tr> <td>Ko Hang Road</td> <td>Unknown</td> <td>&gt;20m</td> <td>93m</td> </tr> <tr> <td>New Road</td> <td>DD</td> <td>&gt;10m</td> <td>27m</td> </tr> <tr> <td>New Road</td> <td>LD</td> <td>&gt;5m</td> <td>21m</td> </tr> </tbody> </table> <p>PD – Primary Distributor DD – District Distributor LD – Local Distributor</p>	Road	Road Type	HKPSG Requirement	Separation Distance Proposed	San Tin Highway	PD	>20m	66m	Sam Tam Road	DD	>10m	11m	Ko Hang Road	Unknown	>20m	93m	New Road	DD	>10m	27m	New Road	LD	>5m	21m	<p>No further comment has been received since Further Information (“FI”) No. 9 of Y/YL-NTM/5 in May 2023.</p>
Road	Road Type	HKPSG Requirement	Separation Distance Proposed																							
San Tin Highway	PD	>20m	66m																							
Sam Tam Road	DD	>10m	11m																							
Ko Hang Road	Unknown	>20m	93m																							
New Road	DD	>10m	27m																							
New Road	LD	>5m	21m																							

## Annex 1

Aspects	<b>Technical Summary for Feasibility of Residential Development on the Site</b> (as referenced to the technical assessments of Planning Application No. Y/YL-NTM/5 – Domestic plot ratio 5 on the Site)	Remarks
	<p><u>Chimney Stack and Dust Emission</u></p> <p>There is no chimney stack identified within 200m from the Site. The horizontal buffer distance requirement is hence deemed to be complied with.</p> <p><u>Potential Impact to be Generated from the Proposed Development</u></p> <p>On-site Sewerage Treatment Plant is proposed to be fully enclosed and equipped with air scrubber system and deodorisation system; the future air exhaust will be located at the southwest portion of the Site facing away from existing/planned air sensitive receivers.</p>	Ditto.
Noise	<p><u>Fixed Plant Noise</u></p> <p>A 1m-long vertical fin at the western corner of T1 is adopted such that there will be no direct line-of-sight between noise sensitive receivers and the electricity sub-station.</p> <p><u>Road Traffic Noise</u></p> <p>Acoustic windows / Acoustic doors (baffle type) have been proposed as innovative mitigation measures for the residential development. For all cases, the air gap will be maintained at 100mm. The HKPSG criterion in respect of road traffic noise (i.e. 70dB(A)) would be complied with.</p> <p>For locations that are facing towards noise source and possibly with noise exceedance but with no ventilation openings required, fixed glazing with maintenance window (i.e. no ventilation opening) shall be in place to mitigate the potential noise impact.</p>	No further comment has been received since FI No. 9 in May 2023.

## Annex 1

Aspects	<b>Technical Summary for Feasibility of Residential Development on the Site</b> (as referenced to the technical assessments of Planning Application No. Y/YL-NTM/5 – Domestic plot ratio 5 on the Site)	Remarks
<b>Water Quality</b>	Foul water will be collected and treated by on-site STP before discharge to the public drain.  Surface water will be collected via rainwater pipes and diverted to stormwater drains or other water body such as marshland on site as the existing flow regime does.  The best practice and design recommendations in ProPECC PN 5/93 will be followed for design and implementation.	No further comment has been received since FI No. 3 in April 2022.
<b>Ecological</b>	According to the Ecological Impact Assessment, the Proposed Development is unlikely to cause unacceptable adverse impact to the Wetland Buffer Area, Wetland Conservation Area or the integrity of wetlands in Deep Bay area.	No further comment has been received since FI No. 5 in August 2022.
<b>Drainage</b>	The Proposed Development is designed to cater for flooding under a 50-year return period. Before any solid plan of drainage system in the future Technopole, there will be a flood attenuation tank (with a capacity of not less than 1,050m <sup>3</sup> which is easily accommodable at basement) to store excessive stormwater temporarily during heavy rains before discharging to the drainage system downstream to mitigate flood risks.	No further comment has been received since FI No. 8 in March 2023.
<b>Sewerage</b>	As an interim measure, provision of on-site sewage treatment plant (with Membrane Biological Reactor) is proposed to provide sewage treatment before disposal before public sewer is available. As long-term measures, sufficient provisions would be incorporated in the design and construction of the Proposed Development to allow future diversion of sewage flow from the on-site STP to future public sewer.	No further comment has been received since FI No. 5 in August 2022.
<b>Landscape</b>	110 nos. of new planted trees will be accommodated to compensate the loss of existing trees at a minimum replanting ratio of 1:1.	No further comment vide their response to FI No. 2 in January 2022.



## Annex 1

<b>Aspects</b>	<b>Technical Summary for Feasibility of Residential Development on the Site</b> <b>(as referenced to the technical assessments of Planning Application No. Y/YL-NTM/5 – Domestic plot ratio 5 on the Site)</b>	<b>Remarks</b>
<b>Water Supply</b>	The estimated water demand generated by the Proposed Development is approx. 2273.1m <sup>3</sup> /day which is equivalent to about 5.58% and 2.89% of the capacity of the existing Ngau Tam Mei Fresh Water Primary Service Reservoirs (NTMSR) and future NTMSR after extension, respectively. Existing water supply infrastructure including Ngau Tam Mei Water Treatment Works and NTMSR would have adequate capacity to cater for water demand to be generated by the Proposed Development.	No further comment has been received since FI No. 3 in April 2022.
<b>Visual</b>	The proposed building height (123.3mPD at Y/YL-NTM/5) is lower than the building height restriction of the nearby R(A)1 zoning is 170mPD as stipulated in the draft OZP. The proposed building height also creates a distinctive stepped building height profile that descends towards San Tam Road. The Proposed Development is hence considered acceptable from the visual perspective.	No further comment has been received since FI No. 2 in January 2022. The stepped building height principle is still observed (see Figure 8).

Section 6(1) Representation  
Town Planning Ordinance (Cap. 131)

## **Written Representation**

**in respect of**

**Draft San Tin Technopole Outline Zoning Plan  
No. S/STT/1**

*“Government, Institution or Community” (“G/IC”) Zoning in Area 1A*

Melody Gain Limited and  
Clanville Developments Limited

Various Lots in D.D. 105,  
Ngau Tam Mei, Yuen Long

May 2024

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- Figure 4** – Proposed Residential Development under Planning Application No. Y/YL-NTM/5 Submitted to the Town Planning Board in September 2022
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- Figure 8** – Compatible with the Adjacent Area

## **List of Annexes**

- Annex 1** – Summary of Technical Feasibility of Residential Use on the Site

## **1. Introduction**

- 1.1 This representation is made on behalf of Melody Gain Limited and Clanville Developments Limited ("**Representer**"), the registered owners of various lots in D.D. 105 <sup>1</sup> ("**Site**"), in respect of the draft San Tin Technopole Outline Zoning Plan No. S/STT/1 gazetted on 8 March 2024 ("**draft OZP**"). Specifically, the proposed "Government, Institution or Community" ("**G/IC**") zoning in Area 1A relevant to the Site is referred to.
- 1.2 It is noted from the draft OZP that this G/IC zoning is intended to be:
- Fire Services Department New Territories Workshop and Related Facilities ("**FSD NT Workshop**") in its northern portion.
  - Indoor Sports Centre in its southern portion.

## **2. The Representation Site – Sizable, Formed, Accessible (Figure 1)**

- 2.1 The Site, measuring around 21,881.4 m<sup>2</sup> (including about 1,693.8 m<sup>2</sup> of Government Land), has mostly been formed for a transitional housing development. It is also currently occupied by various shops, open storage yards, etc.
- 2.2 By abutting San Tam Road which connects onward to Castle Peak Road - Mai Po and New Territories Circular Road (Route 9), the Site is conveniently accessible via existing road network.

## **3. The Nature of and Reasons for the Representation (Figure 2)**

- 3.1 Objection is lodged to the "G/IC" zoning on the Representation Site for the reasons as detailed in the followings.

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<sup>1</sup> Lots 1370, 1372, 1374, 1376, 1391 RP, 1392 RP, 1395 RP, 1396, 1397 RP, 1399, 1400, 1401, 1402, 1403, 1405, 1406, 1407, 1408, 1410, 1412, 1413, 1420, 1421, 1422, 1476, 1478, 1479, 1480, 1481, 1482, 1483, 1484, 1485, 1486, 1487, 1488, 1489, 1490, 1491, 1492, 1494, 1496, 1502 S.A, 1502 S.B, 1504, 1505, 1617, 1619, 1620, 1621, 1622, 1635, 1636, 1639 in D.D. 105, Ngau Tam Mei, Yuen Long.

**(A) The G/IC zoning was based on the absence of the transitional housing development at the Site which has been committed and implemented**

3.2 The Representer wishes to draw the Board’s attention on the following chronology of events relevant to the planning of the Site:

Date	Event
24 June 1994	The Site had been part of the “Residential” zoning on the Ngau Tam Mei Outline Zoning Plan since its first gazettal (vide Plan No. S/YL-NTM/1).
29 June 2018	Chief Executive announced 6 new housing initiatives to “expand developable land in order to significantly boost housing supply” <sup>2</sup> , including establishment of a task force on transitional housing under the then Transport and Housing Bureau (THB).
14 January 2022	S.16 Planning Application for a transitional housing development (1,080 flats), covering the majority of the Site, was supported in-principle by the then THB and <b>approved</b> by the Town Planning Board under Application No. A/YL-NTM/431 ( <b>Figure 3</b> refers). <b>The transitional housing project is planned to operate for 5 years upon completion in Q2 2024, i.e. till 2029 tentatively.</b> <sup>3</sup>
23 May 2023	Recommended Outline Development Plan (RODP) proposing land uses for San Tin Technopole, inclusive of the Site, was released. The RODP indicated <b>first-ever</b> : (1) the proposed uses of FSD NT Workshop and Indoor Sports Centre on the Site and (2) <b>the uses are to be implemented under “Phase 1 Development” with estimated land resumption schedule from end 2024 and population intake from 2031.</b> <sup>4</sup>

(To be continued on next page)

<sup>2</sup> The Government of HKSAR Press Release (June 29, 2018). “Government announces six new initiatives on housing”: <https://www.info.gov.hk/gia/general/201806/29/P2018062900967.htm?fontSize=1>

<sup>3</sup> Housing Bureau, Transitional Housing Projects under Construction. “Transitional Housing Project at Ngau Tam Mei North (San Tam Road), Yuen Long” : [https://www.hb.gov.hk/eng/policy/housing/policy/transitionalhousing/details\\_24.html](https://www.hb.gov.hk/eng/policy/housing/policy/transitionalhousing/details_24.html)

<sup>4</sup> Legislative Council Paper No. CB(1)506/2023(03). “Land Use Proposal of San Tin Technopole”: <https://www.legco.gov.hk/yr2023/english/panels/dev/papers/dev20230523cb1-506-3-e.pdf> (“Annex A” for proposed land uses and “Annex B” for development phasing).

(Continued)

Date	Event
28 July 2023	Written comment was made by the Representer during the public engagement period regarding the <b>programme mis-match</b> of the approved transitional housing project vis-à-vis the RODP indication.
8 March 2024	<p>The draft OZP was gazetted, denoting the “G/IC” zoning on the Site and maintaining its intended uses of FSD NT Workshop and Indoor Sports Centre (<i>Explanatory Statement para. 12.3.2</i>).</p> <p>Only at this point, the Government indicated the Site to be under “Phase 1 Stage 2” in the Development Schedule of San Tin Technopole, with no further specification of dates for this stage implementation.<sup>5</sup></p>

- 3.3 As the transitional housing project implementation involves the public account (Government’s grant of \$607.94 million) and a provision of accommodation to around 2,700 residents, it shall not be undermined for the public interest. To this end, it is evidently **not practical to assume land availability of the whole site before end of the committed transitional housing operational period (anticipated in mid-2029)**, not to mention the time needed for site clearance.
- 3.4 In fact, the committed uses on the Site may fundamentally impact the feasibility/practicability of the intended G/IC uses, especially the trajectory of public provisions to serve the population timely. The manifest programme mis-match on the site planning between the transitional housing project (*end in 2029*) versus the intended G/IC development (*expected to serve the population intake of the surrounding “Phase 1” developments in 2031*) is a concern, suggesting that the G/IC planning and zoning were not premised on the actual site context and planning information per se.
- 3.5 In the context of this interference of implementation schedules at the planning stage, the Board is invited to re-visit the land use feasibility and the practicability of specific G/IC uses at the Site.

<sup>5</sup> Civil Engineering and Development Department and Planning Department, Development Schedule of San Tin Technopole: <https://nm-santintech.hk/en/implementation-arrangement/development-schedule/>

**(B) Consistency should be applied in the draft OZP**

- 3.6 The planning intention of the G/IC zoning subject of the Site is very specific on the draft OZP, as depicted in the Explanatory Statement viz. *“GIC facilities include two sites for indoor sports centre in **Areas 1A** and 10... a workshop and related facilities of the Fire Services Department at **Area 1A**”* (para.12.3.2). The subject G/IC zoning hence “freezes up” the Site for *any other uses* in accommodating the community aspirations/requirements and in meeting demand for better utilisation of the site potential - except for the 2 specific uses.
- 3.7 It is, however, observed that not all Government’s proposed G/IC uses on the RODP are subject to the same treatment on the draft OZP. For instance, a site of about 15 hectares located also to the south of San Tin Highway was illustrated as “G/IC” on RODP for performance venues and museum, library and swimming pool complex. This site is nonetheless being zoned now as *“Other Specified Use (Cultural and Community Uses with Supporting Uses and Facilities)”* on the draft OZP, i.e. not “G/IC” zone, **with more flexibility on permissible uses** e.g. “shops and services” and “eating place” in Column 1.
- 3.8 In fact, the Representer’s efforts in developing the Site for housing supply have been made continually, including the submission of a S.12A Planning Application (No. Y/YL-NTM/5) to the Town Planning Board since September 2021 for provision of 1,980 residential units on the Site which has been progressed to a mature stage (**Figure 4**). Comments were also made in the public engagement of the RODP concerning the mentioned programme mismatch and the potential jeopardisation of development efforts under the prevailing “Residential” zoning. Regrettably, these all have been apparently **not attended to** in the draft OZP formulation.
- 3.9 Given the long genuine efforts on development at the Site with technical feasibilities confirmed (to be further detailed in later sections), alongside the unique site attributes, the Representer would like to respectfully request for the Board’s re-consideration on the feasible zoning at the Site in the principle of consistency.

**(C) Need for the specific G/IC uses on the Site is in doubt**

- 3.10 According to the TPB Paper No. 10954 for the draft OZP dated 23 February 2024, a surplus of +1 sports centre is recorded in the planning area with reference to the requirements of Hong Kong Planning Standards and Guidelines (HKPSG). Meanwhile, in the TPB Paper No. 10917 for the proposed amendments to Yuen Long OZP dated 7 September 2023, it was revealed that there is a deficit of -3 sports centres in the entire Yuen Long District Council Area (**Figure 5**).
- 3.11 The above information illustrates that (1) indoor sports centre is not in deficit in the San Tin Technopole based on the HKPSG benchmark; and (2) the proposed provision on the Site appears to be only for serving the demand in **other planning areas** of Yuen Long District Council Area. Hence, it is questionable if no single suitable and spade-ready site (requiring < 1 hectare as is on the Site) could be found within the planning areas in need of sports centres, while the Site occupied with transitional housing development is designated for the use which could only serve the public at a very late stage.
- 3.12 Similarly, most FSD NT Workshops in the territory co-exist with fire stations for operational efficiency, like those in Kwai Chung and North Point. Noting that there is a site of more than 1.4 hectares allocated for divisional fire station at the centre of the Technopole (Area 12A), the FSD NT Workshop could also be absorbed there, among other beside G/IC sites, for better management and operation by FSD in avoidance of any foreseeable implementation mismatch in fire-fighting services provisions.

**(D) Feasible alternatives exist on the Site which deserve to be given equal weight in the zoning formulation**

- 3.13 As aforementioned, the Representer has put forward development proposals for the Site, including the residential proposal under Application No. Y/YL-NTM/5. Various technical assessments have been conducted to confirm the technical feasibility of the proposed development to the satisfaction of relevant Government Departments over the past 2.5+ years (see **Annex 1**).



- 3.14 Given the proven technical feasibilities, the Board is invited to give equal weight to the proposed uses put forward by the Representer in the same manner as the specified G/IC uses in the formulation of the zoning.
- 3.15 Even in the event that the 2 specific G/IC uses are considered by the Board to be really needed on the Site, it is feasible to integrate these G/IC uses with residential flat supply under the “**Single Site, Multiple Use**” model as advocated by the Government vide the Chief Executive’s Policy Addresses. This approach enables a more optimal use of land, **potentially resulting in an additional gain to the community** which should be given relevant weight by the Board.<sup>6</sup> The alternative proposal is detailed in the following section for the Board’s consideration.

#### 4. Alternative Proposal

- 4.1 To ensure feasibility, the following references are made in the Alternative Proposal:
- The layout of existing FSD workshop facilities, namely FSD New Territories Workshop (Kwai Chung), Hong Kong Workshop (North Point) and Kowloon Workshop (Kowloon Bay).
  - The provisions in Luen Wo Hui Sports Centre, Sai Wan Ho Sports Centre, Macpherson Stadium, etc.
  - The Artist’s Impressions provided by the Government in RODP and associated Environmental Impact Assessment on the 2 specific G/IC uses (**Figure 6**).
  - Supporting technical assessments for the residential proposal under Application No. Y/YL-NTM/5 with the acceptance of relevant Government Departments.
- 4.2 The Alternative Proposal, as shown in **Figures 7A and 7B**, seamlessly integrates the G/IC facilities with residential use above for optimising the scarce land resources. It is to be implemented in 2 phases:

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<sup>6</sup> Halsbury’s Laws of Hong Kong, Vol. 48, §[385.270].

- **Phase 1** - A portion of the Site of around 2,550.7m<sup>2</sup> is under the Representer's sole ownership whilst not being within the transitional housing development area, i.e. readily available for development. This portion could first be implemented to accommodate a residential tower cum FSD storage facilities aligning with the draft OZP. Uncovered area for parking as shown in the Government's Artist's Impressions (and as in the existing FSD workshop facilities) will be also accommodated.
- **Phase 2** - The remaining portion, with development site area of around 16,728.9m<sup>2</sup>, could be developed as Phase 2 after the cease of the transitional housing operation. It comprises: (1) Indoor Sport Centre; (2) FSD workshop which will be enclosed to address potential industrial-residential interfaces with adequate headroom to meet operational needs; and (3) 3 nos. of residential towers.

**Table 1: Proposed Development Parameters for the Alternative Proposal (Phases 1 & 2)**

	Representation Site	
<b>Total Area (Approx.)</b>	21,881.4 m <sup>2</sup> *	
	<b>Phase 1</b>	<b>Phase 2</b>
<b>Development Site Area (Approx.) ^</b>	2,550.7 m <sup>2</sup>	16,728.9 m <sup>2</sup>
<b>Proposed Uses</b>	Domestic, FSD storage	Domestic, Indoor Sports Centre, FSD workshop
<b>Proposed Domestic Plot Ratio</b>	5 (same as No. Y/YL-NTM/5)	5 (same as No. Y/YL-NTM/5)
<b>Proposed Domestic GFA</b>	12,754 m <sup>2</sup>	83,645 m <sup>2</sup>
<b>No. of Units (approx.)</b> *Assume average unit size of 50m <sup>2</sup>	255	1,673
<b>Proposed Max. Building Height #</b>	135mPD	135mPD / 155mPD (stepped building heights)

\* Including Government Land of 2,536.7m<sup>2</sup> and minor third-party lots at the periphery of 2,601.8m<sup>2</sup>.

^ Excluding the third-party lots, which consist of Tso Tong land. While it is noted that there may be extension of "Enhanced Conventional New Town Approach" to New Development Areas facilitating land consolidation in future, areas of third-party lots are nonetheless be excluded as a conservative approach.

# As compared to the max. building height of 170mPD at the "Residential (Group A)1" zone to the immediate south of the Site.

4.3 The building form/layout of residential towers under the Application No. Y/YL-NTM/5 is also maintained as practicable to ensure validity of the tested technical feasibility. As such, a domestic plot ratio of about 5 could be attained following the tested indicative scheme of Y/YL-NTM/5, while concurrently offering the construction of G/IC facilities in the Proposal through private initiatives. The Alternative Proposal is justified as follows:

**(a) No Disruption to G/IC Provision**

4.4 Developments with residential uses atop Indoor Sports Centres are not unprecedented in the territories. Examples include:

- Grand Regentville in Fanling (with Luen Wo Hui Sports Centre)
- Felicity Garden in Sai Wan Ho (with Sai Wan Ho Sports Centre)
- Macpherson Place in Mong Kok (with Macpherson Stadium)

**Table 2: Reference Cases of Residential Use atop Indoor Sports Centres**

	<b>Grand Regentville in Fanling (with Luen Wo Hui Sports Centre)</b>	<b>Felicity Garden in Sai Wan Ho (with Sai Wan Ho Sports Centre)</b>	<b>Macpherson Place in Mong Kok (with Macpherson Stadium)</b>
<b>Site Area</b>	About 14,483m <sup>2</sup>	About 5,673m <sup>2</sup>	About 2,428m <sup>2</sup>
<b>Zoning</b>	“Commercial / Residential (2)”	“OU (Residential cum Commercial and Community Facilities)”	“Residential (Group A)4”
<b>Maximum GFA</b>	<b>Domestic:</b> 35,292m <sup>2</sup>  <b>Non-Domestic:</b> 48,848m <sup>2</sup> (of which not less than 27,277m <sup>2</sup> should be for Government uses)	<b>Domestic:</b> 53,590m <sup>2</sup>  <b>Non-Domestic:</b> 13,540m <sup>2</sup>	<b>Domestic:</b> 16,705m <sup>2</sup>  <b>Non-Domestic:</b> 8,062m <sup>2</sup> (not less than 3,337m <sup>2</sup> for indoor stadium and not less than 2,282m <sup>2</sup> for youth centre)
<b>Maximum Building Height</b>	135mPD	120mPD	115mPD

4.5 Importantly, the Alternative Proposal can accommodate even the most stringent dimensions of a conventional Indoor Sports Centre. Space for a standard multi-purpose arena, which can be converted into a standard basketball/volleyball court with spectator stands similar to that in other Indoor Sports Centres, has been reserved, together with other requirements including thoroughfares for places of public entertainment.

4.6 The FSD NT Workshop is also included in the Alternative Proposal on a like-for-like basis, with reference to the current provision. With the future incorporation of adequate compartmentation as in the residential developments atop railway depots, technical difficulties of the provision are not anticipated, thereby assuring no reduction or disruption to the proposed G/IC provision.

**(b) Facilitating Timely Implementation via Private Initiatives**

4.7 The Alternative Proposal does not require lengthy land resumption. The portion of the Site under the Representer's ownership which is spade-ready could be commenced imminently as the Phase 1 development. As such, Government resources on resuming land, including time and cost compensation, will be largely minimised.

4.8 At the same time, the G/IC facilities could also be constructed via private sector participation - as in the various precedents including Tsuen Wan Sports Centre and Tai Wai Station Post-Secondary College - to be implemented via necessary land grant conditions. Delivery of certain G/IC uses could then be pragmatically **pushed ahead for earliest operations**, whilst project interfaces could be smoothed. This "one-stop shop" approach through the private sector's efforts should be regarded as a positive initiative in effectively relieving the Government's intense burden in infrastructural provisions in the Technopole.

**(c) Opportunities for Provision of ~2,000 Flats Through Optimisation of the Site**

4.9 It is noted that the I&T Park and San Tin Town Centre will together create about 165,000 jobs in the Technopole (including 120,000 on the I&T sites). The 50,000-54,000 nos. of public and private housing units (in a 70:30 ratio) now planned in San Tin Town Centre, together with the 6,400 talent

accommodation units in the I&T Park, appear to be unlikely to fully meet the housing demand of I&T professionals, workers and their families. The cohorts may have to depend on housing in other districts (such as Yuen Long and Kwun Tung North) or even Shenzhen.

- 4.10 By including the residential component, the Alternative Proposal offers private housing options to the I&T talents in proximity to their work. Unnecessary traffic pressure to and from other districts can hence be alleviated, whereas a stronger sense of community could be rooted with more homes offered within the Technopole.

**(d) Compatible with the Adjacent Area**

- 4.11 The proposed domestic plot ratio of the Site is 5 with a building height of 135mPD/155mPD at the northern and southern portions respectively, adopting a stepped building height profile aligning with the overall profile in the Technopole (**Figure 8**). The proposed building layout is also capable of being responsive to the “major breezeway/airpath on Figure 5 of the Explanatory Statement of draft OZP.

(NB: a maximum plot ratio of 6.8 and a building height of 170mPD are allowed in the “R(A)1” zoning to the immediate south of the Site, amongst the various other “R(A)” sites with the same development intensity demarcated at the future San Tin Town Centre).

**5. Proposed Amendments to the Draft OZP**

- 5.1 To enable the “Single Site, Multiple Use” model on the Site for optimising the use of land as portrayed in the Alternative Proposal, the Board is requested to re-visit the zoning on the Site for allowing more flexible land uses. The following zonings are considered suitable under the site context:
- **“Residential (Group A)”** blending in the zoning for the surrounding sites at San Tin Town Centre in the draft OZP. “Government Use” and “Flat” are always permitted in Column 1;
  - **“Other Specified Use (Residential with Government and Community Facilities)”** which is more tailor-made aligning with the aforementioned “Other Specified Use (Cultural and Community Uses with Supporting Uses

*and Facilities)*" in Area 7 on the same draft OZP, and the "*Other Specified Use (Residential cum Commercial and Community Facilities)*" subject of Sai Wan Ho Sports Centre; or

- "**Comprehensive Development Area**" in which all uses are in Column 2, should the Board consider necessary to exercise control in the planning regime.

5.2 Building height restrictions of 135mPD and 155mPD could be imposed on the northern and southern portions of the Representation Site, respectively, to ensure the stepped height profile, while "non-building area" may be considered for the breezeway/airpath in the southernmost part. It should be highlighted that, regardless of which zoning option, any obligations on the construction of the G/IC facilities could nonetheless be policed under the Land Grant requirements.

## 6. Conclusion

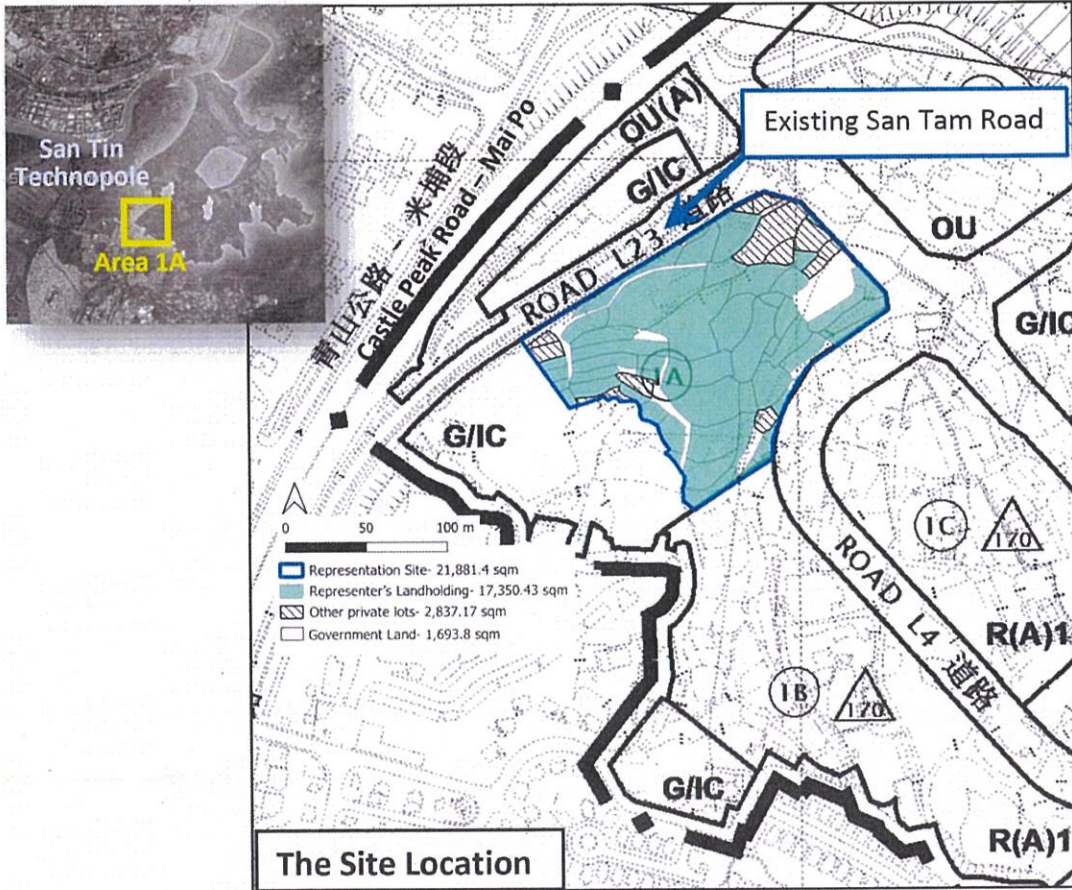
6.1 The Representer would like to highlight that the committed transitional housing project on the Site has not been apparently orchestrated at the planning and RODP/draft OZP formulation stage which may potentially affect 2,700 residents and the intended provision of the specific G/IC facilities.

6.2 The currently proposed "G/IC" zoning on the draft OZP may only lead to the **G/IC operations well after the population intake of the surrounding areas (anticipated in 2031)**, thus being unable to timely support the public services as originally intended and planned.

6.3 On the other hand, riding on the development efforts for the Site with proven technical feasibility, the Representer puts forward **a feasible proposal integrating residential flat supply with G/IC uses** as an optimum and pragmatic solution to accelerate the implementation through private initiatives. This is concurrently in line with the "Single Site, Multiple Use" model on G/IC sites under Chief Executive's Policy Address initiative to optimise land use with multiple compatible uses.

6.4 The Board is hence earnestly requested to consider one of the proposed zoning options for an additional gain of the community per se.

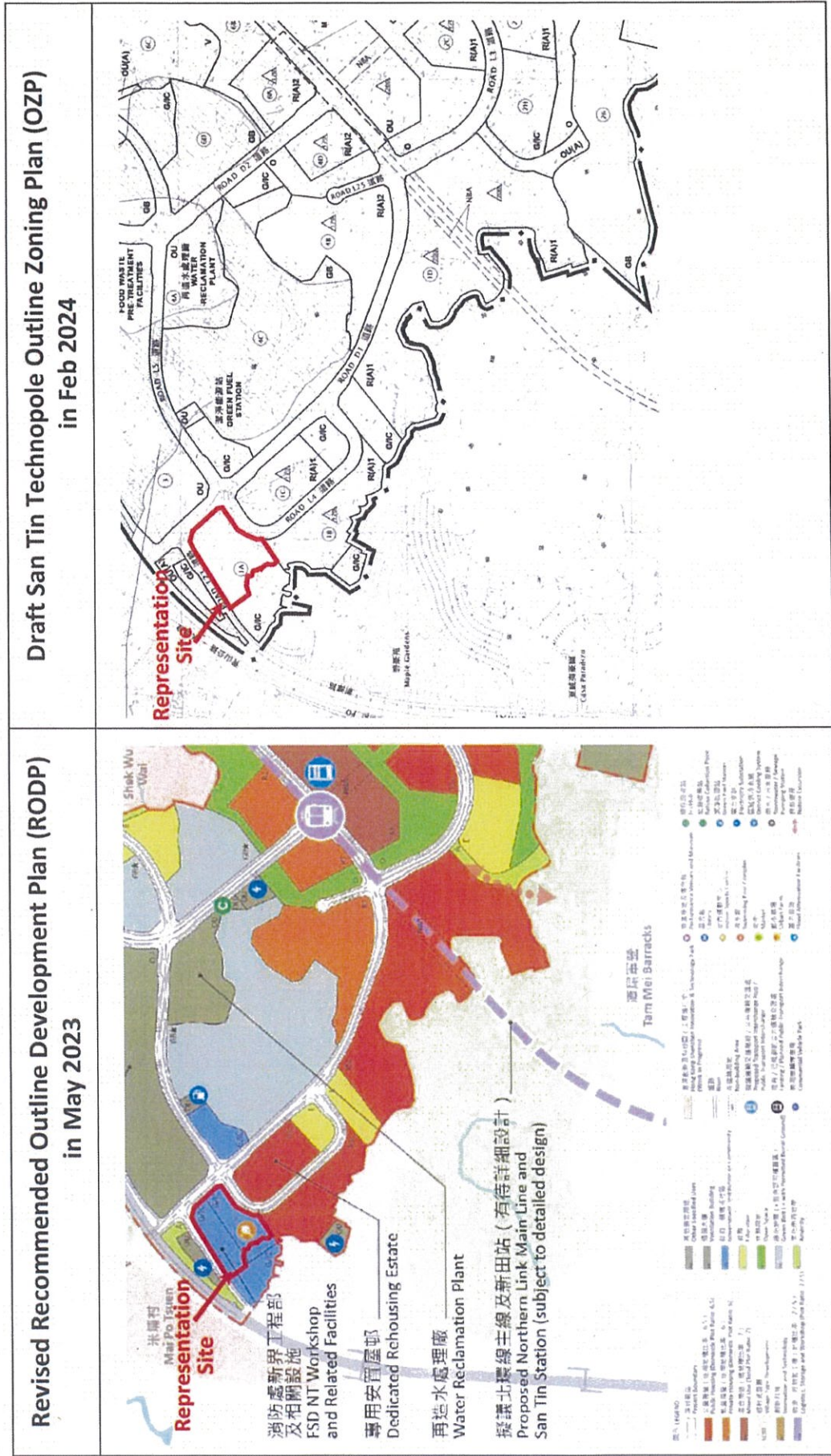
**Figure 1 – The Representer’s Landholdings on the Site**



Various Lots in D.D. 105 owned by Melody Gain Limited			
1370	1405	1481	1502 S.A
1372	1406	1482	1502 S.B
1374	1407	1483	1504
1376	1408	1484	1505
1391 RP	1410	1485	1617
1392 RP	1412	1486	1619
1395 RP	1413	1487	1620
1396	1420	1488	1621
1397 RP	1421	1489	1622
1399	1422	1490	1635
1400	1476	1491	1636
1401	1478	1492	1639
1402	1479	1494	
1403	1480	1496	

Various Lots in D.D. 105 owned by Clanville Developments Limited			
1408	1484	1639	

Figure 2 – Extracts of RODP and draft OZP relevant to the Site





**Figure 3** – Transitional Housing Development under Planning Application No. A/YL-NTM/431 Approved by the Town Planning Board in January 2022

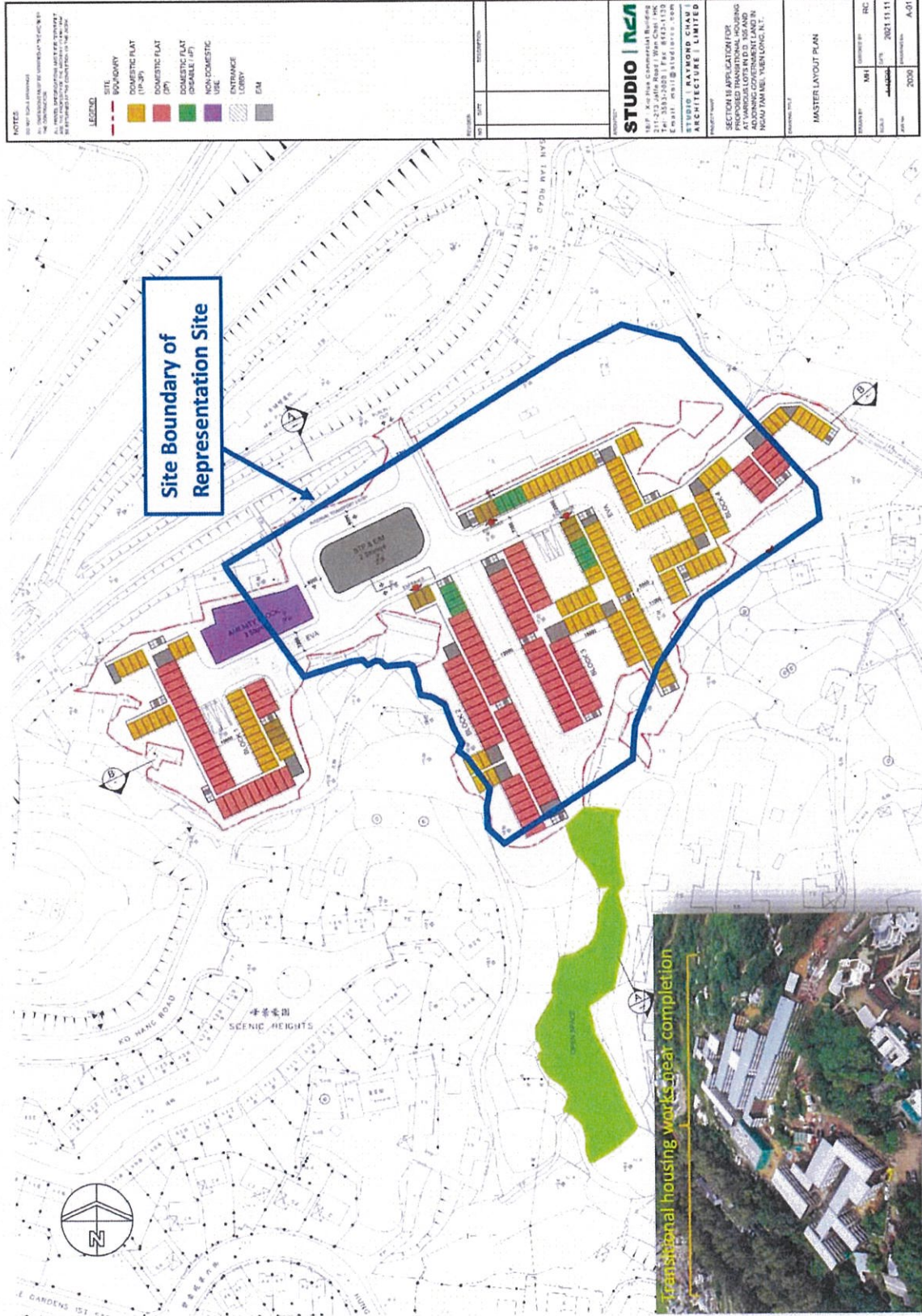
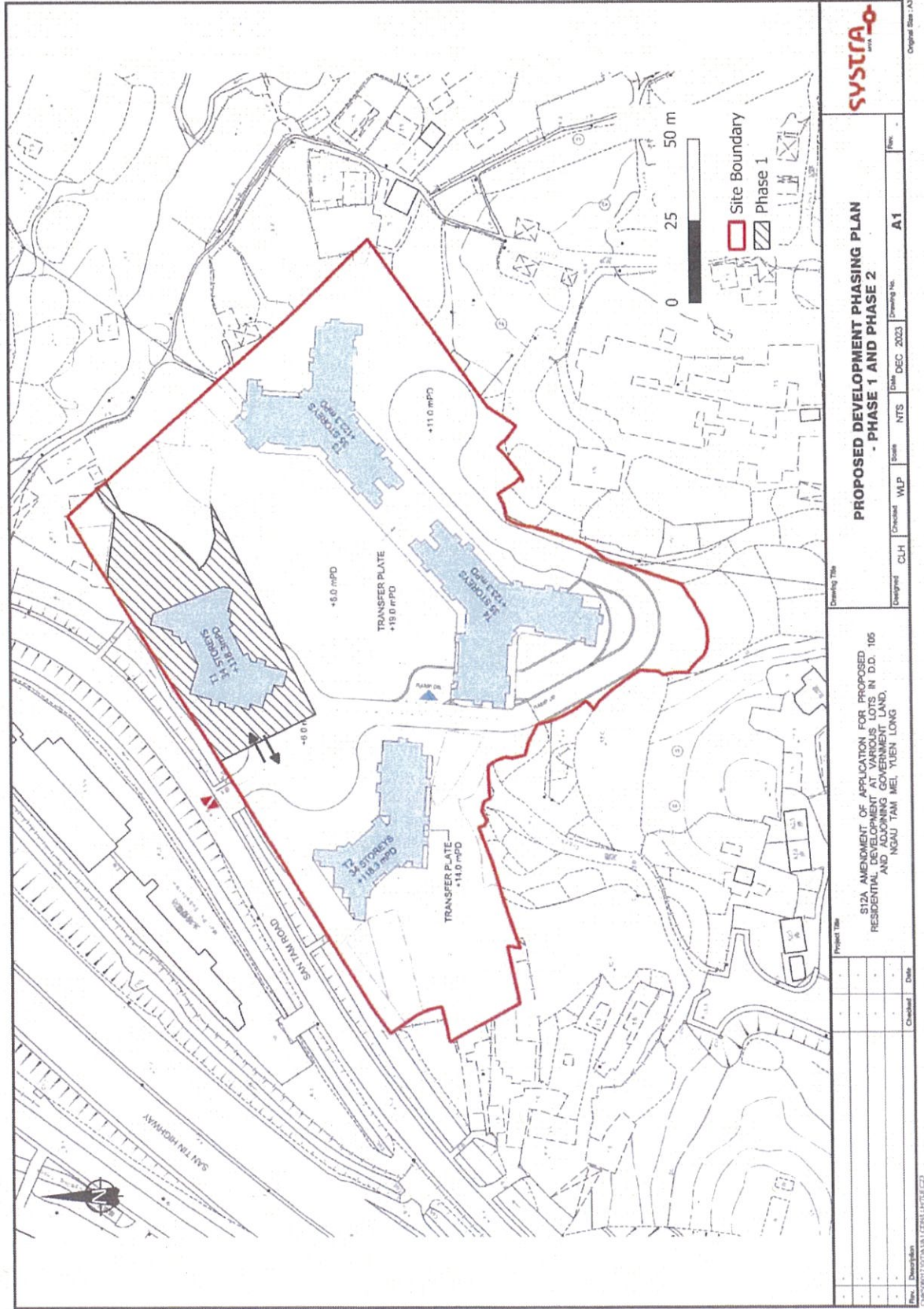


Photo taken in Apr 2024  
 Note: Representation Site Boundary for indicative purpose only, subject to detailed site survey

**Figure 4** – Proposed Residential Development under Planning Application No. Y/YL-NTM/5 Submitted to the Town Planning Board in September 2021



**Figure 5 – Extract of Provision of Sports Centre in San Tin Technopole OZP and Yuen Long District Council Area**

**Provision of Sports Centre in San Tin Technopole OZP**

Type of Facilities	Hong Kong Planning Standards and Guidelines (HKPSG)	HKPSG Requirement (based on planned population)	Provision		Surplus/ Shortfall (against planned provision)
			Existing Provision	Planned Provision (including existing provision)	
District Open Space	10 ha per 100,000 persons	16.56 ha	3.36 ha	58.59 ha <sup>#</sup>	+25.47 ha <sup>#</sup>
Local Open Space	10 ha per 100,000 persons	16.56 ha			
Sports Centre	1 per 50,000 to 65,000 persons  (assessed on a district basis)	2	0	3	+1

*Extract of Provision of Major Community Facilities and Open Space in San Tin Technopole OZP from Appendix F of TPB Paper No. 10954 in Feb 2024*

**Provision of Sports Centre in Yuen Long District Council Area**

Type of Facilities	Hong Kong Planning Standards and Guidelines (HKPSG)	HKPSG Requirement (based on planned population)	Provision		Surplus/ Shortfall (against planned provision)
			Existing Provision	Planned Provision (including Existing Provision)	
District Open Space	10 ha per 100,000 persons <sup>#</sup>	125.09 ha	30.18 ha	140.52 ha	15.43 ha
Local Open Space	10 ha per 100,000 persons <sup>#</sup>	125.09 ha	112.1 ha	203.70 ha	78.61 ha
Sports Centre	1 per 50,000 to 65,000 persons <sup>#</sup>  (assessed on a district basis)	19	8	16	-3

*Extract of Provision of Major Community Facilities and Open Space in Yuen Long District Council Area from Annex VIII of TPB Paper No. 10917 in Aug 2023*

**Figure 6 - Artist's Impressions for San Tin Technopole relevant to the Site**



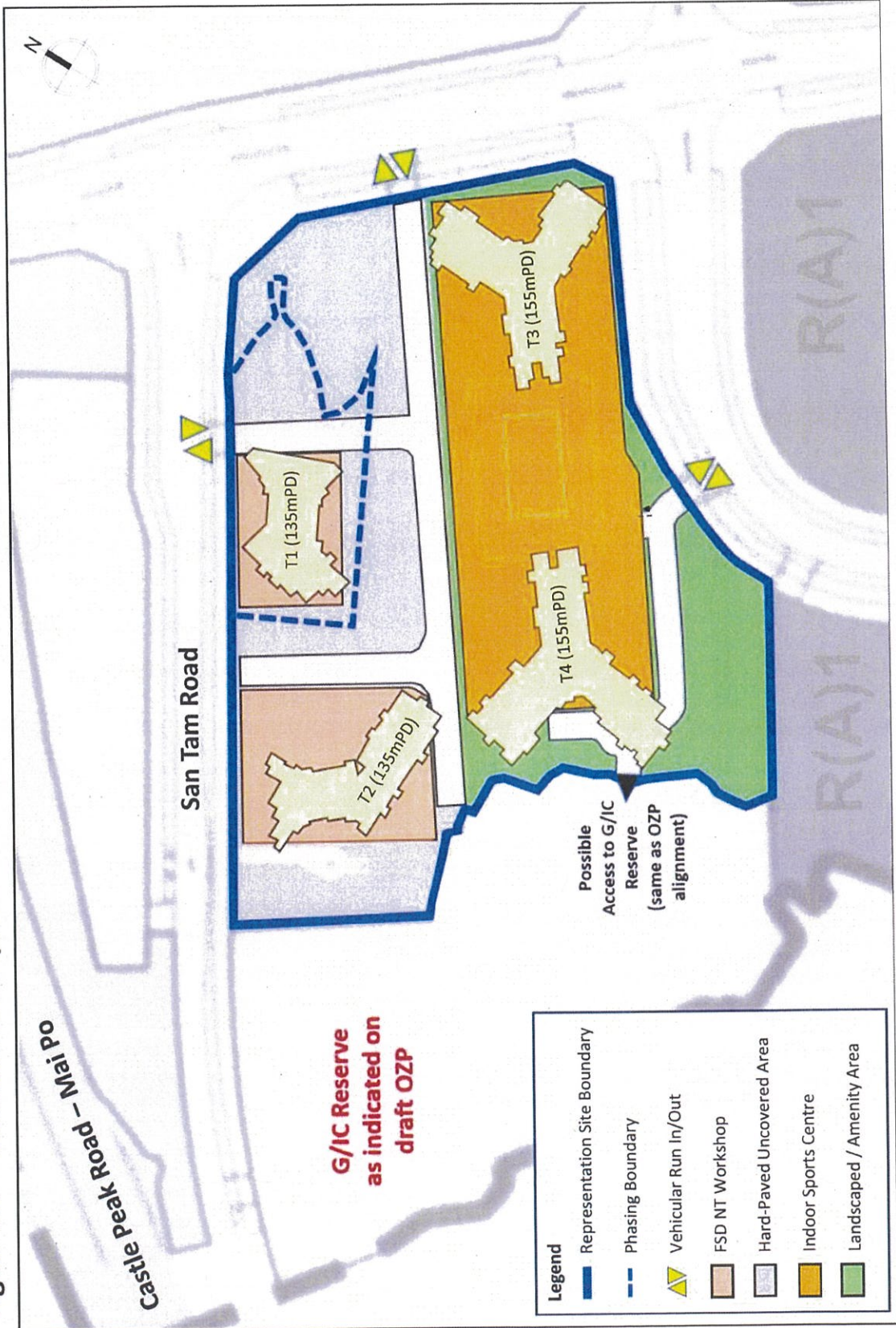
*Extracted from the Artist's Impression for San Tin Technopole by the Government in Jun 2023*



*Extracted from Revised Recommended Landscape Master Plan of Environmental Impact Assessment (EIA) report for the San Tin/Lok Ma Chau Development Node (Figure 4.7) in Jan 2024*

Note: Boundary of the Site for indicative purpose only.

Figure 7A - Alternative Proposal

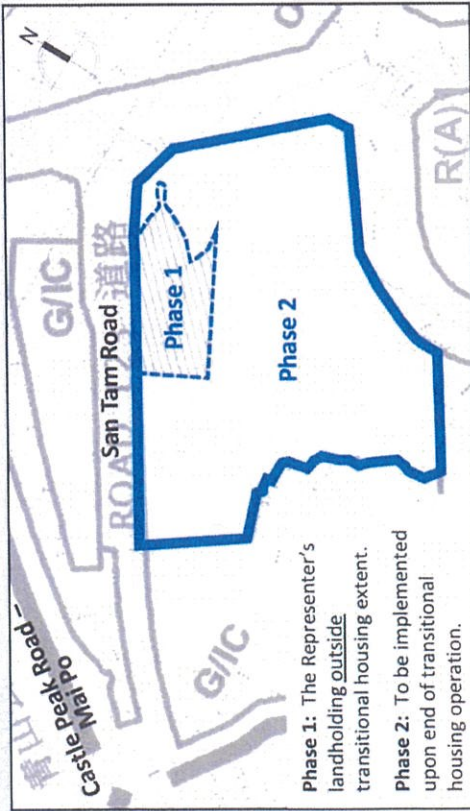


**Main Features:**

- (1) The followings **adhere** to the indicative layout on RODP / EIA (basis of draft OZP):
  - Vehicular run-in/out.
  - General road alignments.
  - General building layout of G/IC facilities.
- (2) Hard-paved uncovered areas reserved in FSD NT Workshop for parking of fire engines and other purposes as in RODP.
- (3) Building heights of the notional layout for G/IC uses as in RODP are followed as the podium height.
- (4) Form and layout of residential towers generally follow those in the Application No. Y/YL-NTM/5 (domestic plot ratio 5).

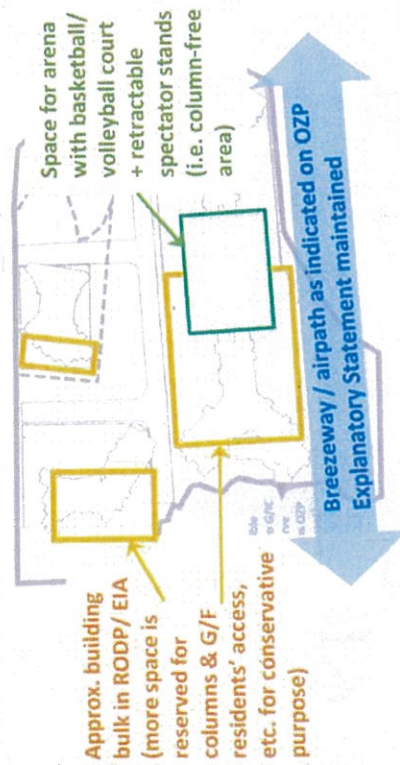
Figure 7B - Alternative Proposal (Cont'd)

Phasing Plan

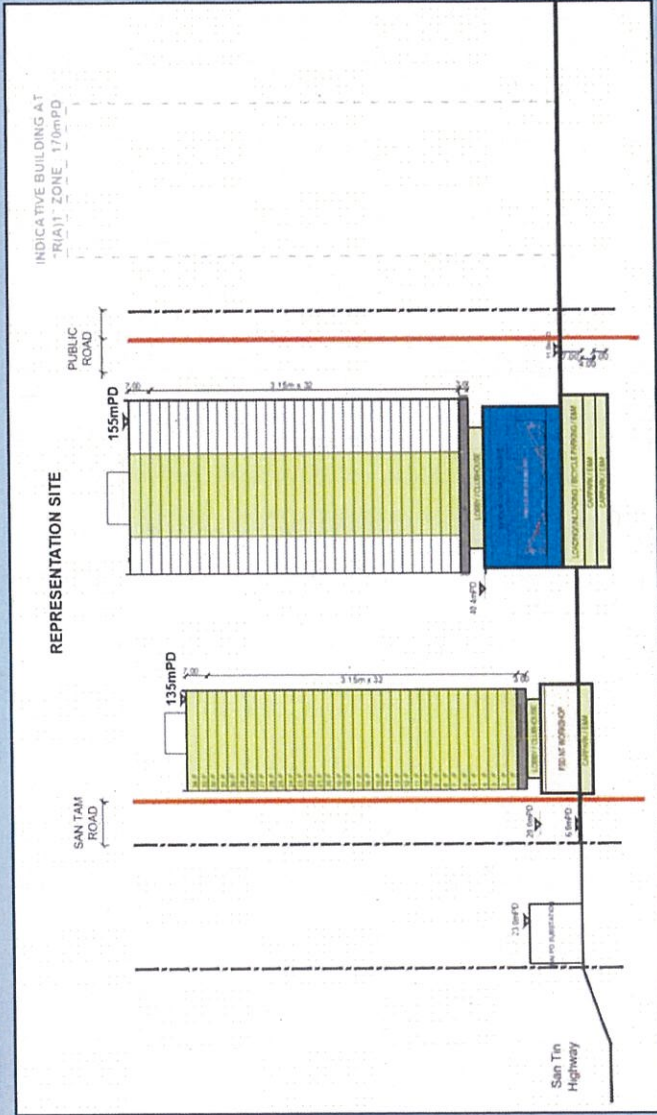


Spatial Design Considerations

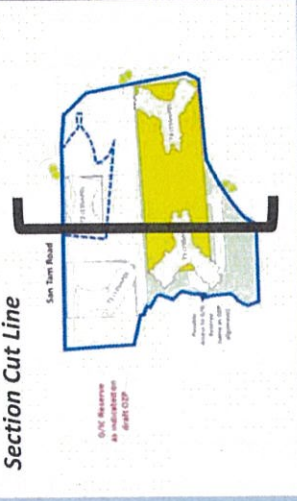
For illustrative purposes only



Section

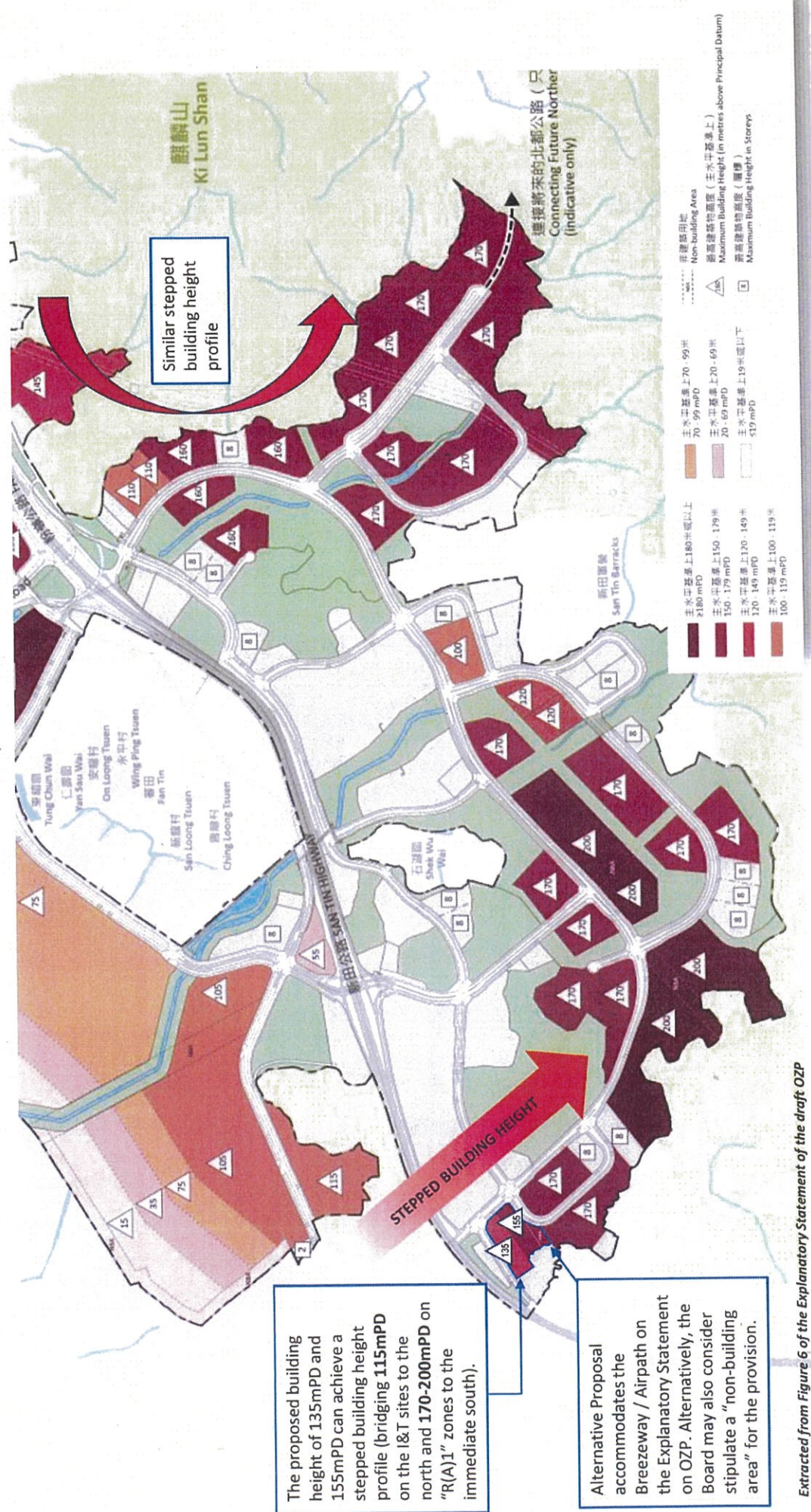


Section Cut Line



- **Stepped Building Height Profile** achieved with the adjoining developments while accommodating the G/I/C uses.
- **Adequate Building Separations.**
- **Uncovered Areas Reserved** for FSD workshop. Also suit the requirements of Indoor Sports Centre & provide amenities.

**Figure 8 - Compatible with the Adjacent Area**



The proposed building height of 135mPD and 155mPD can achieve a stepped building height profile (bridging 115mPD on the I&T sites to the north and 170-200mPD on "R(A)1" zones to the immediate south).

Alternative Proposal accommodates the Breezeway / Airpath on the Explanatory Statement on OZP. Alternatively, the Board may also consider stipulate a "non-building area" for the provision.

Extracted from Figure 6 of the Explanatory Statement of the draft OZP

## Summary of Technical Feasibility of Residential Use on the Site

Aspects	<b>Technical Summary for Feasibility of Residential Development on the Site</b> (as referenced to the technical assessments of Planning Application No. Y/YL-NTM/5 – Domestic plot ratio 5 on the Site)	Remarks																								
Traffic	<p>Junction and road link capacity assessments have been undertaken for both the Year 2028 reference and design scenarios. The results indicate that all identified junctions and road links would be operated within capacity. Since the junction at Castle Peak Road – San Tin Section/Shek Wu Wai Road is currently operating close to capacity, the Applicant will upgrade the existing priority junction into a roundabout junction with a cautionary crossing.</p> <p>Based on the public transport service assessment, it is proposed to enhance the nearby public transport service by increasing the frequency of KMB 76K to 7 buses per hour and GMB 78 to 5 GMBs per hour during both AM peak and PM peak. Both routes will be at a frequency of approx. 8.5-minute and 12-minute headway at AM and PM peak, respectively.</p>	<p>The Proposed Development would only make negligible change to the existing junctions nearby.</p> <p>Moreover, the traffic condition would inevitably further enhanced with the planned upgrading of road infrastructure under the development of San Tin Technopole.</p>																								
Air Quality	<p><u>Vehicular Emission</u></p> <p>No openable window, fresh air intake and recreational uses within the buffer zone under the Indicative Development Scheme of the Proposed Development to fulfil the separation requirements stipulated in HKPSG as shown:</p> <table border="1" data-bbox="373 1451 1059 1850"> <thead> <tr> <th>Road</th> <th>Road Type</th> <th>HKPSG Requirement</th> <th>Separation Distance Proposed</th> </tr> </thead> <tbody> <tr> <td>San Tin Highway</td> <td>PD</td> <td>&gt;20m</td> <td>66m</td> </tr> <tr> <td>Sam Tam Road</td> <td>DD</td> <td>&gt;10m</td> <td>11m</td> </tr> <tr> <td>Ko Hang Road</td> <td>Unknown</td> <td>&gt;20m</td> <td>93m</td> </tr> <tr> <td>New Road</td> <td>DD</td> <td>&gt;10m</td> <td>27m</td> </tr> <tr> <td>New Road</td> <td>LD</td> <td>&gt;5m</td> <td>21m</td> </tr> </tbody> </table> <p>PD – Primary Distributor DD – District Distributor LD – Local Distributor</p>	Road	Road Type	HKPSG Requirement	Separation Distance Proposed	San Tin Highway	PD	>20m	66m	Sam Tam Road	DD	>10m	11m	Ko Hang Road	Unknown	>20m	93m	New Road	DD	>10m	27m	New Road	LD	>5m	21m	<p>No further comment has been received since Further Information (“FI”) No. 9 of Y/YL-NTM/5 in May 2023.</p>
Road	Road Type	HKPSG Requirement	Separation Distance Proposed																							
San Tin Highway	PD	>20m	66m																							
Sam Tam Road	DD	>10m	11m																							
Ko Hang Road	Unknown	>20m	93m																							
New Road	DD	>10m	27m																							
New Road	LD	>5m	21m																							



## Annex 1

Aspects	<b>Technical Summary for Feasibility of Residential Development on the Site</b> (as referenced to the technical assessments of Planning Application No. Y/YL-NTM/5 – Domestic plot ratio 5 on the Site)	Remarks
	<p><u>Chimney Stack and Dust Emission</u></p> <p>There is no chimney stack identified within 200m from the Site. The horizontal buffer distance requirement is hence deemed to be complied with.</p> <p><u>Potential Impact to be Generated from the Proposed Development</u></p> <p>On-site Sewerage Treatment Plant is proposed to be fully enclosed and equipped with air scrubber system and deodorisation system; the future air exhaust will be located at the southwest portion of the Site facing away from existing/planned air sensitive receivers.</p>	Ditto.
Noise	<p><u>Fixed Plant Noise</u></p> <p>A 1m-long vertical fin at the western corner of T1 is adopted such that there will be no direct line-of-sight between noise sensitive receivers and the electricity sub-station.</p> <p><u>Road Traffic Noise</u></p> <p>Acoustic windows / Acoustic doors (baffle type) have been proposed as innovative mitigation measures for the residential development. For all cases, the air gap will be maintained at 100mm. The HKPSG criterion in respect of road traffic noise (i.e. 70dB(A)) would be complied with.</p> <p>For locations that are facing towards noise source and possibly with noise exceedance but with no ventilation openings required, fixed glazing with maintenance window (i.e. no ventilation opening) shall be in place to mitigate the potential noise impact.</p>	No further comment has been received since FI No. 9 in May 2023.

## Annex 1

Aspects	<b>Technical Summary for Feasibility of Residential Development on the Site</b> (as referenced to the technical assessments of Planning Application No. Y/YL-NTM/5 – Domestic plot ratio 5 on the Site)	Remarks
<b>Water Quality</b>	<p>Foul water will be collected and treated by on-site STP before discharge to the public drain.</p> <p>Surface water will be collected via rainwater pipes and diverted to stormwater drains or other water body such as marshland on site as the existing flow regime does.</p> <p>The best practice and design recommendations in ProPECC PN 5/93 will be followed for design and implementation.</p>	No further comment has been received since FI No. 3 in April 2022.
<b>Ecological</b>	According to the Ecological Impact Assessment, the Proposed Development is unlikely to cause unacceptable adverse impact to the Wetland Buffer Area, Wetland Conservation Area or the integrity of wetlands in Deep Bay area.	No further comment has been received since FI No. 5 in August 2022.
<b>Drainage</b>	The Proposed Development is designed to cater for flooding under a 50-year return period. Before any solid plan of drainage system in the future Technopole, there will be a flood attenuation tank (with a capacity of not less than 1,050m <sup>3</sup> which is easily accommodable at basement) to store excessive stormwater temporarily during heavy rains before discharging to the drainage system downstream to mitigate flood risks.	No further comment has been received since FI No. 8 in March 2023.
<b>Sewerage</b>	As an interim measure, provision of on-site sewage treatment plant (with Membrane Biological Reactor) is proposed to provide sewage treatment before disposal before public sewer is available. As long-term measures, sufficient provisions would be incorporated in the design and construction of the Proposed Development to allow future diversion of sewage flow from the on-site STP to future public sewer.	No further comment has been received since FI No. 5 in August 2022.
<b>Landscape</b>	110 nos. of new planted trees will be accommodated to compensate the loss of existing trees at a minimum replanting ratio of 1:1.	No further comment vide their response to FI No. 2 in January 2022.

## Annex 1

Aspects	<b>Technical Summary for Feasibility of Residential Development on the Site</b> (as referenced to the technical assessments of Planning Application No. Y/YL-NTM/5 – Domestic plot ratio 5 on the Site)	Remarks
<b>Water Supply</b>	The estimated water demand generated by the Proposed Development is approx. 2273.1m <sup>3</sup> /day which is equivalent to about 5.58% and 2.89% of the capacity of the existing Ngau Tam Mei Fresh Water Primary Service Reservoirs (NTMSR) and future NTMSR after extension, respectively. Existing water supply infrastructure including Ngau Tam Mei Water Treatment Works and NTMSR would have adequate capacity to cater for water demand to be generated by the Proposed Development.	No further comment has been received since FI No. 3 in April 2022.
<b>Visual</b>	The proposed building height (123.3mPD at Y/YL-NTM/5) is lower than the building height restriction of the nearby R(A)1 zoning is 170mPD as stipulated in the draft OZP. The proposed building height also creates a distinctive stepped building height profile that descends towards San Tam Road. The Proposed Development is hence considered acceptable from the visual perspective.	No further comment has been received since FI No. 2 in January 2022. The stepped building height principle is still observed (see Figure 8).

Section 6(1) Representation  
Town Planning Ordinance (Cap. 131)

**Written Representation**

**in respect of**

**Draft San Tin Technopole Outline Zoning Plan  
No. S/STT/1**

*“Government, Institution or Community” (“G/IC”) Zoning in Area 1A*

Melody Gain Limited and  
Clanville Developments Limited

Various Lots in D.D. 105,  
Ngau Tam Mei, Yuen Long

May 2024

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3.	The Nature of and Reasons for the Representation	2
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- Figure 2** – Extracts of RODP and Draft OZP relevant to the Site
- Figure 3** – Transitional Housing Development under Planning Application No. A/YL-NTM/431 Approved by the Town Planning Board in January 2022
- Figure 4** – Proposed Residential Development under Planning Application No. Y/YL-NTM/5 Submitted to the Town Planning Board in September 2022
- Figure 5** – Extract of Provision of Sports Centre in San Tin Technopole OZP and Yuen Long District Council Area
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- Annex 1** – Summary of Technical Feasibility of Residential Use on the Site

## 1. Introduction

- 1.1 This representation is made on behalf of Melody Gain Limited and Clanville Developments Limited (“**Representer**”), the registered owners of various lots in D.D. 105<sup>1</sup> (“**Site**”), in respect of the draft San Tin Technopole Outline Zoning Plan No. S/STT/1 gazetted on 8 March 2024 (“**draft OZP**”). Specifically, the proposed “Government, Institution or Community” (“**G/IC**”) zoning in Area 1A relevant to the Site is referred to.
- 1.2 It is noted from the draft OZP that this G/IC zoning is intended to be:
- Fire Services Department New Territories Workshop and Related Facilities (“**FSD NT Workshop**”) in its northern portion.
  - Indoor Sports Centre in its southern portion.

## 2. The Representation Site – Sizable, Formed, Accessible (Figure 1)

- 2.1 The Site, measuring around 21,881.4 m<sup>2</sup> (including about 1,693.8 m<sup>2</sup> of Government Land), has mostly been formed for a transitional housing development. It is also currently occupied by various shops, open storage yards, etc.
- 2.2 By abutting San Tam Road which connects onward to Castle Peak Road - Mai Po and New Territories Circular Road (Route 9), the Site is conveniently accessible via existing road network.

## 3. The Nature of and Reasons for the Representation (Figure 2)

- 3.1 Objection is lodged to the “G/IC” zoning on the Representation Site for the reasons as detailed in the followings.

---

<sup>1</sup> Lots 1370, 1372, 1374, 1376, 1391 RP, 1392 RP, 1395 RP, 1396, 1397 RP, 1399, 1400, 1401, 1402, 1403, 1405, 1406, 1407, 1408, 1410, 1412, 1413, 1420, 1421, 1422, 1476, 1478, 1479, 1480, 1481, 1482, 1483, 1484, 1485, 1486, 1487, 1488, 1489, 1490, 1491, 1492, 1494, 1496, 1502 S.A, 1502 S.B, 1504, 1505, 1617, 1619, 1620, 1621, 1622, 1635, 1636, 1639 in D.D. 105, Ngau Tam Mei, Yuen Long.

**(A) The G/IC zoning was based on the absence of the transitional housing development at the Site which has been committed and implemented**

3.2 The Representer wishes to draw the Board’s attention on the following chronology of events relevant to the planning of the Site:

Date	Event
24 June 1994	The Site had been part of the “Residential” zoning on the Ngau Tam Mei Outline Zoning Plan since its first gazettal (vide Plan No. S/YL-NTM/1).
29 June 2018	Chief Executive announced 6 new housing initiatives to “expand developable land in order to significantly boost housing supply” <sup>2</sup> , including establishment of a task force on transitional housing under the then Transport and Housing Bureau (THB).
14 January 2022	S.16 Planning Application for a transitional housing development (1,080 flats), covering the majority of the Site, was supported in-principle by the then THB and <b>approved</b> by the Town Planning Board under Application No. A/YL-NTM/431 ( <b>Figure 3</b> refers). The transitional housing project is planned to operate for 5 years upon completion in <b>Q2 2024, i.e. till 2029</b> tentatively. <sup>3</sup>
23 May 2023	Recommended Outline Development Plan (RODP) proposing land uses for San Tin Technopole, inclusive of the Site, was released. The RODP indicated <b>first-ever</b> : (1) the proposed uses of FSD NT Workshop and Indoor Sports Centre on the Site and (2) the uses are to be implemented under “ <b>Phase 1 Development</b> ” with estimated land resumption schedule from <b>end 2024</b> and population intake from <b>2031</b> . <sup>4</sup>

(To be continued on next page)

<sup>2</sup> The Government of HKSAR Press Release (June 29, 2018). “Government announces six new initiatives on housing”: <https://www.info.gov.hk/gia/general/201806/29/P2018062900967.htm?fontSize=1>

<sup>3</sup> Housing Bureau, Transitional Housing Projects under Construction. “Transitional Housing Project at Ngau Tam Mei North (San Tam Road), Yuen Long” : [https://www.hb.gov.hk/eng/policy/housing/policy/transitionalhousing/details\\_24.html](https://www.hb.gov.hk/eng/policy/housing/policy/transitionalhousing/details_24.html)

<sup>4</sup> Legislative Council Paper No. CB(1)506/2023(03). “Land Use Proposal of San Tin Technopole”: <https://www.legco.gov.hk/yr2023/english/panels/dev/papers/dev20230523cb1-506-3-e.pdf> (“Annex A” for proposed land uses and “Annex B” for development phasing).

(Continued)

Date	Event
28 July 2023	Written comment was made by the Representer during the public engagement period regarding the <b>programme mis-match</b> of the approved transitional housing project vis-à-vis the RODP indication.
8 March 2024	<p>The draft OZP was gazetted, denoting the “G/IC” zoning on the Site and maintaining its intended uses of FSD NT Workshop and Indoor Sports Centre (<i>Explanatory Statement para. 12.3.2</i>).</p> <p>Only at this point, the Government indicated the Site to be under “Phase 1 Stage 2” in the Development Schedule of San Tin Technopole, with no further specification of dates for this stage implementation.<sup>5</sup></p>

- 3.3 As the transitional housing project implementation involves the public account (Government’s grant of \$607.94 million) and a provision of accommodation to around 2,700 residents, it shall not be undermined for the public interest. To this end, it is evidently **not practical to assume land availability of the whole site before end of the committed transitional housing operational period (anticipated in mid-2029)**, not to mention the time needed for site clearance.
- 3.4 In fact, the committed uses on the Site may fundamentally impact the feasibility/practicability of the intended G/IC uses, especially the trajectory of public provisions to serve the population timely. The manifest programme mis-match on the site planning between the transitional housing project (*end in 2029*) versus the intended G/IC development (*expected to serve the population intake of the surrounding “Phase 1” developments in 2031*) is a concern, suggesting that the G/IC planning and zoning were not premised on the actual site context and planning information per se.
- 3.5 In the context of this interference of implementation schedules at the planning stage, the Board is invited to re-visit the land use feasibility and the practicability of specific G/IC uses at the Site.

<sup>5</sup> Civil Engineering and Development Department and Planning Department, Development Schedule of San Tin Technopole: <https://nm-santintech.hk/en/implementation-arrangement/development-schedule/>



**(B) Consistency should be applied in the draft OZP**

- 3.6 The planning intention of the G/IC zoning subject of the Site is very specific on the draft OZP, as depicted in the Explanatory Statement viz. *“GIC facilities include two sites for indoor sports centre in Areas 1A and 10... a workshop and related facilities of the Fire Services Department at Area 1A”* (para.12.3.2). The subject G/IC zoning hence “freezes up” the Site for *any other uses* in accommodating the community aspirations/requirements and in meeting demand for better utilisation of the site potential - except for the 2 specific uses.
- 3.7 It is, however, observed that not all Government’s proposed G/IC uses on the RODP are subject to the same treatment on the draft OZP. For instance, a site of about 15 hectares located also to the south of San Tin Highway was illustrated as “G/IC” on RODP for performance venues and museum, library and swimming pool complex. This site is nonetheless being zoned now as *“Other Specified Use (Cultural and Community Uses with Supporting Uses and Facilities)”* on the draft OZP, i.e. not “G/IC” zone, **with more flexibility on permissible uses** e.g. “shops and services” and “eating place” in Column 1.
- 3.8 In fact, the Representer’s efforts in developing the Site for housing supply have been made continually, including the submission of a S.12A Planning Application (No. Y/YL-NTM/5) to the Town Planning Board since September 2021 for provision of 1,980 residential units on the Site which has been progressed to a mature stage (**Figure 4**). Comments were also made in the public engagement of the RODP concerning the mentioned programme mismatch and the potential jeopardisation of development efforts under the prevailing “Residential” zoning. Regrettably, these all have been apparently **not attended to** in the draft OZP formulation.
- 3.9 Given the long genuine efforts on development at the Site with technical feasibilities confirmed (to be further detailed in later sections), alongside the unique site attributes, the Representer would like to respectfully request for the Board’s re-consideration on the feasible zoning at the Site in the principle of consistency.

**(C) Need for the specific G/IC uses on the Site is in doubt**

- 3.10 According to the TPB Paper No. 10954 for the draft OZP dated 23 February 2024, a surplus of +1 sports centre is recorded in the planning area with reference to the requirements of Hong Kong Planning Standards and Guidelines (HKPSG). Meanwhile, in the TPB Paper No. 10917 for the proposed amendments to Yuen Long OZP dated 7 September 2023, it was revealed that there is a deficit of -3 sports centres in the entire Yuen Long District Council Area (**Figure 5**).
- 3.11 The above information illustrates that (1) indoor sports centre is not in deficit in the San Tin Technopole based on the HKPSG benchmark; and (2) the proposed provision on the Site appears to be only for serving the demand in **other planning areas** of Yuen Long District Council Area. Hence, it is questionable if no single suitable and spade-ready site (requiring < 1 hectare as is on the Site) could be found within the planning areas in need of sports centres, while the Site occupied with transitional housing development is designated for the use which could only serve the public at a very late stage.
- 3.12 Similarly, most FSD NT Workshops in the territory co-exist with fire stations for operational efficiency, like those in Kwai Chung and North Point. Noting that there is a site of more than 1.4 hectares allocated for divisional fire station at the centre of the Technopole (Area 12A), the FSD NT Workshop could also be absorbed there, among other beside G/IC sites, for better management and operation by FSD in avoidance of any foreseeable implementation mismatch in fire-fighting services provisions.

**(D) Feasible alternatives exist on the Site which deserve to be given equal weight in the zoning formulation**

- 3.13 As aforementioned, the Representer has put forward development proposals for the Site, including the residential proposal under Application No. Y/YL-NTM/5. Various technical assessments have been conducted to confirm the technical feasibility of the proposed development to the satisfaction of relevant Government Departments over the past 2.5+ years (see **Annex 1**).

- 3.14 Given the proven technical feasibilities, the Board is invited to give equal weight to the proposed uses put forward by the Representer in the same manner as the specified G/IC uses in the formulation of the zoning.
- 3.15 Even in the event that the 2 specific G/IC uses are considered by the Board to be really needed on the Site, it is feasible to integrate these G/IC uses with residential flat supply under the “**Single Site, Multiple Use**” model as advocated by the Government vide the Chief Executive’s Policy Addresses. This approach enables a more optimal use of land, **potentially resulting in an additional gain to the community** which should be given relevant weight by the Board.<sup>6</sup> The alternative proposal is detailed in the following section for the Board’s consideration.

#### 4. Alternative Proposal

- 4.1 To ensure feasibility, the following references are made in the Alternative Proposal:
- The layout of existing FSD workshop facilities, namely FSD New Territories Workshop (Kwai Chung), Hong Kong Workshop (North Point) and Kowloon Workshop (Kowloon Bay).
  - The provisions in Luen Wo Hui Sports Centre, Sai Wan Ho Sports Centre, Macpherson Stadium, etc.
  - The Artist’s Impressions provided by the Government in RODP and associated Environmental Impact Assessment on the 2 specific G/IC uses (**Figure 6**).
  - Supporting technical assessments for the residential proposal under Application No. Y/YL-NTM/5 with the acceptance of relevant Government Departments.
- 4.2 The Alternative Proposal, as shown in **Figures 7A and 7B**, seamlessly integrates the G/IC facilities with residential use above for optimising the scarce land resources. It is to be implemented in 2 phases:

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<sup>6</sup> Halsbury’s Laws of Hong Kong, Vol. 48, §[385.270].

- **Phase 1** - A portion of the Site of around 2,550.7m<sup>2</sup> is under the Representer's sole ownership whilst not being within the transitional housing development area, i.e. readily available for development. This portion could first be implemented to accommodate a residential tower cum FSD storage facilities aligning with the draft OZP. Uncovered area for parking as shown in the Government's Artist's Impressions (and as in the existing FSD workshop facilities) will be also accommodated.
- **Phase 2** - The remaining portion, with development site area of around 16,728.9m<sup>2</sup>, could be developed as Phase 2 after the cease of the transitional housing operation. It comprises: (1) Indoor Sport Centre; (2) FSD workshop which will be enclosed to address potential industrial-residential interfaces with adequate headroom to meet operational needs; and (3) 3 nos. of residential towers.

**Table 1: Proposed Development Parameters for the Alternative Proposal (Phases 1 & 2)**

	Representation Site	
<b>Total Area (Approx.)</b>	21,881.4 m <sup>2</sup> *	
	<b>Phase 1</b>	<b>Phase 2</b>
<b>Development Site Area (Approx.) ^</b>	2,550.7 m <sup>2</sup>	16,728.9 m <sup>2</sup>
<b>Proposed Uses</b>	Domestic, FSD storage	Domestic, Indoor Sports Centre, FSD workshop
<b>Proposed Domestic Plot Ratio</b>	5 (same as No. Y/YL-NTM/5)	5 (same as No. Y/YL-NTM/5)
<b>Proposed Domestic GFA</b>	12,754 m <sup>2</sup>	83,645 m <sup>2</sup>
<b>No. of Units (approx.)</b> *Assume average unit size of 50m <sup>2</sup>	255	1,673
<b>Proposed Max. Building Height #</b>	135mPD	135mPD / 155mPD (stepped building heights)

\* Including Government Land of 2,536.7m<sup>2</sup> and minor third-party lots at the periphery of 2,601.8m<sup>2</sup>.

^ Excluding the third-party lots, which consist of Tso Tong land. While it is noted that there may be extension of "Enhanced Conventional New Town Approach" to New Development Areas facilitating land consolidation in future, areas of third-party lots are nonetheless be excluded as a conservative approach.

# As compared to the max. building height of 170mPD at the "Residential (Group A)1" zone to the immediate south of the Site.

4.3 The building form/layout of residential towers under the Application No. Y/YL-NTM/5 is also maintained as practicable to ensure validity of the tested technical feasibility. As such, a domestic plot ratio of about 5 could be attained following the tested indicative scheme of Y/YL-NTM/5, while concurrently offering the construction of G/IC facilities in the Proposal through private initiatives. The Alternative Proposal is justified as follows:

**(a) No Disruption to G/IC Provision**

4.4 Developments with residential uses atop Indoor Sports Centres are not unprecedented in the territories. Examples include:

- Grand Regentville in Fanling (with Luen Wo Hui Sports Centre)
- Felicity Garden in Sai Wan Ho (with Sai Wan Ho Sports Centre)
- Macpherson Place in Mong Kok (with Macpherson Stadium)

**Table 2: Reference Cases of Residential Use atop Indoor Sports Centres**

	<b>Grand Regentville in Fanling (with Luen Wo Hui Sports Centre)</b>	<b>Felicity Garden in Sai Wan Ho (with Sai Wan Ho Sports Centre)</b>	<b>Macpherson Place in Mong Kok (with Macpherson Stadium)</b>
<b>Site Area</b>	About 14,483m <sup>2</sup>	About 5,673m <sup>2</sup>	About 2,428m <sup>2</sup>
<b>Zoning</b>	"Commercial / Residential (2)"	"OU (Residential cum Commercial and Community Facilities)"	"Residential (Group A)4"
<b>Maximum GFA</b>	<b>Domestic:</b> 35,292m <sup>2</sup> <b>Non-Domestic:</b> 48,848m <sup>2</sup> (of which not less than 27,277m <sup>2</sup> should be for Government uses)	<b>Domestic:</b> 53,590m <sup>2</sup> <b>Non-Domestic:</b> 13,540m <sup>2</sup>	<b>Domestic:</b> 16,705m <sup>2</sup> <b>Non-Domestic:</b> 8,062m <sup>2</sup> (not less than 3,337m <sup>2</sup> for indoor stadium and not less than 2,282m <sup>2</sup> for youth centre)
<b>Maximum Building Height</b>	135mPD	120mPD	115mPD

- 4.5 Importantly, the Alternative Proposal can accommodate even the most stringent dimensions of a conventional Indoor Sports Centre. Space for a standard multi-purpose arena, which can be converted into a standard basketball/volleyball court with spectator stands similar to that in other Indoor Sports Centres, has been reserved, together with other requirements including thoroughfares for places of public entertainment.
- 4.6 The FSD NT Workshop is also included in the Alternative Proposal on a like-for-like basis, with reference to the current provision. With the future incorporation of adequate compartmentation as in the residential developments atop railway depots, technical difficulties of the provision are not anticipated, thereby assuring no reduction or disruption to the proposed G/IC provision.

**(b) Facilitating Timely Implementation via Private Initiatives**

- 4.7 The Alternative Proposal does not require lengthy land resumption. The portion of the Site under the Representer's ownership which is spade-ready could be commenced imminently as the Phase 1 development. As such, Government resources on resuming land, including time and cost compensation, will be largely minimised.
- 4.8 At the same time, the G/IC facilities could also be constructed via private sector participation - as in the various precedents including Tsuen Wan Sports Centre and Tai Wai Station Post-Secondary College - to be implemented via necessary land grant conditions. Delivery of certain G/IC uses could then be pragmatically **pushed ahead for earliest operations**, whilst project interfaces could be smoothed. This "one-stop shop" approach through the private sector's efforts should be regarded as a positive initiative in effectively relieving the Government's intense burden in infrastructural provisions in the Technopole.

**(c) Opportunities for Provision of ~2,000 Flats Through Optimisation of the Site**

- 4.9 It is noted that the I&T Park and San Tin Town Centre will together create about 165,000 jobs in the Technopole (including 120,000 on the I&T sites). The 50,000-54,000 nos. of public and private housing units (in a 70:30 ratio) now planned in San Tin Town Centre, together with the 6,400 talent

accommodation units in the I&T Park, appear to be unlikely to fully meet the housing demand of I&T professionals, workers and their families. The cohorts may have to depend on housing in other districts (such as Yuen Long and Kwun Tung North) or even Shenzhen.

- 4.10 By including the residential component, the Alternative Proposal offers private housing options to the I&T talents in proximity to their work. Unnecessary traffic pressure to and from other districts can hence be alleviated, whereas a stronger sense of community could be rooted with more homes offered within the Technopole.

**(d) Compatible with the Adjacent Area**

- 4.11 The proposed domestic plot ratio of the Site is 5 with a building height of 135mPD/155mPD at the northern and southern portions respectively, adopting a stepped building height profile aligning with the overall profile in the Technopole (**Figure 8**). The proposed building layout is also capable of being responsive to the “major breezeway/airpath on Figure 5 of the Explanatory Statement of draft OZP.

(NB: a maximum plot ratio of 6.8 and a building height of 170mPD are allowed in the “R(A)1” zoning to the immediate south of the Site, amongst the various other “R(A)” sites with the same development intensity demarcated at the future San Tin Town Centre).

**5. Proposed Amendments to the Draft OZP**

- 5.1 To enable the “Single Site, Multiple Use” model on the Site for optimising the use of land as portrayed in the Alternative Proposal, the Board is requested to re-visit the zoning on the Site for allowing more flexible land uses. The following zonings are considered suitable under the site context:
- **“Residential (Group A)”** blending in the zoning for the surrounding sites at San Tin Town Centre in the draft OZP. “Government Use” and “Flat” are always permitted in Column 1;
  - **“Other Specified Use (Residential with Government and Community Facilities)”** which is more tailor-made aligning with the aforementioned “Other Specified Use (Cultural and Community Uses with Supporting Uses

*and Facilities)*" in Area 7 on the same draft OZP, and the "*Other Specified Use (Residential cum Commercial and Community Facilities)*" subject of Sai Wan Ho Sports Centre; or

- "**Comprehensive Development Area**" in which all uses are in Column 2, should the Board consider necessary to exercise control in the planning regime.

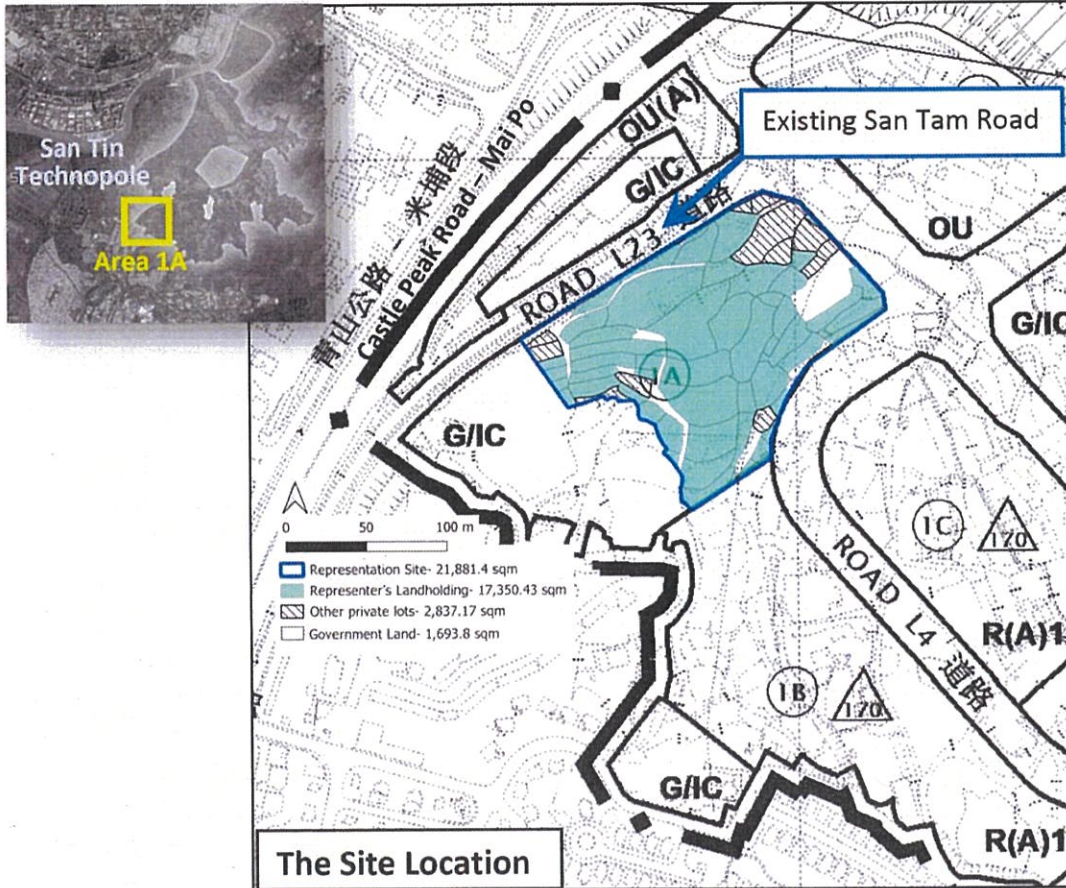
5.2 Building height restrictions of 135mPD and 155mPD could be imposed on the northern and southern portions of the Representation Site, respectively, to ensure the stepped height profile, while "non-building area" may be considered for the breezeway/airpath in the southernmost part. It should be highlighted that, regardless of which zoning option, any obligations on the construction of the G/IC facilities could nonetheless be policed under the Land Grant requirements.

## 6. Conclusion

- 6.1 The Representer would like to highlight that the committed transitional housing project on the Site has not been apparently orchestrated at the planning and RODP/draft OZP formulation stage which may potentially affect 2,700 residents and the intended provision of the specific G/IC facilities.
- 6.2 The currently proposed "G/IC" zoning on the draft OZP may only lead to the **G/IC operations well after the population intake of the surrounding areas (anticipated in 2031)**, thus being unable to timely support the public services as originally intended and planned.
- 6.3 On the other hand, riding on the development efforts for the Site with proven technical feasibility, the Representer puts forward **a feasible proposal integrating residential flat supply with G/IC uses** as an optimum and pragmatic solution to accelerate the implementation through private initiatives. This is concurrently in line with the "Single Site, Multiple Use" model on G/IC sites under Chief Executive's Policy Address initiative to optimise land use with multiple compatible uses.
- 6.4 The Board is hence earnestly requested to consider one of the proposed zoning options for an additional gain of the community per se.



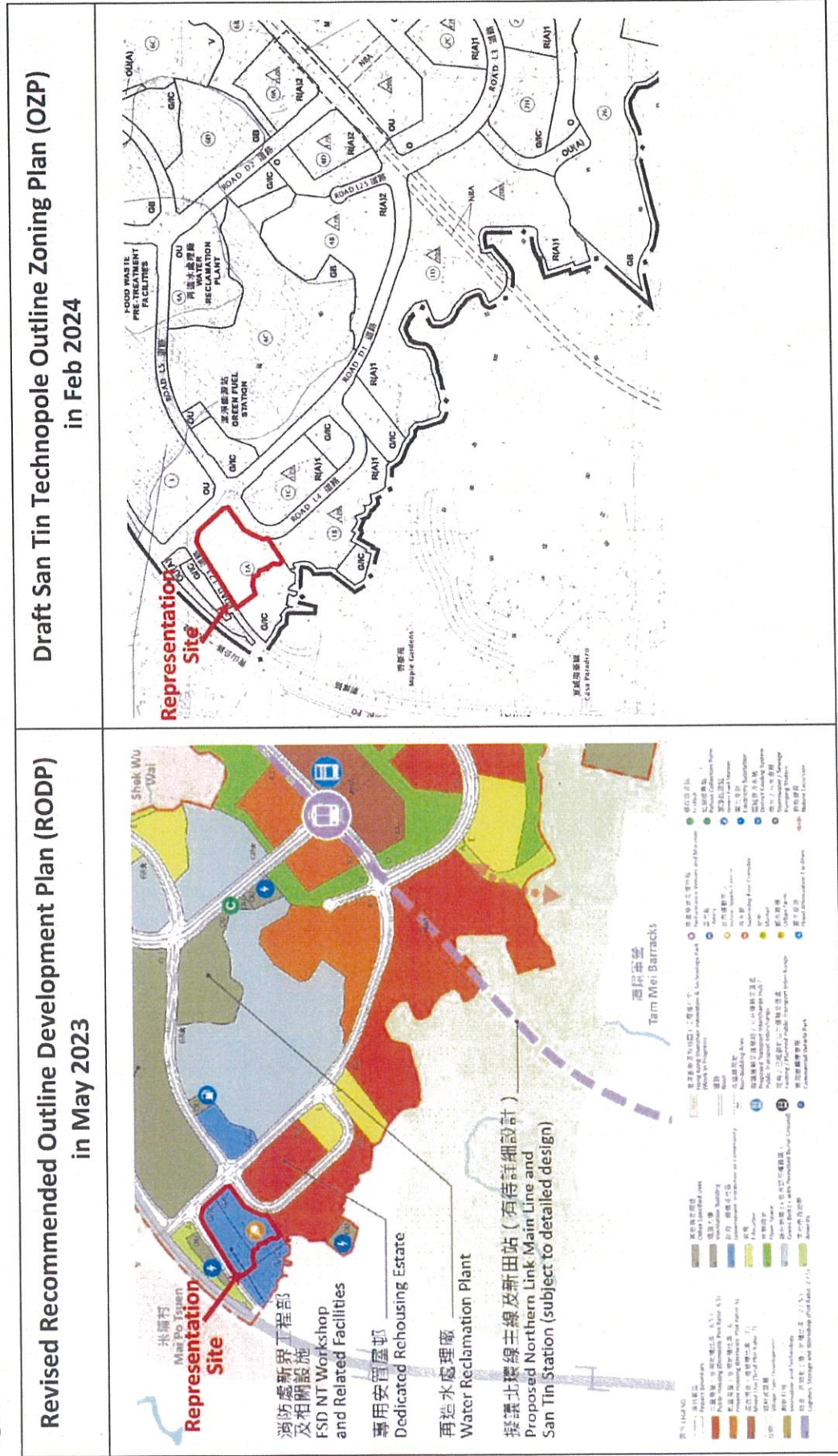
**Figure 1 – The Representer’s Landholdings on the Site**



Various Lots in D.D. 105 owned by Melody Gain Limited			
1370	1405	1481	1502 S.A
1372	1406	1482	1502 S.B
1374	1407	1483	1504
1376	1408	1484	1505
1391 RP	1410	1485	1617
1392 RP	1412	1486	1619
1395 RP	1413	1487	1620
1396	1420	1488	1621
1397 RP	1421	1489	1622
1399	1422	1490	1635
1400	1476	1491	1636
1401	1478	1492	1639
1402	1479	1494	
1403	1480	1496	

Various Lots in D.D. 105 owned by Clanville Developments Limited			
1408	1484	1639	

Figure 2 – Extracts of RODP and draft OZP relevant to the Site



**Figure 3** – Transitional Housing Development under Planning Application No. A/YL-NTM/431 Approved by the Town Planning Board in January 2022

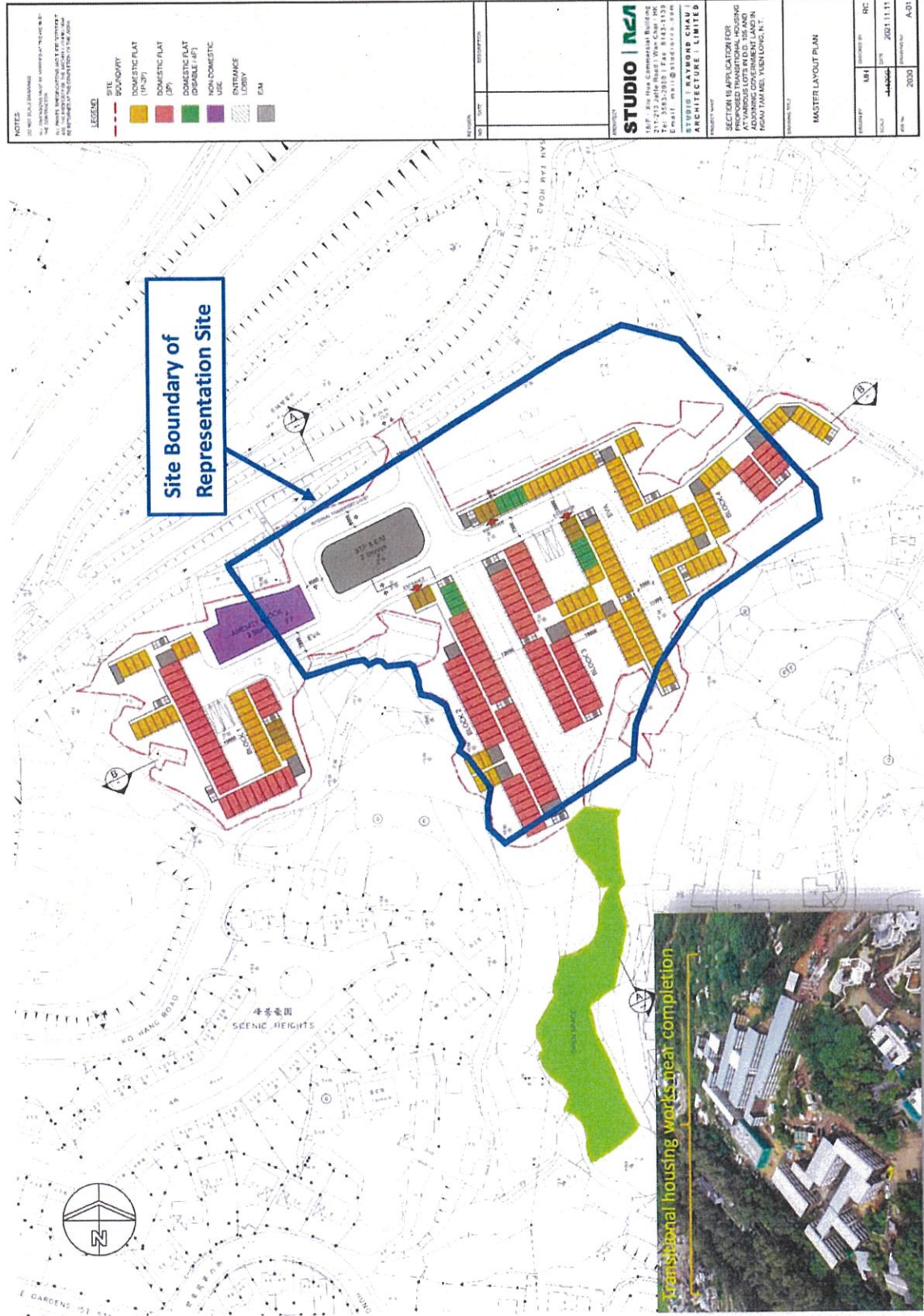
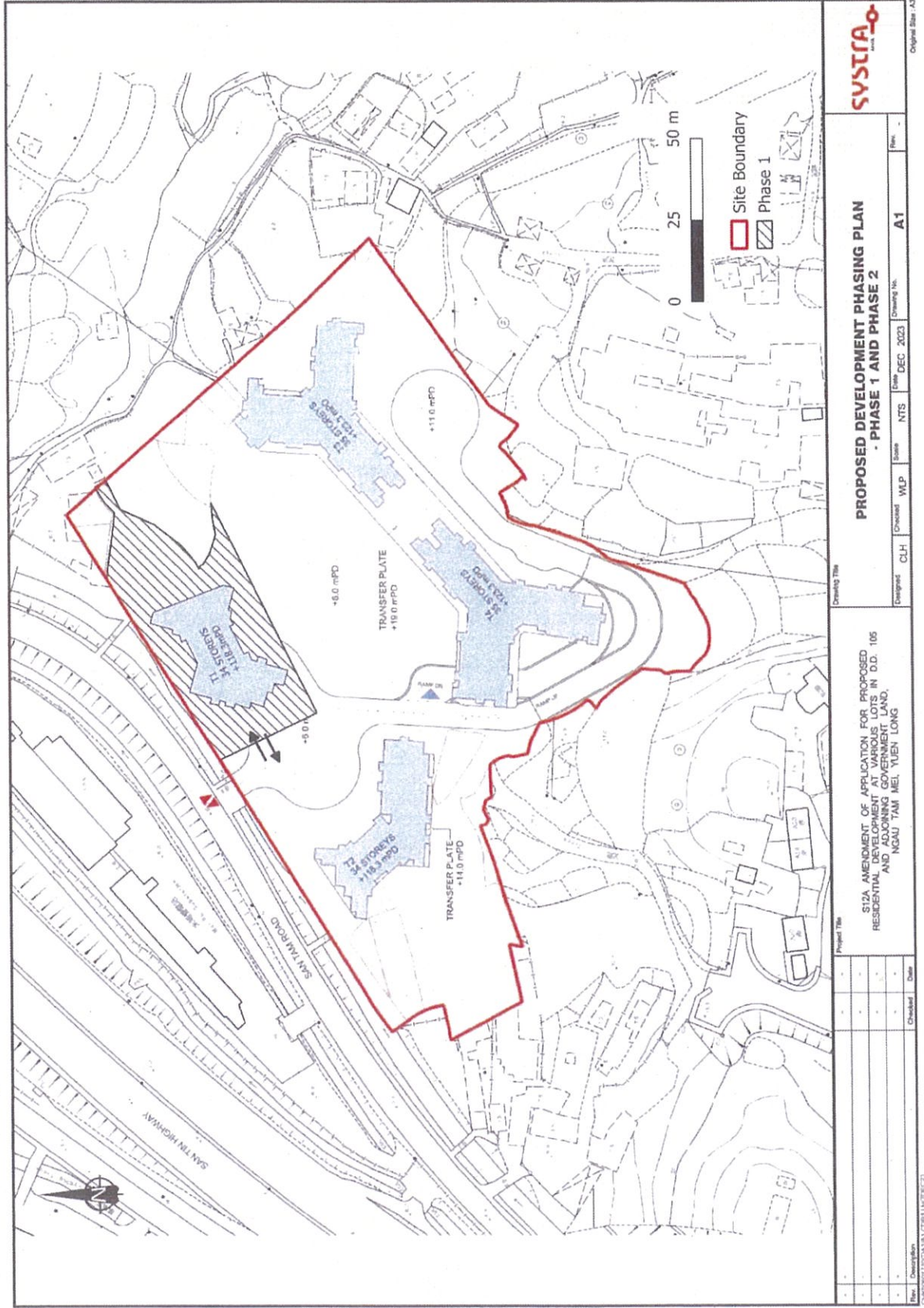


Photo taken in Apr 2024  
 Note: Representation Site Boundary for indicative purpose only, subject to detailed site survey

**Figure 4** – Proposed Residential Development under Planning Application No. Y/YL-NTM/5 Submitted to the Town Planning Board in September 2021



No.	Description	Checked	Date

Project Title: S12A AMENDMENT OF APPLICATION FOR PROPOSED RESIDENTIAL DEVELOPMENT AT VARIOUS LOTS IN D.D. 105 RESIDENTIAL AND ADJOINING GOVERNMENT LAND, 'NGAU TAM MEL YUEN LONG'

Drawing Title: PROPOSED DEVELOPMENT PHASING PLAN - PHASE 1 AND PHASE 2

Designed	CLH	Checked	WLP	Scale	NTS	Date	DEC 2023	Drawing No.	A1	Rev.	
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Original Size: A3

**Figure 5 – Extract of Provision of Sports Centre in San Tin Technopole OZP and Yuen Long District Council Area**

**Provision of Sports Centre in San Tin Technopole OZP**

Type of Facilities	Hong Kong Planning Standards and Guidelines (HKPSG)	HKPSG Requirement (based on planned population)	Provision		Surplus/ Shortfall (against planned provision)
			Existing Provision	Planned Provision (including existing provision)	
District Open Space	10 ha per 100,000 persons	16.56 ha	3.36 ha	58.59 ha <sup>#</sup>	+25.47 ha <sup>#</sup>
Local Open Space	10 ha per 100,000 persons	16.56 ha			
Sports Centre	1 per 50,000 to 65,000 persons  (assessed on a district basis)	2	0	3	+ 1

*Extract of Provision of Major Community Facilities and Open Space in San Tin Technopole OZP from Appendix F of TPB Paper No. 10954 in Feb 2024*

**Provision of Sports Centre in Yuen Long District Council Area**

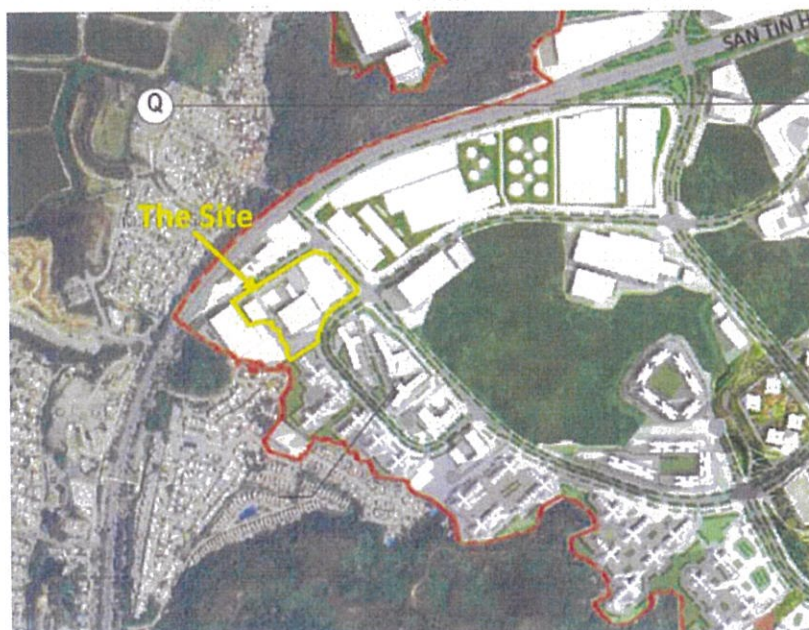
Type of Facilities	Hong Kong Planning Standards and Guidelines (HKPSG)	HKPSG Requirement (based on planned population)	Provision		Surplus/ Shortfall (against planned provision)
			Existing Provision	Planned Provision (including Existing Provision)	
District Open Space	10 ha per 100,000 persons <sup>#</sup>	125.09 ha	30.18 ha	140.52 ha	15.43 ha
Local Open Space	10 ha per 100,000 persons <sup>#</sup>	125.09 ha	112.1 ha	203.70 ha	78.61 ha
Sports Centre	1 per 50,000 to 65,000 persons <sup>#</sup>  (assessed on a district basis)	19	8	16	-3

*Extract of Provision of Major Community Facilities and Open Space in Yuen Long District Council Area from Annex VIII of TPB Paper No. 10917 in Aug 2023*

**Figure 6 - Artist's Impressions for San Tin Technopole relevant to the Site**



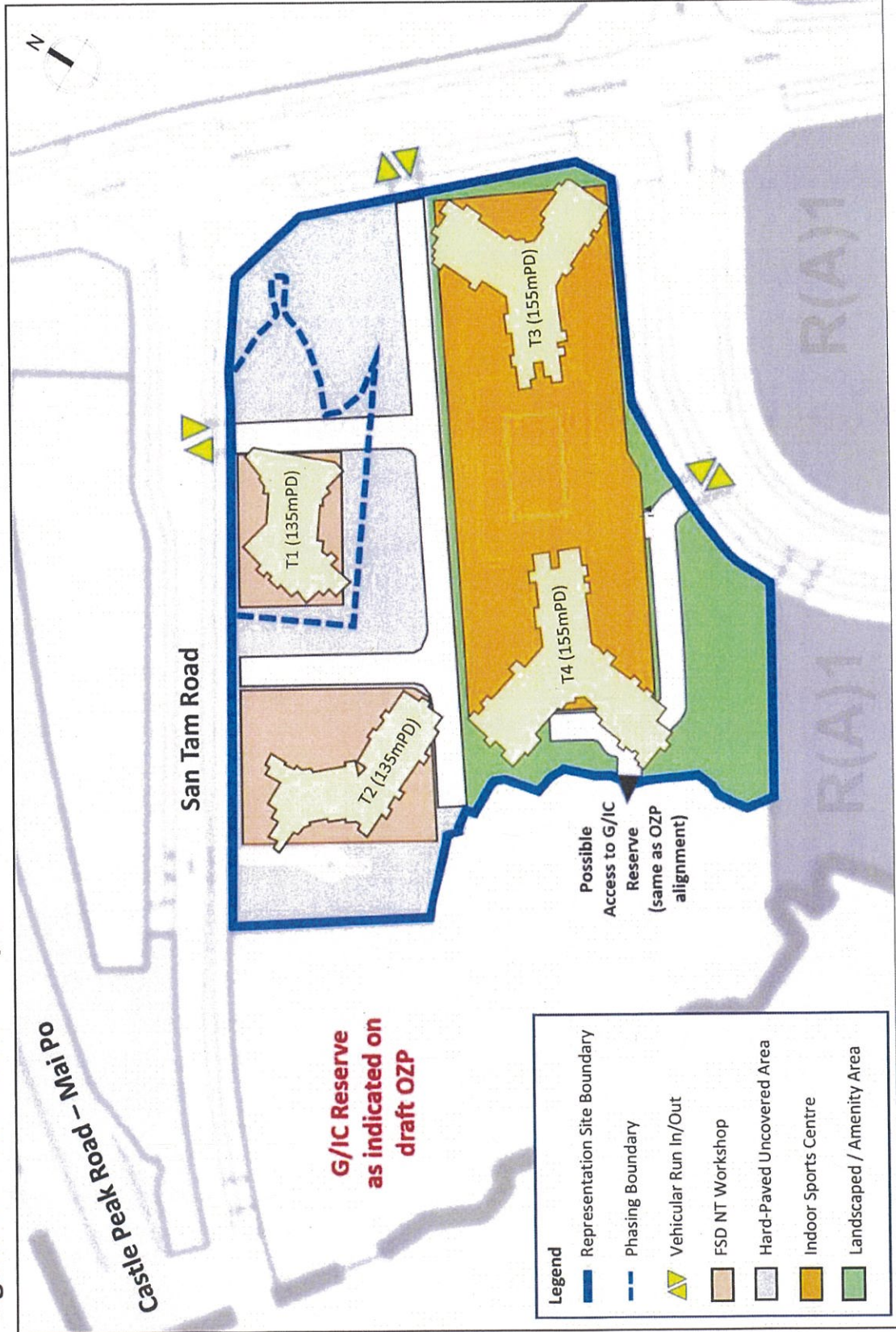
*Extracted from the Artist's Impression for San Tin Technopole by the Government in Jun 2023*



*Extracted from Revised Recommended Landscape Master Plan of Environmental Impact Assessment (EIA) report for the San Tin/Lok Ma Chau Development Node (Figure 4.7) in Jan 2024*

Note: Boundary of the Site for indicative purpose only.

Figure 7A - Alternative Proposal

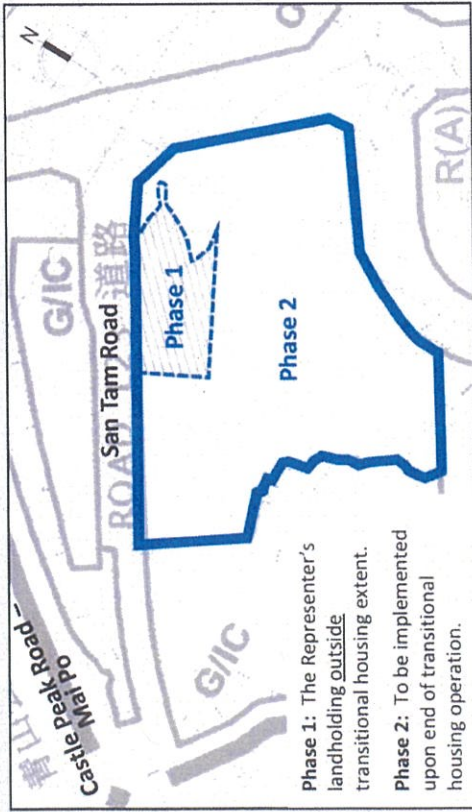


**Main Features:**

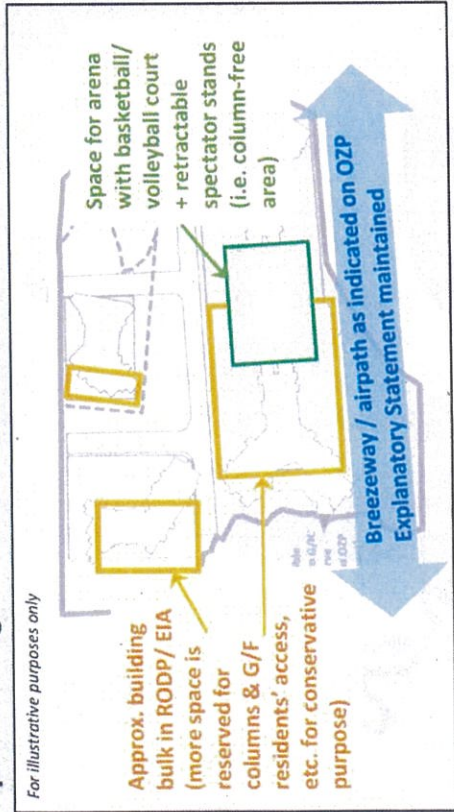
- The followings **adhere to** the indicative layout on RODP / EIA (basis of draft OZP):
  - Vehicular run-in/out.
  - General road alignments.
  - General building layout of G/IC facilities.
- Hard-paved uncovered areas reserved in FSD NT Workshop for parking of fire engines and other purposes as in RODP.
- Building heights of the notional layout for G/IC uses as in RODP are followed as the podium height.
- Form and layout of residential towers generally follow those in the Application No. Y/YL-NTM/5 (domestic plot ratio 5).

Figure 7B - Alternative Proposal (Cont'd)

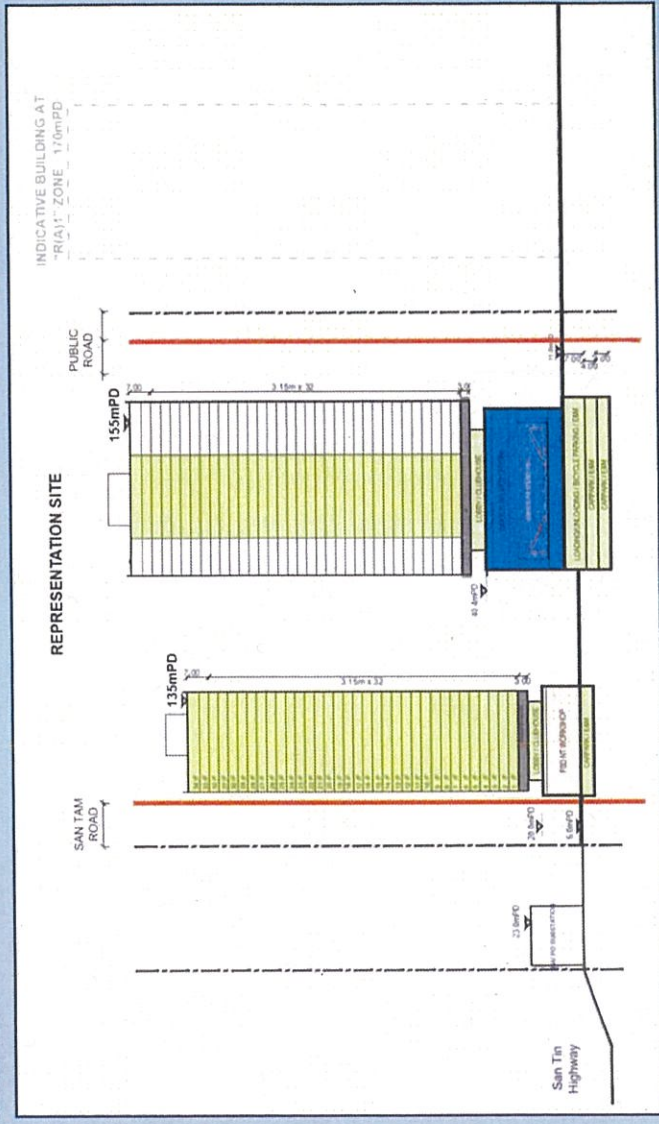
Phasing Plan



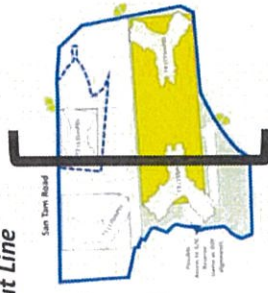
Spatial Design Considerations



Section



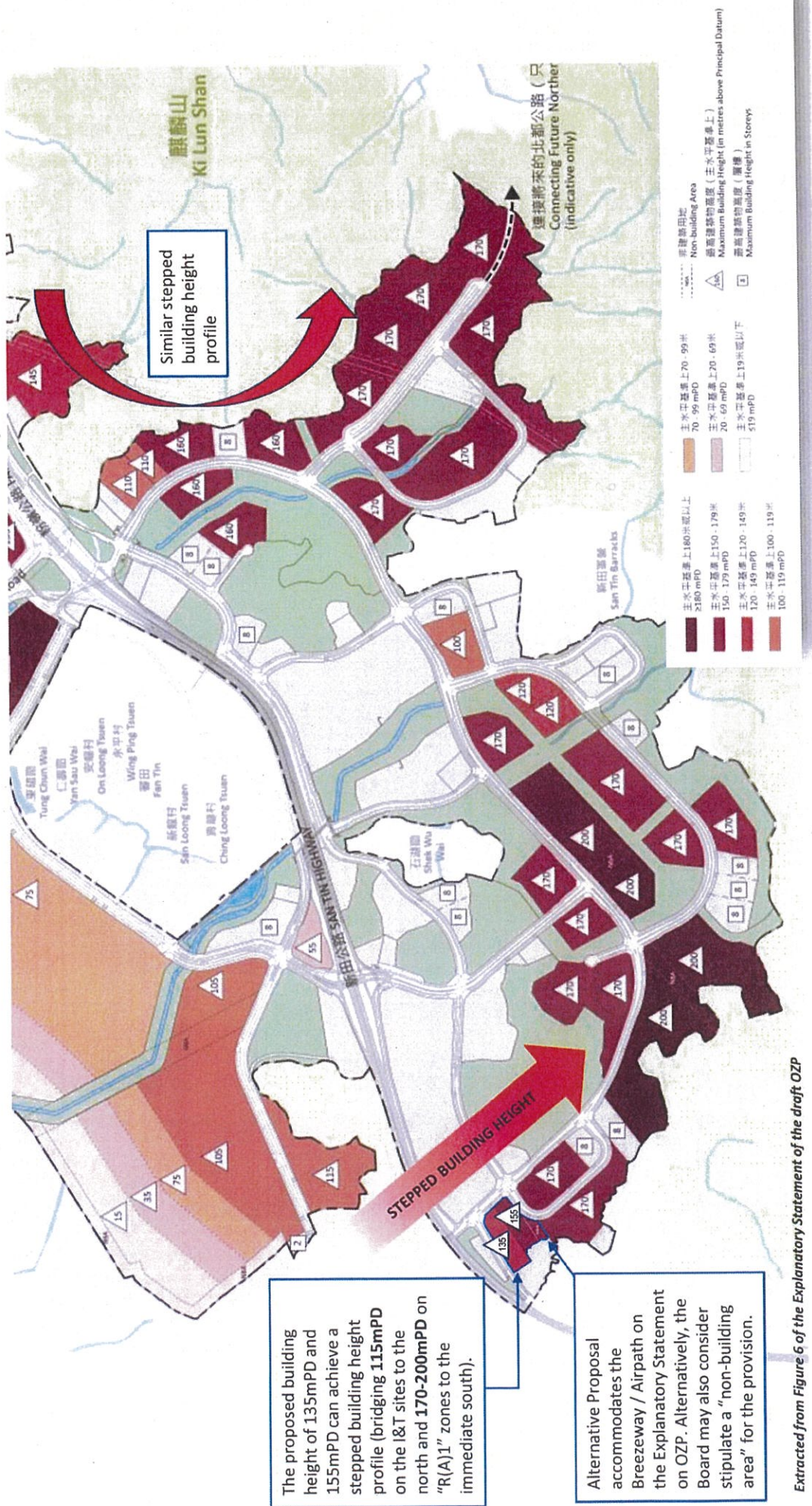
Section Cut Line



- **Stepped Building Height Profile** achieved with the adjoining developments while accommodating the G/I/C uses.
- **Adequate Building Separations.**
- **Uncovered Areas Reserved** for FSD workshop. Also suit the requirements of Indoor Sports Centre & provide amenities.



**Figure 8 - Compatible with the Adjacent Area**



Extracted from Figure 6 of the Explanatory Statement of the draft OZP

## Summary of Technical Feasibility of Residential Use on the Site

Aspects	<b>Technical Summary for Feasibility of Residential Development on the Site</b> (as referenced to the technical assessments of Planning Application No. Y/YL-NTM/5 – Domestic plot ratio 5 on the Site)	Remarks																								
Traffic	<p>Junction and road link capacity assessments have been undertaken for both the Year 2028 reference and design scenarios. The results indicate that all identified junctions and road links would be operated within capacity. Since the junction at Castle Peak Road – San Tin Section/Shek Wu Wai Road is currently operating close to capacity, the Applicant will upgrade the existing priority junction into a roundabout junction with a cautionary crossing.</p> <p>Based on the public transport service assessment, it is proposed to enhance the nearby public transport service by increasing the frequency of KMB 76K to 7 buses per hour and GMB 78 to 5 GMBs per hour during both AM peak and PM peak. Both routes will be at a frequency of approx. 8.5-minute and 12-minute headway at AM and PM peak, respectively.</p>	<p>The Proposed Development would only make negligible change to the existing junctions nearby.</p> <p>Moreover, the traffic condition would inevitably further enhanced with the planned upgrading of road infrastructure under the development of San Tin Technopole.</p>																								
Air Quality	<p><u>Vehicular Emission</u></p> <p>No openable window, fresh air intake and recreational uses within the buffer zone under the Indicative Development Scheme of the Proposed Development to fulfil the separation requirements stipulated in HKPSG as shown:</p> <table border="1" data-bbox="371 1442 1058 1839"> <thead> <tr> <th>Road</th> <th>Road Type</th> <th>HKPSG Requirement</th> <th>Separation Distance Proposed</th> </tr> </thead> <tbody> <tr> <td>San Tin Highway</td> <td>PD</td> <td>&gt;20m</td> <td>66m</td> </tr> <tr> <td>Sam Tam Road</td> <td>DD</td> <td>&gt;10m</td> <td>11m</td> </tr> <tr> <td>Ko Hang Road</td> <td>Unknown</td> <td>&gt;20m</td> <td>93m</td> </tr> <tr> <td>New Road</td> <td>DD</td> <td>&gt;10m</td> <td>27m</td> </tr> <tr> <td>New Road</td> <td>LD</td> <td>&gt;5m</td> <td>21m</td> </tr> </tbody> </table> <p>PD – Primary Distributor DD – District Distributor LD – Local Distributor</p>	Road	Road Type	HKPSG Requirement	Separation Distance Proposed	San Tin Highway	PD	>20m	66m	Sam Tam Road	DD	>10m	11m	Ko Hang Road	Unknown	>20m	93m	New Road	DD	>10m	27m	New Road	LD	>5m	21m	<p>No further comment has been received since Further Information (“FI”) No. 9 of Y/YL-NTM/5 in May 2023.</p>
Road	Road Type	HKPSG Requirement	Separation Distance Proposed																							
San Tin Highway	PD	>20m	66m																							
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## Annex 1

Aspects	<b>Technical Summary for Feasibility of Residential Development on the Site</b> (as referenced to the technical assessments of Planning Application No. Y/YL-NTM/5 – Domestic plot ratio 5 on the Site)	Remarks
	<p><u>Chimney Stack and Dust Emission</u></p> <p>There is no chimney stack identified within 200m from the Site. The horizontal buffer distance requirement is hence deemed to be complied with.</p> <p><u>Potential Impact to be Generated from the Proposed Development</u></p> <p>On-site Sewerage Treatment Plant is proposed to be fully enclosed and equipped with air scrubber system and deodorisation system; the future air exhaust will be located at the southwest portion of the Site facing away from existing/planned air sensitive receivers.</p>	Ditto.
<b>Noise</b>	<p><u>Fixed Plant Noise</u></p> <p>A 1m-long vertical fin at the western corner of T1 is adopted such that there will be no direct line-of-sight between noise sensitive receivers and the electricity sub-station.</p> <p><u>Road Traffic Noise</u></p> <p>Acoustic windows / Acoustic doors (baffle type) have been proposed as innovative mitigation measures for the residential development. For all cases, the air gap will be maintained at 100mm. The HKPSG criterion in respect of road traffic noise (i.e. 70dB(A)) would be complied with.</p> <p>For locations that are facing towards noise source and possibly with noise exceedance but with no ventilation openings required, fixed glazing with maintenance window (i.e. no ventilation opening) shall be in place to mitigate the potential noise impact.</p>	No further comment has been received since FI No. 9 in May 2023.

## Annex 1

Aspects	<b>Technical Summary for Feasibility of Residential Development on the Site</b> (as referenced to the technical assessments of Planning Application No. Y/YL-NTM/5 – Domestic plot ratio 5 on the Site)	Remarks
Water Quality	<p>Foul water will be collected and treated by on-site STP before discharge to the public drain.</p> <p>Surface water will be collected via rainwater pipes and diverted to stormwater drains or other water body such as marshland on site as the existing flow regime does.</p> <p>The best practice and design recommendations in ProPECC PN 5/93 will be followed for design and implementation.</p>	No further comment has been received since FI No. 3 in April 2022.
Ecological	According to the Ecological Impact Assessment, the Proposed Development is unlikely to cause unacceptable adverse impact to the Wetland Buffer Area, Wetland Conservation Area or the integrity of wetlands in Deep Bay area.	No further comment has been received since FI No. 5 in August 2022.
Drainage	The Proposed Development is designed to cater for flooding under a 50-year return period. Before any solid plan of drainage system in the future Technopole, there will be a flood attenuation tank (with a capacity of not less than 1,050m <sup>3</sup> which is easily accommodable at basement) to store excessive stormwater temporarily during heavy rains before discharging to the drainage system downstream to mitigate flood risks.	No further comment has been received since FI No. 8 in March 2023.
Sewerage	As an interim measure, provision of on-site sewage treatment plant (with Membrane Biological Reactor) is proposed to provide sewage treatment before disposal before public sewer is available. As long-term measures, sufficient provisions would be incorporated in the design and construction of the Proposed Development to allow future diversion of sewage flow from the on-site STP to future public sewer.	No further comment has been received since FI No. 5 in August 2022.
Landscape	110 nos. of new planted trees will be accommodated to compensate the loss of existing trees at a minimum replanting ratio of 1:1.	No further comment vide their response to FI No. 2 in January 2022.

## Annex 1

<b>Aspects</b>	<b>Technical Summary for Feasibility of Residential Development on the Site</b>  (as referenced to the technical assessments of Planning Application No. Y/YL-NTM/5 – Domestic plot ratio 5 on the Site)	<b>Remarks</b>
<b>Water Supply</b>	The estimated water demand generated by the Proposed Development is approx. 2273.1m <sup>3</sup> /day which is equivalent to about 5.58% and 2.89% of the capacity of the existing Ngau Tam Mei Fresh Water Primary Service Reservoirs (NTMSR) and future NTMSR after extension, respectively. Existing water supply infrastructure including Ngau Tam Mei Water Treatment Works and NTMSR would have adequate capacity to cater for water demand to be generated by the Proposed Development.	No further comment has been received since FI No. 3 in April 2022.
<b>Visual</b>	The proposed building height (123.3mPD at Y/YL-NTM/5) is lower than the building height restriction of the nearby R(A)1 zoning is 170mPD as stipulated in the draft OZP. The proposed building height also creates a distinctive stepped building height profile that descends towards San Tam Road. The Proposed Development is hence considered acceptable from the visual perspective.	No further comment has been received since FI No. 2 in January 2022. The stepped building height principle is still observed (see Figure 8).

Section 6(1) Representation  
Town Planning Ordinance (Cap. 131)

## **Written Representation**

**in respect of**

**Draft San Tin Technopole Outline Zoning Plan  
No. S/STT/1**

*“Government, Institution or Community” (“G/IC”) Zoning in Area 1A*

Melody Gain Limited and  
Clanville Developments Limited

Various Lots in D.D. 105,  
Ngau Tam Mei, Yuen Long

May 2024

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- Figure 2** – Extracts of RODP and Draft OZP relevant to the Site
- Figure 3** – Transitional Housing Development under Planning Application No. A/YL-NTM/431 Approved by the Town Planning Board in January 2022
- Figure 4** – Proposed Residential Development under Planning Application No. Y/YL-NTM/5 Submitted to the Town Planning Board in September 2022
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- Annex 1** – Summary of Technical Feasibility of Residential Use on the Site

## **1. Introduction**

- 1.1 This representation is made on behalf of Melody Gain Limited and Clanville Developments Limited (“**Representer**”), the registered owners of various lots in D.D. 105<sup>1</sup> (“**Site**”), in respect of the draft San Tin Technopole Outline Zoning Plan No. S/STT/1 gazetted on 8 March 2024 (“**draft OZP**”). Specifically, the proposed “Government, Institution or Community” (“**G/IC**”) zoning in Area 1A relevant to the Site is referred to.
- 1.2 It is noted from the draft OZP that this G/IC zoning is intended to be:
- Fire Services Department New Territories Workshop and Related Facilities (“**FSD NT Workshop**”) in its northern portion.
  - Indoor Sports Centre in its southern portion.

## **2. The Representation Site – Sizable, Formed, Accessible (Figure 1)**

- 2.1 The Site, measuring around 21,881.4 m<sup>2</sup> (including about 1,693.8 m<sup>2</sup> of Government Land), has mostly been formed for a transitional housing development. It is also currently occupied by various shops, open storage yards, etc.
- 2.2 By abutting San Tam Road which connects onward to Castle Peak Road - Mai Po and New Territories Circular Road (Route 9), the Site is conveniently accessible via existing road network.

## **3. The Nature of and Reasons for the Representation (Figure 2)**

- 3.1 Objection is lodged to the “G/IC” zoning on the Representation Site for the reasons as detailed in the followings.

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<sup>1</sup> Lots 1370, 1372, 1374, 1376, 1391 RP, 1392 RP, 1395 RP, 1396, 1397 RP, 1399, 1400, 1401, 1402, 1403, 1405, 1406, 1407, 1408, 1410, 1412, 1413, 1420, 1421, 1422, 1476, 1478, 1479, 1480, 1481, 1482, 1483, 1484, 1485, 1486, 1487, 1488, 1489, 1490, 1491, 1492, 1494, 1496, 1502 S.A, 1502 S.B, 1504, 1505, 1617, 1619, 1620, 1621, 1622, 1635, 1636, 1639 in D.D. 105, Ngau Tam Mei, Yuen Long.



**(A) The G/IC zoning was based on the absence of the transitional housing development at the Site which has been committed and implemented**

3.2 The Representer wishes to draw the Board’s attention on the following chronology of events relevant to the planning of the Site:

Date	Event
24 June 1994	The Site had been part of the “Residential” zoning on the Ngau Tam Mei Outline Zoning Plan since its first gazettal (vide Plan No. S/YL-NTM/1).
29 June 2018	Chief Executive announced 6 new housing initiatives to “ <i>expand developable land in order to significantly boost housing supply</i> ” <sup>2</sup> , including establishment of a task force on transitional housing under the then Transport and Housing Bureau (THB).
14 January 2022	S.16 Planning Application for a transitional housing development (1,080 flats), covering the majority of the Site, was supported in-principle by the then THB and <b>approved</b> by the Town Planning Board under Application No. A/YL-NTM/431 ( <b>Figure 3</b> refers). The transitional housing project is planned to operate for 5 years upon completion in <b>Q2 2024, i.e. till 2029 tentatively.</b> <sup>3</sup>
23 May 2023	Recommended Outline Development Plan (RODP) proposing land uses for San Tin Technopole, inclusive of the Site, was released. The RODP indicated <b>first-ever</b> : (1) the proposed uses of FSD NT Workshop and Indoor Sports Centre on the Site and (2) the uses are to be implemented under “ <b>Phase 1 Development</b> ” with estimated land resumption schedule from <b>end 2024</b> and population intake from <b>2031.</b> <sup>4</sup>

(To be continued on next page)

<sup>2</sup> The Government of HKSAR Press Release (June 29, 2018). “Government announces six new initiatives on housing”: <https://www.info.gov.hk/gia/general/201806/29/P2018062900967.htm?fontSize=1>

<sup>3</sup> Housing Bureau, Transitional Housing Projects under Construction. “Transitional Housing Project at Ngau Tam Mei North (San Tam Road), Yuen Long” : [https://www.hb.gov.hk/eng/policy/housing/policy/transitionalhousing/details\\_24.html](https://www.hb.gov.hk/eng/policy/housing/policy/transitionalhousing/details_24.html)

<sup>4</sup> Legislative Council Paper No. CB(1)506/2023(03). “Land Use Proposal of San Tin Technopole”: <https://www.legco.gov.hk/yr2023/english/panels/dev/papers/dev20230523cb1-506-3-e.pdf> (“Annex A” for proposed land uses and “Annex B” for development phasing).

(Continued)

Date	Event
28 July 2023	Written comment was made by the Representer during the public engagement period regarding the <b>programme mis-match</b> of the approved transitional housing project vis-à-vis the RODP indication.
8 March 2024	<p>The draft OZP was gazetted, denoting the “G/IC” zoning on the Site and maintaining its intended uses of FSD NT Workshop and Indoor Sports Centre (<i>Explanatory Statement para. 12.3.2</i>).</p> <p>Only at this point, the Government indicated the Site to be under “Phase 1 Stage 2” in the Development Schedule of San Tin Technopole, with no further specification of dates for this stage implementation.<sup>5</sup></p>

- 3.3 As the transitional housing project implementation involves the public account (Government’s grant of \$607.94 million) and a provision of accommodation to around 2,700 residents, it shall not be undermined for the public interest. To this end, it is evidently **not practical to assume land availability of the whole site before end of the committed transitional housing operational period (anticipated in mid-2029)**, not to mention the time needed for site clearance.
- 3.4 In fact, the committed uses on the Site may fundamentally impact the feasibility/practicability of the intended G/IC uses, especially the trajectory of public provisions to serve the population timely. The manifest programme mis-match on the site planning between the transitional housing project (*end in 2029*) versus the intended G/IC development (*expected to serve the population intake of the surrounding “Phase 1” developments in 2031*) is a concern, suggesting that the G/IC planning and zoning were not premised on the actual site context and planning information per se.
- 3.5 In the context of this interference of implementation schedules at the planning stage, the Board is invited to re-visit the land use feasibility and the practicability of specific G/IC uses at the Site.

<sup>5</sup> Civil Engineering and Development Department and Planning Department, Development Schedule of San Tin Technopole: <https://nm-santintech.hk/en/implementation-arrangement/development-schedule/>

**(B) Consistency should be applied in the draft OZP**

- 3.6 The planning intention of the G/IC zoning subject of the Site is very specific on the draft OZP, as depicted in the Explanatory Statement viz. *“GIC facilities include two sites for indoor sports centre in **Areas 1A** and 10... a workshop and related facilities of the Fire Services Department at **Area 1A**”* (para.12.3.2). The subject G/IC zoning hence “freezes up” the Site for *any other uses* in accommodating the community aspirations/requirements and in meeting demand for better utilisation of the site potential - except for the 2 specific uses.
- 3.7 It is, however, observed that not all Government’s proposed G/IC uses on the RODP are subject to the same treatment on the draft OZP. For instance, a site of about 15 hectares located also to the south of San Tin Highway was illustrated as “G/IC” on RODP for performance venues and museum, library and swimming pool complex. This site is nonetheless being zoned now as *“Other Specified Use (Cultural and Community Uses with Supporting Uses and Facilities)”* on the draft OZP, i.e. not “G/IC” zone, **with more flexibility on permissible uses** e.g. “shops and services” and “eating place” in Column 1.
- 3.8 In fact, the Representer’s efforts in developing the Site for housing supply have been made continually, including the submission of a S.12A Planning Application (No. Y/YL-NTM/5) to the Town Planning Board since September 2021 for provision of 1,980 residential units on the Site which has been progressed to a mature stage (**Figure 4**). Comments were also made in the public engagement of the RODP concerning the mentioned programme mismatch and the potential jeopardisation of development efforts under the prevailing “Residential” zoning. Regrettably, these all have been apparently **not attended to** in the draft OZP formulation.
- 3.9 Given the long genuine efforts on development at the Site with technical feasibilities confirmed (to be further detailed in later sections), alongside the unique site attributes, the Representer would like to respectfully request for the Board’s re-consideration on the feasible zoning at the Site in the principle of consistency.

**(C) Need for the specific G/IC uses on the Site is in doubt**

- 3.10 According to the TPB Paper No. 10954 for the draft OZP dated 23 February 2024, a surplus of +1 sports centre is recorded in the planning area with reference to the requirements of Hong Kong Planning Standards and Guidelines (HKPSG). Meanwhile, in the TPB Paper No. 10917 for the proposed amendments to Yuen Long OZP dated 7 September 2023, it was revealed that there is a deficit of -3 sports centres in the entire Yuen Long District Council Area (**Figure 5**).
- 3.11 The above information illustrates that (1) indoor sports centre is not in deficit in the San Tin Technopole based on the HKPSG benchmark; and (2) the proposed provision on the Site appears to be only for serving the demand in **other planning areas** of Yuen Long District Council Area. Hence, it is questionable if no single suitable and spade-ready site (requiring < 1 hectare as is on the Site) could be found within the planning areas in need of sports centres, while the Site occupied with transitional housing development is designated for the use which could only serve the public at a very late stage.
- 3.12 Similarly, most FSD NT Workshops in the territory co-exist with fire stations for operational efficiency, like those in Kwai Chung and North Point. Noting that there is a site of more than 1.4 hectares allocated for divisional fire station at the centre of the Technopole (Area 12A), the FSD NT Workshop could also be absorbed there, among other beside G/IC sites, for better management and operation by FSD in avoidance of any foreseeable implementation mismatch in fire-fighting services provisions.

**(D) Feasible alternatives exist on the Site which deserve to be given equal weight in the zoning formulation**

- 3.13 As aforementioned, the Representer has put forward development proposals for the Site, including the residential proposal under Application No. Y/YL-NTM/5. Various technical assessments have been conducted to confirm the technical feasibility of the proposed development to the satisfaction of relevant Government Departments over the past 2.5+ years (see **Annex 1**).

- 3.14 Given the proven technical feasibilities, the Board is invited to give equal weight to the proposed uses put forward by the Representer in the same manner as the specified G/IC uses in the formulation of the zoning.
- 3.15 Even in the event that the 2 specific G/IC uses are considered by the Board to be really needed on the Site, it is feasible to integrate these G/IC uses with residential flat supply under the “**Single Site, Multiple Use**” model as advocated by the Government vide the Chief Executive’s Policy Addresses. This approach enables a more optimal use of land, **potentially resulting in an additional gain to the community** which should be given relevant weight by the Board.<sup>6</sup> The alternative proposal is detailed in the following section for the Board’s consideration.

#### 4. Alternative Proposal

- 4.1 To ensure feasibility, the following references are made in the Alternative Proposal:
- The layout of existing FSD workshop facilities, namely FSD New Territories Workshop (Kwai Chung), Hong Kong Workshop (North Point) and Kowloon Workshop (Kowloon Bay).
  - The provisions in Luen Wo Hui Sports Centre, Sai Wan Ho Sports Centre, Macpherson Stadium, etc.
  - The Artist’s Impressions provided by the Government in RODP and associated Environmental Impact Assessment on the 2 specific G/IC uses (**Figure 6**).
  - Supporting technical assessments for the residential proposal under Application No. Y/YL-NTM/5 with the acceptance of relevant Government Departments.
- 4.2 The Alternative Proposal, as shown in **Figures 7A and 7B**, seamlessly integrates the G/IC facilities with residential use above for optimising the scarce land resources. It is to be implemented in 2 phases:

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<sup>6</sup> Halsbury’s Laws of Hong Kong, Vol. 48, §[385.270].

- **Phase 1** - A portion of the Site of around 2,550.7m<sup>2</sup> is under the Representer’s sole ownership whilst not being within the transitional housing development area, i.e. readily available for development. This portion could first be implemented to accommodate a residential tower cum FSD storage facilities aligning with the draft OZP. Uncovered area for parking as shown in the Government’s Artist’s Impressions (and as in the existing FSD workshop facilities) will be also accommodated.
- **Phase 2** - The remaining portion, with development site area of around 16,728.9m<sup>2</sup>, could be developed as Phase 2 after the cease of the transitional housing operation. It comprises: (1) Indoor Sport Centre; (2) FSD workshop which will be enclosed to address potential industrial-residential interfaces with adequate headroom to meet operational needs; and (3) 3 nos. of residential towers.

**Table 1: Proposed Development Parameters for the Alternative Proposal (Phases 1 & 2)**

	Representation Site	
<b>Total Area (Approx.)</b>	21,881.4 m <sup>2</sup> *	
	<b>Phase 1</b>	<b>Phase 2</b>
<b>Development Site Area (Approx.)</b> ^	2,550.7 m <sup>2</sup>	16,728.9 m <sup>2</sup>
<b>Proposed Uses</b>	Domestic, FSD storage	Domestic, Indoor Sports Centre, FSD workshop
<b>Proposed Domestic Plot Ratio</b>	5 (same as No. Y/YL-NTM/5)	5 (same as No. Y/YL-NTM/5)
<b>Proposed Domestic GFA</b>	12,754 m <sup>2</sup>	83,645 m <sup>2</sup>
<b>No. of Units (approx.)</b> *Assume average unit size of 50m <sup>2</sup>	255	1,673
<b>Proposed Max. Building Height</b> #	135mPD	135mPD / 155mPD (stepped building heights)

\* Including Government Land of 2,536.7m<sup>2</sup> and minor third-party lots at the periphery of 2,601.8m<sup>2</sup>.  
 ^ Excluding the third-party lots, which consist of Tso Tong land. While it is noted that there may be extension of “Enhanced Conventional New Town Approach” to New Development Areas facilitating land consolidation in future, areas of third-party lots are nonetheless be excluded as a conservative approach.  
 # As compared to the max. building height of 170mPD at the “Residential (Group A)1” zone to the immediate south of the Site.

4.3 The building form/layout of residential towers under the Application No. Y/YL-NTM/5 is also maintained as practicable to ensure validity of the tested technical feasibility. As such, a domestic plot ratio of about 5 could be attained following the tested indicative scheme of Y/YL-NTM/5, while concurrently offering the construction of G/IC facilities in the Proposal through private initiatives. The Alternative Proposal is justified as follows:

(a) **No Disruption to G/IC Provision**

4.4 Developments with residential uses atop Indoor Sports Centres are not unprecedented in the territories. Examples include:

- Grand Regentville in Fanling (with Luen Wo Hui Sports Centre)
- Felicity Garden in Sai Wan Ho (with Sai Wan Ho Sports Centre)
- Macpherson Place in Mong Kok (with Macpherson Stadium)

**Table 2: Reference Cases of Residential Use atop Indoor Sports Centres**

	<b>Grand Regentville in Fanling (with Luen Wo Hui Sports Centre)</b>	<b>Felicity Garden in Sai Wan Ho (with Sai Wan Ho Sports Centre)</b>	<b>Macpherson Place in Mong Kok (with Macpherson Stadium)</b>
<b>Site Area</b>	About 14,483m <sup>2</sup>	About 5,673m <sup>2</sup>	About 2,428m <sup>2</sup>
<b>Zoning</b>	“Commercial / Residential (2)”	“OU (Residential cum Commercial and Community Facilities)”	“Residential (Group A)4”
<b>Maximum GFA</b>	<b>Domestic:</b> 35,292m <sup>2</sup>  <b>Non-Domestic:</b> 48,848m <sup>2</sup> (of which not less than 27,277m <sup>2</sup> should be for Government uses)	<b>Domestic:</b> 53,590m <sup>2</sup>  <b>Non-Domestic:</b> 13,540m <sup>2</sup>	<b>Domestic:</b> 16,705m <sup>2</sup>  <b>Non-Domestic:</b> 8,062m <sup>2</sup> (not less than 3,337m <sup>2</sup> for indoor stadium and not less than 2,282m <sup>2</sup> for youth centre)
<b>Maximum Building Height</b>	135mPD	120mPD	115mPD

4.5 Importantly, the Alternative Proposal can accommodate even the most stringent dimensions of a conventional Indoor Sports Centre. Space for a standard multi-purpose arena, which can be converted into a standard basketball/volleyball court with spectator stands similar to that in other Indoor Sports Centres, has been reserved, together with other requirements including thoroughfares for places of public entertainment.

4.6 The FSD NT Workshop is also included in the Alternative Proposal on a like-for-like basis, with reference to the current provision. With the future incorporation of adequate compartmentation as in the residential developments atop railway depots, technical difficulties of the provision are not anticipated, thereby assuring no reduction or disruption to the proposed G/IC provision.

**(b) Facilitating Timely Implementation via Private Initiatives**

4.7 The Alternative Proposal does not require lengthy land resumption. The portion of the Site under the Representer's ownership which is spade-ready could be commenced imminently as the Phase 1 development. As such, Government resources on resuming land, including time and cost compensation, will be largely minimised.

4.8 At the same time, the G/IC facilities could also be constructed via private sector participation - as in the various precedents including Tsuen Wan Sports Centre and Tai Wai Station Post-Secondary College - to be implemented via necessary land grant conditions. Delivery of certain G/IC uses could then be pragmatically **pushed ahead for earliest operations**, whilst project interfaces could be smoothed. This "one-stop shop" approach through the private sector's efforts should be regarded as a positive initiative in effectively relieving the Government's intense burden in infrastructural provisions in the Technopole.

**(c) Opportunities for Provision of ~2,000 Flats Through Optimisation of the Site**

4.9 It is noted that the I&T Park and San Tin Town Centre will together create about 165,000 jobs in the Technopole (including 120,000 on the I&T sites). The 50,000-54,000 nos. of public and private housing units (in a 70:30 ratio) now planned in San Tin Town Centre, together with the 6,400 talent



accommodation units in the I&T Park, appear to be unlikely to fully meet the housing demand of I&T professionals, workers and their families. The cohorts may have to depend on housing in other districts (such as Yuen Long and Kwun Tung North) or even Shenzhen.

- 4.10 By including the residential component, the Alternative Proposal offers private housing options to the I&T talents in proximity to their work. Unnecessary traffic pressure to and from other districts can hence be alleviated, whereas a stronger sense of community could be rooted with more homes offered within the Technopole.

**(d) Compatible with the Adjacent Area**

- 4.11 The proposed domestic plot ratio of the Site is 5 with a building height of 135mPD/155mPD at the northern and southern portions respectively, adopting a stepped building height profile aligning with the overall profile in the Technopole (**Figure 8**). The proposed building layout is also capable of being responsive to the “major breezeway/airpath on Figure 5 of the Explanatory Statement of draft OZP.

(NB: a maximum plot ratio of 6.8 and a building height of 170mPD are allowed in the “R(A)1” zoning to the immediate south of the Site, amongst the various other “R(A)” sites with the same development intensity demarcated at the future San Tin Town Centre).

**5. Proposed Amendments to the Draft OZP**

- 5.1 To enable the “Single Site, Multiple Use” model on the Site for optimising the use of land as portrayed in the Alternative Proposal, the Board is requested to re-visit the zoning on the Site for allowing more flexible land uses. The following zonings are considered suitable under the site context:

- **“Residential (Group A)”** blending in the zoning for the surrounding sites at San Tin Town Centre in the draft OZP. “Government Use” and “Flat” are always permitted in Column 1;
- **“Other Specified Use (Residential with Government and Community Facilities)”** which is more tailor-made aligning with the aforementioned “Other Specified Use (Cultural and Community Uses with Supporting Uses

*and Facilities)*" in Area 7 on the same draft OZP, and the "*Other Specified Use (Residential cum Commercial and Community Facilities)*" subject of Sai Wan Ho Sports Centre; or

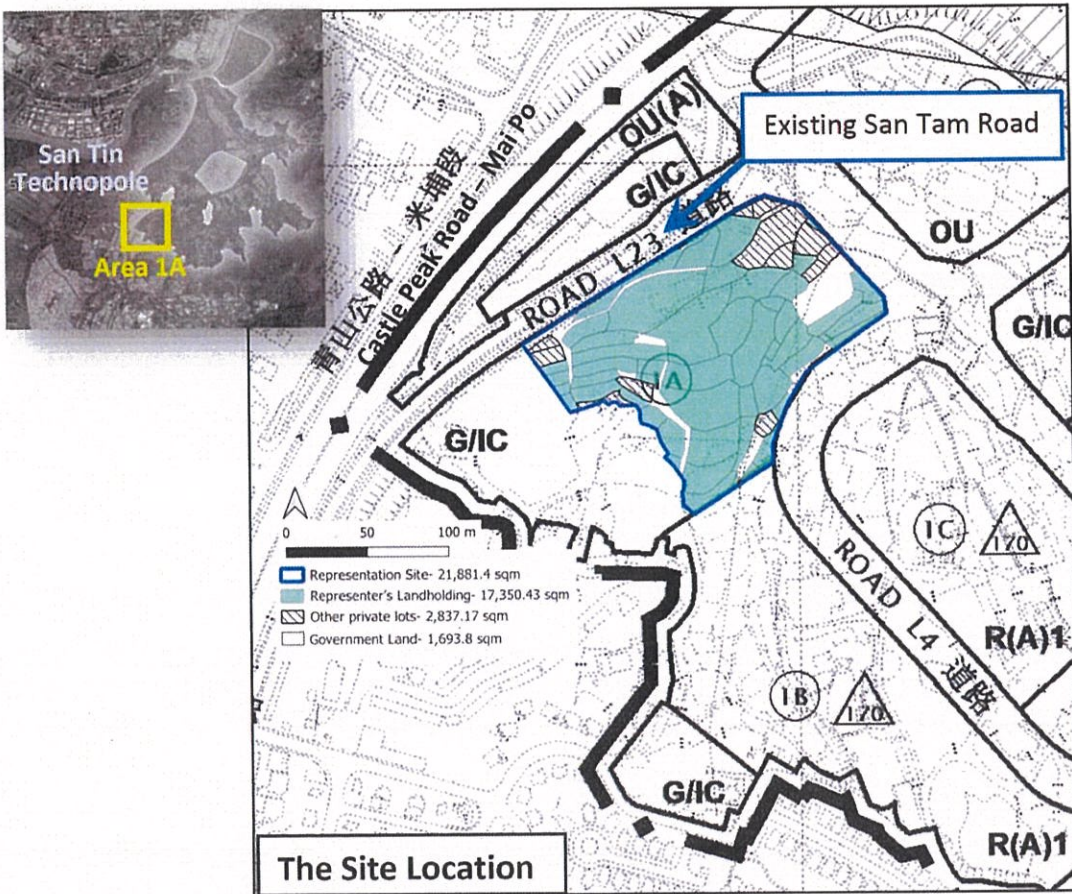
- "**Comprehensive Development Area**" in which all uses are in Column 2, should the Board consider necessary to exercise control in the planning regime.

5.2 Building height restrictions of 135mPD and 155mPD could be imposed on the northern and southern portions of the Representation Site, respectively, to ensure the stepped height profile, while "non-building area" may be considered for the breezeway/airpath in the southernmost part. It should be highlighted that, regardless of which zoning option, any obligations on the construction of the G/IC facilities could nonetheless be policed under the Land Grant requirements.

## 6. Conclusion

- 6.1 The Representer would like to highlight that the committed transitional housing project on the Site has not been apparently orchestrated at the planning and RODP/draft OZP formulation stage which may potentially affect 2,700 residents and the intended provision of the specific G/IC facilities.
- 6.2 The currently proposed "G/IC" zoning on the draft OZP may only lead to the **G/IC operations well after the population intake of the surrounding areas (anticipated in 2031)**, thus being unable to timely support the public services as originally intended and planned.
- 6.3 On the other hand, riding on the development efforts for the Site with proven technical feasibility, the Representer puts forward a **feasible proposal integrating residential flat supply with G/IC uses** as an optimum and pragmatic solution to accelerate the implementation through private initiatives. This is concurrently in line with the "Single Site, Multiple Use" model on G/IC sites under Chief Executive's Policy Address initiative to optimise land use with multiple compatible uses.
- 6.4 The Board is hence earnestly requested to consider one of the proposed zoning options for an additional gain of the community per se.

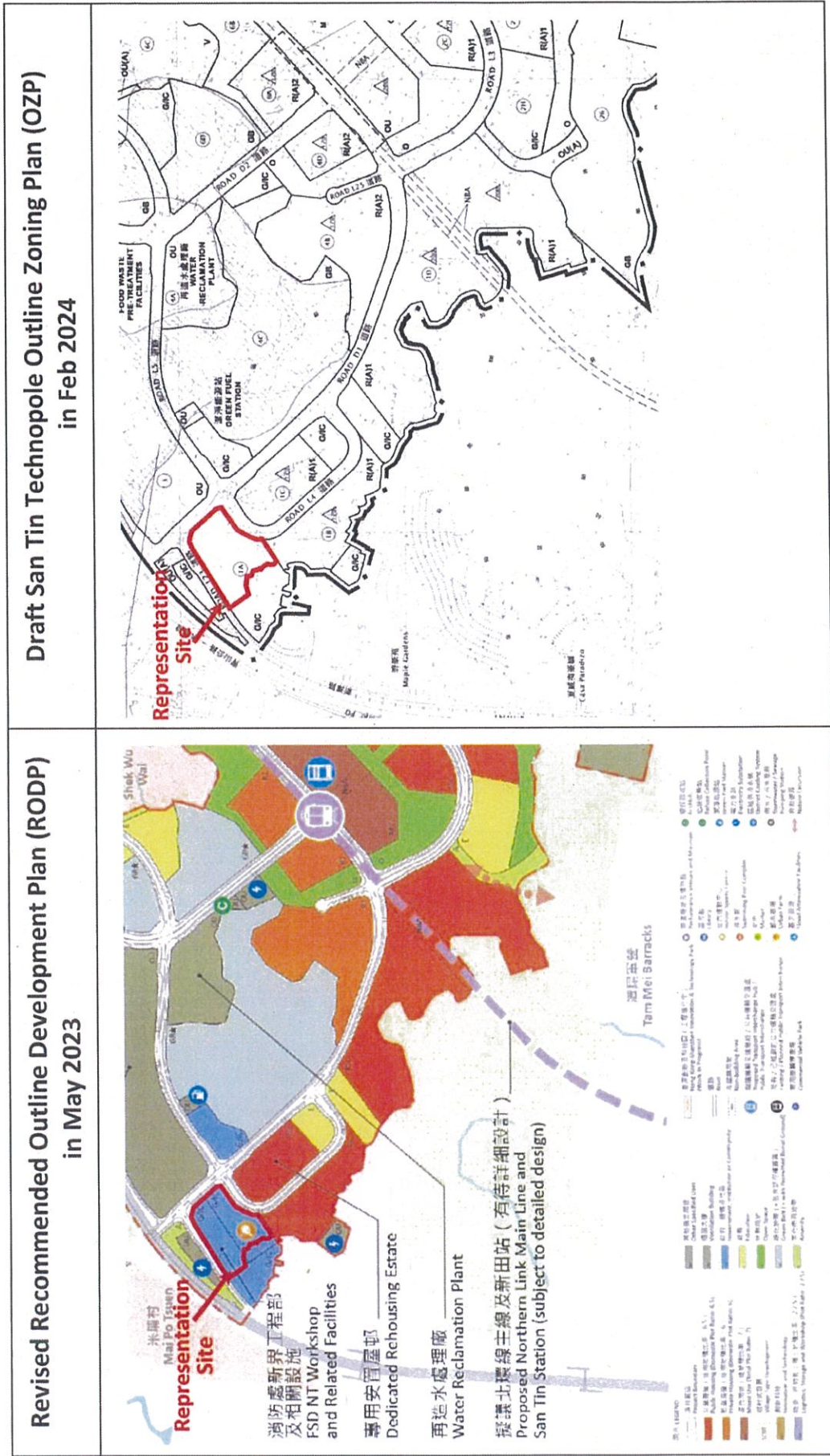
**Figure 1 – The Representer’s Landholdings on the Site**



Various Lots in D.D. 105 owned by Melody Gain Limited			
1370	1405	1481	1502 S.A
1372	1406	1482	1502 S.B
1374	1407	1483	1504
1376	1408	1484	1505
1391 RP	1410	1485	1617
1392 RP	1412	1486	1619
1395 RP	1413	1487	1620
1396	1420	1488	1621
1397 RP	1421	1489	1622
1399	1422	1490	1635
1400	1476	1491	1636
1401	1478	1492	1639
1402	1479	1494	
1403	1480	1496	

Various Lots in D.D. 105 owned by Clanville Developments Limited			
1408	1484	1639	

Figure 2 – Extracts of RODP and draft OZP relevant to the Site

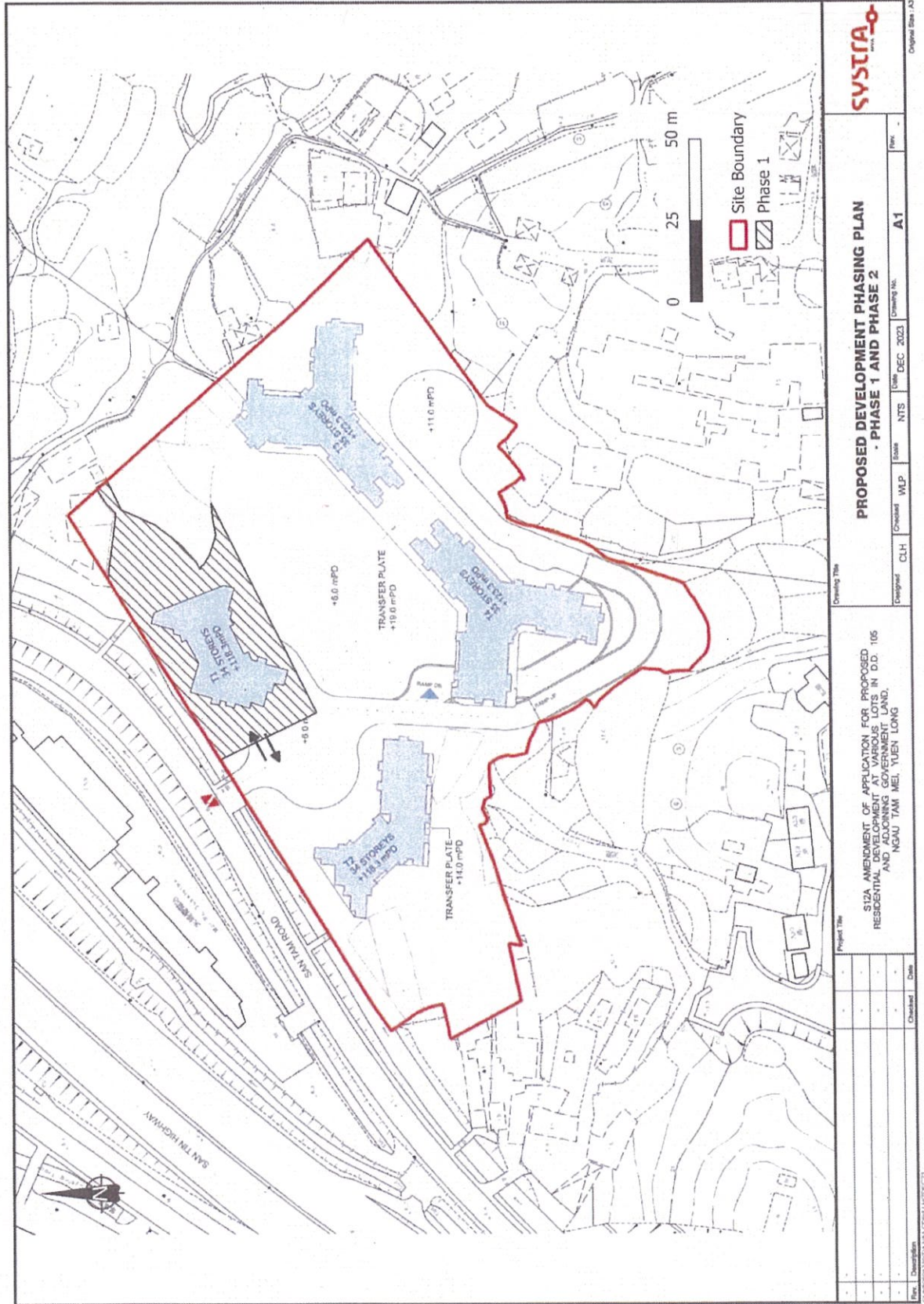


**Figure 3 – Transitional Housing Development under Planning Application No. A/YL-NTM/431 Approved by the Town Planning Board in January 2022**



Photo taken in Apr 2024  
 Note: Representation Site Boundary for indicative purpose only, subject to detailed site survey

Figure 4 – Proposed Residential Development under Planning Application No. Y/YL-NM/5 Submitted to the Town Planning Board in September 2021



**Figure 5 – Extract of Provision of Sports Centre in San Tin Technopole OZP and Yuen Long District Council Area**

**Provision of Sports Centre in San Tin Technopole OZP**

Type of Facilities	Hong Kong Planning Standards and Guidelines (HKPSG)	HKPSG Requirement (based on planned population)	Provision		Surplus/ Shortfall (against planned provision)
			Existing Provision	Planned Provision (including existing provision)	
District Open Space	10 ha per 100,000 persons	16.56 ha	3.36 ha	58.59 ha <sup>#</sup>	+25.47 ha <sup>#</sup>
Local Open Space	10 ha per 100,000 persons	16.56 ha			
Sports Centre	1 per 50,000 to 65,000 persons  (assessed on a district basis)	2	0	3	+ 1

*Extract of Provision of Major Community Facilities and Open Space in San Tin Technopole OZP from Appendix F of TPB Paper No. 10954 in Feb 2024*

**Provision of Sports Centre in Yuen Long District Council Area**

Type of Facilities	Hong Kong Planning Standards and Guidelines (HKPSG)	HKPSG Requirement (based on planned population)	Provision		Surplus/ Shortfall (against planned provision)
			Existing Provision	Planned Provision (including Existing Provision)	
District Open Space	10 ha per 100,000 persons <sup>#</sup>	125.09 ha	30.18 ha	140.52 ha	15.43 ha
Local Open Space	10 ha per 100,000 persons <sup>#</sup>	125.09 ha	112.1 ha	203.70 ha	78.61 ha
Sports Centre	1 per 50,000 to 65,000 persons <sup>#</sup>  (assessed on a district basis)	19	8	16	-3

*Extract of Provision of Major Community Facilities and Open Space in Yuen Long District Council Area from Annex VIII of TPB Paper No. 10917 in Aug 2023*

**Figure 6 - Artist's Impressions for San Tin Technopole relevant to the Site**



*Extracted from the Artist's Impression for San Tin Technopole by the Government in Jun 2023*

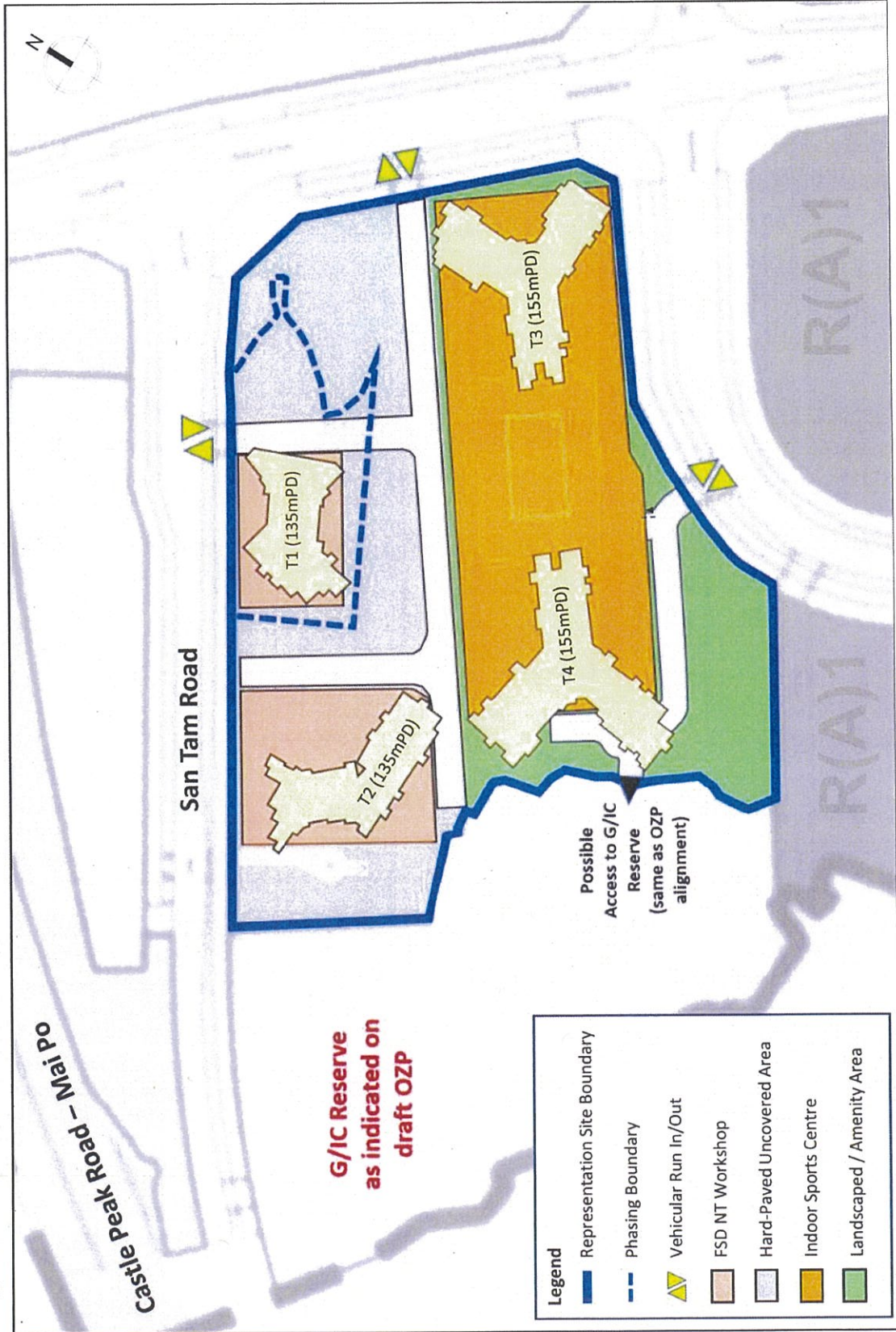


*Extracted from Revised Recommended Landscape Master Plan of Environmental Impact Assessment (EIA) report for the San Tin/Lok Ma Chau Development Node (Figure 4.7) in Jan 2024*

Note: Boundary of the Site for indicative purpose only.



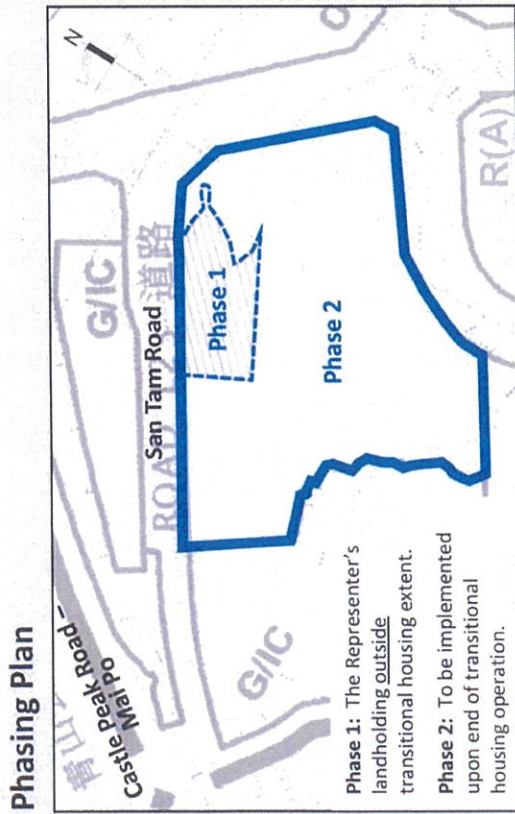
Figure 7A - Alternative Proposal



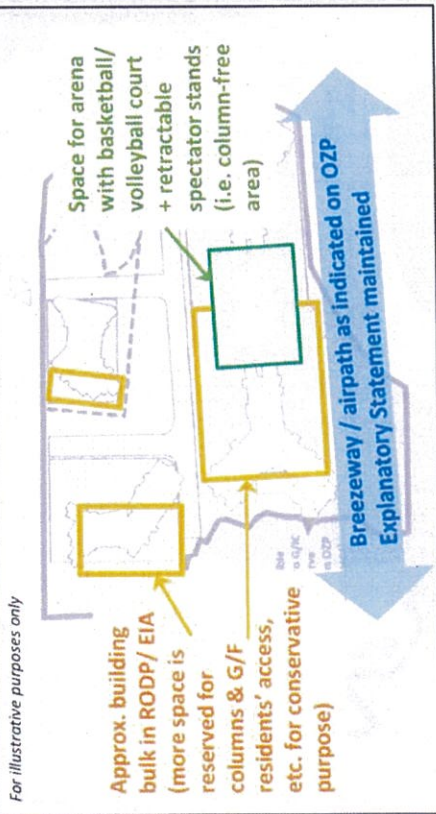
**Main Features:**

- The followings *adhere to* the indicative layout on the RODP / EIA (basis of draft OZP):
  - Vehicular run-in/out.
  - General road alignments.
  - General building layout of G/IC facilities.
- Hard-paved uncovered areas reserved in FSD NT Workshop for parking of fire engines and other purposes as in RODP.
- Building heights of the notional layout for G/IC uses as in RODP are followed as the podium height.
- Form and layout of residential towers generally follow those in the Application No. Y/L-NTM/5 (domestic plot ratio 5).

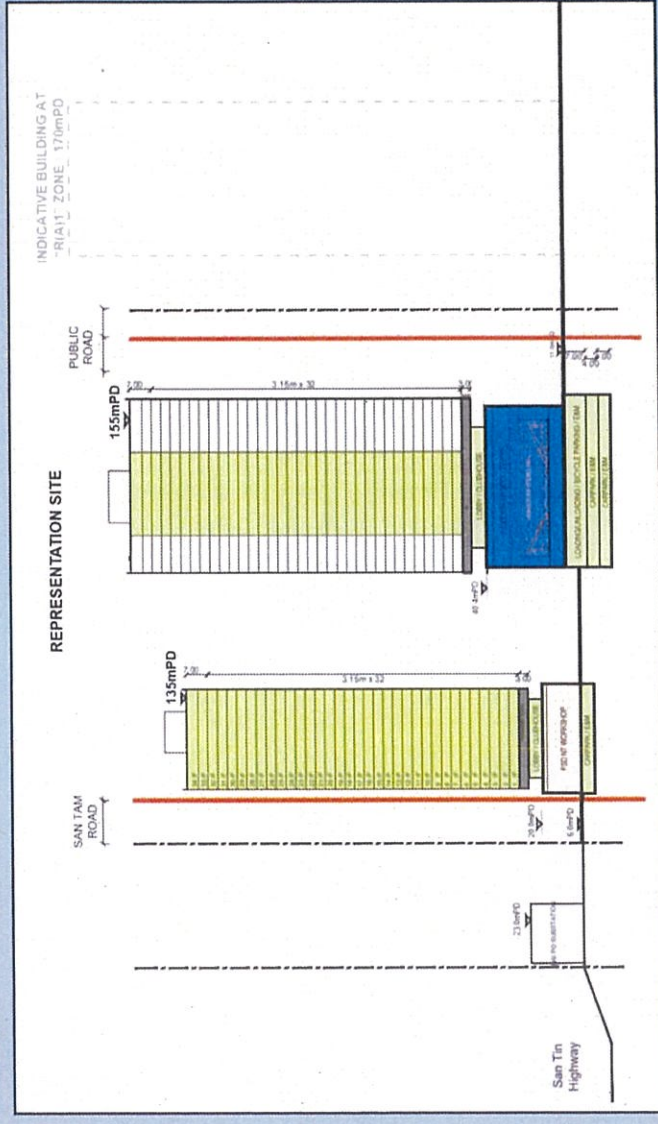
Figure 7B - Alternative Proposal (Cont'd)



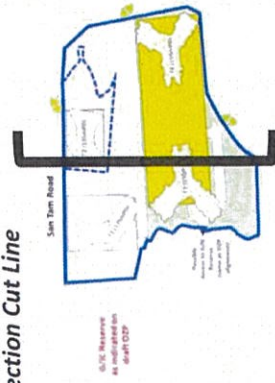
### Spatial Design Considerations



### Section

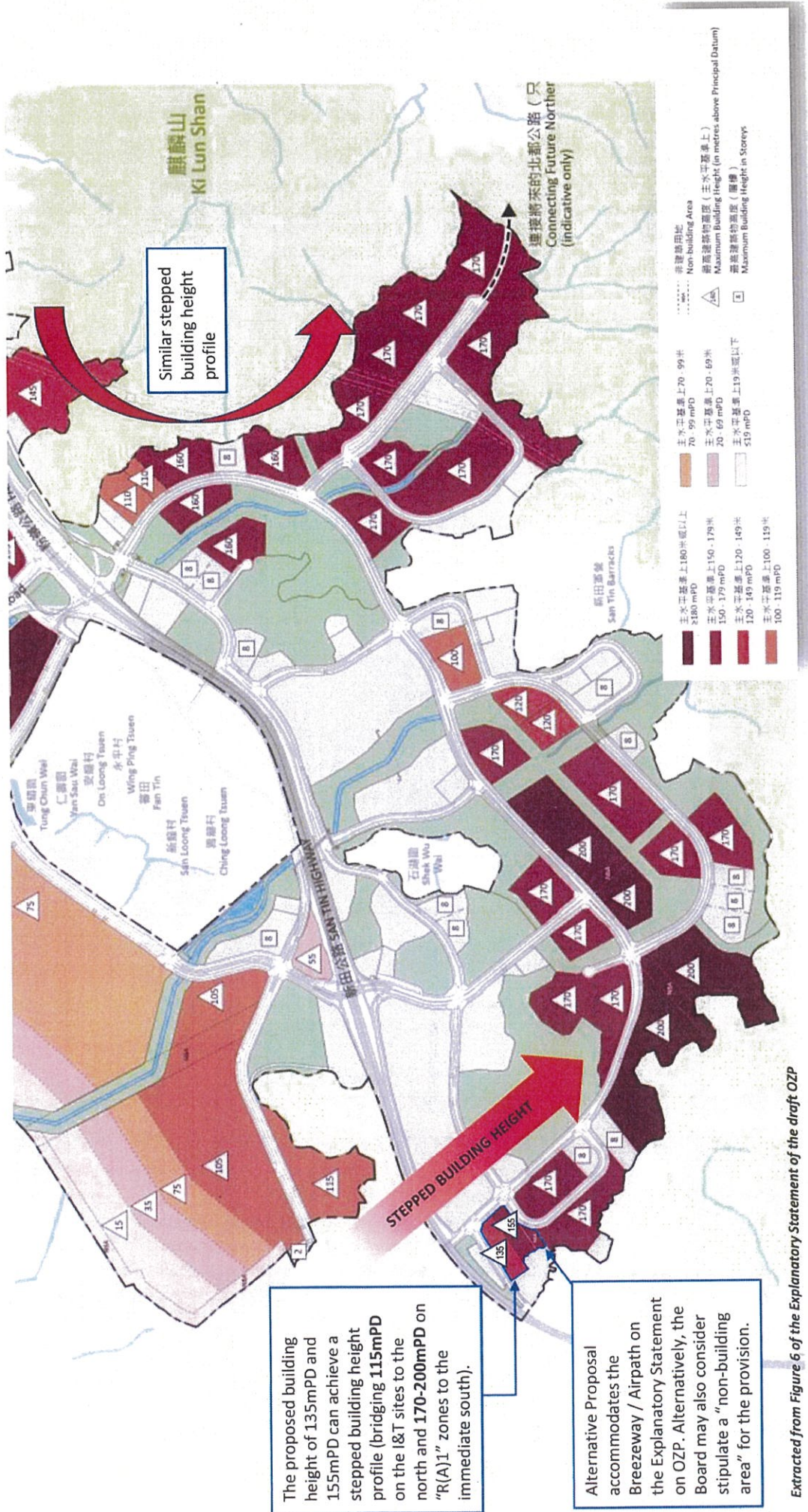


### Section Cut Line



- **Stepped Building Height Profile** achieved with the adjoining developments while accommodating the G/IC uses.
- **Adequate Building Separations.**
- **Uncovered Areas Reserved** for FSD workshop. Also suit the requirements of Indoor Sports Centre & provide amenities.

**Figure 8 - Compatible with the Adjacent Area**



The proposed building height of 135mPD and 155mPD can achieve a stepped building height profile (bridging 115mPD on the I&T sites to the north and 170-200mPD on "R(A)1" zones to the immediate south).

Alternative Proposal accommodates the Breezeway / Airpath on the Explanatory Statement on OZP. Alternatively, the Board may also consider stipulate a "non-building area" for the provision.

Extracted from Figure 6 of the Explanatory Statement of the draft OZP

## Summary of Technical Feasibility of Residential Use on the Site

Aspects	<b>Technical Summary for Feasibility of Residential Development on the Site</b> (as referenced to the technical assessments of Planning Application No. Y/YL-NTM/5 – Domestic plot ratio 5 on the Site)	Remarks																								
Traffic	<p>Junction and road link capacity assessments have been undertaken for both the Year 2028 reference and design scenarios. The results indicate that all identified junctions and road links would be operated within capacity. Since the junction at Castle Peak Road – San Tin Section/Shek Wu Wai Road is currently operating close to capacity, the Applicant will upgrade the existing priority junction into a roundabout junction with a cautionary crossing.</p> <p>Based on the public transport service assessment, it is proposed to enhance the nearby public transport service by increasing the frequency of KMB 76K to 7 buses per hour and GMB 78 to 5 GMBs per hour during both AM peak and PM peak. Both routes will be at a frequency of approx. 8.5-minute and 12-minute headway at AM and PM peak, respectively.</p>	<p>The Proposed Development would only make negligible change to the existing junctions nearby.</p> <p>Moreover, the traffic condition would inevitably further enhanced with the planned upgrading of road infrastructure under the development of San Tin Technopole.</p>																								
Air Quality	<p><u>Vehicular Emission</u></p> <p>No openable window, fresh air intake and recreational uses within the buffer zone under the Indicative Development Scheme of the Proposed Development to fulfil the separation requirements stipulated in HKPSG as shown:</p> <table border="1" data-bbox="373 1429 1059 1827"> <thead> <tr> <th>Road</th> <th>Road Type</th> <th>HKPSG Requirement</th> <th>Separation Distance Proposed</th> </tr> </thead> <tbody> <tr> <td>San Tin Highway</td> <td>PD</td> <td>&gt;20m</td> <td>66m</td> </tr> <tr> <td>Sam Tam Road</td> <td>DD</td> <td>&gt;10m</td> <td>11m</td> </tr> <tr> <td>Ko Hang Road</td> <td>Unknown</td> <td>&gt;20m</td> <td>93m</td> </tr> <tr> <td>New Road</td> <td>DD</td> <td>&gt;10m</td> <td>27m</td> </tr> <tr> <td>New Road</td> <td>LD</td> <td>&gt;5m</td> <td>21m</td> </tr> </tbody> </table> <p>PD – Primary Distributor DD – District Distributor LD – Local Distributor</p>	Road	Road Type	HKPSG Requirement	Separation Distance Proposed	San Tin Highway	PD	>20m	66m	Sam Tam Road	DD	>10m	11m	Ko Hang Road	Unknown	>20m	93m	New Road	DD	>10m	27m	New Road	LD	>5m	21m	<p>No further comment has been received since Further Information (“FI”) No. 9 of Y/YL-NTM/5 in May 2023.</p>
Road	Road Type	HKPSG Requirement	Separation Distance Proposed																							
San Tin Highway	PD	>20m	66m																							
Sam Tam Road	DD	>10m	11m																							
Ko Hang Road	Unknown	>20m	93m																							
New Road	DD	>10m	27m																							
New Road	LD	>5m	21m																							

## Annex 1

Aspects	<b>Technical Summary for Feasibility of Residential Development on the Site</b> (as referenced to the technical assessments of Planning Application No. Y/YL-NTM/5 – Domestic plot ratio 5 on the Site)	Remarks
	<p><u>Chimney Stack and Dust Emission</u></p> <p>There is no chimney stack identified within 200m from the Site. The horizontal buffer distance requirement is hence deemed to be complied with.</p> <p><u>Potential Impact to be Generated from the Proposed Development</u></p> <p>On-site Sewerage Treatment Plant is proposed to be fully enclosed and equipped with air scrubber system and deodorisation system; the future air exhaust will be located at the southwest portion of the Site facing away from existing/planned air sensitive receivers.</p>	Ditto.
Noise	<p><u>Fixed Plant Noise</u></p> <p>A 1m-long vertical fin at the western corner of T1 is adopted such that there will be no direct line-of-sight between noise sensitive receivers and the electricity sub-station.</p> <p><u>Road Traffic Noise</u></p> <p>Acoustic windows / Acoustic doors (baffle type) have been proposed as innovative mitigation measures for the residential development. For all cases, the air gap will be maintained at 100mm. The HKPSG criterion in respect of road traffic noise (i.e. 70dB(A)) would be complied with.</p> <p>For locations that are facing towards noise source and possibly with noise exceedance but with no ventilation openings required, fixed glazing with maintenance window (i.e. no ventilation opening) shall be in place to mitigate the potential noise impact.</p>	No further comment has been received since FI No. 9 in May 2023.

## Annex 1

Aspects	<b>Technical Summary for Feasibility of Residential Development on the Site</b> (as referenced to the technical assessments of Planning Application No. Y/YL-NTM/5 – Domestic plot ratio 5 on the Site)	Remarks
<b>Water Quality</b>	<p>Foul water will be collected and treated by on-site STP before discharge to the public drain.</p> <p>Surface water will be collected via rainwater pipes and diverted to stormwater drains or other water body such as marshland on site as the existing flow regime does.</p> <p>The best practice and design recommendations in ProPECC PN 5/93 will be followed for design and implementation.</p>	No further comment has been received since FI No. 3 in April 2022.
<b>Ecological</b>	<p>According to the Ecological Impact Assessment, the Proposed Development is unlikely to cause unacceptable adverse impact to the Wetland Buffer Area, Wetland Conservation Area or the integrity of wetlands in Deep Bay area.</p>	No further comment has been received since FI No. 5 in August 2022.
<b>Drainage</b>	<p>The Proposed Development is designed to cater for flooding under a 50-year return period. Before any solid plan of drainage system in the future Technopole, there will be a flood attenuation tank (with a capacity of not less than 1,050m<sup>3</sup> which is easily accommodable at basement) to store excessive stormwater temporarily during heavy rains before discharging to the drainage system downstream to mitigate flood risks.</p>	No further comment has been received since FI No. 8 in March 2023.
<b>Sewerage</b>	<p>As an interim measure, provision of on-site sewage treatment plant (with Membrane Biological Reactor) is proposed to provide sewage treatment before disposal before public sewer is available. As long-term measures, sufficient provisions would be incorporated in the design and construction of the Proposed Development to allow future diversion of sewage flow from the on-site STP to future public sewer.</p>	No further comment has been received since FI No. 5 in August 2022.
<b>Landscape</b>	<p>110 nos. of new planted trees will be accommodated to compensate the loss of existing trees at a minimum replanting ratio of 1:1.</p>	No further comment vide their response to FI No. 2 in January 2022.

## Annex 1

<b>Aspects</b>	<b>Technical Summary for Feasibility of Residential Development on the Site</b>  (as referenced to the technical assessments of Planning Application No. Y/YL-NTM/5 – Domestic plot ratio 5 on the Site)	<b>Remarks</b>
<b>Water Supply</b>	The estimated water demand generated by the Proposed Development is approx. 2273.1m <sup>3</sup> /day which is equivalent to about 5.58% and 2.89% of the capacity of the existing Ngau Tam Mei Fresh Water Primary Service Reservoirs (NTMSR) and future NTMSR after extension, respectively. Existing water supply infrastructure including Ngau Tam Mei Water Treatment Works and NTMSR would have adequate capacity to cater for water demand to be generated by the Proposed Development.	No further comment has been received since FI No. 3 in April 2022.
<b>Visual</b>	The proposed building height (123.3mPD at Y/YL-NTM/5) is lower than the building height restriction of the nearby R(A)1 zoning is 170mPD as stipulated in the draft OZP. The proposed building height also creates a distinctive stepped building height profile that descends towards San Tam Road. The Proposed Development is hence considered acceptable from the visual perspective.	No further comment has been received since FI No. 2 in January 2022. The stepped building height principle is still observed (see Figure 8).

Urgent Return receipt Expand Group Restricted Prevent Copy

**Submission Number:**  
**TPB/R/S/STT/1-S483**

**From:** [Redacted]

**Representation Number:**  
**TPB/R/S/STT/1-R104**

**Sent:** 2024-05-03 星期五 17:31:11

**To:** tpbpd/PLAND <tpbpd@pland.gov.hk>

**Subject:** Representation on Draft San Tin Technopole OZP No. S/STT/1

**Attachment:** 20240502\_HKCF\_TPB representation\_San Tin (FINAL).pdf

Dear sir/ madam

Please find the attached letter from our organization regarding the draft San Tin Technopole OZP.

Faithfully yours,

*Teresa Leung*  
Senior Project Manager  
The Hong Kong Countryside Foundation







To : Town Planning Board  
(by email: [tpbpd@pland.gov.hk](mailto:tpbpd@pland.gov.hk))

2 May 2024

Dear Sir/Madam,

**Representation on Draft San Tin Technopole OZP No. S/STT/1**

Following on from the consideration of this plan at your TPB Meeting held on 23<sup>rd</sup> February 2024 and the minutes thereof we wish to raise the following points and concerns regarding this plan for your consideration:

1. We have grave concerns that the first two fundamental planning principles underlying the implementation of the Northern Metropolis Development Strategy (NMDS) announced in 2021 are not being properly followed or adopted i.e. (1) Urban – Rural Integration with the co-existence of development and conservation, and (2) Proactive Conservation with measures to be adopted to expand environmental capacity, preserve the integrity of strategic green / ecological corridors and to guard against damage to the ecosystem.
2. While CEDD has been funded to proceed full steam ahead with site formation works for Phase 1 on the Lok Ma Chau Loop **we can find no mention of a budget to implement the proposals to establish and sustain the wetland conservation at Sam Po Shue Wetland Conservation Park (SPS WCP) which are said to be the “compensation” for the ecological and fisheries impacts arising from the development of the technopole.**
3. We further question the validity of treating the SPS WCP indicated in the Plan as a “compensation” for damage done to the wetlands in the area. Firstly, the SPS WCP was an integral part of the NMDS 2021 under the “Proactive Conservation” principle. It therefore is intrinsically not “compensatory” in nature. Secondly, the area of the SPS WCP in the Plan is much reduced compared with that announced in NMDS 2021. It is illogical to claim that the remaining area of SPS WCP serves as the “compensation” for that part hived off from the original plan.
4. It is thus apparent that currently development is taking precedence over conservation which could result in a serious imbalance if not rectified.





5. The papers submitted talk about providing about 210 hectares of land with a total floor area of about 5.7 million sq.m in order to promote the development of an Innovation & Technology Park (I&T Park). What these figures fail to mention are that **under the approved Lok Ma Chau Loop OZP S/LMCL/2 gazetted on 9<sup>th</sup> February 2018, 5 sites with a total land area of 38.6 ha with a gross floor area of 1.143 million sq.m are already intended for R&D, Higher Education, and Cultural & Creative industries.**

LegCo Panel Paper No. CB(1) 506/2023(03)

6. We would also make reference to the LegCo Panel Paper No. CB(1) 506/2023(03) of 23rd May 2023 "Land Use Proposal for San Tin Technopole (STT)".
7. The paper confirms that together with the 87 ha of land on the Lok Ma Chau Loop the STT will cover an area of 627 ha comprising a newly designated I&T Park and the San Tin Town Centre (previously the core of STT with I&T lots in the 2021 plan), with a total of 300 ha of I&T land capable of accommodating 7 million sq.m of gross floor area, equivalent to 17 Science Parks and comparable to the 300 ha of the I&T zone in Shenzhen immediately across the river. This means that together some 600 ha of I&T land is going to be made available in basically the same location for the same type of use on both sides of Shenzhen River. **HK is going to face virtually unbeatable competition from the Shenzhen side with the significant disadvantage of our much higher land and rental costs.** We notice that this paper touches on land disposal saying that it may consider methods other than open tendering taking into account the industry specific policy of ITIB, presumably meaning cherry-picked companies getting a private treaty grant on concessionary terms?
8. On 24 March 2024, the Office for Attracting Strategic Enterprises ([www.oases.gov.hk](http://www.oases.gov.hk)) reported that 25 strategic enterprises including 19 from the second batch plus six from the first batch have agreed to sign up. Six are from the US and the remainder from the Mainland. By comparison Shenzhen has reported that they have 86 companies prepared to set up there in 2024. ([www.failory.com/startups/shenzhen](http://www.failory.com/startups/shenzhen)). These figures alone indicate the massive difficulties and challenges that HK will face in trying to fill up all the space it has planned for. It is certainly going to take a very long time.
9. By breaking down this huge project into just two phases viz. the Lok Ma Chau Loop and the newly designated I&T Park, there is a real risk that the



vast site formation works will produce sizeable areas of I&T land that will very likely take innumerable years to be taken up and absorbed by HK's fledgling I&T Park as it tries to compete with the much cheaper accommodation available in close by Shenzhen.

10. In times of economic constraint and deteriorating geopolitical developments and faced with deficit budgets, the HKSARG has a responsibility to act prudently before committing huge sums of money into projects that have yet to be proven. That is why we strongly recommend a precautionary approach both for economic and environmental reasons.

#### The Lok Ma Chau Loop

11. The Hong Kong -Shenzhen Innovation & Technology Park (HSITP) sited in the 87-ha Lok Mau Chau Loop is an integral part of the Hetao Shenzhen-Hong Kong Science and Technology Innovation Cooperation Zone supported by the State Council. Surely this site should be considered as Phase 1 of the STT.
12. 67 buildings in two Batches with a gross floor area of 1.2m sq.m are planned and following Finance Committee's approval in 2021 of \$32.5 billion. Work has started on Batch 1 involving 8 buildings together with relevant infrastructure. Does the Town Planning Board have any information on how these buildings will be occupied, leased or rented out and what the projected take-up rate is?
13. The Finance Committee has taken a prudent approach with the Batch concept. The success or the absence of success of Batch 1 would be a useful guide as to how the market has responded. This is a model which the Town Planning Board certainly should adopt.
14. We would further like to refer HKSAR government to a precedent case of excessive land formation in the city of Tianjin. It created land by reclamation (similar to the proposed filling of fish ponds), expecting to attract industrial and other developments. However out of 27,850 hectares of reclaimed land, 19,202 hectares (69%) were left vacant. It was one of the main incidents leading to the national ban on coastal reclamation in 2018. Hong Kong should avoid going down the same route, spending money on damaging wetland for no economic gain.
15. A further reference/comparison of the hugely ambitious figures mentioned above is the existing HK Science & Technology Park, which has taken some 20 years to develop, covering 22 ha of land with 330,000 sq.m of floor space,



housing 1700 partner companies, employing some 20,000+ people, 13,000 of which are in R&D.

16. The 2023 LC Paper did talk about Proactive Conservation to create Environmental Capacity and acknowledged that 90 ha of fishpond and wetlands will be filled and that it will require compensatory conservation measures relying on the Sam Po Shue WCP to fulfil this function. **The planned completion date for this WCP, tentatively 2039, is totally unacceptable** because by then most of the damage will have been done, much of which is likely to be irreversible. In order to maintain the necessary balance between development and conservation this can only be achieved by carrying out the conservation measures in parallel with, not AFTER development.

#### The Ramsar Convention

17. HKCF is most concerned that in all the text about implementing this hugely ambitious scheme there is no mention of one of the fundamental tenets of adopting a precautionary approach, when dealing with a site that is as environmentally sensitive as this one, being immediately adjacent to Mai Po Nature Reserve (MPNR). It is formally designated as the Mai Po-Inner Deep Bay Ramsar Site, a wetland of international importance under the Ramsar Convention in 1995. The People's Republic of China has been a Party to the Ramsar Convention since 1992.
18. Owing to the natural mobility of birds, mammals, etc., MPNR relies on the extensive wetlands on the Hong Kong side of the Shenzhen River flood plain (Sam Po Shue – Lok Ma Chau – Ho Hok Wai) for their ecological service in terms of food supply, shelter and roosting capacities. Major changes that are being proposed including the removal of hundreds of hectares of Wetland Conservation Area and Wetland Buffer Area will reduce this ecological service to MPNR. The total planned population for both the I&T Park and San Tin Town is given as 165,600 with both its construction and occupation that cause significant disturbances likely to impact the ecological character of MPNR
19. TPB is invited to take careful note of Article 3 of the Ramsar Convention viz. *“Article 3.1 The Contracting Parties shall formulate and implement their planning so as to promote the conservation of the wetlands included in the List, and as far as possible the wise use of wetlands in their territory. Article 3.2 Each Contracting Party shall arrange to be informed at the earliest possible time of the ecological character of any wetland in its territory and included in the List has changed, is changing or likely to change as a result of technological developments, pollution or other human interference (such as the new population intake described above).*



***Information on such changes shall be passed without delay to the organization or government responsible for the continuing bureau duties specified in Article 8.'***

20. HKCF is of the opinion that under the above provisions of the Ramsar Convention, any move to reduce the ecological service provided by the wetlands in San Tin, Lok Ma Chau and Ho Hok Wai to MPNR together with the increased disturbances, have to be reported to the Convention authority through the Central People's Government. It is evident that this is not a move that could be taken unilaterally by the HKSAR government without consultation with the CPG. In order to avoid any embarrassment to the CPG by causing it to violate the Ramsar Convention, it would be prudent to delay any formal gazetting of this OZP until such time as the consultation exercise has been completed?
21. TPB is invited to note further that the planned damage to the wetlands has attracted the attention of the China Biodiversity Conservation and Green Development Foundation which is a Chinese state-backed environmental organization. It has stated in a very recent Weibo post that the development plan in Hong Kong is "clearly contrary to the requirements of "strengthening wetland protection and restoration" and "carrying out cross-border joint protection of coastal wetlands" in the "Guangdong-Hong Kong-Macao Greater Bay Area Development Plan" (ref.1). It has asked the CPG Natural Resource Ministry to look into the matter.

#### Recommendations

22. In view of this great international sensitivity, it is essential to adopt a ***precautionary approach*** when planning development. We strongly recommend that this huge development should be broken down into **smaller, more manageable, sized phases** which would have the double benefit of (a) being able to properly assess the cumulative environmental impacts, stage by stage, and to make adjustments based on the experience gained and (b) to make an accurate assessment of the actual take-up rate of land and floor space for I&T purposes and adjust the future planned provision accordingly.
23. In order to achieve a proper balance between development and conservation as promulgated in NMDS 2021, our recommendations are that:



- (a) The provision of land for I&T land should proceed in phases;
- (b) The I&T land on the Lok Ma Chau Loop that is already under way should constitute Phase 1;
- (c) Phase 1 must include the **simultaneous execution of the works needed to establish SPS WCP** in order to help compensate for the damage that this project is going to cause.
- (d) Only after these two elements of Phase 1 have been completed, I&T land successfully marketed and environmentally assessed should subsequent phases be allowed to start.
- (e) Formal consultation between the HKSARG and the CPG must be undertaken prior to the gazetting of this OZP, to ensure compliance with Article 3.2 of the Ramsar Convention.

24. We reiterate that it is premature to adopt the Draft San Tin Technopole OZP No. S/STTC in the absence of proven demand of I&T land beyond that provided by the Lok Ma Chau Loop and prior to consultation with CPG in the context of the Ramsar Convention. Doing so would run the serious double risks of damaging invaluable wetland and NOT finding tenants to take up the land so created. The Town Planning Board would also risk causing a violation of Article 3 of the Ramsar Convention by the People's Republic of China, by not alerting CPG so that it may give due notice to the Convention Authority.

By order of the Board

NISSIM, Roger Anthony [REDACTED]  
Vice-chairman  
The Hong Kong Countryside Foundation

[REDACTED]

[REDACTED]

Urgent   Return receipt   Expand Group   Restricted   Prevent Copy

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**From:** Roy Ng [REDACTED]  
**Sent:** 2024-05-07 星期二 13:00:00  
**To:** tpbpd/PLAND <tpbpd@pland.gov.hk>  
**Subject:** Representation relating to the San Tin Technopole Outline Zoning Plan (OZP) (No. S/STT/1)  
**Attachment:** TPB20240507(STT).pdf

**Submission Number:**  
TPB/R/S/STT/1-S764

Dear Sir/Madam,

**Representation Number:**  
TPB/R/S/STT/1-R105

Please refer to the attachment for the captioned.

To comply with the requirement of TPB, here are the full name and first four alphanumeric characters of HKID card number.

Full name: NG HEI MAN  
First four alphanumeric characters of HKIA card number: [REDACTED]

Yours faithfully,

Ng Hei Man (Mr.)

Campaign Manager

The Conservancy Association



Registered Name 註冊名稱 : The Conservancy Association 長春社

(Incorporated in Hong Kong with limited liability by guarantee 於香港註冊成立的擔保有限公司)

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7<sup>th</sup> May 2024

Town Planning Board  
15/F North Point Government Offices  
333 Java Road  
North Point  
Hong Kong

By e-mail: tpbpd@pland.gov.hk

Dear Sir/Madam,

Representation relating to the San Tin Technopole Outline Zoning Plan (OZP) (No. S/STT/1)

The Conservancy Association (CA) DOES NOT SUPPORT the captioned OZP and here are some of our concerns.

### **1. How to conform Outline Development Plan for the Guangdong-Hong Kong-Macao Greater Bay Area**

Taking Forward Ecological Conservation (推進生態文明建設) is one of the chapters in Outline Development Plan for the Guangdong-Hong Kong-Macao Greater Bay Area<sup>1</sup>. From the section Ecological Protection Barriers (打造生態防護屏障), one of the points is *“To strengthen the protection and restoration of wetlands, comprehensively protect key wetlands of international and national importance in the region, and join hands to introduce measures to protect cross-boundary coastal wetlands”*. There is already consensus between Hong Kong and the Mainland on wetland conservation.

Wetlands currently proposed to be filled are adjacent to Mai Po Ramsar Site and ecologically linked to fish ponds in Nam Sang Wai and Hoo Hok Wai, serving a stop-over point for migratory bird in East Asia-Australasian Flyway. These wetlands are also within Important Bird and Biodiversity Area (IBA) according to BirdLife International. Viewing that these wetlands is recognized as internationally important in Greater Bay

<sup>1</sup> Outline Development Plan for the Guangdong-Hong Kong-Macao Greater Bay Area  
[https://www.bayarea.gov.hk/filemanager/en/share/pdf/Outline\\_Development\\_Plan.pdf](https://www.bayarea.gov.hk/filemanager/en/share/pdf/Outline_Development_Plan.pdf)





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Area, the plan to build San Tin Technopole in expense of large area of wetlands goes beyond the suggestion under Outline Development Plan for Guangdong-Hong Kong-Macao Greater Bay Area.

### 2. How to conform “no-net-loss in wetland” and precautionary principle

Study on the Ecological Value of Fish Ponds in the Deep Bay Area completed in 1997 has confirmed the unique international and regional importance of the fish pond system in the Deep Bay Area. Principles such as “precautionary approach” and “no-net-loss in wetland” principle have long been upheld in various OZPs in Deep Bay Area. However, we cannot see how these 2 guiding principles have been incorporated in Sam Tin Technopole OZP.

Under San Tin Technopole plan, about 90 hectares of fish ponds would be filled, making it the largest pond filling project since the Tin Shui Wai development in 1987. 247 hectares of land, including 150 and 97 hectares of Wetland Conservation Area (WCA) and Wetland Buffer Area (WBA) respectively, would also be affected. Current EIA report is incomplete, unreliable and unscientific to prove that ecological function of wetlands and fish ponds can be fully compensated. While the adverse environmental impacts are still uncertain, precautionary principle should be applied by treating the issue more cautiously.

Besides, even the Notes repeatedly claims that current San Tin Technopole would ensure “no-net-loss in ecological function and carrying capacity”, there is no elaboration on how “no-net-loss in ecological function and carrying capacity” be derived from, and how this is in line with “no-net-loss in wetland” principle. Since “no-net-loss in wetland” principle is concluded under the previous scientific research, it should be maintained in San Tin Technopole OZP.

### 3. Missing conservation elements in the proposed OU (Innovation and Technology) (OU(I&T)) zone

We have to reiterate that the proposed OU(I&T) zone is proposed on internationally important wetland in the Greater Bay Area. Direct filling of fish pond and wetland would threaten the integrity of Deep Bay wetland system. Although some details have been proposed in Notes and Explanatory Statement of the OU(I&T) zone, currently we still worry that innovation and technology use would be commenced at the expense of



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environment.

### Planning Intention

The planning intention of the OU(I&T) zone “*is intended primarily to provide development space for accommodating a variety of innovation and technology uses, including research and development, production activities, data centre, staff accommodation/talent apartment, supporting commercial/retail facilities and other complementary infrastructure*”. Clearly the above planning intention is about development. No conservation elements have been mentioned in this zone.

### Column 1 use

In the proposed OU(I&T) zone, quite a lot of uses have been put under Column 1. It seems inevitable that large scale of site formation and other works would be on existing ecologically-sensitive fish pond and wetland directly. However, from current arrangement, no further planning applications are required to further assess potential environmental impacts caused by Column 1 uses.

### Remarks

Some other OU zones in Deep Bay such as OU(CDWRA) and OU(CDWEA) zone would specify layout plan and some other documents for consideration of TPB, including environmental impact study report, landscape proposals, drainage and sewerage impact study report, etc.. However, these are not included in Remarks. We would foresee that project proponent of both government and private works would not need to submit the above for public inspection and TPB discussion in future.

## **4. Failure to secure flight corridor for avifauna species**

### 300m wide flight corridor

We remain questionable how the flight path corridor in Lok Ma Chau/Ha Wan Tsuen area would be properly preserved, viewing the current urban design and mitigation measures:

- i. An AFCD Fisheries Centre is proposed at an OU(I&T) zone within the 300m wide flight corridor, with height restriction to preserve bird flight path (Figure 1). However, we are very concerned that it is still claimed OU(I&T) zone but not a separate or tailored-made zone for specific use. Some other uses within Column 1



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would still be legitimate in this zone.

- ii. For the NBAs within the 300m wide flight corridor, even “*no above ground structure is allowed...*” (Section 11.10 of Explanatory Statement), we worry how human activities within the proposed NBAs can be regulated or controlled to minimize disturbance on bird flight.
- iii. In the EIA report, flight path A indicates that 73.1% of bird would fly from north of Ha Wan Tsuen towards the proposed riverside promenade in LMC Loop at 11-20m. While the proposed OU(I&T) zone is not only overlapping this flight path, the proposed building restriction is to be proposed at +35 mPD (Figure 2). We cannot see how the proposed 300m wide flight corridor, building design and height have taken this flight path into consideration.
- iv. Two ponds at northwest of Lok Ma Chau Village (Figure 3) have supported “*a foraging flock of up to 15 Black-faced Spoonbills*” and “*second most important to waterbirds in this area*”, according to The Development of LMC Loop EIA report. Flight paths (i.e. Flight Path E) can also be observed in current ecological survey. However, no additional measures have been proposed but simply filled up for I&T use.
- v. Referring to the height restriction proposed in these two I&T zones (+35 mPD and +130 mPD), it is doubtful how such abrupt change in building height can be regarded as stepping height measure and promote flight movement (Figure 4).
- vi. Even there are height restriction in the proposed 300m-flight corridor, it happens to be incompatible with the Ecological Area (EA) in LMC Loop (east of the Project area) where an approximately 100m-wide, barrier-free zone was formed. We still worry that birds the original flight line corridor from the EA to the west of pond in LMC and San Tin would be disconnected by putting building structures there (Figure 5).

In general, the so-called provision of a 300m wide flight corridor is mainly occupied by building structures with limited restriction. We highly worry that this critical point acting as an entry for migratory birds to ponds in HHW would be loss and such serious habitat



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fragmentation can be irreversible.

### Flight paths in pond habitat to be filled up for I&T use

Flight paths across pond habitat to be filled up for I&T use (i.e. Area 19B and 19C) are not available in EIA report. Such information serves as a starting point for public to evaluate the proportion of bird flight impacted by the large scale of pond filling activities and whether the proposed mitigation measures are effective.

Any development control measures in Deep Bay Area can be supported by scientific research and assessment. For example, Study on the Ecological value of Fish Ponds in the Deep Bay Area suggested that a 500m wide Wetland Buffer Area (WBA) along the boundary of the Wetland Conservation Area to protect the ecological integrity of the WCA. The Development of LMC Loop EIA report suggested a EA with approximately 100m wide and another 50m wide buffer zone right next to the EA. Viewing that all the above attempts to use scientific data to support their proposals, we would like to see how measures such as 35m-wide NBA in the form of an “eco-interface”, stepping height of the building structures, etc., are formulated by referring to relevant assessment, such as flight path (as mentioned above).

### **5. Failure to secure Mai Po Lung Village (MPLV) Egrettry**

According to Explanatory Statement, MPLV Egrettry and birds' flight paths are protected by “Open Space” (O) zone. However, we are very doubtful of its effectiveness to protect the egrettry. Other non-recreation activities related to O zone, such as regular maintenance work, installation of street light, provision of public toilet, etc., would also pose disturbance to the egrettry. After all, according to Definition of Term (DoT) in Town Planning Board website, O “Means any land with the minimum of building structure which has been reserved for either passive or active recreation and provides major or minor recreational facilities, which may be of local or district significance, which is for the use and enjoyment of the general public”. When the zoning itself is public/recreation-oriented, what we can foresee is unnecessary conflict between human and bird would be resulted. Together with the huge loss of foraging ground (i.e. pond habitat) in San Tin, there is higher chance that egret and herons might abandon MPLV egrettry.

We also worry that O zone is not conservation-oriented in nature without much restriction clauses, and therefore serve less deterrent effect in enforcement action. We



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especially worry that before the commencement of San Tin Technopole, pond filling and some other unauthorized activities might be occurred in pond areas. However, under such arrangement, no enforcement action and reinstatement works could be initiated by Planning Department. Ponds protected for bird flight path in this O zone would still be subject to disturbance.

When we refer to Tin Shui Wai OZP (No. S/TSW/17), designating O zone with restrictions is not uncommon. 2 sites at the west of Tin Ying Road are zoned O(1) zone (Figure 6), with the planning intention “*for passive recreational uses with existing ponds preserved as landscape features*”. No filling of ponds is clearly stated in Remarks. And according to Explanatory Statement, “*There are some existing ponds on site which should be preserved as landscape features and incorporated into the open space design in order to minimize the adverse impact on the wetland habitat of the existing ponds*”. From the above, we believe that conservation elements can also be incorporated into O zone to strengthen its aim to preserve ponds.

### 6. Failure to protect Eurasian Otter

A study published in 2022<sup>2</sup> revealed that a small population of Eurasian Otter, with 7 individuals identified, exists in northwest New Territories in Hong Kong. One of the individuals have been recorded in wetland habitats in San Tin, Mai Po and HHW (Figure 7). The study mentioned that “*Critically, this will require a minimum no net loss of the Mai Po wetlands habitat and should seek to increase habitat extent, quality, and connectivity where possible to ensure the persistence of Hong Kong's otter population*”. The proposed large-scale pond filling in the Project area, however, is completely not in line with what the scientific research suggested.

It is claimed that the movement of Eurasian Otter has been considered in the proposed wildlife corridor. However, the western point of the corridor ends in an OU “Amenity area” (OU(A)) zone. As STEMDC would be revitalized according to the Project, we assume that human activities would be introduced in this OU(A) zone (Figure 8). This could be a main source of disturbance to Eurasian Otter, but clearly this is not taken into

<sup>2</sup> McMillan, Sharne & Wong, Anson & Tang, Sally & Yau, Eugene & Gomersall, Thomas & Wong, Portia & Vu, Andy & Sin, Simon & Hau, Billy & Bonebrake, Timothy. (2022). Spraints demonstrate small population size and reliance on fishponds for Eurasian otter (*Lutra lutra*) in Hong Kong. Conservation Science and Practice. 5(1). <https://doi.org/10.1111/csp2.12851>



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consideration in current OZP.

### 7. No proper measures to protect agricultural land

A permanent loss of 10.36 ha dry agricultural land would be resulted, with most of them within southern portion of San Tin Technopole such as Shek Wu Wai. From the Preliminary Outline Development Plan of San Tin / LMC Development Node development project, an approximate 7 ha of land was zoned “Agriculture” (AGR) in Shek Wu Wai (Figure 9). This AGR zone, according to the latest Revised Outline Development Plan, has been replaced by non-agriculture related zone. Section 10.11.7.1 of the EIA report clearly mentions that “*Habitat compensation is not considered necessary for the loss of agricultural land*”.

We have once suggested whether the example of Long Valley Nature Park can be considered by incorporating agriculture, open space, ecological conservation together in southern portion of San Tin Technopole. Here we reiterate that this can be explored to conserve more agricultural land. Besides, specific agricultural rehabilitation scheme can be introduced in the way to recreate habitats for wildlife. To achieve this, soil-based cultivation should be further promoted in existing agricultural land.

### 8. Inadequate effort in urban-rural integration

The 1313<sup>th</sup> TPB meeting has come across how a better urban-rural integration can be achieved. We wish to point out that the word “rural” is still confined to indigenous villages but not non-indigenous villages.

For example, Ha Wan Village, located in the west of Lok Ma Chau Loop, would be subject to demolition to give way for I&T use and other ancillary infrastructure (Figure 10). Some media reports<sup>3</sup> revealed that various activities, such as conducting ritual, “fa pao” (搶花炮), etc., were organized during “*tou tei*” festival (土地誕) in Ha Wan Village to pray for blessings such as health, safety and a future without hurdles. Due to the implementation of San Tin Technopole in end 2024, this year would probably be the last one of “*tou tei*” festival in Ha Wan Village. From this case, the current plan had not given due consideration to the heritage value of the site and conservation of

<sup>3</sup> 明周文化 (29/2/2024), 【下灣村土地誕搶花炮或成絕響】新田科技城擬第四季動工 落馬洲下灣村半世紀第四次面臨滅村危機 村民盼留村、傳承搶花炮 - <https://mpweekly.hk/Hyh4v>



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intangible cultural heritage.

We note that even a “NBA” is designated in part of Ha Wan Village, according to the Landscape Master Plan attached in the EIA report, the entire village would be replaced by landscaping design and paved road (Figure 11). We see no attempts from the Plan in integrating development and existing rural elements together.

Based on the above, we would suggest TPB to consider the following:

- Adopt the planning intention “*to conserve the ecological value of the fish ponds which form an integral part of the wetland ecosystem in the Deep Bay, in light of the findings and recommendations of the Fish Pond Study*” in the San Tin Technopole OZP.
- Adopt “precautionary approach” and “no-net-loss in wetland” principle in the San Tin Technopole OZP.
- Rezone all wetland and fishpond to conservation-oriented zoning such as “Conservation Area” zone.
- Revise the planning intention of OU(I&T) zone to reflect the importance to protect wetland in San Tin.
- Revise the Remarks of OU(I&T) zone by requesting submission of various technical assessment document prior to any planning applications, particularly I&T related uses.
- Rezone the AFCD Fisheries Centre from OU(I&T) zone to conservation-oriented zoning, with revision of the Notes to include planning permission requirement for filling of land/pond, excavation of land, stream diversion, etc.
- Rezone the MPLV egretty from O zone to conservation-oriented zoning.
- Revise the planning intention of O zone to reflect the importance to protect MPLV egretty and its bird flight path



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- Revise the Remarks of O zone to prohibit filling of pond along bird flight path of MPLV egret
- Revise the OU(A) zone to reflect the need to preserve corridor for Eurasian Otter
- Protect agricultural land by, for example, referring to OU(Nature Park) zone which incorporates multi-elements of agriculture
- Rezone Ha Wan Village to conservation-oriented zoning such as “Conservation Area” zone (i.e. same as the arrangement in the previous San Tin OZP (S/YL-ST/8))
- Extend the “NBA” at the North of Area 18 to preserve Ha Wan Village and its associated intangible cultural heritage

Yours faithfully,

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**Figure 1** An AFCD Fisheries Centre is proposed as an OU(I&T) zone (marked in red) within the 300m wide flight corridor, with height restriction to preserve bird flight path. However, we are very concerned that it is still claimed OU(I&T) zone but not a separate or tailored-made zone for specific use. Some other uses within Column 1 would still be legitimate in this zone.





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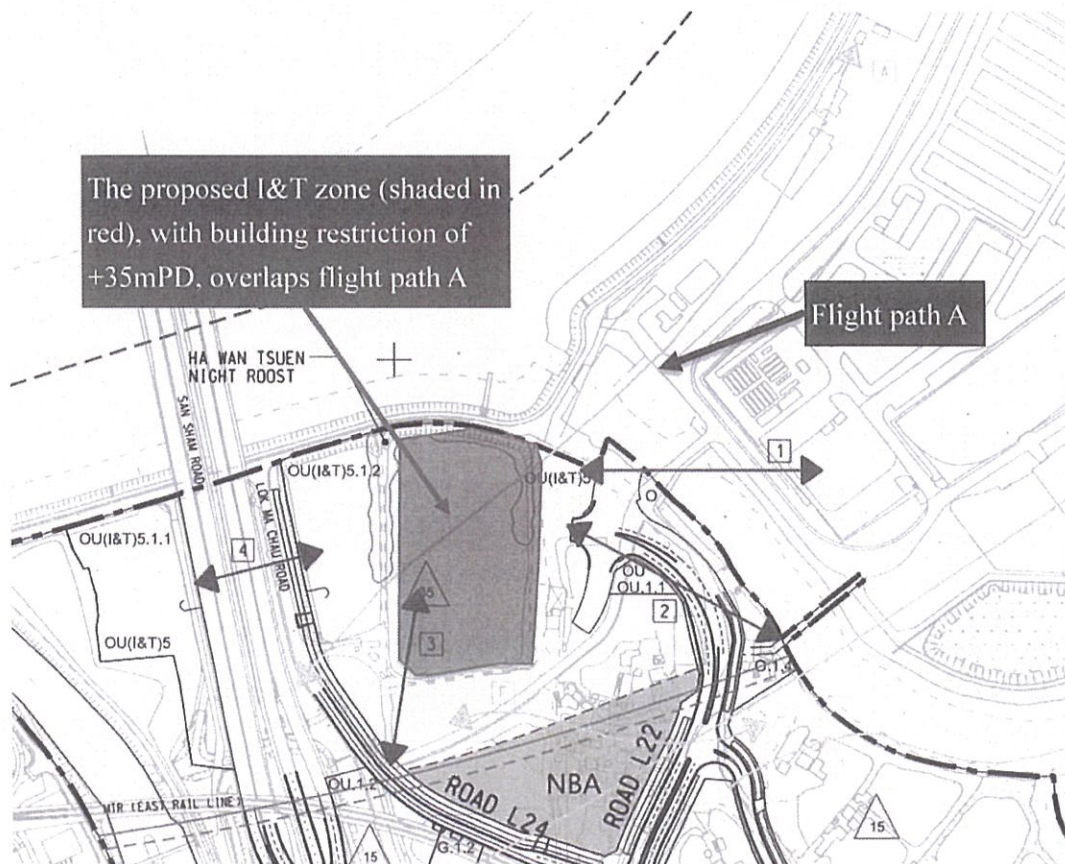
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Figure 2 Flight path A indicates that 73.1% of bird would fly from north of Ha Wan Tsuen towards the proposed riverside promenade in LMC Loop at 11-20m. While the proposed I&T zone is not only overlapping this flight path, the proposed building restriction is to be proposed at +35 mPD. While the proposed 300 wide flight corridor has not considered this flight path, it is not clear how building design and height have taken this flight path into consideration. (Extracted from Figure 10.6C of the EIA report)





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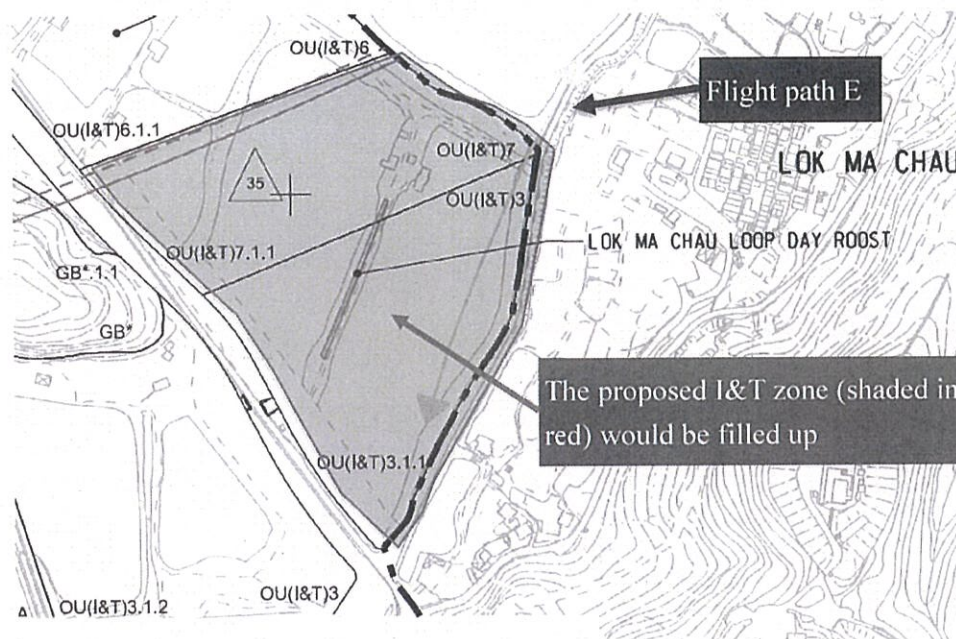
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**Figure 3** Two ponds at northwest of Lok Ma Chau Village have supported “a foraging flock of up to 15 Black-faced Spoonbills” and “second most important to waterbirds in this area”, according to The Development of LMC Loop EIA report. Flight path E can also be observed in current ecological survey. However, no additional measures have been proposed but simply filled up for I&T use. (Extracted from Figure 10.6C of the EIA report)





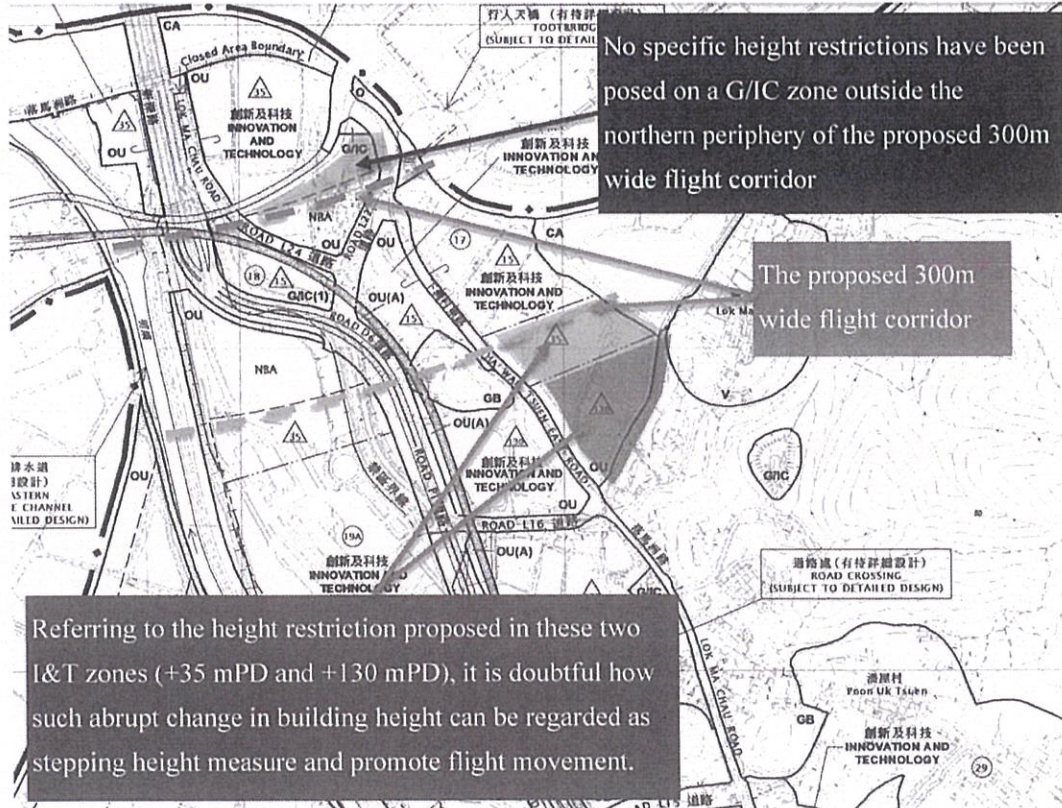
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**Figure 4 Building height restriction around LMC BCP (Extracted from Appendix A – Draft San Tin Technopole OZP No. S/STT/C, Town Planning Board Paper No. 10954)**





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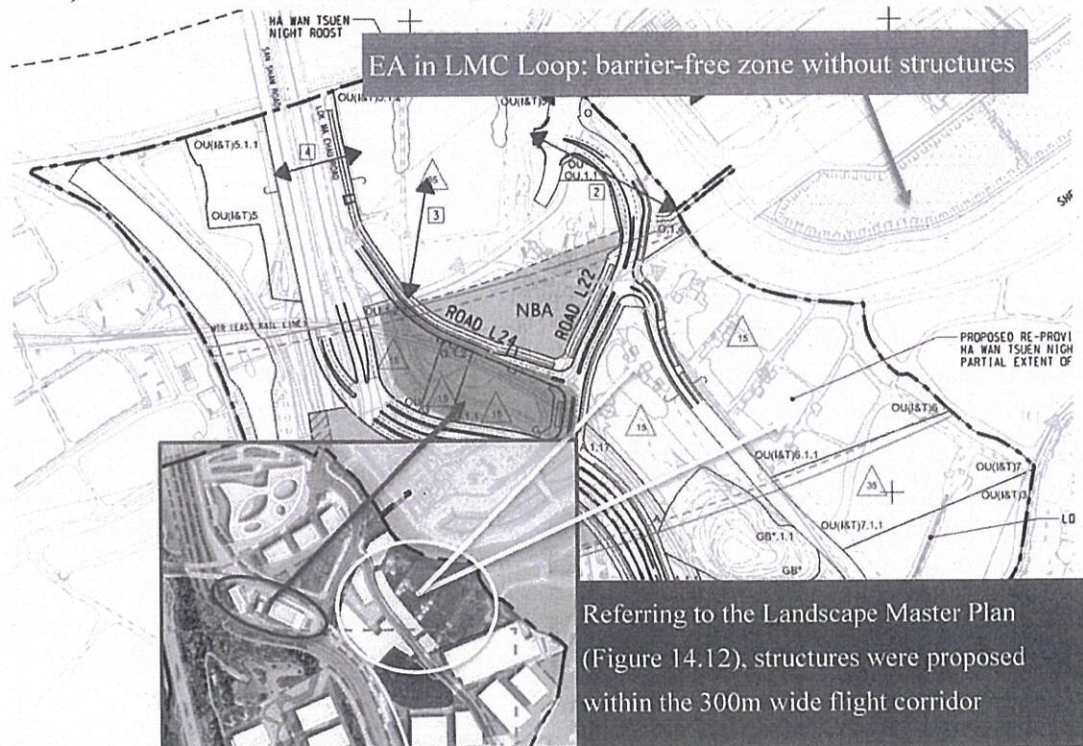
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**Figure 5** Even there are height restriction in the proposed 300m-flight corridor, such as the proposed AFCD Fisheries Centre (marked in yellow) and the G/IC(1) zone (marked in purple), it happens to be incompatible with the Ecological Area (EA) in LMC Loop (east of the Project area) where an approximately 100m-wide, barrier-free zone was formed. (Extracted from Figure 10.6C of the EIA report)





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Figure 6 According to Tin Shui Wai OZP (No. S/TSW/17), 2 sites at the west of Tin Ying Road are zoned O(1) zone, with the planning intention “for passive recreational uses with existing ponds preserved as landscape features”. No filling of ponds is clearly stated in Remarks. And according to Explanatory Statement, “There are some existing ponds on site which should be preserved as landscape features and incorporated into the open space design in order to minimize the adverse impact on the wetland habitat of the existing ponds”





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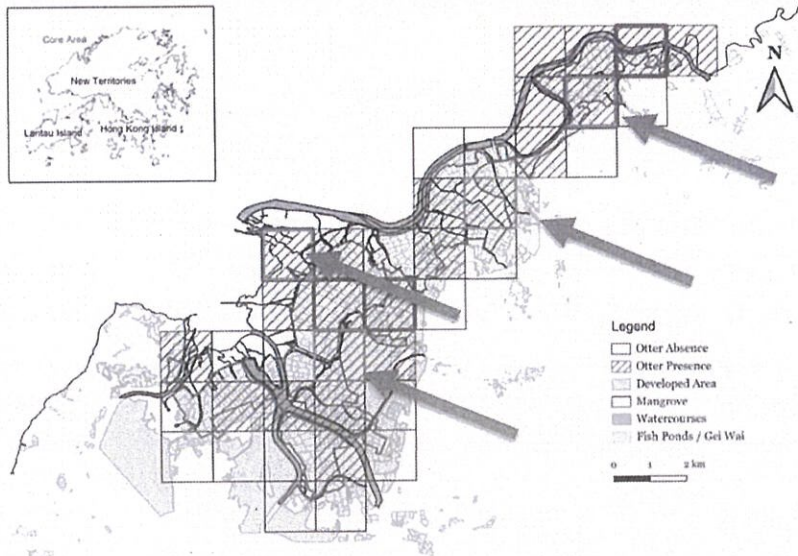
Add.: Jockey Club - The Conservancy Association Urban Forestry Green Hub, 26 Yen Chow Street West, Sham Shui Po, Kowloon

網址 Website: www.cahk.org.hk

電話 Tel.: (852) 2728 6781 傳真 Fax.: (852) 2728 5538

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**Figure 7 Core area of the otter population in Hong Kong showing broad locations. One of the individuals (orange arrow) have been recorded in wetland habitats in San Tin, Mai Po and Hoo Hok Wai**





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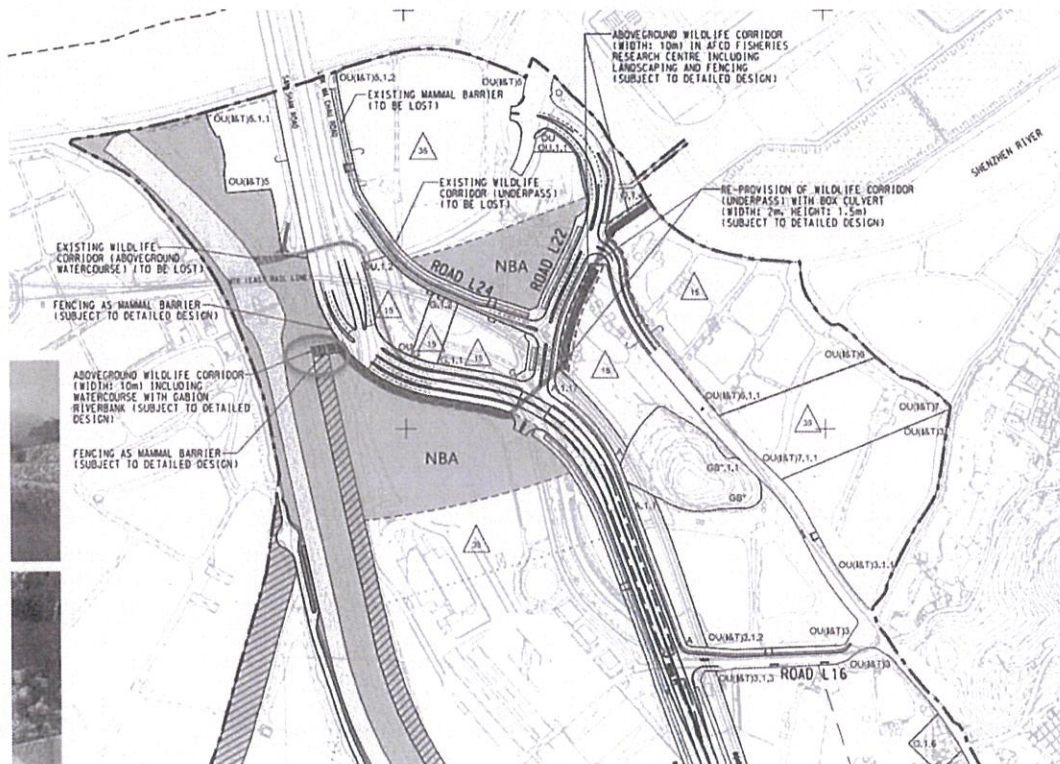
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**Figure 8** It is claimed that the movement of Eurasian Otter has been considered in the proposed wildlife corridor. However, the western point of the corridor ends in an OU(A) zone (circled in red). As STEMDC would be revitalized according to the Project, we assume that human activities would be introduced in this OU(A) zone







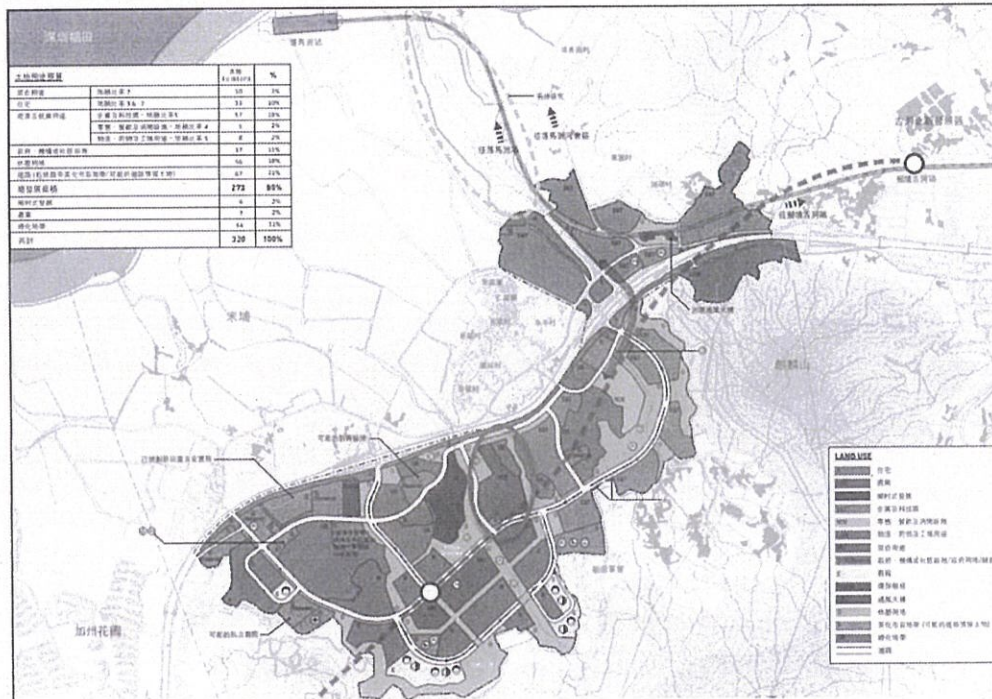
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Figure 9 From the Preliminary Outline Development Plan of San Tin / LMC Development Node development project, an approximate 7 ha of land was zoned AGR (circled in red) in Shek Wu Wai. This AGR zone, according to the latest Revised Outline Development Plan, has been replaced by non-agriculture related zone





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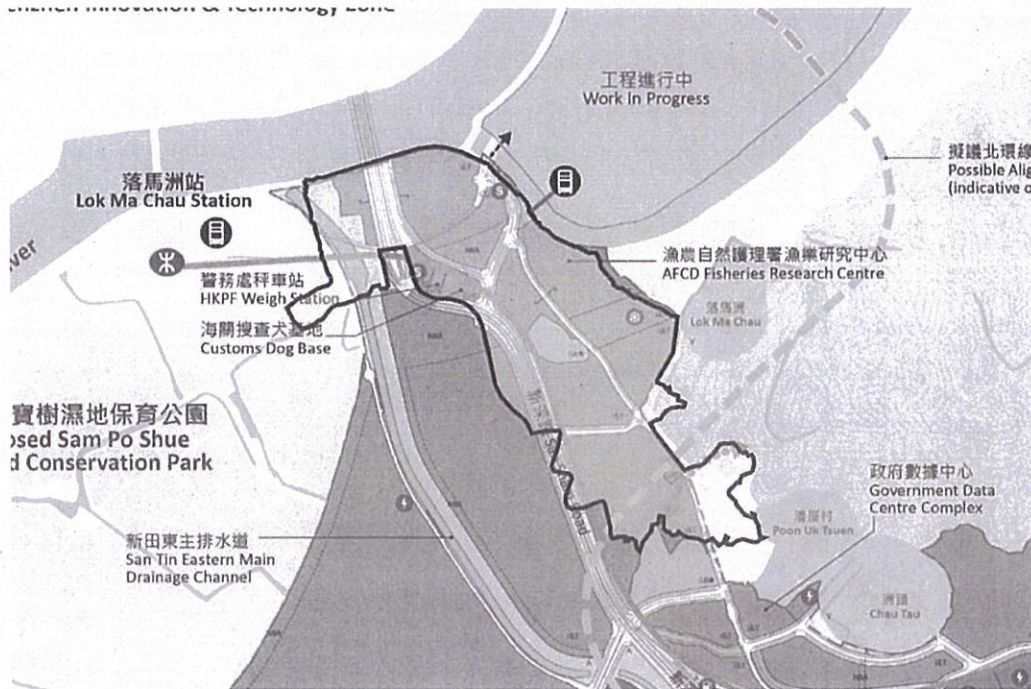
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Figure 10 Ha Wan Village (marked in black), located in the west of Lok Ma Chau Loop, would be subject to demolition to give way for I&T use and other ancillary infrastructure (Source: Inmedia<sup>4</sup>)



<sup>4</sup> 香港獨立媒體 (13/3/2024) - 被納新田科技城範圍 落馬洲下灣村土地誕或成歷史 發展局: 無可避免

<https://bit.ly/4ceUnaE>



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**Figure 11** Even a “NBA” is designated in part of Ha Wan Village, according to the Landscape Master Plan attached in the EIA report, the entire village would be replaced by landscaping design and paved road



Urgent Return receipt Expand Group Restricted Prevent Copy

Submission Number:  
TPB/R/S/STT/1-S899

From: 陆先生 [REDACTED]  
Sent: 2024-05-07 星期二 23:48:21  
To: tpbpd/PLAND <tpbpd@pland.gov.hk>  
Subject: 關於反對香港新田科技城占用濕地保育區、為未來北都區保留綠意的建議書  
Attachment: 關於反對香港新田科技城占用濕地保育區、為未來北都區保留綠意的建議書（寄出版）.pdf

Representation Number:  
TPB/R/S/STT/1-R106

敬啟者

致香港城市規劃委員會：

我們是廣州珠灣人和生態環境研究中心，是一家自 2019 年成立的關注濱海濕地生態保育的環保公益機構，註冊在廣州市南沙區（粵港澳自由貿易區）的主管部門。

此次來函源於我們近日發現，貴會正在公示新田科技城圖則（S/STT/1）及其註釋和說明書，以征求公眾意見。我中心現就上述圖則及其註釋和說明書（以下簡稱《圖則》）提出相應意見和建議。

《粵港澳大灣區規劃發展綱要》（2019）中提及關於濕地保護：「加強粵港澳生態環境保護合作，加強濕地保護修復，全面保護區域內國際和國家重要濕地，開展濱海濕地跨境聯合保護。」米埔沼澤及後海灣內灣是國際重要濕地。另外《中華人民共和國濕地保護法》（2022 年實施，雖然不直接適用於香港）中明確指出：「建設項目選址、選綫應當避讓濕地。」

我們謹此提請香港政府重新審視新田科技城項目，評估發展規模、生態影響，論證佔用濕地保育區的必要性，盡可能調整該項目發展規劃，減少濕地占用面積，以拯救本港及大灣區的濕地環境，與國家環境發展戰略協調。具體內容詳見附件。

廣州珠灣人和生態環境研究中心

2024 年 5 月 7 日

聯繫人：

吳秉賓（電話：[REDACTED]

港澳通行證首四位號碼：[REDACTED]

Date: 7 May 2024  
Guangzhou

## 關於反對香港新田科技城占用濕地保育區、為未來北都區保留綠意的建議書

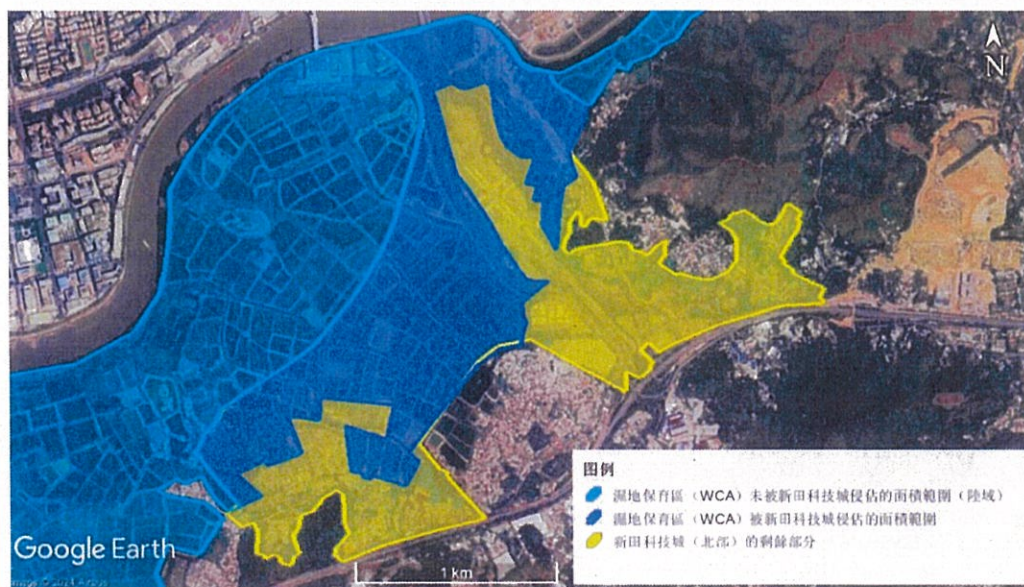
敬啟者  
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我們謹此提請香港政府重新審視新田科技城項目，評估發展規模、生態影響，論證佔用濕地保育區的必要性，盡可能調整該項目發展規劃，減少濕地占用面積，以拯救本港及大灣區的濕地環境，與國家環境發展戰略協調。



新田科技城項目與濕地保育區位置關係（局部）

圖源：根據《圖則》、《城市規劃委員會規劃指引擬在後海灣地區內進行發展而按照城市規劃條例第 16 條提出的規劃申請》製作（底圖：Google Earth）

提議的詳述依據如下：

**問題一：新田科技城與濕地保育區重疊 150 公頃，恐與城規會相關規定不符**

根據《圖則》，新田科技城佔用濕地保育區 150 公頃，大約是整個濕地保育區（陸域）的 8.6%。根據城規會《城市規劃委員會規劃指引擬在後海灣地區內進行發展而按照城市規劃條例第 16 條提出的規劃申請》（以下稱：《規劃指引編號 12 C（二零一四年五月修訂本）》），後海灣地區有關「濕地保育區」和「濕地緩衝區」的界限和用途已有詳細規定（包括地圖）：

根據《規劃指引編號 12 C（二零一四年五月修訂本）》：除了為保存這個地區的生態價值而必須進行的發展，或者絕對基於公眾利益而必須進行的基礎設施項目外，濕地保育區內將不准進行新發展”。在濕地保育區內進行的發展項目，必須與下列其中一種用途有關：保育、環境教育，或必須進行的基礎設施計劃（鐵路、緊急車輛通道和行人徑、道路、渠務和防洪計劃，以及公用設施計劃等）。顯然，新田科技城的建設除了部份公路外並不屬於任何一種。

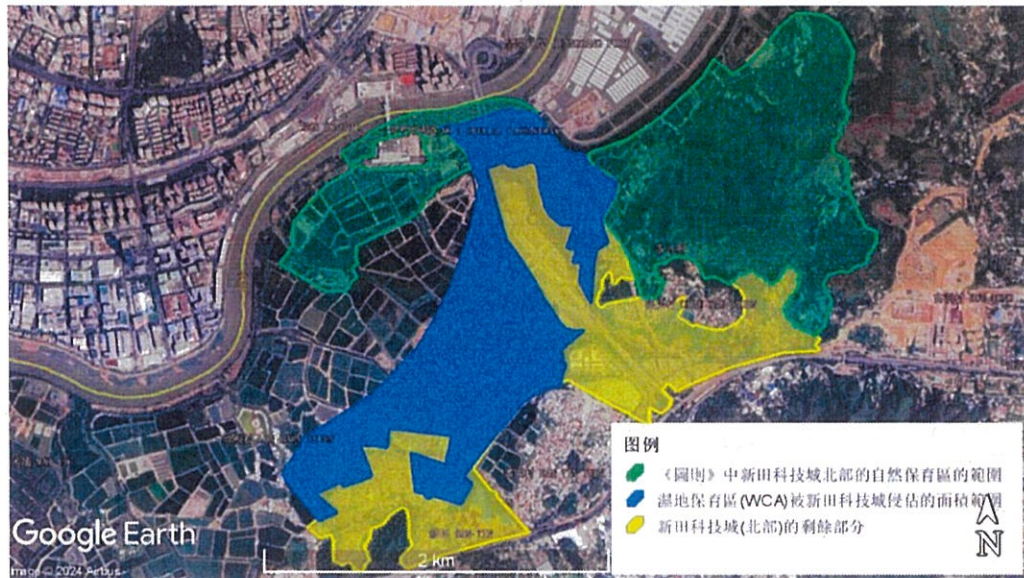
綜上所述，我們認為《圖則》中新田科技城項目用地涵蓋了相關文件中「不准使用的區域」。



後海灣濕地保育及緩衝區界線圖

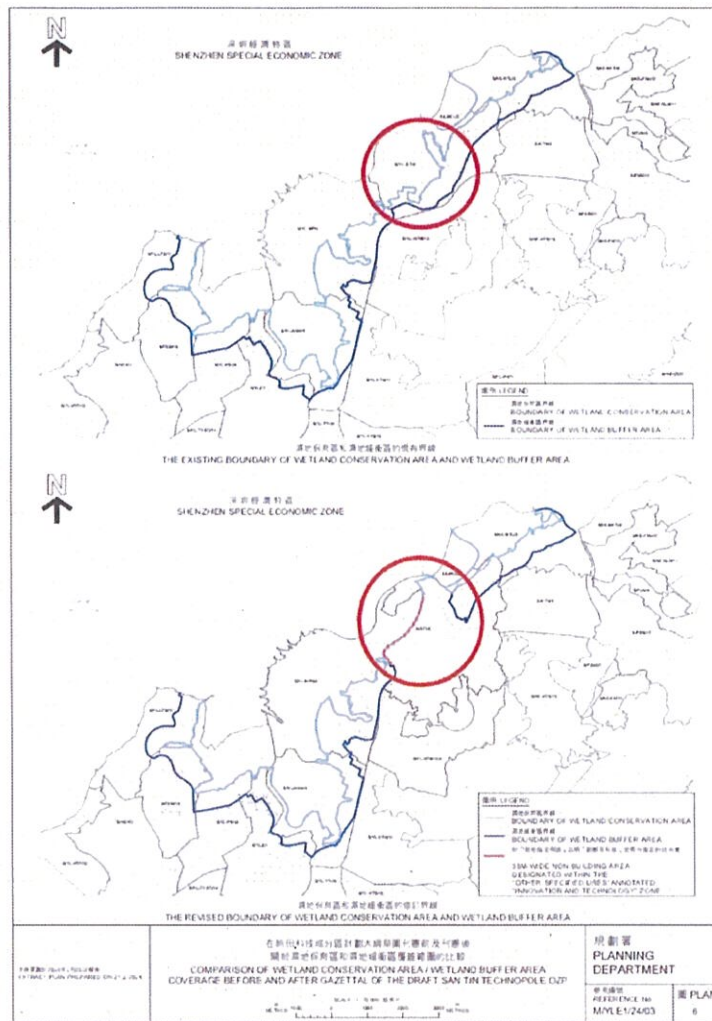
圖源：《城市規劃委員會規劃指引擬在後海灣地區內進行發展而按照城市規劃條例第 16 條提出的規劃申請》

根據《規劃指引編號 12 C（二零一四年五月修訂本）》，後海灣地區的基本土地用途規劃概念，應該是避免魚塘數目減少、防止生境變得零碎分散，以及紓緩不適當土地用途和人為干擾帶來的負面影響。當局採用雙管齊下的方式以管制土地用途規劃，這個方式包括把所有現有並仍用作養殖 / 已荒廢的相連魚塘指定為「濕地保育區」，以及指定「濕地緩衝區」以保護濕地保育區的生態完整。這個緩衝區通常涵蓋沿濕地保育區朝陸地方向約 500 米闊的狹長土地。



《圖則》文件內展示的「自然保育區」與新田科技城（北部）剩餘部分、WCA 位置關係  
圖源：據《圖則》和《城市規劃委員會規劃指引擬在後海灣地區內進行發展而按照城市規劃條例第 16 條提出的規劃申請》文件繪製

《圖則》文件內展示的「自然保育區」（新田科技城分區計劃大綱圖中的 30 和 32 區域）不涵蓋規劃範圍內適用的《規劃指引編號 12C（二零一四年五月修訂本）》中的「濕地保育區」，這可能與之衝突。我們也注意到，2 月 23 日，城市規劃委員會擬討論濕地保育區因新田科技城調整範圍，規避其被科技城占用。我們反對此番為擴建而修改濕地範圍的「搬龍門」式做法。此行為將會永久性地改變一些濕地生態特徵，破壞生態平衡。特區政府應具有全域思維，綜合考慮粵港澳大灣區環境保護發展現狀，減少涉及佔用濕地保育區的規劃；應當轉變搬龍門式調整濕地保育區範圍以維護項目合法性的工作思路，實現濕地資源嚴格保護，科學評估項目開發適宜性，融入國家生態發展戰略格局。

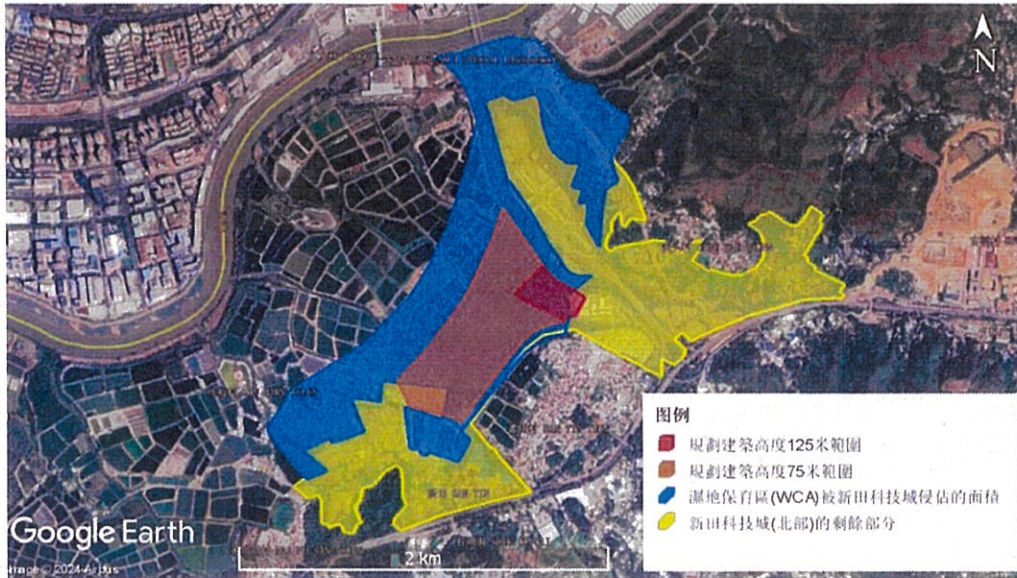


在新田科技城分區計劃大綱草圖刊憲前及刊憲後關於濕地保育區和濕地緩衝區 覆蓋範圍的比較（紅圈為涉及新田科技城的調整部分）

圖源：城規會會議文件《新田科技城分區計劃大綱草圖編號 S/STT/C》

**問題二：項目佔用濕地保育區後切割了濕地保育區東西兩側，影響生態連續性**  
 新田科技城項目的建設明顯切割了濕地保育區東西兩側，會影響區內生態系統的完整性。導致種群基因交換減少，生物多樣性也會隨之降低。  
 例如在《圖則》文件中，19B 區域內規劃建設 75 米至 125 米超高建築，不僅會侵占、破壞《規劃指引編號 12C》中劃定的「濕地保育區」，從而將濕地保育區東西兩側切割；更是會占用候鳥棲息地，影響候鳥遷飛路線。





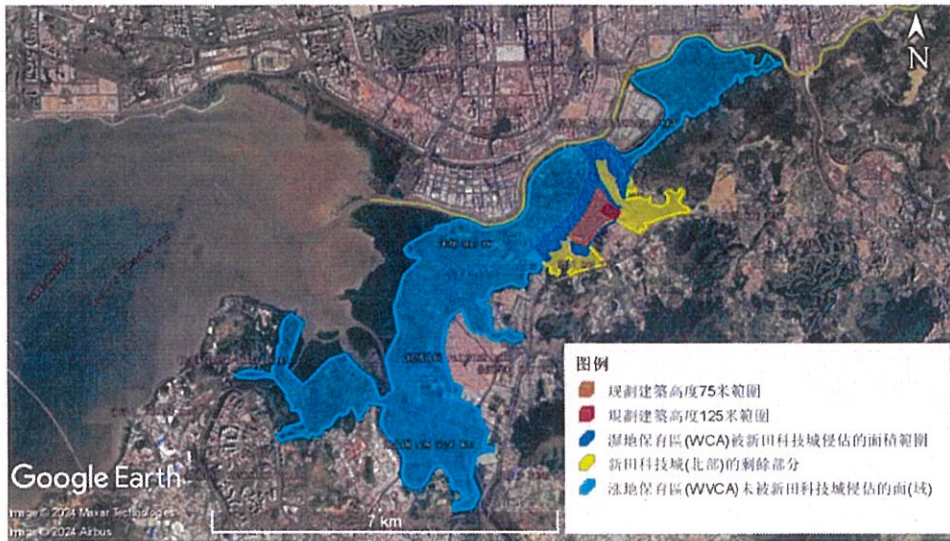
《圖則》中新田科技城與濕地保育區、規劃建築高度 125 米和 75 米範圍區域的關係（局部）  
 圖源：據《圖則》和《城市規劃委員會規劃指引擬在后海灣地區內進行發展而按照城市規劃條例第 16 條提出的規劃申請》文件繪製

根據鄒長新等所著的《山水林田湖草系統原理与生态保护修复研究》<sup>1</sup>，生態系統完整性主要包括兩個方面：一是生態系統組成要素的完整性，即生態系統在特定地理區域的最優化狀態，生態系統具有區域自然生境所需包含的所有本土生物多樣性和生態學進程，其結構和功能未受到人類干擾的不利影響；二是生態系統特性的良性狀態，包括生態系統健康、抵抗力、恢復力和自組織能力，即生態系統在常規條件下維持最優化運作，在條件不斷變化時抵抗人類脅迫並維持最優化運作，以及繼續進化和發展的能力。

深圳在 2023 年進行了《梧桐山風景區生態廊道體系構建研究》<sup>2</sup>，研究表明，深港兩地野生動物的群落結構和種群數量差異表明，建立梧桐山-紅花嶺生態廊道，加強深港生態連通十分必要。據香港漁農自然護理署消息，紅花嶺郊野公園也已經於今年三月一日成立。因此，香港的開發也應該遵循同樣原則，不應該切割濕地保育區，保持其生態系統的完整性。這也是濕地保育區設立的初衷。

<sup>1</sup> 鄒長新, 王燕, 王文林, 等. 山水林田湖草系統原理與生態保護修復研究. 生態與農村環境學報, 2018, 34(11): 961-967.

<sup>2</sup> [https://pnr.sz.gov.cn/xxgk/gggs/content/post\\_11042958.html](https://pnr.sz.gov.cn/xxgk/gggs/content/post_11042958.html)



《圖則》中新田科技城與濕地保育區、規劃建築高度 125 米和 75 米範圍區域的關係（總覽）  
圖源：根據《圖則》、《城市規劃委員會規劃指引擬在后海灣地區內進行發展而按照城市規劃條例第 16 條提出的規劃申請》製作（底圖：Google Earth）

**因此我們建議：**

1、《圖則》中新田科技城的項目範圍應當予以調整，避免佔用現有后海灣濕地保育區，以符合《規劃指引編號 12 C（二零一四年五月修訂本）》規定、滿足生態系統完整性的需求；且不應該將濕地保育區範圍以「搬龍門」方式轉換項目建設的合法性。《圖則》內自然保育區範圍應當與《規劃指引編號 12 C》內的圖則範圍保持一致。

2、關於濕地保育區以內的建設，應當極力避免和將 150 公頃面積減低至 0 左右，以符合《粵港澳大灣區發展規劃綱要》中開展濱海濕地跨境聯合保護的直接要求。關於濕地保育區以外的建設，應當先行修復魚塘濕地，再進行動工建設，以充分緩解填塘帶來的生態損害。

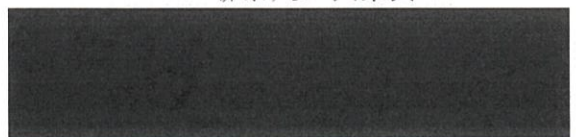
3、濕地保育區應維持現狀，不予調整，以為港深之間建立生態走廊、滿足生態系統連續性。規劃大綱圖則內 19B 區域建設應當符合濕地保育要求，除合規項目外，不另作發展。新田科技城的建設範圍應當調整至濕地保育區範圍以外。

4、我們期望參與貴會組織的聆聽會及作口頭陳述，望貴會安排會議日程後，與我們聯絡。

我們建議部門應當重新審視后海灣濕地生態價值高地。當前香港與廣東、澳門的合作在經貿方面比較緊密，但生態環境保護合作開展不夠密切。從本次規劃文本中，我們也希望香港在生態環境保護方面加強與粵澳的合作，共同助力濕地保護，實現國家環保戰略目標。

特此建議，敬盼函復。

廣州珠灣人和生態環境研究中心  
聯繫人：吳秉賓



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Submission Number:  
TPB/R/S/STT/1-S1074

From: [REDACTED]  
Sent: 2024-05-08 星期三 17:01:30  
To: tpbpd/PLAND <tpbpd@pland.gov.hk>  
Cc: [REDACTED]  
Subject: BirdLife International response and feedback on San Tin Technopole Outline Zoning Plan  
Attachment: San Tin development response letter - 8 May 2024.pdf

Representation Number:  
TPB/R/S/STT/1-R107

Dear sir/mdm,

On behalf of BirdLife International, I am writing to express our concerns on the impending development of the San Tin Technopole and its potential impact on the wetlands of the [Inner Deep Bay](#) area.

We are grateful for the background information kindly provided by the Hong Kong SAR Government on this development in the San Tin area, including the Environmental Impact Assessment. However, we find that the development, if allowed to go ahead, will result in grave consequences for the ecology of the Inner Deep Bay wetlands, one of the most important wetland sites for migratory birds in China and the wider East Asian-Australasian Flyway region; including but not limited to the irreversible loss of nearly 200 ha of important wetlands.

Our attached letter highlights our specific concerns on how the San Tin Technopole, as outlined in the OZP, will impact species and the ecological integrity of the most important areas of wetland in Hong Kong SAR, and run counter to sustainable development of this sensitive landscape. Furthermore, the OZP would also set a poor precedent for the management of ecologically sensitive wetland areas protected by existing policies in the Deep Bay area.

If you have any questions, please do not hesitate to reach out to us.

Yours sincerely  
Ding Li (Passport: [REDACTED])



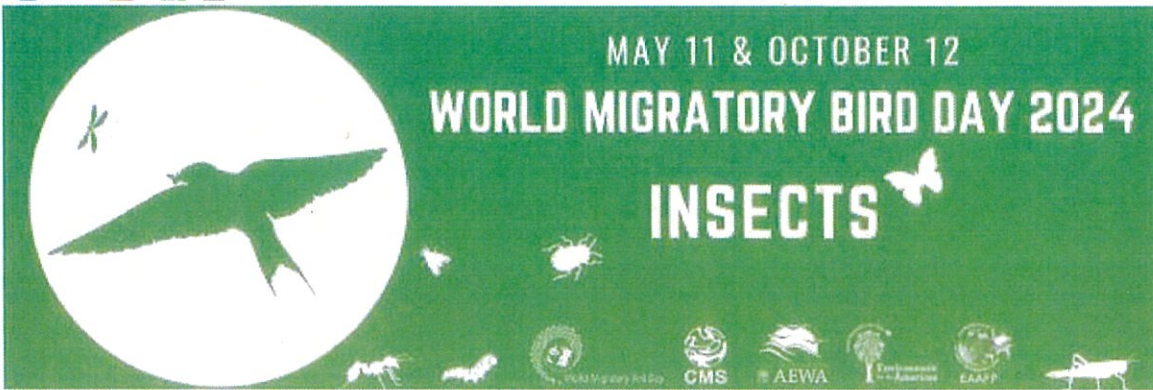
Partnership for  
nature and people

**Ding Li Yong**  
Flyways Coordinator (Asia)

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Partnership for  
nature and people



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The BirdLife International Partnership is a Partnership of over 110 conservation organizations around the world. BirdLife International the Secretariat to the Partnership is a UK registered company no. 2985746, registered Charity no. 1042125, registered address: David Attenborough Building, Pembroke Street, Cambridge, CB2 3QZ, UK. BirdLife International Secretariat Regional Offices: Amman, Brussels, Nairobi, Quito, Suva, Singapore, Tokyo.

8 May 2024

Dear Sir/Madam,

**Comments on the San Tin Technopole Outline Zoning Plan, Hong Kong SAR**

Together with the Hong Kong Bird Watching Society, our Partner based in Hong Kong (China), BirdLife International expresses our deep concerns on the impending development of the San Tin Technopole and its impact on the wetlands of the Inner Deep Bay, as outlined in the publicly released San Tin Technopole Outline Zoning Plan.

The Inner Deep Bay wetlands (including Mai Po Marshes) in Hong Kong S.A.R. (China) are among the most important wetlands in Asia for migratory species and is crucial for species in the East Asia-Australasian Flyway. It is among the 50 most important wetland sites in China, harbouring internationally important populations of at least 20 migratory species, and is recognised as an Important Bird and Biodiversity Area (IBA), and as a Key Biodiversity Area (KBA) by the Convention on Biological Diversity.

The San Tin Technopole development is located immediately next to the Mai Po Inner Deep Bay Ramsar Site. When completed, it is expected to encroach, irreversibly damage or destroy 175 hectares of "Inner Deep Bay and Shenzhen River catchment area" IBA/KBA. Many migratory species such as ducks, cormorants and raptors use the wetlands of Inner Deep Bay widely, including adjoining areas of wetlands such as San Tin's fishponds. To protect the overall ecological integrity of the Inner Deep Bay wetlands, it is critical for the the wetlands within the Mai Po Inner Deep Bay Ramsar Site to be protected together with the ecologically connected wetlands and fishponds abutting the Site.

In the past 30 years, most of the "Inner Deep Bay and Shenzhen River catchment area" IBA has been protected by the "Wetland Conservation Area" and "Wetland Buffer Area" delineated under the Town Planning Board Guideline No.12C. Under the new draft San Tin Technopole Outline Zoning Plan (OZP) released for public inspection, a significant area of the IBA is expected to be zoned as "Innovation and Technology (I&T)" and "Mixed Use" under the OZP, turning the existing wetlands into development area.

Here, we highlight three irreversible ecological consequences if the San Tin Technopole OZP goes ahead:

### 1. Irreversible loss and degradation of internationally important wetlands

The San Tin Technopole development overlaps with 175 hectares of "Inner Deep Bay and Shenzhen River catchment area" IBA as recognized by BirdLife International and will be immediately adjacent to the Mai Po Inner Deep Bay Ramsar Site. The development will reclaim over a hundred hectares of these internationally important wetlands with high ecological value. The positioning of the development will destroy the ecological connectivity between Mai Po and Hoo Hok Wai/ Ma Tso Lung/ Long Valley, resulting in habitat fragmentation. Moreover, the habitat quality of the adjoining Mai Po Inner Deep Bay Ramsar Site will further decline, resulting in the overall loss of ecological functions.

### 2. Threats to globally threatened species due to habitat loss

The fishpond wetlands that would be affected by San Tin Technopole support high bird diversity, with 205 species recorded, including 117 species of conservation concern. 19 of them are globally threatened species and 33 of them are nationally protected wild animals, such as the Baer's Pochard *Aythya baeri* (Critically Endangered), the Yellow-breasted Bunting *Emberiza aureola* (Critically Endangered), the Black-faced Spoonbill *Platalea minor* (Endangered), the Eastern Imperial Eagle (*Aquila heliaca* (Vulnerable) and Greater Spotted Eagle *Clanga clanga* (Vulnerable), and the Sharp-tailed Sandpiper *Calidris acuminata* (Vulnerable). Developing this wetland will further threaten the population and survival of these endangered bird species.

### 3. Setting a regionally bad precedent of development of protected wetlands in the Deep Bay area

About 1,200 hectares of the fishponds and wetlands within Wetland Conservation Area (WCA) connecting to the Mai Po Inner Deep Bay Ramsar Site were planned to be resumed, protected and conserved under the brand-new Wetland Conservation Park system of the Northern Metropolis Development Strategy back in 2021. Under the newly announced San Tin Technopole, 150 hectares of WCA in San Tin, which accounts for nearly 1/10 of the WCA, will first be lost to development. About 250 hectares of surrounding existing fishpond wetlands are claimed as a biodiversity offset for the wetland loss caused by the development but the Environment Impact Assessment report failed to demonstrate that the wetland loss can be compensated. The approval of this OZP will set bad precedent to developments encroaching into the wetlands and fishponds around/ecologically connected to/or even within the Mai Po Inner Deep Bay Ramsar Site, threatening the integrity of the Deep Bay wetland ecosystem.

In conclusion, the San Tin development will irreversibly destroy 175 hectares of wetlands if allowed to proceed, encroaching an internationally recognised IBA/KBA, while compromising the ecological integrity of Ramsar Site already under immense pressure. It will also encroach on the "Wetland Conservation Area" and "Wetland Buffer Area" status of the site under Hong

Kong's conservation policy. Furthermore, the development will go against the national principle of Ecological Civilisation, prioritising unsustainable development against environmental conservation and restoration.

We therefore urge the Town Planning Board, and the Hong Kong SAR Government to halt wetland loss by rejecting or revising the draft OZP to ensure the IBA is covered by a zonation plan that ensures the integrity of the wetlands.

Yours sincerely,



.....  
**Vinayagan Dharmarajah**  
**Regional Director (Asia)**  
**BirdLife International**

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**From:** [REDACTED]  
**Sent:** 2024-05-08 星期三 17:50:21  
**To:** tpbpd/PLAND <tpbpd@pland.gov.hk>  
**Subject:** Green Power's comment on Draft San Tin Technopole Outline Zoning Plan No. S/STT/1  
**Attachment:** GP\_Representation\_S\_ST\_STT\_1\_20240508.pdf

Dear Sir/Madam,

Please find the attached self-explanatory letter.

For any enquiries, please contact me at Green Power (T [REDACTED] Email: [REDACTED])

Thank you very much for your kind attention.

Yours faithfully,  
CHENG Luk-ki  
GREEN POWER

Submission Number:  
TPB/R/S/STT/1-S1453

Representation Number:  
TPB/R/S/STT/1-R108





BY EMAIL ONLY

8 May, 2024

The Secretary,  
Town Planning Board, 15/F, North Point Government  
Offices, 333 Java Road, North Point, Hong Kong  
(Email: tpbpd@pland.gov.hk)

Dear Sir / Madam,

**Draft San Tin Technopole Outline Zoning Plan No. S/STT/1**

Green Power, as a local charitable environmental group, would like to draw your kind attention to our profound comments and grave concerns about the above-captioned draft plan (hereafter “the OZP”).

1. Green Power opine the following principles should be upheld for the OZP, in view of its scale and ecological sensitivity
  - (a) Conservation measures proposed, consulted publicly, approved and implemented first in prior to endorsement and commencement of development plans to avoid conservation being compromised and hijacked by development irreversibly,
  - (b) Comprehensive conservation plans and strategy in place with financial, administrative and technical support available that are executed in prior to commencement of development works,
  - (c) Avoidance of any direct, indirect and residual environmental, ecological and drainage impacts to the planned Wetland Conservation Parks and their study areas which are aimed to “proactive conservation”,
  - (d) Transparency and openness of the conservation measures and performance should be monitored by a working group(s) with membership comprising concerned environmental groups.
  
2. The environmental considerations of the OZP are adopted fully from the EIA report for San Tin/Lok Ma Chau Development Node. Regrettably, these important principles have been neither fully addressed nor clearly affirmed in this EIA report.

### **Underestimation of ecological impacts**

3. The ecological values of the contiguous pond habitat, as well as the direct and indirect environmental impacts associated with the permanent loss of these wetlands are underestimated in the EIA because of the following reasons:
  - (a) Ponds serve as the water storage tanks to mitigate the flooding risk of the adjacent areas during the wet season in the Northwest New Territories floodplain. The direct loss of such function to the planning scheme area and habitats is not mentioned and evaluated in the EIA report and not addressed in the OZP.
  - (b) Eurasian Otter (*Lutra lutra*) is a rare species of conservation importance still inhabiting currently within the OZP according to recent investigation but its population is not properly investigated in the EIA. Protection of its habitats, foraging and breeding grounds is not properly addressed in the OZP.
  - (c) Some avifauna species, such as raptors, need a large space for territory. These species are highly affected by direct loss of large area of wetland habitats. However, no specific impact assessments and mitigations for these species are proposed in the EIA.
  - (d) It is discovered that some avifauna species in the EIA are misidentified. We opine this issue severely undermines the credibility of the EIA report and potentially leads to underestimation of ecological impacts.

### **Unsatisfied mitigations to wetland loss**

4. According to Planning Department's Town Planning Board Guidelines No. 12C, the designation of Wetland Conservation Area (WCA) is for all existing continuous and adjoining active/abandoned fish ponds and the designation of Wetland Buffer Area (WBA) to protect the ecological integrity of the WCA. The buffer generally comprises the strip of land of about 500m wide along the landward side of the WCA. Unfortunately, the OZP proposes to develop large area of WCA and WBA without proven compensation measures. Without a large pond area and buffer zone, the development will threaten the Ramsar wetland system. It is recommended to provide about 500m buffer within the development site at the edge connected to WCA and no high-density development should be allowed in the buffer.

5. Only several small-scale enhancement measures such as the establishment of "ecologically enhanced fishponds" are proposed to compensate the permanent loss of such a largely contiguous wetland habitat. We opine that the proposed compensations are insufficient and not scientifically sounded.

6. In the EIA Report, the assumption about “the functional value ... can be increased by up to 45% upon the implementation of ecological enhancement measures” has not been empirically proven. It is unconvincing to apply this purely hypothesized number extracted from other EIA reports to estimate the compensation requirement for pond habitats in OZP. We criticized that such calculations, analyses and interpretation, which ecological compensation of lost wetlands is based on, has not presented in the EIA report. No scientific evidence is provided in the EIA report to support the “no-net-loss” of habitats to be achieved by the proposed ecological enhancement measures.

### **Ecological mitigations**

7. Although the Mai Po Lung Village Egretty will be preserved, it will be surrounded by intensive developments and a large area of the original feeding pond to the north of the egretty will be lost. The egrets and herons will need to fly further north beyond the developed areas from their nests to reach the feeding grounds. Hence, sufficient open areas should be carefully retained and designed to keep the flight corridor from egrettries to the new feeding grounds.

8. The primary aim of the proposed Sam Po Shue (SPS) Wetland Conservation Park (WCP) is for ecological conservation. Therefore, we expect to have restricted conservation areas and visitor control measures to minimize human disturbances that should not be jeopardized by the I&T Park.

9. Animal passage across the roads must be properly designed to address the habitat fragmentation impacts on terrestrial, amphibious and aquatic fauna. The animal passage should avoid human disturbance, properly concealed and well connected to existing, known and potential habitats of target species. Target species served by the animal passage should include Eurasian Otter (*Lutra lutra*) for connection between Ecological Area/watercourse of Lok Ma Chau Loop and wetlands in SPS. Such animal passage should include terrestrial path and waterway.

### **Watercourses modification and revitalization**

10. The baseline water quality data were not provided for the watercourses in the EIA report although they are identified as water sensitive receivers. The EPD’s monitoring data for Kam Tin River and DSD’s data for Ngau Tam Mei Channel cannot be taken as baseline data for water quality in the planning scheme area because they do flow through the impacted development sites and wetlands. As the water source for the fishponds depends on direct rainfall and drainage channels, the water quality of the watercourses in the planning scheme area, and particularly downstream of the area, is of ultimate importance to support the flora and fauna, habitat quality and healthiness, operation of fishery industry in future WCP.

11. Omission of baseline watercourse water quality data, inaction to assess and monitor the water quality impacts are unacceptable incompetent EIA practice that irresponsibly poses unnecessary burden to conservation works related to the OZP and planned SPS WCP.
12. The watercourses flowing through the pond areas in the planning scheme area are part of the integrated pond system whereas quite a number of these watercourses will be removed or modified, diverted or realigned under the OZP. However, **the new alignments of watercourse and drainage network were not proposed to maintain the hydrological and hydraulic characteristics of wetlands** downstream of the planning scheme area. These hydrological and hydraulic regimes should not compromise the water provision and drainage functions of the wetland system such that the operation of the remaining ponds (including the future SPS WCP) will not be adversely affected. In particular, the **connectivity of watercourses from the upper hill slope to the estuary should be maintained**.
13. **The planning scheme area should not increase the flood loading downstream, nor induce river training works in wetlands, especially SPS WCP**, owing to incapability of the EIA Report to deal with the surface runoff. Although “flood retention lakes” and “underground storage tanks” are proposed to relieve flood risk, their location and capacity are not provided. Therefore, a **comprehensive drainage plan should be in place and relevant stakeholders, including green groups, should be consulted and approved by related department** before development works commenced.
14. **Impacts of heat pollution generated by district cooling system on the wetland ecology is not assessed in EIA Report and not addressed in the OZP.**

#### Sustainability

15. While the OZP has claimed to strike a balance of development between nature conservation, we regret that the Administration still maintain confronting mentality towards development and conservation. Seldom are concerns for sustainability, even for Innovative and Technology Parks, addressed in the OZP, such as reduction of use of fossil fuels, systematic provision of district material reuse and recycling facilities, climate resilient living spaces, etc.
16. In view of incomplete monitoring data, neglected assessment for watercourses in planning scheme area, we are afraid that significant change on the flow regime and hydrology within the planning scheme area is expected.
17. We disagree that “The blue-green network also creates ecological linkages to enhance

biodiversity”, especially for the area originally comprising mainly fishponds and wetlands. Continuous large area of fishponds and wetlands in Deep Bay area is proven of internationally ecological important. Blue-green network mentioned in the consultation materials is mainly to improve the urban living environment.

18. In this case, biodiversity in both qualitative, i.e. loss of internationally important wetlands, and quantitative sense, i.e. area of such wetlands reclaimed, is definitely lost rather than enhanced by blue-green network.

16. Scientifically, wetlands are well known for their carbon sequestration function. In this OZP, large area of fishponds will be reclaimed and lost, and their carbon sequestration function will be ceased totally. Even worse, development in this OZP will generate considerable amount of greenhouse gases through building energy consumption, vehicular exhaust gas, waste disposal, sewage treatment in view of the proposed development scale, population and activities.

17. The administration needs to rationalize how the OZP can “align with Hong Kong’s Climate Action Plan 2050’s call for green planning and developing carbon neutral community and to address climate change.” At least a broad-brush carbon audit should be done to demonstrate the carbon balance of foreseen “carbon neutral community” in the OZP. A formal carbon audit should be conducted in order to achieve a carbon neutral community in finalized development plan. In this regard, detailed and feasible measures should be in place to balance the carbon budget of the OZP.

#### **Prevention of brownfields proliferation**

18. Brownfield operations currently scattered in the planning scheme area of the OZP will be incrementally relocated to multi-storey buildings or other NDAs. However, it is unclear whether the new facilitates can satisfy the relocation demand of all the existing brownfield operators. We concern about any expansion of brownfields outside the OZP due to unfavorable reallocation arrangements.

19. Hence, we urge the Administration to formulate **concrete and effective brownfield relocation plan** and grant consensus with the operators at the early stage of the development.

#### **Transportation**

20. To promote the use of public transportation networks and reduce the number of private cars, it is

important to control the provision of private car facilities (such as parking spaces) within the OZP. The OZP should effectively reduce private vehicle trips.

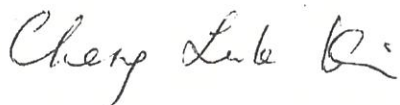
21. The proposed pedestrian walkway and cycle track network should not encourage the access to any ecologically-sensitive areas in the OZP, especially for I&T Park adjoining the proposed SPS WCP.

#### **Residential Development in I&T Parks**

22. Regarding "OU" for "Innovation and Technology' only, as uses Flat (Staff Quarters only) has be included in Column 1, the uses Hotel and Residential Institution are considered as not only redundant but also hijacking the non-residential land use through alternative procedures which are designated for I&T uses.

Thank you very much for your kind attention. For any inquiries, please contact the undersigned at Green Power (T: [REDACTED] Email: [REDACTED])

Yours faithfully,



CHENG Luk-ki  
Director  
Green Power

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**From:** WONG, Suet Mei [REDACTED]  
**Sent:** 2024-05-08 星期三 21:51:15  
**To:** tpbpd/PLAND <tpbpd@pland.gov.hk>  
**Cc:** Chuan Woo [REDACTED]  
**Subject:** HKBWS's comments on the Draft San Tin Technopole Outline Zoning Plan No. S/STT/1  
**Attachment:** Attachment2\_JointStatement\_STTEIAnoncompliance.pdf;  
Attachment1\_STTEIA\_HKBWSfullcomment.pdf;  
20240508\_STT\_OZP\_HKBWS.pdf

**Submission Number:**  
TPB/R/S/STT/1-S1455

**Representation Number:**  
TPB/R/S/STT/1-R109

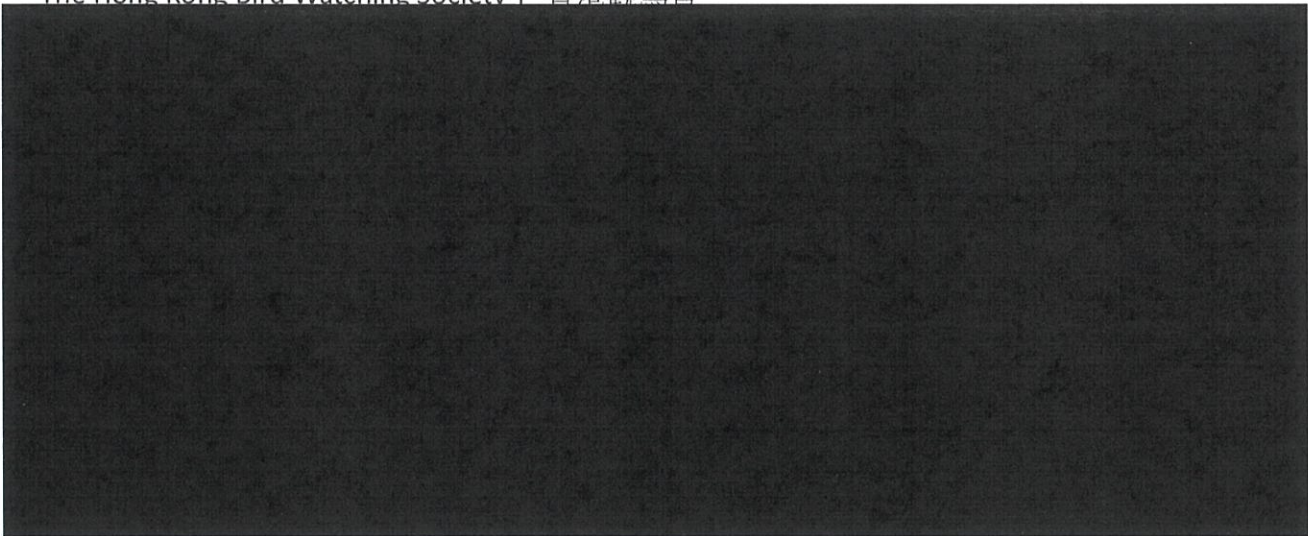
Dear Sir/Madam,

The Hong Kong Bird Watching Society's comments on the Draft San Tin Technopole Outline Zoning Plan No. S/STT/1, Attachment 1 (i.e. our full comments on STT EIA Report) and Attachment 2 (i.e. a joint statement on the non-compliance of STT EIA with statutory requirements under EIA Ordinance) are attached.

Thank you.

Best Regards,

Wong Suet Mei | 黃雪媚  
Senior Conservation Officer | 高級保育主任  
The Hong Kong Bird Watching Society | 香港觀鳥會



查逸超教授, B.B.S., J.P.  
環境諮詢委員會主席  
電郵: [acesecretariat@eeb.gov.hk](mailto:acesecretariat@eeb.gov.hk)

查主席及環境諮詢委員會委員:

新田科技城至少35處涉違反環評要求 條例生效後最差環評  
強行通過增司法覆核風險 10個環保團體促否決環評申請

環境諮詢委員會(下稱環諮會), 將在下周一(2024年4月22日)討論新田/落馬洲發展樞紐的環境影響評估報告(下稱環評), 並提出建議予環境保護署署長審閱時考慮。10個環保團體(下稱環團)批評, 新田科技城環評未符合多項法定要求及準則, 是自環評條例實行以來濕地項目最差的環評, 甚至比以往政府及私人發展商提交的環評更粗疏。當中問題包括: 環評至少35處涉違反環評要求(詳見附件一及二); 環評錯漏百出, 被揭存6大範疇, 最少27項技術評估和數據錯漏(詳見附件二); 以及環評被揭發出錯後, 政府方在公眾諮詢完結後, 以「擠牙膏式」披露極少資料, 公眾無法在法定時間內得悉欠缺的重要資料及提出相關意見, 涉避過法定公眾諮詢程序, 亦對之前同類環評不公平, 恐會引來司法覆核風險。故此, 環團致函呼籲委員履行環諮會的職責, 建議環保署否決這份不完整、不可信、不科學、涉嫌有違法規的環評, 避免將為這片大灣區獨有的濕地帶來史無前例的嚴重破壞, 令人覺得政府有將發展凌駕保育的觀感。

新田科技城是1998年實施環評條例以來, 引起最大規模濕地喪失的發展項目, 影響近247公頃濕地保育區及緩衝區土地<sup>1</sup>, 但環評差劣程度卻創歷史新高, 涉嫌違反環評條例及環評研究概要下的要求。我們翻查過去環評(詳見附件一), 特別是涉及濕地發展的項目, 包括私人及政府項目, 發現新田科技城的環評未有依從過往環評的做法。例如, 過往當改動最終發展範圍和規模時, 政府會主動重新申請環評研究概要, 例子包括東涌新市鎮、落馬洲河套發展等。然而, 新田科技城突然增加填平90公頃魚塘, 政府卻聲稱有關改動不會影響環評研究, 並因此拒絕重新申請。

其次, 對比過往所有濕地發展的項目, 不少環評進行公眾諮詢階段時, 已有公開詳細的濕地管理計劃書及生境建造的實際工作時間表供公眾查閱, 如豐樂園發展、上水落馬洲支線、落馬洲河套發展等。然而, 無論是新田科技城環評公眾諮詢階段還是環諮會會議前, 土木工程拓展署仍沒有完整提交「生境管理計劃」的詳情。環團認為, 公眾諮詢期已過, 公眾未有機會就相關濕地管理計劃書給予意見。不論是環諮會或公眾, 皆無從得知相關設計或成本等關鍵細節, 無足夠資料判斷三寶樹濕地保育公園, 是否足以補償填塘工程帶來的生態影響。

此外, 環團綜合是次環評及環評小組會議文件, 發現有6大範疇, 最少27項嚴重的技術評估和數據錯漏(詳見附件二), 包括但不限於:

<sup>1</sup> 約涉及150公頃濕地保育區及97公頃濕地緩衝區



(一) 違反環評「避免」原則

(二) 生態基線及資料評估不足，特別是以下幾項：

- 文獻分析不全面，疑選擇性引用后海灣的現有雀鳥數據，例如未有採用鷺鳥林統計報告以外的鷺鳥林飛行路線及著陸 (flight path and landing survey) 調查。其生態數據若未被納入生態影響評估及功能價值的計算，將嚴重低估生態價值
- 錯誤辨認猛禽物種及寫錯兩種水鳥，加上調查結果罕見地缺乏多種魚塘常見陸地雀的記錄，令環評報告的可信性及準確度成疑
- 沒有評估到發展對至少兩種已知曾於填塘範圍繁殖的鳥種 (小鸕鶿和白胸苦惡鳥)，造成重大直接影響
- 沒有評估對新田蓄洪池夜鷺日棲地的影響

(三) 嚴重低估擬議發展對繁殖鷺鳥及各類濕雀鳥飛行的影響：

- 環評中進行的鳥類飛行路線調查對象僅包括普通鸕鶿、晚棲及繁殖鷺鳥，未有涵蓋其他鳥類，例如全球瀕危的黑臉琵鷺，或其他遷徙水鳥
- 未有於擬填塘範圍進行鳥類飛行路線調查，無法得知北面填平濕地作高達105米的建築發展的影響

(四) 嚴重低估棲息地喪失及生境破碎化對國家二級重點保護野生動物、全球近危物種歐亞水獺的影響：

- 沒有為歐亞水獺進行專門調查，僅於整個擬填塘範圍設置一部紅外線自動相機，調查力度嚴重不足，更忽略近年有本地科學研究指出新田及三寶樹一帶位於歐亞水獺的核心範圍 (core area) 的事實
- 在沒有足夠基線資料的情況下，判斷發展對歐亞水獺不會造成重大影響 (no significant impacts)，但最近於2024年上旬，有本地環保團體在新田記錄到歐亞水獺出沒，顯示該區的魚塘是水獺的棲息地。
- 擬議的生態廊道詳情嚴重不足，成效存疑

(五) 無充分資料證明生態補償有效，特別是以下幾項：

- 環評依賴計算功能價值 (Functional Value) 去推算生態損失及補償要求，但卻未有公開計算功能價值所採用的原始數據
- 現時只以四種雀鳥計算受影響魚塘的生態功能，未有選取一些已知更易受干擾影響的新田重要物種 (如潛鴨及猛禽) 推算生態損失及補償要求，引致嚴重低估其生態影響和高估補償成效
- 疑未有參考黑臉琵鷺監測數據所錄得的高峰值

(六) 未有就填塘及施工期間的生境損失提出緩解和補償措施，卻將一些項目界線以外，而且不受條例監察的生態優化措施，歸為施工時的「避免影響措施／緩解措施」，可能誤導委員，以為環評有措施去緩解施工期間的濕地損失

面對以上多項重大錯漏，土木工程拓展署要在環評公眾諮詢完結後，才擠牙膏式披露極少資料，令人質疑署方有意向公眾隱瞞關鍵生態數據，涉嫌繞過公眾諮詢程序，恐會引來司法覆核風險。

環團再次強調，將被填塘的「濕地保育區」位置毗鄰米埔拉姆薩爾濕地，與南生圍、蠔殼圍的魚塘相連，為候鳥提供重要的覓食和棲息地，亦是「東亞-澳大利西亞遷飛區」中必不可少中途補給站。其魚塘濕地，不論有漁業運作或閒置，具豐富的生物多樣性，生態價值極高，更是眾多面臨滅絕物種的重要棲息地。中國是《拉姆薩爾濕地公約》締約國，香港需要履行《公約》去保障香港的拉姆薩爾濕地不受任何直接或間接干擾。而且《粵港澳大灣區發展規劃綱要》及《十四五規劃》已列明保護濱海濕地的條文，環諮會絕對不容忽視。

填塘工程的破壞乃不可逆轉，環團認為，新田環評錯漏百出，質素嚴重不達標，不宜在未有專業的環評報告予社會充分討論下草率通過，否則恐予公眾發展凌駕科學之觀感，更將嚴重損害環諮會的公信力。環團促請環諮會嚴謹把關，審慎檢視及討論是次環評，避免為這片大灣區獨有的濕地帶來史無前例的嚴重破壞，以及立下極不良先例，令日後北部都會區內其他濕地上發展計劃仿做這些取巧的做法。

聯署團體(排名不分先後)

長春社  
香港觀鳥會  
綠色力量  
綠色和平  
綠惜地球  
綠領行動  
環保觸覺  
創建香港  
世界自然基金會香港分會  
廣州珠灣人和生態環境研究中心 (CECA)

2024年4月17日

副本抄送

發展局  
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土木工程拓展署  
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附件一 新田科技城環評與過往濕地發展環評項目的對比

新田科技城環評	
以往環評的做法	過往環評例子
<p>最終發展範圍和規模與項目簡介所標明的出現改動時，重新申請環評，包括重新提交項目簡介並進行公眾諮詢，確保環評研究概要及環評能為新發展定下足夠的研究課題和方法。</p>	<p>例子一：<u>東涌新市鎮擴展工程</u>曾兩次因發展範圍或設施改動而重新申請環評研究概要</p> <p>例子二：<u>屯門40及46區規劃及工程研究</u>曾因調整發展範圍而重新申請環評研究概要</p> <p>例子三：<u>洪水橋新發展區</u>曾兩次因應發展區的邊界調整而重新申請環評研究概要</p> <p>例子四：<u>沙鐘墳場項目</u>曾因應道路工程的改動而重新申請環評研究概要</p> <p>例子五：<u>荳馬洲河套地區</u>曾因應運輸基礎設施的走線修訂而重新申請環評研究概要</p>
<p>在環評進行公眾諮詢時已公開詳細的濕地管理計劃書 (Wetland Management Plan) 及生境建造的實際工作時間表</p>	<p>例子一：2001年一上水落馬洲支線 (Wetland mitigation habitat creation and management plan) 共66頁</p> <p>例子二：2008年一豐樂園發展 (Draft Habitat Creation and Management Plan for the Wetland Nature Reserve) 共44頁</p> <p>例子三：2008年一和生園發展 (Wetland Restoration Plan) 共35頁</p>
<p>未有重大改動重新申請環評，繼續沿用舊項目簡介所獲准的環評研究概要進行研究。</p>	<p>政府最新回應／做法</p>
<p>違反的環評條例、技術備忘錄或環評研究概要</p> <p>1. 不符合技術備忘錄第2.2.1段：「工程項目簡介須載有附件1或附件2所列的相關指明資料……附件2則適用於有實質改變的指定工程項目的工程項目簡介」</p> <p>2. 不符合環評研究概要第6.2段：「如果項目上的變更根本性地改變了環評研究概要的主要範圍，申請人應向署長申請一份全新的環評研究概要。」</p> <p>3. 不符合技術備忘錄附件16 生態評估指引第5.4.5 (g)段：「任何工地以外的擬議緩解措施，均不應需要另行作環評研究才可實行。該等措施的可行性、限制、可靠程度、設計及建築方法、時段、監察、管理及保養均須在原先的環評研究中確定」</p>	<p>環評沒有任何濕地管理計劃書，只提出簡略的濕地補償策略 (wetland compensation strategy)；環評會環評小組只要求土拓署在環評大會前交「幾頁紙」大綱</p>

	<p>例子四：2013一新界東北發展 (Long Valley Nature Park: Preliminary Management Plan) 共21頁</p> <p>例子五：2013年一落馬洲河套地區 (Implementation programme) 共34頁</p> <p>例子六：2015年一收美新村發展 (Wetland Restoration Plan) 共48頁</p>		<p>4. 不符合環評研究概要附件I第2(x)段：「須評估緩解措施建議的可行性和成效，並界定這些措施的範圍、類型、位置、實施安排、資源需求以及後續管理和維護<sup>2</sup>」</p>
<p>在環評進行公眾諮詢時，已列出計算「功能價值」及補償目標所採用的原始數據和計算方法</p>	<p>例子一：<a href="#">豐樂圍發展 Table 13-59</a></p>	<p>在公眾諮詢期後及環諮會環評小組會議前，方公開部分計算方法，而至今仍未公開計算「功能價值」所採用的原始數據</p>	<p>5. 不符合環評研究概要附件I第2(x)段：「評估緩解措施建議的可行性和成效，並界定這些措施的範圍、類型、位置、實施安排、資源需求以及後續管理和維護<sup>3</sup>」</p>
<p>考慮到個別發展項目的規模、生境特徵和物種組成，定立相應的目標物種和補償目標</p>	<p>例子一：2001年一上水落馬洲支線定立57個目標物種，包括歐亞水獺、25種目標鳥種、21種蜻蜓、10種兩棲類動物<sup>4</sup></p> <p>例子二：2000年一豐樂圍發展定立7種目標鳥種，包括黑臉琵鷺、池鷺、普通鸕鷀、大白鷺、蒼鷺、小白鷺及牛背鷺<sup>5</sup></p>	<p>只以四種以魚為主食的雀鳥(黑臉琵鷺、大白鷺、蒼鷺、普通鸕鷀)計算受影響魚塘的「功能價值」和補償目標，忽略一些對於干擾敏感、對新田有特別偏好、對生境和食物有獨特要求的物種，例如歐亞水獺、在新田繁殖的池鷺、小白鷺、小鸕鷀和白胸苦惡鳥，還有極度瀕危青</p>	<p>6. 不符合環評研究概要附件I第2(ix)段：「就項目的施工和營運階段中，識別到的不良生態影響，建議可行的緩解措施，以避免、減少和/或補償這些影響<sup>6</sup>」</p> <p>7. 不符合環評研究概要附件I第2(x)段：</p>

<sup>2</sup> In section 2 (x) of the Appendix I of EIA Study Brief, the assessment should "evaluate the feasibility and effectiveness of the recommended mitigation measures and define the scope, type, location, implementation arrangement, resource requirement, subsequent management and maintenance of such measures".

<sup>3</sup> In section 2 (x) of the Appendix I of EIA Study Brief, the assessment should "evaluate the feasibility and effectiveness of the recommended mitigation measures and define the scope, type, location, implementation arrangement, resource requirement, subsequent management and maintenance of such measures".

<sup>4</sup> Table 2.1. Available at: [https://www.epd.gov.hk/eia/register/report/eiareport/eia\\_0712001/Volume4/Appendix%20A4.2/kccr-hcmp-lmcsa-6521-b.htm#app22](https://www.epd.gov.hk/eia/register/report/eiareport/eia_0712001/Volume4/Appendix%20A4.2/kccr-hcmp-lmcsa-6521-b.htm#app22)

<sup>5</sup> Table 13.61. Available at: [https://www.epd.gov.hk/eia/register/report/eiareport/eia\\_1492008/EIA%20Report/html/FLW\\_EIA.htm](https://www.epd.gov.hk/eia/register/report/eiareport/eia_1492008/EIA%20Report/html/FLW_EIA.htm)

<sup>6</sup> In section 2 (ix) of the Appendix I of EIA Study Brief, the assessment should "recommend possible and practicable mitigation measures to avoid, minimize and/or compensate for the adverse ecological impacts identified during the construction and operation phases of the Project."

<p>「評估緩解措施建議的可行性和成效，並界定這些措施的範圍、類型、位置、實施安排、資源需求以及後續管理和維護」<sup>7</sup></p>	<p>頭潛鴨、易危紅頭潛鴨、近危白眼潛鴨、「本地關注」的鳳頭潛鴨、白肩鵬、烏鵬、澤鵬、黃胸鵬、青腳濱鵝、蜻蜓、兩棲類及爬行動物等</p>	<p>例子三：2013年一落馬洲河套地區設立18個目標物種，包括8種目標鳥種、2種哺乳動物(如歐亞水獺)、3種兩棲和爬行動物及5種蜻蜓</p>	<p>「評估緩解措施建議的可行性和成效，並界定這些措施的範圍、類型、位置、實施安排、資源需求以及後續管理和維護」<sup>7</sup></p>
<p>8. 不符合環評研究概要第3.4.10.2段： 「為了進行陸地和水域生態影響評估，評估範圍應包括項目及相關工程邊界500米內的區域，以及可能受項目影響的其他區域<sup>8</sup>」</p> <p>9. 不符合附錄2(iv)段： 「評估須包括對物理環境的描述，包括所有被識別為具有保育重要性和生態敏感的地區，並評估這些地點/區域是否會受到項目的影響<sup>9</sup>」</p>	<p>新田環評的研究範圍只包括發展範圍及其對外500米範圍，未能包括擬建補償濕地(即三寶樹濕地保育公園)的全部範圍，及補償濕地以外的500米範圍</p>	<p>例子一：2000年一豐樂園發展的研究範圍不但包括發展範圍及補償濕地範圍，亦包括發展及補償濕地以外的500米範圍。</p>	<p>環評的研究範圍會包括擬建補償濕地的範圍，及補償濕地以外的500米範圍，以評估補償濕地的建造工程的直接、間接和二次生態影響(Direct, indirect and secondary ecological impacts)</p>
<p>10. 不符合環評研究概要附錄2(v)(e)段： 「須調查並描述現有野生動物在各種生境的使用情況，須特別關注一些具有保育重要性的野生動物群體和生境，包括但不限於以下項目：發</p>	<p>沒有進行及公開填塘及建築發展範圍的雀鳥飛行路線調查結果、相關影響評估及緩解措施</p>	<p>例子一：2000年一豐樂園發展圖13.10顯示發展範圍上空的雀鳥飛行路線調查結果</p> <p>例子二：2013年一落馬洲河套地區環評有包括發展範圍上空的雀鳥飛行路線調查及結果</p>	<p>就填塘及建築發展範圍進行相應的雀鳥飛行路線調查、影響評估及緩解措施</p>

<sup>7</sup> In section 2 (x) of the Appendix I of EIA Study Brief, the assessment should "evaluate the feasibility and effectiveness of the recommended mitigation measures and define the scope, type, location, implementation arrangement, resource requirement, subsequent management and maintenance of such measures".

<sup>8</sup> In Section 3.4.10.2 of the EIA Study Brief, "the assessment area for the purpose of terrestrial and aquatic ecological impact assessment shall include areas within 500 meters from the boundary of the Project and associated works as well as any other areas likely to be impacted by the Project."

<sup>9</sup> In section 2 (iv) (a) of the Appendix I of EIA Study Brief, it is stated that the assessment should include "description of the physical environment, including all recognized sites of conservation importance and ecologically sensitive areas, and assessment of whether these sites/areas will be affected by the Project"

<p>在<u>施工前實施濕地管理措施</u>，以緩解<u>施工期間</u>的影響</p>	<p>例子一：2001年—上水落馬洲支線圖4-10a顯示為緩解<u>施工期間</u>的影響而在<u>施工前</u>開始的<u>生境管理範圍</u></p> <p>例子二：2008年—<u>豐樂園</u>第13.9.5項顯示<u>施工前</u>已開始生境管理，以緩解<u>施工期間</u>的影響</p> <p>例子三：2013年—<u>落馬洲河套地區</u>在<u>施工前</u>已開始魚塘補償及生態區建造</p>	<p>擬議三寶樹濕地保育公園內的濕地生境優化措施在2039年才完成，變相由新田科技城施工開始至生態補償措施完成的15年間，沒有就<u>施工</u>的直接和間接濕地生境損失，提供生態避免及緩解措施</p>	<p>展範圍上空的雀鳥飛行路線，以及留鳥和候鳥的築巢/繁殖地與覓食地之間的飛行路線<sup>10</sup>」</p> <p>11. 及第2(vii)(d)段：「須採用適當的研究方法，並盡可能識別和量化由於<u>施工</u>和<u>運營階段</u>的覓食地喪失或干擾而對繁殖鷺鳥造成的間接影響<sup>11</sup>」</p>
<p>當對<u>保育級別物種</u>的影響評估出現遺漏時，需重做調查及補交資料</p>	<p>例子一：粉嶺高球場（重做調查及補交資料）</p> <p>例子二：大埔龍尾泳灘（重做調查及補交資料）</p>	<p>未為新田具保育重要性的物種和生境，重做調查及補交資料，包括但不限於：歐亞水獺、繁殖小鵝、繁殖白胸苦惡鳥、超過200對繁殖鷺鳥的覓食地、夜鷺日棲地、常見於閒置魚塘的潛鴨、開闊原</p>	<p>12. 不符合<u>環評研究概要附錄I第2(ix)段</u>：「就項目的<u>施工</u>和<u>營運階段</u>中，識別到的不良生態影響，建議可行的緩解措施，以避免、減少和/或補償這些影響<sup>12</sup>」</p>
<p>當對<u>保育級別物種</u>的影響評估出現遺漏時，需重做調查及補交資料</p>	<p>例子一：粉嶺高球場（重做調查及補交資料）</p> <p>例子二：大埔龍尾泳灘（重做調查及補交資料）</p>	<p>未為新田具保育重要性的物種和生境，重做調查及補交資料，包括但不限於：歐亞水獺、繁殖小鵝、繁殖白胸苦惡鳥、超過200對繁殖鷺鳥的覓食地、夜鷺日棲地、常見於閒置魚塘的潛鴨、開闊原</p>	<p>13. 不符合<u>環評研究概要附錄I第2(v)段</u>：「須調查並描述現有野生動物在各種生境的<u>使用</u>情況，須特別關注一些具保育重要性的野生動物群體和生境」</p>

<sup>10</sup> In section 2 (v) (e) of the Appendix I of EIA Study Brief, it is stated that the assessment should include "investigate and describe the existing wildlife uses of various habitats with special attention to those wildlife groups and habitats with conservation importance, including but not limited to the following: bird flight lines over the project sites and between roosting/breeding and feeding sites of resident and migratory birds."

<sup>11</sup> In section 2 (vii)(d) of the Appendix I of EIA Study Brief, the assessment should use "suitable methodology and considering also any works activities from other projects reasonably likely to occur at the same time, identify and quantify as far as possible any indirect impacts on breeding egrets and herons due to loss of or disturbances to feeding grounds during construction and operation phases".

<sup>12</sup> In section 2 (ix) of the Appendix I of EIA Study Brief, the assessment should "recommend possible and practicable mitigation measures to avoid, minimize and/or compensate for the adverse ecological impacts identified during the construction and operation phases of the Project."

		野雀鳥、使用發展範圍上空的雀鳥等	
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附件二 新田/落馬洲發展樞紐環境問題列表

範疇	涉嫌違反相關環評要求 <sup>13</sup>
<p><u>環評「避免原則」</u></p> <p>1. 未有就項目北面的填塘發展，提出其他發展選項，優先避免重大的環境影響，有違環評基本原則，即在考慮發展時，其優先次序應遵從「避免、減少、補償環境影響」</p>	<p>14. 不符合技術備忘錄「附件16 生態評估指引」第5.4.1段：「緩解重要生境及野生生物所受生態影響的一般政策，按優先次序臚列如下(即避免、抑減、彌償)」</p> <p>15. a. 避免：須採用合適的替代方法，盡可能在最大程度上避免潛在的生態影響。(例如：更改工程場地、設計、建造方法、路線、規劃設計、工程計劃等)。在極端情況下，當生態評估找出一些非常嚴重不能緩解的影響時，「不進行」可能是唯一切合實際的替代方案，並須列為方法之一，與其他方法對照評估。」</p> <p>16. 不符合「環境影響評估條例指南」基本原則二<sup>14</sup>：「避免、預防和防止不利環境後果 - 環境影響評估 (EIA) 過程的目標是避免和預防擬議項目的不利環境後果；如果不良環境影響無法完全避免，應考慮採取措施減少和控制可能的不利環境影響，使其在既定的限制或標準內。」<sup>15</sup></p>
<p><u>生態基線資料及評估</u></p> <p>2. 沒有評估對棲息於新田閒置魚塘的潛鴨的影響，例如全球極度瀕危青頭潛鴨、全球易危紅頭潛鴨、全球近危白眼潛鴨和「本地關注」的鳳頭潛鴨等</p>	<p>17. 不符合技術備忘錄「附件16 生態評估指引」第5.1.2.2段：「須充分說明各類生境的特徵，連同物種名單、發現的主要植物及動物、場內有重要存護價值的物種等資料」</p>

<sup>13</sup> 參考環評條例相關文件，如環評條例、技術備忘錄(2023年6月30日前的版本)、環評指南(Guidance Note)、新田/落馬洲發展樞紐環境研究概要等

<sup>14</sup> EIAO Guidance Note No. 1: Basic Principles of the Environmental Impact Assessment Process

<sup>15</sup> Principle Two: Avoidance, Pre-emption and Prevention of Adverse Environmental Consequences- the aim of the EIA process is to avoid and prevent adverse environmental consequences of the proposed project; if adverse environmental impacts cannot be fully avoided, measures should be considered to reduce and control the possible adverse environmental impacts to within established limits or criteria.



<p>3. 沒有公開繁殖鷺鳥的覓食地點，或著飛行陸點 (landing location) 數據，致沒有評估200對繁殖鷺鳥喪失覓食地的直接影響</p> <p>4. 沒有評估到發展對至少兩種已知曾於填塘範圍繁殖的鳥種 (小鴨鵝和白胸苦惡鳥)，造成重大直接影響</p> <p>5. 沒有評估對新田蓄洪池夜鷺日棲地的影響</p> <p>6. 生態調查路線無法涵蓋所有受影響魚塘，致基線調查結果出現缺失，甚至低估新田的生態價值</p> <p>7. 環評的研究範圍沒有完全包括所有建議補償濕地 (即三寶樹濕地保育公園) 的範圍及補償濕地以外500米範圍，致沒有評估公園內的建造工程的直接、間接和二次生態影響 (direct, indirect and secondary ecological impacts)</p> <p>8. 曾錯誤標示兩張具保育級別的鳥種相片，例如將「林鵲」寫作「澤鵲」、「長趾濱鵲」寫作「小濱鵲」。縱使署方回應指「不存在錯誤辨認雀鳥的情況」，然而已令人質疑報告是否由欠缺生態專業的人員進行「編輯」</p> <p>9. 曾錯誤辨認調查未曾記錄的其他小型猛禽為「鳳頭鷹」，換言之，報告懷疑已至少數漏一種須保護的猛禽物種，令人質疑生態調查的質素和可信度</p> <p>10. 未在調查中記錄一些在魚塘及開闢原野常見的羣鶯屬雀鳥、屬「本地關注」的棕扇尾鶯和紅喉歌鶯，情況罕見，令人質疑每個月負責鳥類調查的人員是否具備相應資格</p>	<p>18. 及第5.2.1段： 「生態評估須根據工程項目簡介及搜集所得的生態基線資料，識別及預測擬議發展項目可能造成的生態影響」</p> <p>19. 不符合技術備忘錄第4.4.2段： 「環評報告的質素，須因應附件20及第4.3條所述指引來審閱。如果找不出遺漏或缺點可影響評估結果和結論，則報告須被視為足夠。以下因素須特別獲考慮： (b) 環評報告內的資料和說明是否真實</p>
<p><u>雀鳥飛行走廊</u></p> <p>11. 鳥類飛行路線調查對象僅包括普通鷓鴣及繁殖鷺鳥，未有涵蓋其他鳥類，例如全球瀕危的黑臉琵鷺，或其他遷徙水鳥</p> <p>12. 沒有進行填塘範圍的雀鳥飛行路線調查，卻將大部分魚塘規劃作中至高密度發展，缺乏避免及緩解措施</p> <p>13. 建議中300米闊飛行廊道有部分為建築發展區，另一部分雖為「非建築用地 (NBA)」，但卻同時劃為「創科用地」；而毗鄰廊道樓高更達35米、105米</p>	<p>不符合技術備忘錄第4.4.2段： 「環評報告的質素：環評報告的質素，須因應附件20及第4.3條所述指引來審閱。如果找不出遺漏或缺點可影響評估結果和結論，則報告須被視為足夠。下列因素須特別獲考慮：</p> <p>20. (d) 環評報告內對潛在環境影響的確定及描述的是否完整，以及附件4至10所載的各項適用準則是否全部已獲考慮；</p>

及130米(主水平基準以上),但報告沒有評估上述發展對雀鳥造成的干擾,嚴重高估建議中300米闊飛行廊道的生態連接作用

14. 嚴重低估高樓發展對切斷繁殖鷺鳥來回覓食地的飛行通道的影響,如為米埔鷺鳥林預留70米闊的飛行走廊,建築物擬議高度達105米(主水平基準以上),遠高過現時繁殖鷺鳥的飛行高度(根據環評報告,飛行高度大部份為20米或以下)

21. (k) 報告是否已評估及確定所建議的緩解措施的可行性、實用性、時間編排和效用」

22. 不符合技術備忘錄「附件16 生態評估指引」第5.1.2.2段:「為確保所得的基線資料準確、可重複找得及容易驗證,生態評估報告須清楚載明採用的方法,而所用方法必須妥善及科學化,應參照標準或國際上認可的方法。調查結果須視乎情況,紀錄於特別設計的標準表格內。如適當的話,須把調查所得的資料量化及採用統計分析」

### 歐亞水獺

15. 環評沒有專為歐亞水獺設計和進行基線調查，僅於整個擬填塘範圍設置一部紅外線自動相機，調查力度嚴重不足，更忽略近年有本地科學研究指出新田及三寶樹一帶位於歐亞水獺的核心範圍(core area)的事實。環評報告在沒有足夠的基線資料下，卻判斷發展對歐亞水獺不會造成重大影響(no significant impacts)，但最近於2024年上旬，有本地環保團體在新田記錄到歐亞水獺出沒，顯示該區的魚塘是水獺的棲息地。
16. 擬議的生態廊道詳情嚴重不足，鑑於外地文獻及本地三號幹線的動物廊道數據，現時環評建議的動物廊道的成效存疑，恐無法緩解對國家二級重點保護野生動物、全球近危物種歐亞水獺的生態影響，以及維持三寶樹及蠔殼圍的生態連貫性。

### 不符合環評研究概要附件<sup>16</sup>

23. 第2段(i):「檢閱相關研究/調查報告，並收集可引用而有關評估區域的生態特徵」<sup>17</sup>
24. 第2段(v):「調查並描述現有不同棲息地的野生動物物使用情況，特別關注具有保育重要性的野生動物群體和棲息地。」<sup>18</sup>
25. 第2段(vi):「描述位於評估區域內及附近的具有保育重要性和其他生態敏感區域。」<sup>19</sup>
26. 第2段(viii):「環境影響評估報告在評估生態影響的過程中，應基於的最佳和最新的資訊。」<sup>20</sup>
- 不符合「環境影響評估條例指南」<sup>21</sup>。
27. 第2.1段:「……同時，應該將努力集中在可能對地點或目標物種群體產生顯著影響的地方。」<sup>22</sup>
28. 第2.3段:「所使用的調查方法應該在科學上是可靠且適用於所研究的棲息地和目標物種群體。」<sup>23</sup>

<sup>16</sup> EIA study brief Appendix I

<sup>17</sup> Para 2(i): "review the findings of relevant studies/surveys and collection of the available information regarding the ecological characters of the assessment area"

<sup>18</sup> Para 2(v): "investigate and describe the existing wildlife uses of various habitats with special attention to those wildlife groups and habitats with conservation importance"

<sup>19</sup> Para 2(vi): "describe recognised sites of conservation importance and other ecological sensitive areas within and in the vicinity of the assessment area..."

<sup>20</sup> Para 2(viii): evaluate ecological impacts based on the best and latest information available during the course of the EIA study

<sup>21</sup> EIAO Guidance Note No. 7: Ecological Baseline Survey for Ecological Assessment

<sup>22</sup> Para. 2.1: "...efforts should be focused on locations or target taxa groups on which the impacts are likely to be significant.

<sup>23</sup> Para. 2.3: "Survey methods used should be scientifically robust and appropriate for the habitats and target taxa groups under study."

### 生態補償

17. 環評內非常依賴魚塘濕地的「功能價值」(Functional value)，評估項目的生態影響及其生態補償。但報告並沒有在法定公眾諮詢期間列出「功能價值」的計算方法，令公眾無法有效地提供意見，並監察此計算方式能否真正提供全面及有效的評估。
18. 只簡單以四種主要以魚為食的雀鳥(黑臉琵鷺、大白鷺、蒼鷺、普通鸕鷀)計算受影響魚塘的「功能價值」，未有計算魚塘對擁有不同食性和生境要求的生物的多樣生態功能，例如對干擾尤其敏感且生境要求獨特的潛水鴨(diving ducks)和鑽水鴨(dabbling ducks)、各類涉禽、不同習性的猛禽、在塘壘棲息的開闊原野雀鳥、具不同育雛需要的繁殖雀鳥、歐亞水獺等
19. 沒有清楚交代引用豐樂園發展計劃中聲稱「生態功能可提升45%」的理據，其工程及生態補償措施仍未展開，補償效果未經證實
20. 沒有清楚交代2021-22年水鳥普查高峰密度值(Peak density)的計算方法
21. 沒有清楚交代計算「功能價值」時，如何分析水鳥普查以外的原始數據，如涉及調查的魚塘範圍、調查路線、所錄得的雀鳥數量等
22. 在計算黑臉琵鷺相關的「功能價值」時，疑未有參考后海灣黑臉琵鷺調查的監察數據<sup>24</sup>
23. 沒有提交濕地管理計劃書(Wetland Management Plan)，特別是相關設計、生境建造的實際工作時間表、財務安排、成本等關鍵細節
24. 擬議三寶樹濕地保育公園內的濕地生境優化措施在2039年才完成，變相由新田科技城施工開始至生態補償措施完成的15年間，沒有就施工的直接和間接濕地生境損失，提供生態避免及緩解措施

### 不符合環評研究概要附件1

29. 第2段(ix):「建議可能及實際可行的緩解措施(例如項目的替代設計和佈局、施工方法的修訂/改動、建築物高度的限制、提供緩衝區等)，避免、減少和/或補償在項目的施工和營運階段中所識別的不良生態影響」<sup>25</sup>
30. 第2段(x):「評估建議緩解措施的可行性和有效性，並確定這些措施的範圍、類型、位置、實施安排、資源需求、隨後的管理和維護」<sup>26</sup>
31. 不符合技術備忘錄附件16 生態評估指引第3.1a段  
「任何可能會在生態上有重要性的地方造成不良生態影響的工程，通常均不應予以批准，除非有需要進行該工程，並已證實沒有其他切實可行及合理的替代方法，及將會在工程場地之內及/或工程場地之外採取足夠的緩解措施」
32. 及第5.4.5g段:  
「任何工地以外的擬議緩解措施，均不應需要另行作環評研究才可實行。該等措施的可行性、限制、可靠程度、設計及建築方法、時段、監察、管理及保養均須在原先的環評研究中確定」

<sup>24</sup> 近期漁農自然護理署委託進行的鳥類保育研究計劃 -

[https://www.afcd.gov.hk/tc\\_chi/conservation/con\\_fau\\_bird/con\\_fau\\_bird\\_stu/con\\_fau\\_bird\\_stu.html](https://www.afcd.gov.hk/tc_chi/conservation/con_fau_bird/con_fau_bird_stu/con_fau_bird_stu.html)

<sup>25</sup> Para 2 (x): "recommend possible and practicable mitigation measures (such as alternative design and configuration of the Project, modification/change of construction methods, restriction of building height, provision of buffer areas, etc.) to avoid, minimize and/or compensate for the adverse ecological impacts identified during the construction and operation phases of the Project"

<sup>26</sup> Para 2 (x): "evaluate the feasibility and effectiveness of the recommended mitigation measures and define the scope, type, location, implementation arrangement, resource requirement, subsequent management and maintenance of such measures"

<p>生態優化措施 (Enhancement Measures)</p> <p>25. 署方指出一些位於項目界線以外的后海灣濕地生態優化措施，並不是填塘及施工期間的緩解和補償措施，故其成效不會受環境監察與審核 (EM&amp;A) 核驗，但環評行政摘要表6.1又將之歸納為施工影響的「避免影響措施／緩解措施」，可能誤導委員，以為填塘及施工期間的影響，能夠透過在界外施行優化措施而得以緩解</p> <p>26. 環評小組會議文件第28段，擬議的生態優化措施被解讀為「減低工程期間的生態影響」，與環評第10.11.3.39-47段不符，同樣有可能誤導委員</p> <p>27. 沒有交代各生態優化措施的落實詳情，如部分措施落實時的潛在生態影響、涉及的財務安排等</p>	<p>33. 不符合環評研究概要附錄2(i)(x)段： 「就項目的施工和營運階段中，識別到的不良生態影響，建議可行的緩解措施，以避免、減少和/或補償這些影響」</p> <p>不符合技術備忘錄第4.4.2段： 「環評報告的質素，須因應附件20及第4.3條所述指引來審閱。如果找不出遺漏或缺點可影響評估結果和結論，則報告須被視為足夠。以下因素須特別考慮：</p> <p>34. (b) 環評報告內的資料和說明是否真實；</p> <p>35. (k) 報告是否已評估及確定所建議的緩解措施的可行性、實用性、時間編排和效用」</p>
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Dr. CHUI Ho Kwong, Samuel, JP  
Director of Environmental Protection  
(E-mail: eiaocomment@epd.gov.hk)

By email only

2 March 2024

Dear Dr Chui,

**Comments on the Environmental Impact Assessment Report for the proposed  
San Tin / Lok Ma Chau Development Node (EIA-302/2023)**

The Hong Kong Bird Watching Society (HKBWS) would like to raise our concerns regarding the captioned Environmental Impact Assessment Report (EIA). Our concerns regarding the ecological impacts covers the following topics and the detailed comments are explained in the following sections.

1. No avoidance of habitat loss in pond of high ecological value
2. Refusal to re-apply for EIA Study Brief violate procedural justice
3. Misidentification of Designated Project (DP)
4. Project Area and Assessment Area should be extended
5. Underestimation of habitat ecological value due to the deficiency of 12-month baseline surveys and the incomplete review of existing available avifauna datasets
6. Uncertain qualification for conducting the avifauna baseline survey and inadequate gatekeeping of EIA report before public inspection
7. Underestimation of ecological value as "piecemeal approach" and inappropriate assessment was adopted in the evaluation of pond habitat
8. Absence of firefly survey and comprehensive monitoring of Eurasian Otter
9. Significant environmental changes to the egrettries and their surroundings
10. Direct loss in foraging and feeding ground for the egrettries was neglected and the corresponding impacts were underestimated
11. Disruption of the flight corridor for breeding egrets and herons



12. Inadequate protection of the egretty using the Open Space zoning
13. Failed to identify and assess the impacts on the day roost of Black-crowned Night Herons in San Tin Pumping Station
14. Direct impacts on the loss in foraging ground for ardeids' night roosts were ignored
15. Missed more than half of the breeding bird species in fishpond wetlands
16. Threats to the integrity of Deep Bay wetland ecosystem caused by previous and ongoing development projects
17. Further significant fragmentation of Deep Bay wetland ecosystem by the current project
18. Absence of light impact assessment
19. Inadequate Visual Impact Assessment
20. Only four species selected for the functional value calculation and the compensation requirement is unacceptable
21. Inappropriate assumption of the Exclusion Zone (EZ) and Reduced Density Zone (RDZ)
22. Over-estimation of the carrying capacity of the compensation wetlands
23. Unjustified 45% increase in functional value
24. Absence of habitat management plan of the Sam Po Shue Wetland Conservation Park (SPSWCP)
25. Inappropriate implementation timeline of SPSWCP
26. The proposed 35m eco-interface lacks buffering function
27. Bird collision risk may not be avoided or mitigated
28. Wetland Enhancement Measures outside the assessment area of the project
29. Cumulative ecological impacts and undesirable precedent set in Deep Bay area

### **Principle of Avoidance**

#### **1 No avoidance of habitat loss in pond of high ecological value**

- 1.1 According to Section 4.3 of the Technical Memorandum on Environmental Impact Assessment Process (TM), the methodologies proposed for mitigation shall give priority to avoidance of impacts. In Annex 16 of the TM, the first guiding principle for ecological assessment is that *“areas and/or habitats of ecological importance shall be conserved as far as possible. Any*

*project that is likely to result in adverse ecological impacts in areas of ecological importance shall not normally be permitted unless the impacts can be minimized and/or compensated."*

- 1.2 In Section 3.3.3 of the Study Brief, the applicant is required to provide information on the *"consideration of the different land use and layout options, taking into account the principles of avoidance, minimizing and control of adverse environmental impacts"*. The applicant shall also consider *"alternative design, siting and alignment of supporting infrastructures, construction"* in the description of the project. In Appendix I of the Study Brief, regarding the requirement for Ecological Impact Assessment (EcoIA), the assessment shall *"recommend possible and practicable mitigation measures (such as alternative design and configuration of the Project, modification/change of construction methods, restriction of building height, provision of buffer areas, etc.) to avoid, minimize and/or compensate for the adverse ecological impacts identified during the construction and operation phases of the Project"*.
- 1.3 However, in Section 10.11.2 Avoidance Measure of the EIA, it only mentions the avoidance of Mai Po Inner Deep Bay Ramsar Site, the avoidance of clearance of some plants that are used for Mai Po Lung Village (MPLV) Egretty, and the avoidance of flight paths obstruction and fragmentation of wildlife movement corridor.
- 1.4 However, the development footprint for I&T zone largely overlaps with the wetlands of conservation importance, such as 175 hectares of Important Bird and Biodiversity Area (IBA)<sup>1</sup>, 150 hectares of Wetland Conservation Area (WCA), 97 hectares of Wetland Buffer Area (WBA) and SSSI, which are ecologically linking to Ramsar Site, are important foraging and feeding grounds for both migrating birds and breeding birds. No avoidance of the above was adopted.
- 1.5 Moreover, in order to avoid the impacts on egrettries, namely Mai Po Lung (MPLV) Village Egretty and Mai Po Village (MPV) Egretty, apart from retaining the trees that used for nesting, the feeding grounds in fishponds

<sup>1</sup> [http://datazone.birdlife.org/site/factsheet/inner-deep-bay-and-shenzhen-river-catchment-area-iba-hong-kong-\(china\)](http://datazone.birdlife.org/site/factsheet/inner-deep-bay-and-shenzhen-river-catchment-area-iba-hong-kong-(china))



and the flight corridor for the birds to commute from their feeding grounds to the egretries are also the core and essential elements to sustain the egretries. However, the direct loss in their feeding grounds and the flight corridor were not avoided, while some trees used for nesting would still be removed. We consider it is inappropriate to claim the proposed measures as Avoidance Measures for the MPV Egret and core area of MPLV Egret.

- 1.6 For the avoidance of flight paths obstruction and fragmentation of wildlife movement corridor, we doubt that the provision a 70 m wide NBA near the MPLV Egret is simply ineffective to minimize, not to mention to avoid the fragmentation of movement corridor for breeding ardeids.
- 1.7 In addition, there are no alternative development options proposed and assessed to avoid and minimize the environmental impacts arising from the extensive loss in wetland habitats of the development. In Section 10.8.2.22, the applicant clearly stated that *"in view of the construction disturbance impact on the pond habitats and associated wildlife, as well as the decrease of carrying capacity, mitigation measures such as minimisation (e.g. phasing of pond filling, minimisation of disturbance), compensation (wetland compensation), and enhancement measures would be implemented."* No avoidance of disturbance to pond habitats was adopted while the applicant quickly jumped to consider minimisation and compensation for the impacts in the mitigation measures. We consider such mitigation approach taken in this EIA failed to comply with the TM and the Study Brief.

### ***Bypass EIA process***

## **2 Refusal to re-apply for EIA Study Brief violate procedural justice**

- 2.1 The project area shown in the current EIA report nearly doubled in development footprint, scale and magnitude, compared with that proposed in the Project Profile of the San Tin/ Lok Ma Chau Development Node back in 2021.
- 2.2 However, the government did not submit a new Project Profile to apply for a new EIA Study Brief according to the new development that would bring enormous ecological impacts to the Deep Bay wetland system.

- 2.3 This shows an attempt of bypassing the EIA process. As a result, the public is unable to comment on the new development and the study scope, such as the areas or species that should be included as ecologically sensitive receivers based on the new development. This is not only disregarding the public's right to information, but also violating procedural justice.
- 2.4 In addition, we are concerned the previous EIA study brief did not define a larger study scope and comprehensive research methods for the latest extensive pond filling and physical changes, leading to the deficiency of the EIA study to effectively identify, assess, avoid and mitigate the significant ecological impacts of the San Tin Technopole development.

### ***Misidentification of Designated Projects***

#### **3 Misidentification of Designated Project (DP)**

- 3.1 According to the Study Brief, the EIA Study shall identify “*individual DPs proposed under the Project that fall under Schedule 2 of the EIAO, in addition to those mentioned in the Study Brief to ascertain whether the findings of this EIA study have adequately assessed and addressed the environmental impacts of those DPs; and where necessary to identify the outstanding issue that need to be assessed and addressed in any further detailed EIA studies.*”
- 3.2 Nearly half of the I&T zone falls within Buffer Zone 2, where any residential or recreational development, other than New Territories exempted houses within Deep Bay Buffer Zone 1 or 2 shall be regarded as Schedule 2 designated project under Environmental Impact Assessment Ordinance (Cap. 499).
- 3.3 However, in Section 1.5 of the Introduction, only the recreational development for proposed Sites O.1.1, O.1.2, and O.1.3 (as open space) encroach into Deep Bay Buffer Zone 2 was regarded as DP. Meanwhile, the I&T zone which falls within Buffer Zone 2 and composes of talent accommodation and hotels, was not being identified as a DP. We consider that the I&T zone should also be regarded as a DP that require Environmental Permit, to comply with the Study Brief.

### ***Delineation of Project Area and Assessment Area***

#### **4 Project Area and Assessment Area should be extended**

- 4.1 Given that the Sam Po Shue Wetland Conservation Park (SPSWCP) is regarded as the compensation measures while developments of infrastructure and visitor facilities will also be introduced into the SPSWCP, the SPSWCP should be included in the Project Area while the assessment area should also be extended outside the SPSWCP.
- 4.2 Due to the remarkably significant wetland loss due to the proposed San Tin Technopole development, and the close ecological connectivity to the Mai Po Inner Deep Bay Ramsar Site, Guangdong Shenzhen Futian Mangrove Wetlands Ramsar Site and IBA, it is necessary to extend the assessment area outside the current 500m area from the project site to cover all the above three sites of conservation importance, so as to assess the potential impacts on the integrity and carrying capacity of the Deep Bay wetland system as a whole.

### ***Inadequate ecological baseline survey and underestimation of ecological values***

#### **5 Underestimation of habitat ecological value due to the deficiency of 12-month baseline surveys and the incomplete review of existing available avifauna datasets**

- 5.1 According to Annex 16 of the Technical Memorandum, in order to “ensure that the baseline information obtained is accurate, reproducible and can be easily verified, the methodology used must be clearly stated in the ecological assessment report. The methods employed must be sound and scientific.” Moreover, the baseline study shall include the review of existing information, while such information includes both published materials and those made available by government and non-government bodies.
- 5.2 Mai Po Inner Deep Bay Ramsar Site Waterbird Monitoring Programme Monthly Waterbird Monitoring was administered and executed by HKBWS under a subvention from the Agriculture, Fisheries and Conservation Department (AFCD) from 1997 to 2004, and it has been arranged under service contracts of the AFCD since April 2004. This programme has collected over 27 years of waterbird data in the Deep Bay area including the

project site in San Tin and Mai Po. The dataset includes the bird species and abundance recorded at each pond every month. The bird and geographical data are useful to evaluate the ecological value and functions of pond habitats, and to estimate the capacity of the Deep Bay wetlands for different waterbird species.

- 5.3 Though the applicant has made use of the findings of the bird monitoring programmes to inform the current EIA Study, only 2021-2022 data were used. And the data only appears in two parts, which are the table summarizing the flora and fauna species of conservation importance recorded within the Assessment Area, and the calculation of functional value for the wetland compensation.
- 5.4 In the Table 10.7 Ecological Evaluation of Pond within the Assessment Area and Table 10.27 Evaluation of Potential Ecological Impacts to Pond, the applicant **did not use** the waterbird Monitoring data collected through literature review for the evaluation of ecological value of ponds and the ecological impacts on ponds in the northern portion. As a result, through the Literature Review, only 4 species of conservation importance were presented in the evaluation. However, from the 2021-2022 waterbirds monitoring data, 46 wetland species were recorded within the affected ponds in Sam Po Shue and San Tin, while 38 are species of conservation importance, which is equivalent to nearly ten times more than that presented by the applicant. If reviewing 5-year waterbirds monitoring data, 66 wetland bird species were recorded within these ponds, while 55 are species of conservation importance. We are highly concerned that **there is a serious underestimation of ecological value of habitats in the northern portion.**
- 5.5 Besides, referring to the habitat maps that show the locations of Species of Conservation Importance from Literature Review, there is no record of species of conservation importance in Sam Po Shue and San Tin. Though the applicant explained that *“the exact locations and habitats for avifauna recorded were not available from the literature”*. However, from our understanding, the data actually consists of the geographical locations of every surveyed ponds.

- 5.6 According to the survey transects provided by the applicant, it cannot cover all the ponds in the assessment area especially for the ponds within the project site. Such inadequacy of the survey dataset was not mentioned in the report (Figure 1). With such deficiency, using the correct and complete dataset from literature review is very important to ensure the ecological value of the habitats (particularly for the pond habitat) would not be underestimated.
- 6 **Uncertain qualification for conducting the avifauna baseline survey and inadequate gatekeeping of EIA report before public inspection**
- 6.1 First, there are three apparent mistakes in the descriptions of the photos of the bird species of conservation importance. In Appendix 10.2 of the EcolA, three bird photos and the corresponding names do not match. The photo of Wood Sandpiper is written as Marsh Sandpiper. The photo of Long-toed Stint is labelled as Little Stint. The photo annotated Crested Goshawk, despite the limited image quality, is believed to be another small raptor species within the Accipiter family instead of Crested Goshawk. Although we are not sure whether these errors are due to "typo" or "misidentification of birds", given that birds are important species and indicators for the conservation of the Deep Bay wetlands, while the EIA report is a professional and legally binding document, we are surprised by such mistakes. This may not only leads to underestimation of the impact of development on the ecological environment and wildlife, but also affects the credibility of the report, raising doubts about the "seriousness" of the impact assessment of the San Tin Technopole.
- 6.2 Second, the survey failed to record the common landbird species in fishpond areas. Based on our observation, landbird species such as Reed Warblers, Zitting Cisticola, and Siberian Rubythroat are commonly found in fishponds and open country habitats during migratory seasons. However, the report does not have the records of these species, which is highly unusual. Identifying such landbird species requires certain skills, including familiarity with their calls. If not familiar with their characteristics and behavior, there is a possibility of overlooking them, leading to underestimation of the

ecological value and function of San Tin wetlands.

6.3 Deep Bay wetland is the most intact coastal wetland system remaining in the Greater Bay Area, and it should be treated with great care. We hope the relevant authorities and the Advisory Council on the Environment (ACE) would rigorously review the EIA report, ensuring that it provides accurate, reliable, and comprehensive ecological baseline data, so as to enable a comprehensive evaluation of potential environmental impacts and to prevent irreversible damage to the wetland system caused by any developments.

## 7 Underestimation of ecological value as “piecemeal approach” and inappropriate assessment was adopted in the evaluation of pond habitat

7.1 According to Figure 10.5 of the Ecological Impact Assessment (EcoIA), the contiguous pond habitat in the northern portion was not assessed as a whole, but was divided into seven sub-zones based on their “*condition and disturbance*”. Eventually, the ecological value of ponds in Sam Po Shue Zone B and San Tin Zone B was assessed as “Moderate to High”, while that of San Tin Zone C and Sam Po Shue Zone C was regarded as “Moderate”. As stated in the Town Planning Board Guideline No. 12C, “**Different ponds are used preferentially by birds in different seasons, and it would be difficult to justify removal of certain individual fish ponds**” and stressed that a precautionary approach is needed to maintain the ecological integrity of the Deep Bay wetland ecosystem as a whole. Therefore, we consider it is inappropriate to divide the connecting and contiguous wetlands of the San Tin area into seven parts for evaluation, as this will underestimate the ecological value of each zone and pond.

7.2 Fragmentation of the pond habitat for assessment and filling the fishponds for development are also against the basic conservation principle of “the larger the area, the larger the effective area for conservation”. Given the importance of maintaining the ecological integrity of the Deep Bay wetland, **all pond habitats should be taken as one complete habitat for the assessment and should not be fragmented for assessment and development. Also, edge effect of a conservation area cannot be used to**

justify a development at its boundary, or else it would set an undesirable precedent for development encroachment into the conservation area leading to a loss in conservation area and its conservation effectiveness. The “precautionary approach” and “no-net-loss in wetland” under Town Planning Board Guideline No. 12C are conservation principles established with extensive and sounded scientific studies, and they should be strictly followed in the current development.

- 7.3 In Section 10.6.2.12, the applicant tried to describe that “*Sam Po Shue Zone B and C were both subject to higher level of disturbance, such as heavy vehicles operating along the pond bunds within the areas, as well as adjacent human activities, brownfield, and traffic along the west of STEMDC*”.
- 7.4 However, in Section 10.6.2.69, it states that “*Sam Po Shue Zone A and Sam Po Shue Zone B also had relatively high diversity of avifauna species of conservation importance considering the high species richness and area ratio*.” In Section 10.8.1.44, the applicant mentioned that “*some ponds (e.g. San Tin Zone B and Sam Po Shue Zone B with moderate to high ecological values) experienced less anthropogenic disturbance and form part of the contiguous ponds in San Tin – Sam Po Shue area which supported relatively high diversity and abundance of avifauna species of conservation importance*”. In Table 10.7 Ecological Evaluation of Pond within the Assessment Area, the fragmentation of pond in San Tin and Sam Po Shue area in the northern portion is regarded as “Low”.
- 7.5 The above descriptions of Sam Po Shue Zone B **contradict with** that in Section 10.6.2.12 (i.e. as quoted in paragraph 5.2 of this letter). Actually, the ponds in Sam Po Shue Zone A and B are subject to less disturbance due to the absence of fishpond operation in recent years. As a result, these ponds provide suitable habitats for various duck species of conservation interest, support a high diversity and abundance of bird species of conservation importance, and thus has a high ecological value.
- 7.6 More importantly, these ponds are ecologically connected to each other as well as the surrounding wetlands. However, a list of species of conservation importance is presented under each zone. Such presentation is highly





## 8 Absence of firefly survey and comprehensive monitoring of Eurasian Otter

- 8.1 The channel subject to tidal influence and pond habitats are potential breeding grounds for Mai Po Bent-winged Firefly which is endemic to Deep Bay, however, no independent survey was conducted to identify potential ecological sensitive receivers of the development.
- 8.2 According to existing study done by HKU, it is known that ponds at the northern portion of the project area are also confirmed with the presence of Eurasian Otter. This area is also regarded as part of the core area of otter habitat in Hong Kong. However, insufficient efforts are given to identify and assess the impacts on this species. We doubt that the EIA study has significantly underestimate the ecological impacts on the local and regional population of Eurasian Otter.

### *Significant impacts on egretries*

## 9 Significant environmental changes to the egretries and their surroundings

- 9.1 In Section 10.8.1.37, it states that “*the current nesting substratum would be largely preserved as far as practicable, except for a narrow strip of Weeping Fig (Ficus benjamina) located at the north of Castle Peak Road (San Tin section) and a small patch of vegetation at the east of Shek Wu Wai Road, which would be subjected to direct loss due to a proposed road upgrading works*”. Considering the majority of the current and historical nesting areas of MPLV Egretty would be retained, the applicant concluded that “*the impact from small area of direct loss of the nesting substratum is anticipated to low to moderate*”. The impacts on egretries are seriously underestimated.
- 9.2 Breeding egrets/herons are susceptible to environmental changes, disturbance by human activities, construction noise and vibration, any deterioration of habitat quality would potentially reduce the breeding success of the birds. We consider that removal of any current nesting substratum is unacceptable, as there is no successful case of relocation of egretty, thus there is no confidence that the breeding birds will use the new nest substratum provided and it may lead to overcrowding of nests in the current substratum.

9.3 More importantly, even with the proposed seasonal control of construction activities near the egrettries during breeding season, due to the permanent loss in foraging grounds, the longer distance to the feeding sites, and the loss of flight corridor due to the construction of medium to high density buildings in the current project, the egrets/herons may eventually abandoned the site in the worst-case scenario, leading to adverse impacts on the viability of the ardeids' population.

**10 Direct loss in foraging and feeding ground for the egrettries was neglected and the corresponding impacts were underestimated**

10.1 Mai Po Lung Village (MPLV) egrettry and Mai Po Village (MPV) egrettry, which together support nearly 200 nests of breeding ardeids and is equivalent to almost 46% of the total breeding population of ardeids in Deep Bay, falls within or at the boundary the project area. These two egrettries are also the second and third largest egrettries in Deep Bay area and both have a history of over 20 years.

10.2 According to the data in 2022, the recorded number of nests of Chinese Pond Heron accounts for over one-third of the total number in Hong Kong, while the nest number of little egret accounts for one-fourth of the whole breeding population. They are of high ecological importance and any potential negative direct and indirect impacts on their nesting sites, feeding and foraging ground, and also flight corridor should be avoided as far as possible.

10.3 It is noted that the applicant has conducted flight path surveys for the breeding ardeids. In Section 10.3.2.8 of the EcolA, the flight path surveys for the breeding ardeids were undertaken at the vantage points (VP1A, VP1B, VP2A and VP2B). It also states that *"high-power binoculars were also used at a further vantage point (VP3B) to supplement on the potential landing location of ardeids from the egrettry. Where the ardeids fly out of sight prior to landing, the location at which they are lost from sight was recorded."* The records of landing locations could help inform the feeding ground of the breeding ardeids, so as to properly assess the ecological value of the ponds and the adverse impacts on the essential feeding grounds for the breeding

birds. However, referring to Figure 10.6A, the map only shows the indicative directions of flight paths of the MPLV and MPV Egret, while the exact locations of landing points were not presented (Figure 2).

- 10.4 As displayed in Figure 10.6A and Appendix 10.5 of the report, **over 95% of the flight paths of the MPLV were in north to northwest directions (e.g. Flight Paths 1 to 5) to the ponds at San Tin and Sam Po Shue, and 99% of these flight paths have a flight height of 20m or below.** Also, previous study shown most breeding ardeids flew less than 2km from their nests, and that the project site and assessment area of the current development is well within 2km from both egretries (i.e. MPLV and MPV). Therefore with the vantage points next to the egretty (i.e. VP2A), in the fishpond area (i.e. VP2B) and at a higher observation point at the Lok Ma Chau station (i.e. VP3B) as explained in the methodology session, we consider the **landing points (at least for MPLV) can be observed unless the methodology was not properly followed or implemented.** Therefore, it is unclear how the conclusion of *“the majority of the ardeids were observed to fly over a long distance, landing at areas outside the observable distance”* can be drawn in session 10.6.2.62. The landing location indicates the foraging ground of the breeding birds and is related to the breeding success and viability of the breeding population, we consider that **the EIA report must provide the landing data to properly assess the corresponding ecological value and adverse impacts.**
- 10.5 Nearly 90 hectares of ponds in San Tin and Sam Po Shue, where are going to be reclaimed for the I&T development, are actually providing an essential foraging ground for the breeding ardeids. Taking Chinese Pond Heron as an example, according to the data in 2022, the number of nests of Chinese Pond Heron at MPLV accounts for one-third of the total number in Hong Kong and is the **largest breeding population of this species in Hong Kong**, while the EIA report stated that *“only a small portion of the ardeids were observed to land within the Assessment Area (mostly Chinese Pond Herons)”*. From our previous observation, **about 50% of Chinese Pond Herons at MPLV would land at the proposed filled fishponds.** It is anticipated that the permanent loss in fishponds will cause **devastating impact on the breeding ardeids, particularly the Chinese Pond Heron population.**

10.6 Although it is stated that the loss in ponds will be compensated by the establishment of the Sam Po Shue Wetland Conservation Park (SPSWCP), during the calculation of compensation requirement, only four larger wetland avifauna species (i.e. Black-faced Spoonbill, Great Cormorant, Great Egret, Grey Heron) have been used as indicators to reflect the functional value of the ponds to be lost. The calculation does not take Little Egret and Chinese Pond Heron into account, which will undervalue the functions of the ponds in providing feeding ground to support the two large nesting colonies.

10.7 We doubt that the proposed compensation requirement is far from enough to compensate for the irreversible and significant loss in important breeding and foraging grounds for Little Egret and Chinese Pond Heron.

#### 11 Disruption of the flight corridor for breeding egrets and herons

11.1 The applicant quoted a recent study which suggested that "*ardeids were observed to fly over obstructing bridge structure when returning to the night roost (Stanton and Klick, 2018), suggesting adaptability in their behaviour, where minor behavioural change might be observed, but their existing usage would be continued.*" We consider that this reference (i.e. Stanton and Klick, 2018) is simply irrelevant as the main objective of the paper is to study the level of vehicular traffic on the flight behaviour of roosting Little Egrets. The observation of Little Egrets flying over an existing bridge to go back to their roosting site, does not imply that the construction and operation of a bridge have no/little impact on the flight path of ardeids. Also, unlike a bridge crossing the channel, the current proposed development consists of buildings with over 100-119mPD, the current magnitude of development is much greater than the bridge mentioned in the recent study. Moreover, unlike roosting birds, breeding birds need to travel more frequently in search of food for the chicks. The dramatic increase in the travelling distance due to the avoidance of high-rises would greatly increase the energy expenditures of the breeding ardeids, which could result in failure in nesting and even abandonment of the egretry.

- 11.2 Based on the data provided from the applicant, approximately 99.4% of breeding ardeids in MPLV Egretty, and over 26% of ardeids from MPV Egretty flew across the development area for feeding and foraging. Therefore, the project would have significant impact on the flight paths of both egretties.
- 11.3 In the revised EcolA of the Yau Mei San Tsuen development (planning application A/YL-MP/247), it stated "Chinese Pond Heron was the only species which was not regularly observed using Flight Line 1 (i.e. over Fairview Park), suggesting that this species may be deterred by the presence of the buildings". As MPLV has the largest breeding population of Chinese Pond Heron in Hong Kong and that over 95% of the flight paths from MPLV were in north to northwest directions to the ponds at San Tin and Sam Po Shue, we consider that the impact of the project on the breeding herons are greatly underestimated.

## 12 Inadequate protection of the egretty using the Open Space zoning

An "Open Space" is proposed to preserve the MPLV Egretty and the nearby area on its southwest. Although it is stated that "*any recreation facilities / uses that would attract human activities in proximity of the egretty would be avoided during the detailed design stage of the Open Space*", we doubt that such promise could not be turned into reality because the intention of "Open Space", in accordance to the Schedule Notes under the Town Planning Ordinance, is intended "*primarily for the provision of outdoor open-air public space for active and/or passive recreational uses serving the needs of local residents as well as the general public*". The zoning is not for conservation. Under the "Open Space" zoning, no planning permission is required for uses which could result in intensive human disturbance, such as Playground, Barbecue Spot, Visitor Centre. We consider the EIA study has neglected the potential ecological impacts during the operational phase of the Open Space, and thus a more stringent conservation zoning should be provided to effectively protect the egretty.

### ***Significant impacts on roosting sites of ardeids***

#### **13 Failed to identify and assess the impacts on the day roost of Black-crowned Night Herons in San Tin Pumping Station**

The trees around the flood storage pond next to the San Tin fishponds is a day roosting site for Black-crowned Night Herons. Last year, we observed over 54 Night Herons flying from this roost to the fishponds in search of food before sunset. However, the report fails to mention this roosting site. This overlooked roosting site appears to have a larger number and scale of heron usage than the other roosts that identified by the applicant. We are concerned the EIA has significantly underestimated the adverse impact of the development on the heron population.

#### **14 Direct impacts on the loss in foraging ground for ardeids' night roosts were ignored**

Similar to the problems of flight path survey conducted for the egrettries, the survey and assessment for the night roost has not identify the landing location of the roosting birds, and thus the direct impacts of the loss in foraging ground for them have not been assessed.

### ***Significant impacts on breeding birds***

#### **15 Missed more than half of the breeding bird species in fishpond wetlands**

**15.1** The fishpond wetlands are important breeding grounds for many waterbirds. For example, breeding records of White-breasted Waterhen and other species of conservation importance like Little Ringed Plover and Little Grebe have been recorded in the proposed pond filling areas. However, the EIA report only recorded the breeding behaviour of two bird species (i.e. Little Ringed Plover and White-shouldered Starling) in the fishpond areas. In other words, the report has overlooked at least half of the known breeding bird species in the fishpond areas.

**15.2** In addition, the report has also failed to find out the potential breeding grounds for various landbirds and bitterns in the inactive fishponds and reedbeds. As breeding is a crucial part of the bird life cycle, any disturbance to them would directly threaten the survival of their entire populations.

### ***Significant loss in wetland connectivity and integrity of Deep Bay wetland ecosystem***

#### **16 Threats to the integrity of Deep Bay wetland ecosystem caused by previous and ongoing development projects**

- 16.1** Extensive fishponds were filled for the Lok Ma Chau Boundary Control Point (LMCBCP) back in the 1980s, then there was the viaduct for the Lok Ma Chau Spur Line and Lok Ma Chau Station in early 2000s. However, as most of the development were at-grade/low-rise and the surrounding wetlands are still conserved, the ecological connectivity between fishpond wetlands in San Tin and Hoo Hok Wai/Ma Tso Lung still managed to maintain. As stated in the Town Planning Board Guideline No. 12C, *“The Ecological Field Survey of Hoo Hok Wai completed in June 2013 has further confirmed that the fish ponds and freshwater marshes occupying majority of the Hoo Hok Wai area have high ecological value due to their importance to waterbirds, including ardeids and spoonbills and other wetland-dependent species, including Eurasian Otter, and their strong ecological linkages with other wetlands within the Deep Bay Area, including the Mai Po Inner Deep Bay Ramsar Site.”*
- 16.2** The Lok Ma Chau Loop development was confirmed in late 2010s, and has a maximum height of building up to about 54mPD with a population of 50,000 to 53,000. Such high-rise development and loss in wetland area would fragment the Deep Bay wetland system. The WCA and the LMC Loop were about 800 metres to 1.5 kilometres wide. However, after the LMC Loop development and even with the “Ecological Area” which was created for compensating the habitat loss caused by the development, there are only about 300 - 500 metres left which is about a 60% reduction of the width of the original movement corridor. As the high-rise buildings are not yet built at the moment, it is still uncertain if the proposed compensation measure (i.e. Ecological Area and stepped height building profile) can effectively mitigate and compensate the adverse ecological impacts of the Lok Ma Chau Loop development.
- 16.3** With the above wetland loss by previous developments and uncertainties in the effectiveness of mitigation/compensation measure, we consider that the wetland connectivity around the San Tin/Lok Ma Chau Loop area is still under great threat. If the mitigation and compensation measures of the Lok

Ma Chau Loop failed, the development may have detrimental impacts on the movement of birds within the Deep Bay wetland ecosystem, thus leading to the loss of foraging habitat for birds in the fishponds and wetlands of Hoo Hok Wai/Ma Tso Lung.

## 17 Further significant fragmentation of Deep Bay wetland ecosystem by the current project

- 17.1** The project area that currently overlaps with Ha Wan Tsuen and the LMCBCP is the crucial and only movement corridor left to access the Hoo Hok Wai and Ma Tso Lung fishpond wetlands. Any developments involve construction of buildings or viaduct structures, no matter it is called as low, medium or high density, will disrupt the only movement corridor for connecting the wetlands between the Ramsar Site, San Tin, Ma Tso Lung and Long Valley, leading to irreversible fragmentation of the avifauna movement and reduction in carrying capacity of the Deep Bay wetlands due to the potential isolation of the habitats in Ma Tso Lung and Long Valley.
- 17.2** In response to this significant impact, no independent and comprehensive flight path survey was conducted. According to the flight path survey for the two night roosts near a 300m wide flight corridor has been proposed in the EIA report. **However, this 300m corridor is not justified while the remaining movement corridor of the Lok Ma Chau Loop development is not yet proven as a success.**
- 17.3** The eastern half of the corridor “comprises a proposed low-rise AFCD Fisheries Research Centre ( $\leq 15mPD$ )”, while the western half is an “NBA that no aboveground building structures will be erected”. New elevated and at-grade roads will also be constructed across the proposed 300m flight corridor. According to Figure 10.6C and Figure 10.6D, the recorded flight paths were distributed all over the wetland areas. A 300m wide flight corridor is considered to be insufficient to avoid or minimize the fragmentation of movement corridor for avifauna. **Instead, it is reasonable to provide a 1,200m wide Non-building Area (i.e. the distance measured from the fishponds next to Shenzhen River at Ha Wan Tsuen, to the fishponds near Ha Wan Fisherman San Tsuen and Pun Uk Tsuen) to**



preserve the remaining and the only movement corridor to access the fishpond wetlands in Hoo Hok Wai/ Ma Tso Lung (Figure 3).

- 17.4 Moreover, according to Appendix 14.2 which presents the building height concept of the development, the buildings within 100m from the proposed flight corridor is up to 20-60mPD high, while the buildings within 100-200m from the corridor will be up to 150-179mPD high. The introduction of high-rises to this remaining and only movement corridor left will lead to direct disruption of bird movement within the Deep Bay wetland ecosystem. Referring to the flight path survey conducted by the applicant, among 2,202 numbers of usage of the flight path corridor around the LMCBCP, over 96% of them were recorded with a flight height within 0-30m. This again reveals that all buildings above ground will cause direct obstruction of the flight paths, leading to fragmentation of habitats and undermining the integrity of wetland ecosystem in Deep Bay. A 1,200m wide movement corridor composes of Non-building Area should be provided. Buildings within 500m to the corridor should also be restricted by stringent height/density control (i.e. 3-storey or low-density).

#### *Inadequate impact assessment*

#### 18 Absence of light impact assessment

- 18.1 The study on the Ecological Value of Fishponds in the Deep Bay Area published by the Planning Department suggests that *“the most significant factors contributing to higher bird usage were larger area of ponds and increasing distance to human disturbance”*. Given the close distance to the ecological sensitive birds and habitats within Ramsar Site and IBA, we are highly concerned the 15mPD-149mPD high buildings located within 500m from the sensitive wetlands would become well-lit façades (created by lightings from each building blocks and lighting for roads) during night time, and would be highly visible over a large area, resulting in adverse impacts on the habitat quality and wildlife in the Ramsar Site and IBA.

18.2 According to the Light Pollution Guidelines for Wildlife under the Convention on Migratory Species<sup>2</sup>, “where there is important habitat for migratory shorebirds within 20 km of a project, consideration should be given as to whether that light is likely to have an effect on those birds.” This 20 km buffer is based on “a precautionary approach that sky glow can cause a change in behaviour in other species up to 15 km away”. Moreover, artificial light can in fact “disorient flying birds, affect stopover selection, and cause their death through collision with infrastructure. Birds may starve as a result of disruption to foraging, hampering their ability to prepare for breeding or migration”<sup>3</sup>.

18.3 In the evaluation of potential ecological impacts to pond, the overall impact significance of the permanent and irreversible disturbance including glare from artificial lightings during the operation phase is “Low to Moderate”. We consider it is not justified as there is an absence of light impacts assessment on the ecological sensitive receivers in the Ramsar site and IBA.

## 19 Inadequate Visual Impact Assessment

19.1 The applicant failed to identify the residents and fish farmers in Lin Barn Tsuen, Hop Sing Wai, Mai Po Lo Wai and Sam Po Shue as Visually Sensitive Receivers (VSRs). In addition, the project area is very close to the well-known **bird watching hotspot** within the Inner Deep Bay Ramsar Site and Important Bird and Biodiversity Area, the local, regional and foreign **birders visiting these fishpond wetlands should also be regarded as VSRs and assessed**. According to Figure 14.9b, no viewpoints are provided to represent the abovementioned VSRs.

19.2 Future users of SPSWCP were identified as one of the VSRs, however, the visual impacts assessment on them was not properly conducted. In Figure 14.9b, the only viewpoint selected for the future visitors (i.e. VP8) is located at Lok Ma Chau MTR Station, which is **outside** the proposed SPSWCP (Figure 4). It is irrelevant and inappropriate. We consider several Viewpoints within

<sup>2</sup> <https://www.cms.int/en/document/light-pollution-guidelines-wildlife-0>

<sup>3</sup> <https://www.cms.int/en/document/light-pollution-guidelines-wildlife-0>

the proposed SPSWCP with various distances from the project area should be selected for assessment. The corresponding photomontages to demonstrate the visual impacts on the future SPSWCP should also be provided.

### ***Wetland compensation not well-justified***

#### **20 Only four species selected for the functional value calculation and the compensation requirement is unacceptable**

**20.1** The existing “functional value” of the affected ponds are used for the formulation of the wetland compensation requirement. The applicant rely only on the peak counts of 2021-22 dry-season survey data from AFCD Monthly Waterbird Survey as well as their EIA ecological survey data. Four large wetland avifauna species (Black-faced Spoonbill, Great Cormorant, Great Egret, Grey Heron) have been chosen as indicators for the estimation of “functional value” and calculation for compensation requirement. It is stated that the baseline densities and abundance for the indicator species were estimated across areas that could potentially be used for enhancement within the proposed SPS WCP. We consider such calculation is inaccurate and inappropriate in the following ways.

**20.2** First, it is explained that one of the two reasons for choosing these four bird species (Black-faced Spoonbill, Great Cormorant, Great Egret, Grey Heron) is the relatively higher sensitivity to disturbance. However, according to a study of human disturbance, the flight initiation distances of other non-nesting bird species of the different family or order like species of Anseriformes (i.e. include goose and ducks) and Falconiformes (i.e. include falcons, eagles, ospreys) can be greater than that of Pelecaniformes birds, which include Black-faced Spoonbills and ardeids<sup>4</sup>. As there are still other species that are proven more sensitive to human disturbance than Black-faced Spoonbills and ardeids, we consider the reasoning of picking most species belong to the Pelecaniformes based on the level of sensitivity to disturbance is not scientifically sound, and it is unacceptable to leave these

<sup>4</sup> Livezey, K.B.; Fernandez-Juricic, E.; Blumstein, D.T. Database of bird flight initiation distances to assist in estimating effects from human disturbance and delineating buffer areas. *J. Fish Wildl. Manag.* 2016.

groups of birds out. If the vulnerability to disturbance is the reason for species selection, duck species, raptor species and breeding bird species that have been recorded within the project area should also be included in the calculation of the functional value and compensation requirement.

- 20.3 In terms of ducks, we consider the globally vulnerable **Common Pochard**, near-threatened **Ferruginous Duck**, critically endangered **Baer's Pochard**, **Tufted Duck** of Local Concern, **Eurasian Teal** and **Northern Shoveler** of Regional Concern should also be regarded as indicator species for the estimation of the functional value and compensation requirement. According to the available waterbird monitoring data, the inactive fishponds at Sam Po Shue Zone A and B have been recorded with the scarce and globally vulnerable Common Pochard, as well as the rare and globally near-threatened Ferruginous Duck, for five consecutive years.
- 20.4 In Hong Kong's context, globally critically endangered species Baer's Pochard has almost disappeared from Hong Kong since 2014, but it was recorded in Sam Po Shue in January 2023, which is the first and important sighting in the past ten years. Tufted ducks are regularly recorded within the project area with significant abundance. All the above duck species should be included in the estimation.
- 20.5 Other than ducks, given the the **raptors** regularly appear in San Tin and Sam Po Shue, such as **Eastern Imperial Eagle**, **Eastern Marsh Harrier**, **Pied Harrier**, **Greater Spotted Eagle** and **Black-winged Kite**, are known to exhibit marked avoidance of man-made structures and are highly susceptible to disturbance and developed area, they should all be included in the calculation.
- 20.6 The **nesting waterbirds** are inherently vulnerable to loss and disturbance, species like **Little Ringed Plover** of Local Concern, **Little Grebe** of Local Concern and **White-breasted Waterhen**, that are commonly found breeding in the pond habitats, should also be included as indicator species.
- 20.7 Second, the applicant explained that four selected species are considered as key species using the pond habitats. However, it is unclear **why Little Egret and Chinese Pond Heron**, as the two important nesting species rely heavily on the ponds for feeding chicks, **are not included** in the calculation.

- 20.8 Besides, **all four bird species are piscivores that primarily feed on fish**. Bird species that belong to other feeding guilds including omnivorous, carnivorous, insectivorous and herbivorous are not taken into account.
- 20.9 According to the bird records of HKBWS, the proposed pond filling area has a rich biodiversity, with a total of 205 bird species recorded, accounting for one-third of the total bird species in Hong Kong. Apart from the large-sized waterbirds that mostly feed on fish, shorebirds that feed on infaunal and epifaunal invertebrates are also the key species in fishponds. They include the tactile-surface foraging birds like the globally near-threatened species Red-necked Stint, Temminck's Stint of Local Concern, the visual-surface foraging birds like the globally vulnerable species Sharp-tailed Sandpiper, Little Ringed Plover of Local Concern, the water-surface foraging birds like Black-winged Stilt of Regional Concern. Some species also prefer foraging at the edge of the ponds.
- 20.10 The landbirds that feed on insects or seeds like the critically endangered species Yellow-breasted Bunting, the globally vulnerable Manchurian Reed Warbler and Zitting Cisticola of Local Concern, are also key species that can be found in the emergent vegetation in inactive fishponds within the project area.
- 20.11 We consider the current selection for the indicator species has highly simplified the species diversity and the diversity of micro-habitats of the ponds in northern portion. It will dramatically underestimate the functional value of the affected ponds and overestimate the capability of the enhancement measures within the smaller SPSWCP to compensate for the loss in ecological functions. Hence, we consider the corresponding estimation of the compensation requirement based on such a problematic selection of indicator species is **not acceptable**.
- 21 **Inappropriate assumption of the Exclusion Zone (EZ) and Reduced Density Zone (RDZ)**
- 21.1 In determining the disturbance impacts of the development, the applicant stated that similar approaches in assessing disturbance impacts in the previous EIA reports were adopted in the current EIA study. It is thus

assuming that a definite EZ and RDZ around the disturbance source will be created for potentially affected species. The 0-100m EZ, 0-200m EZ, 100-200m RDZ and 200-400m RDZ are anticipated during Construction Phase, while a 0-50m EZ, 0-100m EZ, 50-100m RDZ and 100-200 RDZ are anticipated during operation phase.

**21.2** We are concerned it is inadequate to directly apply the “Assumed Extent of Disturbance Impacts” suggested in the previous EIA of Fung Lok Wai and Lok Ma Chau Spur Line to the current study. In the EIA study for Fung Lok Wai development, when determining the disturbance distance, only the species that regularly occurring in Fung Lok Wai were analyzed. Therefore, the disturbance distance calculated is very site-specific, thus cannot be directly used in other places in the Deep Bay area.

**29.1** Take ducks as an example, only Common Teal and Eurasian Wigeon which are both dabbling ducks was used for the analysis of disturbance. However, in the current project site and assessment area, more diving duck species, such as Tufted Duck, Common Pochard and Ferruginous Duck, were recorded. Yet, these diving duck species were not included in the analysis of susceptibility to disturbance. Hence, there is a data gap between the Fung Lok Wai case and the current project.

**29.2** As such, we are concerned the current EIA study failed to properly and accurately analyze the predicted disturbance distance for the species of conservation importance that regularly recorded in San Tin affected ponds.

## **22 Over-estimation of the carrying capacity of the compensation wetlands**

**22.1** It is stated that *"the Government will develop the Sam Po Shue Wetland Conservation Park (SPSWCP) with a proposed area of approximately 338 ha to create environmental capacity for the development of San Tin Technopole. Among the 338 ha, while 10 ha is reserved for supporting facilities such as visitor center and other basic infrastructure, the Government will enhance the ecological function and capacity of 288 ha of wetlands and fisheries resources of 40 ha of fishponds by establishing the SPS WCP with active conservation management and modernised aquaculture to compensate for the loss of pond and other wetland habitats and fisheries resources arising*

*from the development of San Tin Technopole and to achieve no-netloss in ecological function and capacity of the wetlands concerned."*

- 22.2 Obviously, developing 10ha for visitor center facilities and infrastructure within the fishpond area, while reserving 40 ha of fishponds for modernised aquaculture and active conservation management, will inevitably lead to direct habitat loss, fragmentation of habitats, direct disruption of the corridor for terrestrial animals, undermining the carrying capacity of the SPSWCP. However, no details of the location and scale of the visitor center facilities and infrastructure are given in the current EIA report. **There are no proper ecological value and impact assessments for the development of the SPSWCP.**
- 22.3 In addition, as there will be modernized aquaculture development within 40 ha of the SPSWCP, no further details on the construction and operation of the so-called modernized aquaculture practice are given in the EIA report. In other words, it is unknown whether the incorporation of modernized aquaculture into the compensation wetlands would result in primary adverse ecological impacts and compromising the ecological function of the SPSWCP.
- 22.4 If we refer to the presentation document released in December 2023 during the public engagement exercise for the Strategic Feasibility Study on the Development of Wetland Conservation Parks System under the Northern Metropolis Development Strategy. It highlights the in-pond raceway system and the use of renewable energy, which would probably occupy an extensive area of suitable foraging and roosting habitats for wildlife, including the water body and the pond bunds. Apart from these two ideas, representatives of both EPD and AFCD have been repeatedly promoted the practice of “container aquaculture system” over the past year. According to the blueprint for the sustainable development of agriculture and fisheries announced on 14 December 2023, high-pursue density, high-tech and high-yield culture operations (such as container culture systems) will be pursued at suitable locations and modernized culture techniques and management

will be implemented in the proposed SPSWCP<sup>5</sup>. The graphic in the document shows the container being constructed on the pond bund.

- 22.5 Under such context, we consider the applicant must provide detailed impact assessment for the establishment of the SPSWCP. However, when the applicant assessed the secondary impact of wetland compensation due to the habitat modification for the introduction of the enhanced wetlands (i.e. ecologically enhanced fishponds and enhanced freshwater wetland habitats) in the SPSWCP in Section 10.8.5, it is stated that the establishment of these habitats “*is anticipated to increase the ecological function and capacity of the existing pond habitat. As such, the ecological enhancement would compensate for the loss of wetland habitat arising from the development of San Tin Technopole and achieve no-net-loss in ecological function and capacity of the wetlands concerned. **No significant secondary impact is anticipated from the implementation of wetland compensation within the SPS WCP.***”
- 22.6 We would like to emphasize that the establishment of SPSWCP will inevitably involve earthworks such as land re-profiling, temporary loss in micro-habitats and changes in habitat composition, resulting in both direct, indirect, permanent and temporary impacts on the wildlife. Furthermore, as discussed above, the construction and operation of the visitor facilities, infrastructures and modernized aquaculture development in 50ha of the compensation wetlands, would cause direct habitat loss, fragmentation of habitats, direct disruption of the corridor for terrestrial animals and avifauna species, off-site impacts including the disturbance associated with further light, noise, human disturbance, etc. A significant reduction in carrying capacity of the SPSWCP is also anticipated.
- 22.7 Therefore, we consider the conclusion of positive gain in “Estimated Overall Functional Value across Impacted Area and Potential Enhancement Area” as stated in Table 10.43 is unjustified.

<sup>5</sup> [https://www.afcd.gov.hk/english/Blueprint/files/AFBlueprint\\_Eng.pdf](https://www.afcd.gov.hk/english/Blueprint/files/AFBlueprint_Eng.pdf)



### 23 Unjustified 45% increase in functional value

According to Section 10.11, the applicant anticipated that there could be 45% increase in functional value after the implementation of the six enhancement measures proposed under the current wetland compensation strategy. Such assumption was made based on the previous approved EIA reports for the proposed development at Fung Lok Wai in 2008. This development proposal involves around 4 hectares of permanent habitat loss for the construction of 19 blocks of residential buildings, ranging from 15 to 19-storey high, and about 76 hectares of wetland nature reserve. We consider the scale of developments and the magnitude of the ecological impacts of the two developments vary a lot. In addition, the secondary impacts of the establishment of SPSWCP have not yet been assessed. Moreover, the proposed mitigation and compensation measures of the Fung Lok Wai development was not implemented, thus its effectiveness is still unknown. Therefore, it is inappropriate to directly apply the 45% increase to the current development.

### 24 Absence of habitat management plan of the SPSWCP

24.1 Given the significant loss in pond habitat in the current project, the establishment of the SPSWCP is a key compensation measure for such loss. However, the current study only provides a general “wetland compensation strategy” to achieve the compensation requirement. The applicant failed to submit a wetland/habitat management plan, or a Habitat Creation and Management Plan (HCMP) in the EIA study. Even a Preliminary Management Plan for the Long Valley Nature Park was submitted in the EIA of the North East New Territories New Development Areas Planning and Engineering Study. Without such management plan in place, the current EIA study should be considered as incomplete and should not be made published by the authority for public inspection.

24.2 Moreover, without a management plan, it is unclear if the SPSWCP is feasible and can effectively compensate for the detrimental impacts of the current project. Even though various management measures were suggested in the EIA report, yet it is uncertain if all measures will be adopted in the future SPSWCP. Without a clear management plan, it is not possible

to estimate the budget required for the establishment and operation of the SPSWCP. **All of the above raises concerns about the commitment and effectiveness of the proposed SPSWCP compensation measure of this project.**

**24.3** We consider that the SPSWCP as a compensation measure of this project should include the following items to ensure its effectiveness and long-term viability:

- i. Provide a habitat management plan and specification of resources requirement for its implementation.
- ii. Draft a long-term foundation management system with management guidelines.
- iii. Secure the financial arrangements to establish the SPSWCP and sustain its management.
- iv. Specify the management agents and their responsibility.
- v. Develop a transition plan for the land resumption period to minimize the ecological impact caused.

**24.4** It is crucial to prioritize the implementation of effective management plans to safeguard wetland habitats and their ecological functions. We consider **a detailed habitat management plan must be made available for public comment before approval of the EIA report and the granting of the Environmental Permit for the development.**

**25 Inappropriate implementation timeline of Sam Po Shue WCP**

It is stated that *“the Government aims to start the development of SPS WCP in around 2026/2027 for completion by 2039 or earlier to tie in with the full operation of San Tin Technopole. For the site formation works of the first batch of land at San Tin Technopole targeted for commencement in late 2024, no pond filling will be involved. On current planning, pond filling works will not start until 2026/27, and the pace of pond filling will tie in with the development progress of the SPS WCP”.*

**This is significantly later than the commencement of the construction for the San Tin Technopole development in 2024 Q4.** Moreover, San Tin Technopole development is expected to have its first batch of residents by 2031, and the majority of residents are expected to move in gradually by 2034. Yet the SPSWCP

will not be completed until 2039, we doubt that **the conservation efforts and effectiveness of the SPSWCP would be compromised by the adverse impacts aroused from the construction and operation of the surrounding development.** We consider any construction works associated with wetland loss should only be commenced after the wetland compensation measures are proven effective and successful.

## 26 The proposed 35m eco-interface lacks buffering function

26.1 A 35m wide NBA in the form of an “eco-interface” was proposed in the EIA study. First, according to the landscape plan, the eco-interface is not fully covered by natural features. Instead, boardwalk and pedestrian are planned along the eco-interface. We consider the introduction of recreational features in the eco-interface will reduce its buffering function. The so-called eco-interface which is primarily intended to buffer the sensitive wetlands against disturbance, should be designed as restricted area.

26.2 Secondly, considering the study on the Ecological Value of Fishponds in the Deep Bay Area, which proposes a 500m Wetland Buffer Zone based on the preliminary study on impacts of human disturbance on bird usage, and also the general understanding that the disturbance distance of birds, depending on species and season, can be up to 500m, we consider a 500m buffer outside the fishpond wetland area should be provided to truly perform the buffering function of the buffer zone.

## 27 Bird collision risk may not be avoided or mitigated

27.1 It is stated that “*risk of bird collision would be higher in the northern portion of Project area, especially in the vicinity of the commuting flight paths of egrettries and night roost, and the west – east flight corridor near the LMC BCP*”. We are concerned the applicant has neglected the risk of window collision that poses to open-country bird species and other wetland dependent bird species like the common kingfisher and raptors. They are frequently recorded in the bird collision events in Hong Kong<sup>6</sup>, and are also

<sup>6</sup> The preliminary analysis of the bird-window collision cases in Hong Kong. Available at: <https://cms.hkbws.org.hk/cms/phocadownload/submissions/HKBirdWindowCollisionAnalysis2022.pdf>

the key species in fishpond wetlands.

- 27.2 In addition, to mitigate the bird collision risk, the applicant suggested that *“with implementation of other mitigation measures such as using non-transparent or nonglaring materials and providing suitable lighting, ecological impact arising from bird collision is expected to be low”*.
- 27.3 However, in Table 14.11 of the Visual Impact Assessment, the proposed noise barriers and enclosures *“shall be design in an elegant manner that includes suitable combination of transparent and sound absorbent materials”*. **Such visual mitigation measure apparently contradicts with the mitigation measures proposed in the ecological impact assessment.**
- 27.4 Moreover, unless there is detailed designs and conditions on the anti-bird collision requirements provided for all the structures within the project area in the EIA study stage, the effectiveness and the implementation mitigation measures to minimize the bird collision risk are simply unknown.

## 28 Wetland Enhancement Measures outside the assessment area of the project

- 28.1 In Section 10.11.3.40, it states that *“two management issues at Mai Po Inner Deep Bay Ramsar Site could be addressed to enhance environmental capacity across the broader NWNT wetland system”*.
- 28.2 Desilting of tidal channels and control of Sonneratia to enhance the ecology of the Mai Po Nature Reserve should be regarded as **the existing management works that AFCD and the managing party are responsible for.** Describing them as **enhancement measures under the San Tin Technopole development is misleading**, unless the applicant agreed with us that the wetland loss and the off-site impacts due to the San Tin Technopole development will reduce the carrying capacity across the broader Deep Bay wetland system. It is therefore necessary and reasonable, at this EIA study stage, to provide a comprehensive ecological impact assessment that covers the whole Ramsar Site and IBA, instead of the current assessment that only covers the 500m area outside the project area. By identifying the impacts on a wider scale, it is possible to figure out the enhancement requirement and to determine the enhancement measures.

28.3 In addition, the applicant has not provided the baseline data of the sites/areas to be enhanced. No detailed plan for implementing such measures and evaluation of the potential positive or negative outcomes are presented in the current EIA study. We are concerned the applicant has overlooked the feasibility, effectiveness and potential secondary impacts of the proposed enhancement measures.

28.4 Based on the egretty monitoring data in 2022, the Mai Po Mangrove Egretty is located within the proposed area for the Sonneratia removal works. This egretty is the largest in the Deep Bay area. It supports around 138 pair of breeding ardeids, including Great Egret, Eastern Cattle Egret, Little Egret and Black-crowned Night Heron. Yet, introduction of invasive exotic mangrove Sonneratia is a serious problem in the Deep Bay wetlands, the planning and implementation needs great cares and efforts, to avoid any irreversible secondary impacts. However, such impact assessment is absent in the EIA.

## 29 Cumulative ecological impacts and undesirable precedent set in Deep Bay area

29.1 In Section 10.10, it states that “a full list of concurrent projects is detailed in Table 2.7.” First, it should be referred to Table 2.9. Second, the list failed to include all developments proposed by the government and private sector.

29.2 The government proposed projects include the Development of Lok Ma Chau Loop – Eastern Connection Road, Feasibility Study for the Ma Tso Lung Area and Other Sites in Kwu Tung North New Development Area and North District and Feasibility Study for the Land Use Review Study for Lau Fau Shan, Tsim Bei Tsui and Pak Nai Areas.

29.3 The development projects proposed by private sector include the rezoning application for a residential development in Lin Barn Tsuen (No. Y/YL-ST/1), the two rezoning applications for residential developments in Yau Pok Road (No. Y/YL-MP/7 and Y/YL-MP/8), the approved planning application for Wetland Restoration Area Low Density Residential Development (No. A/YL-MP/247) and the Comprehensive House and Wetland Habitat Development in Wo Shang Wai (No. A/YL-MP/344).

29.4 We are highly concerned the cumulative ecological impacts of a number of residential developments proposed or approved in close proximity of the

project area to the fishponds of Deep Bay area, have not been assessed.

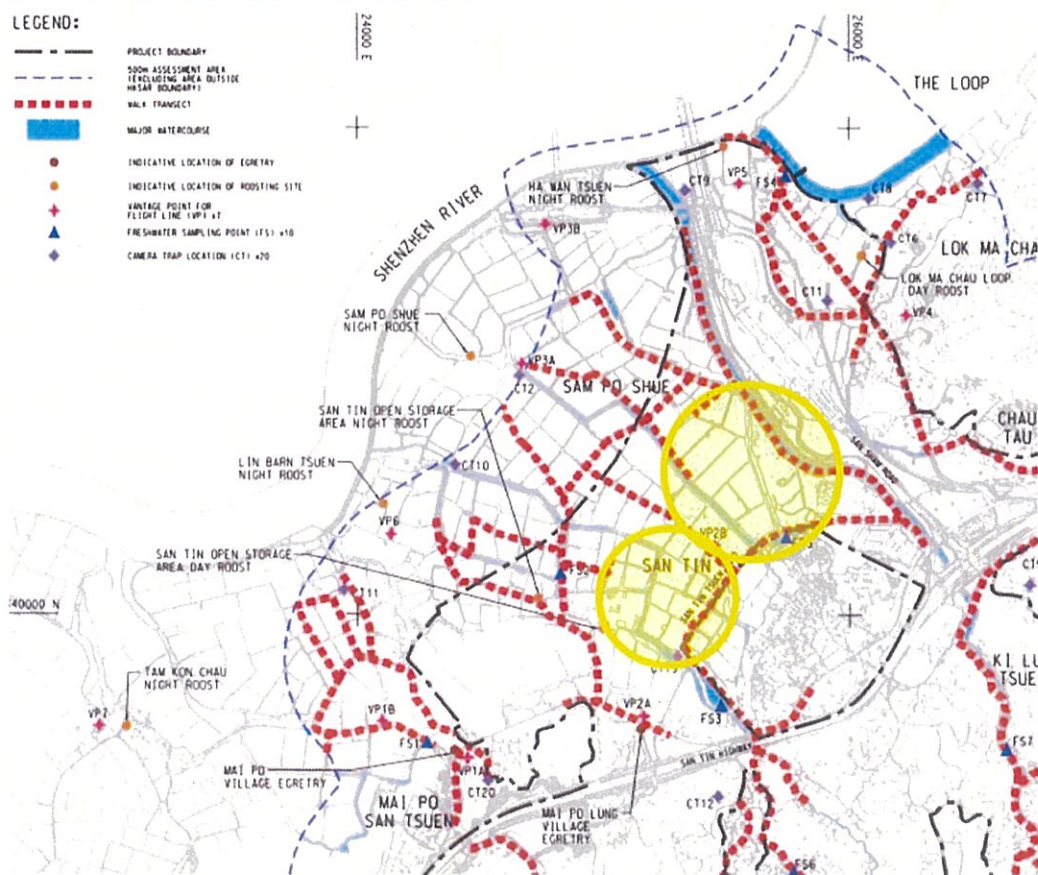
All the residential and infrastructure developments will cumulatively cause significant impacts on the carrying capacity of the Deep Bay as a whole, and also threaten the breeding bird population and migratory bird population along the East Asian-Australasian Flyway.

The Deep Bay wetland ecosystem is the last remaining contiguous coastal wetlands in the Greater Bay Area. It supports up to 10,0000 migratory birds each year, including the globally endangered Black-faced Spoonbill. The core goal of the Wetland Conservation Parks System should be to halt wetland loss and secure the integrity of the Deep Bay wetland ecosystem, and should align with the Kunming-Montreal Global Biodiversity Framework under the Convention on Biological Diversity which also targets to halt and reverse biodiversity loss.

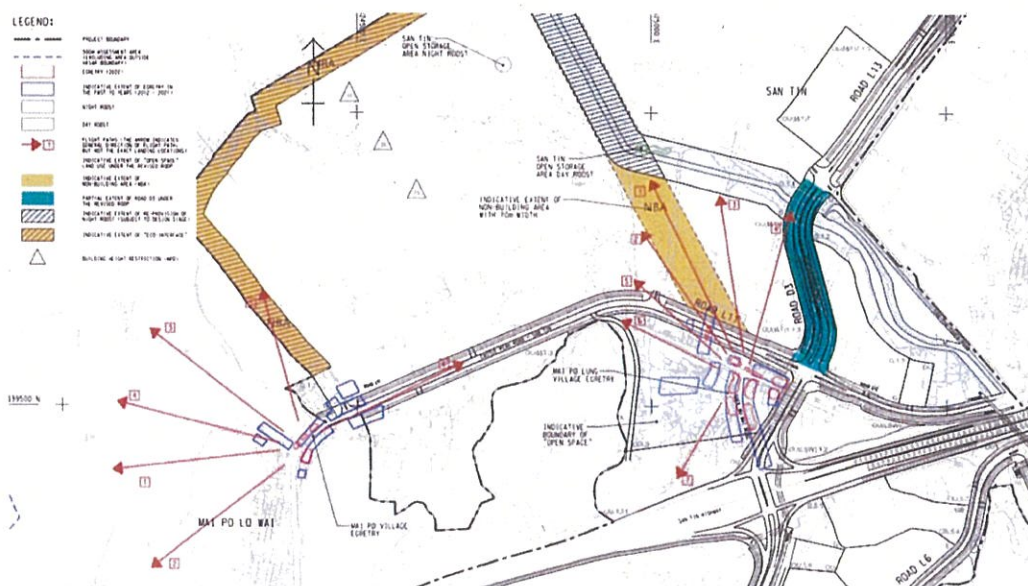
HKBWS hopes that our comments would be taken into consideration. Thank you for your kind attention.

Yours faithfully,  
The Hong Kong Bird Watching Society

Figure 1. According to the survey transects provided by the applicant, it cannot cover all the ponds in the assessment area especially for the ponds within the project site. Such inadequacy of the survey dataset was not mentioned in the report. With such deficiency, using the correct and complete dataset from literature review is very important to ensure the ecological value of the habitats (particularly for the pond habitat) would not be underestimated.



**Figure 2.** The records of landing locations could help inform the feeding ground of the breeding ardeids, so as to properly assess the ecological value of the ponds and the adverse impacts on the essential feeding grounds for the breeding birds. However, referring to Figure 10.6A, the map only shows the indicative directions of flight paths of the MPLV and MPV Egret, while the exact locations of landing points were not presented. We consider the landing points (at least for MPLV) can be observed unless the methodology was not properly followed or implemented. We urge that the applicant must provide the landing data to properly assess the corresponding ecological value and adverse impacts.





**Figure 3.** A 1,200m wide Non-building Area (i.e. the distance measured from the fishponds next to Shenzhen River at Ha Wan Tsuen, to the fishponds near Ha Wan Fisherman San Tsuen and Pun Uk Tsuen) to preserve the remaining and the only movement corridor to access the fishpond wetlands in Hoo Hok Wai/ Ma Tso Lung.

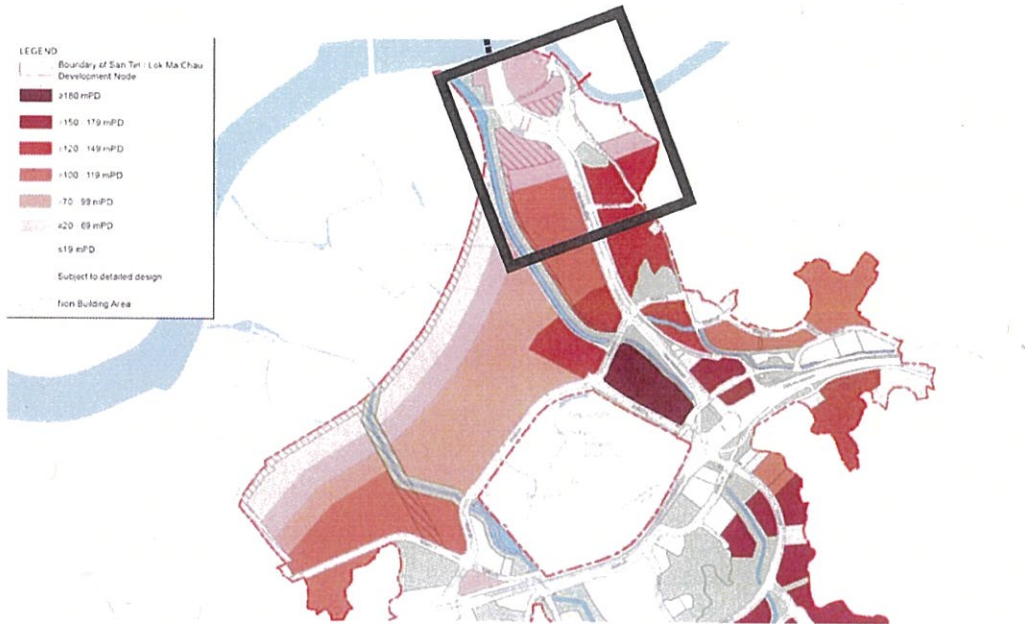
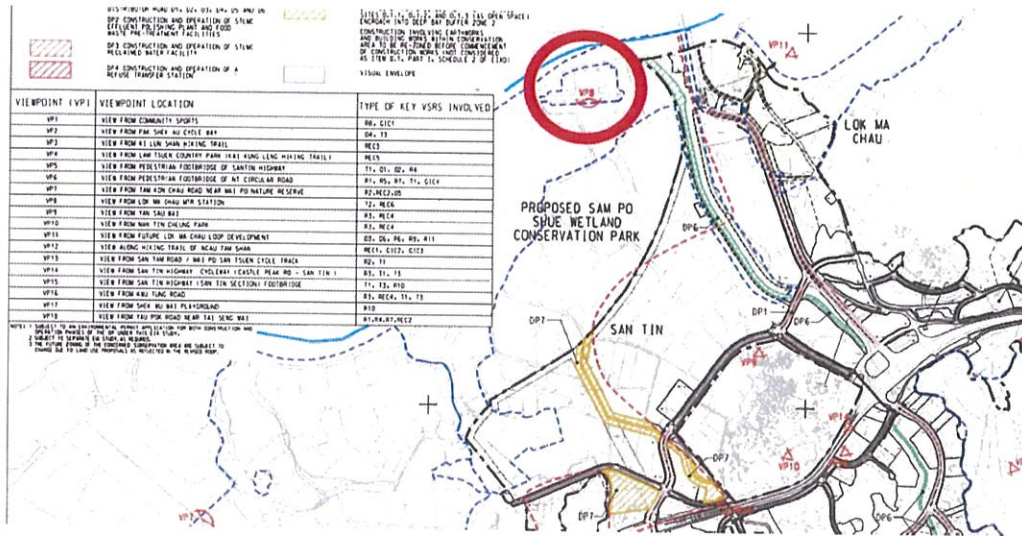


Figure 4. The viewpoint selected for the future visitors of SPSWCP (i.e. VP8) is located at Lok Ma Chau MTR Station, which is outside the proposed SPSWCP. It is irrelevant and inappropriate.



Secretary, Town Planning Board  
15/F, North Point Government Offices  
333 Java Road, North Point, Hong Kong  
(E-mail: tpbpd@pland.gov.hk)

By email only

8 May 2024

Dear Sir/Madam,

**Comments on the Draft San Tin Technopole Outline Zoning Plan No. S/STT/1**

The Deep Bay (also known as Shenzhen Bay) wetland system, including San Tin fishpond wetlands which is situated in the core of the whole system, is a valuable and unique coastal wetland resource in the Guangdong-Hong Kong-Macao Greater Bay Area. Hong Kong has the responsibility to protect the integrity and biodiversity of the wetland, safeguarding the important ecological corridor for migratory birds, so as to align with the objectives of the 'Outline of the 14th Five Year Plan for National Economic and Social Development of the People's Republic of China and the Long-Range Objectives Through the Year 2035' (the National 14th Five-Year Plan) and the planning principles of the Greater Bay Area, as well as to assist China in fulfilling the obligations under the Convention on Biological Diversity and the Ramsar Convention.

The Hong Kong Bird Watching Society (HKBWS) would like to express the following planning and ecological concerns in relation to the Draft San Tin Technopole Outline Zoning Plan (OZP) No. S/STT/1 (the Draft STT OZP).

**1 Scarification of internationally important wetlands for I&T development does not align with the national and Greater Bay policy**

- 1.1 From the Notes and Explanatory Statement of the Draft STT OZP, it quoted part of the National 14th Five-Year Plan which is to support Hong Kong "to enhance, establish and develop into, amongst others, an international innovation and technology (I&T) centre". It is also stated that the San Tin

Technopole (STT) will be “actively responding to and capitalising on the national development strategy of supporting Hong Kong to develop into an international I&T centre as outlined in the National 14th Five-Year Plan, and implementing the concept of ‘one river, two banks’ and ‘one district, two parks’ under the auspices of ‘One Country, Two Systems’”.

- 1.2 We appreciate the willingness of the government to align with the national policy, but we are disappointed that the government did not put equal level of attention to the ecological civilization, which make the STT fail to align with the national policy. According to the Chapter 11 of the National 14th Five-Year Plan titled “Promoting Green Development and Facilitating Harmonious Coexistence between Humans and Nature,” it highlighted “Green waters and the green mountains are gold mountains and silver mountains”. To construct a beautiful China, we need to respect, adapt to, and protect nature, prioritize conservation and efficiency, give priority to natural restoration, implement sustainable development strategy, improve the coordination mechanism for ecological civilization, establish an ecological civilization system, and promote comprehensive green transformation of economic and social development.
- 1.3 In the Outline Development Plan for the Guangdong-Hong Kong-Macao Greater Bay Area also mentioned about provision of ecological protection and explicitly stated the need to “strengthen wetland protection and restoration, comprehensively protect internationally and nationally important wetlands within the region and carry out cross-border collaborative protection of coastal wetlands.”<sup>1</sup> In the Territorial Spatial Planning of Guangdong Province 2020-2035, it proposed to enhance the ecological spatial planning, such as “strengthening the protection of globally important biodiversity” and “constructing global migratory bird stop-over site, with a focus on promoting the construction of ecological corridors for water birds in the Pearl River Delta region, and to create a bay area for migratory bird”<sup>2</sup>. Moreover, in the Pearl River Delta Waterbird Ecological

<sup>1</sup> <http://nr.gd.gov.cn/attachment/0/413/413359/3225138.pdf>

<sup>2</sup> <http://nr.gd.gov.cn/attachment/0/413/413359/3225138.pdf>

Corridor Construction Plan (2020-2025), the Deep Bay wetland system is recognized as an important corridor node for the southern main corridor. In this area, protection and connectivity in and between waterbirds habitats should be strengthened, and strict biodiversity conservation and pollution control strategies should be implemented<sup>3</sup>. We believe that the protection of the precious local coastal wetland ecosystems is of vital importance in maintaining biodiversity and holds national and international significance.

- 1.4 San Tin is situated in the core of the Deep Bay wetland system. STT development will clearly break the ecological corridor and connectivity for migratory birds, which is not in line with the objectives of the National 14th Five-Year Plan and the planning principles of the Greater Bay Area, as well as assisting China in fulfilling its obligations under the Convention on Biological Diversity and the Ramsar Convention.

## 2 Absence of scientifically sound ecological study and planning study

- 2.1 According to the Notes and Explanatory Statement of the Draft STT OZP, it is stated that the impact on ecological and fisheries resources arising from the development at San Tin Lok Ma Chau area of the Technopole could be compensated by the Sam Po Shue Wetland Conservation Park (SPSWCP), in order to achieve no-net-loss in ecological function and capacity of the wetlands concerned. Such statement is largely based on the Environmental Impact Assessment (EIA) Report for “First Phase Development of the New Territories North – San Tin/Lok Ma Chau Development Node” (the Study) commissioned in October 2021. Meanwhile, the area of the SPS WCP, to be approximately 338 ha, is said to be proposed by the “Strategic Feasibility Study on the Development of the Wetland Conservation Parks System under the Northern Metropolis Development Strategy” (WCP Study).
- 2.2 However, the WCP Study has not yet completed nor published before the gazettal of the Draft STT OZP on 8 March 2024 and the end of this public inspection period on 8 May 2024. Moreover, the EIA Report has not yet been approved under the EIA Ordinance. It is doubted if the Town Planning Board

<sup>3</sup> [https://lyj.gd.gov.cn/government/Information/plan/content/post\\_3045912.html](https://lyj.gd.gov.cn/government/Information/plan/content/post_3045912.html)

(TPB) can properly consider all the environmental aspects of the development at this plan-making stage.

- 2.3 We would also like to highlight that the said EIA Report for the Study was incomplete and not scientifically sound. The San Tin Technopole development would cause the largest-scale wetland loss in the past 30 years, but the EIA Report has been the most careless and hasty among the other designated projects involving wetland loss since the EIA Ordinance was in operation. It was found with 29 numbers of errors, mistakes, or missing assessments (refer to Attachment 1 for our full comments on EIA Report). As mentioned in the recent joint statement released by ten green groups including us, at least 35 instances of non-compliance with statutory requirements of the EIA Ordinance were identified (Attachment 2). We consider the EIA Report is simply invalid and incapable to provide justification and scientific grounds for the Draft STT OZP.

### 3 Absence of planning study

- 3.1 148 ha of I&T zone, including Area 19 A to 19C, was proposed within 150 ha of Wetland Conservation Area (WCA) and 97 ha of Wetland Buffer Area (WBA). However, the detailed land uses within this zoning have not yet been studied and are still subject to another consultancy study.
- 3.2 Ms Bernadette Linn, the Secretary for Development, mentioned that the Innovation, Technology and Industry Bureau will commence a consultancy study on the development plan for the new land for I&T use in the San Tin area, as reported in a news on 21 June 2023<sup>4</sup>. According to the official website for Northern Metropolis, it is stated that *“the Government has commenced a consultancy study on the development plan for the new land for I&T use in the San Tin area with a view to recommending specific I&T industries/areas and their positioning in the I&T ecological chain (i.e. upstream (research and development), midstream (prototype, application) or downstream (manufacturing processes) for development at different land*

<sup>4</sup> <https://news.rthk.hk/rthk/ch/component/k2/1705744-20230621.htm>

*parcels, the required infrastructure and supporting facilities, etc.”<sup>5</sup>*

3.3 The study mentioned above was not available yet. Currently, there is no any land use details, such as the types of I&T industries and the associated infrastructures, were provided. It is also unknown about the potential planning constraints and risks regarding different types of I&T industries. Given the absence of complete and quality EIA and also a detailed planning study for I&T land, we consider the gazettal of Draft STT OZP violate procedural justice.

**4 Failed to justify a 10% loss in Wetland Conservation Area is not in compliance with “precautionary approach” and the principle of “no-net-loss in wetland”**

4.1 The Draft STT OZP proposes to rezone all the wetland-conservation-related land within 150 ha of WCA and 97 ha of WBA to different development zonings.



<sup>5</sup> <https://www.nm.gov.hk/en/innovation-and-technology-zone>

- 4.2 We consider that such encroachment to the two areas should be seriously treated. And we would like to remind the Board that the establishment of “precautionary approach”, “no-net-loss in wetland” principle, WCA and WBA was based on comprehensive scientific and ecological studies. In 1988, the government commissioned a study on the natural resources and potential environmental issues in the Deep Bay area. This study officially recognized the importance of the Deep Bay wetlands. Subsequently, the government formulated the first Planning Guideline (No. 12) in 1992 to regulate development applications in Deep Bay and established Buffer Zone 1 (BZ1) and Buffer Zone 2 (BZ2). In 1995, the Inner Deep Bay area, including Mai Po, was officially designated as a “Ramsar Wetland.” In 1997, the government completed the Study on the Ecological Value of Fish Ponds in the Deep Bay Area (Fish Pond Study), which conducted at least 12-month ecological baseline study for the whole fishpond areas, comprehensive literature review for about 10-year waterbird data, disturbance study and also both seasonal and spatial analysis. After all detailed assessments, it confirmed the ecological value of both active and abandoned fishponds, and recommended the principle of “precautionary approach” and “no-net-loss in wetland”, and also the designation of different areas to protect interconnected fishponds, ensuring the overall integrity of the Deep Bay wetland ecosystem. In 1999, the government updated the planning guidelines and designated the WCA and 500-m wide WBA. With the opening of the Frontier Closed Area, the government completed the “Ho Hok Wai Ecological Field Study” in 2013 and extended the boundaries of the two designated areas to include Ho Hok Wai and Ma Tso Lung in 2014. It would like to remind the Board that the establishment and every single amendment to the wetland planning principle and planning guideline are based on strong scientific ground.
- 4.3 However, the current proposed STT, which involves nearly 10% loss in WCA and a total ignorance of WBA, is not only violating the TPB Guideline No. 12C, but also contradict with the rationale of wetland planning over the past 30 years. Despite that, the applicant insisted that the STT development will not result in net loss in wetland function, and is in line with “no-net-loss in



wetland” principle. Without a ecological study that is more comprehensive and detailed than the Fish Pond Study in 1997, we consider a 10% reduction in WCA is contradicting to the previous scientific study and is not acceptable.

## 5 Absence of general planning intention in regard to wetland conservation and planning principles

- 5.1 According to the Explanatory Statement of the Approved San Tin Outline Zoning Plan No. S/YL-ST/8, the general planning intention of San Tin Area is to conserve the ecological value of the fish ponds which form an integral part of the wetland ecosystem in the Deep Bay Area, to conserve all the existing and contiguous, active or abandoned fish ponds, and to avoid loss of fish ponds and habitat fragmentation. To achieve the conservation objectives, a “precautionary approach” and the principle of “no-net-loss in wetland” were adopted. Moreover, in the section explaining the opportunities and constraints, Fish Pond Study was highlighted to present the opportunities “to preserve/enhance these natural resources, and to restore some of the degraded areas.”
- 5.2 In the Explanatory Statement of the Draft STT OZP, the section of general planning intention was replaced by two sections named planning themes and urban design and landscape framework, and building height restrictions in the area. In these two sections, the “precautionary approach” and the principle of “no-net-loss in wetland” were not adopted within the STT area. Meanwhile, when explaining the opportunities and constraints, it only mentioned about the Mai Po Lung Village, Mai Po Village and the SPSWCP which is outside the STT OZP, as the Ecological Resources within the STT area.
- 5.3 The Draft STT OZP failed to recognize the interlinking relationship between STT area and the surrounding remaining wetlands including Mai Po Inner Deep Bay Ramsar Site. Without adopting the “precautionary approach” and the principle of “no-net-loss in wetland” in this OZP, it failed to guide the plan to avoid potential impacts of the development within STT area on the Deep Bay wetlands, such as future planning applications for different incompatible uses, relaxation on building height, etc.

## 6 Other Specified Uses (Innovation and Technology) (OU(I&T)) zone

### *Concerns about the existing wetlands of very high ecological value*

- 6.1 The "Conservation Area", "Other Specified Uses (Comprehensive Development and Wetland Enhancement Area)," and "Other Specified Uses (Comprehensive Development to include Wetland Restoration Area)" within WCA and WBA in the OZP No. S/YL-ST/8, will be rezoned to OU(I&T) or Other Specified Uses (Amenity) (OU(A)) under the Draft STT OZP. Based on the EIA Report, about 114 ha of wetlands, including fishponds, marsh and river, will be lost permanently to I&T development after the rezoning. We are concerned the zoning of OU(I&T) and the associated wetland filling will lead to permanent loss in highly ecologically valuable wetlands and cause irreversible damage to the last remaining contiguous coastal wetland system in the Greater Bay Area.
- 6.2 According to the bird records of HKBWS, the proposed pond filling area, including active, inactive and abandoned fishpond, has a rich biodiversity, with a total of 205 bird species recorded, accounting for one-third of the total bird species in Hong Kong. Among them 117 bird species are of conservation importance, including 19 globally threatened or near threatened species listed in the International Union for Conservation of Nature (IUCN)'s Red List of Threatened Species, such as critically endangered **Baer's Pochard**, critically endangered **Yellow-breasted Bunting**, endangered **Black-faced Spoonbill**, and vulnerable **Common Pochard**. There are also national-level protected animals, with 33 species listed as Class I or II protected animals of China, such as **Eastern Imperial Eagle**, **Greater Spotted Eagle**, and **Cinereous vulture**; and 25 species listed in the "Red List of China's Vertebrates" such as **Red Knot** and **Manchurian Reed Warbler**. The above records provide sufficient evidence that these fishpond wetlands are of extremely high ecological value and are important habitats for many endangered species that are facing extinction.
- 6.3 In early 2023, HKBWS recorded up to 78 Black-faced Spoonbills foraging in a drained-down fishpond in San Tin, accounting for nearly 30% of the total population in Hong Kong and over 1% of the global population. This meets the criteria for inclusion in the "Wetlands of International Importance"

under the Ramsar Convention, where the number of a waterbird species accounts for 1% of the global figure. Therefore, the fishponds in San Tin are of very high ecological value.



6.4 A Black-faced Spoonbill with the ring number "E29" has been using the San Tin fishpond wetlands for three consecutive winters, reflecting the strong loyalty of the Black-faced Spoonbill to this wetland and the importance of the San Tin fishpond wetlands to the Black-faced Spoonbills. This individual was born in South Korea in 2011 and has been wintering at Deep Bay Area in Hong Kong every year.



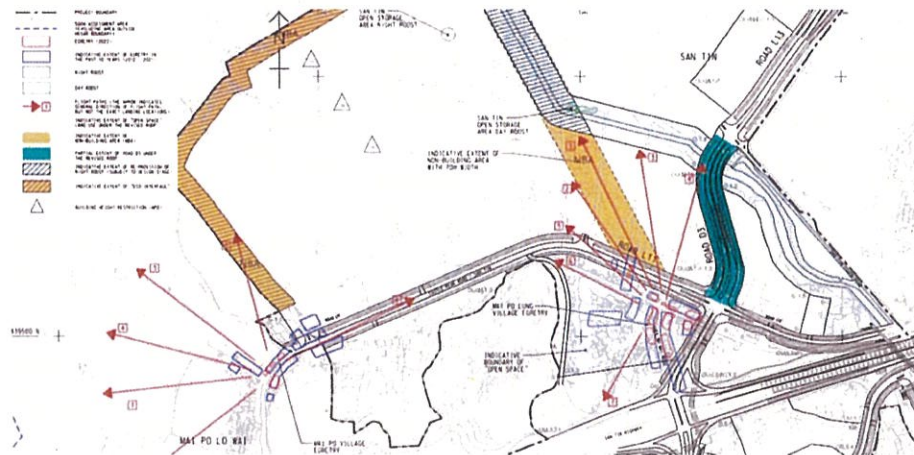
- 6.5 Besides, breeding birds are vulnerable to threats. Any direct habitat loss in their nesting and breeding grounds could have enormous and irreversible impacts on their breeding success and the entire population. Apart the breeding egrets/herons to be discussed in the below sections, the pond filling area is also the confirmed breeding and nesting grounds for **White-breasted Waterhen** (missing in EIA), **Little Grebe** (missing in EIA), **Little Ringed Plover** and **White-shouldered Starling**, which have not been fully identified and assessed in the EIA Report.
- 6.6 Regarding the so-called abandoned fishpond as frequently highlighted by the government, HKBWS considers that this statement is misleading and gives the impression that the area is of low ecological value and can be destroyed. Taking the fallow fishpond wetlands in the San Tin and Sam Po Shue area as an example, we have recorded the scarce and globally vulnerable Common Pochard for five consecutive years, as well as the rare and globally near-threatened Ferruginous Duck. San Tin is the most important habitat for these species outside Mai Po, and thus has significant ecological value.
- 6.7 In short, we consider the impacted wetlands are of high ecological value and should not be covered by OU(I&T) zone with the planning intention to "provide development space for accommodating a variety of innovation and technology uses, including research and development, production activities, data centre, staff accommodation/talent apartment, supporting commercial/retail facilities and other complementary infrastructure". There are up to 44 types of land uses that are always permitted under Column 1 use in this zoning, including talent apartments, commercial, hotel, and industrial uses, which are incompatible with the surrounding wetlands and their potential environmental and ecological impacts have not been assessed in the EIA Report as well. In the remarks for this zoning, any new development will not need to submit an environmental impact study report, landscape proposals, drainage and sewerage impact study report, to assess the variable or additional impacts in regard to different types of development. To secure the wetland integrity,, we consider the existing wetlands within WCA should all be preserved by conservation-

related zonings.

***Direct impacts on Mai Po Lung Village (MPLV) egretty and Mai Po Village (MPV) egretty***

- 6.8 The EIA Report has seriously underestimated the impacts on egrettries. Mai Po Lung Village (MPLV) egretty and Mai Po Village (MPV) egretty, which together support nearly 200 nests of breeding ardeids and is equivalent to almost 46% of the total breeding population of ardeids in Deep Bay, falls within or at the boundary the project area. These two egrettries are also the second and third largest egrettries in Deep Bay area and both have a history of over 20 years.
- 6.9 It is noted that a narrow strip of Weeping Fig located at the north of Castle Peak Road (San Tin section) and a small patch of vegetation at the east of Shek Wu Wai Road, which would be removed due to a proposed road upgrading works, without any mitigation measures for the direct loss in nesting trees.
- 6.10 The **direct loss in feeding and foraging ground** for the breeding egrets and herons has not been properly assessed and mitigated in the EIA Report. The EIA Report only presented the map of the indicative directions of flight paths of the MPLV and MPV Egretty, while the exact locations of landing points were not presented. From the map, **over 95% of the flight paths of the MPLV** were in **north to northwest directions** (e.g. Flight Paths 1 to 5) **to the ponds at San Tin and Sam Po Shue**, and 99% of these flight paths have a flight height of 20m or below. From our observation, **about 50% of Chinese Pond Herons at MPLV would land at the proposed filled fishponds**. As the number of nests of Chinese Pond Heron at MPLV accounts for one-third of the total number in Hong Kong and is the largest breeding population of this species in Hong Kong, it is anticipated that the permanent loss in fishponds will cause **devastating impact on the breeding ardeids, particularly the Chinese Pond Heron population**.
- 1.1 The **direct disruption of their flight corridor** was not properly assessed and mitigated. Based on the data in EIA Report, approximately **99.4%** of breeding ardeids in MPLV Egretty, and over **26%** of ardeids from MPV Egretty flew

across the development area for feeding and foraging. However, the STT development only leave 70m wide Non-building Area (NBA) for MPLV egretty, which means nearly 80% of their flight corridor would be disappeared, and the existing function of low-density landscape as the flight corridor will be totally lost.



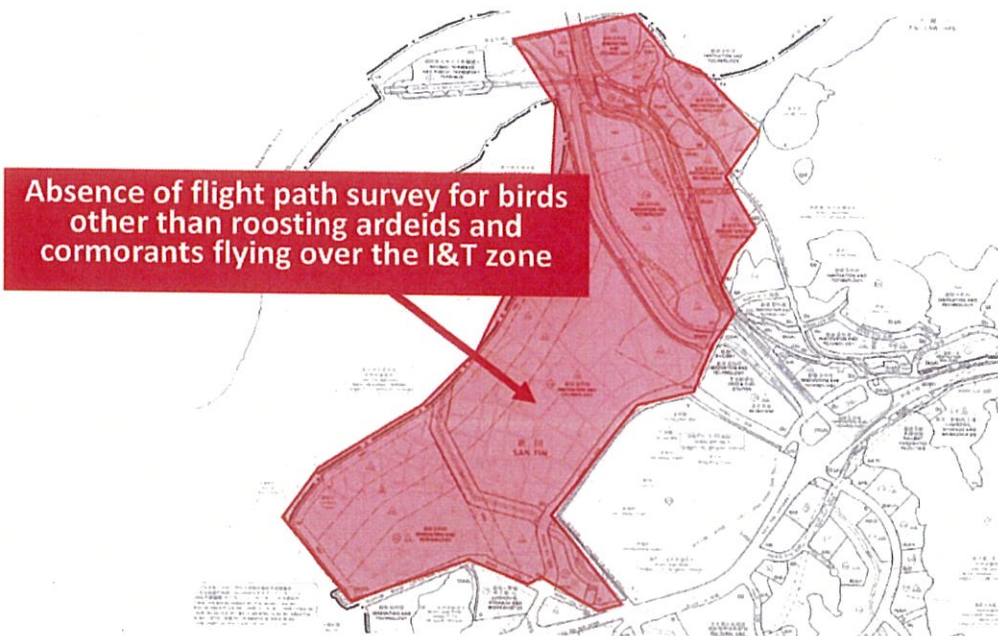
- 1.2 Even worse, we notice that the building height proposed immediately next to the egrettries and the proposed NBA within Area 19C is up to 105mPD, which would apparently deter the birds to commute between egrettries and wetland area. As breeding ardeids, especially Chinese Pond Heron, would be deterred by the presence of the buildings, including low-density buildings, the dramatic increase in the travelling distance due to the avoidance of high-rises would greatly increase the energy expenditures of the breeding ardeids, which could result in failure in nesting and even abandonment of the egretty.



Despite the high possibility of abandonment of the large egrettries, there are no follow-up measures to deal with this worst scenario in the EIA Report. This once again reveals the deficiency of the EIA for this Study.

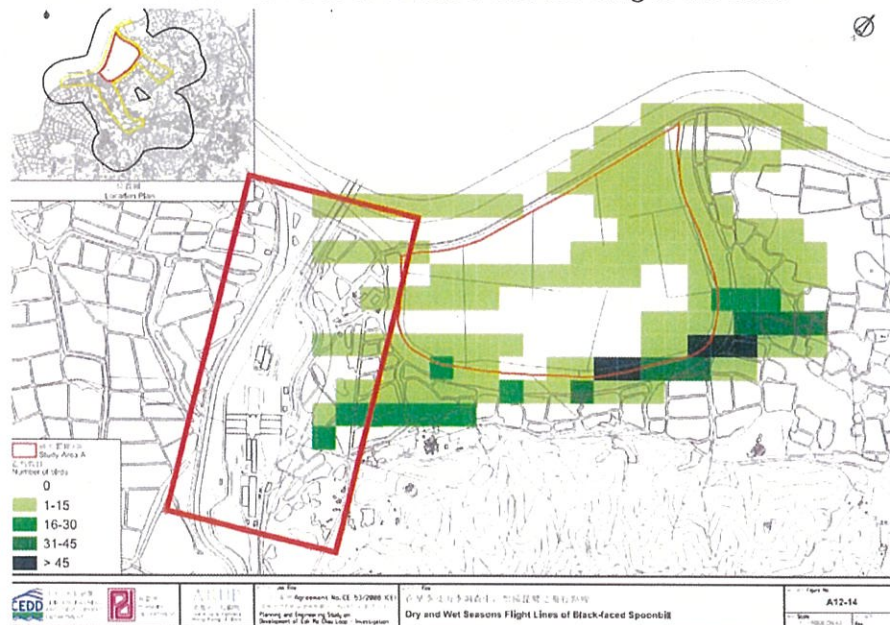
***Stepped building height failed to mitigate the impacts on birds flying above the proposed OU(I&T)***

- 1.3 The current proposed building heights within the OU(I&T) are not based on scientific or ecological findings. There is **NO flight path survey** conducted for birds flying above the existing fishponds within proposed OU(I&T). From our observation, the flight height for the birds flying within/across the OU(I&T) are mostly from 0m to 50m. However, the current proposed stepped building heights (i.e. from 105mPD, 75mPD, 35mPD and 15mPD) are much higher than the birds' flight height and the existing surrounding building height of below 15m.
- 1.4 We consider it is misleading to claim that “*stepped building height (i.e. from 105mPD, 75mPD, 35mPD and 15mPD) gradually decreasing towards the SPS WCP to the north of the Area is recommended to minimise impacts on ecological sensitive area*” in the Explanatory Statement, without having any ecological and scientific grounds.



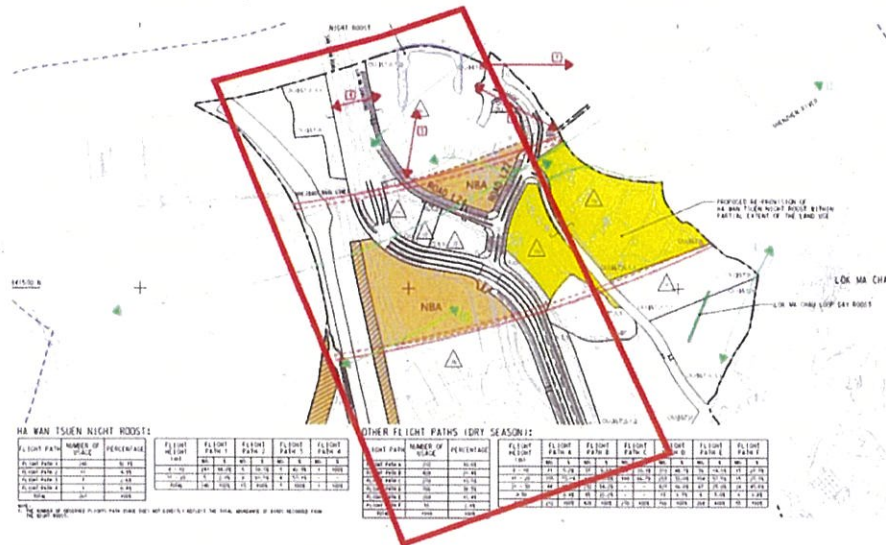
**An unfunctional 300m-wide birds' flight corridor**

- 1.5 The area including Ha Wan Tsuen and the LMCBCP, where is around 1200m wide, is indeed the crucial and only movement corridor left to connect Mai Po, Hoo Hok Wai and Ma Tso Lung fishpond wetlands. According to the EIA Report, the applicant only conducted flight path survey for the two night roosts near Ha Wan Tsuen and Lok Ma Chau, but no survey was conducted for other migratory birds flying across this area.
- 1.6 From the flight lines survey conducted for Lok Ma Chau Loop development as shown in the figure below, the flight lines data for Black-faced Spoonbill clearly demonstrate that this species will fly through this 1200m wide corridor to access Mai Po to the west or Ma Tso Lung to the east.





- 1.7 According to the flight paths recorded in the poor-quality EIA Report, it can still be revealed that the flight paths were distributed all over the wetland areas. A 300m wide flight corridor is considered to be insufficient to avoid or minimize the fragmentation of movement corridor for avifauna.



- 1.8 We consider a 1,200m wide corridor (i.e. the width is measured from the fishponds next to Shenzhen River at Ha Wan Tsuen, to the fishponds near Ha Wan Fisherman San Tsuen and Pun Uk Tsuen) to preserve the remaining and the only movement corridor to access the fishpond wetlands in Hoo Hok Wai/ Ma Tso Lung should be provided.
- 1.9 Apart from the width of the corridor, the building heights allowed with this corridor should be restricted to not more than the existing low-density landscape, so as to avoid fragmentation of the avifauna movement and disruption to the only movement corridor for connecting the wetlands between the Ramsar Site, San Tin and Ma Tso Lung. Referring to the flight path survey in the EIA Report, among 2,202 numbers of usage of the flight path corridor around the LMCBCP, over 96% of them were recorded with a flight height within 0-30m.
- 1.10 However, according to the Draft STT OZP, the eastern half of the corridor is zoned as OU(I&T) which "comprises a proposed low-rise AFCD Fisheries Research Centre ( $\leq 15mPD$ )", while several new elevated and at-grade roads

will also be constructed across the proposed 300m flight corridor. That means the corridor is not designed as an NBA and will even potentially deter birds from flying through, undermining the function as a flight corridor. Moreover, the recommended building height within 100m from the proposed flight corridor can be up to 35mPD high, while the buildings within 100-200m from the corridor can be up to 130mPD high. The birds that attempt to avoid high-rises will not be able to fly through, resulting in fragmentation of the avifauna movement.

- 1.11 A 1,200m wide movement corridor composes of Non-building Area or open-country environment should be provided by proper zonings and restrictions. Any development with building height over the existing elevation should be required for a submission of ecological impact assessment and followed “no-net-loss in wetland” and “precautionary approach”. Buildings within 500m outside the corridor should also be zoned as zonings with stringent height/density control (i.e. 3-storey or low-density).

## 7 Concerns about “Open Space” (O) zone.

- 7.1 An Open Space is proposed to “*preserve birds’ flight paths and the Mai Po Lung Village Egretty*”. This zoning is intended primarily “*for the provision of outdoor open-air public space for active and/or passive recreational uses serving the needs of local residents as well as the general public*”. Moreover, there are 14 land uses under column 1, which are always permitted. However, some of them could result in intensive human disturbance, such as Playground, Barbecue Spot, Visitor Centre.
- 7.2 Given that no ecological consideration is reflected in the statutory planning intention and Column 1 Uses, and there are no remarks under this zoning to restrict the development in Areas 19C and 20 in regard to the potential impacts on breeding ardeids, we consider it is inappropriate to zone the breeding colony of high ecological importance as Open Space. Instead, a more stringent conservation-related zoning should be provided to effectively protect the egretty.

## 8 Preservation of rural culture and Agricultural land

- 8.1 Traditional pond fish culture contributes to the sustainability of the economy, society, and environment. Aquaculture of Fresh-water Fish Technique is included in the list of Hong Kong Intangible Cultural Heritage.
- 8.2 According to the data from the voluntary registration program for local pond fish farms by the Agriculture, Fisheries and Conservation Department, the OU(I&T) will directly impact over 30 formally registered fish farmers. Fish farmers in the San Tin area have been engaged in pond fish farming for the past half-century. In the last decade, they have actively participated in habitat management and conservation scheme subsidized by the government. While preserving the traditional operation of pond fish farming, they have also provided feeding opportunities for waterbirds, maintaining the ecological value of the Deep Bay Wetland.
- 8.3 Besides, there are several active villages being directly affected by the OU(I&T). Ha Wan Tsuen, Mai Po San Tsuen, Lin Barn Tsuen, etc, are the villages that have close linkage to the pond fish culture and should be preserved.
- 8.4 There is permanent loss of 10.36 ha of agricultural land affected by the Draft STT OZP. We urge the Board to re-consider zoning the agricultural cluster in Shek Wu Wai as Agriculture to achieve urban-rural integration.

We respectfully request for a review of the following amendments and zonings:

- Including the important wetland conservation principles of "protecting the integrity of wetland ecosystems", "precautionary approach" and "no-net-loss in wetland" as general planning intention and objective.
- Rezoning the "Other Specified Uses (Innovation and Technology)" zones within the "Wetland Conservation Area" ("WCA") and "Wetland Buffer Area" ("WBA") back to their original zonings, which are "Conservation Area", "Other Specified Uses (Comprehensive Development and Wetland Enhancement Area)", "Other Specified Uses (Comprehensive Development to include Wetland Restoration Area)" or other zonings effective for wetland conservation. This is to ensure that any development does not contravene the wetland conservation principles of "Precautionary

Approach" and "No-net-loss in wetland". It should also explicitly state that "No-net-loss in wetland" refers to both area and function.

■ Rezoning the Open Space in Area 19C and 20 to conservation-related zonings to truly preserve the MPLV egretty which is the top three largest egretty in Deep Bay, as well as their foraging grounds.

■ Stringent land uses and low-rise building height restriction should be provided in the corresponding zonings within Area 19B and 19C, where is the flight corridor for breeding egrets and herons flying back and forth between their nests and foraging grounds. This is to ensure that any development does not exceed the current low-density development height and does not cause adverse disturbances to the adjacent sensitive ecosystem.

■ Rezoning the area from the Lok Ma Chau MTR Station, Ha Wan Tsuen and Lok Ma Chau Boundary Control Point to wetland-conservation-related zonings to promote restoration of wetland and open-country environment with limited low-density development. This is to ensure that any development does not exceed the current low-density development height and does not cause adverse disturbances to the adjacent sensitive ecosystem, thus safeguarding the ecological connectivity between Mai Po, Ma Tso Lung and Long Valley.

■ Ensure all the new development within WCA should conduct comprehensive ecological impact assessment.

Thank you for your kind attention and we hope that the TPB will take our comments into consideration.

Yours faithfully,

The Hong Kong Bird Watching Society

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**From:** Carter Lau [REDACTED]  
**Sent:** 2024-05-08 星期三 10:30:00  
**To:** tpbpd/PLAND <tpbpd@pland.gov.hk>  
**Subject:** 環保觸覺就新田科技城分區計劃大綱草圖編號 S/STT/1 提出意見  
**Attachment:** 環保觸覺 - 就新田科技城分區計劃大綱草圖編號 S-STT-1 之意見書.pdf

**Submission Number:**  
TPB/R/S/STT/1-S1120

Dear Sir/Madam,

Please find the attachment. Thank you.  
My ID no [REDACTED]

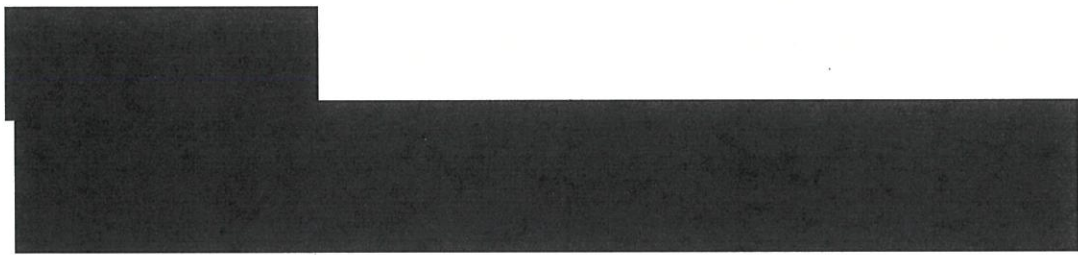
**Representation Number:**  
TPB/R/S/STT/1-R110

Regards,  
Carter Lau Ka Yeung

--

LAU Ka Yeung, Carter

Research Officer  
Green Sense HK Ltd



致 城市規劃委員會

### 就新田科技城分區計劃大綱草圖編號 S/STT/1 之意見書

當局建議製訂新田科技城分區計劃大綱草圖編號 S/STT/1，環保觸覺（下稱：本會）反對現時訂立之分區計劃大綱草圖，原因如下：

#### 當局未有完整評估本大綱圖發展對后海灣的影響

當局研究「新田科技城」計劃時，發展原先集中在新田公路之南面，所進行的生態研究及評估亦主要針對南邊區域，其後當局建議將發展範圍擴大至新田公路以北地區，接近米埔兩個鷺鳥林及后海灣地區，更計劃填塘進行發展，顯然發展將對后海灣地區造成不良影響。

參閱當局呈交之環評報告，報告相當粗疏且錯漏百出，不但有「認錯雀」之嫌，多種在新田區內常見之雀鳥亦無紀錄在案，具指標性的歐亞水瀨亦在報告內甚少提及，本大綱草圖規劃時將歐亞水瀨的棲息地納入創科用地附近，情況令人憂慮。此外報告僅以四種鳥類（包括黑臉琵鷺、大白鷺、蒼鷺及普通鸕鶿）計算地區「生態價值」；在最新提交的生態管理計劃中，亦只以八種雀鳥計算「生態價值」。然而最新的生態管理計劃所估算之鳥類不但只佔新田漁塘每年有過百種的一小部分，亦缺乏對植物、昆蟲、爬行類等整體生態價值之評估，並沒有足夠的理據以科學、數據合理地評估本大綱圖發展計劃對后海灣地區之影響。

后海灣是本港及國家共同保育的國際重要濕地，本會亦參考《中華人民共和國國家環境保護標準》有關生物多樣性觀測技術導則（HJ 710.4）及中華人民共和國濕地保護法，當局現時呈交的環評報告及生態管理計劃，恐怕亦未達到上述之標準。

同時，當局亦推動北都發展區其餘部分發展，包括洪水橋·廈村新發展區、流浮山發展建議、河套發展，均屬於后海灣外圍或相關雀鳥、昆蟲飛行路線（如斑蝶飛行路線）所途經之處。以往此類大型發展（如東涌填海計劃）均會進行長時間生態調查、多次諮詢甚至進行策略性環評，然而此次發展「新田科技城」並無進行同類評估，難以利用科學數據評估多項發展的累計環境影響，亦無評估各項規劃發展規模不同（甚至不發展）之累計環境影響，不能合理判斷大綱圖上各項土地用途是否合理。

### 不符合以「防患未然」的方法保育魚塘的生態價值的原則

規劃指引 12C 明確指出：『城規會在考慮后海灣地區的發展建議時，會採用這項研究建議的「不會有濕地淨減少」的原則，而這個原則已就保育相連的魚塘作出規定。「不會有淨減少」可以指「面積」和「功能」這兩方面的減少。現有魚塘發揮的濕地和生態功能，尤其是作為向鷺鳥和其他種類的雀鳥提供大量可以容易獲取的食物來源及棲息地的功能，是不容受到任何影響的。由於魚塘是后海灣地區濕地生態系統一個不可或缺的部分，任何替代魚塘的用途，必須證明不會導致原有魚塘的生態功能有所減少，同時能夠配合后海灣地區之內及／或四周的濕地和魚塘的生態功能，城規會才會視這些用途為適當的用途。』

指引明確指出「不會有淨減少」可以指「面積」和「功能」這兩方面的減少，是指魚塘的面積及生態價值兩者均不能減少。現時本規劃藍圖的建議發展不但減少魚塘的面積，而建議之所謂「生態提升」部分亦無詳細資料、數據及例子證明當地生態價值會否因發展而下降。

后海灣作為香港與國家兩地共同保育地區，本會亦參考中華人民共和國濕地保護法（下稱《保護法》），《保護法》指出：縣級以上地方人民政府對本行政區域內的濕地保護負責，採取措施保持濕地面積穩定，提升濕地生態功能；《保護法》亦指出保持濕地「面積」的重要性，而非以「提升濕地生態功能」以取代「濕地面積」。

現時當局呈交的規劃草圖不符合規劃指引 12C 中，以「防患未然」的方法保育魚塘的生態價值的原則，本會促請城規會否決此項草圖申請。

### 未有研究發展光害對生態、雀鳥之影響

現時大綱圖部分地點建築物限高高達 130 米，加上極為接近出入米埔濕地的鳥類飛行路線，勢必出現燈塔效應（beacon effect），帶來鳥撞窗殺的極大風險。同時申請人亦未提交任何發展光害對生態、雀鳥之影響評估，難以判斷未來發展之規模及建築高度是否合理。

為減少行政開支及紙張，請勿郵寄確認信予本會。回覆請致電 8100-4877 或電郵至 info@greensense.org.hk 與劉先生聯絡。

環保觸覺  
二零二四年五月八日

**Submission Number:**  
**TPB/R/S/STT/1-S1072**

Urgent Return receipt Expand Group Restricted Prevent Copy

**From:** [REDACTED]  
**Sent:** 2024-05-08 星期三 17:42:03  
**To:** tpbpd/PLAND <tpbpd@pland.gov.hk>  
**Cc:** [REDACTED]  
**Subject:** SPCA representations in respect of the new draft San Tin Technopole OZP and the amendments to the Ngau Tam Mei OZP and the Mai Po and Fairview Park OZP  
**Attachment:** 2024\_05 Representation on S\_YL-MP\_7 - SPCA(HK).pdf; 2024\_05 Representation on S\_STT\_1 - SPCA(HK).pdf; 2024\_05 Representation on S\_YL-NTM\_13 - SPCA(HK).pdf

**Representation Number:**  
**TPB/R/S/STT/1-R111**

Dear Town Planning Board,

Please find attached some submissions from the SPCA on the following items:

[Representation on the San Tin Technopole Outline Zoning Plan - Plan no. S/STT/1](#)

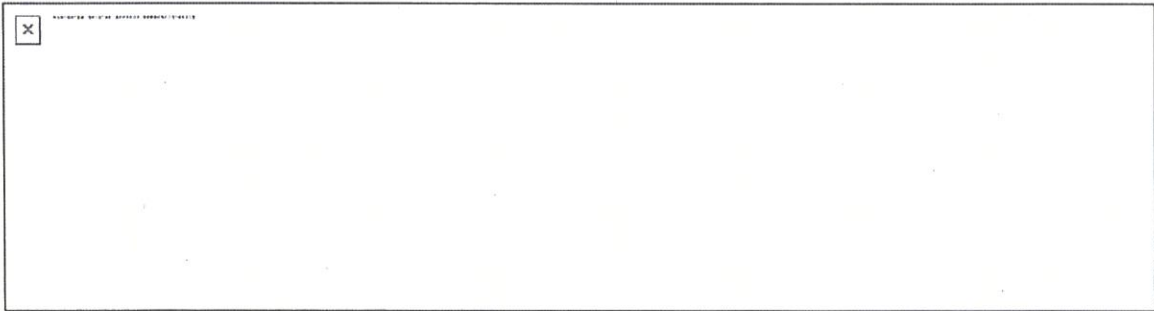
[Representation on the Mai Po & Fairview Park Outline Zoning Plan - Plan no. YL-MP/7](#)

[Representation on the Ngau Tam Mei Outline Zoning Plan - Plan no. S/YL-NTM/13](#)

If you have any queries please do not hesitate to contact us.

Best wishes,

**Dr Fiona Woodhouse**  
BA.Hons. Vet MB. MVPMgt  
Deputy Director (Welfare)



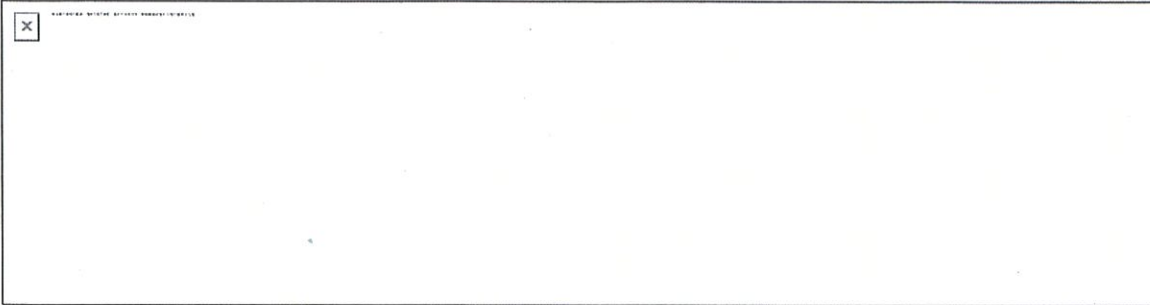
Click [here](#) to learn how to get involved and support our vision.

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**Click [here](#) to learn how to get involved and support our vision.**

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8<sup>th</sup> May 2024

Ref: WF348/FW/05/2024  
Secretary  
Town Planning Board  
15/F North Point Government Offices,  
33 Java Road,  
North Point, Hong Kong

By Email only

Dear Sir/Madam,

Representation on the Mai Po & Fairview Park Outline Zoning Plan - Plan no. S/YL-MP/7

The Society for the Prevention of Cruelty to Animals (Hong Kong) expresses our concern on the Mai Po & Fairview Park Outline Zoning Plan (the Plan) in that we believe that it will degrade the protection level of wetlands and compromise the welfare of resident and migratory wild animals. We appeal to the Town Planning Board to take into account our perspective and consider the recommendations below.

### **Our views**

The proposed Sam Po Shue Wetland Conservation Park (SPS WCP) is located in an area that contains ponds and wetland habitats. We believe that SPS WCP should prioritise the conservation of wetlands to protect the natural environment. Development including recreational and aquaculture trials, should only proceed if it can be demonstrated that there is no negative ecological impact. We recommend reviewing the existing amendments to enhance the protection of wetland parks and other zoning related to wetland habitats.

#### **1. Size and timeline of SPS WCP**

The area of the SPS WCP in the latest proposed development plan is approximately 35% smaller than originally outlined in the 2021 plan due to the expansion of San Tin



Technopole. The site formation for the first phase of the San Tin Technopole in Plan No. S/STT/1, including the area adjacent to the SPS WCP, is scheduled to commence as early as December 2024, with pond filling slated for 2026, and initial human population intake anticipated by 2031. In contrast, development of the SPS WCP is set to begin in 2024 and conclude by 2039. This timeline does not afford animals a sufficient period to access and adapt to the resources within the SPS WCP, which is intended to mitigate the effects of the San Tin Technopole. Hence, this deficiency may result in a reduction in ecological capacity, failing to uphold the principle of "no-net-loss" and significantly impacting resident populations and the wellbeing of individual animals.

Consequently, the proposed SPS WCP is unlikely to adequately compensate for the loss of area and function resulting from the San Tin Technopole development.

**We recommend adjusting the scale of the SPS WCP to align with or exceed the dimensions outlined in the initial proposal by extend the Item A1 to San Tin Ponds.**

## **2. Uphold the "no-net-loss" principle**

Mai Po Nature Reserve and its contiguous wetland have been considered an Important Bird and Biodiversity Area (IBA) and supports resident and migratory birds, which includes a significant number of endangered species. We believe the local society has reached a consensus on the ecological importance of the wetlands to both Hong Kong and regionally, and a "no-net-loss" principle and "Precautionary approach" has been developed and adopted on this basis.

According to the Town Planning Board Guidelines for Application for Developments within Deep Bay Area No. 12C (TPB PG-No. 12C), "no-net-loss" can refer to both loss in "area" and "function".

We noticed that some planning intentions for wetland-related zoning lack either one or both components, for example, "Conservation Area" ("CA"), "Other Specified Uses" annotated "Wetland Conservation Park" ("OU(WCP)"), "Other Specified Uses" annotated "Comprehensive Development to include Wetland Restoration Area" "OU(CDWRA)".

**We recommend upholding those principles in the Plan by alignment with the TPB PG-No. 12C. It is critical to ensure the development in the Plan will not degrade the habitats and affect the associated animals.**

## **3. We are against the loosening of the regulations on filling in wetlands in related zoning**

Item g - Revision to the Remarks of the Notes for "OU(CDWRA)", "OU(CDWPA)" and "CA" zones on filling of land/pond and excavation of land clause in accordance with the Master Schedule of Notes to Statutory Plans.

We notice the Remarks to describe the Schedule of Uses in wetland related zoning added the exception to "any filling of land/pond or excavation of land" of public works co-ordinated or implemented by Government on wetland related zoning, including "CA", "OU(CDWRA)",



"Other Specified Uses" annotated "Comprehensive Development and Wetland Protection Area" ("OU(CDWPA)").

We consider these changes will lower the protection level of the wetland and encourage more illegal filling of ponds and lands as happens in these habitats that previously lacked supervision.

Item e - Incorporation of a new set of Notes for the "OU(WCP)" zone.

On top of that, the pond and land filling restriction of the new zoning "OU(WCP)" is even more loose than the "Recreation (Group D)". The Remarks of "OU(WCP)" have granted an exception for "all works as required/co-ordinated/ implemented by the Government".

We are aware of plans to develop visitor facilities, infrastructure, and aquaculture projects in the SPS WCP. The aforementioned exceptions could potentially facilitate construction work and temporary site formation works more easily within the area. Whereas the key function of the SPS WCP is to enhance the ecological value to mitigate the loss from developing San Tin Technopole. Moreover, the estimated loss of wetland area resulting from the proposed San Tin Technopole cannot be adequately compensated for. Additionally, ponds and land filling activities would be resulting in a further significant reduction of the size of habitats.

**For these reasons, we appeal for the exception not to be granted to Government projects in order to safeguard the remaining fragile wetland habitats. Rather, the current practice should persist, so all filling activities should ask permission from the Town Planning Board under section 16 of the Town Planning Ordinance.**

Apart from regulation of the 'filling' activities, the 'Land-use Zonings' of "OU(WCP)" in the Explanatory Statement of S/YL-MP/7 reveals other details on both the Planning Intention and the Remarks are very loosed. In terms of Planning Intension, there is lack of "no-net-loss" and "Precautionary approach" element. Since the "OU(WCP)" are being considered as a compensation wetland, it should not only be safeguarding the ecosystem but enhancing the ecological value.

In terms of the Remarks of "OU(WCP)", no Ecological Impact Study Report, and Wetland Management Plan are needed for a proposed development or redevelopment like other zonings in this Plan, for instance "CA", "Site of Special Scientific Interest (1)" ("SSSI (1)"), "OU(CDWRA)", "OU(CDWPA)", this is a major concern.

**We recommend demonstrating a commitment to enhancing the carrying capacity and ecological value of the zoned area by incorporating principles such as "no-net-loss" and a "precautionary approach" into the Planning Intention of "OU(WCP)". Additionally, an Environmental Impact Study Report detailing ecological impacts and a Wetland Management Plan outlining proposed wetland conservation and enhancement schemes, in line with the "SSSI (1)" requirement, should be submitted to relevant parties such as the Town Planning Board and AFCD and related advisory panels and committees for further review, assessment and**



**professional, scientific input. This approach would underscore the importance of wetland conservation and sustainable development in the planning process.**

Given that according to 9.9.16 of Explanatory Statement, the detailed boundary and design of the SPS WCP are still not confirmed and in addition considering that the massive pond areas which had originally been zoned as "CA" and some of "OU(CDWPA)" on item A1 and item B1 are now rezoned as "OU(WCP)". **We are concerned that those wetlands that rezoned from "CA" to "OU(WCP)" are at risk of being downgraded in protection.**

**On the other hand, we support rezoning the "Recreation" area to "OU(WCP)" on item B to protect and improve the contiguous areas of wetland and connectedness.**

#### **4. Activities in SPS WCP**

According to the Schedule of Use of "OU(WCP)", the Agricultural Uses (Fish Pond Culture only) in SPS WCP will always be permitted. Meanwhile, 40 ha of fishponds have been proposed to develop modernised high-density culture aquaculture, for instance, container culture systems and in-pond raceways system (IPRS) to SPS WCP.

As previously mentioned, there is a lack of information regarding the management approach, monitoring plan and the parties involved in the agricultural project within the SPS WCP.

In this regard, we are profoundly concerned by the potential adverse effects on the welfare of both farmed and nearby resident wild animals as well as the potential for environmental damage due to the high-density and intensive farming practices. These risks encompass alterations in animal behaviour, higher stress levels, a greater risk of being injured and susceptibility to diseases, disease overspill and risk of pollution.

**We advocate the activities that pose a risk to animal welfare, such as high-intensity farming methods like container culture systems and IRPS, should not be encouraged or permitted in "OU(WCP)" and other wetland related zoning. Likewise, animal displays in leisure farms or ponds should be prohibited.**

**We recommend prioritising conservation and conduct positive management of wetland in "OU(WCP)". Leisure activities should be secondary and subject to a comprehensive risk assessment to review their impact on wildlife and habitats. If leisure activities are permitted, strict regulation and control are necessary. Presence of visitors would disturb wildlife frequency if the crowd control were not in place. Moreover, activities or operations with a high risk of contamination, like sewage or water discharge, or those causing disruption such as noise or light pollution, should be prohibited.**

#### **5. Potential harm to animal welfare brought by the zoning and associated uses**

We are aware that some of the uses in particular under zoning could result in poor animal welfare by confining wild animals, for instance, 'Zoo' and 'Aviary' has been listed in column



1 (uses always permitted) on "Open Space", and 'Zoo' are in column 2 (uses that may be permitted with or without conditions) on "Government, Institution or Community", "Recreation", and "OU(Comprehensive Development to include Wetland Restoration Area)".

**Based on the high abundance of resident birds and migratory birds in the Plan area and the adjacent Ramsar Site, it is obvious that wildlife confinement facilities, including zoos and aviaries could increase the unnecessary risk of transmissible diseases between avifauna and lead to veterinary public health issues.**

**We strongly urge the TPB to remove these outmoded uses from the Plan and the 'Master Schedule of Notes'.**

#### **6. Dog management**

In 7.1.5 (d) mentioned fencing/ controlling will be provided to prevent disturbance and predation of wildlife by feral dogs. We also notice that the Environmental Impact Assessment Report of San Tin/Lok Ma Chau Development Node (the EIA) also proposed to reduce the potential disturbance of wildlife by trap and neuter only.

**We support managing feral dogs through trap, vaccinate, neuter, and return programs to control populations and improve vaccination rates. However, we believe irresponsibly owned dogs, especially those on construction sites, pose a greater problem than truly feral dogs. Besides, an onsite baseline research on dog populations and assess their behaviour to develop a comprehensive plan for population control. We also recommend all construction sites follow the AFCD's guidelines for keeping dog on construction sites and that compliance be monitored by the overseeing department and AFCD and should be referenced in construction work related contracts.**

#### **Conclusions**

We appeal to the TPB and its members to carefully consider our concerns regarding the Plan and other issues we have raised. Given that the SPS WCP is a significant compensation measure for the San Tin Technopole development, we hope that the zoning will provide reassurance that wetlands and animals will be protected.

Our concerns focus on potential negative impacts from a "One Health" perspective on the ecosystem in terms of detrimental impacts on or risks to animal welfare, bio-diversity reduction, public and animal health and wetland and habitat degradation. It is important that these concerns are thoroughly considered and addressed in the decision-making process. Should you have any enquiries in relation to this submission, please do not hesitate to contact us on 2232-5563 or by email c/o: [fiona.woodhouse@spca.org.hk](mailto:fiona.woodhouse@spca.org.hk).

Yours sincerely,

Dr Fiona Woodhouse



(electronically)

BA. Hons. Vet MB. MVPHMgt

Deputy Director (Welfare)

Society for the Prevention of Cruelty to Animals (HK)

Full Name of Representer's Representative : Fiona Margaret Woodhouse

First four alphanumeric characters of HKID Card : [REDACTED]



8<sup>th</sup> May 2024

Ref: WF347/FW/05/2024  
Secretary  
Town Planning Board  
15/F North Point Government Offices,  
33 Java Road,  
North Point, Hong Kong

By Email only

Dear Sir/Madam,

Representation on the San Tin Technopole Outline Zoning Plan - Plan no. S/STT/1

The Society for the Prevention of Cruelty to Animals (Hong Kong) expresses serious concern that the San Tin Technopole Outline Zoning Plan (the Plan) will bring negative and irreversible impact to numerous animals. We appeal to the Town Planning Board to take into account our perspective and consider the recommendations below.

### **Our views**

The wetlands and surrounding habitats play a vital role in supporting wildlife, especially migratory birds and other creatures. We have strong reservations about the development and zoning impact on these habitats by such uses in the proposed San Tin Technopole. Such developments could significantly compromise animal welfare by disrupting the ability of resident animals to thrive and coexist safely in their natural environment. These wetlands are essential not only as habitats for both resident and migratory species but also as crucial assets for maintaining ecosystem stability and promoting regional sustainability.

#### **1. The ecological value of the zoning area and its habitat destruction**

The interconnectedness among San Tin ponds, the proposed Sam Po Shue Wetland Conservation Park (SPS WCP), and the Mai Po Nature Reserve creates an extensive and





continuous wetland in Hong Kong, it is widely recognised for its significant ecological importance. As of 2022, the Mai Po Nature Reserve alone has documented the existence of 34 mammal species and 440 bird species. Additionally, both prior studies as referenced in Table 10.3 of the Environmental Impact Assessment Report of San Tin/Lok Ma Chau Development Node (the EIA report), and the current findings of this report confirm the importance of the San Tin and SPS areas, showcasing its wildlife diversity and abundance.

Furthermore, the Plan will remove 247 ha of Wetland Conservation Area and Wetland Buffer Area. The EIA report also indicated that 64% of this area is already degraded, consisting of brownfield sites, filled fishponds, or developed land. These cases reflected the insufficient protection of wetlands in the north, highlighting the need for rectification in wetland conservation efforts.

However, it is vital that the ecological value of such areas should not be solely determined by their current use status as per item 14.1. Rather, it should be assessed based on their current and potential significant ecological status and value. As exemplified by the presence of an IUCN critically endangered and List of endangered and protected species of China species<sup>1</sup>, Baer's pochard, recorded by the Hong Kong Bird Watching Society in an inactive pond within the Project Area in 2023. It reflected that it is significantly important to conduct the rigorous survey to assess the ecological value of the inactive and abandoned ponds in the Plan.

Other than reducing the wetlands, the Plan will remove a significant size of terrestrial habitats as well, including but not limited to marsh/reed, watercourse, woodland, plantation, grassland, shrubland. To be specific, it is estimated that more than fifty-six thousand trees will be removed while develop according to the Plan.

It is important to recognise that the redesignation of the Ngau Tam Mei Outline Zoning Plan (OZP) and San Tin Technopole OZP has caused a division and loss of extensive "Green Belt" areas originally in Ngau Tam Mei OZP amendment item A area. All six sections of the "Green Belt" in item A will have either be greatly reduced or be completely eroded by the proposed San Tin Technopole development. In addition, compounding the negative impact, no wildlife corridor has been proposed to connect the "Green Belt" areas crossing from Ngau Tam Mei to San Tin Technopole.

It should be noted that the Eurasian Otter is a vulnerable species and it relies highly on fishponds (including those have been abandoned), reedbeds and watercourses. Reducing the size and connections of these habitats will further impede their ability to survive – (impacting bio-diversity) as the otters will face challenges in obtaining food and shelter as their key ecological niche would be reduced.

**Due to the excessive scale of habitat removal will potential to decimate ecological function and local bio-diversity, we strongly oppose the current plan and urge the Government to uphold the fundamental development principle of prioritising the avoidance of wetland development whenever feasible. Instead, we advocate for the preservation of natural resources and the adoption of a more sustainable**

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<sup>1</sup> <https://www.gov.cn/zhengce/2021-02/05/5727412/files/7bf5c0b21f554df497f370068f027ddb.pdf>



**approach to development. In fact, more development effort should be given to restoration and protection of these vital habitats protecting bio-diversity.**

## **2. Evaluation of the direct loss of species with conservation value and their habitats**

As mentioned, there is evidence that species with conservation value and their habitats will be removed or affected under the Plan.

Regarding the high level of impact of the project, the breeding sites of avifauna species of conservation importance are located within the project area, their breeding pairs, chicks, and eggs are at risk of severe disturbance and even direct impacts that could cause failure of breeding and even injury or death. However, the direct impact on these animals has been classified as low to moderate in the absence of mitigation measures (see section 10.8.1.47 of the EIA report).

Apart from the impact on avifauna, the whole San Tin Technopole project area will lead to more than 563 ha of permanent habitat loss, including watercourses in Chau Tau and Pang Loon Tei which support two Hong Kong endemic crustacean species—the IUCN listed vulnerable species *Cryptopotamon anacoluthon* and the IUCN listed endangered species *Somaniathelphusa zanklo* respectively. However, it is unclear if the standards used in this EIA report are appropriate to properly evaluate ecological value of the different species as despite these important discoveries, the ecological value of these sites has been rated as low to moderate.

**We recommend the TBP should also consider the impact level based on the severity of impact on individuals within the Plan, rather than solely focusing on the general impact on the population of that species by carefully reviewing the EIA and reviewing existing population. The assessment process needs to be improved and robust to identify and protect the habitats and populations of species identified by internationally recognised, global scientific bodies as vulnerable or endangered (without proper protection vulnerable populations will soon progress into the endangered categories). Additionally, we suggest disclosing more information related to scoring criteria on ecological level and impact level available for public during the TPB inspection process in large scale habitat removal zoning plans**

## **3. Overall development violates principles on protection of Wetland on Deep Bay Area**

The recent extensions and alterations to the proposed San Tin Technopole development Plan includes massive rezoning. Since the development involves the broad-scale pond filling and land reformation, these important habitats are facing permanent loss, including those located in Important Bird and Biodiversity Area (IBA), Wetland Conservation Areas and Wetland Buffer Areas. According to the EIA report, 92.12 ha of pond habitats will be lost permanently.



We believe that both the Plan and the EIA report have violated the principles of wetland protection in the Deep Bay Area as clearly outlined in Town Planning Board Guidelines for Application for Developments within Deep Bay Area No. 12C (TPB PG-No. 12C) that the "no-net-loss" can refer to both loss in "area" and "function", and a "precautionary approach" should be adopted.

Yet, the most recent Planning Intention of "Conservation Area" ("CA"), as noted in the Statement of S/STT/1, has omitted any mention of loss in "area". This omission significantly undermines the protection of wetlands in the Deep Bay Area and results in inadequate compensation for the development's impacts.

**In order to safeguard the area and function of the affected wetlands from being diminished, we urge the Town Planning Board to strictly adhere to the prescribed principle of "no-net -loss in wetland" to the planning intention of "CA".**

In addition, the Technical Memorandum (TM) on Environmental Impact Assessment Process under Cap. 499 (Environmental Impact Assessment Ordinance) stated the order of priority for impact mitigation on important habitats and wildlife should be followed by avoidance, minimising, and compensation on Annex 16 item 5.4. However, the site selection of San Tin Technopole, especially the zoning "Other Specified Uses" annotated "Innovation and Technology" ("OU(I&T)") greatly overlapped important habitats and no avoidance measures were shown.

Besides, the TM also required that "adverse environmental effects are avoided to the maximum practicable extent" and that the report "shall be considered as adequate if there are no omissions or deficiencies identified which may affect the results and conclusions of the assessment." According to HKBWS<sup>2</sup>, approximately 151 ha of Wetland Conservation Area and 96 ha of Wetland Buffer Area will be encroached by mainly the new zoning "OU(I&T)" with a wide range of uses, including those are likely to cause a high level of different types of pollution and disturbances linked to human activities. At present no detailed plan could be accessed by the public, making it challenging to identify any justification behind the rationale in allocating a significant portion of the adjacent wetlands listed in IBA to be zoned as "OU(I&T)". **Considering these perspectives, it is necessary to review both the Plan and the EIA report to ascertain whether they comply with all legal requirements and follow sound ethical considerations in terms of conservation, bio-diversity and environmental sustainability.**

**We strongly oppose item 14 proposed amendment to TPB-PG No.12C. The description of item 14.2 is misleading, as the EIA report is still under review and cannot be deemed to have demonstrated technical feasibility and environmental acceptability for the rezoning.**

#### **4. Potential harm to animal welfare brought by the zoning and associated uses**

Given that leisure activities that involve animal confinement, such as 'Zoo' and 'Aviary', are listed in Column 1 (uses always permitted) under the Zoning of "Open Space", we are concerned that these untimely activities create a loophole that would lead to animal welfare in Hong Kong moving backwards.

<sup>2</sup> <https://www.hkbws.org.hk/cms/join-us-tw/zh-tw/project-tw/monitor-tw/pcengagement-tw/stt-ozp>



In addition, 'Zoo' has also been listed in Column 2 under the uses of 'Government, Institution or Community', "Other Specified Uses" annotated "Cultural and Community Uses with Supporting Uses and Facilities", and "Green Belt".

**We urge the TPB to remove the above uses from the plan and the 'Master Schedule of Notes'.**

#### **5. Potential harm to wild animals brought by specific zoning and associated uses**

The project area, particularly the North and West portions, overlap with habitats of high ecological value, namely the San Tin wetland and is adjacent to the proposed Sam Po Shue Wetland Conservation Park (SPS WCP), Ramsar Site, the existing Lok Ma Chau Ecological Enhancement Area, Lok Ma Chau and Ma Tso Lung Wetland. According to the EIA, they support a large number of species of wild animals including Black-faced Spoonbill and numerous wetland-dependent avifauna species. We are deeply concerned about the activities listed in the proposed in most of the zoning areas, as they are very likely to create disturbances to the surrounding habitats. We would discuss a few of the instances listed below.

#### **"Other Specified Uses" annotated "Cultural and Community Uses with Supporting Uses and Facilities"**

The Area 7 is zoned to "OU (Cultural and Community Uses with Supporting Uses and Facilities)" raises concerns, particularly regarding the potential uses such as a 'Firing Range', 'Helicopter Landing Pad' and 'Helicopter Fuelling Station.' These activities often generate loud noise, which can disturb wildlife and pose a threat to their foraging and breeding habits. Such disturbances may compel individuals to abandon these crucial habitats, thereby impacting their overall welfare and population in Hong Kong. In addition, aerial traffic can present additional risk of injury to birds in the area.

Area 7 is situated amidst the San Tin Technopole and surrounded on three sides by tall buildings, there is a notable risk of the flight route overlapping with the path taken by avifauna in the Northwest. Meanwhile, the proposed SPS WCP and flight corridors which have been narrowed is also located in the North and Northwest. This situation poses a safety hazard, as there is an increased likelihood of bird strikes, which could have negative consequences for both humans and animals alike.

A recommended measure to mitigate the risk of bird strikes and create a safer environment for both humans and avifauna is to consider reducing the Building Height Limit. By lowering the height limit, more aerial space would be made available for avifauna to move freely, thereby reducing the potential for conflicts between birds and aircraft and reducing the risk of bird strike on buildings and associated infrastructure. Furthermore use that make loud noise or cause light pollution etc. should be avoided.

#### **Green Belt**

It is crucial to address potential negative impacts on habitats, especially concerning uses like 'Tent Camping Ground,' which are always permitted. Additionally, activities such as 'Firing Range' and 'Holiday Camp' under Column 2 may also be allowed by the TPB. These activities have the potential to generate significant noise, especially considering the



presence of similar facilities in nearby areas.

**To mitigate these impacts, we recommend avoiding the mentioned uses and reclassifying 'Tent Camping Ground' under Column 2. This adjustment would facilitate increased monitoring and protection within the 'Green Belt' zone, ensuring better conservation outcomes for the habitats in the plan.**

"Other Specified Uses" annotated "Innovation and Technology"

As mentioned, the zoned "Other Specified Uses – For 'Innovation and Technology' only" ("OU(I&T)") land is derived from filling ponds and accounts for a total area of up to 210 hectares in the plan. Despite the extensive land allocation to "OU(I&T)", the current planning is vague, and the range of potential land uses within this zoning is exceptionally diverse and a part of them could cause significant nuisance to the adjacent SPS WCP and Ramsar site.

The buildings and activities especially those that will take place in Area 15, 18, 16A, 19A, 19B, 19C, 29 will sever the ecological connection between the east and west sides of Deep Bay, damaging the biological functioning and connectedness of the wetlands.

Regarding the uses, there is a wide range of uses under column 1 and column 2 that could be highly polluting and affect wildlife by their noise, traffic, light and other emissions, for instance:

Column 1	Column 2
<ul style="list-style-type: none"> <li>• Cargo Handling and Forwarding Facilities</li> <li>• Industrial Uses</li> <li>• Residential Institution</li> <li>• Vehicle Repair Workshop</li> <li>• Warehouse</li> <li>• Resource Recovery Park</li> <li>• Wholesale Trade</li> <li>• Residential Institution</li> <li>• Hotels</li> <li>• Flat (Staff Quarters only)</li> </ul>	<ul style="list-style-type: none"> <li>• Dangerous Goods Godown</li> <li>• Gas Works</li> <li>• Helicopter Landing Pad</li> </ul>

Table 1: Highly polluting or disturbing uses of land

On the other hand, planning intention of "OU(I&T)" zone has been recognised as the space accommodating different innovation and technology uses, including "production activities, data centre, staff accommodation/talent apartment" etc. There is apprehension that this Planning Intention could be used to justify unnecessary human activities occurring in "OU(I&T)" near ecologically sensitive areas.

In this regard, the dubious "OU(I&T)" zoning does not adhere to the principle that "the different land use and layout options should take into account the principles of avoidance, minimising, and control of adverse environmental impacts."

We express serious concern that the proposed "OU(I&T)" and the absence of a proper Wetland Buffer Area and the anticipated rise in human activities during both the



construction and operational phases could disrupt wild animals and diminish their utilisation of resources in the SPS WCP and other contiguous habitats in the long term, the presence of light and noise pollution may negatively impact the environment, affecting wildlife behaviour and habitat quality.

**We propose to limit the size of the "OU(I&T)" zones by reformulating the holistic plan, in order to address these risks proactively by addressing their underlying cause. To protect from filling of ponds and destruction of habitats, the zoning of these area should revert to or remain as "Conservation Area" or other zoning related to wetland conservation that gives more protection in terms of planning and usage.**

## **6. Mitigation plans**

The plan outlines various designs aimed at mitigating the impact on wildlife, particularly avifauna. However, some of these mitigation measures lack justification and may not effectively maintain their natural behaviours and support the long-term of the different species in this keystone habitat area.

### Non-building area (NBA)

Section 11.9 (b) mentioned there will be a 300m-wide NBA in the Area 19A as a bird flight corridor (the bird flight corridor) in between the Ha Wan Tsuen Night Roost and Lok Ma Chau Loop Day Roost which also serves as the only remaining aerial space connecting the wetlands from the West (Proposed Sam Po Shue WCP) to the East (Ma Tso Lung and Hoo Hok Wai) with lower building height, however still more than a half of the land will be covered by 15mPD buildings and the Road P1 (realigned San Sham Road) also crosses through the Area 19A NBA.

Referring to the EIA flight path survey, the most frequently used flight path of breeding ardeids have a flight height ranging between 0-20 m, as evidenced in areas such as Ha Wan Tsuen Night Roost (100% in the range of 0-20m), and Sam Po Shue Night Roost (98.1% in the range of 0-20m). It should be noted that these are close to the proposed bird flight corridor. The current aerial space is approximately 1.25km-wide to allow birds to fly freely, while the planned bird flight corridor would be 76% narrower. Additionally, the construction of the Lok Ma Chau Loop will create a bottleneck at the eastern end of the bird flight corridor. We are sceptical that it is adequate space for accommodating the flight patterns of birds, especially larger species that move in groups. Such constraints could lead to inevitable consequences, including changes in habitat use and the division of Hong Kong's largest wetland, with potentially detrimental effects on wildlife populations and ecosystem integrity.

**We recommend avoiding obstructing the birds migratory paths by relocating development to areas of lower ecological value. Strict controls on building height and development density should be enforced in areas where flight corridors are widened, with no reduction in width.**

According to section 11.9 (d)&(e), a 35m-wide and 70m-wide NBA to preserve the bird's flight path. However, it is not enough to buffer the human disturbance to the wetlands as half of the 70-meter-wide flight path has a 105mPD Buildings Height limit applied on both sides.



Similarly in Area 19A 20m-wide NBA, the building height along with the Area 19A NBA will be 35mPD to 125mPD, building height at the end of the NBA on Area 23 reached 200mPD, it is a dead-end pathway for avifauna especially herons, which might restrict them from actively use the proposed Revitalised Major Drainage Channel.

A 35m-wide NBA along the northern boundary of Area 19B and 19C with stepped Building heights of 35mPD and 15mPD has been proposed to minimise human disturbance to the adjoining SPS WCP.

The effectiveness of both the 35m wide NBA and stepped building heights are deemed ineffective as mitigation measures.

**We recommend adhering to the guidelines outlined in TPB PG-No. 12C, which suggest providing wetland buffer area of no less than 500 meters along the landward boundary. Additionally, we advocate for ensuring that the bird flight corridor is as wide as possible and with no height impediments to accommodate the natural movements of avian species effectively.**

**The determination of the design of these areas and the implementation of mitigation measures should be a collaborative effort involving stakeholders such as experts and scientists in the fields of avifauna, conservation, ecology, and animal behaviour, as well as other interested parties.**

## **7. Compensation plan**

When mitigation efforts are not feasible, it becomes imperative to provide evidence-based compensation for the loss of habitat and ecological value. Following the TPB PG-No. 12C, a "precautionary approach" is necessary to conserve the ecological value of fishponds.

According to TM 4.2.1 (d), the requirement is to "identify and quantify any potential losses or damage to flora, fauna, and natural habitats." However, the EIA survey only included four large wetland avifauna indicator species to calculate the Change in Functional Value of directly and indirectly impacted ponds. We are concerned that this current method, which relies on a small group of avifauna and excludes Anatidae species, some of which are either Critically Endangered or Endangered, may underestimate the ecological value of habitats with high ecological abundance in the plan and could not fully comply with the standards in TM.

Furthermore, the current EIA estimation of ecological enhancement measures for ponds in the SPS WCP which states that there could potentially be an increase of up to 45%, is exclusively based on an outdated and unexecuted wetland compensation plan of the Fung Lok Wai EIA report from 2009. Considering that the proposed area and location of pond filling activities differs significantly between the two sites (the Fung Lok Wai development and the San Tin Technopole Development), it is challenging to assess the veracity and applicability of the assumptions and estimates. Additionally, there is currently no wetland compensation management proposal available for the proposed SPS WCP yet, further complicating the determination of whether the target could be achieved.

The site formation for the first phase of San Tin Technopole, including the area adjacent to SPS WCP, is scheduled to commence as early as December 2024, with pond filling beginning in 2026, and initial human population intake expected in 2031. On the other hand, the



development of the SPS WCP is set to commence in 2024 and reach completion by 2039. This timeline does not provide enough time for the compensatory habitats to mature sufficiently nor allow the animals adequate opportunity to transition and access the resources within the SPS WCP, which is explicitly intended to mitigate the effects of the San Tin Technopole. This deficiency may lead to a decrease in ecological capacity, failing to uphold the principle of no-net-loss.

For these reasons, the proposed compensation measure may not be able to satisfy TM 4.4.2 (k) which asks, "whether the report has assessed and determined the feasibility, practicability, programming and effectiveness of the recommended mitigation measures." We consider that the negative impact caused by the zoning "OU(I&T)" may not have been appropriately offset.

**Again, we are deeply concerned about the proposal to amend the TPB PG-No. 12C with respect to item 14.2 as it would greatly weaken the protection of Deep Bay wetlands. We advocate that the "no-net-loss" principle should refer to both functionality and area, in order to safeguard the carrying capacity and bio-diversity of the wetlands in and around the proposed development area as they cannot be considered in isolation. A baseline study must be conducted holistically assessing if the whole group of proposals related to mitigation and wetland compensation or enhancement measures and linked to different developments in this ecologically important area could potentially work in the future.**

**Furthermore, we urge that development and zoning should not commence unless it is feasible to accelerate the implementation of the SPS WCP to aid in mitigating the significant habitat loss caused by nearby development projects.**

#### **8. Cumulative ecological impact**

Additionally, it is essential to assess the cumulative ecological impact of various projects on the Lok Ma Chau and Deep Bay area as other large-scale infrastructure that is in progress, for instance, the Hong Kong-Shenzhen Innovation & Technology Park on Lok Ma Chau Loop and the Proposed Northern Link Spur Line which cross the ponds in Lok Ma Chau. Those cumulative impacts could exceed the capacity of ecosystems to withstand or recover from environmental changes regardless of any compensation or mitigation measures implemented.

Furthermore, the lack of adherence to wetland mitigation plans could set a concerning precedent, potentially incentivise developers to develop projects without adequate wetland mitigation plans, potentially worsening wetland degradation.

#### **Conclusions**

Wetlands play vital roles in biodiversity, connecting contiguous important habitats and assisting with natural water control and flooding mitigation. These irreplaceable, valuable resources need to be protected, maintained and improved as once lost or degraded they are difficult to replace or reinstate.

Given the massive scale of the development in the Plan, it is imperative that decisions are made through a rigorous process that includes thorough discussion and consultation within society to achieve consensus. The plan should only proceed following a comprehensive EIA





and evidence-based mitigation measures, otherwise, the welfare and populations of vulnerable wildlife could be fatally degraded.

One critical consideration is the potential for further fragmentation of wetlands or other natural habitats present in the project area. The implementation of the plan may exacerbate habitat fragmentation, disrupting ecological connectivity and impeding wildlife movement. This fragmentation can have far-reaching implications for biodiversity and regional ecosystem functioning.

While mitigation measures have been suggested to alleviate the impact of the Plan and the uses of rezoning, many of them are questionable regarding both feasibility and effectiveness. More importantly, the proposed distribution of zonings in many of the area fails to demonstrate an attempt to avoid wildlife and habitats, which is against the principle of TPB PG-No. 12C disregarding the imperative to safeguard animal welfare and biodiversity in Hong Kong.

We urge the Town Planning Board to ensure any development involving wetlands will be well assessed and the principle of "no-net-loss" of both size and function should always take precedence with thorough scrutiny of the potential impact to wildlife and their associated habitats and precious ecosystem in Hong Kong. Short-term gains should not be prioritised over long-term losses. In this regard, development on brownfield sites of lower ecological value to preserve these irreplaceable and valuable resources is preferred.

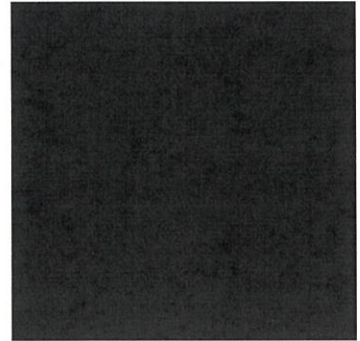
We appeal to the TPB and members to recognise our concerns regarding the Plan and other issues we have raised and consider our suggestions. These concerns revolve around the potential negative impacts on animal welfare, reduction in biodiversity, and degradation of the wetland and nearby habitats. It is crucial that these concerns are considered and addressed in the decision-making process.

Should you have any enquiries in relation to this submission, please do not hesitate to contact us on 2232-5563 or by email c/o: [fiona.woodhouse@spca.org.hk](mailto:fiona.woodhouse@spca.org.hk).

Yours sincerely,

Dr Fiona Woodhouse  
(electronically)  
BA. Hons. Vet MB. MVPHMgt  
Deputy Director (Welfare)  
Society for the Prevention of Cruelty to Animals (HK)

Full Name of Representer's Representative : Fiona Margaret Woodhouse  
First four alphanumeric characters of HKID Card : █████



8<sup>th</sup> May 2024

Ref: WF347/FW/05/2024  
Secretary  
Town Planning Board  
15/F North Point Government Offices,  
33 Java Road,  
North Point, Hong Kong

By Email only

Dear Sir/Madam,

Representation on the Ngau Tam Mei Outline Zoning Plan - Plan no. S/YL-NTM/13

The Society for the Prevention of Cruelty to Animals (Hong Kong) would like to express our view on the Ngau Tam Mei Outline Zoning Plan (the Plan). We would appreciate the Town Planning Board (TPB) to take into account our perspective and consider the recommendations below.

### **Our views**

As the San Tin Technopole project advances in the neighboring region, significant reconstruction efforts are proposed, by considering the important ecological value in the Ngau Tam Mei, San Tin and Mai Po areas, we encourage the Plan to better conserve biodiversity through suitable measures and monitoring to safeguard the welfare of wild animals supported by resources in the Ngau Tam Mei, San Tin and Mai Po areas and sustainably support bio-diversity in Hong Kong and the surrounding region.

#### **1. Amendments on "Green Belt"**

Item C - Rezoning of a site to the north of Tam Mei Barracks from "Comprehensive Development Area" ("CDA") to "Green Belt" ("GB").



We support item C to rezoning "Comprehensive Development Area" ("CDA") to "Green Belt" ("GB") enhancing the habitat connectedness to a certain extent.

Nevertheless, the item C and the adjacent "GB" will be surrounded by tall buildings in item A for a maximum 200mPD as per the proposed San Tin Technopole Outline Zoning Plan (San Tin Technopole OZP).

#### Item A

The redesignation of Ngau Tam Mei OZP and San Tin Technopole OZP will cause a significant division and loss of extensive "Green Belt" areas originally integrated into Ngau Tam Mei OZP item A area. Unfortunately, upon comparison with the previous zoning, all six sections of the "Green Belt" in item A have either been greatly reduced or been completely eroded.

Meanwhile, the redesignation has resulted a complete isolation of the "GB" in the area where item C is situated, previously its eastern boundary extended to Siu Hum Tsuen but this has now been pushed back to Shek Wu Wai San Tsuen. **In this regard, we strongly oppose this amendment, which will destroy and degrade natural habitats of resident wild animals and harms their welfare by removing their living and foraging environment.**

#### **2. Relaxation on development**

The proposed item F refers to the amendment that grants exceptions of permission from the Town Planning Board (TPB) to government-implemented or coordinated land-filling or excavation of land public works in the Remarks section of the "Conservation Area" ("CA").

**We suggest that all land filling and excavation works continue to be monitored by the TPB to ensure that these constructions align with the planning intention of the "Conservation Area."**

In addition the item G proposes relaxation of building height for individual projects on "Residential (Group C)", "Residential (Group D)", "Industrial (Group D)" and "Recreation" zones - this would loosen the protection of aerial space required by avifauna.

**We recommend that the TPB establish a standard for assessing the impact of these developments on the ecological value and environment so as to minimise any potential negative influence on the area and visiting or resident birds.**

#### **3. Wild animal confinement facility**

We are aware that the inclusion of 'zoo' as a permitted use under zoning, particularly within categories such as "Government, Institution or Community", "Recreation", and "GB", may lead to poor animal welfare due to the confinement of wild animals.



Given zoos could bring significant negative welfare impacts on the wild animals involved as while held in captivity their complex welfare needs would not be satisfied, we are concerned on general animal welfare grounds in relation to this proposed use.

**We strongly advocate for the TPB to eliminate these antiquated uses from both the Plan and the 'Master Schedule of Notes'.**

#### **4. Uses could potentially harm to animal or habitats**

We have observed that certain uses labelled as "add where appropriate" have been included in the Schedule of Uses of the Plan. The inclusion of certain uses, which may be permitted with or without conditions, could potentially harm animals or habitats within specific zones. These uses including 'Barbecue Spot', 'Holiday Camp', and 'Tent Camping Ground' listed under Column 2 in the "CA" may pose risks to the local ecosystem by increasing human presence that brings disturbance. Additionally, the presence of 'Flats' within the "GB", also listed under Column 2, might disrupt the habitat consistently by waste, noise and light pollution along with other uncontrolled human activities that could negatively impact and disrupt the lives of nearby resident animals.

Given the significant impact of the redesignation and the development of San Tin Technopole, as well as the proposed San Tin station and its associated railway potentially passing through the Ngau Tam Mei OZP area, it is imperative to meticulously evaluate and control these uses to minimize the cumulative ecological impact on wildlife and their habitats by every possible measure. Therefore, we recommend removing these uses to better protect the environment fundamentally.

#### **Conclusion**

We appeal to the TPB and its members to take our reservations regarding the Plan and other matters we have raised into consideration as it is important consider every potential impact and unintended consequence when ethically addressing conservation concerns linked to proposed development projects aiming to safeguard animal welfare and ecosystems, support bio-diversity and protect the environment. We hope that these concerns are carefully taken into consideration before approving any development.

Should you have any enquiries in relation to this submission, please do not hesitate to contact us on 2232-5563 or by email c/o: [fiona.woodhouse@spca.org.hk](mailto:fiona.woodhouse@spca.org.hk).

Yours sincerely,

Dr Fiona Woodhouse  
(electronically)  
BA. Hons. Vet MB. MVPHMgt



Deputy Director (Welfare)  
Society for the Prevention of Cruelty to Animals (HK)

Full Name of Representer's Representative : Fiona Margaret Woodhouse

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**From:** Samuel Wong [REDACTED]  
**Sent:** 2024-05-08 星期三 15:26:11  
**To:** tpbpd/PLAND <tpbpd@pland.gov.hk>  
**Subject:** DHK's representation on S/YL-MP/7 and S/STT/1  
**Attachment:** 20220508 Representation re S\_YL\_MP\_7 by Designing Hong Kong Limited.pdf; 20220508 Representation re S\_STT\_1 by Designing Hong Kong Limited.pdf

Dear Sir/Madam,

**Submission Number:**  
**TPB/R/S/STT/1-S1160**

Please check the attachment for our representation for the following Outline Zoning Plans:

1. S/YL-MP/7
2. S/STT/1

**Representation Number:**  
**TPB/R/S/STT/1-R112**

Regards,  
Samuel Wong  
Project Officer | Designing Hong Kong Limited  
[REDACTED]

# 創建 Designing Hong Kong 香港 .com

Hong Kong, 8 May 2024

Chairman and Members  
Town Planning Board  
15/F, North Point Government Offices  
333 Java Road, North Point,  
Hong Kong

Email: [tpbpd@pland.gov.hk](mailto:tpbpd@pland.gov.hk)

## Representation on Draft San Tin Technopole Outline Zoning Plan No. S/STT/1

Dear Chairman and Members,

Designing Hong Kong opposes the captioned draft Outline Zoning Plan for the reasons set out below.

### The San Tin Technopole Outline Zoning Plan brings permanent damage to wetlands

- To protect the world-renowned ecological corridor and stop over for migratory birds we call on government to amend the Technopole plans.
- The proposed Technopole development will result in a permanent loss of wetlands and affect the adjacent Ramsar Site.
- San Tin Technopole overlaps a wetland area and is in close proximity to Mai Po, a wetland of international importance recognised as a Ramsar Site. It is a habitat for a diverse range of local and migratory wildlife.
- The proposals include the filling of approximately 90 hectares of fishponds. This will permanently alter the landscape and destroy an important habitat for migratory birds. Doing so will fragment the local wetland system and ecosystem impacting the flight and resting corridor for birds.
- We call for the area of "Other Specified Uses (Innovation and Technology)" zones within the Wetland Conservation Area (WCA) and Wetland Buffer Area (WBA) to be reverted to "Conservation Area", "Other Specified Uses (Comprehensive Development and Wetland Enhancement Area)" and "Other Specified Uses (Comprehensive Development to include Wetland Restoration Area)".

### The Outline Zoning Plan ignores well established planning principles for the Deep Bay Area

- According to the Town Planning Board Guidelines for Application for Development within Deep Bay Area under Section 16 of the Town Planning Ordinance (TPB PG-NO.12C), the Deep Bay Area is recognised as a wetland of international importance and a habitat supporting a high diversity of biota, including a large variety of waterbird species.
- The guideline includes principles for "no-net-loss in wetland" in terms of "area" and "function". These fundamental land use planning concepts set out to avoid the loss of fishponds and habitat fragmentation, and to mitigate negative impacts from undesirable land uses and human disturbance. In addition to the conservation zoning, a Wetland Conservation Area (WCA) and Wetland Buffer Area (WBA) have been designated.
- The proposed San Tin Technopole ignore these well-established designations and planning principles and undermine the many long-term conservation efforts and investments made by Government and civil society.

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- The occupation of Wetland Conservation Area (WCA) and Wetland Buffer Area (WBA) for large-scale development with construction of medium to high-rise buildings fails to conserve the existing wetland and contradict to the wetland conservation principles.

## **The plans disregard earlier commitments made to set up a Wetland Conservation Park**

- In the Northern Metropolis Development Strategy Report published in October 2021, an area of about 520 hectares with mostly fishponds was designated to be the Sam Po Shue Wetland Conservation Park. The Strategic Feasibility Study on the Development of Wetland Conservation Parks System under the Northern Metropolis Development Strategy is underway. The Technopole plans will shrink the Sam Po Shue Wetland Conservation Park to around 300 hectares, and fill land development.
- The intention of the Conservation Park was for the wetlands to be integral to the Northern Metropolis and deserving priority conservation. Three wetland conservation parks were identified to maintain and enhance the connection with the Ramsar Site's wetland ecosystem and biodiversity, and for the protection of the flight paths of birds. However, the documents submitted to the Legislative Council indicate that the goal posts have been moved. The Sam Po Shue Wetland Conservation Park is now identified as to make up for the loss in ecological functions due to filling of some fishponds for and ecological impact caused by the development of San Tin Technopole.
- This demonstrates a cavalier attitude towards conservation – a fungible compensation for human disturbance of nature, and the destruction of ecological sensitive areas. Deep Bay Area has for long been regarded as a wetland of international importance. Everyone including the Government and the Board has the responsibility to maintain and improve the conservation of this area of high ecological value.

## **Implement conservation measures prior to development pressure and attracting incompatible land uses**

- While there is clarity on the development of the San Tin Technopole, there is no commitment to a schedule for the implementation of Wetland Conservation Parks.
- The New San Tin Technopole Outline Zoning Plan has been gazetted, and the development of San Tin Technopole phase 1 stage 1 works — site formation and engineering infrastructure – has started. The Legislative Council has approved significant funding. Development is ready to roll.
- Locations and estimated areas of the proposed WCPs shown in “The Northern Metropolis Development Strategy” report are for illustrative purposes only. “The Strategic Feasibility Study on the Development of Wetland Conservation Parks System under the Northern Metropolis Development Strategy” lacks an action plan, timeline, and budget - beyond HK\$6m for the study itself.
- The San Tin Technopole development will attract abusive uses and unauthorised development on neighbouring land – the wetland and nature areas. We have seen this throughout Hong Kong, including most recently in Lantau. Approval of the OZP will expedite works, without having adequate protection of the neighbouring areas in place. That is irresponsible.

Here we submit our concerns for your consideration.

Yours,

**Designing Hong Kong Limited**



Submission Number:  
TPB/R/S/STT/1-S120

就圖則作出申述：圖則編號 S/STT/1

Representation Relating to Plan: S/STT/1

Representation Number:  
TPB/R/S/STT/1-R113

「申述人」： 博匯智庫

DOCTORAL EXCHANGE

「獲授權代理人」：張量童博士（香港身份證號 [REDACTED]

申述性質及理由：

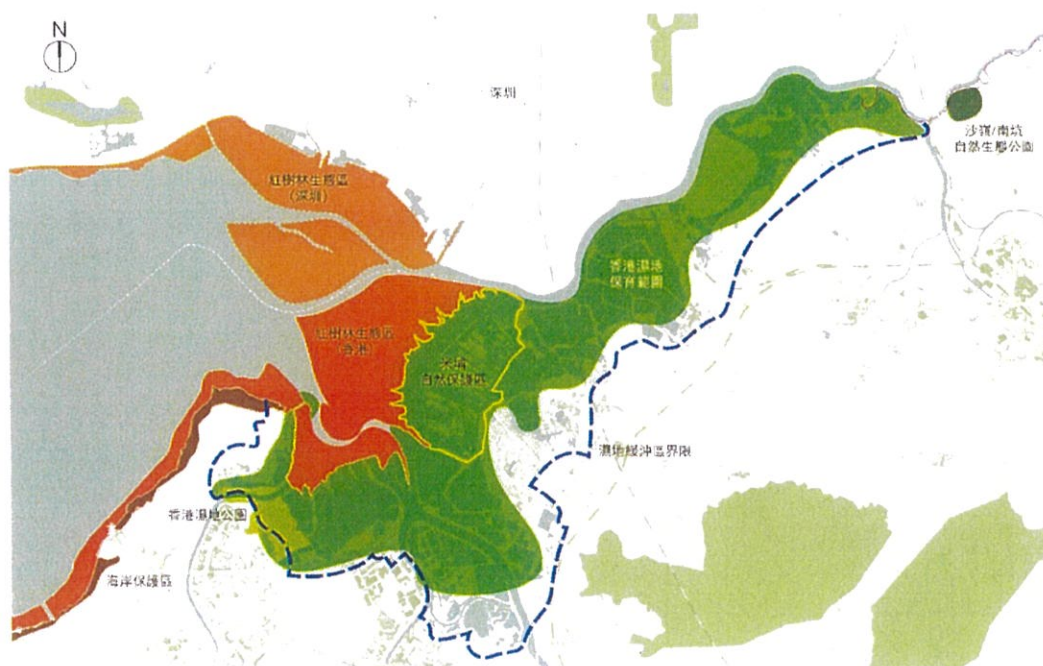
有關事項

「博匯智庫」支持香港政府發展創新與科技產業，以及積極在適當的地塊上興建創新與科技產業園。



## 有關事項背景

九七回歸之際，國務院頒布《中華人民共和國香港特別行政區行政區域圖》，規定深圳河治理後，以新河中心線作為香港特別行政區域界線，深圳河裁彎拉直後的「過境」土地納入香港特別行政區行政區域範圍。該河套地區地塊，擁有權屬深圳，土地管理權屬香港。該地塊，位於蠔殼圍和三寶樹之間的一片相連濕地，是整片逾 1800 公頃濕地的重要組成部分。（見圖一）



河套區地塊未平整前的濕地範圍（圖一）

2007 年，該約 87 公頃的河套區地塊被定為港府與深圳市政府共同開發的「河套區港深創新及科技園」（簡稱「河套創科園」），藉以解決土地權屬問題和兩地經濟利益分配問題。然而，這片高自然生態價值的濕地便須填平。

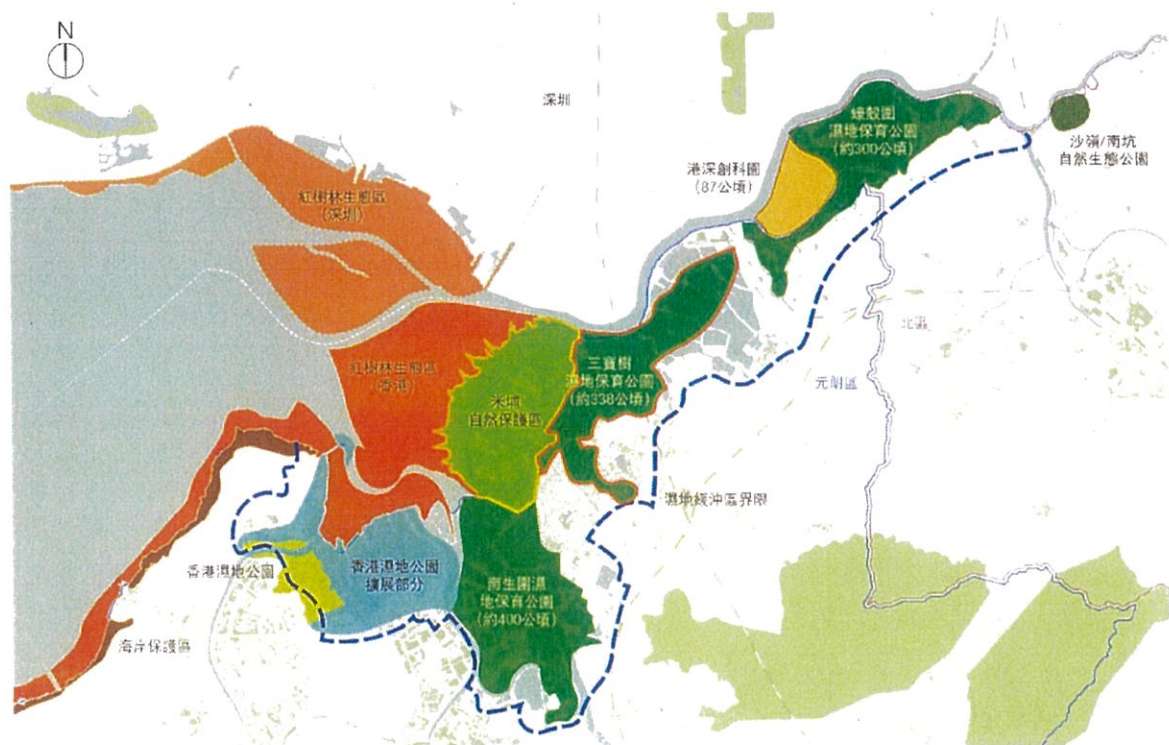
2021 年 10 月，行政長官《施政報告》更宣布擴充原「河套創科園」的規模，將落馬洲和新田一帶約 150 公頃土地納入「大河套創科園」的範圍，擴大後的「河套創科園」更名為「新田科技城」。將原河套區的 87 公頃，連同此 150 公頃土地以及其他零碎地塊，合共增至約 300 公頃的創科用地，其規模基本與深圳科創園區的 300 公頃看齊。

2023年8月，中央公布《河套深港科技創新合作區深圳園區發展規劃》，提出一系列措施，推動深港雙方園區協同發展，建設具有國際競爭力的產業中試轉化基地，構建國際化的科技創新體制，以及打造匯聚全球智慧的科技合作平台。

國家如此重視「河套深港科技創新合作區」的建設，而這項目又對香港的未來發展如此關鍵，這下達任務必須快速落實，刻不容緩。

政府規劃大綱圖則（編號 S/STT/1）就是在此背景下出台的。

上述新納入的約 150 公頃濕地，即將（2024 年）被填平的命運似乎無法改變。原三寶樹濕地保育公園的約 520 公頃，倘若被拿走此 150 公頃後，再剔除其他零碎片區，所餘的 338 公頃將無法完全發揮其原有濕地生態功能，特別是天然排水功能。再者，因此而造成的生態分割，對其周邊的濕地生態影響程度亦難以估量，更有機會截斷飛鳥走廊。（見圖二）



新田科技城公佈後的濕地範圍（圖二）

我們反對，圖則所示的「其他指定用途（創新科技）」的約 150 公頃的原魚塘被填平。

檢視國家下達文件，強調以高質量生態環境支撐高質量發展，只是支持香港成為國際創新科技中心和河套深港科技創新合作區的建設，並沒有硬性規定河套創科園區的擴展部分必須在平地上興建。發展局一直認為，要建立完整創科產業生態圈，新田科技城須有足夠規模的創科用地，更認為由於新田一帶地理限制，東面和南面均是山巒，包括鐵坑和鷓鴣坑，故有需要向西面和北面擴展。這可能是個先入為主的誤區。

反對主因：不是沒有更佳的替代方案

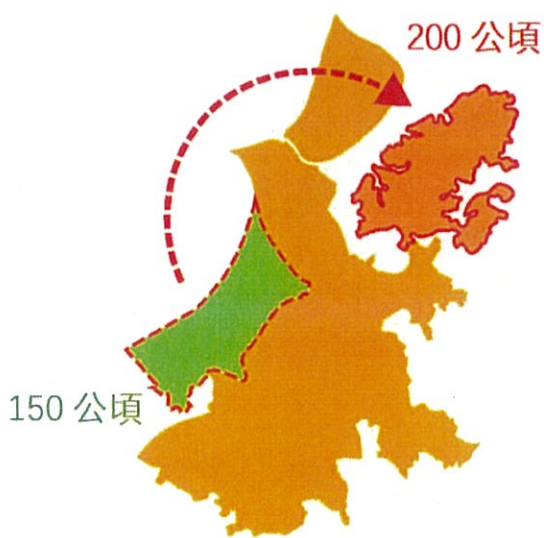
我們建議，保留新田科技城計劃中靠近河套區西南面的 150 公頃濕地（見圖三），而將位於原河套區東南的一片逾 200 公頃的政府土地（見圖四）與之置換（見圖五）。這 200 公頃土地（見圖六）範圍內完全沒有任何山墳，而落馬洲警署亦將完整保存。這樣便可以拯救和保留整片原規劃約 520 公頃的三寶樹濕地保育公園的完整性。



圖三



圖四



圖五



圖六：200 公頃綠化地帶的位置

及此，河套創科園區擴展部分的建設，便毋須填平原來位於上述位置的魚塘，其基準面亦毋須加高至七米高的水泥面，圍困南面原來的村莊；而可以在置換的區域內依山而建，形成錯落有致的建築集群。如此布局，在香港建築集群中便有兩個活生生的例子，我們的中文大學和科技大學也是依山而建，國內和海外的例子更是多不勝數。

### 替代方案中的鐵路佈局更為合理

土地置換後的另一好處是交通布局將變得更為合理。原計劃連接河套區和創科園擬擴展部分（濕地）的跨境鐵路布局並不理想，由於鐵路走向的弧度問題，該鐵路未能連貫創科園的擬擴展部分（見圖七），且北環線要 2034 年才可落成，圖七所示的擬建鐵路走向並不合理。土地置換後，從上水—落馬洲支線在古洞站再分支一條支線，連接創科園擬擴展部分（山丘）至河套區，再過境到深圳則更為合理，河套區創科園及其擬擴展部分連接新田市中心，則可用公路連接更符合經濟效益（見圖八）。

# 反對主因

土地置換前新田科技城建議發展大綱圖



圖七

土地置換後新田科技城建議發展大綱圖



圖八

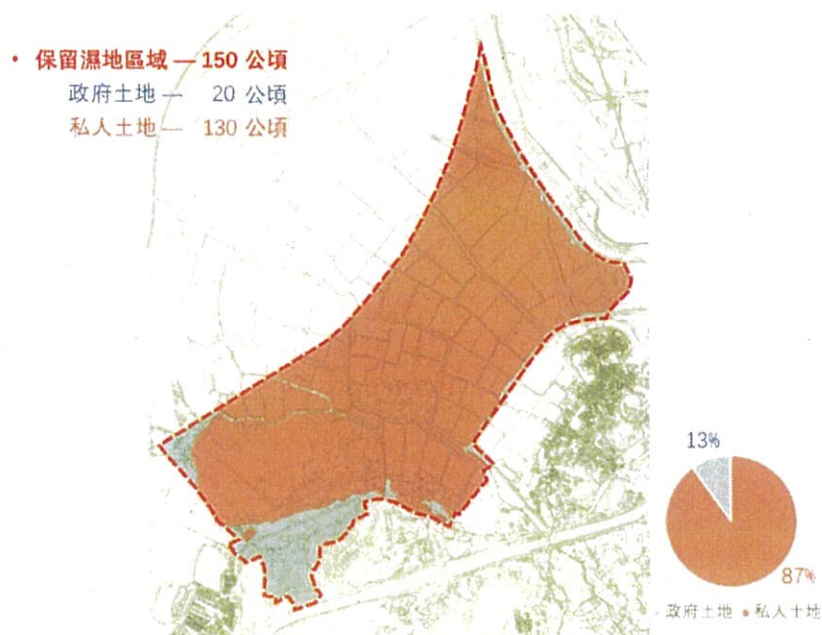
按原 150 公頃濕地上的容積率 2.33 計算，置換後的 200 公頃山地，只要容積率不低於 1.75，也可以達到原來計劃的總建築樓面面積。香港不乏優秀的建築師、城市設計師和規劃師，這個依山而建的河套創科園擬擴展部分的设计，一定難不倒他們。

	新田科技城 - 2023	大河套創科園
總面積	627 公頃	677 公頃
創科用地	300 公頃	350 公頃
創科樓面面積	7,000,000 平方米	7,000,000 平方米
創科容積率	2.33	2.00
生態 (三寶樹濕地公園)	338 公頃	488 公頃
時間	按原計劃	節省收地、補償時間
財務	按原預算	節省200億收地、補償費用

圖九

## 收回私人土地成本高昂、時間拖長

原納入興建新田科技城的約 150 公頃土地中，有約 130 公頃為私人土地（見圖十），其收購、補償和行政費用估計達 200 億港元之鉅；且其收購和安置所花的時間更是一至兩年之久。由於擬擴展在 200 公頃山丘部分的土地全屬政府所有，港府便更有彈性地與有意向落戶於擴大後「河套創科園」的海內外科創龍頭企業磋商。機遇不等人，這個「快、好、省」的替代方案建議大家認真考慮。還望當局重新檢視兩個方案的優劣比較，讓大河套創科園的規劃、設計和實施，得以在可持續發展的軌道上進行。



圖十

## 破壞世界級濕地系統，國際猛烈抨擊

再者，新公布的三寶樹濕地保育公園已進入公眾參與階段，環境評估報告仍未公布。倘若在此過程中，香港市民或國際生態保護團體提出有力的反對理據，定會影響項目的推進速度。倘若政府罔顧科學辯證而強行推進項目，這樣會給國際社會造成不良印象，香港多年建立的信譽毀將於一旦。如若在反對聲音下，才保留該濕地範圍，政府最終否決原方案，再次重啟新田科技城規劃設計，那亦將成為一個國際笑話。

在不同意填平 150 公頃魚塘基圍的前提下，我們支持政府在此階段將大片擬建土地訂定為「其他指定用途（創新與科技）」，以維持最大程度的彈性，去迎合潛在落戶的科創企業的特定要求。

但我們有必要提示當局，在將來分割後的個別地塊，仍須符合最新的城市設計指引，（如最近大幅修編的《香港規劃標準與準則·第 11 章》），最基本對個別地塊提出高度限制、退紅線的「非建築用地」、建築物總體量等。

另外，我們亦觀察到《圖則》所示的大片「其他指定用途（創新與科技）」的土地，與向西北方的魚塘之間的「非建築用地」闊度只有約 20 米寬，實在不是以提供車路、人路、綠化和人性化設計的緩衝區。建議不能只追求高密度發展，而犧牲了自然生態和人造環境的融合共生。

目前，150 公頃的「創科區」，因為考慮將來的氣候變化，而需比周邊的魚塘和村落填高 7 米之多，可以想像，這儼如「時裝走秀 T 台」，對魚塘和村落的影響並不理想。

總結，博匯智庫反對是次《圖則》所提供的約 150 公頃魚塘被填平，我們進一步建議當局應該認真研究本智庫建議的替代方案。



博匯智庫主席

簽名：

張量童

2024 年 4 月 23 日

聯絡方式





Urgent Return receipt Expand Group Restricted Prevent Copy

**tpbpd/PLAND**

寄件者: Civic Club SJC [REDACTED]  
寄件日期: 2024年05月08日星期三 23:21  
收件者: tpbpd/PLAND  
主旨: Submission on San Tin Technopole  
附件: Submission to TPB on San Tin Technopole-3.pdf  
類別: Internet Email

Submission Number:  
TPB/R/S/STT/1-S1487

Representation Number:  
TPB/R/S/STT/1-R114

Dear Town Planning Board,

I am writing on behalf of the Civic Club of St Joseph's College, as well as numerous other or affiliated individuals whose voices are herein included in the letter, to submit our Letter of Opinion with Respect to the Impending Endorsement of the San Tin Technopole Development Project.

In view of recent developments pertaining to this matter, including the hasty and imprudent passing of the EIA report by the ACE, we, as passionate individuals supported by many of our peers and supervised by capable adults, have meticulously drawn up a 22-page correspondence describing in detail our critical observations and demands relating to the Project.

It is therefore of our most sincere hopes that whoever concerned would not dismiss our opinions without making the minimum effort to skim through the letter as attached in this email. It is furthermore expected that the opinions of all parties and the general will of the populace be thoroughly considered upon prior to any hefty decisions (such as a controversy involving 247 hectares of protected wetland) being reached.

We extend our deepest gratitudes prior.

Yours faithfully,  
Aubrey Chan  
President of the SJC Civic Club

--  
*Civic Club*

[REDACTED]



8 May 2024

Town Planning Board, HKSARG  
15/F, North Point Government Offices,  
333 Java Road,  
North Point, Hong Kong  
(Emailed to: [tpbpd@pland.gov.hk](mailto:tpbpd@pland.gov.hk) )

### Letter to the Town Planning Board with Respect to the Impending Endorsement of the San Tin Technopole Development Plan

Despite widespread criticisms by various sectors of society on the Environment Impact Assessment (EIA) of the San Tin Technopole project, envisaged to facilitate progression of science, including but not limited to serious allegations of incompliance with standard procedures and legal requirements, and the unscientific approach adopted in the assessment of ecological infringement due to urban expansion, the Advisory Council on the Environment (ACE) has imprudently approved of the EIA and assented to the massive technopole plan, in dismissal of public opinion and objective scientific facts — at variance with the purposes and the usual practice of the Council.

Having duly noted the potential adverse effects of the construction of the San Tin Technopole (on environment and thereby society), and with the hopes of reversing the course of action and quelling the determination of the SAR administration to carry on in contemptuous disregard for procedural justice and environmental sustainability, the Civic Club of St Joseph's College, with support from member students, hereby presents our opinions regarding the San Tin Technopole to the Town Planning Board, whose decision in approval or disapproval of the concerned matters may alternate the future of a city of millions or even the Asia-Pacific. In resonance with numerous environmental and civil society groups, and in concurrence with the majority of Hong Kong's populace hitherto passionate in social affairs, our propositions and notions may be summarised as follows:

The EIA and the current San Tin Technopole development plan must not be passed.

## I. Principles of Conservation

The wetlands of the northwest New Territories not only withhold great ecological value, in fact some of the greatest importance in the Asian Pacific, but also possess flood resilience capabilities and high water capacity, and they are the remaining stronghold of the continuously declining primary production sector. The sacrifice of natural conservation to give way to urban development " is nothing but short-sighted. Conservation of valuable natural resources should not be compromised. The high ecological, geographical and agricultural value of San Tin, essential for a sustainable development in Northern NT, must be conserved.

**Conservation of the most valuable ecological lands in Hong Kong should be prioritised over wetland offsetting.** Conservation should adhere to the principles of "Avoid, Reduce, Compensate". Effort should be placed first at avoiding any loss of natural habitat.

The Deep Bay wetlands is a *Ramsar Site* bound by the *Ramsar Convention*, in which *Resolution VIII.16 (COP8, 2002)*<sup>1</sup> explains a few principles regarding wetlands restoration:

10. *Careful planning will limit the possibility of undesirable side effects.*

12. *"[T]he maintenance and conservation of existing wetlands is always preferable and more economical than their subsequent restoration" and "restoration schemes must not weaken efforts to conserve existing natural systems". Both quantitative data and subjective assessments clearly show that currently available restoration techniques almost never lead to conditions that match those of pristine natural ecosystems.*

One might argue that the statement is 22 years old. Nonetheless, mature ecosystems require centuries of ecological and geographical progression to form — rather than jollyful planting and fishing. Wetland offsets cannot compensate completely for the loss of original wetlands, due to wildlife adaptability and habitual behaviour; long time (possibly decades) needed to reconstruct original biodiversity and soil vitality; and cultural importance.

In the Environmental Impact Assessment (EIA) report, "no unacceptable ecological impacts are anticipated to arise" from the project.<sup>2</sup> To us, all ecological impacts on the internationally recognised Deep Bay wetlands are less than acceptable. Since the rapid urbanisation in HK, Shenzhen and the Pearl River Delta in the past century, wildlife habitat has shrunk tremendously. The piece of wetlands in the northern NT is the only remaining bastion for victim wildlife species of habitat loss. Compensation for the dramatic losses in territory is necessary for wildlife to recover to previous levels. This is only possible if such loss of territory itself is discontinued.

### **Example: Eurasian Otters**

Since rapid urbanisation in the 20th Century, the population of otters dwindled to the extent they were once thought to be extinct in HK. Today, only 7 Eurasian otters exist in Hong Kong<sup>3</sup>. They

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<sup>1</sup> Resolution VIII.16 Annex - 8th Meeting of the Conference of the Contracting Parties to the Convention on Wetlands (Ramsar, Iran, 1971), Valencia, Spain, 18-26 November 2002  
[https://www.ramsar.org/sites/default/files/documents/pdf/res/key\\_res\\_viii\\_16\\_e.pdf](https://www.ramsar.org/sites/default/files/documents/pdf/res/key_res_viii_16_e.pdf)

<sup>2</sup> EIA Executive Summary 3.9.11

<sup>3</sup> Ming Pao: [港至少7歐亞水獺新田填塘恐損存活嘉道理農場憂切斷棲地促再審視科技城計劃- 20230806 - 圖片看世界- 每日明報](#)

call Mai Po their home, but foraging areas range as far as Hoo Hok Wai and San Tin.<sup>4</sup> Each otter family requires sparse territories and ample prey and clean water to avoid competition which may lead to stress, infighting and death. In hope of revival of such wildlife populations, drastic measures such as expanding their habitat is of urgency. Low populations face danger of discontinuity of the species. **Limited area of wetlands will ultimately result in fierce competition and hence inhibit wildlife numbers.**

**Example: Case of HKWP**

- ❖ The success of the Hong Kong Wetlands Park is certainly encouraging, which serves as an offset to Tin Shui Wai, which has become a new town.
- ❖ However, barricaded by the urban landscape, Hong Kong Wetlands Park was never a part of the Ramsar Site nor nature reserve, but rather was intended as a buffer zone for the Deep Bay wetlands.
- ❖ It was intended not as a “replacement” or “offset” for other wetlands, but merely to limit the adverse effects of urbanisation on neighbouring, still intact areas.<sup>5</sup>
- ❖ Conclusion: **Wetland conservation parks do not serve as substitution of original wetlands.**

**Example: Case of Fairview Garden**

- ❖ In 1975, a large area of fishponds was filled to construct Fairview Park (錦綉花園).
- ❖ Under pressure from NGOs, the Mai Po Nature Reserve, which was to become part of the international Ramsar Site and encompass the highest ecological value in HK, was established.
- ❖ Despite such efforts, the Pheasant-tailed Jacana (水雉) and the watercock (董雞) had since ceased to reproduce within the territories of Hong Kong.
- ❖ Conclusion: **Wetland offsets cannot replace original wetlands.**

The Planning Department had sworn in 1997 that there will be “no net loss” of the Deep Bay wetlands, and same principles have been mentioned in initial wetland conservation park (WCP) proposals.<sup>6</sup> We furthermore believe both function and area of wetlands matter, and are interdependent. We **urge** the Board to defend **every single fishpond**.

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<sup>4</sup> Cambridge University Press: New research reveals forgotten lives of Eurasian otters in Hong Kong <https://phys.org/news/2023-10-reveals-forgotten-eurasian-otters-hong.html>

<sup>5</sup> 審計署呈立法會報告: 漁護署 香港濕地公園的管理 [https://www.aud.gov.hk/pdf\\_sc/c57ch06.pdf](https://www.aud.gov.hk/pdf_sc/c57ch06.pdf)

<sup>6</sup> 規劃指引編號12C [https://www.tpb.gov.hk/tc/forms/Guidelines/pg12c\\_c.pdf](https://www.tpb.gov.hk/tc/forms/Guidelines/pg12c_c.pdf)

## II. Scrutinising the EIA

The EIA report for the San Tin Technopole and associated “ecological mitigation” measures was approved by the ACE last month, despite vehement opposition by prominent environmental groups. This report is of utmost cruciality in determining the ecological and environmental impacts arising from construction and the development of the Technopole, and by pointing out the flaws in the EIA report would serve as compelling evidence of the immense inappropriacy of the ACE’s decision to approve of the report and to regard the project as environmentally friendly and sustainable.

The following contains a list of our findings and rejections regarding the EIA report (largely based on the official EIA Executive Summary), which incorporates both personal findings of the writer from careful scrutiny of the report and information provided by existing research, public letters, analyses and data from civil society groups and scientific sources.

### 2.1 Narrow research base and superficial assessment of ecological impact

Home to **over 205 bird species — 117 of which are endangered or protected**, the area to come under encroachment of urban development surrounding the San Tin Technopole is one of vital ecological importance. However, the EIA, in its evaluation of the ecological significance of the area, only included 4 species of birds in their investigation, which is rather obviously an extremely narrow base of research; by neglecting the more endangered species in the region, the ecological impacts of the San Tin Technopole is also grossly underestimated. Moreover, the assessment of the importance of the region to animals that forage in the area, such as Eurasian otters, is one of astonishing superficiality and expediency — not to mention the complete negligence of amphibians or invertebrates etc. fundamental in the functioning of an ecosystem, such as in pollination, population control and serving as forage — further understating the ecological value of the piece of territory.

According to data provided by IUCN and the HK Bird Watching Society, some examples of endangered bird species inhabiting the fishponds falling within the boundaries of the San Tin Technopole include a wide array of diving ducks, including the Baer’s Pochard (*Aythya Baeri*: critically endangered), Common Pochard (*Aythya Ferina*; vulnerable), and the Ferruginous Duck (*Aythya Nyroca*; near threatened)<sup>7</sup>, and more. These ducks are exceptionally vulnerable to disturbance caused by both the construction and operation of the San Tin Technopole, while encroachment on the 90 hectares of fishponds to be eliminated would result in a loss in habitat.

However, in spite of the vast array of endangered birds residing or foraging within the vicinity, the EIA only conducted research (or manipulatively selected data) on 4 relatively profound bird species found in the fishponds of the area, namely the Black-faced Spoonbill, the Great Egret, the Grey Heron and cormorants, which are bird types that base their diets mainly on fish, and have thus failed to render a comprehensive analysis of the ecological significance of the fishponds in investigation.

Moreover, despite solid and ample scientific proof suggesting that the critically endangered Eurasian otter highly depends on the vast fishponds and wetlands of San Tin to survive, as aforesaid

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<sup>7</sup> 香港觀鳥會對新田科技城發展的意見書 page 4  
[https://www.hkbws.org.hk/cms/phocadownload/submissions/PublicConsultation/HKBWS\\_SanTinTechnopole\\_FullSubmission.pdf](https://www.hkbws.org.hk/cms/phocadownload/submissions/PublicConsultation/HKBWS_SanTinTechnopole_FullSubmission.pdf)

in Chapter 1, and albeit surmounting evidence suggesting San Tin and Sham Po Shue are the **core areas of the Eurasian otter's activities**, the EIA concluded there would be “**no significant impacts**” on the few remaining Eurasian otters in Hong Kong, even to further elaborate that there were “no recent records from recent surveys and monitoring”, and belittling empirical and compelling evidence that suggest these very rare species do rely on the proposed Project site for survival, by dismissing it as “a literature [...] suggesting their *historical presence and potential activity range*” (EIA Executive Summary 3.9.10<sup>8</sup>).

With all the conspicuous evidence suggesting the utter importance of the region to the continued survival of locally endangered species, it is more than adequate to lead one of sound mind to reckon the San Tin wetlands as a region of great ecological value — not to mention the vicinities well within the reach of adverse impacts of development house the Mai Po Lung Village Egret and the Mai Po Village Egret — respectively the 2nd and 3rd largest in the Deep Bay region, and **1st and 3rd largest in Hong Kong**<sup>9</sup>, to which the wetlands and fishponds in San Tin provide buffer, breeding and feeding sites. To only preserve certain core areas and limited vegetation as proposed is insufficient to comprehensively safeguard the egreties. To dismiss the region as being “**generally of low ecological value**” (EIA ES 3.9.4) is genuinely dumbfounding and ridiculous.

The EIA's failure to render a thorough investigation on the potential adverse effects on the species, mainly arising from loss of foraging territories and being cut off in their residencies from other regions of significance to their daily activities furthers the insufficiencies of the report, and exacerbates the utter ineffectiveness of the report to address the immense ecological value of the natural habitats awaiting encroachment and the devastating effects of the San Tin Technopole on **one of the most ecologically significant areas in Deep Bay and the Greater Bay Area**.

## **2.2 Invalid justification of environmental encroachment by overstating the prevalence of abandoned fishponds and the presence of brownfields**

According to Section 3.9.3 of the EIA Executive Summary, the urban planners have indeed recognised the fact that the San Tin Technopole encroaches upon a whopping 247ha of wetland conservation areas or wetland buffer areas. In defence, the report argues that “158ha are *already* brownfield sites, filled fishponds and developed areas”.

First, **the vast amount of polluted or already encroached territory upon designated wetland areas of conservation should not constitute a reasonable excuse to further destroy the remainder**. Assuming 158ha indeed no longer serve absolutely any form of ecological function, to therefore disregard the other 89ha of active territory is not one of reasonable judgement, as they still serve vital ecological functions and are significant to the region. More important is that in face of large swathes of territory supposedly under protection being destroyed, the government, rather than going along with the trend, is supposed to reflect on its past policies and effectiveness of conservation, while taking steps to remedy the situation — for instance **restoring polluted land and revitalising unused or abandoned fishponds**. The administration has already admitted to such a possibility with

<sup>8</sup> ES\_eng.pdf [https://www.epd.gov.hk/eia/register/report/eiareport/eia\\_3022023/ES/ES\\_eng.pdf](https://www.epd.gov.hk/eia/register/report/eiareport/eia_3022023/ES/ES_eng.pdf)

<sup>9</sup> HKBWS Egret Count in Hong Kong, page 6

[https://www.hkbws.org.hk/web/chi/documents/report/egret\\_summer\\_report\\_2016.pdf](https://www.hkbws.org.hk/web/chi/documents/report/egret_summer_report_2016.pdf)

the proposition of “ecologically enhanced fishponds” from the conversion of abandoned fishponds and even brownfield lands, which completely defeats its justification herein mentioned.

Second, imprudent pursuit of incorporating brownfield sites into the scope of the San Tin Technopole would pose lingering challenges and might further infringe upon existing wetlands elsewhere. While a total of 126 hectares of brownfield sites are expected to be expelled by the development of San Tin, the government anticipates to only provide 77 hectares of land to relocated affected brownfield sites (lest my information be outdated, the writers are unaware of any changes to this arrangement since 2023). This would potentially leave others to further ravage existing wetlands or farmland of perfect condition.

Third, to proclaim that “about half of them (fishponds) no longer have any fish farming activities or have been abandoned for years” is a gross overstatement. While fishponds currently not in use can be revitalised for aquaculture, abandoned fishponds nonetheless serve as important sites of interaction of the biodiverse ecosystems of San Tin and Mai Po. Presence and activities of numerous bird species including the aforementioned (Section 2.1) ducks have been observed on a significant scale in these fishponds; for instance, certain herons rely heavily on these fishponds for food. In addition, over half of the fishponds in the area are still in operation, sustaining the basic material needs of several rural households and providing income to preserve the much endangered way of life of Hong Kong’s rural dwellers and fish farming households.

### **2.3 Absence of a wetland management plan**

#### **2.3.1 Lack of details regarding proposed wetland management and prediction of ecological function**

According to the EIA report, “a wetland compensation strategy” had been developed to compensate for the mass destruction of wetlands caused by the San Tin Technopole, via the “enhancement of ecological function and capacity of existing wetlands”.

The proposed wetland compensation strategy was the establishment of Wetland Conservation Park (WCP) primarily in Sam Po Shue. However, in contrast with precedents (for example the 44-page plan outlined in support of the Fung Lok Wai development plan), the EIA of San Tin **did not propose any form of wetland management plan**, nor any details pertaining to the anticipated schedule and work required for enhancement of ecological function and capacity of existing wetlands.

More important, the proposed WCP comprises only a narrow strip of territory, and no expansion of wetlands was involved to accommodate the species which have lost their habitats, for instance the Eurasian otters that require vast swathes of wetlands for their foraging activities in San Tin. Not only are the WCPs insufficient in scale to compensate for this; the disconnectivity of wetlands caused by dividing the Sam Po Shue and Hoo Hok Wai WCPs with urban components serve to inhibit the travelling of the otters.

As emphasised by many others as well as our previous letter to the AFCD, the wetlands of San Tin and others under consideration of extermination serve irreplaceable functions, ranging from accommodation for migratory birds, providence of habitat and foraging territory for rare or endangered species, and as a buffer zone for the Mai Po wetlands protected under the Ramsar

Convention. Exterminating this strip of wetland would not only endanger local species residing within the region; it would also harm migratory birds which arrive at Hong Kong for shelter from mass pollution and metropolitan activities in an increasingly urbanised and contaminated Pearl River Delta.

Moreover, the EIA report has provided **no basis and methodology for its determination and prediction of ecological functions** of its compensation strategies. It appears the conclusion that such strategies are expected to “enhance ecological function and capacity of existing wetlands” is merely a whimsical utterance to back up the exploitation of *other, equally existing* wetlands. The public is at a loss to find ways to determine the effectiveness, scope and quality of said compensation strategies.

### **2.3.2 Potential violation of statutory requirements**

One of the ACE’s conditions when endorsing the EIA was the providence of an “ecological conservation and management plan” 9 months prior to the commencement of fishpond-filling work<sup>10</sup>. Such a condition is merely superficial and an attempt to cover up the appalling decision not to include the wetland management plan in the EIA in the first place, which would certainly affect the legitimacy of the results of the EIA and skew the decision of the ACE. As a matter of fact, it is stipulated by statute in the Annex 16 (Guidelines for Ecological Assessment) of the Technical Memorandum of the EIA Ordinance, Article 5.4.5 (g): **“any proposed off-site mitigation measures shall not require further EIA study for their implementation. Their feasibility, constraints, reliability, design and method of construction, time scale, monitoring, management and maintenance shall be confirmed during the EIA study.”**<sup>11</sup>

Therefore, by not including a detailed wetland management plan and requiring submission of a further report on the issue, the San Tin EIA is potentially at variance with statutory requirements. The added submission of a late report only prior to the commencement of construction comes off as a far-fetched conditional endorsement that is aimed at concealing the outright **disregard for statutory procedures**.

## **2.4 Failure to point out adverse effects on urban development**

The fishponds and wetlands of San Tin are important not only in the sense that it withholds immense ecological value. Its role in providing flood resilience, maintaining temperatures and buffering the Mai Po wetlands protected under international convention.

HK took a heavy blow from the record-breaking storms<sup>12</sup> in 2023, the vast floods resultant of which wreaked havoc on many homes and public facilities. As global warming persists, such floods and similar disasters would, without a doubt, grow in both vigour and frequency in the decades to come. The wetlands and fishponds in the area would serve to mitigate the effects of such disastrous occasions, as it provides water capacity to store flood water, thereby offering flood resilience. It would therefore be *extremely* unwise to reduce the water capacity and thus flood resilience in the region by building a technopole thereupon, which is to certainly be the first to rue the fatal consequences itself.

<sup>10</sup> Relevant news report <https://shorturl.at/iDXZ4>

<sup>11</sup> Technical Memorandum <https://www.epd.gov.hk/eia/english/legis/memorandum/annex16.html>

<sup>12</sup> Gov’t news: A September with Super Typhoon Saola and Record-breaking Rainfall <https://www.info.gov.hk/gia/general/202310/04/P2023100300488.htm>



Also an effect of the rampant climate effect is the rise in average temperatures. While the wetlands and fishponds provide some form of buffer from the scorching summer heat, and its water content provides a large heat capacity to reduce the immediate effects of a sudden surge in temperatures elsewhere, with these features exterminated by the San Tin Technopole, it would certainly cause the already scorching temperatures in the Northwestern New Territories to experience slight increments, impacting residents in the vicinity.

### **2.5 Failure to recognise ecological function as a wetland buffer zone**

Among the 247 hectares of protected wetlands, 97 are designated wetland buffer zones. They exist not merely as an extension of biodiverse habitats and to cater to the basic needs and activities of species in the wetlands that they buffer. An up-to-standard buffer zone, to achieve minimum protection, should be at least 500 metres in depth.

The Deep Bay is encircled by highly polluted rivers such as the Sham Chun River, highly developed urban landscapes including Shenzhen and Yuen Long New Town, and heavy traffic from border crossings and highways. The protected wetlands surrounding Deep Bay, particularly the Mai Po wetlands protected under international convention, highly depend on neighbouring buffer areas as designated to **mitigate the effects of pollution and disturbance to wildlife**. Such a buffer zone should be highly functional and strictly conserved, so as to enhance the ecological value of those that they serve to buffer and shield. If the wetland buffer areas are to be subject to impetuous encroachment by such high density development as the San Tin Technopole, to such an extent that the bustling economic activities of an anticipated prosperous I&T centre (in the unlikely occasion that this is to be realised) lays directly at the doorsteps of the rare species' habitats, disturbance due to noise, light and air pollution would arise to affect the Mai Po wetlands, apart from limiting the habitats and foraging ranges of many.

The EIA made no mention of the buffer areas lost to urban development.

### **2.6 Questionable effects of WCPs on the connectivity of wetland habitats**

According to the EIA report, the producers of the document anticipates the Sam Po Shue (SPS) WCP to “improve the connectivity of wetland habitats”, quoting section 3.9.4 of the Executive Summary.

While no further explanation has been provided on by what means the urban planners anticipate to achieve this, and with the absence of a detailed wetland management plan on the matter, it has been duly noted and observed that with reference to the mapped outline of the San Tin Technopole, the SPS WCP and the Hoo Hok Wai WCP is to be **abruptly separated by a massive strip of urban land** from the Technopole reserved for “innovation & technology” (commercial or industrial) purposes<sup>13</sup>, with huge segments of railway proposed to even cross into the Hoo Hok Wai WCP, in an attempt to offer the Technopole close communication with the Lok Ma Chau Loop “Shenzhen-Hong Kong Technology Park”.

<sup>13</sup> Annex A <https://www.legco.gov.hk/yr2023/chinese/panels/dev/papers/dev20230523cb1-506-3-c.pdf>

Moreover, the 247 hectares of WCA and WBAs exist to provide an ecological corridor connecting the wetlands and fishponds of Mai Po, Hoo Hok Wai and Ma Tso Lung. The San Tin Technopole's replacement of these areas grossly contributes to disconnectivity of the fishponds and wetlands of northwest New Territories.

With plans to proactively eliminate large swathes of wetlands in San Tin and replace them with dense urban landscapes, and to dissect highly interconnected wetlands into minuscule portions, the confines of which are insufficient for many of the species to survive and avoid competition, it is truly perplexing and intriguing as to how the authorities plan to "improve connectivity of wetland habitats".

Another thing to note, the EIA report says this is done through "proactive conservation and management" of wetlands. This is outrageously misleading, as the conservation efforts demonstrated are clearly only a supplement to and compensation for environmental destruction and obviously not proactive.

### **2.7 Insufficient mitigation of construction disturbance**

As per the EIA, it has been suggested that 100m "buffer areas" be established about the MPLV egretty and the MPV egretty, within which construction work should only proceed outside breeding seasons, namely from March to early-September. This comes with a peculiar exception — upon endorsement by the AFCD, and the undertaking of (unspecified) "appropriate mitigation measures", construction would take place in the vicinity of the egrettries regardless of breeding season.

The EIA completely disregards the fact that egrets do not die or become dormant outside breeding seasons. With construction work being in close proximity to surrounding protected habitats not limited to egrettries, without adequate mitigation of construction disturbance, wildlife in these ecologically sensitive regions would most certainly suffer tremendously from the pollution and potential hazards of reckless construction. The hazard effects of construction, moreover, extends far beyond the so-called "buffer area" of 100m, while activity ranges of egrets do not ordinarily be confined within a radius of merely 100m. Clearly, to only implement mitigation measures during breedings seasons and only with 100m is terrifically insufficient.

Measures for the mitigation of construction disturbance and adoption of suitable construction methods approved by the AFCD as briefly mentioned should be **applied in all seasons of the year, in all areas within San Tin and Sam Po Shue.**

### **2.8 Unsafe and inadequate wildlife corridors**

Initial concepts of a wide flight corridor for birds north of San Tin Technopole was included in the 2021 Northern Metropolis development strategy. This was eliminated in the 2023 edition of the San Tin Technopole plan. In its place, several movement corridors of wildlife, including those for use of non-flying mammals, are anticipated in the Revised ROPD in both northern and southern portions of the Project site.

Comically, the 300m-wide flight corridor as proposed comprises vast areas of built-up land and even those designated for use of “innovation and technology”. Bordering the flight corridor is anticipated to be densely packed buildings up to 130mPD, which is excessively tall and may pose hazards to birds in flight. There was also no restriction to the use of materials for the buildings surrounding the flight corridor, which implies that massive, reflective glass blocks are very likely to be erected along the corridor, which apart from causing disorientation to sight and flight of the birds, may as well deter them from crossing it. Likewise a trend is found in the proposed 70m-wide flightpath reserved for the MPLV egret.

Statistics between 2022 and 2023 reveal more than 350 reported bird-window collisions in Hong Kong, involving 7 protected species.<sup>14 15</sup> Such accidents are undoubtedly bound to surge in numbers in areas of high bird populations such as San Tin.

Furthermore, most large birds are not observed to be particularly attracted to urban areas, as obstruction of buildings, disorientation by window reflections and lights, light and noise pollution from human traffic etc. severely deters them. Resultantly, a 70m-wide corridor serves little function beyond civilian recreation. 70m is in no way sufficient to provide necessary protection from noise and light, nor obstacles to navigation, nor attractive features for migratory birds to use them — such as temporary but safe shelter or water and food.

In addition, such meagre amounts of wildlife corridors lead to unavoidable doubts as to the extent they could possibly reconstruct the ecological linkage unharmed as before, apart from yet again the lack of details surrounding the above-ground and underpass terrestrial crossings (for example, how they would mimic natural conditions to encourage passage of animals).

## **2.9 Incomprehensive assessment of impacts on cultural heritage**

An assessment of impacts on cultural heritage is included in the EIA, which finds that while no sites of cultural heritage falls within the project area, within 500m of the project boundary exists a total of 12 built heritage resources, upon which beneficial impact is expected to befall due to cultural tourism brought about development. Nevertheless, the EIA did not consider the potential damage or harm done to said heritage sites by potential reckless acts performed by tourists. The cultural heritage sites should be strictly placed under protection of authorities; such a plan was not mentioned in the EIA.

However, it is difficult to ignore the fact that entire villages are being wiped off the map. Ha Wan Village unfortunately rests within the boundaries of the project, and are currently facing land resumption, and the entire village is on the course of being entirely consumed. Important intangible heritage, such as unique Earth God Festival practices traditionally conducted in the village, are facing risks of extinction. The EIA made no corresponding mentions.

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<sup>14</sup> Global Bird Collision Mapper <https://www.birdmapper.org/pages/explore-the-map>

<sup>15</sup> Report by am730

<https://www.am730.com.hk/%E6%9C%AC%E5%9C%B0/am%E5%B0%88%E9%A1%8C-%E7%8E%BB%E7%92%83%E5%B9%95%E7%89%86%E5%85%A9%E5%B9%B4-%E7%AA%97%E6%AF%BA-%E9%80%BE300%E9%B3%A5-%E5%9C%98%E9%AB%94%E4%BF%83%E8%B2%BC%E6%B3%A2%E9%BB%9E%E5%8A%A9%E8%AD%98%E5%88%A5/420749>

## **2.10 Exclusion of areas under WCP in assessment**

The scope of the EIA was only focused on the territories occupied by the future San Tin Technopole, but paid no attention to the associated WCPs. These parks take up large portions of land for ecological compensation, upon which numerous facilities and urban components such as visitor centres and aquaculture technologies are expected to be built.

Furthermore, to accurately “enhance ecological function and capacity” of these wetlands, the ecological composition and landscape of Sam Po Shue and Hoo Hok Wai should be carefully examined to draw up convincing wetland conservation plans. The fact that the scope of the EIA does not encompass that of the WCPs attests to the unreliability of the proposed wetlands compensation strategies, and reflects the unpreparedness of the government to predict their effectiveness and carry out the strategies.

### III. Demands and Suggestions Regarding the EIA

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Based on the points of disapproval about the EIA in the last chapter, the following is a list of basic demands and suggestions to refine the EIA and ensure ecological preservation of the region, that very likely also resonates with many environmental groups and interested persons:

1. We demand a **reassessment of environmental impacts**.
2. Other endangered species precluding the few included in the previous EIA research should be carefully examined to accurately reflect the ecological value of San Tin and neighbouring wetlands.
3. Recognition of the immense ecological value of fishponds and wetlands threatened by development.
4. Propose a detailed and thorough Wetlands Management Plan and a plan for the establishment of wildlife corridors, to be submitted *alongside* the renewed EIA and subject to scrutiny by the public, the ACE and the TPB.
  - a. Prohibit the construction of glass blocks along the wildlife corridors.
  - b. Build a wall of vegetation surrounding the corridors to protect wildlife from disturbance of regular urban activities.
  - c. Expand the scope of the corridors.
5. Implement measures at all times of the year to mitigate construction disturbance in all parts of the project site, and to pause all construction work within at least 500m of egretries during breeding season.
6. Prohibit urban exploitation or any forms of development within 200m of egretries and internationally protected wetlands.
7. Abandon the strips of land in between SPS WCP, Hoo Hok Wai WCP and Lok Ma Chau Loop reserved for I&T purposes, and incorporate them into wetland conservation zones, subject to proper wetlands management and protection.
8. Recognise the importance of the buffering function of San Tin Technopole.
9. Recognise the role of the wetlands and fishponds in mitigating the impacts of extreme weather, such as providing flood resilience.
10. Refine the plan for the WCPs and ecologically enhanced or modernised aquaculture fishponds (further suggestions in the following chapter), as well as taking steps to further advance aquaculture and environmental conservation in the area.

11. Recognise the significance of San Tin, Sam Po Shue and Hoo Hok Wai to Eurasian otters, and conduct more extensive research to cater to their needs.
12. Prioritise the restoration of abandoned fishponds and brownfield sites before deciding on alternatives such as incorporation of massive territories of wetlands into the Technopole.
13. Recognise the fundamental principle of **prioritising conservation over development**, and incorporate it into official documentation and all development strategies of the New Territories, however significant the anticipated benefit brought to industries.
14. **The Town Planning Board must not endorse the current Project and EIA.**
  - a. If a proper reassessment fulfilling statutory requirements and scientific rigour indicates immense and irreplaceable ecological value of the 247ha of wetlands to be lost to development, with adequate consideration to its significance to neighbouring habitats, local residents and fishpond owners, **the San Tin Technopole Project must be permanently scrapped and proactive conservation of the region be immediately carried out.**
  - b. If a reassessment is too much to bear, the San Tin Technopole Project should never come to realisation.

## IV. Wetland Compensation Strategies

It has been noted that the HKSAR Gov't endeavours to establish a few Wetland Conservation Parks in Northern/NW New Territories, in an attempt to alleviate the anticipated devastating impacts the so-called "Northern Metropolis" and "San Tin Technopole" projects would induce on the aforesaid ecologically, agriculturally vital area. It is said that the parks would form a full system of ecologically friendly recreational grounds (WCPs System), that would "enhance the ecological function and capacity" of existing wetlands, introduce "ecologically friendly and modernised" aquaculture operations, and strive "no-net-loss" in ecological function in the San Tin development plan<sup>16</sup>.

However, it has been noted that several questionable notions are proposed therein, and it is challenged whether such "wetland compensation strategies" would truly deliver the benefits as claimed. This is also a challenge to the foundation on which the EIA report bases its decision that the ecological impacts of the development plan are minimal if compensated.

This section primarily scrutinises the planning details of the Sam Po Shue Wetland Conservation Park (*including certain shared attributes with other parks*), along with the proposed "ecologically enhanced fishponds" and those in the "fisheries enhancement area".

### **4.1 Arbitrary dimensions**

According to the initial 'Northern Metropolis Strategy' published in 2021, the Sam Po Shue Wetland Conservation Park was set to receive an allocated 520 hectares of territory<sup>17</sup>. To the abhorrence and vehement reprimands of many advocates of environmental conservation, this was grossly reduced to a mere 300 hectares by 2023, apparently annexed by the Technopole after its precipitous expansion of land reserved for I&T development, supported by neither elaboration nor evidence of commensurate demand. In spite of this, the AFCD rendered no due reply to public concern, and by the end of the year it was only slightly remedied to encompass 338 hectares.

This raises doubts pertaining to the government's reluctance in conservation, and more importantly, the arbitrariness of the dimensions of the parks — with it the overall endeavours to conserve. Despite the initial proposed area being a mere estimate, the result is undoubtedly too far off.

The wisest options for the Government would be to:

- ❖ confirm the dimensions of the park and stick to it in case of further propositions;
- ❖ duly consult and seek assent from the public and other stakeholders prior to making any changes to development strategies, with particular caution when reducing the scope of wetland conservation; and
- ❖ **expand the scope and area of wetland conservation to at least its original capacity.**

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<sup>16</sup> Strategic Feasibility Study of the Development of WCPs System under the Northern Metropolis Development Strategy

[https://www.afcd.gov.hk/english/conservation/con\\_wet/wcps\\_system/files/PE2Leaflet.pdf](https://www.afcd.gov.hk/english/conservation/con_wet/wcps_system/files/PE2Leaflet.pdf)

<sup>17</sup> Northern Metropolis Development Strategy 2021

<https://www.policyaddress.gov.hk/2021/chi/pdf/publications/Northern/Northern-Metropolis-Development-Strategy-Summary.pdf>

## **4.2 The detriments of tourism development**

It is anticipated that infrastructure and constructions be introduced in the park to attract tourists. However, despite their potential profitability, there are certain potential threats to conservation efforts associated with such a move.

It was proposed that tourists be allowed into the WCPs to conduct all sorts of recreational activities, for instance picnicking and roaming. As exemplified by the precedent of the Hong Kong Wetland Park, tourists tend to disturb wildlife and disrupt the daily activities in wetlands. Despite all the clearly-written instructions not to make excessive noise, visitors of the Hong Kong Wetland Park in Tin Shui Wai appear either ignorant of such pleas or illiterate in both Traditional Chinese and English. Reckless visitors clamour at large from regulation, often sending wild birds fleeing the scene. Apart from such, concerns of litter may also arise.

- ❖ If visitors are to be allowed into conserved areas, it is recommended that regulatory measures and personnel be introduced to closely monitor and rectify tourist activities that might be detrimental to wildlife.
- ❖ A set of strict, rigorous and thorough regulations should be made regarding tourist activities within the park, with suitable punishments like fining, banned entry and possibly prosecutable offences.

## **4.3 Excessive urban components**

According to the development plan, a plethora of recreational and tourist facilities, encompassing that of bulky buildings like visitor centres and a range of smaller equipment like picnic tables, would be added to the wetlands supposedly under conservation.

With extensive urban components added to the wetlands, and with such a wide array of infrastructure carefully fitted for visitors' enjoyment, it is then questionable as to the entire purpose of the parks — whether it is designed as a conservation park as formally prescribed, or merely as a fancy tourist hotspot.

Such urban additions would cause excessive encroachments on the capacity of the wetlands and the habitats of wildlife (see section 1.1). Moreover, the facilitation of picnics within the park might cause problems for wildlife, including but not limited to litter and hazardous feeding activities.

As a further case in point, Southern Lantau particularly that in Pui O, has rued the consequences of impetuous recreational development. The '*Lantau Conservation and Recreation Master-plan*'<sup>18</sup> published in Dec 2020, Southern Lantau Island was designated as the "Eco-recreation Corridor". However, upon thorough examination, one could not help but question the grave emphasis placed on construction for recreational activities — most of which infringes upon country parks — as opposed to "developing the north and conserving the south" as claimed. As a country area densely packed with vegetative cover, it was a baffling matter when one contemplates how the development

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<sup>18</sup> Lantau Conservation and Recreation Plan by HKSARG  
[https://www.lantau.gov.hk/filemanager/content/news-and-publications/Lantau\\_Conservation\\_and\\_Recreation\\_Masterplan.pdf](https://www.lantau.gov.hk/filemanager/content/news-and-publications/Lantau_Conservation_and_Recreation_Masterplan.pdf)



projects would fit into the region — that is, before noticing the then-ongoing destruction of woodland and deforestation in Sesame Bay<sup>19</sup>, which paved way for the “Chi Ma Wan Recreation Area” and campsites<sup>20</sup>. Collusion conspiracies aside, it shows that even before development projects commence, destruction of the country precedes.

It is therefore recommended that

- ❖ **the scope of urban constructions be minimised**, so as to only encompass the necessary features for educational purposes. The proposed visitor centre should be replaced with a minuscule reception along with only enough hygienic facilities. Pavement of roads and extensive footpaths must be minimised. Wooden bridges should be adopted instead where natural exchange of life and materials may take place underneath. Such is for the preservation of as much nature as possible, undisturbed by urban additions.
- ❖ **The quantity of tourist facilities should be vastly reduced**, particularly with the picnic tables completely eliminated; all sorts of entertainment infrastructure requiring pervasion of vegetative cover should be eradicated.
- ❖ **The primary focus of the parks should be on the conservation and protection of wildlife**, biodiversity and wetland landscape, rather than tourism.

#### **4.4 Proximity to car park and metropolitan activities**

According to the proposed layout, land within the supposedly conservation park is to be converted into parking facilities to facilitate tourist manoeuvres. Not only does this further encroach on wetlands; the encouragement of automobiles in the area is not only contrary to government desires to limit car ownership, but along with the park’s close proximity to the busiest part of the anticipated Northern Metropolis and San Tin Technopole, is also a key source of pollution (air and noise alike) and disturbance to wildlife. It is difficult to imagine who of sound mind would build a car park amidst protected wetland.

It is therefore recommended that

- ❖ Within the WCPs, apart from necessary access by public transport, **no substantial territory should be allocated for the construction of parking facilities**;
- ❖ Parking lots should instead be built within the San Tin Technopole or neighbouring urbanised areas, without the slightest encroachment of the protected wetlands and beyond the perimeters of the Wetland Conservation Parks; and
- ❖ buffer zones encompassing a substantial amount of vegetative cover should arise in between any urban setting and the wetlands under conservation.

<sup>19</sup> 【芝麻灣事件】郊野公園斬樹「無皇管」私人地成法規漏洞 2021 <http://bit.ly/4b5f2Nw> by 風火山林

<sup>20</sup> Liber Research 2021:《明日大娛：未來郊野公園如何淪為一個大型遊樂場？》

<https://liber-research.com/%E6%98%8E%E6%97%A5%E5%A4%A7%E5%A8%9B%EF%BC%9A%E6%9C%AA%E4%BE%86%E9%83%8A%E9%87%8E%E5%85%AC%E5%9C%92%E5%A6%82%E4%BD%95%E6%B7%AA%E7%82%BA%E4%B8%80%E5%80%8B%E5%A4%A7%E5%9E%8B%E9%81%8A%E6%A8%82%E5%A0%B4/>

#### 4.5 Allocation of territory for “ecologically enhanced fishponds” and “fisheries enhancement area”

According to the plan outlined in the EIA report, a 40ha “fisheries enhancement area” has been recommended to compensate for the direct and permanent loss of active fishponds, located within the proposed SPS WCP; the “ecologically enhanced fishponds” would be converted from abandoned fishponds and brownfield sites to increase aquaculture production.

This is a perplexing arrangement. The WCP, as its name suggests, is expected to serve the primary function of conserving the natural environment and contributing to increased ecological value in the region. The decision to place the highly modernised aquaculture fishponds within the boundaries of the WCP rather than “ecologically enhanced” ones would be in stark contrast with the very function of the parks, as the parks serve no economic interests.

- ❖ It is advised that the ecologically enhanced fishponds be located within the WCPs, switching positions with the proposed fisheries enhancement area.

#### 4.6 Subsidies

The AFCD has proposed “Modernised and High Production Aquaculture Techniques” in the WCPs, which include sophisticated operating mechanisms such as in-pond raceway system, remote farming monitoring system, real-time water monitoring system and renewable energy. It has been inextricably incorporated into the conservation agenda.

However, this raises pragmatic concerns. If this form of production and renewable energy sources are to be comprehensively or even compulsorily enforced within the territory, it would require massive revamps of current fishponds, farmlands and even the ways of life of the lowly operators of the production facilities. Hindrances would expectedly arise during this onerous transition.

Moreover, such technologies do not often come at an affordable price. Exorbitant amounts of financial input would be required for advanced technologies as these be introduced, as such systems as smart irrigation and solar panels do not usually come as economical to the average household.

If instalment of extravagant devices are to be made a prerequisite for fishponds to stay, **smaller enterprises and smallholders would find it more demanding to survive and cope with exorbitant expenditures.** Aquaculture would then be dominated and monopolised by larger and more financially well-off corporates, which deprives one of a self-sustained rural lifestyle, eliminates smaller enterprises and their incomes, lacks variety in locally derived food options (and thus somewhat deterring demand), and is uncondusive to competition.

- ❖ We contend that the Government should at least **partially subsidise** the instalment of renewable energy and environmentally-friendly and facilitative food production technologies, to attest its determination in revitalising agriculture and aquaculture, and sustain the survivability of small enterprises and smallholders in food production.

#### **4.7 Compensation for the displaced fishpond operators**

The ambitious development scheme is expected to consume 90ha of fishponds, many of whom hitherto occupied by local village dwellers and smallholders who rely on these small scale aquaculture operations to sustain material needs. The confiscation of fishponds from these stakeholders inevitably poses financial strains on the people who have lost their vital source of income.

To ensure they are justly and fully compensated over the coerced confiscation, it would only be fair that the affected operators be, with absolute priority, allocated revitalised or “ecologically enhanced” fishponds so that they may carry on their desired way of life and mode of production unaffected.

Nevertheless, the primary option should ultimately be for them to **keep the fishponds as they desire**, pursuing a path of **discretion rather than coercion** when seeking compliance from fishpond owners. The best possible way to safeguard aquaculture and rural life would, quite naturally, to uphold their current self-sustaining rural way of life, maintain the status quo, and support their rights, freedoms and ongoing production activities. **As few fishponds as possible should ever be surrendered to urban exploitation.**

## V. Brownfields

A brief scan through the EIA report for the San Tin Technopole reveals a peculiar emphasis on the justification of further urban expansion by suggesting that current brownfields in San Tin and neighbouring areas diminishes its ecological significance.

### **5.1 Plague of Brownfields**

A brownfield is a property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant.<sup>21</sup>

Whilst brownfields serve a certain function, current replacement of green land, be it approved or unapproved, for underutilised, overpolluted brownfields has plagued the once lush New Territories for years, if not decades. By 2021, there were up to 1958 ha of brownfields in Hong Kong.<sup>22</sup> On average, 52 ha of new brownfields emerge annually.

In an extensive study carried out by Greenpeace HK between July and August 2021, they have discovered at least 35 pieces of brownfield land with ongoing illicit activities<sup>23</sup>, ranging from illegal construction waste to electronic waste disposal, discovered to contain copious amounts of toxic chemicals such as heavy transition metals or sophisticated hydrocarbons, which cause serious soil pollution. They **endanger natural environments** and **compromise residents' quality of life**, as green lands are often sacrificed, water absorption into soil prevented and litter or even toxic waste washed by runoff into nearby soil or water.<sup>24</sup> Furthermore, the pollution of both soil and water resultant, also intensified human activities and noise, may directly impact ecologically valuable wetlands near Deep Bay.

Most of such expansion occurred after the announcement of government plans for the NT North development plans. In San Tin in particular, the total area of fishponds eradicated **doubled in 8 months alone between May and Dec 2023**, immediately following announcement of the encroachment of San Tin wetland conservation zones for the San Tin Technopole, compared to a period of 9 years from 2014 to Mar 2023.

However, instead of attempting to cease such devastation or reverse its effects, the EIA report suggests that further destruction is hence justified, an all but rational conclusion to the problem.<sup>25</sup> This

<sup>21</sup> United States Environmental Protection Agency: Definition of Brownfield  
[https://19january2017snapshot.epa.gov/brownfields/brownfield-overview-and-definition\\_.html](https://19january2017snapshot.epa.gov/brownfields/brownfield-overview-and-definition_.html)

<sup>22</sup> CAHK x GreenPeace HK 2024:《力保北濕:北都公佈後的濕地破壞研究》  
[https://issuu.com/greenpeace\\_eastasia/docs/greenpeace\\_4a4e31525c0353](https://issuu.com/greenpeace_eastasia/docs/greenpeace_4a4e31525c0353)

<sup>23</sup> GreenPeace HK:《此亂棕起:棕地亂象調查報告2021》  
<https://www.greenpeace.org/hongkong/issues/health/update/30313/%E6%AD%A4%E4%BA%82%E6%A3%95%E8%B5%B7%EF%BC%9A%E6%A3%95%E5%9C%B0%E4%BA%82%E8%B1%A1%E8%AA%BF%E6%9F%A5%E5%A0%B1%E5%91%8A2021/>

<sup>24</sup> Liber Research 2021:《失棕罪》  
<https://liber-research.com/wp-content/uploads/2021/07/%E5%A4%B1%E6%A3%95%E7%BD%AA%E7%BC%8D%E9%A6%99%E6%B8%AF%E6%A3%95%E5%9C%B0%E7%8F%BE%E6%B3%81%E5%A0%B1%E5%91%8A2021-3.pdf>

<sup>25</sup> EIA Executive Summary 3.9.7

indicates that the government acknowledges such brownfield expansion, but has no intention to stop it, but rather facilitate it. Heavily urbanised land has a similar toll on wetlands as that of brownfields — lack of return of underground water, lessened flood resilience, water and soil pollution, with even the addition of immense noise and light pollution, resulting in further destruction.

## **5.2 Mitigation, Conversion and Restoration**

Neighbouring fishponds and greenfields still serve their ecological function nonetheless, and for a successful conservation effort these functions must be maintained and if possible, expanded to former capacities.

This is but an impossible feat with modern science and technology and the capabilities of Hong Kong.

- For one, disposal or even recycling of construction materials is available and accessible in Hong Kong, so are storage facilities, suggesting that the expansion of brownfields is not of absolute necessity.
- Abundance of still developing lands and a negative population growth disproves the urgency for further urban expansion in San Tin.
- Redevelopment into low-density housing or community facilities benefits existing villages.
- Phytoremediation contains pollution and even relieves it albeit over the course of long years.
- Not yet seriously polluted fields may be revegetated and transformed into ecologically functional wetlands, which itself can mitigate pollution.
- Similarly, agricultural land can be further restored.

## Conclusion

In response to the ACE's endorsement of the EIA, we have hereby discussed numerous recommendations pertaining to numerous aspects of the San Tin Technopole, from contents of the EIA to planning details of the Wetland Conservation Parks and the San Tin Technopole itself. Most importantly, we highly anticipate strict adherence to the principles of priority of conservation and sustainability, including food security, climate resilience, ecological preservation and welfare of locals to be prudently and thoroughly respected.

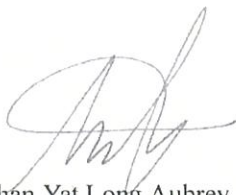
For any hopes of the manifestation of the treasures of nature, wetlands should be dedicated completely to their conservation. What is presented in this letter is a mere extension from many advocacies in Hong Kong society concerning its wellbeing and its all but uncertain future, the betterment of which we and the people severally strive. Hence our opinion, albeit insignificant, and probably will remain unbeknownst and unavailing, is presented in hopes that it would have been generously considered upon a well-informed and evaluated decision being drawn.

Finally, to conclude our demands and opinions regarding the EIA and the San Tin Technopole Project, which very much resonates with most people concerned with the Project, it can be expressed in a very simple central idea below:

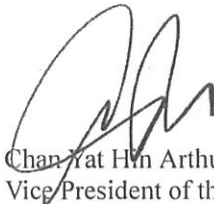
They must not pass the Town Planning Board.

Thank you.

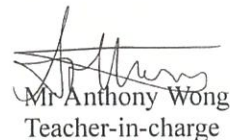
Yours faithfully,



Chan Yat Long Aubrey  
President of the Civic Club



Chan Yat Hin Arthur  
Vice-President of the Civic Club



Mr. Anthony Wong  
Teacher-in-charge

Signed by



Wong Ming Sum  
Vice President of the Civic Club



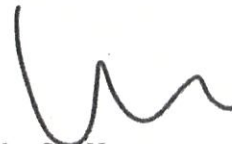
Yung Tak Chun  
Internal Secretary of the Civic Club



Leung Cheuk Yin  
Art Secretary of the Civic Club



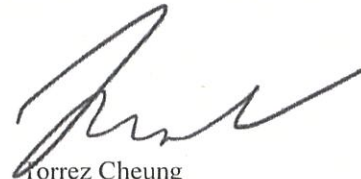
Hui Tung San  
Financial Secretary of the Civic Club



Man Sze Heng  
Student Coordinator of the Civic Club



Marcus Chiu  
Member of the Civic Club



Torrez Cheung  
Member of the Civic Club

Urgent Return receipt Expand Group Restricted Prevent Copy

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**From:** Civic Club SJC [REDACTED]  
**Sent:** 2024-05-09 星期四 23:02:45  
**To:** tpbpd/PLAND <tpbpd@pland.gov.hk>  
**Subject:** Re: Submission on San Tin Technopole  
**Attachment:** Untitled document.pdf

Dear Sir/Madam,

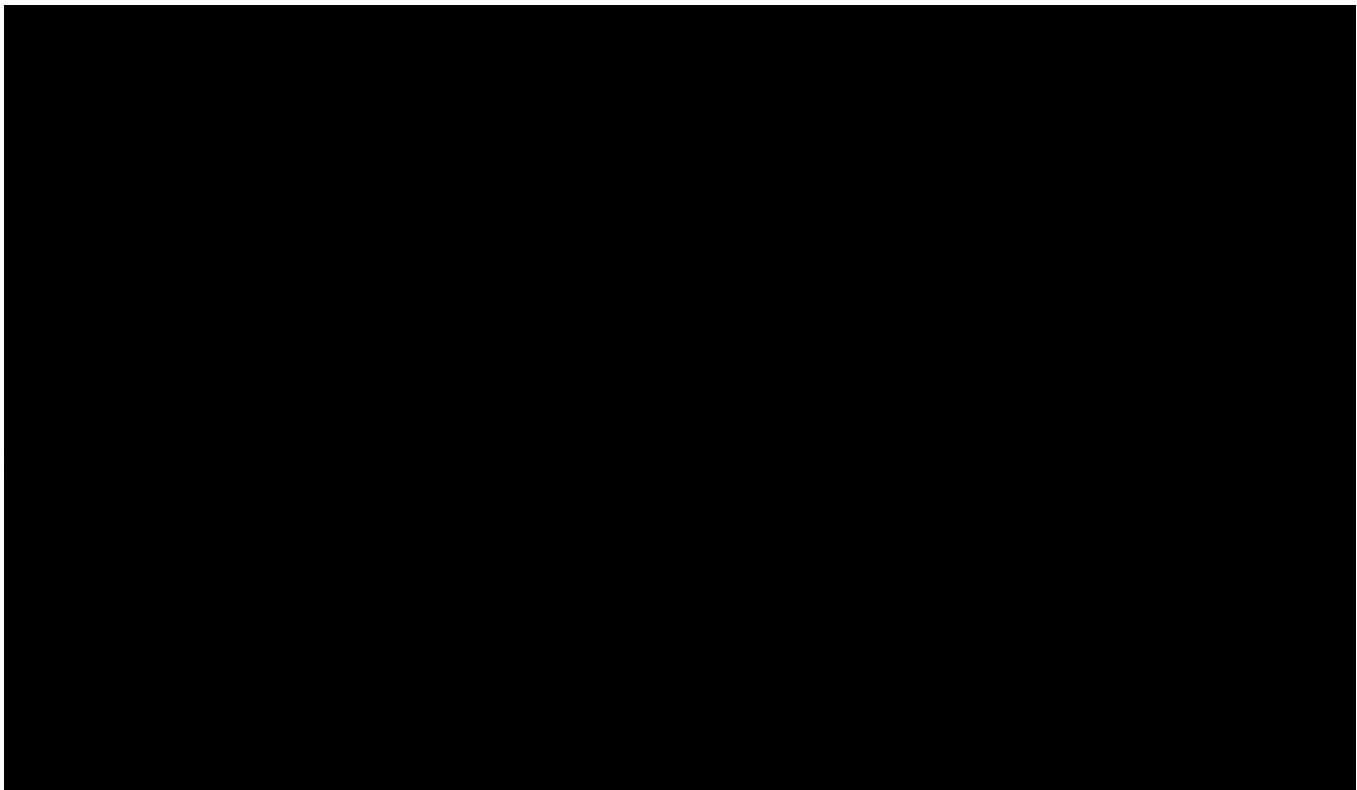
Heartfelt apologies for the mistake. I was imprudently unaware of this requirement.

Here is an updated list of the involved persons' full names and first four characters of their corresponding HKID card numbers:

Chan Yat Long Aubrey [REDACTED]  
Chan Yat Hin Arthur [REDACTED]  
Wong Ming Sum [REDACTED]  
Yung Tak Chun [REDACTED]  
Hui Tung San [REDACTED]  
Chiu Pak Hei [REDACTED]

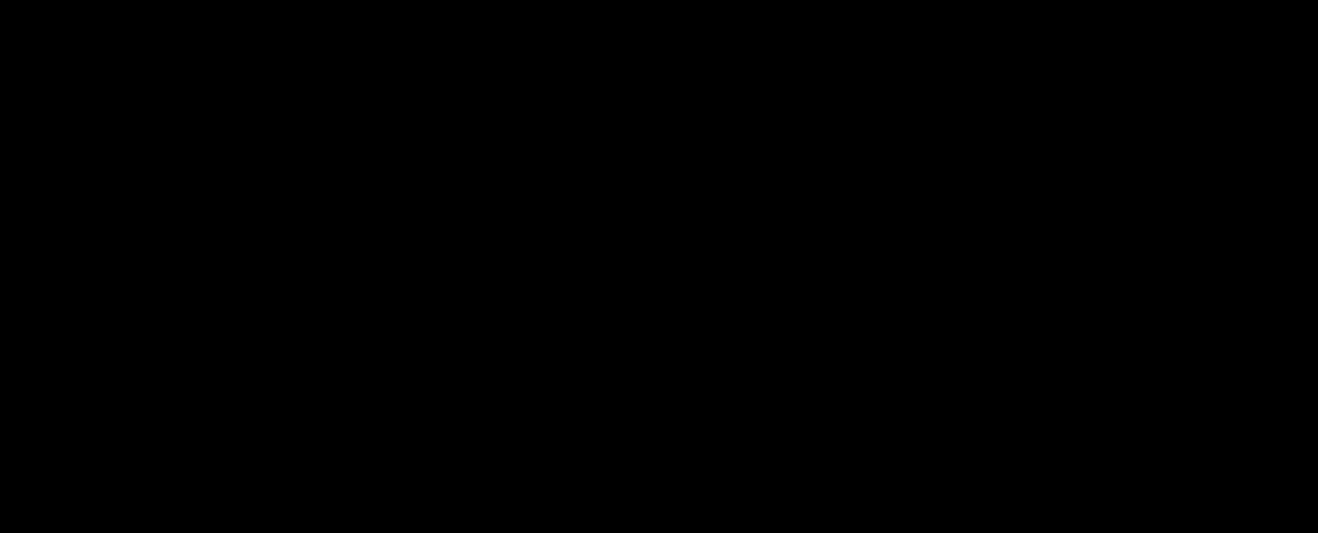
A document has been attached to this email for reference to the original letter. Unfortunately, we are unable to produce the full list of HKID card/passport numbers, due to some of the concerned persons' unwillingness to provide them. Once again, sorry for any inconvenience caused.

Yours faithfully,  
Aubrey Chan





Urgent Return receipt Expand Group Restricted Prevent Copy



**From:** Civic Club SJC [REDACTED]  
**Sent:** Wednesday, May 8, 2024 11:21 PM  
**To:** tpbpd/PLAND <[tpbpd@pland.gov.hk](mailto:tpbpd@pland.gov.hk)>  
**Subject:** Submission on San Tin Technopole

Dear Town Planning Board,

I am writing on behalf of the Civic Club of St Joseph's College, as well as numerous other or affiliated individuals whose voices are herein included in the letter, to submit our Letter of Opinion with Respect to the Impending Endorsement of the San Tin Technopole Development Project.

In view of recent developments pertaining to this matter, including the hasty and imprudent passing of the EIA report by the ACE, we, as passionate individuals supported by many of our peers and supervised by capable adults, have meticulously drawn up a 22-page correspondence describing in detail our critical observations and demands relating to the Project.

It is therefore of our most sincere hopes that whoever concerned would not dismiss our opinions without making the minimum effort to skim through the letter as attached in this email. It is furthermore expected that the opinions of all parties and the general will of the populace be thoroughly considered upon prior to any hefty decisions (such as a controversy involving 247 hectares of protected wetland) being reached.

We extend our deepest gratitude prior.

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Yours faithfully,

Aubrey Chan

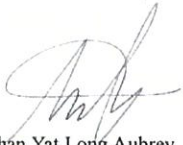
President of the SJC Civic Club

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*Civic Club*



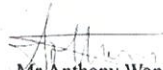
Yours faithfully,



Chan Yat Long Aubrey  
President of the Civic Club



Chan Yat Hin Arthur  
Vice President of the Civic Club



Mr. Anthony Wong  
Teacher-in-charge

21

Signed by



Wong Ming Sum  
Vice President of the Civic Club



Yung Tak Chun  
Internal Secretary of the Civic Club



Leung Cheuk Yin  
Art Secretary of the Civic Club



Hui Tung San  
Financial Secretary of the Civic Club



Man Sze Heng  
Student Coordinator of the Civic Club



Marcus Chiu  
Member of the Civic Club



Full Name: Chiu Pak Hei



Torrez Cheung  
Member of the Civic Club

Submission Number:  
TPB/R/S/STT1-S440

Urgent  Return receipt  Expand Group  Restricted  Prevent Copy

Representation Number:  
TPB/R/S/STT/1-R115

**From:** Francisco das Caldas <[REDACTED]>  
**Sent:** 2024-05-02 星期四 16:32:56  
**To:** tpbpd/PLAND <tpbpd@pland.gov.hk>  
**Subject:** Re: San Tin - Objection to the development of wetlands and other habits: OZP No.S/STT/1; Other developments at Mai Po & Fairview Park: OZP:S/YL-MP/7.  
**Attachment:** Letter to TPB (02.05.24).pdf

Dear Sir/Madam,

Good afternoon.

Please see the attached letter from Mr Ruy Barretto SC on the subject matter for your kind attention.

We understand that you require personal details of Mr Barretto for the submission, and as to this, please see the following:

Full name: Ruy Octavio Barretto  
HKID No.: [REDACTED]

Thank you for taking the time with this message.

Best regards,  
**Francisco das Caldas**  
Clerk to Mr Ruy Barretto SC

 **TEMPLE CHAMBERS** | 天博

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**IMPORTANT:** This email may contain confidential and privileged information and is intended for the addressee only. If you are not the addressee, please contact me immediately by return email and delete this email from your system without using, disclosing or copying it to anyone. Unauthorised use, copying or disclosure may be unlawful.



The Secretary  
Town Planning Board  
15/E, North Point Government Offices  
333 Java Road  
North Point  
Hong Kong

2<sup>nd</sup> May 2024

By email: [tpbpd@pland.gov.hk](mailto:tpbpd@pland.gov.hk)

Dear Sirs,

Re: San Tin – Objection to the development of wetlands and other habitats and OZP No.S/STT/1 for expanded Technopole and other developments and at Mai Po and Fairview Park OZP:S/YL-MP/7.

1. The Project has “expanded” so massively that it now **does not comply with about 4 major policies** and most principles for conservation and genuine balanced development and lawful or rational planning.
2. The EIA errors and omissions and the expert submissions have **exposed and proved the errors of this Planning**. Hence the summary reasons for Amendment underlying this OZP are not correct nor proved by the Proponents. Thus this **OZP is wrong to plan on the basis that**
  - (a) The SPS WCP can compensate for loss of wetlands
  - (b) There will be no net loss of ecological function and capacity
  - (c) It is not necessary to keep the Wetland Conservation Area and Wetland Buffer Area
  - (d) The area can be fragmented for intensive development.
3. **Encroachment into Conservation Areas.** The massively increased San Tin Technopole or STT or development area is now greatly “expanded” to **encroach into Wetland Conservation Area and other protected areas**. This encroachment is **contrary to decades of Wetland Conservation Area and Wetland Buffer Area protection**. There is no justification for such departure from this long standing planning and conservation policy. **Encroachment is admitted** in ES 3.9.3 but the ES of the EIA does not identify nor address these policies and planning intentions as a constraint.
4. Despite the admitted encroachment being inserted later on in ES 3.9.3, the ES **misleads** Authorities and public by omitting this crucial point in the Introduction
  - (a) and in 2.7.1 when alleging “...development *alongside* the proposed Sam Po Shue Wetland Conservation Park”.
  - (b) ES 2.7.15 again misleads when stating “The proposed SPS WCP is *adjacent* to the Project.”
  - (c) ES 2.3.12 says the development shall expand “*closer* to the fishponds” thus omitting the encroachment.
5. The reality is that the greatly **expanded STT greatly encroaches into the proposed SPS WCP** which was part of the **Northern Metropolis Development Strategy** (which later was adopted as Government Policy hence called NM Policy ) with its Action Item 21, of which NM Policy paragraph 96(2) page 52 declares to be “covering an area of about 520 hectares.” It is thus **encroached by about 182 hectares** so the conservation is reduced to 328 hectares.

6. This great change is also contra to China's commitments to the **Convention on Biological Diversity**, and contra to China's protection of its section of the Flyway. This is not addressed by ES.
7. No world class cities would contemplate such a backward step. Hong Kong wetlands conservation have for years been an **international "good story"** for the Flyway. It would be an irreparable permanent loss to our green contribution to the Greater Bay Area and **our ecological integration** with the Mainland.
8. It is contrary to the Ecological Civilization policy of China, which was made applicable by the Northern Metropolis Policy, which especially applied this to San Tin, per NM Policy para 78 for a **"new era of ecological civilisation"**. Not addressed by ES.
9. It is **contrary to the Northern Metropolis Policy** by massively expanding NM Policy Action Item 7 and 8 from about 60 hectares for IT plus 20 hectares at Lok Ma Chau control point plus replanning 70 hectares of ponds and rural land. "as much as about 150 hectares in land area...equivalent to 13.5 HK Science Park in number" per NM Policy para 67 page 39, to make a land grab for the massive 610 hectares. **This expansion/encroachment cuts in half the proposed Sam Po Shue Wetland Park which is NM Policy Action Item 21**. Thus the NM Policy is being breached.
10. From the NM Policy 520 hectares encroached down to ES proposed 338 hectares is a **new loss of 182 hectares of suitable ecological habitats**. This degree of massive loss is not stated or made plain in the ES and not addressed in ES. The authorities should reject such loss, damage to be caused by breach of principles and policies.
11. The NM Policy was the policy for the balanced development, on this aspect see NM para 77, but this Project is now **out of balance**.
12. The **fragmentation** of the area into smaller study areas is a tactic to downplay ecological values, and the **landscape scale damage** or removal under the EIA.
13. The **admitted closeness** of the blocks alongside or adjacent to wildlife habitats **enhances the damage and disturbance** which now requires more compensation and mitigation than previously estimated.
14. **Effective conservation measures are needed to prevent the expanded loss**. The Buffer area is too narrow to compensate for the expanded impacts. Now an increase to at least 500 metres is needed, plus tree height low stepped buildings. **There is no buffer**, just stepped increases in building heights. Birds are expected to fly over blocks.
15. **After decades of the Board defending the Buffer Area** against private developments, based on scientific evidence from Government, now suddenly they are abandoned for development interests.
16. **Flying routes** are to become **concrete canyons between buildings**. This is not proved to be helpful.
17. Exposed glass surfaces must be prohibited to prevent deceptive obstacles causing collisions in former flying areas.

18. Light pollution must be controlled within at least 1 kilometre to reduce impacts on bird and insect feeding patterns.
19. Channels must be naturalized so as not to become death traps, and installed with habitats suitable for ecological corridors.
20. Planting must be with species which provide food and shelter to wildlife. Areas must be of adequate size to provide function, but in this OZP the Conservation Area is only about 13% and impacted on some of its edges
21. Suitable management plans and budgets spread over decades or in perpetuity must be provided to do this adequately. This is required to meet the NM Policy objectives.
22. The **Objectives in ES Promoting Biodiversity** 2.7.19 and 20 must be improved to more specifically ensure conservation compensation and be made part of the **Conditions** for any Environmental Permit or approval for this Project. The Conditions should include compliance with all other principles and policies noted herein and not adequately addressed in the ES.
23. **Holistic and landscape values and impacts not addressed.** The ecological landscape is to be removed by this Project, and **impacts at landscape scale** have greater impacts locally and nationally and internationally all along the Flyway. It is not adequate for the ES at 2.3.12 to hope for minimal impact on bird habitats and flight corridors, when the San Tin area comprised of numerous ecological habitats and food sources, is part of the ecological function and capacity and viability for connected wetlands so that the whole is important for international bird migration. This **holistic value** has been recognized internationally and by the NM Policy generally, but is wrongly impacted by this Project. **Because of the fragmented approach of the ES, the impacts on this holistic landscape value are not assessed.**
24. The ES briefly notes the ecological importance and current ecological connectivity at 2.2 but this does not list as constraints or opportunities our **international obligations** under the Convention on Biological Diversity. Instead Sam Po Shue wetlands are seen as opportunities for development, contrary to international principles and NM Policy for pro active conservation under Key Action Direction 5, page 49 onwards. Planners instead need to be guided by independent scientific findings as well as the NM Policy para 49 which found that "Hong Kong has an extensive stretch of fish ponds **with high ecological value** inside the Circle...." This demonstrates how Planning can be misled by the ES.
25. The Wetland Parks require to be created with funds, conservation objectives, management, and effective long term protection NOW so that a **wildlife safe haven** (albeit inadequate) is **in place before the degradation led development** starts all around the currently protected areas. This was the NM Policy approach in **Key Action Direction 5**, pages 49 onwards. The ES on Ecological Impact 3.9.5 is too delayed to 2026-2027, and such a slow start and timetable will cause local, regional and international extinctions. Government action and **protection is required now** against ongoing pond and woodland degradation works. The now proposed **delay of SPS WCP to 2039 is a dereliction of duty** to conserve, mitigation and compensate.
26. **Two Planning Principles** govern the design and development of the Northern Metropolis.
  - (a) 'Urban – Rural Integration' – The Northern Metropolis will have a unique Urban-Rural Integration and Co-existence of Development and Conservation.

- (b) 'Proactive Conservation' – Proactive conservation measures should be adopted to expand environmental capacity, preserve the integrity of strategic corridors, guard against damage to the ecosystem by unauthorized developments, and reasonably compensate for the environmental impact of development activities. see Key Action Direction 5.
27. These are not taken forward in the ES with any proposals. The EIA has been shown to be not reliable and has been discredited by detailed submissions. The EIA/OZP shows the Project is **non compliant with a Key Direction of Northern Metropolis Policy**.
28. **No net loss of ecological function and capacity**, an over riding principle is mentioned at ES 2.3 but for which 3.9 claims some **artificial enhancement** of the remaining habitats as the universal remedy for landscape scale losses and loss of ecological function. It has not been proved that double the ecological function can be artificially created with half the area of land which is to be squeezed between industrial commercial and residential blocks. The developers are asking the Board to take on significant risks.
29. **It is not proved to be sustainable and feasible** to restore ecological function to the complex web of life living in San Tin by dumping tons of farmed fish into some ponds for ever. It is not prudent or reasonable to compensate by having industrial fish factories/aquaculture.
30. Such only provides a partial fix for birds feeding on fish in ponds but does **not address the harm to ecological function and capacity of all the other habitats** identified in the landscape. This requires suitable areas and suitable habitats all around for specialist planting and other habitat restoration.
31. **Woodland compensation** in ES 3.9.6 and 3.9.7 for fung shui woods and roosting sites is inadequate, slow and will cause extinction of function and species. Mature trees are said to be required. The ES fails to note that once cut, Instant Mature trees will be needed but hard to source and transplant. Avoidance is the most reasonable and economical solution. Buffer of 100m should be 200 m plus protection against light pollution, glass obstacles etc as noted above.
32. Otters and other creatures require **improved wildlife corridors**. Enough and recent new records exist to require action and precautions, both for otters and other known wildlife inhabitants. This form of enhancement is proved to be feasible if done to international standards.
33. The **cost and impacts** of artificial enhancement must be provided to inform whether this is **sustainable financially or ecologically** by those responsible for causing the loss.
34. Unless the ecological cost is underwritten the EIA and Planning compensation will depend on empty promises and empty purses. The loss and damage must be quantified so that **adequate Government funding is guaranteed from the outset to compensate** for the loss to be caused now to future generations and **pay for the enhancement in perpetuity**.
35. The floodplain area is important for **regional flood control** and should be part of sustainable and economical methods for our climate crisis survival planning as per the NM Policy. It is increasing the high risk to put high cost and sensitive factories in the ponds and wetlands in a flood plain. In an era of Climate Crisis with repeated flooding events in South China, as had been predicted, **building in a flood plain wetland is a recipe for planning disasters**.



36. **Removal of floodplain capacity** such as wetlands and associated habitats will expose surrounding areas to increased risk of flooding hence the Northern Metropolis Policy para 95(3) to keep wetlands for sponge benefits against flooding. Planning and approval by the authorities for projects while knowing flooding is reasonably foreseeable will **expose the Hong Kong authorities to liability and expense to reduce the dangers to others.**
37. **Climate Related Financial Disclosure** will require those concerned to disclose their contribution to the climate crisis by their real footprint with site forming, leasing and operating on wetlands.
38. **Nature Related Financial Disclosure** will require those concerned to disclose their risks and contributions to impacts on biodiversity and sustainability.
39. Tech companies and investors considering the exposure and impacts of conservation flood plain wetland sites will assess **the risks and disadvantages** they will face when operating and selling products and services from this special former wet land. Building on Conservation Area, Wetland Buffer Areas, Wetland Conservation Areas, part of an international fly way, inconsistent with international conventions, will be disclosed. Green washing will not remove the stain caused by tech companies use of biodiverse wetlands. When competing with GBA, the Technopole land will be leased at a disadvantage.
40. The Technopole needs to be marketed internationally for maximum benefit to Hong Kong. This requires **international standards to be observed** following international agreements such as the current Kunming-Montreal Global Biodiversity Framework, with its 2030 Mission to "halt and reverse biodiversity loss" and its 2050 Vision for biodiversity to be "valued, conserved, restored and wisely used." This Project aggravates the risks of loss and is not wise use.
41. **Disclosure for Ramsar Convention.** Article 3 requires that any likely change to the ecological character of a Ramsar site shall be reported to the Convention authority. What steps have been taken for compliance? Has the relevant authority in the Mainland been informed and consented to this change of character and proposed changes to their Ramsar site?
42. The OZP and EIA does not address the breaches of policy and thus they are not justified, not mitigated nor avoided. **The EIA/OZP does not make proposals to address Avoidance.** There is lip service to considering this principle at ES 2.7.12. This is because the breaches are so fundamental and so wrong in principle and so extensive that serious attempts at alternatives with avoidance are not attempted. This is a breach of basic EIA law and the Technical Memorandum.
43. If Avoidance proposals and options were studied, it would show **alternative more financially responsible and ecologically appropriate locations** for the high tech/high risk aspirations which are being promoted. There is no regard to the NM Policy para 67 which regarded the original provision for IT etc in this location as ample, ie a huge increase from the existing Science Park, the original was already like 13.5 Science Parks. There is **no present need** for this massive expansion in this location. **Planning should not abet unwise speculation** using public resources when enough industrial land exists in the GBA.

44. The Northern Metropolis Policy is **northward looking and forward thinking**, but this orientation has not been followed by this EIA/OZP. NM Policy para 29 says this is to be new town planning, with a "**cross-boundary mindset**", action oriented and comprehensive ie not piece meal nor with restoration and conservation delayed. **This Project is backward looking planning.**
45. **This expanded Project should be abandoned**, the EIA rejected, **the OZP rejected**, and Government should restore and improve **the original, already statutory approved**, proposals for the Lok Ma Chau Loop. The Sam Po Shue Wetland Park as originally proposed should be protected and managed immediately. It is thus part of our national ecological survival planning. It is one of the richest areas for wetland and open land birds in the region.
46. The OZP based on defective EIA should be **rejected** for non compliance with existing law and policies, and EIA and Planning principles. **The original proposal under Northern Metropolis Policy had some balance** which better safeguarded our future landscape and resources, and can now be **improved** for implementation in the public interest.

Yours faithfully,



Ruy Barretto SC

[9980.rb]

就圖則作出申述

Representation Relating to Plan

參考編號  
Reference Number: 240508-162519-53933

Submission Number:  
TPB/R/S/STT/1-S1404

提交限期  
Deadline for submission: 08/05/2024

Representation Number:  
TPB/R/S/STT/1-R116

提交日期及時間  
Date and time of submission: 08/05/2024 16:25:19

「申述人」全名  
Full Name of "Representer": 先生 Mr. Hau Chi Hang

「獲授權代理人」全名  
Full Name of "Authorized Agent":

與申述相關的圖則  
Plan to which the representation relates: S/STT/1

申述的性質及理由  
Nature of and reasons for the representation:

有關事項 Subject Matters	性質 Nature	理由 Reason
Other specified use (in formation and technology)	反對 Oppose	The proposed zoning requires the reclamation of around 100 ha of ecologically important fishponds. There was no proper consultation on development options and no alternatives were provided in the EIA report. The decision defeated the purpose and planning principles of TPB guidelines for development in Deep Bay wetlands. When the world is talking about climate change and nature-based solution, this proposal will make HK disgraceful as Asia's World City. The San Tin Technopole should be planned at San Tin South and the displaced residential areas should be shifted to Kwu Tung North, Fanling North, Ngai Tam Mei NDAs. Or even in Da Kwu Ling in future.

對圖則的建議修訂(如有的話)  
Proposed Amendments to Plan(if any):

Submission Number:  
TPB/R/S/STT1-S443

Urgent Return receipt Expand Group Restricted Prevent Copy

From: Chiu Ying Lam  
Sent: 2024-05-02 星期四 23:44:40  
To: tpbpd/PLAND <tpbpd@pland.gov.hk>  
Subject: 謁見書：新田科技城 OZP No. S/STT/1  
Attachment: 20240502 林超英致城規會 新田科技城.pdf

Representation Number:  
TPB/R/S/STT/1-R117

城市規劃委員會同事：

本人的意見書見附件，請回覆確定收件妥當，如有任何問題，可以電郵聯繫。

林超英

致：城市規劃委員會

由：林超英

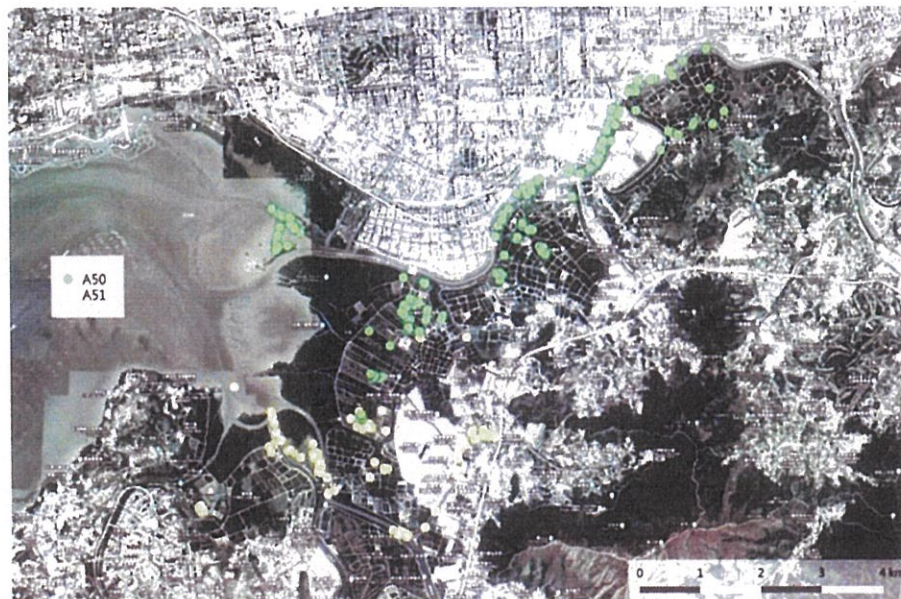
日期：2024年5月2日

### 新田科技城 OZP No. S/STT/1

1. 此次規劃牽涉取消 151 公頃土地「濕地保育區」地位及取消 97 公頃土地「濕地緩衝區」地位，用作興建「創科園區」，工程包括填埋魚塘 89 公頃。

#### 毗鄰「米埔-內前海灣拉姆薩爾濕地」

2. 城市規劃委員會請注意：該二百多公頃土地毗鄰「米埔-內前海灣拉姆薩爾濕地」(以下簡稱「米埔濕地」)，使用米埔濕地的鳥、獸、魚、蛙、蛇、龜、昆蟲等經常遊動到這裏覓食和棲息，部份甚至在這裏繁殖，突出的動物有水獺，鳥類則有數萬隻在東亞-澳大利西亞鳥類遷徙路線上往來的鳥類，其中包括國際及國家重點保護物種，因此兩片土地組成一個整體的生態系統。
3. 以下圖片展示 2024 年 2 月兩隻帶有衛星追蹤器黑臉琵鷺的位置資料，確認受保護的黑臉琵鷺會到新田、落馬洲、蠔殼圍等地魚塘覓食和棲息。



來源：香港觀鳥會

#### 拉姆薩爾國際重要濕地公約適用

4. 中國於 1992 年成為《拉姆薩爾國際重要濕地公約》(下稱“《公約》”)締約國，米埔濕地於 1995 年成為《公約》下的國際重要濕地，多年來是內地濕地保護工作者的學習對象。
5. 香港特別行政區作為中國一部份，必須配合國家遵守《公約》規定，保護米埔濕地及其生態系統。
6. 城市規劃委員會請注意《公約》第 3.2 條：「每個締約國應作出安排，以便盡早獲悉，由於技術發展、污染或其他人為干擾，列入《目錄》的其領土內的濕地的生態特性經發生變化，正在變化，或有可能變化。有關這類變化的情況應立即通知負責第 8 條規定的常務辦事處的組織或政府」，其中「應立即」英文版是“**shall be passed without delay**”，法律文件裏的“**shall**”是「必須」的意思。
7. 改劃二百多公頃土地原濕地保育區及濕地緩衝區，削減米埔濕地動物的覓食和棲息空間，再建成「創科園區」，引入大量工業活動，加上「新田科技城」預計遷入約 15 萬人口，將增加對米埔濕地的多元干擾，三者都改變米埔濕地的生態特性，《公約》第 3.2 條適用。
8. 假如城市規劃委員會在香港特區政府把本項目通報中央人民政府之前通過規劃申請，將有以下後果：
  - a. 未能讓中央人民政府「盡早獲悉」項目對米埔濕地的潛在影響；
  - b. 中央人民政府未能「立即通知」《公約》辦事當局；引致國家違反公約要求，影響國家的國際聲譽，後果嚴重，無法想像誰負得起這個責任。

#### 國家保護濕地的決心

9. 國家在保護生態尤其是濕地方面非常進取，2018 年為了保護濱海濕地，除了黨政軍三方共同批准的國家重大戰略項目外，全國省市不得圍填海（濕地包括水深不超過 6 米的水域），2021 年底通過濕地保護法，十四五規劃第三十七篇明確全面保護自然岸線，整治修復濱海濕地 2 萬公頃，粵港澳大灣區列為重點地區之一。
10. 2022 年 11 月《公約》第 14 屆締約方大會在武漢舉行，中國是主辦國，習近平主席致辭稱：「我們要推進濕地保護全球進程，加強原真性和完整性保護，把更多重要濕地納入自然保護地，健全合作機制平台，擴大國際重要濕地規模」，更宣布「保護 4 條途經中國的候鳥遷飛通道，在深圳建立“國際紅樹林中心”，支持舉辦全球濱海論壇會

議」，展示了中國對領導全球濕地保護工作的決心和擔當，城市規劃委員會請尤其留意「原真性和完整性保護」、「擴大國際重要濕地規模」和「保護4條途經中國的候鳥遷飛通道」三點。

11. 2023年2月深圳福田紅樹林保護區升格為拉姆薩爾濕地，結合米埔濕地，令內後海灣濕地成為東亞-澳大利西亞候鳥遷徙路線上的關鍵候鳥棲息和補給基地，2023年9月國際紅樹林中心正式落戶深圳，成為濕地國際合作機制平台，兩者都是深圳落實習主席國際承諾的具體舉措。
12. 國家正在全球層面推動濕地保育，處於國際領導地位，「米埔-內後海灣拉姆薩爾濕地」是大灣區以至全球久負盛名的國際級重要濕地，是國家保護濕地事業的國際品牌，新田科技城項目大幅削減魚塘濕地及引入對米埔濕地的種種不利因素，同時也影響福田濕地，與國家的國際承諾背道而馳，如果被外國勢力借用來抹黑中國領導全球保護濕地的努力，損害國家聲譽，責任誰負擔得起？



中國綠發會

4-11 13:34 發佈 | 微博 weibo.com | 吳琪

環保人士反映，最近香港特區在落馬洲口岸提出的新田科技城大型開發計劃，涉嫌占用了150公頃的濕地保育區、97公頃濕地緩衝區，其中90公頃魚塘濕地將會直接被填埋，這些濕地是黑臉琵鷺、歐亞水獺等國家重點保護野生動物的遷徙通道或棲息地，也明顯違背《粵港澳大灣區發展規劃綱要》中“加強濕地保護修復”和“開展濱海濕地跨境聯合保護的要求”，希望相關部門重視並加強濕地保護。@李家超 @香港政府新聞網 @國家林草局@自然資源部 濕地面臨填埋，90公頃魚塘遭威脅？香港新田科技城開發之憂



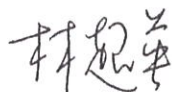
13. 城市規劃委員會請注意：新田科技城佔用大片濕地和填埋大片魚塘已經惹起內地關注，4月13日中國生物多樣性保護與綠色發展基金會（簡稱“中國綠發會”）在微博談論「新田科技城」佔用濕地和直接填埋其中90公頃，表示「明顯違背《粵港澳大灣區發展規劃綱要》中“加強濕地保護修復”和“開展濱海濕地跨境聯合保護的要求”

希望相關部門重視並加強濕地保護。」，以及「@国家林草局 @自然资源部」(註)，  
傷害濕地的規劃已經驚動了內地部門，向中央人民政府通報不可能再拖延。

#### 建議

14. 任何潛在影響米埔濕地的事都受《公約》制約，是國家的事，尤其是事涉二百多公頃濕地保育區和濕地緩衝區，不得以「兩制」之名香港說了算，謹鄭重建議城市規劃委員會暫緩處理此項規劃申請，等待特區政府向中央人民政府通報本項目內容及對米埔濕地的潛在影響，得到批覆在公約框架下處理本項目的合適方案，才是審議的時機。

(註 中國生物多樣性保護與綠色發展基金會是國務院批准成立的全國性公益公募基金會，國家一級學會，也是 2016 年《慈善法》實施以來，全國首批認定公募資格的 16 家慈善組織之一，地位崇高。微博原文：<https://m.weibo.cn/status/5022691565764891>)



林超英

身份證號碼：

電郵地址：

郵寄地址：

以上個人資料僅供城市規劃委員會處理本意見書時使用，不得向公眾公開。



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**Representation relating to San Tin Technopole (Plan No. S/STT/1)**

28/04/2024 17:56

**Submission Number:  
TPB/R/S/STT1-S431**

From: "Tam Iris [REDACTED]"  
To: tpbpd@pland.gov.hk  
Cc: [REDACTED]  
Sent by: tpbpd@pland.gov.hk  
File Ref:

**Representation Number:  
TPB/R/S/STT/1-R113**

1 attachment



Representation relating to San Tin Technopole OZP (Iris Tam)(s).pdf

Dear Secretary of Town Planning Board,

Please find my representation letter relating to San Tin Technopole (Plan No. S/STT/1) in the attached file. To play safe, I will also post the original letter to you. Thank you for your attention.

Regards,  
Iris Tam

Ms Tam Siu Ying Iris

28 April 2024

Secretary,  
Town Planning Board,  
15/F, North Point Government Offices,  
333 Java Road,  
North Point, HK.  
([tpbpd@pland.gov.hk](mailto:tpbpd@pland.gov.hk))

Dear Sir/Madam,

**Representation Relating to San Tin Technopole (Plan No. S/STT/1)**

**Subject Matter 1**

I object to the inadequate statutory control over major development parameters on the Plan and in the Notes of the Plan for "OU (Innovation & Technology)" zone, including maximum GFA, maximum site coverage, and minimum green/blue ratio.

**Reasons of Objection for Subject Matter 1**

I understand that there are stipulations on building height restrictions (BHR) and non-building areas (NBA) on the draft Plan. However, they are essential but not sufficient.

While it may be necessary to provide flexibility for different implementation scenarios in future and therefore making no requirements for Master Layout Plan submission, Town Planning Board should at least maintain statutory control over major development parameters and not to leave them to administrative control which is not transparent to the public.

Major cities in the world are competing for investments and talents for the innovation and technology sectors. Hong Kong must not miss the opportunity to create a world unique Innovation & Technology (I&T) Hub, taking advantage of the vast wetland habitat and the rich culture in the living villages in the area. There should be more consideration to ensure ample green/blue elements within the I&T Hub as well as meaningful integration with the villages. Therefore, there should be statutory control on maximum GFA, as well as maximum site coverage, and minimum green/blue ratio within the I&T Hub.

I highly appreciate that the Explanatory Statement includes a section on Urban Design & Landscape Framework, and the illustrations in Figure 4 (Blue-green network) and Figure 5 (Urban Design Features). However, without sufficient statutory requirements, administrative control cannot ensure a design and layout that would fully respect the urban design principles and framework.

Proposed Amendments to Plan for Subject Matter 1

In "OU (Innovation and Technology)" zone, there should be clear demarcation of sub-areas on the OZP as shown in Figure 2 of the Explanatory Statement. Furthermore, there should be stipulations on maximum GFA, maximum Site Coverage, and minimum Green/Blue ratio for individual sub-areas in the Notes of the Plan.

**Subject Matter 2**

I object to the lack of statutory BHR that would respect the current village environment.

Reasons of Objection for Subject Matter 2

I appreciate that there are clear BHR and NBA for ecological considerations in "OU (Innovation & Technology)" zone. Unfortunately, it is not the case with respect to the villages. Currently, BHR range from 75 mPD to 125 mPD to the north of the San Tin seven villages, and it is 100 mPD to the E & SE of Chau Tau village. Theoretically, high rise buildings of such heights could be built right up to the edge of the villages where village houses are less than 10m high. No one would agree that this is a good design for urban-rural integration. There should at least be a 30m-wide transitional area bordering the Village zone, and building heights should not be taller than 15m in this transitional area. Building heights could step up gradually away from the villages.

Proposed Amendments to Plan for Subject Matter 2

In "OU (Innovation and Technology)" zone, there should be a 30m wide transitional area bordering the "Village" zone with another statutory BHR to control buildings to not more than 15m high. Without site level details, I am not able to propose a BHR based on mPD.

There should be more planning and design considerations in the Explanatory Statement with respect to villages (para. 10.1.11). Existing village shrines and fung shui trees outside the "Village" zone should be preserved, and the main village access points should be well respected in the future layout plans of the I&T Hub.

Yours sincerely,



(Ms Tam Siu Ying Iris)

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**From:** Tam Iris [REDACTED]  
**Sent:** 2024-05-02 星期四 12:46:57  
**To:** tpbpd/PLAND <tpbpd@pland.gov.hk>  
**Subject:** Re: Representation relating to San Tin Technopole (Plan No. S/STT/1)

Dear Secretary of TPB,

I would like to provide my ID card number first 4 digits - [REDACTED] for identification purposes. Many thanks.

Iris

On Sun, Apr 28, 2024 at 5:56 PM Tam Iris <[irissytam@gmail.com](mailto:irissytam@gmail.com)> wrote:  
Dear Secretary of Town Planning Board,

Please find my representation letter relating to San Tin Technopole (Plan No. S/STT/1) in the attached file. To play safe, I will also post the original letter to you. Thank you for your attention.

Regards,  
Iris Tam

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**From:** [REDACTED]  
**Sent:** 2024-05-08 星期三 12:43:28  
**To:** tpbpd/PLAND <tpbpd@pland.gov.hk>  
**Subject:** FW: Representation on Draft San Tin Technopole OZP No. S/STT/1

**Submission Number:**  
TPB/R/S/STT/1-S985

Dear Sir/Madam,

In reference to my previous email, I would like to provide the following information:

My name is Lee Ho, and the first four digits of my HKID card are [REDACTED]

**Representation Number:**  
TPB/R/S/STT/1-R119

Thank you.

Regards,  
Roger

**From:** LEE Ho  
**Sent:** Tuesday, May 7, 2024 9:28 PM  
**To:** [tpbpd@pland.gov.hk](mailto:tpbpd@pland.gov.hk)  
**Subject:** Representation on Draft San Tin Technopole OZP No. S/STT/1

Dear Sir/Madam,

I am writing to express my concerns regarding the draft San Tin Technopole OZP No. S/STT/1, which proposes rezoning approximately 250 hectares of the Wetland Conservation Area (WCA) and Wetland Buffer Area (WBA) for innovation and technology development. I am concerned about the direct and indirect impacts this could have on the already fragile wetland ecosystem, along with its biodiversity.

The development poses significant threats to egret and heron populations in the San Tin area, where fishponds serve as vital habitats supporting their breeding and wintering. The loss of these habitats would force egrets to seek alternative foraging grounds, exacerbating challenges during breeding seasons when they are less mobile and reliant on established egrettries like Mai Po Lung and Mai Po. These sites are crucial, hosting over 230 pairs of breeding egrets and herons, including significant portions of Chinese Pond Heron and Little Egret populations in Hong Kong. The increased distance to alternative foraging areas could lead to reduced breeding success or even abandoned of egrettries, and their restoration would be extremely difficult.

Moreover, the fishpond wetlands in San Tin support a rich diversity of waterbirds, with 205 recorded species, including 117 with conservation status. The habitat loss will directly impact 19 globally endangered and near-threatened species, along with 33 species that are protected under Class I or II in China.

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Importantly, not all areas of the fishpond in Deep Bay are equally attractive to waterbirds, as observed in San Tin. The reasons for this varied distribution of waterbird activity in Deep Bay are not well understood, with potential factors including pond location, management practices, and histories of disturbance. This underscores the importance of further research into these potential influences in the San Tin area to grasp the reasons and address possible consequences of their loss. Moving forward without such understanding may compromise the efficacy of mitigation and habitat management work in the WCA and wetland conservation parks.

Given these concerns, I believe it is premature to approve the draft San Tin Technopole OZP No. S/STT/1 without a thorough ecological comprehension of how fishponds in San Tin support waterbird diversity and populations within the Deep Bay wetland ecosystem.

Best regards,

Roger H. LEE

Assistant Professor  
Science Unit, Lingnan University



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**From:** LI, Chung Hoi Tom [REDACTED]  
**Sent:** 2024-05-07 星期二 17:13:29  
**To:** tpbpd/PLAND <tpbpd@pland.gov.hk>  
**Subject:** 提交就新田科技城分區計劃大綱草圖及米埔及錦繡花園分區計劃大綱核准圖的書面申述

申述人全名（與身份證明文件一致）：李鍾海

**Submission Number:**  
TPB/R/S/STT/1-S815

申述人的身份證／護照號碼首四個字母數字（如 A123）： [REDACTED]

**Representation Number:**  
TPB/R/S/STT/1-R120

我要求城規會：

- 重新修訂新田科技城草圖，將「其他指定用途（創新及科技）」地帶重新劃為原本的地帶，即「自然保育區」、「其他指定用途（綜合發展及濕地改善區）」及「其他指定用途（綜合發展包括濕地修復區）」，或其他與濕地保育相關的用途地帶，以遵循「防患於未然」和「不會有濕地淨減少」的濕地規劃原則。
- 重新修訂《米埔及錦繡花園分區計劃大綱核准圖》的修訂項目 A1 及 B 項，包括修改「其他指定用途」註明「濕地保育公園」地帶的規劃意向和第一欄經常准許的用途。第一，將「保護濕地生態系統完整」、「防患於未然」和「不會有濕地淨減少」等重要濕地保育原則列為規劃意向；第二，將「農地住用構築物」轉至第二欄，以確保所有可能對濕地造成負面影響的發展和基礎設施，均受到城規會把關。

其他： \_\_\_\_\_

原因如下：

- 在新田建立科技城成本太高昂，要(1)犧牲高生態價值的濕地，(2)為了合理化發展而修改后海灣土地用途，開了破壞濕地的先例，(3)以增加生態功能補償大面積濕地損失的方案成效充滿不確定性，極可能造成永久的生態價值損失。科技城的發展面積也沒有必要入侵到魚塘範圍一帶，現有的科技園區如數碼港，科技園已有大片園區面積，但尚未為香港建立好創科產業，可見盲目擴建建築面積並不能令創科成功，應循其他因素去考慮，如改善香港現有科技園區的政策、環境及配套去吸引創科人材留港發展會更實際。對香港現時來說，創科最欠缺的是人材，而非土地。

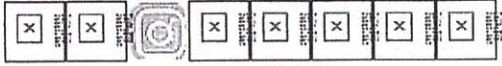
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Li Chung Hoi, Tom | 李鍾海  
Senior Research Officer | 高級研究主任

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Hong Kong Bird Watching Society | 香港觀鳥會





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新田科技城  
19/04/2024 15:27

Submission Number:  
TPB/R/S/STT/1-S031

From:

To: [REDACTED]  
Sent by: tpbpd@pland.gov.hk  
File Ref: tpbpd@pland.gov.hk

Representation Number:  
TPB/R/S/STT/1-R121

從我的iPhone傳送

致城規會（電郵：tpbpd@pland.gov.hk）：

Lee So Shan

申述人的身份證／護照號碼首四個字母數字

我是為野生動物及雀鳥發聲，請尊重大自然，不要做一些只為人類利益而對生命及環境無法彌補的開發。

我要求城規會：

- 重新修訂新田科技城草圖，將「其他指定用途（創新及科技）」地帶重新劃為原本的地帶，即「自然保育區」、「其他指定用途（綜合發展及濕地改善區）」及「其他指定用途（綜合發展包括濕地修復區）」，或其他與濕地保育相關的用途地帶，以遵循「防患於未然」和「不會有濕地淨減少」的濕地規劃原則。
- 修改修訂項目A1及B項有關「其他指定用途」註明「濕地保育公園」地帶的規劃意向和第一欄經常准許的用途，包括將「保護濕地生態系統完整」、「防患於未然」和「不會有濕地淨減少」的原則列為規劃意向；將「農地住用構築物」轉至第二欄，以確保所有可能對濕地造成負面影響的發展和基礎設施，均受到城規會把關。

原因如下：

- **【不符合新田法定圖則的規劃原意】**根據原本的新田分區計劃大綱核准圖編號S/YL-ST/8，150公頃「濕地保育區」和97公頃「濕地緩衝區」的土地，主要被劃作濕地保育相關的用途地帶，例如「自然保育區」、「其他指定用途（綜合發展包括濕地改善區）」及「其他指定用途（綜合發展包括濕地修復區）」。該規劃意向主要是「保存和加強現有魚塘或濕地的生態價值和功能」，以達到「不會有濕地淨減少」的原則。新田科技城涉填平大量魚塘，與上述法定規劃意向不符。
- **【不符合后海灣濕地規劃原則】**發展入侵150公頃「濕地保育區」和97公頃「濕地緩衝區」，不僅導致90公頃濕地損失，損害濕地連結性及完整性，發展更容許興建中至高密度樓宇，恐令毗鄰的國際重要濕地的生境質素下降，導致

整體生態功能喪失。這違反城市規劃委員會規劃指引12C所列明的『防患於未然』原則及『濕地零淨損失』。

- **【最新圖則剔除原有濕地規劃原則】**以往所有位於后海灣內的法定圖則，均會因應「濕地保育區」和「濕地緩衝區」而制定不同用途地帶的濕地保育要求。但根據最新的新田科技城分區圖，「濕地保育區」的大部分土地被劃為「其他指定用途（創新及科技）」地帶，其規劃意向改為「容納各式各樣的創新及科技用途」，當中經常准許的用途更達44種，包括人才公寓、商業、酒店、工業用途等，發展高度達130米。「濕地緩衝區」亦有土地被劃作「其他指定用途（混合用途）」地帶，容許高達200米的建築發展。最新規劃不但沒有列明濕地保育要求，更沒有採納任何濕地保育的規劃原則，恐令發展與毗連環境嚴重不協調。
- **【濕地喪失和生境破碎化】**新田科技城將導致至少90公頃的濕地面積減少，令大灣區的沿海濕地總量大減。新田科技城位於整個后海灣（又稱深圳灣）濕地系統的核心，發展將切斷后海灣東西兩側的生態連接，導致濕地生境破碎化，損害后海灣（又稱深圳灣）濕地系統的完整性。
- **【濕地系統質素退化】**新田科技城填塘後不只有創科商業用地，帶來超過12,000工作人口，更預計會有6,400單位作的住宅、酒店、康樂等用途。發展引入的人口和基建，將為毗連的「米埔內后海灣拉姆薩爾濕地」及「濕地保育區」帶來不可挽回的負面生態影響，例如人類活動干擾、光污染、噪音等等。
- **【危害全球面臨絕種危機及國家級保護物種】**受影響魚塘濕地所錄得的雀鳥物種數量達205種，其中有117種為具保育級別物種。新田科技城填塘發展將危及19種全球瀕危及近危物種，例如青頭潛鴨、黃胸鵝、黑臉琵鷺、紅頭潛鴨、白眼潛鴨和尖尾濱鵲；33種國家一級或二級重點保護野生動物，例如白肩鵠、烏鵲和禿鷲。填平新田濕地將令眾多面臨滅絕物種失去其重要棲息地。
- **【危害繁殖鷺鳥族群】**新田科技城將直接影響全后海灣第二大的米埔龍鷺鳥林和第三大的米埔鷺鳥林，是超過230對鷺鳥的繁殖重陣，佔全港池鷺和小白鷺繁殖族群的三分之一。第一，新田科技城將永久移除部分用作繁殖的樹木；第二，繁殖鷺鳥將因大面積填塘而失去賴以為生的覓食地；第三，高達105米的創科發展將直接切斷繁殖鷺鳥來往鷺鳥林和覓食地的飛行廊區。發展一旦令鷺鳥無法在此繁殖後代，將直接威脅近二百對繁殖鷺鳥，相等於近15%的繁殖族群。
- **【環評錯漏百出不達標】**新田科技城圖則是基於「不合格」的環評報告，不能接受。新田環評報告有至少29項嚴重的技術評估和數據錯誤或遺漏，包括：違反環評「避免」原則；生態基線及評估資料不足；嚴重低估對保育類雀鳥、繁殖雀鳥、雀鳥飛行路線的影響；嚴重低估對歐亞水獺的影響；無充分資料證明生態補償有效；誤將生態優化措施當作緩解措施等。
- **【破壞傳統魚塘 直接影響傳統塘魚養殖】**新田科技城將直接影響超過30個已正式登記的養魚戶，發展忽視傳統塘魚養殖對經濟、社會和環境永續的貢獻。新田一帶的養魚戶過去半世紀一直養殖塘魚，甚至近十多年甚至積極參與生境管理及保育工作，在保留傳統塘魚養殖運作的同時，為水鳥提供覓食及棲息的空間，維持后海灣魚塘濕地的生態價值。
- **【違反國際公約】**新田科技城發展緊貼「米埔內后海灣拉姆薩爾濕地」，相距或不足30米。發展須填平150公頃「濕地保育區」作創科發展，發展不但會對拉姆薩爾濕地造成嚴重干擾，更會直接切斷她與東邊濕地的連接，損害國際重要濕地的濕地完整性和生態特徵。這與《濕地公約》將「避免濕地受到不利影響」列為首要要求，和《生物多樣性公約》所提倡的濕地保護，背道而馳。
- **【未先避免濕地損失 違反國家政策】**新田科技城未有遵循「避免、減少與補償」的原則進行規劃，未有優先考慮能夠避免負面生態影響或將破壞減到最少的方案，反而直接採納會造成大型濕地損失的方案，與「生態文明建設、高質量發展」和「保護優先」的國策，和十四五規劃提到的「整治修復濱海濕地2萬

公頃」，背道而馳。

- **【疑曲解國家政策 合理化填塘方案】**2023年8月國務院公佈的《河套深港科技創新合作區深圳園區發展規劃》，明確指出「河套深港科技創新合作區」香港園區具體面積為87公頃，面積與落馬洲河套區的「港深科技園」吻合。新田科技城的填塘方案並非出自國家的主意。反之，具指導意義的《粵港澳大灣區發展規劃綱要》，就明確提出「加強濕地保護修復，全面保護區域內國際和國家重要濕地，開展濱海濕地跨境聯合保護」。局方選擇性解讀國策，借國家之名，忽略填平濱海濕地與國家濕地保護策略相沖的事實。

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提交就新田科技城分區計劃大綱草圖的書面申述  
19/04/2024 15:50

Submission Number:

TPB/R/S/STT/1-S032

From:

To: [REDACTED]  
tpbpd@pland.gov.hk  
Sent by: tpbpd@pland.gov.hk  
File Ref:

Representation Number:

TPB/R/S/STT/1-R122

致城規會（電郵：tpbpd@pland.gov.hk）：

申述人全名（與身份證明文件一致）：Lai Chi Wai

申述人的身份證／護照號碼首四個字母數字（如 A123） [REDACTED]

我要求城規會：

- 重新修訂新田科技城草圖，將「其他指定用途（創新及科技）」地帶重新劃為原本的地帶，即「自然保育區」、「其他指定用途（綜合發展及濕地改善區）」及「其他指定用途（綜合發展包括濕地修復區）」，或其他與濕地保育相關的用途地帶，以遵循「防患於未然」和「不會有濕地淨減少」的濕地規劃原則。
- 修改修訂項目A1及B項有關「其他指定用途」註明「濕地保育公園」地帶的規劃意向和第一欄經常准許的用途，包括將「保護濕地生態系統完整」、「防患於未然」和「不會有濕地淨減少」的原則列為規劃意向；將「農地住用構築物」轉至第二欄，以確保所有可能對濕地造成負面影響的發展和基礎設施，均受到城規會把關。

其他：\_\_\_\_\_

原因如下：

- **【不符合新田法定圖則的規劃原意】**根據原本的新田分區計劃大綱核准圖編號 S/YL-ST/8，150公頃「濕地保育區」和97公頃「濕地緩衝區」的土地，主要被劃作濕地保育相關的用途地帶，例如「自然保育區」、「其他指定用途（綜合發展包括濕地改善區）」及「其他指定用途（綜合發展包括濕地修復區）」。該規劃意向主要是「保存和加強現有魚塘或濕地的生態價值和功能」，以達到「不會有濕地淨減少」的原則。新田科技城涉填平大量魚塘，與上述法定規劃意向不符。
- **【不符合后海灣濕地規劃原則】**發展入侵150公頃「濕地保育區」和97公頃「濕地緩衝區」，不僅導致90公頃濕地損失，損害濕地連結性及完整性，發展更容許興建中至高密度樓宇，恐令毗鄰的國際重要濕地的生境質素下降，導致整體生態功能喪失。這違反城市規劃委員會規劃指引12C所列明的「防患於未然」原則及「濕地零淨損失」。

- **【最新圖則剔除原有濕地規劃原則】**以往所有位於后海灣內的法定圖則，均會因應「濕地保育區」和「濕地緩衝區」而制定不同用途地帶的濕地保育要求。但根據最新的新田科技城分區圖，「濕地保育區」的大部分土地被劃為「其他指定用途（創新及科技）」地帶，其規劃意向改為「容納各式各樣的創新及科技用途」，當中經常准許的用途更達44種，包括人才公寓、商業、酒店、工業用途等，發展高度達130米。「濕地緩衝區」亦有土地被劃作「其他指定用途（混合用途）」地帶，容許高達200米的建築發展。最新規劃不但沒有列明濕地保育要求，更沒有採納任何濕地保育的規劃原則，恐令發展與毗連環境嚴重不協調。
- **【濕地喪失和生境破碎化】**新田科技城將導致至少90公頃的濕地面積減少，令大灣區的沿海濕地總量大減。新田科技城位於整個后海灣（又稱深圳灣）濕地系統的核心，發展將切斷后海灣東西兩側的生態連接，導致濕地生境破碎化，損害后海灣（又稱深圳灣）濕地系統的完整性。
- **【濕地系統質素退化】**新田科技城填塘後不只有創科商業用地，帶來超過12,000工作人口，更預計會有6,400單位作的住宅、酒店、康樂等用途。發展引入的人口和基建，將為毗連的「米埔內后海灣拉姆薩爾濕地」及「濕地保育區」帶來不可挽回的負面生態影響，例如人類活動干擾、光污染、噪音等等。
- **【危害全球面臨絕種危機及國家級保護物種】**受影響魚塘濕地所錄得的雀鳥物種數量達205種，其中有117種為具保育級別物種。新田科技城填塘發展將危及19種全球瀕危及近危物種，例如青頭潛鴨、黃胸鵝、黑臉琵鷺、紅頭潛鴨、白眼潛鴨和尖尾濱鵝；33種國家一級或二級重點保護野生動物，例如白肩鵝、烏鵲和禿鷲。填平新田濕地將令眾多面臨滅絕物種失去其重要棲息地。
- **【危害繁殖鷺鳥族群】**新田科技城將直接影響全后海灣第二大的米埔隴鷺鳥林和第三大的米埔鷺鳥林，是超過230對鷺鳥的繁殖重陣，佔全港池鷺和小白鷺繁殖族群的三分之一。第一，新田科技城將永久移除部分用作繁殖的樹木；第二，繁殖鷺鳥將因大面積填塘而失去賴以為生的覓食地；第三，高達105米的創科發展將直接切斷繁殖鷺鳥來往鷺鳥林和覓食地的飛行廊區。發展一旦令鷺鳥無法在此繁殖後代，將直接威脅近二百對繁殖鷺鳥，相等於近15%的繁殖族群。
- **【環評錯漏百出不達標】**新田科技城圖則是基於「不合格」的環評報告，不能接受。新田環評報告有至少29項嚴重的技術評估和數據錯誤或遺漏，包括：違反環評「避免」原則；生態基線及評估資料不足；嚴重低估對保育類雀鳥、繁殖雀鳥、雀鳥飛行路線的影響；嚴重低估對歐亞水獺的影響；無充分資料證明生態補償有效；誤將生態優化措施當作緩解措施等。
- **【破壞傳統魚塘 直接影響傳統塘魚養殖】**新田科技城將直接影響超過30個已正式登記的養魚戶，發展忽視傳統塘魚養殖對經濟、社會和環境永續的貢獻。新田一帶的養魚戶過去半世紀一直養殖塘魚，甚至近十多年甚至積極參與生境管理及保育工作，在保留傳統塘魚養殖運作的同時，為水鳥提供覓食及棲息的空間，維持后海灣魚塘濕地的生態價值。
- **【違反國際公約】**新田科技城發展緊貼「米埔內后海灣拉姆薩爾濕地」，相距或不足30米。發展須填平150公頃「濕地保育區」作創科發展，發展不但會對拉姆薩爾濕地造成嚴重干擾，更會直接切斷她與東邊濕地的連接，損害國際重要濕地的濕地完整性和生態特徵。這與《濕地公約》將「避免濕地受到不利影響」列為首要要求，和《生物多樣性公約》所提倡的濕地保護，背道而馳。
- **【未先避免濕地損失 違反國家政策】**新田科技城未有遵循「避免、減少與補償」的原則進行規劃，未有優先考慮能夠避免負面生態影響或將破壞減到最少的方案，反而直接採納會造成大型濕地損失的方案，與「生態文明建設、高質量發展」和「保護優先」的國策，和十四五規劃提到的「整治修復濱海濕地2萬公頃」，背道而馳。
- **【疑曲解國家政策 合理化填塘方案】**2023年8月國務院公佈的《河套深港科技創新合作區深圳園區發展規劃》，明確指出「河套深港科技創新合作區」香港園區具體面積為87公頃，面積與落馬洲河套區的「港深科技園」吻合。新田科技城的填塘

方案並非出自國家的主意。反之，具指導意義的《粵港澳大灣區發展規劃綱要》，就明確提出「加強濕地保護修復，全面保護區域內國際和國家重要濕地，開展濱海濕地跨境聯合保護」。局方選擇性解讀國策，借國家之名，忽略填平濱海濕地與國家濕地保護策略相沖的事實。

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提交就新田科技城分區計劃大綱草圖的書面申述  
19/04/2024 16:14

Submission Number:  
TPB/R/S/STT/1-S033

From: "Chan Chi Yan" [REDACTED]  
To: "tpbpd@pland.gov.hk" <tpbpd@pland.gov.hk>  
Sent by: tpbpd@pland.gov.hk  
File Ref:

Representation Number:  
TPB/R/S/STT/1-R123

致城規會（電郵：tpbpd@pland.gov.hk）：

Chan Chi Yan：

反對錯漏百出的環評報告，重新評估項目對環境的破壞，保育珍貴濕地。

我要求城規會：

- 重新修訂新田科技城草圖，將「其他指定用途（創新及科技）」地帶重新劃為原本的地帶，即「自然保育區」、「其他指定用途（綜合發展及濕地改善區）」及「其他指定用途（綜合發展包括濕地修復區）」，或其他與濕地保育相關的用途地帶，以遵循「防患於未然」和「不會有濕地淨減少」的濕地規劃原則。
- 修改修訂項目A1及B項有關「其他指定用途」註明「濕地保育公園」地帶的規劃意向和第一欄經常准許的用途，包括將「保護濕地生態系統完整」、「防患於未然」和「不會有濕地淨減少」的原則列為規劃意向；將「農地住用構築物」轉至第二欄，以確保所有可能對濕地造成負面影響的發展和基礎設施，均受到城規會把關。

原因如下：

- **【不符合新田法定圖則的規劃原意】**根據原本的新田分區計劃大綱核准圖編號 S/YL-ST/8，150公頃「濕地保育區」和97公頃「濕地緩衝區」的土地，主要被劃作濕地保育相關的用途地帶，例如「自然保育區」、「其他指定用途（綜合發展包括濕地改善區）」及「其他指定用途（綜合發展包括濕地修復區）」。該規劃意向主要是「保存和加強現有魚塘或濕地的生態價值和功能」，以達到「不會有濕地淨減少」的原則。新田科技城涉填平大量魚塘，與上述法定規劃意向不符。
- **【不符合后海灣濕地規劃原則】**發展入侵150公頃「濕地保育區」和97公頃「濕地緩衝區」，不僅導致90公頃濕地損失，損害濕地連結性及完整性，發展更容許興建中至高密度樓宇，恐令毗鄰的國際重要濕地的生境質素下降，導致整體生態功能喪失。這違反城市規劃委員會規劃指引12C所列明的『防患於未然』原則及『濕地零淨損失』。
- **【最新圖則剔除原有濕地規劃原則】**以往所有位於后海灣內的法定圖則，均會因應「濕地保育區」和「濕地緩衝區」而制定不同用途地帶的濕地保育要求。但根據最新的新田科技城分區圖，「濕地保育區」的大部分土地被劃為「其他指定用途（創

新及科技)」地帶，其規劃意向改為「容納各式各樣的創新及科技用途」，當中經常准許的用途更達44種，包括人才公寓、商業、酒店、工業用途等，發展高度達130米。「濕地緩衝區」亦有土地被劃作「其他指定用途（混合用途）」地帶，容許高達200米的建築發展。最新規劃不但沒有列明濕地保育要求，更沒有採納任何濕地保育的規劃原則，恐令發展與毗連環境嚴重不協調。

- **【濕地喪失和生境破碎化】**新田科技城將導致至少90公頃的濕地面積減少，令大灣區的沿海濕地總量大減。新田科技城位於整個后海灣（又稱深圳灣）濕地系統的核心，發展將切斷后海灣東西兩側的生態連接，導致濕地生境破碎化，損害后海灣（又稱深圳灣）濕地系統的完整性。
- **【濕地系統質素退化】**新田科技城填塘後不只有創科商業用地，帶來超過12,000工作人口，更預計會有6,400單位作的住宅、酒店、康樂等用途。發展引入的人口和基建，將為毗連的「米埔內后海灣拉姆薩爾濕地」及「濕地保育區」帶來不可挽回的負面生態影響，例如人類活動干擾、光污染、噪音等等。
- **【危害全球面臨絕種危機及國家級保護物種】**受影響魚塘濕地所錄得的雀鳥物種數量達205種，其中有117種為具保育級別物種。新田科技城填塘發展將危及19種全球瀕危及近危物種，例如青頭潛鴨、黃胸鵝、黑臉琵鷺、紅頭潛鴨、白眼潛鴨和尖尾濱鵝；33種國家一級或二級重點保護野生動物，例如白肩鵝、烏鵲和禿鷲。填平新田濕地將令眾多面臨滅絕物種失去其重要棲息地。
- **【危害繁殖鷺鳥族群】**新田科技城將直接影響全后海灣第二大的米埔隴鷺鳥林和第三大的米埔鷺鳥林，是超過230對鷺鳥的繁殖重陣，佔全港池鷺和小白鷺繁殖族群的三分之一。第一，新田科技城將永久移除部分用作繁殖的樹木；第二，繁殖鷺鳥將因大面積填塘而失去賴以為生的覓食地；第三，高達105米的創科發展將直接切斷繁殖鷺鳥來往鷺鳥林和覓食地的飛行廊區。發展一旦令鷺鳥無法在此繁殖後代，將直接威脅近二百對繁殖鷺鳥，相等於近15%的繁殖族群。
- **【環評錯漏百出不達標】**新田科技城圖則是基於「不合格」的環評報告，不能接受。新田環評報告有至少29項嚴重的技術評估和數據錯誤或遺漏，包括：違反環評「避免」原則；生態基線及評估資料不足；嚴重低估對保育類雀鳥、繁殖雀鳥、雀鳥飛行路線的影響；嚴重低估對歐亞水獺的影響；無充分資料證明生態補償有效；誤將生態優化措施當作緩解措施等。
- **【破壞傳統魚塘 直接影響傳統塘魚養殖】**新田科技城將直接影響超過30個已正式登記的養魚戶，發展忽視傳統塘魚養殖對經濟、社會和環境永續的貢獻。新田一帶的養魚戶過去半世紀一直養殖塘魚，甚至近十多年甚至積極參與生境管理及保育工作，在保留傳統塘魚養殖運作的同時，為水鳥提供覓食及棲息的空間，維持后海灣魚塘濕地的生態價值。
- **【違反國際公約】**新田科技城發展緊貼「米埔內后海灣拉姆薩爾濕地」，相距或不足30米。發展須填平150公頃「濕地保育區」作創科發展，發展不但會對拉姆薩爾濕地造成嚴重干擾，更會直接切斷她與東邊濕地的連接，損害國際重要濕地的濕地完整性和生態特徵。這與《濕地公約》將「避免濕地受到不利影響」列為首要要求，和《生物多樣性公約》所提倡的濕地保護，背道而馳。
- **【未先避免濕地損失 違反國家政策】**新田科技城未有遵循「避免、減少與補償」的原則進行規劃，未有優先考慮能夠避免負面生態影響或將破壞減到最少的方案，反而直接採納會造成大型濕地損失的方案，與「生態文明建設、高質量發展」和「保護優先」的國策，和十四五規劃提到的「整治修復濱海濕地2萬公頃」，背道而馳。
- **【疑曲解國家政策 合理化填塘方案】**2023年8月國務院公佈的《河套深港科技創新合作區深圳園區發展規劃》，明確指出「河套深港科技創新合作區」香港園區具體面積為87公頃，面積與落馬洲河套區的「港深科技園」吻合。新田科技城的填塘方案並非出自國家的主意。反之，具指導意義的《粵港澳大灣區發展規劃綱要》，就明確提出「加強濕地保護修復，全面保護區域內國際和國家重要濕地，開展濱海濕地跨境聯合保護」。局方選擇性解讀國策，借國家之名，忽略填平濱海濕地與國



家濕地保護策略相沖的事實。

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就新田科技城分區計劃大綱草圖的書面申述  
19/04/2024 16:46

Submission Number:  
TPB/R/S/STT/1-S034

From: [REDACTED]  
To: tpbpd@pland.gov.hk  
Sent by: tpbpd@pland.gov.hk  
File Ref:

Representation Number:  
TPB/R/S/STT/1-R124

致城規會（電郵：[tpbpd@pland.gov.hk](mailto:tpbpd@pland.gov.hk)）：  
申述人全名（與身份證明文件一致）：Li Shuk Kuen

申述人的身份證／護照號碼首四個字母數字（如 A123）：  
[REDACTED]

我要求城規會：

重新修訂新田科技城草圖，將「其他指定用途（創新及科技）」地帶重新劃為原本的地帶，即「自然保育區」、「其他指定用途（綜合發展及濕地改善區）」及「其他指定用途（綜合發展包括濕地修復區）」，或其他與濕地保育相關的用途地帶，以遵循「防患於未然」和「不會有濕地淨減少」的濕地規劃原則。

修改修訂項目A1及B項有關「其他指定用途」註明「濕地保育公園」地帶的規劃意向和第一欄經常准許的用途，包括將「保護濕地生態系統完整」、「防患於未然」和「不會有濕地淨減少」的原則列為規劃意向；將「農地住用構築物」轉至第二欄，以確保所有可能對濕地造成負面影響的發展和基礎設施，均受到城規會把關

原因如下：

【不符合新田法定圖則的規劃原意】根據原本的新田分區計劃大綱核准圖編號 S/YL-ST/8，150公頃「濕地保育區」和97公頃「濕地緩衝區」的土地，主要被劃作濕地保育相關的用途地帶，例如「自然保育區」、「其他指定用途（綜合發展包括濕地改善區）」及「其他指定用途（綜合發展包括濕地修復區）」。該規劃意向主要是「保存和加強現有魚塘或濕地的生態價值和功能」，以達到「不會有濕地淨減少」的原則。新田科技城涉填平大量魚塘，與上述法定規劃意向不符。

【不符合后海灣濕地規劃原則】發展入侵150公頃「濕地保育區」和97公頃「濕地緩衝區」，不僅導致90公頃濕地損失，損害濕地連結性及完整性，發展更容許興建中至高密度樓宇，恐令毗鄰的國際重要濕地的生境質素下降，導致整體生態功能喪失。這違反城市規劃委員會規劃指引12C所列明的「防患於未然」原則及「濕地零淨損失」。

【最新圖則剔除原有濕地規劃原則】以往所有位於后海灣內的法定圖則，均會因應「濕地保育區」和「濕地緩衝區」而制定不同用途地帶的濕地保育要求。但根據最新的新田科技城分區圖，「濕地保育區」的大部分土地被劃為「其他指定用途（創新及科技）」地帶，其規劃意向改為「容納各式各樣的創新及科技用途」，當中經常准許的用途更達44種，包括人才公寓、商業、酒店、工業用途等，發展高度達130米。「濕地緩衝區」亦有土地被劃作「其他指定用途（混合用途）」地帶，容許高達200米的建築發展。最新規劃不但沒有列明濕地保育要求，更沒有採納任何濕地保育的規劃原則，恐令發展與毗連環境嚴重不協調。

【濕地喪失和生境破碎化】新田科技城將導致至少90公頃的濕地面積減少，令大灣區的沿海濕地總量大減。新田科技城位於整個后海灣（又稱深圳灣）濕地系統的核心，發展將切斷后海灣東西兩側的生態連接，導致濕地生境破碎化，損害后海灣（又稱深圳灣）濕地系統的完整性。

【濕地系統質素退化】新田科技城填塘後不只有創科商業用地，帶來超過12,000工作人口，更預計會有6,400單位作的住宅、酒店、康樂等用途。發展引入的人口和基建，將為毗連的「米埔內后海灣拉姆薩爾濕地」及「濕地保育區」帶來不可挽回的負面生態影響，例如人類活動干擾、光污染、噪音等等。

【危害全球面臨絕種危機及國家級保護物種】受影響魚塘濕地所錄得的雀鳥物種數量達205種，其中有117種為具保育級別物種。新田科技城填塘發展將危及19種全球瀕危及近危物種，例如青頭潛鴨、黃胸鵝、黑臉琵鷺、紅頭潛鴨、白眼潛鴨和尖尾濱鵝；33種國家一級或二級重點保護野生動物，例如白肩鵝、烏鵲和禿鷲。填平新田濕地將令眾多面臨滅絕物種失去其重要棲息地。

【危害繁殖鷺鳥族群】新田科技城將直接影響全后海灣第二大的米埔隴鷺鳥林和第三大的米埔鷺鳥林，是超過230對鷺鳥的繁殖重陣，佔全港池鷺和小白鷺繁殖族群的三分之一。第一，新田科技城將永久移除部分用作繁殖的樹木；第二，繁殖鷺鳥將因大面積填塘而失去賴以為生的覓食地；第三，高達105米的創科發展將直接切斷繁殖鷺鳥來往鷺鳥林和覓食地的飛行廊區。發展一旦令鷺鳥無法在此繁殖後代，將直接威脅近二百對繁殖鷺鳥，相等於近15%的繁殖族群族。

【環評錯漏百出不達標】新田科技城圖則是基於「不合格」的環評報告，不能接受。新田環評報告有至少29項嚴重的技術評估和數據錯誤或遺漏，包括：違反環評「避免」原則；生態基線及評估資料不足；嚴重低估對保育類雀鳥、繁殖雀鳥、雀鳥飛行路線的影響；嚴重低估對歐亞水獺的影響；無充分資料證明生態補償有效；誤將生態優化措施當作緩解措施等。

【破壞傳統魚塘 直接影響傳統塘魚養殖】新田科技城將直接影響超過30個已正式登記的養魚戶，發展忽視傳統塘魚養殖對經濟、社會和環境永續的貢獻。新田一帶的養魚戶過去半世紀一直養殖塘魚，甚至近十多年甚至積極參與生境管理及保育工作，在保留傳統塘魚養殖運作的同時，為水鳥提供覓食及棲息的空間，維持后海灣魚塘濕地的生態價值。

【違反國際公約】新田科技城發展緊貼「米埔內后海灣拉姆薩爾濕地」，相距或不足30米。發展須填平150公頃「濕地保育區」作創科發展，發展不但會對拉姆薩爾濕地造成嚴重干擾，更會直接切斷她與東邊濕地的連接，損害國際重要濕地的濕地完整性和生態特徵。這與《濕地公約》將「避免濕地受到不利影響」列為首要要求，和《生物多樣性公約》所提倡的濕地保護，背道而馳。

【未先避免濕地損失 違反國家政策】新田科技城未有遵循「避免、減少與補償」的原則進行規劃，未有優先考慮能夠避免負面生態影響或將破壞減到最少的方案，反而直接採納會造成大型濕地損失的方案，與「生態文明建設、高質量發展」和「保護優先」的國策，和十四五規劃提到的「整治修復濱海濕地2萬公頃」，背道而馳。

【疑曲解國家政策 合理化填塘方案】2023年8月國務院公佈的《河套深港科技創新合作區深圳園區發展規劃》，明確指出「河套深港科技創新合作區」香港園區具體面積為87公頃，面積與落馬洲河套區的「港深科技園」吻合。新田科技城的填塘方案並非出自國家的主意。反之，具指導意義的《粵港澳大灣區發展規劃綱要》，就明確提出「加強濕地保護修復，全面保護區域內國際和國家重要濕地，開展濱海濕地跨境聯合保護」。局方選擇性解讀國策，借國家之名，忽略填平濱海濕地與國家濕地保護策略相沖的事實。

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**Fwd: 提交就新田科技城分區計劃大綱草圖的書面申述**  
19/04/2024 17:08

Submission Number:  
TPB/R/S/STT/1-S035

Representation Number:  
TPB/R/S/STT/1-R125

From: [REDACTED]  
To: tpbpd@pland.gov.hk  
Sent by: tpbpd@pland.gov.hk  
File Ref:

致城規會（電郵：[tpbpd@pland.gov.hk](mailto:tpbpd@pland.gov.hk)）：

申述人全名（與身份證明文件一致）：徐志堅

申述人的身份證／護照號碼首四個字母數字（如 A123） [REDACTED]

香港的發展，不應由一份錯誤百出的環評改變國際公認的珍貴土地，嚴重影響生態系統，破壞生態安全！

我要求城規會：

- 重新修訂新田科技城草圖，將「其他指定用途（創新及科技）」地帶重新劃為原本的地帶，即「自然保育區」、「其他指定用途（綜合發展及濕地改善區）」及「其他指定用途（綜合發展包括濕地修復區）」，或其他與濕地保育相關的用途地帶，以遵循「防患於未然」和「不會有濕地淨減少」的濕地規劃原則。
- 修改修訂項目A1及B項有關「其他指定用途」註明「濕地保育公園」地帶的規劃意向和第一欄經常准許的用途，包括將「保護濕地生態系統完整」、「防患於未然」和「不會有濕地淨減少」的原則列為規劃意向；將「農地住用構築物」轉至第二欄，以確保所有可能對濕地造成負面影響的發展和基礎設施，均受到城規會把關。

其他：\_\_\_\_\_

原因如下：

- **【不符合新田法定圖則的規劃原意】**根據原本的新田分區計劃大綱核准圖編號 S/YL-ST/8，150公頃「濕地保育區」和97公頃「濕地緩衝區」的土地，主要被劃作濕地保育相關的用途地帶，例如「自然保育區」、「其他指定用途（綜合發展包括濕地改善區）」及「其他指定用途（綜合發展包括濕地修復區）」。該規劃意向主要是「保存和加強現有魚塘或濕地的生態價值和功能」，以達到「不會有濕地淨減少」的原則。新田科技城涉填平大量魚塘，與上述法定規劃意向不符。
- **【不符合后海灣濕地規劃原則】**發展入侵150公頃「濕地保育區」和97公頃「濕地緩衝區」，不僅導致90公頃濕地損失，損害濕地連結性及完整性，發展更容許興

建中至高密度樓宇，恐令毗鄰的國際重要濕地的生境質素下降，導致整體生態功能喪失。這違反城市規劃委員會規劃指引12C所列明的『防患於未然』原則及『濕地零淨損失』。

- **【最新圖則剔除原有濕地規劃原則】**以往所有位於后海灣內的法定圖則，均會因應「濕地保育區」和「濕地緩衝區」而制定不同用途地帶的濕地保育要求。但根據最新的新田科技城分區圖，「濕地保育區」的大部分土地被劃為「其他指定用途（創新及科技）」地帶，其規劃意向改為「容納各式各樣的創新及科技用途」，當中經常准許的用途更達44種，包括人才公寓、商業、酒店、工業用途等，發展高度達130米。「濕地緩衝區」亦有土地被劃作「其他指定用途（混合用途）」地帶，容許高達200米的建築發展。最新規劃不但沒有列明濕地保育要求，更沒有採納任何濕地保育的規劃原則，恐令發展與毗連環境嚴重不協調。
- **【濕地喪失和生境破碎化】**新田科技城將導致至少90公頃的濕地面積減少，令大灣區的沿海濕地總量大減。新田科技城位於整個后海灣（又稱深圳灣）濕地系統的核心，發展將切斷后海灣東西兩側的生態連接，導致濕地生境破碎化，損害后海灣（又稱深圳灣）濕地系統的完整性。
- **【濕地系統質素退化】**新田科技城填塘後不只有創科商業用地，帶來超過12,000工作人口，更預計會有6,400單位作的住宅、酒店、康樂等用途。發展引入的人口和基建，將為毗連的「米埔內后海灣拉姆薩爾濕地」及「濕地保育區」帶來不可挽回的負面生態影響，例如人類活動干擾、光污染、噪音等等。
- **【危害全球面臨絕種危機及國家級保護物種】**受影響魚塘濕地所錄得的雀鳥物種數量達205種，其中有117種為具保育級別物種。新田科技城填塘發展將危及19種全球瀕危及近危物種，例如青頭潛鴨、黃胸鵝、黑臉琵鷺、紅頭潛鴨、白眼潛鴨和尖尾濱鵝；33種國家一級或二級重點保護野生動物，例如白肩鵝、烏鵲和禿鷲。填平新田濕地將令眾多面臨滅絕物種失去其重要棲息地。
- **【危害繁殖鷺鳥族群】**新田科技城將直接影響全后海灣第二大的米埔隴鷺鳥林和第三大的米埔鷺鳥林，是超過230對鷺鳥的繁殖重陣，佔全港池鷺和小白鷺繁殖族群的三分之一。第一，新田科技城將永久移除部分用作繁殖的樹木；第二，繁殖鷺鳥將因大面積填塘而失去賴以為生的覓食地；第三，高達105米的創科發展將直接切斷繁殖鷺鳥來往鷺鳥林和覓食地的飛行廊區。發展一旦令鷺鳥無法在此繁殖後代，將直接威脅近二百對繁殖鷺鳥，相等於近15%的繁殖族群。
- **【環評錯漏百出不達標】**新田科技城圖則是基於「不合格」的環評報告，不能接受。新田環評報告有至少29項嚴重的技術評估和數據錯誤或遺漏，包括：違反環評「避免」原則；生態基線及評估資料不足；嚴重低估對保育類雀鳥、繁殖雀鳥、雀鳥飛行路線的影響；嚴重低估對歐亞水獺的影響；無充分資料證明生態補償有效；誤將生態優化措施當作緩解措施等。
- **【破壞傳統魚塘 直接影響傳統塘魚養殖】**新田科技城將直接影響超過30個已正式登記的養魚戶，發展忽視傳統塘魚養殖對經濟、社會和環境永續的貢獻。新田一帶的養魚戶過去半世紀一直養殖塘魚，甚至近十多年甚至積極參與生境管理及保育工作，在保留傳統塘魚養殖運作的同時，為水鳥提供覓食及棲息的空間，維持后海灣魚塘濕地的生態價值。
- **【違反國際公約】**新田科技城發展緊貼「米埔內后海灣拉姆薩爾濕地」，相距或不足30米。發展須填平150公頃「濕地保育區」作創科發展，發展不但會對拉姆薩爾濕地造成嚴重干擾，更會直接切斷她與東邊濕地的連接，損害國際重要濕地的濕地完整性和生態特徵。這與《濕地公約》將「避免濕地受到不利影響」列為首要要求，和《生物多樣性公約》所提倡的濕地保護，背道而馳。
- **【未先避免濕地損失 違反國家政策】**新田科技城未有遵循「避免、減少與補償」的原則進行規劃，未有優先考慮能夠避免負面生態影響或將破壞減到最少的方案，反而直接採納會造成大型濕地損失的方案，與「生態文明建設、高質量發展」和「保護優先」的國策，和十四五規劃提到的「整治修復濱海濕地2萬公頃」，背道而馳。

- **【疑曲解國家政策 合理化填塘方案】**2023年8月國務院公佈的《河套深港科技創新合作區深圳園區發展規劃》，明確指出「河套深港科技創新合作區」香港園區具體面積為87公頃，面積與落馬洲河套區的「港深科技園」吻合。新田科技城的填塘方案並非出自國家的主意。反之，具指導意義的《粵港澳大灣區發展規劃綱要》，就明確提出「加強濕地保護修復，全面保護區域內國際和國家重要濕地，開展濱海濕地跨境聯合保護」。局方選擇性解讀國策，借國家之名，忽略填平濱海濕地與國家濕地保護策略相沖的事實。

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提交就新田科技城分區計劃大綱草圖的書面申述  
19/04/2024 17:09

Submission Number:  
TPB/R/S/STT/1-S036

From: [REDACTED]  
To: "tpbpd" <tpbpd@pland.gov.hk>  
Sent by: tpbpd@pland.gov.hk  
File Ref:

Representation Number:  
TPB/R/S/STT/1-R126

致城規會（電郵：[tpbpd@pland.gov.hk](mailto:tpbpd@pland.gov.hk)）：

申述人全名（與身份證明文件一致）：  
Lo Kin Man Ken

申述人的身份證／護照號碼首四個字母數字（如 A123）：  
[REDACTED]

濕地是對生物多樣性好重要的

我要求城規會：

- 重新修訂新田科技城草圖，將「其他指定用途（創新及科技）」地帶重新劃為原本的地帶，即「自然保育區」、「其他指定用途（綜合發展及濕地改善區）」及「其他指定用途（綜合發展包括濕地修復區）」，或其他與濕地保育相關的用途地帶，以遵循「防患於未然」和「不會有濕地淨減少」的濕地規劃原則。
- 修改修訂項目A1及B項有關「其他指定用途」註明「濕地保育公園」地帶的規劃意向和第一欄經常准許的用途，包括將「保護濕地生態系統完整」、「防患於未然」和「不會有濕地淨減少」的原則列為規劃意向；將「農地住用構築物」轉至第二欄，以確保所有可能對濕地造成負面影響的發展和基礎設施，均受到城規會把關。

其他：\_\_\_\_\_

原因如下：

- 【不符合新田法定圖則的規劃原意】根據原本的新田分區計劃大綱核准圖編號 S/YL-ST/8，150公頃「濕地保育區」和97公頃「濕地緩衝區」的土地，主要被劃作濕地保育相關的用途地帶，例如「自然保育區」、「其他指定用途（綜合發展包括濕地改善區）」及「其他指定用途（綜合發展包括濕地修復區）」。該規劃意向主要是「保存和加強現有魚塘或濕地的生態價值和功能」，以達到「不會有濕地淨減少」的原則。新田科技城涉填平大量魚塘，與上述法定規劃意向不符。
- 【不符合后海灣濕地規劃原則】發展入侵150公頃「濕地保育區」和97公頃「濕地緩衝區」，不僅導致90公頃濕地損失，損害濕地連結性及完整性，發展更容許興建中至高密度樓宇，恐令毗鄰的國際重要濕地的生境質素下降，導致整體生態功能喪失。這違反城市規劃委員會規劃指引12C所列明的「防患於未然」原則及「濕地零淨損失」。

- **【最新圖則剔除原有濕地規劃原則】**以往所有位於后海灣內的法定圖則，均會因應「濕地保育區」和「濕地緩衝區」而制定不同用途地帶的濕地保育要求。但根據最新的新田科技城分區圖，「濕地保育區」的大部分土地被劃為「其他指定用途（創新及科技）」地帶，其規劃意向改為「容納各式各樣的創新及科技用途」，當中經常准許的用途更達44種，包括人才公寓、商業、酒店、工業用途等，發展高度達130米。「濕地緩衝區」亦有土地被劃作「其他指定用途（混合用途）」地帶，容許高達200米的建築發展。最新規劃不但沒有列明濕地保育要求，更沒有採納任何濕地保育的規劃原則，恐令發展與毗連環境嚴重不協調。
- **【濕地喪失和生境破碎化】**新田科技城將導致至少90公頃的濕地面積減少，令大灣區的沿海濕地總量大減。新田科技城位於整個后海灣（又稱深圳灣）濕地系統的核心，發展將切斷后海灣東西兩側的生態連接，導致濕地生境破碎化，損害后海灣（又稱深圳灣）濕地系統的完整性。
- **【濕地系統質素退化】**新田科技城填塘後不只有創科商業用地，帶來超過12,000工作人口，更預計會有6,400單位作的住宅、酒店、康樂等用途。發展引入的人口和基建，將為毗連的「米埔內后海灣拉姆薩爾濕地」及「濕地保育區」帶來不可挽回的負面生態影響，例如人類活動干擾、光污染、噪音等等。
- **【危害全球面臨絕種危機及國家級保護物種】**受影響魚塘濕地所錄得的雀鳥物種數量達205種，其中有117種為具保育級別物種。新田科技城填塘發展將危及19種全球瀕危及近危物種，例如青頭潛鴨、黃胸鵝、黑臉琵鷺、紅頭潛鴨、白眼潛鴨和尖尾濱鵝；33種國家一級或二級重點保護野生動物，例如白肩鵬、烏鵲和禿鷲。填平新田濕地將令眾多面臨滅絕物種失去其重要棲息地。
- **【危害繁殖鷺鳥族群】**新田科技城將直接影響全后海灣第二大的米埔隴鷺鳥林和第三大的米埔鷺鳥林，是超過230對鷺鳥的繁殖重陣，佔全港池鷺和小白鷺繁殖族群的三分之一。第一，新田科技城將永久移除部分用作繁殖的樹木；第二，繁殖鷺鳥將因大面積填塘而失去賴以為生的覓食地；第三，高達105米的創科發展將直接切斷繁殖鷺鳥來往鷺鳥林和覓食地的飛行廊區。發展一旦令鷺鳥無法在此繁殖後代，將直接威脅近二百對繁殖鷺鳥，相等於近15%的繁殖族群。
- **【環評錯漏百出不達標】**新田科技城圖則是基於「不合格」的環評報告，不能接受。新田環評報告有至少29項嚴重的技術評估和數據錯誤或遺漏，包括：違反環評「避免」原則；生態基線及評估資料不足；嚴重低估對保育類雀鳥、繁殖雀鳥、雀鳥飛行路線的影響；嚴重低估對歐亞水獺的影響；無充分資料證明生態補償有效；誤將生態優化措施當作緩解措施等。
- **【破壞傳統魚塘 直接影響傳統塘魚養殖】**新田科技城將直接影響超過30個已正式登記的養魚戶，發展忽視傳統塘魚養殖對經濟、社會和環境永續的貢獻。新田一帶的養魚戶過去半世紀一直養殖塘魚，甚至近十多年甚至積極參與生境管理及保育工作，在保留傳統塘魚養殖運作的同時，為水鳥提供覓食及棲息的空間，維持后海灣魚塘濕地的生態價值。
- **【違反國際公約】**新田科技城發展緊貼「米埔內后海灣拉姆薩爾濕地」，相距或不足30米。發展須填平150公頃「濕地保育區」作創科發展，發展不但會對拉姆薩爾濕地造成嚴重干擾，更會直接切斷她與東邊濕地的連接，損害國際重要濕地的濕地完整性和生態特徵。這與《濕地公約》將「避免濕地受到不利影響」列為首要要求，和《生物多樣性公約》所提倡的濕地保護，背道而馳。
- **【未先避免濕地損失 違反國家政策】**新田科技城未有遵循「避免、減少與補償」的原則進行規劃，未有優先考慮能夠避免負面生態影響或將破壞減到最少的方案，反而直接採納會造成大型濕地損失的方案，與「生態文明建設、高質量發展」和「保護優先」的國策，和十四五規劃提到的「整治修復濱海濕地2萬公頃」，背道而馳。
- **【疑曲解國家政策 合理化填塘方案】**2023年8月國務院公佈的《河套深港科技創新合作區深圳園區發展規劃》，明確指出「河套深港科技創新合作區」香港園區具體面積為87公頃，面積與落馬洲河套區的「港深科技園」吻合。新田科技城的填塘



方案並非出自國家的主意。反之，具指導意義的《粵港澳大灣區發展規劃綱要》，就明確提出「加強濕地保護修復，全面保護區域內國際和國家重要濕地，開展濱海濕地跨境聯合保護」。局方選擇性解讀國策，借國家之名，忽略填平濱海濕地與國家濕地保護策略相沖的事實。

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守護濕地意見書  
19/04/2024 17:21

Submission Number:  
TPB/R/S/STT/1-S037

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To: tpbpd@pland.gov.hk  
Sent by: tpbpd@pland.gov.hk  
File Ref:

Representation Number:  
TPB/R/S/STT/1-R127

致城規會（電郵：[tpbpd@pland.gov.hk](mailto:tpbpd@pland.gov.hk)）：

申述人全名：  
CHOI MAN PUI

申述人的身份證首四個字母數字：  
[REDACTED]

動物不懂發聲，但需要專重，作為地球上有智慧的生物，  
請保護其他生物的生存環境！

我要求城規會：

- 重新修訂新田科技城草圖，將「其他指定用途（創新及科技）」地帶重新劃為原本的地帶，即「自然保育區」、「其他指定用途（綜合發展及濕地改善區）」及「其他指定用途（綜合發展包括濕地修復區）」，或其他與濕地保育相關的用途地帶，以遵循「防患於未然」和「不會有濕地淨減少」的濕地規劃原則。
- 修改修訂項目A1及B項有關「其他指定用途」註明「濕地保育公園」地帶的規劃意向和第一欄經常准許的用途，包括將「保護濕地生態系統完整」、「防患於未然」和「不會有濕地淨減少」的原則列為規劃意向；將「農地住用構築物」轉至第二欄，以確保所有可能對濕地造成負面影響的發展和基礎設施，均受到城規會把關。

原因如下：

- 【不符合新田法定圖則的規劃原意】根據原本的新田分區計劃大綱核准圖編號S/YL-ST/8，150公頃「濕地保育區」和97公頃「濕地緩衝區」的土地，主要被劃作濕地保育相關的用途地帶，例如「自然保育區」、「其他指定用途（綜合發展包括濕地改善區）」及「其他指定用途（綜合發展包括濕地修復區）」。該規劃意向主要是「保存和加強現有魚塘或濕地的生態價值和功能」，以達到「不會有濕地淨減少」的原則。新田科技城涉填平大量魚塘，與上述法定規劃意向不符。
- 【不符合后海灣濕地規劃原則】發展入侵150公頃「濕地保育區」和97公頃「濕地緩衝區」，不僅導致90公頃濕地損失，損害濕地連結性及完整性，發展更容許興建中至高密度樓宇，恐令毗鄰的國際重要濕地的生境質素下降，導致整體生態功能喪失。這違反城市規劃委員會規劃指引12C所列明的「防患於未然」原則及「濕地零淨損失」。

- **【最新圖則剔除原有濕地規劃原則】**以往所有位於后海灣內的法定圖則，均會因應「濕地保育區」和「濕地緩衝區」而制定不同用途地帶的濕地保育要求。但根據最新的新田科技城分區圖，「濕地保育區」的大部分土地被劃為「其他指定用途（創新及科技）」地帶，其規劃意向改為「容納各式各樣的創新及科技用途」，當中經常准許的用途更達44種，包括人才公寓、商業、酒店、工業用途等，發展高度達130米。「濕地緩衝區」亦有土地被劃作「其他指定用途（混合用途）」地帶，容許高達200米的建築發展。最新規劃不但沒有列明濕地保育要求，更沒有採納任何濕地保育的規劃原則，恐令發展與毗連環境嚴重不協調。
- **【濕地喪失和生境破碎化】**新田科技城將導致至少90公頃的濕地面積減少，令大灣區的沿海濕地總量大減。新田科技城位於整個后海灣（又稱深圳灣）濕地系統的核心，發展將切斷后海灣東西兩側的生態連接，導致濕地生境破碎化，損害后海灣（又稱深圳灣）濕地系統的完整性。
- **【濕地系統質素退化】**新田科技城填塘後不只有創科商業用地，帶來超過12,000工作人口，更預計會有6,400單位作的住宅、酒店、康樂等用途。發展引入的人口和基建，將為毗連的「米埔內后海灣拉姆薩爾濕地」及「濕地保育區」帶來不可挽回的負面生態影響，例如人類活動干擾、光污染、噪音等等。
- **【危害全球面臨絕種危機及國家級保護物種】**受影響魚塘濕地所錄得的雀鳥物種數量達205種，其中有117種為具保育級別物種。新田科技城填塘發展將危及19種全球瀕危及近危物種，例如青頭潛鴨、黃胸鵪、黑臉琵鷺、紅頭潛鴨、白眼潛鴨和尖尾濱鵪；33種國家一級或二級重點保護野生動物，例如白肩鵪、烏鵪和禿鷲。填平新田濕地將令眾多面臨滅絕物種失去其重要棲息地。
- **【危害繁殖鷺鳥族群】**新田科技城將直接影響全后海灣第二大的米埔隴鷺鳥林和第三大的米埔鷺鳥林，是超過230對鷺鳥的繁殖重陣，佔全港池鷺和小白鷺繁殖族群的三分之一。第一，新田科技城將永久移除部分用作繁殖的樹木；第二，繁殖鷺鳥將因大面積填塘而失去賴以為生的覓食地；第三，高達105米的創科發展將直接切斷繁殖鷺鳥來往鷺鳥林和覓食地的飛行廊區。發展一旦令鷺鳥無法在此繁殖後代，將直接威脅近二百對繁殖鷺鳥，相等於近15%的繁殖族群。
- **【環評錯漏百出不達標】**新田科技城圖則是基於「不合格」的環評報告，不能接受。新田環評報告有至少29項嚴重的技術評估和數據錯誤或遺漏，包括：違反環評「避免」原則；生態基線及評估資料不足；嚴重低估對保育類雀鳥、繁殖雀鳥、雀鳥飛行路線的影響；嚴重低估對歐亞水獺的影響；無充分資料證明生態補償有效；誤將生態優化措施當作緩解措施等。
- **【破壞傳統魚塘 直接影響傳統塘魚養殖】**新田科技城將直接影響超過30個已正式登記的養魚戶，發展忽視傳統塘魚養殖對經濟、社會和環境永續的貢獻。新田一帶的養魚戶過去半世紀一直養殖塘魚，甚至近十多年甚至積極參與生境管理及保育工作，在保留傳統塘魚養殖運作的同時，為水鳥提供覓食及棲息的空間，維持后海灣魚塘濕地的生態價值。
- **【違反國際公約】**新田科技城發展緊貼「米埔內后海灣拉姆薩爾濕地」，相距或不足30米。發展須填平150公頃「濕地保育區」作創科發展，發展不但會對拉姆薩爾濕地造成嚴重干擾，更會直接切斷她與東邊濕地的連接，損害國際重要濕地的濕地完整性和生態特徵。這與《濕地公約》將「避免濕地受到不利影響」列為首要要求，和《生物多樣性公約》所提倡的濕地保護，背道而馳。
- **【未先避免濕地損失 違反國家政策】**新田科技城未有遵循「避免、減少與補償」的原則進行規劃，未有優先考慮能夠避免負面生態影響或將破壞減到最少的方案，反而直接採納會造成大型濕地損失的方案，與「生態文明建設、高質量發展」和「保護優先」的國策，和十四五規劃提到的「整治修復濱海濕地2萬公頃」，背道而馳。
- **【疑曲解國家政策 合理化填塘方案】**2023年8月國務院公佈的《河套深港科技

創新合作區深圳園區發展規劃》，明確指出「河套深港科技創新合作區」香港園區具體面積為87公頃，面積與落馬洲河套區的「港深科技園」吻合。新田科技城的填塘方案並非出自國家的主意。反之，具指導意義的《粵港澳大灣區發展規劃綱要》，就明確提出「加強濕地保護修復，全面保護區域內國際和國家重要濕地，開展濱海濕地跨境聯合保護」。局方選擇性解讀國策，借國家之名，忽略填平濱海濕地與國家濕地保護策略相沖的事實。

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提交就新田科技城分區計劃大綱草圖的書面申述  
19/04/2024 17:25

Submission Number:  
TPB/R/S/STT/1-S038

Representation Number:  
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----- 原始郵件 -----

寄件人：綠色和平 [REDACTED]  
发送时间：2024年4月19日 17:19  
收件人：[REDACTED]  
主旨：Fw: 提交就新田科技城分區計劃大綱草圖的書面申述

致城規會（電郵：tpbpd@pland.gov.hk）：

申述人全名（與身份證明文件一致）：  
CHAN NGON PO

申述人的身份證／護照號碼首四個字母數字（如 A123）：  
[REDACTED]

尊重環境，自然環境一去不復反！

我要求城規會：

- 重新修訂新田科技城草圖，將「其他指定用途（創新及科技）」地帶重新劃為原本的地帶，即「自然保育區」、「其他指定用途（綜合發展及濕地改善區）」及「其他指定用途（綜合發展包括濕地修復區）」，或其他與濕地保育相關的用途地帶，以遵循「防患於未然」和「不會有濕地淨減少」的濕地規劃原則。
- 修改修訂項目A1及B項有關「其他指定用途」註明「濕地保育公園」地帶的規劃意向和第一欄經常准許的用途，包括將「保護濕地生態系統完整」、「防患於未然」和「不會有濕地淨減少」的原則列為規劃意向；將「農地住用構築物」轉至第二欄，以確保所有可能對濕地造成負面影響的發展和基礎設施，均受到城規會把關。

其他：\_\_\_\_\_

原因如下：

- 【不符合新田法定圖則的規劃原意】根據原本的新田分區計劃大綱核准圖編號 S/YL-ST/8，150公頃「濕地保育區」和97公頃「濕地緩衝區」的土地，主要被劃作濕地保育相關的用途地帶，例如「自然保育區」、「其他指定用途（綜合發展包括濕地改善區）」及「其他指定用途（綜合發展包括濕地修復區）」。該規劃

意向主要是「保存和加強現有魚塘或濕地的生態價值和功能」，以達到「不會有濕地淨減少」的原則。新田科技城涉填平大量魚塘，與上述法定規劃意向不符。

- 【不符合后海灣濕地規劃原則】發展入侵150公頃「濕地保育區」和97公頃「濕地緩衝區」，不僅導致90公頃濕地損失，損害濕地連結性及完整性，發展更容許興建中至高密度樓宇，恐令毗鄰的國際重要濕地的生境質素下降，導致整體生態功能喪失。這違反城市規劃委員會規劃指引12C所列明的『防患於未然』原則及『濕地零淨損失』。
- 【最新圖則剔除原有濕地規劃原則】以往所有位於后海灣內的法定圖則，均會因應「濕地保育區」和「濕地緩衝區」而制定不同用途地帶的濕地保育要求。但根據最新的新田科技城分區圖，「濕地保育區」的大部分土地被劃為「其他指定用途（創新及科技）」地帶，其規劃意向改為「容納各式各樣的創新及科技用途」，當中經常准許的用途更達44種，包括人才公寓、商業、酒店、工業用途等，發展高度達130米。「濕地緩衝區」亦有土地被劃作「其他指定用途（混合用途）」地帶，容許高達200米的建築發展。最新規劃不但沒有列明濕地保育要求，更沒有採納任何濕地保育的規劃原則，恐令發展與毗連環境嚴重不協調。
- 【濕地喪失和生境破碎化】新田科技城將導致至少90公頃的濕地面積減少，令大灣區的沿海濕地總量大減。新田科技城位於整個后海灣（又稱深圳灣）濕地系統的核心，發展將切斷后海灣東西兩側的生態連接，導致濕地生境破碎化，損害后海灣（又稱深圳灣）濕地系統的完整性。
- 【濕地系統質素退化】新田科技城填塘後不只有創科商業用地，帶來超過12,000工作人口，更預計會有6,400單位作的住宅、酒店、康樂等用途。發展引入的人口和基建，將為毗連的「米埔內后海灣拉姆薩爾濕地」及「濕地保育區」帶來不可挽回的負面生態影響，例如人類活動干擾、光污染、噪音等等。
- 【危害全球面臨絕種危機及國家級保護物種】受影響魚塘濕地所錄得的雀鳥物種數量達205種，其中有117種為具保育級別物種。新田科技城填塘發展將危及19種全球瀕危及近危物種，例如青頭潛鴨、黃胸鵝、黑臉琵鷺、紅頭潛鴨、白眼潛鴨和尖尾濱鵝；33種國家一級或二級重點保護野生動物，例如白肩鵝、烏鵲和禿鷲。填平新田濕地將令眾多面臨滅絕物種失去其重要棲息地。
- 【危害繁殖鷺鳥族群】新田科技城將直接影響全后海灣第二大的米埔隴鷺鳥林和第三大的米埔鷺鳥林，是超過230對鷺鳥的繁殖重陣，佔全港池鷺和小白鷺繁殖族群的三分之一。第一，新田科技城將永久移除部分用作繁殖的樹木；第二，繁殖鷺鳥將因大面積填塘而失去賴以為生的覓食地；第三，高達105米的創科發展將直接切斷繁殖鷺鳥來往鷺鳥林和覓食地的飛行廊區。發展一旦令鷺鳥無法在此繁殖後代，將直接威脅近二百對繁殖鷺鳥，相等於近15%的繁殖族群。
- 【環評錯漏百出不達標】新田科技城圖則是基於「不合格」的環評報告，不能接受。新田環評報告有至少29項嚴重的技術評估和數據錯誤或遺漏，包括：違反環評「避免」原則；生態基線及評估資料不足；嚴重低估對保育類雀鳥、繁殖雀鳥、雀鳥飛行路線的影響；嚴重低估對歐亞水獺的影響；無充分資料證明生態補償有效；誤將生態優化措施當作緩解措施等。
- 【破壞傳統魚塘 直接影響傳統塘魚養殖】新田科技城將直接影響超過30個已正式登記的養魚戶，發展忽視傳統塘魚養殖對經濟、社會和環境永續的貢獻。新田一帶的養魚戶過去半世紀一直養殖塘魚，甚至近十多年甚至積極參與生境管理及保育工作，在保留傳統塘魚養殖運作的同時，為水鳥提供覓食及棲息的空間，維持后海灣魚塘濕地的生態價值。
- 【違反國際公約】新田科技城發展緊貼「米埔內后海灣拉姆薩爾濕地」，相距或不足30米。發展須填平150公頃「濕地保育區」作創科發展，發展不但會對拉姆薩爾濕地造成嚴重干擾，更會直接切斷她與東邊濕地的連接，損害國際重要濕地的濕地完整性和生態特徵。這與《濕地公約》將「避免濕地受到不利影響」列為首要要求，和《生物多樣性公約》所提倡的濕地保護，背道而馳。
- 【未先避免濕地損失 違反國家政策】新田科技城未有遵循「避免、減少與補償」

的原則進行規劃，未有優先考慮能夠避免負面生態影響或將破壞減到最少的方案，反而直接採納會造成大型濕地損失的方案，與「生態文明建設、高質量發展」和「保護優先」的國策，和十四五規劃提到的「整治修復濱海濕地2萬公頃」，背道而馳。

- **【疑曲解國家政策 合理化填塘方案】** 2023年8月國務院公佈的《河套深港科技創新合作區深圳園區發展規劃》，明確指出「河套深港科技創新合作區」香港園區具體面積為87公頃，面積與落馬洲河套區的「港深科技園」吻合。新田科技城的填塘方案並非出自國家的主意。反之，具指導意義的《粵港澳大灣區發展規劃綱要》，就明確提出「加強濕地保護修復，全面保護區域內國際和國家重要濕地，開展濱海濕地跨境聯合保護」。局方選擇性解讀國策，借國家之名，忽略填平濱海濕地與國家濕地保護策略相沖的事實。

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**Fwd: 提交就新田科技城分區計劃大綱草圖的書面申述**  
19/04/2024 17:35

Submission Number:  
TPB/R/S/STT/1-S039

From: "Ying Pang Yu" [REDACTED]  
To: tbbpd@pland.gov.hk  
Sent by: tbbpd@pland.gov.hk  
File Ref:

Representation Number:  
TPB/R/S/STT/1-R129

致城規會（電郵：[tbbpd@pland.gov.hk](mailto:tbbpd@pland.gov.hk)）：

申述人全名：余英澎

申述人的身份證／護照號碼首四個字母數字： [REDACTED]

我不同意政府興建新田科技城的選址，因為這選址對當地環境生態平衡有著不可挽回的後果。在政府不斷提出的可持續發展的前提下，將這片有著寶貴生態保育的地方破壞，實在是本末倒置和不能容忍。

我要求城規會：

- 重新修訂新田科技城草圖，將「其他指定用途（創新及科技）」地帶重新劃為原本的地帶，即「自然保育區」、「其他指定用途（綜合發展及濕地改善區）」及「其他指定用途（綜合發展包括濕地修復區）」，或其他與濕地保育相關的用途地帶，以遵循「防患於未然」和「不會有濕地淨減少」的濕地規劃原則。
- 修改修訂項目A1及B項有關「其他指定用途」註明「濕地保育公園」地帶的規劃意向和第一欄經常准許的用途，包括將「保護濕地生態系統完整」、「防患於未然」和「不會有濕地淨減少」的原則列為規劃意向；將「農地住用構築物」轉至第二欄，以確保所有可能對濕地造成負面影響的發展和基礎設施，均受到城規會把關。

其他：\_\_\_\_\_

原因如下：

- **【不符合新田法定圖則的規劃原意】**根據原本的新田分區計劃大綱核准圖編號S/YL-ST/8，150公頃「濕地保育區」和97公頃「濕地緩衝區」的土地，主要被劃作濕地保育相關的用途地帶，例如「自然保育區」、「其他指定用途（綜合發展包括濕地改善區）」及「其他指定用途（綜合發展包括濕地修復區）」。該規劃意向主要是「保存和加強現有魚塘或濕地的生態價值和功能」，以達到「不會有濕地淨減少」的原則。新田科技城涉填平大量魚塘，與上述法定規劃意向不符。
- **【不符合后海灣濕地規劃原則】**發展入侵150公頃「濕地保育區」和97公頃「濕地緩衝區」，不僅導致90公頃濕地損失，損害濕地連結性及完整性，發展更容許興建中至高密度樓宇，恐令毗鄰的國際重要濕地的生境質素下降，導致整體生態功能喪失。這違反城市規劃委員會規劃指引12C所列明的「防患於未然」原則及「濕地零淨損失」。



- **【最新圖則剔除原有濕地規劃原則】**以往所有位於后海灣內的法定圖則，均會因應「濕地保育區」和「濕地緩衝區」而制定不同用途地帶的濕地保育要求。但根據最新的新田科技城分區圖，「濕地保育區」的大部分土地被劃為「其他指定用途（創新及科技）」地帶，其規劃意向改為「容納各式各樣的創新及科技用途」，當中經常准許的用途更達44種，包括人才公寓、商業、酒店、工業用途等，發展高度達130米。「濕地緩衝區」亦有土地被劃作「其他指定用途（混合用途）」地帶，容許高達200米的建築發展。最新規劃不但沒有列明濕地保育要求，更沒有採納任何濕地保育的規劃原則，恐令發展與毗連環境嚴重不協調。
- **【濕地喪失和生境破碎化】**新田科技城將導致至少90公頃的濕地面積減少，令大灣區的沿海濕地總量大減。新田科技城位於整個后海灣（又稱深圳灣）濕地系統的核心，發展將切斷后海灣東西兩側的生態連接，導致濕地生境破碎化，損害后海灣（又稱深圳灣）濕地系統的完整性。
- **【濕地系統質素退化】**新田科技城填塘後不只有創科商業用地，帶來超過12,000工作人口，更預計會有6,400單位作的住宅、酒店、康樂等用途。發展引入的人口和基建，將為毗連的「米埔內后海灣拉姆薩爾濕地」及「濕地保育區」帶來不可挽回的負面生態影響，例如人類活動干擾、光污染、噪音等等。
- **【危害全球面臨絕種危機及國家級保護物種】**受影響魚塘濕地所錄得的雀鳥物種數量達205種，其中有117種為具保育級別物種。新田科技城填塘發展將危及19種全球瀕危及近危物種，例如青頭潛鴨、黃胸鵝、黑臉琵鷺、紅頭潛鴨、白眼潛鴨和尖尾濱鵝；33種國家一級或二級重點保護野生動物，例如白肩鵝、烏鵲和禿鷲。填平新田濕地將令眾多面臨滅絕物種失去其重要棲息地。
- **【危害繁殖鷺鳥族群】**新田科技城將直接影響全后海灣第二大的米埔隴鷺鳥林和第三大的米埔鷺鳥林，是超過230對鷺鳥的繁殖重陣，佔全港池鷺和小白鷺繁殖族群的三分之一。第一，新田科技城將永久移除部分用作繁殖的樹木；第二，繁殖鷺鳥將因大面積填塘而失去賴以為生的覓食地；第三，高達105米的創科發展將直接切斷繁殖鷺鳥來往鷺鳥林和覓食地的飛行廊區。發展一旦令鷺鳥無法在此繁殖後代，將直接威脅近二百對繁殖鷺鳥，相等於近15%的繁殖族群。
- **【環評錯漏百出不達標】**新田科技城圖則是基於「不合格」的環評報告，不能接受。新田環評報告有至少29項嚴重的技術評估和數據錯誤或遺漏，包括：違反環評「避免」原則；生態基線及評估資料不足；嚴重低估對保育類雀鳥、繁殖雀鳥、雀鳥飛行路線的影響；嚴重低估對歐亞水獺的影響；無充分資料證明生態補償有效；誤將生態優化措施當作緩解措施等。
- **【破壞傳統魚塘 直接影響傳統塘魚養殖】**新田科技城將直接影響超過30個已正式登記的養魚戶，發展忽視傳統塘魚養殖對經濟、社會和環境永續的貢獻。新田一帶的養魚戶過去半世紀一直養殖塘魚，甚至近十多年甚至積極參與生境管理及保育工作，在保留傳統塘魚養殖運作的同時，為水鳥提供覓食及棲息的空間，維持后海灣魚塘濕地的生態價值。
- **【違反國際公約】**新田科技城發展緊貼「米埔內后海灣拉姆薩爾濕地」，相距或不足30米。發展須填平150公頃「濕地保育區」作創科發展，發展不但會對拉姆薩爾濕地造成嚴重干擾，更會直接切斷她與東邊濕地的連接，損害國際重要濕地的濕地完整性和生態特徵。這與《濕地公約》將「避免濕地受到不利影響」列為首要要求，和《生物多樣性公約》所提倡的濕地保護，背道而馳。
- **【未先避免濕地損失 違反國家政策】**新田科技城未有遵循「避免、減少與補償」的原則進行規劃，未有優先考慮能夠避免負面生態影響或將破壞減到最少的方案，反而直接採納會造成大型濕地損失的方案，與「生態文明建設、高質量發展」和「保護優先」的國策，和十四五規劃提到的「整治修復濱海濕地2萬公頃」，背道而馳。
- **【疑曲解國家政策 合理化填塘方案】**2023年8月國務院公佈的《河套深港科技創新合作區深圳園區發展規劃》，明確指出「河套深港科技創新合作區」香港園區具體面積為87公頃，面積與落馬洲河套區的「港深科技園」吻合。新田科技城的填塘

方案並非出自國家的主意。反之，具指導意義的《粵港澳大灣區發展規劃綱要》，就明確提出「加強濕地保護修復，全面保護區域內國際和國家重要濕地，開展濱海濕地跨境聯合保護」。局方選擇性解讀國策，借國家之名，忽略填平濱海濕地與國家濕地保護策略相沖的事實。

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**Fwd: 提交就新田科技城分區計劃大綱草圖的書面申述**  
20/04/2024 07:58

**Submission Number:**  
TPB/R/S/STT/1-S041

From: "pauline chan" [REDACTED]  
To: "tpbpd@pland.gov.hk" <tpbpd@pland.gov.hk>  
Sent by: tpbpd@pland.gov.hk  
File Ref:

**Representation Number:**  
TPB/R/S/STT/1-R130

申述人全名（與身份證明文件一致）：陳寶玲

申述人的身份證／護照號碼首四個字母數字（如 A123） [REDACTED]

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From: 綠色和平 [REDACTED]  
Sent: Saturday, April 20, 2024 7:51:20 a.m.  
To: [REDACTED]  
Subject: 提交就新田科技城分區計劃大綱草圖的書面申述

致城規會（電郵：tpbpd@pland.gov.hk）：

申述人全名（與身份證明文件一致）：陳寶玲

申述人的身份證／護照號碼首四個字母數字（如 A123） [REDACTED]

到底政府未來想見到一個如何的香港？希望下一代生活在環境如何的香港？破壞這一片珍貴濕地是否唯一選擇？現在經濟之低，各行業和住宅的空置率之高，加上預視不論短長期也不會恢復，既是如此又何必大手大腳進行此等無甚效益的破壞性發展？

我要求城規會：

- 重新修訂新田科技城草圖，將「其他指定用途（創新及科技）」地帶重新劃為原本的地帶，即「自然保育區」、「其他指定用途（綜合發展及濕地改善區）」及「其他指定用途（綜合發展包括濕地修復區）」，或其他與濕地保育相關的用途地帶，以遵循「防患於未然」和「不會有濕地淨減少」的濕地規劃原則。
- 修改修訂項目A1及B項有關「其他指定用途」註明「濕地保育公園」地帶的規劃意向和第一欄經常准許的用途，包括將「保護濕地生態系統完整」、「防患於未然」和「不會有濕地淨減少」的原則列為規劃意向；將「農地住用構築物」轉至第二欄，以確保所有可能對濕地造成負面影響的發展和基礎設施，均受到城規會把關。

其他：\_\_\_\_\_

原因如下：

- 【不符合新田法定圖則的規劃原意】根據原本的新田分區計劃大綱核准圖編號

S/YL-ST/8，150公頃「濕地保育區」和97公頃「濕地緩衝區」的土地，主要被劃作濕地保育相關的用途地帶，例如「自然保育區」、「其他指定用途（綜合發展包括濕地改善區）」及「其他指定用途（綜合發展包括濕地修復區）」。

該規劃意向主要是「保存和加強現有魚塘或濕地的生態價值和功能」，以達到「不會有濕地淨減少」的原則。新田科技城涉填平大量魚塘，與上述法定規劃意向不符。

- **【不符合后海灣濕地規劃原則】**發展入侵150公頃「濕地保育區」和97公頃「濕地緩衝區」，不僅導致90公頃濕地損失，損害濕地連結性及完整性，發展更容許興建中至高密度樓宇，恐令毗鄰的國際重要濕地的生境質素下降，導致整體生態功能喪失。這違反城市規劃委員會規劃指引12C所列明的『防患於未然』原則及『濕地零淨損失』。
- **【最新圖則剔除原有濕地規劃原則】**以往所有位於后海灣內的法定圖則，均會因應「濕地保育區」和「濕地緩衝區」而制定不同用途地帶的濕地保育要求。但根據最新的新田科技城分區圖，「濕地保育區」的大部分土地被劃為「其他指定用途（創新及科技）」地帶，其規劃意向改為「容納各式各樣的創新及科技用途」，當中經常准許的用途更達44種，包括人才公寓、商業、酒店、工業用途等，發展高度達130米。「濕地緩衝區」亦有土地被劃作「其他指定用途（混合用途）」地帶，容許高達200米的建築發展。最新規劃不但沒有列明濕地保育要求，更沒有採納任何濕地保育的規劃原則，恐令發展與毗連環境嚴重不協調。
- **【濕地喪失和生境破碎化】**新田科技城將導致至少90公頃的濕地面積減少，令大灣區的沿海濕地總量大減。新田科技城位於整個后海灣（又稱深圳灣）濕地系統的核心，發展將切斷后海灣東西兩側的生態連接，導致濕地生境破碎化，損害后海灣（又稱深圳灣）濕地系統的完整性。
- **【濕地系統質素退化】**新田科技城填塘後不只有創科商業用地，帶來超過12,000工作人口，更預計會有6,400單位作的住宅、酒店、康樂等用途。發展引入的人口和基建，將為毗連的「米埔內后海灣拉姆薩爾濕地」及「濕地保育區」帶來不可挽回的負面生態影響，例如人類活動干擾、光污染、噪音等等。
- **【危害全球面臨絕種危機及國家級保護物種】**受影響魚塘濕地所錄得的雀鳥物種數量達205種，其中有117種為具保育級別物種。新田科技城填塘發展將危及19種全球瀕危及近危物種，例如青頭潛鴨、黃胸鵝、黑臉琵鷺、紅頭潛鴨、白眼潛鴨和尖尾濱鵝；33種國家一級或二級重點保護野生動物，例如白肩鵝、烏鵲和禿鷲。填平新田濕地將令眾多面臨滅絕物種失去其重要棲息地。
- **【危害繁殖鷺鳥族群】**新田科技城將直接影響全后海灣第二大的米埔隴鷺鳥林和第三大的米埔鷺鳥林，是超過230對鷺鳥的繁殖重陣，佔全港池鷺和小白鷺繁殖族群的三分之一。第一，新田科技城將永久移除部分用作繁殖的樹木；第二，繁殖鷺鳥將因大面積填塘而失去賴以為生的覓食地；第三，高達105米的創科發展將直接切斷繁殖鷺鳥來往鷺鳥林和覓食地的飛行廊區。發展一旦令鷺鳥無法在此繁殖後代，將直接威脅近二百對繁殖鷺鳥，相等於近15%的繁殖族群族。
- **【環評錯漏百出不達標】**新田科技城圖則是基於「不合格」的環評報告，不能接受。新田環評報告有至少29項嚴重的技術評估和數據錯誤或遺漏，包括：違反環評「避免」原則；生態基線及評估資料不足；嚴重低估對保育類雀鳥、繁殖雀鳥、雀鳥飛行路線的影響；嚴重低估對歐亞水獺的影響；無充分資料證明生態補償有效；誤將生態優化措施當作緩解措施等。
- **【破壞傳統魚塘 直接影響傳統塘魚養殖】**新田科技城將直接影響超過30個已正式登記的養魚戶，發展忽視傳統塘魚養殖對經濟、社會和環境永續的貢獻。新田一帶的養魚戶過去半世紀一直養殖塘魚，甚至近十多年甚至積極參與生境管理及保育工作，在保留傳統塘魚養殖運作的同時，為水鳥提供覓食及棲息的空間，維持后海灣魚塘濕地的生態價值。
- **【違反國際公約】**新田科技城發展緊貼「米埔內后海灣拉姆薩爾濕地」，相距或不足30米。發展須填平150公頃「濕地保育區」作創科發展，發展不但會對拉姆薩爾濕地造成嚴重干擾，更會直接切斷她與東邊濕地的連接，損害國際重要濕地的濕地

完整性和生態特徵。這與《濕地公約》將「避免濕地受到不利影響」列為首要要求，和《生物多樣性公約》所提倡的濕地保護，背道而馳。

- **【未先避免濕地損失 違反國家政策】**新田科技城未有遵循「避免、減少與補償」的原則進行規劃，未有優先考慮能夠避免負面生態影響或將破壞減到最少的方案，反而直接採納會造成大型濕地損失的方案，與「生態文明建設、高質量發展」和「保護優先」的國策，和十四五規劃提到的「整治修復濱海濕地2萬公頃」，背道而馳。
- **【疑曲解國家政策 合理化填塘方案】**2023年8月國務院公佈的《河套深港科技創新合作區深圳園區發展規劃》，明確指出「河套深港科技創新合作區」香港園區具體面積為87公頃，面積與落馬洲河套區的「港深科技園」吻合。新田科技城的填塘方案並非出自國家的主意。反之，具指導意義的《粵港澳大灣區發展規劃綱要》，就明確提出「加強濕地保護修復，全面保護區域內國際和國家重要濕地，開展濱海濕地跨境聯合保護」。局方選擇性解讀國策，借國家之名，忽略填平濱海濕地與國家濕地保護策略相沖的事實。

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**Fwd: 提交就新田科技城分區計劃大綱草圖的書面申述**  
20/04/2024 01:59

Submission Number:  
TPB/R/S/STT/1-S042

From: "Agnes Man" [REDACTED]  
To: tbbpd@pland.gov.hk  
Sent by: tbbpd@pland.gov.hk  
File Ref:

Representation Number:  
TPB/R/S/STT/1-R131

Agnes

Begin forwarded message:

**From:** 綠色和平 [REDACTED]  
**Date:** 19 April 2024 at 22:58:09 HKT  
**To:** [REDACTED]  
**Subject:** 提交就新田科技城分區計劃大綱草圖的書面申述  
**Reply-To:** 綠色和平  
[REDACTED]

致城規會（電郵：tbbpd@pland.gov.hk）：

Man Yuen Hung Agnes



我要求城規會：

- 重新修訂新田科技城草圖，將「其他指定用途（創新及科技）」地帶重新劃為原本的地帶，即「自然保育區」、「其他指定用途（綜合發展及濕地改善區）」及「其他指定用途（綜合發展包括濕地修復區）」，或其他與濕地保育相關的用途地帶，以遵循「防患於未然」和「不會有濕地淨減少」的濕地規劃原則。
- 修改修訂項目A1及B項有關「其他指定用途」註明「濕地保育公園」地帶的規劃意向和第一欄經常准許的用途，包括將「保護濕地生態系統完整」、「防患於未然」和「不會有濕地淨減少」的原則列為規劃意向；將「農地住用構築物」轉至第二欄，以確保所有可能對濕地造成負面影響的發展和基礎設施，均受到城規會把關。

其他：\_\_\_\_\_

原因如下：

- **【不符合新田法定圖則的規劃原意】**根據原本的新田分區計劃大綱核准圖編號 S/YL-ST/8，150公頃「濕地保育區」和97公頃「濕地緩衝區」的土地，主要被劃作濕地保育相關的用途地帶，例如「自然保育區」、「其他指定用途（綜合發展包括濕地改善區）」及「其他指定用途（綜合發展包括濕地修復區）」。**該規劃意向主要是「保存和加強現有魚塘或濕地的生態價值和功能」，以達到「不會有濕地淨減少」的原則。新田科技城涉填平大量魚塘，與上述法定規劃意向不符。**
- **【不符合后海灣濕地規劃原則】**發展入侵150公頃「濕地保育區」和97公頃「濕地緩衝區」，不僅導致90公頃濕地損失，損害濕地連結性及完整性，發展更容許興建中至高密度樓宇，恐令毗鄰的國際重要濕地的生境質素下降，導致整體生態功能喪失。這違反城市規劃委員會規劃指引12C所列明的「防患於未然」原則及「濕地零淨損失」。
- **【最新圖則剔除原有濕地規劃原則】**以往所有位於后海灣內的法定圖則，均會因應「濕地保育區」和「濕地緩衝區」而制定不同用途地帶的濕地保育要求。但根據最新的新田科技城分區圖，「濕地保育區」的大部分土地被劃為「其他指定用途（創新及科技）」地帶，其規劃意向改為「容納各式各樣的創新及科技用途」，當中經常准許的用途更達44種，包括人才公寓、商業、酒店、工業用途等，發展高度達130米。「濕地緩衝區」亦有土地被劃作「其他指定用途（混合用途）」地帶，容許高達200米的建築發展。最新規劃不但沒有列明濕地保育要求，更沒有採納任何濕地保育的規劃原則，恐令發展與毗連環境嚴重不協調。
- **【濕地喪失和生境破碎化】**新田科技城將導致至少90公頃的濕地面積減少，令大灣區的沿海濕地總量大減。新田科技城位於整個后海灣（又稱深圳灣）濕地系統的核心，發展將切斷后海灣東西兩側的生態連接，導致濕地生境破碎化，損害后海灣（又稱深圳灣）濕地系統的完整性。
- **【濕地系統質素退化】**新田科技城填塘後不只有創科商業用地，帶來超過12,000工作人口，更預計會有6,400單位作的住宅、酒店、康樂等用途。發展引入的人口和基建，將為毗連的「米埔內后海灣拉姆薩爾濕地」及「濕地保育區」帶來不可挽回的負面生態影響，例如人類活動干擾、光污染、噪音等等。
- **【危害全球面臨絕種危機及國家級保護物種】**受影響魚塘濕地所錄得的雀鳥物種數量達205種，其中有117種為具保育級別物種。新田科技城填塘發展將危及19種全球瀕危及近危物種，例如青頭潛鴨、黃胸鵝、黑臉琵鷺、紅頭潛鴨、白眼潛鴨和尖尾濱鵝；33種國家一級或二級重點保護野生動物，例如白肩鵝、烏鵲和禿鷲。填平新田濕地將令眾多面臨滅絕物種失去其重要棲息地。
- **【危害繁殖鷺鳥族群】**新田科技城將直接影響全后海灣第二大的米埔隴鷺鳥林和第三大的米埔鷺鳥林，是超過230對鷺鳥的繁殖重陣，佔全港池鷺和小白鷺繁殖族群的三分之一。第一，新田科技城將永久移除部分用作繁殖的樹木；第二，繁殖鷺鳥將因大面積填塘而失去賴以為生的覓食地；第三，高達105米的創科發展將直接切斷繁殖鷺鳥來往鷺鳥林和覓食地的飛行廊區。發展一旦令鷺鳥無法在此繁殖後代，將直接威脅近二百對繁殖鷺鳥，相等於近15%的繁殖族群。
- **【環評錯漏百出不達標】**新田科技城圖則是基於「不合格」的環評報告，不能接受。新田環評報告有至少29項嚴重的技術評估和數據錯誤或遺漏，包括：違反環評「避免」原則；生態基線及評估資料不足；嚴重低估對保育類雀鳥、繁殖雀鳥、雀鳥飛行路線的影響；嚴重低估對歐亞水獺的影響；無充分資料證明生態補償有效；誤將生態優化措施當作緩解措施等。
- **【破壞傳統魚塘 直接影響傳統塘魚養殖】**新田科技城將直接影響超過30個已正式登記的養魚戶，發展忽視傳統塘魚養殖對經濟、社會和環境永續的貢獻。新田一帶的養魚戶過去半世紀一直養殖塘魚，甚至近十多年甚至積極參與生境管理及保育工作，在保留傳統塘魚養殖運作的同時，為水鳥提供覓食及棲息的空間，維持后海灣魚塘濕地的生態價值。

- **【違反國際公約】**新田科技城發展緊貼「米埔內后海灣拉姆薩爾濕地」，相距或不足30米。發展須填平150公頃「濕地保育區」作創科發展，發展不但會對拉姆薩爾濕地造成嚴重干擾，更會直接切斷她與東邊濕地的連接，損害國際重要濕地的濕地完整性和生態特徵。這與《濕地公約》將「避免濕地受到不利影響」列為首要要求，和《生物多樣性公約》所提倡的濕地保護，背道而馳。
- **【未先避免濕地損失 違反國家政策】**新田科技城未有遵循「避免、減少與補償」的原則進行規劃，未有優先考慮能夠避免負面生態影響或將破壞減到最少的方案，反而直接採納會造成大型濕地損失的方案，與「生態文明建設、高質量發展」和「保護優先」的國策，和十四五規劃提到的「整治修復濱海濕地2萬公頃」，背道而馳。
- **【疑曲解國家政策 合理化填塘方案】**2023年8月國務院公佈的《河套深港科技創新合作區深圳園區發展規劃》，明確指出「河套深港科技創新合作區」香港園區具體面積為87公頃，面積與落馬洲河套區的「港深科技園」吻合。新田科技城的填塘方案並非出自國家的主意。反之，具指導意義的《粵港澳大灣區發展規劃綱要》，就明確提出「加強濕地保護修復，全面保護區域內國際和國家重要濕地，開展濱海濕地跨境聯合保護」。局方選擇性解讀國策，借國家之名，忽略填平濱海濕地與國家濕地保護策略相沖的事實。



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轉寄：提交就新田科技城分區計劃大綱草圖的書面申述  
20/04/2024 01:36

Submission Number:  
TPB/R/S/STT/1-S044

From: "Sandy Wong" [REDACTED]  
To: <tpbpd@pland.gov.hk>  
Sent by: tpbpd@pland.gov.hk  
File Ref:

Representation Number:  
TPB/R/S/STT/1-R132

從 iPhone 版的 Yahoo Mail 傳送

以下是轉寄的郵件：

星期五, 4月 19, 2024, 10:33 下午 於 綠色和平 [REDACTED] 寫道：

致城規會（電郵：tpbpd@pland.gov.hk）：

申述人全名（與身份證明文件一致）：  
Wong Tak Yin \_\_\_\_\_

申述人的身份證／護照號碼首四個字母數字（如 A123）：  
[REDACTED] \_\_\_\_\_

我要求城規會：

- 重新修訂新田科技城草圖，將「其他指定用途（創新及科技）」地帶重新劃為原本的地帶，即「自然保育區」、「其他指定用途（綜合發展及濕地改善區）」及「其他指定用途（綜合發展包括濕地修復區）」，或其他與濕地保育相關的用途地帶，以遵循「防患於未然」和「不會有濕地淨減少」的濕地規劃原則。
- 修改修訂項目A1及B項有關「其他指定用途」註明「濕地保育公園」地帶的規劃意向和第一欄經常准許的用途，包括將「保護濕地生態系統完整」、「防患於未然」和「不會有濕地淨減少」的原則列為規劃意向；將「農地住用構築物」轉至第二欄，以確保所有可能對濕地造成負面影響的發展和基礎設施，均受到城規會把關。

其他：\_\_\_\_\_

原因如下：

- 【不符合新田法定圖則的規劃原意】根據原本的新田分區計劃大綱核准圖編號 S/YL-ST/8，150公頃「濕地保育區」和97公頃「濕地緩衝區」的土地，主要被劃作濕地保育相關的用途地帶，例如「自然保育區」、「其他指定用途（綜合發展包括濕地改善區）」及「其他指定用途（綜合發展包括濕地修復區）」。該規劃意向主要是「保存和加強現有魚塘或濕地的生態價值和功能」，以達到「不會有濕

地淨減少」的原則。新田科技城涉填平大量魚塘，與上述法定規劃意向不符。

- **【不符合后海灣濕地規劃原則】**發展入侵150公頃「濕地保育區」和97公頃「濕地緩衝區」，不僅導致90公頃濕地損失，損害濕地連結性及完整性，發展更容許興建中至高密度樓宇，恐令毗鄰的國際重要濕地的生境質素下降，導致整體生態功能喪失。這違反城市規劃委員會規劃指引12C所列明的『防患於未然』原則及『濕地零淨損失』。
- **【最新圖則剔除原有濕地規劃原則】**以往所有位於后海灣內的法定圖則，均會因應「濕地保育區」和「濕地緩衝區」而制定不同用途地帶的濕地保育要求。但根據最新的新田科技城分區圖，「濕地保育區」的大部分土地被劃為「其他指定用途（創新及科技）」地帶，其規劃意向改為「容納各式各樣的創新及科技用途」，當中經常准許的用途更達44種，包括人才公寓、商業、酒店、工業用途等，發展高度達130米。「濕地緩衝區」亦有土地被劃作「其他指定用途（混合用途）」地帶，容許高達200米的建築發展。最新規劃不但沒有列明濕地保育要求，更沒有採納任何濕地保育的規劃原則，恐令發展與毗連環境嚴重不協調。
- **【濕地喪失和生境破碎化】**新田科技城將導致至少90公頃的濕地面積減少，令大灣區的沿海濕地總量大減。新田科技城位於整個后海灣（又稱深圳灣）濕地系統的核心，發展將切斷后海灣東西兩側的生態連接，導致濕地生境破碎化，損害后海灣（又稱深圳灣）濕地系統的完整性。
- **【濕地系統質素退化】**新田科技城填塘後不只有創科商業用地，帶來超過12,000工作人口，更預計會有6,400單位作的住宅、酒店、康樂等用途。發展引入的人口和基建，將為毗連的「米埔內后海灣拉姆薩爾濕地」及「濕地保育區」帶來不可挽回的負面生態影響，例如人類活動干擾、光污染、噪音等等。
- **【危害全球面臨絕種危機及國家級保護物種】**受影響魚塘濕地所錄得的雀鳥物種數量達205種，其中有117種為具保育級別物種。新田科技城填塘發展將危及19種全球瀕危及近危物種，例如青頭潛鴨、黃胸鵝、黑臉琵鷺、紅頭潛鴨、白眼潛鴨和尖尾濱鵝；33種國家一級或二級重點保護野生動物，例如白肩鵝、烏鵲和禿鷲。填平新田濕地將令眾多面臨滅絕物種失去其重要棲息地。
- **【危害繁殖鷺鳥族群】**新田科技城將直接影響全后海灣第二大的米埔隴鷺鳥林和第三大的米埔鷺鳥林，是超過230對鷺鳥的繁殖重陣，佔全港池鷺和小白鷺繁殖族群的三分之一。第一，新田科技城將永久移除部分用作繁殖的樹木；第二，繁殖鷺鳥將因大面積填塘而失去賴以為生的覓食地；第三，高達105米的創科發展將直接切斷繁殖鷺鳥來往鷺鳥林和覓食地的飛行廊區。發展一旦令鷺鳥無法在此繁殖後代，將直接威脅近二百對繁殖鷺鳥，相等於近15%的繁殖族群。
- **【環評錯漏百出不達標】**新田科技城圖則是基於「不合格」的環評報告，不能接受。新田環評報告有至少29項嚴重的技術評估和數據錯誤或遺漏，包括：違反環評「避免」原則；生態基線及評估資料不足；嚴重低估對保育類雀鳥、繁殖雀鳥、雀鳥飛行路線的影響；嚴重低估對歐亞水獺的影響；無充分資料證明生態補償有效；誤將生態優化措施當作緩解措施等。
- **【破壞傳統魚塘 直接影響傳統塘魚養殖】**新田科技城將直接影響超過30個已正式登記的養魚戶，發展忽視傳統塘魚養殖對經濟、社會和環境永續的貢獻。新田一帶的養魚戶過去半世紀一直養殖塘魚，甚至近十多年甚至積極參與生境管理及保育工作，在保留傳統塘魚養殖運作的同時，為水鳥提供覓食及棲息的空間，維持后海灣魚塘濕地的生態價值。
- **【違反國際公約】**新田科技城發展緊貼「米埔內后海灣拉姆薩爾濕地」，相距或不足30米。發展須填平150公頃「濕地保育區」作創科發展，發展不但會對拉姆薩爾濕地造成嚴重干擾，更會直接切斷她與東邊濕地的連接，損害國際重要濕地的濕地完整性和生態特徵。這與《濕地公約》將「避免濕地受到不利影響」列為首要要求，和《生物多樣性公約》所提倡的濕地保護，背道而馳。
- **【未先避免濕地損失 違反國家政策】**新田科技城未有遵循「避免、減少與補償」的原則進行規劃，未有優先考慮能夠避免負面生態影響或將破壞減到最少的方案，

反而直接採納會造成大型濕地損失的方案，與「生態文明建設、高質量發展」和「保護優先」的國策，和十四五規劃提到的「整治修復濱海濕地2萬公頃」，背道而馳。

- **【疑曲解國家政策 合理化填塘方案】**2023年8月國務院公佈的《河套深港科技創新合作區深圳園區發展規劃》，明確指出「河套深港科技創新合作區」香港園區具體面積為87公頃，面積與落馬洲河套區的「港深科技園」吻合。新田科技城的填塘方案並非出自國家的主意。反之，具指導意義的《粵港澳大灣區發展規劃綱要》，就明確提出「加強濕地保護修復，全面保護區域內國際和國家重要濕地，開展濱海濕地跨境聯合保護」。局方選擇性解讀國策，借國家之名，忽略填平濱海濕地與國家濕地保護策略相沖的事實。

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**Fwd: 提交就新田科技城分區計劃大綱草圖的書面申述**  
20/04/2024 00:51

Submission Number:  
TPB/R/S/STT/1-S045

From: "Fiona Chan" [REDACTED]  
To: tpbpd@pland.gov.hk  
Sent by: tpbpd@pland.gov.hk  
File Ref:

Representation Number:  
TPB/R/S/STT/1-R133

致城規會（電郵：[tpbpd@pland.gov.hk](mailto:tpbpd@pland.gov.hk)）：

申述人陳芳

申述人的身份證／護照號碼首四個字母數字 [REDACTED]

香港的生態保育過往都有受到本地教育界的重視。濕地生態更加如是。我支持本地珍貴的濕地生態保育，認為發展和環評工作要做足。行政需要具備長遠發展的視野和對生物多樣性、傳統人文歷史的持續重視和持續保育。我們需要可持續的發展和整全考慮。就算急於經濟求成都不能漠視本地生態文化和環評規則的存在。而且經濟發展可以具有多樣性和包容性，有如生態環境一樣，具有良好的平衡、系統秩序和維護才能有效應變和制變。過往良好的本港生態保育傳統也是旅遊品牌特色和為人津津樂道的國際口碑之一。

我認為城規會應：

- 重新修訂新田科技城草圖，將「其他指定用途（創新及科技）」地帶重新劃為原本的地帶，即「自然保育區」、「其他指定用途（綜合發展及濕地改善區）」及「其他指定用途（綜合發展包括濕地修復區）」，或其他與濕地保育相關的用途地帶，以遵循「防患於未然」和「不會有濕地淨減少」的濕地規劃原則。
- 修改修訂項目A1及B項有關「其他指定用途」註明「濕地保育公園」地帶的規劃意向和第一欄經常准許的用途，包括將「保護濕地生態系統完整」、「防患於未然」和「不會有濕地淨減少」的原則列為規劃意向；將「農地住用構築物」轉至第二欄，以確保所有可能對濕地造成負面影響的發展和基礎設施，均受到城規會把關。

其他：\_\_\_\_\_

原因如下：

- 【不符合新田法定圖則的規劃原意】根據原本的新田分區計劃大綱核准圖編號S/YL-ST/8，150公頃「濕地保育區」和97公頃「濕地緩衝區」的土地，主要被劃作濕地保育相關的用途地帶，例如「自然保育區」、「其他指定用途（綜合發展包括濕地改善區）」及「其他指定用途（綜合發展包括濕地修復區）」。該規劃意向主要是「保存和加強現有魚塘或濕地的生態價值和功能」，以達到「不會有濕地淨減少」的原則。新田科技城涉填平大量魚塘，與上述法定規劃意向不符。

- **【不符合后海灣濕地規劃原則】**發展入侵150公頃「濕地保育區」和97公頃「濕地緩衝區」，不僅導致90公頃濕地損失，損害濕地連結性及完整性，發展更容許興建中至高密度樓宇，恐令毗鄰的國際重要濕地的生境質素下降，導致整體生態功能喪失。這違反城市規劃委員會規劃指引12C所列明的『防患於未然』原則及『濕地零淨損失』。
- **【最新圖則剔除原有濕地規劃原則】**以往所有位於后海灣內的法定圖則，均會因應「濕地保育區」和「濕地緩衝區」而制定不同用途地帶的濕地保育要求。但根據最新的新田科技城分區圖，「濕地保育區」的大部分土地被劃為「其他指定用途（創新及科技）」地帶，其規劃意向改為「容納各式各樣的創新及科技用途」，當中經常准許的用途更達44種，包括人才公寓、商業、酒店、工業用途等，發展高度達130米。「濕地緩衝區」亦有土地被劃作「其他指定用途（混合用途）」地帶，容許高達200米的建築發展。最新規劃不但沒有列明濕地保育要求，更沒有採納任何濕地保育的規劃原則，恐令發展與毗連環境嚴重不協調。
- **【濕地喪失和生境破碎化】**新田科技城將導致至少90公頃的濕地面積減少，令大灣區的沿海濕地總量大減。新田科技城位於整個后海灣（又稱深圳灣）濕地系統的核心，發展將切斷后海灣東西兩側的生態連接，導致濕地生境破碎化，損害后海灣（又稱深圳灣）濕地系統的完整性。
- **【濕地系統質素退化】**新田科技城填塘後不只有創科商業用地，帶來超過12,000工作人口，更預計會有6,400單位作的住宅、酒店、康樂等用途。發展引入的人口和基建，將為毗連的「米埔內后海灣拉姆薩爾濕地」及「濕地保育區」帶來不可挽回的負面生態影響，例如人類活動干擾、光污染、噪音等等。
- **【危害全球面臨絕種危機及國家級保護物種】**受影響魚塘濕地所錄得的雀鳥物種數量達205種，其中有117種為具保育級別物種。新田科技城填塘發展將危及19種全球瀕危及近危物種，例如青頭潛鴨、黃胸鵝、黑臉琵鷺、紅頭潛鴨、白眼潛鴨和尖尾濱鵝；33種國家一級或二級重點保護野生動物，例如白肩鵝、烏鵲和禿鷲。填平新田濕地將令眾多面臨滅絕物種失去其重要棲息地。
- **【危害繁殖鷺鳥族群】**新田科技城將直接影響全后海灣第二大的米埔隴鷺鳥林和第三大的米埔鷺鳥林，是超過230對鷺鳥的繁殖重陣，佔全港池鷺和小白鷺繁殖族群的三分之一。第一，新田科技城將永久移除部分用作繁殖的樹木；第二，繁殖鷺鳥將因大面積填塘而失去賴以為生的覓食地；第三，高達105米的創科發展將直接切斷繁殖鷺鳥來往鷺鳥林和覓食地的飛行廊區。發展一旦令鷺鳥無法在此繁殖後代，將直接威脅近二百對繁殖鷺鳥，相等於近15%的繁殖族群族。
- **【環評錯漏百出不達標】**新田科技城圖則是基於「不合格」的環評報告，不能接受。新田環評報告有至少29項嚴重的技術評估和數據錯誤或遺漏，包括：違反環評「避免」原則；生態基線及評估資料不足；嚴重低估對保育類雀鳥、繁殖雀鳥、雀鳥飛行路線的影響；嚴重低估對歐亞水獺的影響；無充分資料證明生態補償有效；誤將生態優化措施當作緩解措施等。
- **【破壞傳統魚塘 直接影響傳統塘魚養殖】**新田科技城將直接影響超過30個已正式登記的養魚戶，發展忽視傳統塘魚養殖對經濟、社會和環境永續的貢獻。新田一帶的養魚戶過去半世紀一直養殖塘魚，甚至近十多年甚至積極參與生境管理及保育工作，在保留傳統塘魚養殖運作的同時，為水鳥提供覓食及棲息的空間，維持后海灣魚塘濕地的生態價值。
- **【違反國際公約】**新田科技城發展緊貼「米埔內后海灣拉姆薩爾濕地」，相距或不足30米。發展須填平150公頃「濕地保育區」作創科發展，發展不但會對拉姆薩爾濕地造成嚴重干擾，更會直接切斷她與東邊濕地的連接，損害國際重要濕地的濕地完整性和生態特徵。這與《濕地公約》將「避免濕地受到不利影響」列為首要要求，和《生物多樣性公約》所提倡的濕地保護，背道而馳。
- **【未先避免濕地損失 違反國家政策】**新田科技城未有遵循「避免、減少與補償」的原則進行規劃，未有優先考慮能夠避免負面生態影響或將破壞減到最少的方案，反而直接採納會造成大型濕地損失的方案，與「生態文明建設、高質量發展」和

「保護優先」的國策，和十四五規劃提到的「整治修復濱海濕地2萬公頃」，背道而馳。

- **【疑曲解國家政策 合理化填塘方案】**2023年8月國務院公佈的《河套深港科技創新合作區深圳園區發展規劃》，明確指出「河套深港科技創新合作區」香港園區具體面積為87公頃，面積與落馬洲河套區的「港深科技園」吻合。新田科技城的填塘方案並非出自國家的主意。反之，具指導意義的《粵港澳大灣區發展規劃綱要》，就明確提出「加強濕地保護修復，全面保護區域內國際和國家重要濕地，開展濱海濕地跨境聯合保護」。局方選擇性解讀國策，借國家之名，忽略填平濱海濕地與國家濕地保護策略相沖的事實。

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Re: 提交就新田科技城分區計劃大綱草圖的書面申述  
19/04/2024 23:08

Submission Number:  
TPB/R/S/STT/1-S046

From: "Brenda Lee" [REDACTED]  
To: tpbpd@pland.gov.hk  
Sent by: tpbpd@pland.gov.hk  
File Ref:

Representation Number:  
TPB/R/S/STT/1-R134

致城規會 (tpbpd@pland.gov.hk) :  
申述者: 李雅玲 [REDACTED]

我要求城規會：

重新修訂新田科技城草圖，將「其他指定用途（創新及科技）」地帶重新劃為原本的地帶，即「自然保育區」、「其他指定用途（綜合發展及濕地改善區）」及「其他指定用途（綜合發展包括濕地修復區）」，或其他與濕地保育相關的用途地帶，以遵循「防患於未然」和「不會有濕地淨減少」的濕地規劃原則。

修改修訂項目A1及B項有關「其他指定用途」註明「濕地保育公園」地帶的規劃意向和第一欄經常准許的用途，包括將「保護濕地生態系統完整」、「防患於未然」和「不會有濕地淨減少」的原則列為規劃意向；將「農地住用構築物」轉至第二欄，以確保所有可能對濕地造成負面影響的發展和基礎設施，均受到城規會把關。

原因如下：

- **【不符合新田法定圖則的規劃原意】**根據原本的新田分區計劃大綱核准圖編號 S/YL-ST/8，150公頃「濕地保育區」和97公頃「濕地緩衝區」的土地，主要被劃作濕地保育相關的用途地帶，例如「自然保育區」、「其他指定用途（綜合發展包括濕地改善區）」及「其他指定用途（綜合發展包括濕地修復區）」。該規劃意向主要是「保存和加強現有魚塘或濕地的生態價值和功能」，以達到「不會有濕地淨減少」的原則。新田科技城涉填平大量魚塘，與上述法定規劃意向不符。
- **【不符合后海灣濕地規劃原則】**發展入侵150公頃「濕地保育區」和97公頃「濕地緩衝區」，不僅導致90公頃濕地損失，損害濕地連結性及完整性，發展更容許興建中至高密度樓宇，恐令毗鄰的國際重要濕地的生境質素下降，導致整體生態功能喪失。這違反城市規劃委員會規劃指引12C所列明的「防患於未然」原則及「濕地零淨損失」。
- **【最新圖則剔除原有濕地規劃原則】**以往所有位於后海灣內的法定圖則，均會因應「濕地保育區」和「濕地緩衝區」而制定不同用途地帶的濕地保育要求。但根據最新的新田科技城分區圖，「濕地保育區」的大部分土地被劃為「其他指定用途（創新及科技）」地帶，其規劃意向改為「容納各式各樣的創新及科技用途」，當中經常准許的用途更達44種，包括人才公寓、商業、酒店、工業用途等，發展高度達130米。「濕地緩衝區」亦有土地被劃作「其他指定用途（混合用途）」地帶，容許高達200米的建築發展。最新規劃不但沒有列明濕地保育要求，更沒有採納任何濕地保育的規劃原則，恐令發展與毗連環境嚴重不協調。
- **【濕地喪失和生境破碎化】**新田科技城將導致至少90公頃的濕地面積減少，令大灣區的沿海濕地總量大減。新田科技城位於整個后海灣（又稱深圳灣）濕地系統的核心，發展將切斷后海灣東西兩側的生態連接，導致濕地生境破碎化，損害后海灣（又稱深圳灣）濕地系統的完整性。

- **【濕地系統質素退化】**新田科技城填塘後不只有創科商業用地，帶來超過12,000工作人口，更預計會有6,400單位住宅、酒店、康樂等用途。發展引入的人口和基建，將為毗連的「米埔內后海灣拉姆薩爾濕地」及「濕地保育區」帶來不可挽回的負面生態影響，例如人類活動干擾、光污染、噪音等等。
- **【危害全球面臨絕種危機及國家級保護物種】**受影響魚塘濕地所錄得的雀鳥物種數量達205種，其中有117種為具保育級別物種。新田科技城填塘發展將危及19種全球瀕危及近危物種，例如青頭潛鴨、黃胸鵝、黑臉琵鷺、紅頭潛鴨、白眼潛鴨和尖尾濱鵝；33種國家一級或二級重點保護野生動物，例如白肩鵝、烏鶇和禿鷲。填平新田濕地將令眾多面臨滅絕物種失去其重要棲息地。
- **【危害繁殖鷺鳥族群】**新田科技城將直接影響全后海灣第二大的米埔隴鷺鳥林和第三大的米埔鷺鳥林，是超過230對鷺鳥的繁殖重陣，佔全港池鷺和小白鷺繁殖族群的三分之一。第一，新田科技城將永久移除部分用作繁殖的樹木；第二，繁殖鷺鳥將因大面積填塘而失去賴以為生的覓食地；第三，高達105米的創科發展將直接切斷繁殖鷺鳥來往鷺鳥林和覓食地的飛行廊區。發展一旦令鷺鳥無法在此繁殖後代，將直接威脅近二百對繁殖鷺鳥，相等於近15%的繁殖族群。
- **【環評錯漏百出不達標】**新田科技城圖則是基於「不合格」的環評報告，不能接受。新田環評報告有至少29項嚴重的技術評估和數據錯誤或遺漏，包括：違反環評「避免」原則；生態基線及評估資料不足；嚴重低估對保育類雀鳥、繁殖雀鳥、雀鳥飛行路線的影響；嚴重低估對歐亞水獺的影響；無充分資料證明生態補償有效；誤將生態優化措施當作緩解措施等。
- **【破壞傳統魚塘 直接影響傳統塘魚養殖】**新田科技城將直接影響超過30個已正式登記的養魚戶，發展忽視傳統塘魚養殖對經濟、社會和環境永續的貢獻。新田一帶的養魚戶過去半世紀一直養殖塘魚，甚至近十多年甚至積極參與生境管理及保育工作，在保留傳統塘魚養殖運作的同時，為水鳥提供覓食及棲息的空間，維持后海灣魚塘濕地的生態價值。
- **【違反國際公約】**新田科技城發展緊貼「米埔內后海灣拉姆薩爾濕地」，相距或不足30米。發展須填平150公頃「濕地保育區」作創科發展，發展不但會對拉姆薩爾濕地造成嚴重干擾，更會直接切斷她與東邊濕地的連接，損害國際重要濕地的濕地完整性和生態特徵。這與《濕地公約》將「避免濕地受到不利影響」列為首要要求，和《生物多樣性公約》所提倡的濕地保護，背道而馳。
- **【未先避免濕地損失 違反國家政策】**新田科技城未有遵循「避免、減少與補償」的原則進行規劃，未有優先考慮能夠避免負面生態影響或將破壞減到最少的方案，反而直接採納會造成大型濕地損失的方案，與「生態文明建設、高質量發展」和「保護優先」的國策，和十四五規劃提到的「整治修復濱海濕地2萬公頃」，背道而馳。
- **【疑曲解國家政策 合理化填塘方案】**2023年8月國務院公佈的《河套深港科技創新合作區深圳園區發展規劃》，明確指出「河套深港科技創新合作區」香港園區具體面積為87公頃，面積與落馬洲河套區的「港深科技園」吻合。新田科技城的填塘方案並非出自國家的主意。反之，具指導意義的《粵港澳大灣區發展規劃綱要》，就明確提出「加強濕地保護修復，全面保護區域內國際和國家重要濕地，開展濱海濕地跨境聯合保護」。局方選擇性解讀國策，借國家之名，忽略填平濱海濕地與國家濕地保護策略相沖的事實。



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提交就新田科技城分區計劃大綱草圖的書面申述  
19/04/2024 22:00

Submission Number:

TPB/R/S/STT/1-S047

From:  
To:  
Sent by:  
File Ref:

"Sandra Lee"  
tpbpd@pland.gov.hk  
tpbpd@pland.gov.hk

Representation Number:

TPB/R/S/STT/1-R135

致城規會秘書處

申述人全名：  
LEE KIT YEE SANDRA

申述人的身份證／護照號碼首四個字母數字：

\_\_\_\_\_

我要求城規會：

- 重新修訂新田科技城草圖，將「其他指定用途（創新及科技）」地帶重新劃為原本的地帶，即「自然保育區」、「其他指定用途（綜合發展及濕地改善區）」及「其他指定用途（綜合發展包括濕地修復區）」，或其他與濕地保育相關的用途地帶，以遵循「防患於未然」和「不會有濕地淨減少」的濕地規劃原則。
- 修改修訂項目A1及B項有關「其他指定用途」註明「濕地保育公園」地帶的規劃意向和第一欄經常准許的用途，包括將「保護濕地生態系統完整」、「防患於未然」和「不會有濕地淨減少」的原則列為規劃意向；將「農地住用構築物」轉至第二欄，以確保所有可能對濕地造成負面影響的發展和基礎設施，均受到城規會把關。

其他：\_\_\_\_\_

原因如下：

- 【不符合新田法定圖則的規劃原意】根據原本的新田分區計劃大綱核准圖編號S/YL-ST/8，150公頃「濕地保育區」和97公頃「濕地緩衝區」的土地，主要被劃作濕地保育相關的用途地

帶，例如「自然保育區」、「其他指定用途（綜合發展包括濕地改善區）」及「其他指定用途（綜合發展包括濕地修復區）」。

該規劃意向主要是「保存和加強現有魚塘或濕地的生態價值和功能」，以達到「不會有濕地淨減少」的原則。新田科技城涉填平大量魚塘，與上述法定規劃意向不符。

- **【不符合后海灣濕地規劃原則】**發展入侵150公頃「濕地保育區」和97公頃「濕地緩衝區」，不僅導致90公頃濕地損失，損害濕地連結性及完整性，發展更容許興建中至高密度樓宇，恐令毗鄰的國際重要濕地的生境質素下降，導致整體生態功能喪失。這違反城市規劃委員會規劃指引12C所列明的『防患於未然』原則及『濕地零淨損失』。
- **【最新圖則剔除原有濕地規劃原則】**以往所有位於后海灣內的法定圖則，均會因應「濕地保育區」和「濕地緩衝區」而制定不同用途地帶的濕地保育要求。但根據最新的新田科技城分區圖，「濕地保育區」的大部分土地被劃為「其他指定用途（創新及科技）」地帶，其規劃意向改為「容納各式各樣的創新及科技用途」，當中經常准許的用途更達44種，包括人才公寓、商業、酒店、工業用途等，發展高度達130米。「濕地緩衝區」亦有土地被劃作「其他指定用途（混合用途）」地帶，容許高達200米的建築發展。最新規劃不但沒有列明濕地保育要求，更沒有採納任何濕地保育的規劃原則，恐令發展與毗連環境嚴重不協調。
- **【濕地喪失和生境破碎化】**新田科技城將導致至少90公頃的濕地面積減少，令大灣區的沿海濕地總量大減。新田科技城位於整個后海灣（又稱深圳灣）濕地系統的核心，發展將切斷后海灣東西兩側的生態連接，導致濕地生境破碎化，損害后海灣（又稱深圳灣）濕地系統的完整性。
- **【濕地系統質素退化】**新田科技城填塘後不只有創科商業用地，帶來超過12,000工作人口，更預計會有6,400單位作的住宅、酒店、康樂等用途。發展引入的人口和基建，將為毗連的「米埔內后海灣拉姆薩爾濕地」及「濕地保育區」帶來不可挽回的負面生態影響，例如人類活動干擾、光污染、噪音等等。
- **【危害全球面臨絕種危機及國家級保護物種】**受影響魚塘濕地所錄得的雀鳥物種數量達205種，其中有117種為具保育級別物種。新田科技城填塘發展將危及19種全球瀕危及近危物種，例如青頭潛鴨、黃胸鵝、黑臉琵鷺、紅頭潛鴨、白眼潛鴨和尖尾濱鵝；33種國家一級或二級重點保護野生動物，例如白肩鵝、烏鶇和禿鶇。填平新田濕地將令眾多面臨滅絕物種失去其重要棲息地。

- **【危害繁殖鷺鳥族群】**新田科技城將直接影響全后海灣第二大的米埔隴鷺鳥林和第三大的米埔鷺鳥林，是超過230對鷺鳥的繁殖重陣，佔全港池鷺和小白鷺繁殖族群的三分之一。第一，新田科技城將永久移除部分用作繁殖的樹木；第二，繁殖鷺鳥將因大面積填塘而失去賴以為生的覓食地；第三，高達105米的創科發展將直接切斷繁殖鷺鳥來往鷺鳥林和覓食地的飛行廊區。發展一旦令鷺鳥無法在此繁殖後代，將直接威脅近二百對繁殖鷺鳥，相等於近15%的繁殖族群族。
- **【環評錯漏百出不達標】**新田科技城圖則是基於「不合格」的環評報告，不能接受。新田環評報告有至少29項嚴重的技術評估和數據錯誤或遺漏，包括：違反環評「避免」原則；生態基線及評估資料不足；嚴重低估對保育類雀鳥、繁殖雀鳥、雀鳥飛行路線的影響；嚴重低估對歐亞水獺的影響；無充分資料證明生態補償有效；誤將生態優化措施當作緩解措施等。
- **【破壞傳統魚塘 直接影響傳統塘魚養殖】**新田科技城將直接影響超過30個已正式登記的養魚戶，發展忽視傳統塘魚養殖對經濟、社會和環境永續的貢獻。新田一帶的養魚戶過去半世紀一直養殖塘魚，甚至近十多年甚至積極參與生境管理及保育工作，在保留傳統塘魚養殖運作的同時，為水鳥提供覓食及棲息的空間，維持后海灣灣魚塘濕地的生態價值。
- **【違反國際公約】**新田科技城發展緊貼「米埔內后海灣拉姆薩爾濕地」，相距或不足30米。發展須填平150公頃「濕地保育區」作創科發展，發展不但會對拉姆薩爾濕地造成嚴重干擾，更會直接切斷她與東邊濕地的連接，損害國際重要濕地的濕地完整性和生態特徵。這與《濕地公約》將「避免濕地受到不利影響」列為首要要求，和《生物多樣性公約》所提倡的濕地保護，背道而馳。
- **【未先避免濕地損失 違反國家政策】**新田科技城未有遵循「避免、減少與補償」的原則進行規劃，未有優先考慮能夠避免負面生態影響或將破壞減到最少的方案，反而直接採納會造成大型濕地損失的方案，與「生態文明建設、高質量發展」和「保護優先」的國策，和十四五規劃提到的「整治修復濱海濕地2萬公頃」，背道而馳。
- **【疑曲解國家政策 合理化填塘方案】**2023年8月國務院公佈的《河套深港科技創新合作區深圳園區發展規劃》，明確指出「河套深港科技創新合作區」香港園區具體面積為87公頃，面積與落馬洲河套區的「港深科技園」吻合。新田科技城的填塘方案並非出自國家的主意。反之，具指導意義的《粵港澳大灣區發展規劃綱要》，就明確提出「加強濕地保護修復，全面保護區域內國際和

國家重要濕地，開展濱海濕地跨境聯合保護」。局方選擇性解讀國策，借國家之名，忽略填平濱海濕地與國家濕地保護策略相沖的事實。

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提交就新田科技城分區計劃大綱草圖的書面申述  
22/04/2024 15:41

Submission Number:  
TPB/R/S/STT/1-S048

From: [REDACTED]  
To: "tpbpd" <tpbpd@pland.gov.hk>  
Sent by: tpbpd@pland.gov.hk  
File Ref:

Representation Number:  
TPB/R/S/STT/1-R136

致城規會（電郵：tpbpd@pland.gov.hk）：

申述人全名（與身份證明文件一致）：  
Wong Lai Man Isabel

申述人的身份證／護照號碼首四個字母數字（如 A123）：  
[REDACTED]

我要求城規會：

- 重新修訂新田科技城草圖，將「其他指定用途（創新及科技）」地帶重新劃為原本的地帶，即「自然保育區」、「其他指定用途（綜合發展及濕地改善區）」及「其他指定用途（綜合發展包括濕地修復區）」，或其他與濕地保育相關的用途地帶，以遵循「防患於未然」和「不會有濕地淨減少」的濕地規劃原則。
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其他：\_\_\_\_\_

原因如下：

- **【不符合新田法定圖則的規劃原意】**根據原本的新田分區計劃大綱核准圖編號 S/YL-ST/8，150公頃「濕地保育區」和97公頃「濕地緩衝區」的土地，主要被劃作濕地保育相關的用途地帶，例如「自然保育區」、「其他指定用途（綜合發展包括濕地改善區）」及「其他指定用途（綜合發展包括濕地修復區）」。該規劃意向主要是「保存和加強現有魚塘或濕地的生態價值和功能」，以達到「不會有濕地淨減少」的原則。新田科技城涉填平大量魚塘，與上述法定規劃意向不符。

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- **【違反國際公約】**新田科技城發展緊貼「米埔內后海灣拉姆薩爾濕地」，相距或不足30米。發展須填平150公頃「濕地保育區」作創科發展，發展不但會對拉姆薩爾濕地造成嚴重干擾，更會直接切斷她與東邊濕地的連接，損害國際重要濕地的濕地完整性和生態特徵。這與《濕地公約》將「避免濕地受到不利影響」列為首要要求，和《生物多樣性公約》所提倡的濕地保護，背道而馳。
- **【未先避免濕地損失 違反國家政策】**新田科技城未有遵循「避免、減少與補償」的原則進行規劃，未有優先考慮能夠避免負面生態影響或將破壞減到最少的方案，反而直接採納會造成大型濕地損失的方案，與「生態文明建設、高質量發展」和「保護優先」的國策，和十四五規劃提到的「整治修復濱海濕地2萬公頃」，背道而馳。
- **【疑曲解國家政策 合理化填塘方案】**2023年8月國務院公佈的《河套深港科技創新合作區深圳園區發展規劃》，明確指出「河套深港科技創新合作區」香港園區具體面積為87公頃，面積與落馬洲河套區的「港深科技園」吻合。新田科技城的填塘方案並非出自國家的主意。反之，具指導意義的《粵港澳大灣區發展規劃綱要》，就明確提出「加強濕地保護修復，全面保護區域內國際和國家重要濕地，開展濱海濕地跨境聯合保護」。局方選擇性解讀國策，借國家之名，忽略填平濱海濕地與國家濕地保護策略相沖的事實。

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關於新田科技城規劃發表個人意見  
20/04/2024 15:40

Submission Number:  
TPB/R/S/STT/1-S049

From: "EL Cuber" [REDACTED]  
To: tpbpd@pland.gov.hk  
Sent by: tpbpd@pland.gov.hk  
File Ref:

Representation Number:  
TPB/R/S/STT/1-R137

致城規會：

申述人全名：孫一帆

申述人的身份證／護照號碼首四個字母數字（如 A123）：[REDACTED]

新田科技城計劃填埋太多濕地，不僅破壞珍稀動物的生態環境，還會影響氣候和排洪。應重新規劃填塘範圍。

我要求城規會：

- 重新修訂新田科技城草圖，將「其他指定用途（創新及科技）」地帶重新劃為原本的地帶，即「自然保育區」、「其他指定用途（綜合發展及濕地改善區）」及「其他指定用途（綜合發展包括濕地修復區）」，或其他與濕地保育相關的用途地帶，以遵循「防患於未然」和「不會有濕地淨減少」的濕地規劃原則。
- 修改修訂項目A1及B項有關「其他指定用途」註明「濕地保育公園」地帶的規劃意向和第一欄經常准許的用途，包括將「保護濕地生態系統完整」、「防患於未然」和「不會有濕地淨減少」的原則列為規劃意向；將「農地住用構築物」轉至第二欄，以確保所有可能對濕地造成負面影響的發展和基礎設施，均受到城規會把關。

原因如下：

- **【不符合新田法定圖則的規劃原意】**根據原本的新田分區計劃大綱核准圖編號S/YL-ST/8，150公頃「濕地保育區」和97公頃「濕地緩衝區」的土地，主要被劃作濕地保育相關的用途地帶，例如「自然保育區」、「其他指定用途（綜合發展包括濕地改善區）」及「其他指定用途（綜合發展包括濕地修復區）」。該規劃意向主要是「保存和加強現有魚塘或濕地的生態價值和功能」，以達到「不會有濕地淨減少」的原則。新田科技城涉填平大量魚塘，與上述法定規劃意向不符。
- **【不符合后海灣濕地規劃原則】**發展入侵150公頃「濕地保育區」和97公頃「濕地緩衝區」，不僅導致90公頃濕地損失，損害濕地連結性及完整性，發展更容許興建中至高密度樓宇，恐令毗鄰的國際重要濕地的生境質素下降，導致整體生態功能喪失。這違反城市規劃委員會規劃指引12C所列明的『防患於未然』原則及『濕地零淨損失』。
- **【最新圖則剔除原有濕地規劃原則】**以往所有位於后海灣內的法定圖則，均會因應「濕地保育區」和「濕地緩衝區」而制定不同用途地帶的濕地保育要求。但根據最新的新田科技城分區圖，「濕地保育區」的大部分土地被劃為「其他指定用途（創新及科技）」地帶，其規劃意向改為「容納各式各樣的



創新及科技用途」，當中經常准許的用途更達44種，包括人才公寓、商業、酒店、工業用途等，發展高度達130米。「濕地緩衝區」亦有土地被劃作「其他指定用途（混合用途）」地帶，容許高達200米的建築發展。最新規劃不但沒有列明濕地保育要求，更沒有採納任何濕地保育的規劃原則，恐令發展與毗連環境嚴重不協調。

- **【濕地喪失和生境破碎化】**新田科技城將導致至少90公頃的濕地面積減少，令大灣區的沿海濕地總量大減。新田科技城位於整個后海灣（又稱深圳灣）濕地系統的核心，發展將切斷后海灣東西兩側的生態連接，導致濕地生境破碎化，損害后海灣（又稱深圳灣）濕地系統的完整性。
- **【濕地系統質素退化】**新田科技城填塘後不只有創科商業用地，帶來超過12,000工作人口，更預計會有6,400單位作的住宅、酒店、康樂等用途。發展引入的人口和基建，將為毗連的「米埔內后海灣拉姆薩爾濕地」及「濕地保育區」帶來不可挽回的負面生態影響，例如人類活動干擾、光污染、噪音等等。
- **【危害全球面臨絕種危機及國家級保護物種】**受影響魚塘濕地所錄得的雀鳥物種數量達205種，其中有117種為具保育級別物種。新田科技城填塘發展將危及19種全球瀕危及近危物種，例如青頭潛鴨、黃胸鵝、黑臉琵鷺、紅頭潛鴨、白眼潛鴨和尖尾濱鵝；33種國家一級或二級重點保護野生動物，例如白肩鵬、烏鵬和禿鷲。填平新田濕地將令眾多面臨滅絕物種失去其重要棲息地。
- **【危害繁殖鷺鳥族群】**新田科技城將直接影響全后海灣第二大的米埔隴鷺鳥林和第三大的米埔鷺鳥林，是超過230對鷺鳥的繁殖重陣，佔全港池鷺和小白鷺繁殖族群的三分之一。第一，新田科技城將永久移除部分用作繁殖的樹木；第二，繁殖鷺鳥將因大面積填塘而失去賴以為生的覓食地；第三，高達105米的創科發展將直接切斷繁殖鷺鳥來往鷺鳥林和覓食地的飛行廊區。發展一旦令鷺鳥無法在此繁殖後代，將直接威脅近二百對繁殖鷺鳥，相等於近15%的繁殖族群。
- **【環評錯漏百出不達標】**新田科技城圖則是基於「不合格」的環評報告，不能接受。新田環評報告有至少29項嚴重的技術評估和數據錯誤或遺漏，包括：違反環評「避免」原則；生態基線及評估資料不足；嚴重低估對保育類雀鳥、繁殖雀鳥、雀鳥飛行路線的影響；嚴重低估對歐亞水獺的影響；無充分資料證明生態補償有效；誤將生態優化措施當作緩解措施等。
- **【破壞傳統魚塘 直接影響傳統塘魚養殖】**新田科技城將直接影響超過30個已正式登記的養魚戶，發展忽視傳統塘魚養殖對經濟、社會和環境永續的貢獻。新田一帶的養魚戶過去半世紀一直養殖塘魚，甚至近十多年甚至積極參與生境管理及保育工作，在保留傳統塘魚養殖運作的同時，為水鳥提供覓食及棲息的空間，維持后海灣魚塘濕地的生態價值。
- **【違反國際公約】**新田科技城發展緊貼「米埔內后海灣拉姆薩爾濕地」，相距或不足30米。發展須填平150公頃「濕地保育區」作創科發展，發展不但會對拉姆薩爾濕地造成嚴重干擾，更會直接切斷她與東邊濕地的連接，損害國際重要濕地的濕地完整性和生態特徵。這與《濕地公約》將「避免濕地受到不利影響」列為首要要求，和《生物多樣性公約》所提倡的濕地保護，背道而馳。
- **【未先避免濕地損失 違反國家政策】**新田科技城未有遵循「避免、減少與補償」的原則進行規劃，未有優先考慮能夠避免負面生態影響或將破壞減到最少的方案，反而直接採納會造成大型濕地損失的方案，與「生態文明建設、高質量發展」和「保護優先」的國策，和十四五規劃提到的「整治修復濱海濕地2萬公頃」，背道而馳。
- **【疑曲解國家政策 合理化填塘方案】**2023年8月國務院公佈的《河套深港科技創新合作區深圳園區發展規劃》，明確指出「河套深港科技創新合作區」

香港園區具體面積為87公頃，面積與落馬洲河套區的「港深科技園」吻合。新田科技城的填塘方案並非出自國家的主意。反之，具指導意義的《粵港澳大灣區發展規劃綱要》，就明確提出「加強濕地保護修復，全面保護區域內國際和國家重要濕地，開展濱海濕地跨境聯合保護」。局方選擇性解讀國策，借國家之名，忽略填平濱海濕地與國家濕地保護策略相沖的事實。

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新田科技城規劃圖意見提交  
20/04/2024 14:46

Submission Number:  
TPB/R/S/STT/1-S050

From: "Yuk Wong" [REDACTED]  
To: tpbpd@pland.gov.hk  
Sent by: tpbpd@pland.gov.hk  
File Ref:

Representation Number:  
TPB/R/S/STT/1-R138

申述人全名（與身份證明文件一致）：  
黃旭

申述人的身份證／護照號碼首四個字母數字（如 A123）：  
[REDACTED]

我要求城規會：

- 重新修訂新田科技城草圖，將「其他指定用途（創新及科技）」地帶重新劃為原本的地帶，即「自然保育區」、「其他指定用途（綜合發展及濕地改善區）」及「其他指定用途（綜合發展包括濕地修復區）」，或其他與濕地保育相關的用途地帶，以遵循「防患於未然」和「不會有濕地淨減少」的濕地規劃原則。
- 修改修訂項目A1及B項有關「其他指定用途」註明「濕地保育公園」地帶的規劃意向和第一欄經常准許的用途，包括將「保護濕地生態系統完整」、「防患於未然」和「不會有濕地淨減少」的原則列為規劃意向；將「農地住用構築物」轉至第二欄，以確保所有可能對濕地造成負面影響的發展和基礎設施，均受到城規會把關。

原因如下：

- **【不符合新田法定圖則的規劃原意】**根據原本的新田分區計劃大綱核准圖編號S/YL-ST/8，150公頃「濕地保育區」和97公頃「濕地緩衝區」的土地，主要被劃作濕地保育相關的用途地帶，例如「自然保育區」、「其他指定用途（綜合發展包括濕地改善區）」及「其他指定用途（綜合發展包括濕地修復區）」。該規劃意向主要是「保存和加強現有魚塘或濕地的生態價值和功能」，以達到「不會有濕地淨減少」的原則。新田科技城涉填平大量魚塘，與上述法定規劃意向不符。
- **【不符合后海灣濕地規劃原則】**發展入侵150公頃「濕地保育區」和97公頃「濕地緩衝區」，不僅導致90公頃濕地損失，損害濕地連結性及完整性，發展更容許興建中至高密度樓宇，恐令毗鄰的國際重要濕地的生境質素下降，導致整體生態功能喪失。這違反城市規劃委員會規劃指引12C所列明的「防患於未然」原則及「濕地零淨損失」。
- **【最新圖則剔除原有濕地規劃原則】**以往所有位於后海灣內的法定圖則，均會因應「濕地保育區」和「濕地緩衝區」而制定不同用途地帶的濕地保育要求。但根據最新的新田科技城分區圖，「濕地保育區」的大部分土地被劃為「其他指定用途（創新及科技）」地帶，其規劃意向改為「容納各式各樣的創新及科

技用途」，當中經常准許的用途更達44種，包括人才公寓、商業、酒店、工業用途等，發展高度達130米。「濕地緩衝區」亦有土地被劃作「其他指定用途（混合用途）」地帶，容許高達200米的建築發展。最新規劃不但沒有列明濕地保育要求，更沒有採納任何濕地保育的規劃原則，恐令發展與毗連環境嚴重不協調。

- **【濕地喪失和生境破碎化】**新田科技城將導致至少90公頃的濕地面積減少，令大灣區的沿海濕地總量大減。新田科技城位於整個后海灣（又稱深圳灣）濕地系統的核心，發展將切斷后海灣東西兩側的生態連接，導致濕地生境破碎化，損害后海灣（又稱深圳灣）濕地系統的完整性。
- **【濕地系統質素退化】**新田科技城填塘後不只有創科商業用地，帶來超過12,000工作人口，更預計會有6,400單位作的住宅、酒店、康樂等用途。發展引入的人口和基建，將為毗連的「米埔內后海灣拉姆薩爾濕地」及「濕地保育區」帶來不可挽回的負面生態影響，例如人類活動干擾、光污染、噪音等等。
- **【危害全球面臨絕種危機及國家級保護物種】**受影響魚塘濕地所錄得的雀鳥物種數量達205種，其中有117種為具保育級別物種。新田科技城填塘發展將危及19種全球瀕危及近危物種，例如青頭潛鴨、黃胸鵝、黑臉琵鷺、紅頭潛鴨、白眼潛鴨和尖尾濱鵲；33種國家一級或二級重點保護野生動物，例如白肩鵲、烏鵲和禿鷲。填平新田濕地將令眾多面臨滅絕物種失去其重要棲息地。
- **【危害繁殖鷺鳥族群】**新田科技城將直接影響全后海灣第二大的米埔隴鷺鳥林和第三大的米埔鷺鳥林，是超過230對鷺鳥的繁殖重陣，佔全港池鷺和小白鷺繁殖族群的三分之一。第一，新田科技城將永久移除部分用作繁殖的樹木；第二，繁殖鷺鳥將因大面積填塘而失去賴以為生的覓食地；第三，高達105米的創科發展將直接切斷繁殖鷺鳥來往鷺鳥林和覓食地的飛行廊區。發展一旦令鷺鳥無法在此繁殖後代，將直接威脅近二百對繁殖鷺鳥，相等於近15%的繁殖族群。
- **【環評錯漏百出不達標】**新田科技城圖則是基於「不合格」的環評報告，不能接受。新田環評報告有至少29項嚴重的技術評估和數據錯誤或遺漏，包括：違反環評「避免」原則；生態基線及評估資料不足；嚴重低估對保育類雀鳥、繁殖雀鳥、雀鳥飛行路線的影響；嚴重低估對歐亞水獺的影響；無充分資料證明生態補償有效；誤將生態優化措施當作緩解措施等。
- **【破壞傳統魚塘 直接影響傳統塘魚養殖】**新田科技城將直接影響超過30個已正式登記的養魚戶，發展忽視傳統塘魚養殖對經濟、社會和環境永續的貢獻。新田一帶的養魚戶過去半世紀一直養殖塘魚，甚至近十多年甚至積極參與生境管理及保育工作，在保留傳統塘魚養殖運作的同時，為水鳥提供覓食及棲息的空間，維持后海灣灣魚塘濕地的生態價值。
- **【違反國際公約】**新田科技城發展緊貼「米埔內后海灣拉姆薩爾濕地」，相距或不足30米。發展須填平150公頃「濕地保育區」作創科發展，發展不但會對拉姆薩爾濕地造成嚴重干擾，更會直接切斷她與東邊濕地的連接，損害國際重要濕地的濕地完整性和生態特徵。這與《濕地公約》將「避免濕地受到不利影響」列為首要要求，和《生物多樣性公約》所提倡的濕地保護，背道而馳。
- **【未先避免濕地損失 違反國家政策】**新田科技城未有遵循「避免、減少與補償」的原則進行規劃，未有優先考慮能夠避免負面生態影響或將破壞減到最少的方案，反而直接採納會造成大型濕地損失的方案，與「生態文明建設、高質量發展」和「保護優先」的國策，和十四五規劃提到的「整治修復濱海濕地2萬公頃」，背道而馳。
- **【疑曲解國家政策 合理化填塘方案】**2023年8月國務院公佈的《河套深港科技創新合作區深圳園區發展規劃》，明確指出「河套深港科技創新合作區」香港園區具體面積為87公頃，面積與落馬洲河套區的「港深科技園」吻合。新田科技城的填塘方案並非出自國家的主意。反之，具指導意義的《粵港澳大灣區發展規劃綱要》，就明確提出「加強濕地保護修復，全面保護區域內國際和國家

重要濕地，開展濱海濕地跨境聯合保護」。局方選擇性解讀國策，借國家之名，忽略填平濱海濕地與國家濕地保護策略相沖的事實。

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提交就新田科技城分區計劃大綱草圖的書面申述  
20/04/2024 12:21

Submission Number:  
TPB/R/S/STT/1-S051

From: "angel lam"  
To: tpbpd@pland.gov.hk  
Sent by: tpbpd@pland.gov.hk  
File Ref:

Representation Number:  
TPB/R/S/STT/1-R139

申述人全名： LAM CHUI PING ANGEL.

申述人的身份證／護照號碼首四個字母數字：

請保護僅有的濕地，生態和黑臉琵鷺

我要求城規會：

- 重新修訂新田科技城草圖，將「其他指定用途（創新及科技）」地帶重新劃為原本的地帶，即「自然保育區」、「其他指定用途（綜合發展及濕地改善區）」及「其他指定用途（綜合發展包括濕地修復區）」，或其他與濕地保育相關的用途地帶，以遵循「防患於未然」和「不會有濕地淨減少」的濕地規劃原則。
- 修改修訂項目A1及B項有關「其他指定用途」註明「濕地保育公園」地帶的規劃意向和第一欄經常准許的用途，包括將「保護濕地生態系統完整」、「防患於未然」和「不會有濕地淨減少」的原則列為規劃意向；將「農地住用構築物」轉至第二欄，以確保所有可能對濕地造成負面影響的發展和基礎設施，均受到城規會把關。

其他：請保護 僅存的濕地生態環境和剛 回復數量的黑臉琵鷺

原因如下：

- 【不符合新田法定圖則的規劃原意】根據原本的新田分區計劃大綱核准圖編號 S/YL-ST/8，150公頃「濕地保育區」和97公頃「濕地緩衝區」的土地，主要被劃作濕地保育相關的用途地帶，例如「自然保育區」、「其他指定用途（綜合發展包括濕地改善區）」及「其他指定用途（綜合發展包括濕地修復區）」。該規劃意向主要是「保存和加強現有魚塘或濕地的生態價值和功能」，以達到「不會有濕地淨減少」的原則。新田科技城涉填平大量魚塘，與上述法定規劃意向不符。
- 【不符合后海灣濕地規劃原則】發展入侵150公頃「濕地保育區」和97公頃「濕地緩衝區」，不僅導致90公頃濕地損失，損害濕地連結性及完整性，發展更容許興建中至高密度樓宇，恐令毗鄰的國際重要濕地的生境質素下降，導致整體生態功能喪失。這違反城市規劃委員會規劃指引12C所列明的「防患於未然」原則及「濕地零淨損失」。

- **【最新圖則剔除原有濕地規劃原則】**以往所有位於后海灣內的法定圖則，均會因應「濕地保育區」和「濕地緩衝區」而制定不同用途地帶的濕地保育要求。但根據最新的新田科技城分區圖，「濕地保育區」的大部分土地被劃為「其他指定用途（創新及科技）」地帶，其規劃意向改為「容納各式各樣的創新及科技用途」，當中經常准許的用途更達44種，包括人才公寓、商業、酒店、工業用途等，發展高度達130米。「濕地緩衝區」亦有土地被劃作「其他指定用途（混合用途）」地帶，容許高達200米的建築發展。最新規劃不但沒有列明濕地保育要求，更沒有採納任何濕地保育的規劃原則，恐令發展與毗連環境嚴重不協調。
- **【濕地喪失和生境破碎化】**新田科技城將導致至少90公頃的濕地面積減少，令大灣區的沿海濕地總量大減。新田科技城位於整個后海灣（又稱深圳灣）濕地系統的核心，發展將切斷后海灣東西兩側的生態連接，導致濕地生境破碎化，損害后海灣（又稱深圳灣）濕地系統的完整性。
- **【濕地系統質素退化】**新田科技城填塘後不只有創科商業用地，帶來超過12,000工作人口，更預計會有6,400單位作的住宅、酒店、康樂等用途。發展引入的人口和基建，將為毗連的「米埔內后海灣拉姆薩爾濕地」及「濕地保育區」帶來不可挽回的負面生態影響，例如人類活動干擾、光污染、噪音等等。
- **【危害全球面臨絕種危機及國家級保護物種】**受影響魚塘濕地所錄得的雀鳥物種數量達205種，其中有117種為具保育級別物種。新田科技城填塘發展將危及19種全球瀕危及近危物種，例如青頭潛鴨、黃胸鵝、黑臉琵鷺、紅頭潛鴨、白眼潛鴨和尖尾濱鵝；33種國家一級或二級重點保護野生動物，例如白肩鵝、烏鵲和禿鷲。填平新田濕地將令眾多面臨滅絕物種失去其重要棲息地。
- **【危害繁殖鷺鳥族群】**新田科技城將直接影響全后海灣第二大的米埔隴鷺鳥林和第三大的米埔鷺鳥林，是超過230對鷺鳥的繁殖重陣，佔全港池鷺和小白鷺繁殖族群的三分之一。第一，新田科技城將永久移除部分用作繁殖的樹木；第二，繁殖鷺鳥將因大面積填塘而失去賴以為生的覓食地；第三，高達105米的創科發展將直接切斷繁殖鷺鳥來往鷺鳥林和覓食地的飛行廊區。發展一旦令鷺鳥無法在此繁殖後代，將直接威脅近二百對繁殖鷺鳥，相等於近15%的繁殖族群。
- **【環評錯漏百出不達標】**新田科技城圖則是基於「不合格」的環評報告，不能接受。新田環評報告有至少29項嚴重的技術評估和數據錯誤或遺漏，包括：違反環評「避免」原則；生態基線及評估資料不足；嚴重低估對保育類雀鳥、繁殖雀鳥、雀鳥飛行路線的影響；嚴重低估對歐亞水獺的影響；無充分資料證明生態補償有效；誤將生態優化措施當作緩解措施等。
- **【破壞傳統魚塘 直接影響傳統塘魚養殖】**新田科技城將直接影響超過30個已正式登記的養魚戶，發展忽視傳統塘魚養殖對經濟、社會和環境永續的貢獻。新田一帶的養魚戶過去半世紀一直養殖塘魚，甚至近十多年甚至積極參與生境管理及保育工作，在保留傳統塘魚養殖運作的同時，為水鳥提供覓食及棲息的空間，維持后海灣魚塘濕地的生態價值。
- **【違反國際公約】**新田科技城發展緊貼「米埔內后海灣拉姆薩爾濕地」，相距或不足30米。發展須填平150公頃「濕地保育區」作創科發展，發展不但會對拉姆薩爾濕地造成嚴重干擾，更會直接切斷她與東邊濕地的連接，損害國際重要濕地的濕地完整性和生態特徵。這與《濕地公約》將「避免濕地受到不利影響」列為首要要求，和《生物多樣性公約》所提倡的濕地保護，背道而馳。
- **【未先避免濕地損失 違反國家政策】**新田科技城未有遵循「避免、減少與補償」的原則進行規劃，未有優先考慮能夠避免負面生態影響或將破壞減到最少的方案，反而直接採納會造成大型濕地損失的方案，與「生態文明建設、高質量發展」和「保護優先」的國策，和十四五規劃提到的「整治修復濱海濕地2萬公頃」，背道而馳。
- **【疑曲解國家政策 合理化填塘方案】**2023年8月國務院公佈的《河套深港科技創新合作區深圳園區發展規劃》，明確指出「河套深港科技創新合作區」香港園區具體面積為87公頃，面積與落馬洲河套區的「港深科技園」吻合。新田科技城的填塘

方案並非出自國家的主意。反之，具指導意義的《粵港澳大灣區發展規劃綱要》，就明確提出「加強濕地保護修復，全面保護區域內國際和國家重要濕地，開展濱海濕地跨境聯合保護」。局方選擇性解讀國策，借國家之名，忽略填平濱海濕地與國家濕地保護策略相沖的事實。



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Fwd: 提交就新田科技城分區計劃大綱草圖的書面申述  
20/04/2024 10:18

Submission Number:  
TPB/R/S/STT/1-S052

From: [REDACTED]  
To: "tpbpd@pland.gov.hk" <tpbpd@pland.gov.hk>  
Sent by: tpbpd@pland.gov.hk  
File Ref:

Representation Number:  
TPB/R/S/STT/1-R140

致城規會（電郵：tpbpd@pland.gov.hk）：

申述人全名：SHEK KA KI

申述人的身份證／護照號碼首四個字母數字：[REDACTED]

請認真看待香港大自然保育，興建新田科技城及配套設施，總共將填平約 90 公頃魚塘濕地，破壞近 247 公頃濕地保育區及緩衝區，約相等於 13 個維園面積，嚴重損害后海灣生態系統完整性，恐為發展濕地打開缺口。

大自然被破壞了是不容易重建，請珍惜香港現有的自然環境，不要剝削這片地對大自然及人類的存在意義，不要剝奪在那兒生活的物種的基本生存權利

我要求城規會：

- 重新修訂新田科技城草圖，將「其他指定用途（創新及科技）」地帶重新劃為原本的地帶，即「自然保育區」、「其他指定用途（綜合發展及濕地改善區）」及「其他指定用途（綜合發展包括濕地修復區）」，或其他與濕地保育相關的用途地帶，以遵循「防患於未然」和「不會有濕地淨減少」的濕地規劃原則。
- 修改修訂項目A1及B項有關「其他指定用途」註明「濕地保育公園」地帶的規劃意向和第一欄經常准許的用途，包括將「保護濕地生態系統完整」、「防患於未然」和「不會有濕地淨減少」的原則列為規劃意向；將「農地住用構築物」轉至第二欄，以確保所有可能對濕地造成負面影響的發展和基礎設施，均受到城規會把關。

其他：\_\_\_\_\_

原因如下：

- 【不符合新田法定圖則的規劃原意】根據原本的新田分區計劃大綱核准圖編號 S/YL-ST/8，150公頃「濕地保育區」和97公頃「濕地緩衝區」的土地，主要被劃作濕地保育相關的用途地帶，例如「自然保育區」、「其他指定用途（綜合發展包括濕地改善區）」及「其他指定用途（綜合發展包括濕地修復區）」。該規劃意向主要是「保存和加強現有魚塘或濕地的生態價值和功能」，以達到「不會有濕地淨減少」的原則。新田科技城涉填平大量魚塘，與上述法定規劃意向不符。

- **【不符合后海灣濕地規劃原則】**發展入侵150公頃「濕地保育區」和97公頃「濕地緩衝區」，不僅導致90公頃濕地損失，損害濕地連結性及完整性，發展更容許興建中至高密度樓宇，恐令毗鄰的國際重要濕地的生境質素下降，導致整體生態功能喪失。這違反城市規劃委員會規劃指引12C所列明的「防患於未然」原則及「濕地零淨損失」。
- **【最新圖則剔除原有濕地規劃原則】**以往所有位於后海灣內的法定圖則，均會因應「濕地保育區」和「濕地緩衝區」而制定不同用途地帶的濕地保育要求。但根據最新的新田科技城分區圖，「濕地保育區」的大部分土地被劃為「其他指定用途（創新及科技）」地帶，其規劃意向改為「容納各式各樣的創新及科技用途」，當中經常准許的用途更達44種，包括人才公寓、商業、酒店、工業用途等，發展高度達130米。「濕地緩衝區」亦有土地被劃作「其他指定用途（混合用途）」地帶，容許高達200米的建築發展。最新規劃不但沒有列明濕地保育要求，更沒有採納任何濕地保育的規劃原則，恐令發展與毗連環境嚴重不協調。
- **【濕地喪失和生境破碎化】**新田科技城將導致至少90公頃的濕地面積減少，令大灣區的沿海濕地總量大減。新田科技城位於整個后海灣（又稱深圳灣）濕地系統的核心，發展將切斷后海灣東西兩側的生態連接，導致濕地生境破碎化，損害后海灣（又稱深圳灣）濕地系統的完整性。
- **【濕地系統質素退化】**新田科技城填塘後不只有創科商業用地，帶來超過12,000工作人口，更預計會有6,400單位作的住宅、酒店、康樂等用途。發展引入的人口和基建，將為毗連的「米埔內后海灣拉姆薩爾濕地」及「濕地保育區」帶來不可挽回的負面生態影響，例如人類活動干擾、光污染、噪音等等。
- **【危害全球面臨絕種危機及國家級保護物種】**受影響魚塘濕地所錄得的雀鳥物種數量達205種，其中有117種為具保育級別物種。新田科技城填塘發展將危及19種全球瀕危及近危物種，例如青頭潛鴨、黃胸鵝、黑臉琵鷺、紅頭潛鴨、白眼潛鴨和尖尾濱鵝；33種國家一級或二級重點保護野生動物，例如白肩鵝、烏鵲和禿鷲。填平新田濕地將令眾多面臨滅絕物種失去其重要棲息地。
- **【危害繁殖鷺鳥族群】**新田科技城將直接影響全后海灣第二大的米埔隴鷺鳥林和第三大的米埔鷺鳥林，是超過230對鷺鳥的繁殖重陣，佔全港池鷺和小白鷺繁殖族群的三分之一。第一，新田科技城將永久移除部分用作繁殖的樹木；第二，繁殖鷺鳥將因大面積填塘而失去賴以為生的覓食地；第三，高達105米的創科發展將直接切斷繁殖鷺鳥來往鷺鳥林和覓食地的飛行廊區。發展一旦令鷺鳥無法在此繁殖後代，將直接威脅近二百對繁殖鷺鳥，相等於近15%的繁殖族群。
- **【環評錯漏百出不達標】**新田科技城圖則是基於「不合格」的環評報告，不能接受。新田環評報告有至少29項嚴重的技術評估和數據錯誤或遺漏，包括：違反環評「避免」原則；生態基線及評估資料不足；嚴重低估對保育類雀鳥、繁殖雀鳥、雀鳥飛行路線的影響；嚴重低估對歐亞水獺的影響；無充分資料證明生態補償有效；誤將生態優化措施當作緩解措施等。
- **【破壞傳統魚塘 直接影響傳統塘魚養殖】**新田科技城將直接影響超過30個已正式登記的養魚戶，發展忽視傳統塘魚養殖對經濟、社會和環境永續的貢獻。新田一帶的養魚戶過去半世紀一直養殖塘魚，甚至近十多年甚至積極參與生境管理及保育工作，在保留傳統塘魚養殖運作的同時，為水鳥提供覓食及棲息的空間，維持后海灣魚塘濕地的生態價值。
- **【違反國際公約】**新田科技城發展緊貼「米埔內后海灣拉姆薩爾濕地」，相距或不足30米。發展須填平150公頃「濕地保育區」作創科發展，發展不但會對拉姆薩爾濕地造成嚴重干擾，更會直接切斷她與東邊濕地的連接，損害國際重要濕地的濕地完整性和生態特徵。這與《濕地公約》將「避免濕地受到不利影響」列為首要要求，和《生物多樣性公約》所提倡的濕地保護，背道而馳。
- **【未先避免濕地損失 違反國家政策】**新田科技城未有遵循「避免、減少與補償」的原則進行規劃，未有優先考慮能夠避免負面生態影響或將破壞減到最少的方案，反而直接採納會造成大型濕地損失的方案，與「生態文明建設、高質量發展」和

「保護優先」的國策，和十四五規劃提到的「整治修復濱海濕地2萬公頃」，背道而馳。

- **【疑曲解國家政策 合理化填塘方案】**2023年8月國務院公佈的《河套深港科技創新合作區深圳園區發展規劃》，明確指出「河套深港科技創新合作區」香港園區具體面積為87公頃，面積與落馬洲河套區的「港深科技園」吻合。新田科技城的填塘方案並非出自國家的主意。反之，具指導意義的《粵港澳大灣區發展規劃綱要》，就明確提出「加強濕地保護修復，全面保護區域內國際和國家重要濕地，開展濱海濕地跨境聯合保護」。局方選擇性解讀國策，借國家之名，忽略填平濱海濕地與國家濕地保護策略相沖的事實。

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致城規會：提交就新田科技城分區計劃大綱草圖的書面申述  
20/04/2024 09:57

Submission Number:  
TPB/R/S/STT/1-S053

From: [REDACTED]  
To: "tpbpd@pland.gov.hk" <tpbpd@pland.gov.hk>  
Sent by: tpbpd@pland.gov.hk  
File Ref:

Representation Number:  
TPB/R/S/STT/1-R141

Please respond to [REDACTED]

申述人全名  
Choy Mei Ngan

申述人的身份證／護照號碼首四個字母 [REDACTED]

致城規會：

環境保育是多年耕耘的事，濕地有幾百隻國際瀕危絕種的黑臉琵鷺，和其他雀鳥生態是非常美妙的，是世界級，可以說好香港故事，雀仔唔聽人話，拆咗就無。

請你們

- 重新修訂新田科技城草圖，將「其他指定用途（創新及科技）」地帶重新劃為原本的地帶，即「自然保育區」、「其他指定用途（綜合發展及濕地改善區）」及「其他指定用途（綜合發展包括濕地修復區）」，或其他與濕地保育相關的用途地帶，以遵循「防患於未然」和「不會有濕地淨減少」的濕地規劃原則。
- 修改修訂項目A1及B項有關「其他指定用途」註明「濕地保育公園」地帶的規劃意向和第一欄經常准許的用途，包括將「保護濕地生態系統完整」、「防患於未然」和「不會有濕地淨減少」的原則列為規劃意向；將「農地住用構築物」轉至第二欄，以確保所有可能對濕地造成負面影響的發展和基礎設施，均受到城規會把關。

原因如下：

- **【不符合新田法定圖則的規劃原意】**根據原本的新田分區計劃大綱核准圖編號 S/YL-ST/8，150公頃「濕地保育區」和97公頃「濕地緩衝區」的土地，主要被劃作濕地保育相關的用途地帶，例如「自然保育區」、「其他指定用途（綜合發展包括濕地改善區）」及「其他指定用途（綜合發展包括濕地修復區）」。該規劃意向主要是「保存和加強現有魚塘或濕地的生態價值和功能」，以達到「不會有濕地淨減少」的原則。新田科技城涉填平大量魚塘，與上述法定規劃意向不符。
- **【不符合后海灣濕地規劃原則】**發展入侵150公頃「濕地保育區」和97公頃「濕地緩衝區」，不僅導致90公頃濕地損失，損害濕地連結性及完整性，發展更容許興建中至高密度樓宇，恐令毗鄰的國際重要濕地的生境質素下降，導致整體生態功能喪失。這違反城市規劃委員會規劃指引12C所列明的『防患於未然』原則及『濕地零淨損失』。
- **【最新圖則剔除原有濕地規劃原則】**以往所有位於后海灣內的法定圖則，均會因應「濕地保育區」和「濕地緩衝區」而制定不同用途地帶的濕地保育要求。但根據最新的新田科技城分區圖，「濕地保育區」的大部分土地被劃為「其他指定用途（創新及科技）」地帶，其規劃意向改為「容納各式各樣的創新及科技用途」，當中經

常准許的用途更達44種，包括人才公寓、商業、酒店、工業用途等，發展高度達130米。「濕地緩衝區」亦有土地被劃作「其他指定用途（混合用途）」地帶，容許高達200米的建築發展。最新規劃不但沒有列明濕地保育要求，更沒有採納任何濕地保育的規劃原則，恐令發展與毗連環境嚴重不協調。

- **【濕地喪失和生境破碎化】**新田科技城將導致至少90公頃的濕地面積減少，令大灣區的沿海濕地總量大減。新田科技城位於整個后海灣（又稱深圳灣）濕地系統的核心，發展將切斷后海灣東西兩側的生態連接，導致濕地生境破碎化，損害后海灣（又稱深圳灣）濕地系統的完整性。
- **【濕地系統質素退化】**新田科技城填塘後不只有創科商業用地，帶來超過12,000工作人口，更預計會有6,400單位作的住宅、酒店、康樂等用途。發展引入的人口和基建，將為毗連的「米埔內后海灣拉姆薩爾濕地」及「濕地保育區」帶來不可挽回的負面生態影響，例如人類活動干擾、光污染、噪音等等。
- **【危害全球面臨絕種危機及國家級保護物種】**受影響魚塘濕地所錄得的雀鳥物種數量達205種，其中有117種為具保育級別物種。新田科技城填塘發展將危及19種全球瀕危及近危物種，例如青頭潛鴨、黃胸鵝、黑臉琵鷺、紅頭潛鴨、白眼潛鴨和尖尾濱鵝；33種國家一級或二級重點保護野生動物，例如白肩鵝、烏鵲和禿鷲。填平新田濕地將令眾多面臨滅絕物種失去其重要棲息地。
- **【危害繁殖鷺鳥族群】**新田科技城將直接影響全后海灣第二大的米埔隴鷺鳥林和第三大的米埔鷺鳥林，是超過230對鷺鳥的繁殖重陣，佔全港池鷺和小白鷺繁殖族群的三分之一。第一，新田科技城將永久移除部分用作繁殖的樹木；第二，繁殖鷺鳥將因大面積填塘而失去賴以為生的覓食地；第三，高達105米的創科發展將直接切斷繁殖鷺鳥來往鷺鳥林和覓食地的飛行廊區。發展一旦令鷺鳥無法在此繁殖後代，將直接威脅近二百對繁殖鷺鳥，相等於近15%的繁殖族群。
- **【環評太簡單】**新田環評報告違反環評「避免」原則；生態基線及評估資料不足；嚴重低估對保育類雀鳥、繁殖雀鳥、雀鳥飛行路線的影響；嚴重低估對歐亞水獺的影響；無充分資料證明生態補償有效等。
- **【破壞傳統魚塘 直接影響傳統塘魚養殖】**新田科技城將直接影響超過30個已正式登記的養魚戶，發展忽視傳統塘魚養殖對經濟、社會和環境永續的貢獻。新田一帶的養魚戶過去半世紀一直養殖塘魚，甚至近十多年甚至積極參與生境管理及保育工作，在保留傳統塘魚養殖運作的同時，為水鳥提供覓食及棲息的空間，維持后海灣魚塘濕地的生態價值。
- **【違反國際公約】**新田科技城發展緊貼「米埔內后海灣拉姆薩爾濕地」，相距或不足30米。發展須填平150公頃「濕地保育區」作創科發展，發展不但會對拉姆薩爾濕地造成嚴重干擾，更會直接切斷她與東邊濕地的連接，損害國際重要濕地的濕地完整性和生態特徵。這與《濕地公約》將「避免濕地受到不利影響」列為首要要求，和《生物多樣性公約》所提倡的濕地保護，背道而馳。
- **【未先避免濕地損失 違反國家政策】**新田科技城未有遵循「避免、減少與補償」的原則進行規劃，未有優先考慮能夠避免負面生態影響或將破壞減到最少的方案，反而直接採納會造成大型濕地損失的方案，與「生態文明建設、高質量發展」和「保護優先」的國策，和十四五規劃提到的「整治修復濱海濕地2萬公頃」，背道而馳。
- 謝謝。

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提交就新田科技城分區計劃大綱草圖的書面申述  
20/04/2024 09:38

Submission Number:  
TPB/R/S/STT/1-S054

From: "Marco Yuen" [REDACTED]  
To: tpbpd@pland.gov.hk  
Sent by: tpbpd@pland.gov.hk  
File Ref:

Representation Number:  
TPB/R/S/STT/1-R142

致城規會（電郵：[tpbpd@pland.gov.hk](mailto:tpbpd@pland.gov.hk)）：

申述人全名：YUEN KWOK WAI MARCO

申述人的身份證／護照號碼首四個字母數字： [REDACTED]

《中華人民共和國濕地保護法》已於2022年6月1日起施行。香港應跟隨國策：加強濕地保護，維護濕地生態功能及生物多樣性，保障生態安全，亦是保障國家安全之一環。香港應盡濕地保護之責，採取措施保持濕地面積穩定，提升濕地生態功能。

我要求城規會：

- 重新修訂新田科技城草圖，將「其他指定用途（創新及科技）」地帶重新劃為原本的地帶，即「自然保育區」、「其他指定用途（綜合發展及濕地改善區）」及「其他指定用途（綜合發展包括濕地修復區）」，或其他與濕地保育相關的用途地帶，以遵循「防患於未然」和「不會有濕地淨減少」的濕地規劃原則。
- 修改修訂項目A1及B項有關「其他指定用途」註明「濕地保育公園」地帶的規劃意向和第一欄經常准許的用途，包括將「保護濕地生態系統完整」、「防患於未然」和「不會有濕地淨減少」的原則列為規劃意向；將「農地住用構築物」轉至第二欄，以確保所有可能對濕地造成負面影響的發展和基礎設施，均受到城規會把關。

其他： \_\_\_\_\_

原因如下：

- **【不符合新田法定圖則的規劃原意】** 根據原本的新田分區計劃大綱核准圖編號 S/YL-ST/8，150公頃「濕地保育區」和97公頃「濕地緩衝區」的土地，主要被劃作濕地保育相關的用途地帶，例如「自然保育區」、「其他指定用途（綜合發展包括濕地改善區）」及「其他指定用途（綜合發展包括濕地修復區）」。該規劃意向主要是「保存和加強現有魚塘或濕地的生態價值和功能」，以達到「不會有濕地淨減少」的原則。新田科技城涉填平大量魚塘，與上述法定規劃意向不符。
- **【不符合后海灣濕地規劃原則】** 發展入侵150公頃「濕地保育區」和97公頃「濕地緩衝區」，不僅導致90公頃濕地損失，損害濕地連結性及完整性，發展更容許興建中至高密度樓宇，恐令毗鄰的國際重要濕地的生境質素下降，導致整體生態功能喪失。這違反城市規劃委員會規劃指引12C所列明的「防患於未然」原則及「濕地零淨損失」。

- **【最新圖則剔除原有濕地規劃原則】**以往所有位於后海灣內的法定圖則，均會因應「濕地保育區」和「濕地緩衝區」而制定不同用途地帶的濕地保育要求。但根據最新的新田科技城分區圖，「濕地保育區」的大部分土地被劃為「其他指定用途（創新及科技）」地帶，其規劃意向改為「容納各式各樣的創新及科技用途」，當中經常准許的用途更達44種，包括人才公寓、商業、酒店、工業用途等，發展高度達130米。「濕地緩衝區」亦有土地被劃作「其他指定用途（混合用途）」地帶，容許高達200米的建築發展。最新規劃不但沒有列明濕地保育要求，更沒有採納任何濕地保育的規劃原則，恐令發展與毗連環境嚴重不協調。
- **【濕地喪失和生境破碎化】**新田科技城將導致至少90公頃的濕地面積減少，令大灣區的沿海濕地總量大減。新田科技城位於整個后海灣（又稱深圳灣）濕地系統的核心，發展將切斷后海灣東西兩側的生態連接，導致濕地生境破碎化，損害后海灣（又稱深圳灣）濕地系統的完整性。
- **【濕地系統質素退化】**新田科技城填塘後不只有創科商業用地，帶來超過12,000工作人口，更預計會有6,400單位作的住宅、酒店、康樂等用途。發展引入的人口和基建，將為毗連的「米埔內后海灣拉姆薩爾濕地」及「濕地保育區」帶來不可挽回的負面生態影響，例如人類活動干擾、光污染、噪音等等。
- **【危害全球面臨絕種危機及國家級保護物種】**受影響魚塘濕地所錄得的雀鳥物種數量達205種，其中有117種為具保育級別物種。新田科技城填塘發展將危及19種全球瀕危及近危物種，例如青頭潛鴨、黃胸鵝、黑臉琵鷺、紅頭潛鴨、白眼潛鴨和尖尾濱鵝；33種國家一級或二級重點保護野生動物，例如白肩鵝、烏鵲和禿鷲。填平新田濕地將令眾多面臨滅絕物種失去其重要棲息地。
- **【危害繁殖鷺鳥族群】**新田科技城將直接影響全后海灣第二大的米埔隴鷺鳥林和第三大的米埔鷺鳥林，是超過230對鷺鳥的繁殖重陣，佔全港池鷺和小白鷺繁殖族群的三分之一。第一，新田科技城將永久移除部分用作繁殖的樹木；第二，繁殖鷺鳥將因大面積填塘而失去賴以為生的覓食地；第三，高達105米的創科發展將直接切斷繁殖鷺鳥來往鷺鳥林和覓食地的飛行廊區。發展一旦令鷺鳥無法在此繁殖後代，將直接威脅近二百對繁殖鷺鳥，相等於近15%的繁殖族群。
- **【環評錯漏百出不達標】**新田科技城圖則是基於「不合格」的環評報告，不能接受。新田環評報告有至少29項嚴重的技術評估和數據錯誤或遺漏，包括：違反環評「避免」原則；生態基線及評估資料不足；嚴重低估對保育類雀鳥、繁殖雀鳥、雀鳥飛行路線的影響；嚴重低估對歐亞水獺的影響；無充分資料證明生態補償有效；誤將生態優化措施當作緩解措施等。
- **【破壞傳統魚塘 直接影響傳統塘魚養殖】**新田科技城將直接影響超過30個已正式登記的養魚戶，發展忽視傳統塘魚養殖對經濟、社會和環境永續的貢獻。新田一帶的養魚戶過去半世紀一直養殖塘魚，甚至近十多年甚至積極參與生境管理及保育工作，在保留傳統塘魚養殖運作的同時，為水鳥提供覓食及棲息的空間，維持后海灣魚塘濕地的生態價值。
- **【違反國際公約】**新田科技城發展緊貼「米埔內后海灣拉姆薩爾濕地」，相距或不足30米。發展須填平150公頃「濕地保育區」作創科發展，發展不但會對拉姆薩爾濕地造成嚴重干擾，更會直接切斷她與東邊濕地的連接，損害國際重要濕地的濕地完整性和生態特徵。這與《濕地公約》將「避免濕地受到不利影響」列為首要要求，和《生物多樣性公約》所提倡的濕地保護，背道而馳。
- **【未先避免濕地損失 違反國家政策】**新田科技城未有遵循「避免、減少與補償」的原則進行規劃，未有優先考慮能夠避免負面生態影響或將破壞減到最少的方案，反而直接採納會造成大型濕地損失的方案，與「生態文明建設、高質量發展」和「保護優先」的國策，和十四五規劃提到的「整治修復濱海濕地2萬公頃」，背道而馳。
- **【疑曲解國家政策 合理化填塘方案】**2023年8月國務院公佈的《河套深港科技創新合作區深圳園區發展規劃》，明確指出「河套深港科技創新合作區」香港園區具體面積為87公頃，面積與落馬洲河套區的「港深科技園」吻合。新田科技城的填塘

方案並非出自國家的主意。反之，具指導意義的《粵港澳大灣區發展規劃綱要》，就明確提出「加強濕地保護修復，全面保護區域內國際和國家重要濕地，開展濱海濕地跨境聯合保護」。局方選擇性解讀國策，借國家之名，忽略填平濱海濕地與國家濕地保護策略相沖的事實。



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To: tpbpd@pland.gov.hk

Cc:

Bcc:

Subject: 提交就新田科技城分區計劃大綱草圖的書面申述

File Ref:

From: "Jaffu Wong" [REDACTED] Saturday 20/04/2024 15:00

Submission Number:

TPB/R/S/STT/1-S055

Representation Number:

TPB/R/S/STT/1-R143

致城規會：

新田科技城發展與原本規劃佔用的濕地多出247公頃，發展規模臨時擴大，馬虎且錯漏百出的環評報告令發展項目低估環境污染影響，規劃意圖存疑。

我要求城規會：

- 重新修訂新田科技城草圖，將「其他指定用途（創新及科技）」地帶重新劃為原本的地帶，即「自然保育區」、「其他指定用途（綜合發展及濕地改善區）」及「其他指定用途（綜合發展包括濕地修復區）」，或其他與濕地保育相關的用途地帶，以遵循「防患於未然」和「不會有濕地淨減少」的濕地規劃原則。
- 修改修訂項目A1及B項有關「其他指定用途」註明「濕地保育公園」地帶的規劃意向和第一欄經常准許的用途，包括將「保護濕地生態系統完整」、「防患於未然」和「不會有濕地淨減少」的原則列為規劃意向；將「農地住用構築物」轉至第二欄，以確保所有可能對濕地造成負面影響的發展和基礎設施，均受到城規會把關。

原因如下：

- 【不符合新田法定圖則的規劃原意】根據原本的新田分區計劃大綱核准圖編號S/YL-ST/8，150公頃「濕地保育區」和97公頃「濕地緩衝區」的土地，主要被劃作濕地保育相關的用途地帶，例如「自然保育區」、「其他指定用途（綜合發展包括濕地改善區）」及「其他指定用途（綜合發展包括濕地修復區）」。該規劃意向主要是「保存和加強現有魚塘或濕地的生態價值和功能」，以達到「不會有濕地淨減少」的原則。新田科技城涉填平大量魚塘，與上述法定規劃意向不符。
- 【不符合后海灣濕地規劃原則】發展入侵

150公頃「濕地保育區」和97公頃「濕地緩衝區」，不僅導致90公頃濕地損失，損害濕地連結性及完整性，發展更容許興建中至高密度樓宇，恐令毗鄰的國際重要濕地的生境質素下降，導致整體生態功能喪失。這違反城市規劃委員會規劃指引12C所列明的『防患於未然』原則及『濕地零淨損失』。

- **【最新圖則剔除原有濕地規劃原則】** 以往所有位於后海灣內的法定圖則，均會因應「濕地保育區」和「濕地緩衝區」而制定不同用途地帶的濕地保育要求。但根據最新的新田科技城分區圖，「濕地保育區」的大部分土地被劃為「其他指定用途（創新及科技）」地帶，其規劃意向改為「容納各式各樣的創新及科技用途」，當中經常准許的用途更達44種，包括人才公寓、商業、酒店、工業用途等，發展高度達130米。「濕地緩衝區」亦有土地被劃作「其他指定用途（混合用途）」地帶，容許高達200米的建築發展。最新規劃不但沒有列明濕地保育要求，更沒有採納任何濕地保育的規劃原則，恐令發展與毗連環境嚴重不協調。
- **【濕地喪失和生境破碎化】** 新田科技城將導致至少90公頃的濕地面積減少，令大灣區的沿海濕地總量大減。新田科技城位於整個后海灣（又稱深圳灣）濕地系統的核心，發展將切斷后海灣東西兩側的生態連接，導致濕地生境破碎化，損害后海灣（又稱深圳灣）濕地系統的完整性。
- **【濕地系統質素退化】** 新田科技城填塘後不只有創科商業用地，帶來超過12,000工作人口，更預計會有6,400單位作的住宅、酒店、康樂等用途。發展引入的人口和基建，將為毗連的「米埔內后海灣拉姆薩爾濕地」及「濕地保育區」帶來不可挽回的負面生態影響，例如人類活動干擾、光污染、噪音等等。
- **【危害全球面臨絕種危機及國家級保護物種】** 受影響魚塘濕地所錄得的雀鳥物種數量達205種，其中有117種為具保育級別物種。新田科技城填塘發展將危及19種全球瀕危及近危物種，例如青頭潛鴨、黃胸鵝、黑臉琵鷺、紅頭潛鴨、白眼潛鴨和尖尾濱鵝；33種國家一級或二級重點保護野生動物，例如白肩鵝、烏鵲和禿鷲。填平新田濕地將令眾多面臨滅絕物種失去其重要棲息地。
- **【危害繁殖鷺鳥族群】** 新田科技城將直接

影響全后海灣第二大的米埔隴鷺鳥林和第三大的米埔鷺鳥林，是超過230對鷺鳥的繁殖重陣，佔全港池鷺和小白鷺繁殖族群的三分一。第一，新田科技城將永久移除部分用作繁殖的樹木；第二，繁殖鷺鳥將因大面積填塘而失去賴以為生的覓食地；第三，高達105米的創科發展將直接切斷繁殖鷺鳥來往鷺鳥林和覓食地的飛行廊區。發展一旦令鷺鳥無法在此繁殖後代，將直接威脅近二百對繁殖鷺鳥，相等於近15%的繁殖族群。

- **【環評錯漏百出不達標】**新田科技城圖則是基於「不合格」的環評報告，不能接受。新田環評報告有至少29項嚴重的技術評估和數據錯誤或遺漏，包括：違反環評「避免」原則；生態基線及評估資料不足；嚴重低估對保育類雀鳥、繁殖雀鳥、雀鳥飛行路線的影響；嚴重低估對歐亞水獺的影響；無充分資料證明生態補償有效；誤將生態優化措施當作緩解措施等。
- **【破壞傳統魚塘 直接影響傳統塘魚養殖】**新田科技城將直接影響超過30個已正式登記的養魚戶，發展忽視傳統塘魚養殖對經濟、社會和環境永續的貢獻。新田一帶的養魚戶過去半世紀一直養殖塘魚，甚至近十多年甚至積極參與生境管理及保育工作，在保留傳統塘魚養殖運作的同時，為水鳥提供覓食及棲息的空間，維持后海灣魚塘濕地的生態價值。
- **【違反國際公約】**新田科技城發展緊貼「米埔內后海灣拉姆薩爾濕地」，相距或不足30米。發展須填平150公頃「濕地保育區」作創科發展，發展不但會對拉姆薩爾濕地造成嚴重干擾，更會直接切斷她東邊濕地的連接，損害國際重要濕地的濕地完整性和生態特徵。這與《濕地公約》將「避免濕地受到不利影響」列為首要要求，和《生物多樣性公約》所提倡的濕地保護，背道而馳。
- **【未先避免濕地損失 違反國家政策】**新田科技城未有遵循「避免、減少與補償」的原則進行規劃，未有優先考慮能夠避免負面生態影響或將破壞減到最少的方案，反而直接採納會造成大型濕地損失的方案，與「生態文明建設、高質量發展」和「保護優先」的國策，和十四五規劃提到的「整治修復濱海濕地2萬公頃」，背道而馳。
- **【疑曲解國家政策 合理化填塘方案】**2023年8月國務院公佈的《河套深港科技

《創新合作區深圳園區發展規劃》，明確指出「河套深港科技創新合作區」香港園區具體面積為87公頃，面積與落馬洲河套區的「港深科技園」吻合。新田科技城的填塘方案並非出自國家的主意。反之，具指導意義的《粵港澳大灣區發展規劃綱要》，就明確提出「加強濕地保護修復，全面保護區域內國際和國家重要濕地，開展濱海濕地跨境聯合保護」。局方選擇性解讀國策，借國家之名，忽略填平濱海濕地與國家濕地保護策略相沖的事實。

黃在芳

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**Fwd: 提交就新田科技城分區計劃大綱草圖的書面申述**  
20/04/2024 16:09

**Submission Number:**  
TPB/R/S/STT/1-S056

From: "Julia Fung" [REDACTED]  
To: tpbpd@pland.gov.hk  
Sent by: tpbpd@pland.gov.hk  
File Ref:

**Representation Number:**  
TPB/R/S/STT/1-R144

致城規會（電郵：[tpbpd@pland.gov.hk](mailto:tpbpd@pland.gov.hk)）：

申述人全名：  
FUNG Ka Wai Julia

申述人的身份證首四個字母數字：  
[REDACTED]

我要求城規會：

- 重新修訂新田科技城草圖，將「其他指定用途（創新及科技）」地帶重新劃為原本的地帶，即「自然保育區」、「其他指定用途（綜合發展及濕地改善區）」及「其他指定用途（綜合發展包括濕地修復區）」，或其他與濕地保育相關的用途地帶，以遵循「防患於未然」和「不會有濕地淨減少」的濕地規劃原則。
- 修改修訂項目A1及B項有關「其他指定用途」註明「濕地保育公園」地帶的規劃意向和第一欄經常准許的用途，包括將「保護濕地生態系統完整」、「防患於未然」和「不會有濕地淨減少」的原則列為規劃意向；將「農地住用構築物」轉至第二欄，以確保所有可能對濕地造成負面影響的發展和基礎設施，均受到城規會把關。

原因如下：

- **【不符合新田法定圖則的規劃原意】**根據原本的新田分區計劃大綱核准圖編號S/YL-ST/8，150公頃「濕地保育區」和97公頃「濕地緩衝區」的土地，主要被劃作濕地保育相關的用途地帶，例如「自然保育區」、「其他指定用途（綜合發展包括濕地改善區）」及「其他指定用途（綜合發展包括濕地修復區）」。該規劃意向主要是「保存和加強現有魚塘或濕地的生態價值和功能」，以達到「不會有濕地淨減少」的原則。新田科技城涉填平大量魚塘，與上述法定規劃意向不符。
- **【不符合后海灣濕地規劃原則】**發展入侵150公頃「濕地保育區」和97公頃「濕地緩衝區」，不僅導致90公頃濕地損失，損害濕地連結性及完整性，發展更容許興建中至高密度樓宇，恐令毗鄰的國際重要濕地的生境質素下降，導致整體生態功能喪失。這違反城市規劃委員會規劃指引12C所列明的『防患於未然』原則及『濕地

零淨損失」。

- **【最新圖則剔除原有濕地規劃原則】**以往所有位於后海灣內的法定圖則，均會因應「濕地保育區」和「濕地緩衝區」而制定不同用途地帶的濕地保育要求。但根據最新的新田科技城分區圖，「濕地保育區」的大部分土地被劃為「其他指定用途（創新及科技）」地帶，其規劃意向改為「容納各式各樣的創新及科技用途」，當中經常准許的用途更達44種，包括人才公寓、商業、酒店、工業用途等，發展高度達130米。「濕地緩衝區」亦有土地被劃作「其他指定用途（混合用途）」地帶，容許高達200米的建築發展。最新規劃不但沒有列明濕地保育要求，更沒有採納任何濕地保育的規劃原則，恐令發展與毗連環境嚴重不協調。
- **【濕地喪失和生境破碎化】**新田科技城將導致至少90公頃的濕地面積減少，令大灣區的沿海濕地總量大減。新田科技城位於整個后海灣（又稱深圳灣）濕地系統的核心，發展將切斷后海灣東西兩側的生態連接，導致濕地生境破碎化，損害后海灣（又稱深圳灣）濕地系統的完整性。
- **【濕地系統質素退化】**新田科技城填塘後不只有創科商業用地，帶來超過12,000工作人口，更預計會有6,400單位作的住宅、酒店、康樂等用途。發展引入的人口和基建，將為毗連的「米埔內后海灣拉姆薩爾濕地」及「濕地保育區」帶來不可挽回的負面生態影響，例如人類活動干擾、光污染、噪音等等。
- **【危害全球面臨絕種危機及國家級保護物種】**受影響魚塘濕地所錄得的雀鳥物種數量達205種，其中有117種為具保育級別物種。新田科技城填塘發展將危及19種全球瀕危及近危物種，例如青頭潛鴨、黃胸鵝、黑臉琵鷺、紅頭潛鴨、白眼潛鴨和尖尾濱鵝；33種國家一級或二級重點保護野生動物，例如白肩鵝、烏鵲和禿鷲。填平新田濕地將令眾多面臨滅絕物種失去其重要棲息地。
- **【危害繁殖鷺鳥族群】**新田科技城將直接影響全后海灣第二大的米埔隴鷺鳥林和第三大的米埔鷺鳥林，是超過230對鷺鳥的繁殖重陣，佔全港池鷺和小白鷺繁殖族群的三分之一。第一，新田科技城將永久移除部分用作繁殖的樹木；第二，繁殖鷺鳥將因大面積填塘而失去賴以為生的覓食地；第三，高達105米的創科發展將直接切斷繁殖鷺鳥來往鷺鳥林和覓食地的飛行廊區。發展一旦令鷺鳥無法在此繁殖後代，將直接威脅近二百對繁殖鷺鳥，相等於近15%的繁殖族群。
- **【環評錯漏百出不達標】**新田科技城圖則是基於「不合格」的環評報告，不能接受。新田環評報告有至少29項嚴重的技術評估和數據錯誤或遺漏，包括：違反環評「避免」原則；生態基線及評估資料不足；嚴重低估對保育類雀鳥、繁殖雀鳥、雀鳥飛行路線的影響；嚴重低估對歐亞水獺的影響；無充分資料證明生態補償有效；誤將生態優化措施當作緩解措施等。
- **【破壞傳統魚塘 直接影響傳統塘魚養殖】**新田科技城將直接影響超過30個已正式登記的養魚戶，發展忽視傳統塘魚養殖對經濟、社會和環境永續的貢獻。新田一帶的養魚戶過去半世紀一直養殖塘魚，甚至近十多年甚至積極參與生境管理及保育工作，在保留傳統塘魚養殖運作的同時，為水鳥提供覓食及棲息的空間，維持后海灣魚塘濕地的生態價值。
- **【違反國際公約】**新田科技城發展緊貼「米埔內后海灣拉姆薩爾濕地」，相距或不足30米。發展須填平150公頃「濕地保育區」作創科發展，發展不但會對拉姆薩爾濕地造成嚴重干擾，更會直接切斷她與東邊濕地的連接，損害國際重要濕地的濕地完整性和生態特徵。這與《濕地公約》將「避免濕地受到不利影響」列為首要要求，和《生物多樣性公約》所提倡的濕地保護，背道而馳。
- **【未先避免濕地損失 違反國家政策】**新田科技城未有遵循「避免、減少與補償」的原則進行規劃，未有優先考慮能夠避免負面生態影響或將破壞減到最少的方案，反而直接採納會造成大型濕地損失的方案，與「生態文明建設、高質量發展」和「保護優先」的國策，和十四五規劃提到的「整治修復濱海濕地2萬公頃」，背道而馳。
- **【疑曲解國家政策 合理化填塘方案】**2023年8月國務院公佈的《河套深港科技創新合作區深圳園區發展規劃》，明確指出「河套深港科技創新合作區」香港園區具體

面積為87公頃，面積與落馬洲河套區的「港深科技園」吻合。新田科技城的填塘方案並非出自國家的主意。反之，具指導意義的《粵港澳大灣區發展規劃綱要》，就明確提出「加強濕地保護修復，全面保護區域內國際和國家重要濕地，開展濱海濕地跨境聯合保護」。局方選擇性解讀國策，借國家之名，忽略填平濱海濕地與國家濕地保護策略相沖的事實。

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提交就新田科技城分區計劃大綱草圖的書面申述  
20/04/2024 16:56

Submission Number:

TPB/R/S/STT/1-S057

From: "Ant Ng" [REDACTED]  
To: tpbpd@pland.gov.hk  
Sent by: tpbpd@pland.gov.hk  
File Ref:

Representation Number:

TPB/R/S/STT/1-R145

致城規會

申述人: Ng Kar Wai

申述人身份證: [REDACTED]

根據 Stockholm Resilience Centre, Stockholm University (Richardson et al. 2023, Steffen et al. 2015, and Rockström et al. 2009)的研究，當前地球最大的危機是 Biodiversity，比 Climate Change 危險性更高。希望有關當局、城規會以及環評委員會認清這個事實，不要以「可持續發展」或「綠建」作不可逆轉的生地傷害的藉口。

我要求城規會：

- 重新修訂新田科技城草圖，將「其他指定用途（創新及科技）」地帶重新劃為原本的地帶，即「自然保育區」、「其他指定用途（綜合發展及濕地改善區）」及「其他指定用途（綜合發展包括濕地修復區）」，或其他與濕地保育相關的用途地帶，以遵循「防患於未然」和「不會有濕地淨減少」的濕地規劃原則。
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原因如下：

- **【不符合新田法定圖則的規劃原意】**根據原本的新田分區計劃大綱核准圖編號 S/YL-ST/8，150公頃「濕地保育區」和97公頃「濕地緩衝區」的土地，主要被劃作濕地保育相關的用途地帶，例如「自然保育區」、「其他指定用途（綜合發展包括濕地改善區）」及「其他指定用途（綜合發展包括濕地修復區）」。該規劃意向主要是「保存和加強現有魚塘或濕地的生態價值和功能」，以達到「不會有濕地淨減少」的原則。新田科技城涉填平大量魚塘，與上述法定規劃意向不符。
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- **【最新圖則剔除原有濕地規劃原則】**以往所有位於后海灣內的法定圖則，均會因應「濕地保育區」和「濕地緩衝區」而制定不同用途地帶的濕地保育要求。但根據最新的新田科技城分區圖，「濕地保育區」的大部分土地被劃為「其他指定用途（創新及科技）」地帶，其規劃意向改為「容納各式各樣的創新及科技用途」，當中經常准許的用途更達44種，包括人才公寓、商業、酒店、工業



用途等，發展高度達130米。「濕地緩衝區」亦有土地被劃作「其他指定用途（混合用途）」地帶，容許高達200米的建築發展。最新規劃不但沒有列明濕地保育要求，更沒有採納任何濕地保育的規劃原則，恐令發展與毗連環境嚴重不協調。

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- **【違反國際公約】**新田科技城發展緊貼「米埔內后海灣拉姆薩爾濕地」，相距或不足30米。發展須填平150公頃「濕地保育區」作創科發展，發展不但會對拉姆薩爾濕地造成嚴重干擾，更會直接切斷她與東邊濕地的連接，損害國際重要濕地的濕地完整性和生態特徵。這與《濕地公約》將「避免濕地受到不利影響」列為首要要求，和《生物多樣性公約》所提倡的濕地保護，背道而馳。
- **【未先避免濕地損失 違反國家政策】**新田科技城未有遵循「避免、減少與補償」的原則進行規劃，未有優先考慮能夠避免負面生態影響或將破壞減到最少的方案，反而直接採納會造成大型濕地損失的方案，與「生態文明建設、高質量發展」和「保護優先」的國策，和十四五規劃提到的「整治修復濱海濕地2萬公頃」，背道而馳。
- **【疑曲解國家政策 合理化填塘方案】**2023年8月國務院公佈的《河套深港科技創新合作區深圳園區發展規劃》，明確指出「河套深港科技創新合作區」香港園區具體面積為87公頃，面積與落馬洲河套區的「港深科技園」吻合。新田科技城的填塘方案並非出自國家的主意。反之，具指導意義的《粵港澳大灣區發展規劃綱要》，就明確提出「加強濕地保護修復，全面保護區域內國際和國家重要濕地，開展濱海濕地跨境聯合保護」。局方選擇性解讀國策，借國家之

名，忽略填平濱海濕地與國家濕地保護策略相沖的事實。  
如此對上不符 (不合國家發展政策)、對下不仁 (傷害香港生境)的發展，絕非良策，還  
望收回並改為投入資源保護地球，讓香港成為世界表率。

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提交就新田科技城分區計劃大綱草圖的書面申述  
20/04/2024 17:02

Submission Number:  
TPB/R/S/STT/1-S058

From: "Mia LIU" [REDACTED]  
To: tpbpd@pland.gov.hk  
Sent by: tpbpd@pland.gov.hk  
File Ref:

Representation Number:  
TPB/R/S/STT/1-R146

致城規會：

申述人全名（與身份證明文件一致）：LIU YANLIANZHI

申述人的身份證／護照號碼首四個字母數字（如 A123）：[REDACTED]

新田的價值不在於地產開發，深圳濕地都在保護的情況下，香港反而反其道而行之，實在令人無法理解！

我要求城規會：

- 重新修訂新田科技城草圖，將「其他指定用途（創新及科技）」地帶重新劃為原本的地帶，即「自然保育區」、「其他指定用途（綜合發展及濕地改善區）」及「其他指定用途（綜合發展包括濕地修復區）」，或其他與濕地保育相關的用途地帶，以遵循「防患於未然」和「不會有濕地淨減少」的濕地規劃原則。
- 修改修訂項目A1及B項有關「其他指定用途」註明「濕地保育公園」地帶的規劃意向和第一欄經常准許的用途，包括將「保護濕地生態系統完整」、「防患於未然」和「不會有濕地淨減少」的原則列為規劃意向；將「農地住用構築物」轉至第二欄，以確保所有可能對濕地造成負面影響的發展和基礎設施，均受到城規會把關。

其他：\_\_\_\_\_

原因如下：

- **【不符合新田法定圖則的規劃原意】**根據原本的新田分區計劃大綱核准圖編號 S/YL-ST/8，150公頃「濕地保育區」和97公頃「濕地緩衝區」的土地，主要被劃作濕地保育相關的用途地帶，例如「自然保育區」、「其他指定用途（綜合發展包括濕地改善區）」及「其他指定用途（綜合發展包括濕地修復區）」。該規劃意向主要是「保存和加強現有魚塘或濕地的生態價值和功能」，以達到「不會有濕地淨減少」的原則。新田科技城涉填平大量魚塘，與上述法定規劃意向不符。
- **【不符合后海灣濕地規劃原則】**發展入侵150公頃「濕地保育區」和97公頃「濕地緩衝區」，不僅導致90公頃濕地損失，損害濕地連結性及完整性，發展更容許興建中至高密度樓宇，恐令毗鄰的國際重要濕地的生境質素下降，導致整體生態功能喪失。這違反城市規劃委員會規劃指引12C所列明的『防患於未然』原則及『濕地零淨損失』。
- **【最新圖則剔除原有濕地規劃原則】**以往所有位於后海灣內的法定圖則，均會因應

「濕地保育區」和「濕地緩衝區」而制定不同用途地帶的濕地保育要求。但根據最新的新田科技城分區圖，「濕地保育區」的大部分土地被劃為「其他指定用途（創新及科技）」地帶，其規劃意向改為「容納各式各樣的創新及科技用途」，當中經常准許的用途更達44種，包括人才公寓、商業、酒店、工業用途等，發展高度達130米。「濕地緩衝區」亦有土地被劃作「其他指定用途（混合用途）」地帶，容許高達200米的建築發展。最新規劃不但沒有列明濕地保育要求，更沒有採納任何濕地保育的規劃原則，恐令發展與毗連環境嚴重不協調。

- **【濕地喪失和生境破碎化】**新田科技城將導致至少90公頃的濕地面積減少，令大灣區的沿海濕地總量大減。新田科技城位於整個后海灣（又稱深圳灣）濕地系統的核心，發展將切斷后海灣東西兩側的生態連接，導致濕地生境破碎化，損害后海灣（又稱深圳灣）濕地系統的完整性。
- **【濕地系統質素退化】**新田科技城填塘後不只有創科商業用地，帶來超過12,000工作人口，更預計會有6,400單位作的住宅、酒店、康樂等用途。發展引入的人口和基建，將為毗連的「米埔內后海灣拉姆薩爾濕地」及「濕地保育區」帶來不可挽回的負面生態影響，例如人類活動干擾、光污染、噪音等等。
- **【危害全球面臨絕種危機及國家級保護物種】**受影響魚塘濕地所錄得的雀鳥物種數量達205種，其中有117種為具保育級別物種。新田科技城填塘發展將危及19種全球瀕危及近危物種，例如青頭潛鴨、黃胸鵝、黑臉琵鷺、紅頭潛鴨、白眼潛鴨和尖尾濱鵝；33種國家一級或二級重點保護野生動物，例如白肩鵝、烏鶻和禿鷲。填平新田濕地將令眾多面臨滅絕物種失去其重要棲息地。
- **【危害繁殖鷺鳥族群】**新田科技城將直接影響全后海灣第二大的米埔隴鷺鳥林和第三大的米埔鷺鳥林，是超過230對鷺鳥的繁殖重陣，佔全港池鷺和小白鷺繁殖族群的三分之一。第一，新田科技城將永久移除部分用作繁殖的樹木；第二，繁殖鷺鳥將因大面積填塘而失去賴以為生的覓食地；第三，高達105米的創科發展將直接切斷繁殖鷺鳥來往鷺鳥林和覓食地的飛行廊區。發展一旦令鷺鳥無法在此繁殖後代，將直接威脅近二百對繁殖鷺鳥，相等於近15%的繁殖族群。
- **【環評錯漏百出不達標】**新田科技城圖則是基於「不合格」的環評報告，不能接受。新田環評報告有至少29項嚴重的技術評估和數據錯誤或遺漏，包括：違反環評「避免」原則；生態基線及評估資料不足；嚴重低估對保育類雀鳥、繁殖雀鳥、雀鳥飛行路線的影響；嚴重低估對歐亞水獺的影響；無充分資料證明生態補償有效；誤將生態優化措施當作緩解措施等。
- **【破壞傳統魚塘 直接影響傳統塘魚養殖】**新田科技城將直接影響超過30個已正式登記的養魚戶，發展忽視傳統塘魚養殖對經濟、社會和環境永續的貢獻。新田一帶的養魚戶過去半世紀一直養殖塘魚，甚至近十多年甚至積極參與生境管理及保育工作，在保留傳統塘魚養殖運作的同時，為水鳥提供覓食及棲息的空間，維持后海灣魚塘濕地的生態價值。
- **【違反國際公約】**新田科技城發展緊貼「米埔內后海灣拉姆薩爾濕地」，相距或不足30米。發展須填平150公頃「濕地保育區」作創科發展，發展不但會對拉姆薩爾濕地造成嚴重干擾，更會直接切斷她與東邊濕地的連接，損害國際重要濕地的濕地完整性和生態特徵。這與《濕地公約》將「避免濕地受到不利影響」列為首要要求，和《生物多樣性公約》所提倡的濕地保護，背道而馳。
- **【未先避免濕地損失 違反國家政策】**新田科技城未有遵循「避免、減少與補償」的原則進行規劃，未有優先考慮能夠避免負面生態影響或將破壞減到最少的方案，反而直接採納會造成大型濕地損失的方案，與「生態文明建設、高質量發展」和「保護優先」的國策，和十四五規劃提到的「整治修復濱海濕地2萬公頃」，背道而馳。
- **【疑曲解國家政策 合理化填塘方案】**2023年8月國務院公佈的《河套深港科技創新合作區深圳園區發展規劃》，明確指出「河套深港科技創新合作區」香港園區具體面積為87公頃，面積與落馬洲河套區的「港深科技園」吻合。新田科技城的填塘方案並非出自國家的主意。反之，具指導意義的《粵港澳大灣區發展規劃綱要》，

就明確提出「加強濕地保護修復，全面保護區域內國際和國家重要濕地，開展濱海濕地跨境聯合保護」。局方選擇性解讀國策，借國家之名，忽略填平濱海濕地與國家濕地保護策略相沖的事實。

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提交就新田科技城分區計劃大綱草圖的書面申述  
20/04/2024 18:44

Submission Number:  
TPB/R/S/STT/1-S059

From: "Lucius Fan" [REDACTED]  
To: tpbpd@pland.gov.hk  
Sent by: tpbpd@pland.gov.hk  
File Ref:

Representation Number:  
TPB/R/S/STT/1-R147

致城規會

申述人全名（與身份證明文件一致）：  
FAN WAI CHUEN LUCIUS

申述人的身份證／護照號碼首四個字母數字（如 A123）：  
[REDACTED]

我要求城規會：

- 重新修訂新田科技城草圖，將「其他指定用途（創新及科技）」地帶重新劃為原本的地帶，即「自然保育區」、「其他指定用途（綜合發展及濕地改善區）」及「其他指定用途（綜合發展包括濕地修復區）」，或其他與濕地保育相關的用途地帶，以遵循「防患於未然」和「不會有濕地淨減少」的濕地規劃原則。
- 修改修訂項目A1及B項有關「其他指定用途」註明「濕地保育公園」地帶的規劃意向和第一欄經常准許的用途，包括將「保護濕地生態系統完整」、「防患於未然」和「不會有濕地淨減少」的原則列為規劃意向；將「農地住用構築物」轉至第二欄，以確保所有可能對濕地造成負面影響的發展和基礎設施，均受到城規會把關。

原因如下：

- 【不符合新田法定圖則的規劃原意】根據原本的新田分區計劃大綱核准圖編號 S/YL-ST/8，150公頃「濕地保育區」和97公頃「濕地緩衝區」的土地，主要被劃作濕地保育相關的用途地帶，例如「自然保育區」、「其他指定用途（綜合發展包括濕地改善區）」及「其他指定用途（綜合發展包括濕地修復區）」。該規劃意向主要是「保存和加強現有魚塘或濕地的生態價值和功能」，以達到「不會有濕地淨減少」的原則。新田科技城涉填平大量魚塘，與上述法定規劃意向不符。
- 【不符合后海灣濕地規劃原則】發展入侵150公頃「濕地保育區」和97公頃「濕地緩衝區」，不僅導致90公頃濕地損失，損害濕地連結性及完整性，發展更容許興建中至高密度樓宇，恐令毗鄰的國際重要濕地的生境質素下降，導致整體生態功能喪失。這違反城市規劃委員會規劃指引12C所列明的「防患於未然」原則及「濕地零淨損失」。
- 【最新圖則剔除原有濕地規劃原則】以往所有位於后海灣內的法定圖則，均會因應「濕地保育區」和「濕地緩衝區」而制定不同用途地帶的濕地保育要求。但根據最新的新田科技城分區圖，「濕地保育區」的大部分土地被劃為「其他指定用途（創新及科技）」地帶，其規劃意向改為「容納各式各樣的創新及科技用途」，當中經

常准許的用途更達44種，包括人才公寓、商業、酒店、工業用途等，發展高度達130米。「濕地緩衝區」亦有土地被劃作「其他指定用途（混合用途）」地帶，容許高達200米的建築發展。最新規劃不但沒有列明濕地保育要求，更沒有採納任何濕地保育的規劃原則，恐令發展與毗連環境嚴重不協調。

- **【濕地喪失和生境破碎化】**新田科技城將導致至少90公頃的濕地面積減少，令大灣區的沿海濕地總量大減。新田科技城位於整個后海灣（又稱深圳灣）濕地系統的核心，發展將切斷后海灣東西兩側的生態連接，導致濕地生境破碎化，損害后海灣（又稱深圳灣）濕地系統的完整性。
- **【濕地系統質素退化】**新田科技城填塘後不只有創科商業用地，帶來超過12,000工作人口，更預計會有6,400單位作的住宅、酒店、康樂等用途。發展引入的人口和基建，將為毗連的「米埔內后海灣拉姆薩爾濕地」及「濕地保育區」帶來不可挽回的負面生態影響，例如人類活動干擾、光污染、噪音等等。
- **【危害全球面臨絕種危機及國家級保護物種】**受影響魚塘濕地所錄得的雀鳥物種數量達205種，其中有117種為具保育級別物種。新田科技城填塘發展將危及19種全球瀕危及近危物種，例如青頭潛鴨、黃胸鵝、黑臉琵鷺、紅頭潛鴨、白眼潛鴨和尖尾濱鵝；33種國家一級或二級重點保護野生動物，例如白肩鵠、烏鵲和禿鷲。填平新田濕地將令眾多面臨滅絕物種失去其重要棲息地。
- **【危害繁殖鷺鳥族群】**新田科技城將直接影響全后海灣第二大的米埔鷺鳥林和第三大的米埔鷺鳥林，是超過230對鷺鳥的繁殖重陣，佔全港池鷺和小白鷺繁殖族群的三分之一。第一，新田科技城將永久移除部分用作繁殖的樹木；第二，繁殖鷺鳥將因大面積填塘而失去賴以為生的覓食地；第三，高達105米的創科發展將直接切斷繁殖鷺鳥來往鷺鳥林和覓食地的飛行廊區。發展一旦令鷺鳥無法在此繁殖後代，將直接威脅近二百對繁殖鷺鳥，相等於近15%的繁殖族群。
- **【環評錯漏百出不達標】**新田科技城圖則是基於「不合格」的環評報告，不能接受。新田環評報告有至少29項嚴重的技術評估和數據錯誤或遺漏，包括：違反環評「避免」原則；生態基線及評估資料不足；嚴重低估對保育類雀鳥、繁殖雀鳥、雀鳥飛行路線的影響；嚴重低估對歐亞水獺的影響；無充分資料證明生態補償有效；誤將生態優化措施當作緩解措施等。
- **【破壞傳統魚塘 直接影響傳統塘魚養殖】**新田科技城將直接影響超過30個已正式登記的養魚戶，發展忽視傳統塘魚養殖對經濟、社會和環境永續的貢獻。新田一帶的養魚戶過去半世紀一直養殖塘魚，甚至近十多年甚至積極參與生境管理及保育工作，在保留傳統塘魚養殖運作的同時，為水鳥提供覓食及棲息的空間，維持后海灣魚塘濕地的生態價值。
- **【違反國際公約】**新田科技城發展緊貼「米埔內后海灣拉姆薩爾濕地」，相距或不足30米。發展須填平150公頃「濕地保育區」作創科發展，發展不但會對拉姆薩爾濕地造成嚴重干擾，更會直接切斷她與東邊濕地的連接，損害國際重要濕地的濕地完整性和生態特徵。這與《濕地公約》將「避免濕地受到不利影響」列為首要要求，和《生物多樣性公約》所提倡的濕地保護，背道而馳。
- **【未先避免濕地損失 違反國家政策】**新田科技城未有遵循「避免、減少與補償」的原則進行規劃，未有優先考慮能夠避免負面生態影響或將破壞減到最少的方案，反而直接採納會造成大型濕地損失的方案，與「生態文明建設、高質量發展」和「保護優先」的國策，和十四五規劃提到的「整治修復濱海濕地2萬公頃」，背道而馳。
- **【疑曲解國家政策 合理化填塘方案】**2023年8月國務院公佈的《河套深港科技創新合作區深圳園區發展規劃》，明確指出「河套深港科技創新合作區」香港園區具體面積為87公頃，面積與落馬洲河套區的「港深科技園」吻合。新田科技城的填塘方案並非出自國家的主意。反之，具指導意義的《粵港澳大灣區發展規劃綱要》，就明確提出「加強濕地保護修復，全面保護區域內國際和國家重要濕地，開展濱海濕地跨境聯合保護」。局方選擇性解讀國策，借國家之名，忽略填平濱海濕地與國家濕地保護策略相沖的事實。

Regards,  
FAN WAI CHUEN LUCIUS



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提交就新田科技城分區計劃大綱草圖的書面申述  
22/04/2024 08:02

Submission Number:  
TPB/R/S/STT/1-S060

From: "Minnie Wong" [REDACTED]  
To: "tpbpd" <tpbpd@pland.gov.hk>  
Sent by: tpbpd@pland.gov.hk  
File Ref:

Representation Number:  
TPB/R/S/STT/1-R148

Wong Pui Ying

我要求城規會：

- 重新修訂新田科技城草圖，將「其他指定用途（創新及科技）」地帶重新劃為原本的地帶，即「自然保育區」、「其他指定用途（綜合發展及濕地改善區）」及「其他指定用途（綜合發展包括濕地修復區）」，或其他與濕地保育相關的用途地帶，以遵循「防患於未然」和「不會有濕地淨減少」的濕地規劃原則。
- 修改修訂項目A1及B項有關「其他指定用途」註明「濕地保育公園」地帶的規劃意向和第一欄經常准許的用途，包括將「保護濕地生態系統完整」、「防患於未然」和「不會有濕地淨減少」的原則列為規劃意向；將「農地住用構築物」轉至第二欄，以確保所有可能對濕地造成負面影響的發展和基礎設施，均受到城規會把關。

其他：\_\_\_\_\_

原因如下：

- 【不符合新田法定圖則的規劃原意】根據原本的新田分區計劃大綱核准圖編號 S/YL-ST/8，150公頃「濕地保育區」和97公頃「濕地緩衝區」的土地，主要被劃作濕地保育相關的用途地帶，例如「自然保育區」、「其他指定用途（綜合發展包括濕地改善區）」及「其他指定用途（綜合發展包括濕地修復區）」。該規劃意向主要是「保存和加強現有魚塘或濕地的生態價值和功能」，以達到「不會有濕地淨減少」的原則。新田科技城涉填平大量魚塘，與上述法定規劃意向不符。
- 【不符合后海灣濕地規劃原則】發展入侵150公頃「濕地保育區」和97公頃「濕地緩衝區」，不僅導致90公頃濕地損失，損害濕地連結性及完整性，發展更容許興建中至高密度樓宇，恐令毗鄰的國際重要濕地的生境質素下降，導致整體生態功能喪失。這違反城市規劃委員會規劃指引12C所列明的「防患於未然」原則及「濕地零淨損失」。
- 【最新圖則剔除原有濕地規劃原則】以往所有位於后海灣內的法定圖則，均會因應「濕地保育區」和「濕地緩衝區」而制定不同用途地帶的濕地保育要求。但根據最

新的新田科技城分區圖，「濕地保育區」的大部分土地被劃為「其他指定用途（創新及科技）」地帶，其規劃意向改為「容納各式各樣的創新及科技用途」，當中經常准許的用途更達44種，包括人才公寓、商業、酒店、工業用途等；發展高度達130米。「濕地緩衝區」亦有土地被劃作「其他指定用途（混合用途）」地帶，容許高達200米的建築發展。最新規劃不但沒有列明濕地保育要求，更沒有採納任何濕地保育的規劃原則，恐令發展與毗連環境嚴重不協調。

- **【濕地喪失和生境破碎化】**新田科技城將導致至少90公頃的濕地面積減少，令大灣區的沿海濕地總量大減。新田科技城位於整個后海灣（又稱深圳灣）濕地系統的核心，發展將切斷后海灣東西兩側的生態連接，導致濕地生境破碎化，損害后海灣（又稱深圳灣）濕地系統的完整性。
- **【濕地系統質素退化】**新田科技城填塘後不只有創科商業用地，帶來超過12,000工作人口，更預計會有6,400單位作的住宅、酒店、康樂等用途。發展引入的人口和基建，將為毗連的「米埔內后海灣拉姆薩爾濕地」及「濕地保育區」帶來不可挽回的負面生態影響，例如人類活動干擾、光污染、噪音等等。
- **【危害全球面臨絕種危機及國家級保護物種】**受影響魚塘濕地所錄得的雀鳥物種數量達205種，其中有117種為具保育級別物種。新田科技城填塘發展將危及19種全球瀕危及近危物種，例如青頭潛鴨、黃胸鵝、黑臉琵鷺、紅頭潛鴨、白眼潛鴨和尖尾濱鵝；33種國家一級或二級重點保護野生動物，例如白肩鵝、烏鵲和禿鷲。填平新田濕地將令眾多面臨滅絕物種失去其重要棲息地。
- **【危害繁殖鷺鳥族群】**新田科技城將直接影響全后海灣第二大的米埔隴鷺鳥林和第三大的米埔鷺鳥林，是超過230對鷺鳥的繁殖重陣，佔全港池鷺和小白鷺繁殖族群的三分之一。第一，新田科技城將永久移除部分用作繁殖的樹木；第二，繁殖鷺鳥將因大面積填塘而失去賴以為生的覓食地；第三，高達105米的創科發展將直接切斷繁殖鷺鳥來往鷺鳥林和覓食地的飛行廊區。發展一旦令鷺鳥無法在此繁殖後代，將直接威脅近二百對繁殖鷺鳥，相等於近15%的繁殖族群。
- **【環評錯漏百出不達標】**新田科技城圖則是基於「不合格」的環評報告，不能接受。新田環評報告有至少29項嚴重的技術評估和數據錯誤或遺漏，包括：違反環評「避免」原則；生態基線及評估資料不足；嚴重低估對保育類雀鳥、繁殖雀鳥、雀鳥飛行路線的影響；嚴重低估對歐亞水獺的影響；無充分資料證明生態補償有效；誤將生態優化措施當作緩解措施等。
- **【破壞傳統魚塘 直接影響傳統塘魚養殖】**新田科技城將直接影響超過30個已正式登記的養魚戶，發展忽視傳統塘魚養殖對經濟、社會和環境永續的貢獻。新田一帶的養魚戶過去半世紀一直養殖塘魚，甚至近十多年甚至積極參與生境管理及保育工作，在保留傳統塘魚養殖運作的同時，為水鳥提供覓食及棲息的空間，維持后海灣魚塘濕地的生態價值。
- **【違反國際公約】**新田科技城發展緊貼「米埔內后海灣拉姆薩爾濕地」，相距或不足30米。發展須填平150公頃「濕地保育區」作創科發展，發展不但會對拉姆薩爾濕地造成嚴重干擾，更會直接切斷她與東邊濕地的連接，損害國際重要濕地的濕地完整性和生態特徵。這與《濕地公約》將「避免濕地受到不利影響」列為首要要求，和《生物多樣性公約》所提倡的濕地保護，背道而馳。
- **【未先避免濕地損失 違反國家政策】**新田科技城未有遵循「避免、減少與補償」的原則進行規劃，未有優先考慮能夠避免負面生態影響或將破壞減到最少的方案，反而直接採納會造成大型濕地損失的方案，與「生態文明建設、高質量發展」和「保護優先」的國策，和十四五規劃提到的「整治修復濱海濕地2萬公頃」，背道而馳。
- **【疑曲解國家政策 合理化填塘方案】**2023年8月國務院公佈的《河套深港科技創新合作區深圳園區發展規劃》，明確指出「河套深港科技創新合作區」香港園區具體面積為87公頃，面積與落馬洲河套區的「港深科技園」吻合。新田科技城的填塘方案並非出自國家的主意。反之，具指導意義的《粵港澳大灣區發展規劃綱要》，就明確提出「加強濕地保護修復，全面保護區域內國際和國家重要濕地，開展濱海

濕地跨境聯合保護」。局方選擇性解讀國策，借國家之名，忽略填平濱海濕地與國家濕地保護策略相沖的事實。

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提交就新田科技城分區計劃大綱草圖的書面申述  
21/04/2024 23:55

Submission Number:  
TPB/R/S/STT/1-S061

From: "elaine cheung"  
To: tpbpd@pland.gov.hk  
Sent by: tpbpd@pland.gov.hk  
File Ref:

Representation Number:  
TPB/R/S/STT/1-R149

致城規會：（電郵：[tpbpd@pland.gov.hk](mailto:tpbpd@pland.gov.hk)）：

申述人全名（與身份證明文件一致）：  
張麗思

申述人的身份證／護照號碼首四個字母數字（如 A123）：  
[REDACTED]

請中國香港政府和香港環境保護團體，一起守護這個香港國際級珍貴濕地 --- 北部都會區內的濕地 / 守護本地珍貴后海灣生態系統及濕地。謝謝。

我要求城規會：

- 重新修訂新田科技城草圖，將「其他指定用途（創新及科技）」地帶重新劃為原本的地帶，即「自然保育區」、「其他指定用途（綜合發展及濕地改善區）」及「其他指定用途（綜合發展包括濕地修復區）」，或其他與濕地保育相關的用途地帶，以遵循「防患於未然」和「不會有濕地淨減少」的濕地規劃原則。
- 修改修訂項目A1及B項有關「其他指定用途」註明「濕地保育公園」地帶的規劃意向和第一欄經常准許的用途，包括將「保護濕地生態系統完整」、「防患於未然」和「不會有濕地淨減少」的原則列為規劃意向；將「農地住用構築物」轉至第二欄，以確保所有可能對濕地造成負面影響的發展和基礎設施，均受到城規會把關。

其他：\_\_\_\_\_

原因如下：

- **【不符合新田法定圖則的規劃原意】**根據原本的新田分區計劃大綱核准圖編號 S/YL-ST/8，150公頃「濕地保育區」和97公頃「濕地緩衝區」的土地，主要被劃作濕地保育相關的用途地帶，例如「自然保育區」、「其他指定用途（綜合發展包括濕地改善區）」及「其他指定用途（綜合發展包括濕地修復區）」。該規劃意向主要是「保存和加強現有魚塘或濕地的生態價值和功能」，以達到「不會有濕地淨減少」的原則。新田科技城涉填平大量魚塘，與上述法定規劃意向不符。
- **【不符合后海灣濕地規劃原則】**發展入侵150公頃「濕地保育區」和97公頃「濕地緩衝區」，不僅導致90公頃濕地損失，損害濕地連結性及完整性，發展更容許興建中至高密度樓宇，恐令毗鄰的國際重要濕地的生境質素下降，導致整體生態功能喪失。這違反城市規劃委員會規劃指引12C所列明的「防患於未然」原則及「濕地零淨損失」。

- **【最新圖則剔除原有濕地規劃原則】** 以往所有位於后海灣內的法定圖則，均會因應「濕地保育區」和「濕地緩衝區」而制定不同用途地帶的濕地保育要求。但根據最新的新田科技城分區圖，「濕地保育區」的大部分土地被劃為「其他指定用途（創新及科技）」地帶，其規劃意向改為「容納各式各樣的創新及科技用途」，當中經常准許的用途更達44種，包括人才公寓、商業、酒店、工業用途等，發展高度達130米。「濕地緩衝區」亦有土地被劃作「其他指定用途（混合用途）」地帶，容許高達200米的建築發展。最新規劃不但沒有列明濕地保育要求，更沒有採納任何濕地保育的規劃原則，恐令發展與毗連環境嚴重不協調。
- **【濕地喪失和生境破碎化】** 新田科技城將導致至少90公頃的濕地面積減少，令大灣區的沿海濕地總量大減。新田科技城位於整個后海灣（又稱深圳灣）濕地系統的核心，發展將切斷后海灣東西兩側的生態連接，導致濕地生境破碎化，損害后海灣（又稱深圳灣）濕地系統的完整性。
- **【濕地系統質素退化】** 新田科技城填塘後不只有創科商業用地，帶來超過12,000工作人口，更預計會有6,400單位作的住宅、酒店、康樂等用途。發展引入的人口和基建，將為毗連的「米埔內后海灣拉姆薩爾濕地」及「濕地保育區」帶來不可挽回的負面生態影響，例如人類活動干擾、光污染、噪音等等。
- **【危害全球面臨絕種危機及國家級保護物種】** 受影響魚塘濕地所錄得的雀鳥物種數量達205種，其中有117種為具保育級別物種。新田科技城填塘發展將危及19種全球瀕危及近危物種，例如青頭潛鴨、黃胸鵝、黑臉琵鷺、紅頭潛鴨、白眼潛鴨和尖尾濱鵝；33種國家一級或二級重點保護野生動物，例如白肩鵝、烏鵲和禿鷲。填平新田濕地將令眾多面臨滅絕物種失去其重要棲息地。
- **【危害繁殖鷺鳥族群】** 新田科技城將直接影響全后海灣第二大的米埔龍鷺鳥林和第三大的米埔鷺鳥林，是超過230對鷺鳥的繁殖重陣，佔全港池鷺和小白鷺繁殖族群的三分之一。第一，新田科技城將永久移除部分用作繁殖的樹木；第二，繁殖鷺鳥將因大面積填塘而失去賴以為生的覓食地；第三，高達105米的創科發展將直接切斷繁殖鷺鳥來往鷺鳥林和覓食地的飛行廊區。發展一旦令鷺鳥無法在此繁殖後代，將直接威脅近二百對繁殖鷺鳥，相等於近15%的繁殖族群。
- **【環評錯漏百出不達標】** 新田科技城圖則是基於「不合格」的環評報告，不能接受。新田環評報告有至少29項嚴重的技術評估和數據錯誤或遺漏，包括：違反環評「避免」原則；生態基線及評估資料不足；嚴重低估對保育類雀鳥、繁殖雀鳥、雀鳥飛行路線的影響；嚴重低估對歐亞水獺的影響；無充分資料證明生態補償有效；誤將生態優化措施當作緩解措施等。
- **【破壞傳統魚塘 直接影響傳統塘魚養殖】** 新田科技城將直接影響超過30個已正式登記的養魚戶，發展忽視傳統塘魚養殖對經濟、社會和環境永續的貢獻。新田一帶的養魚戶過去半世紀一直養殖塘魚，甚至近十多年甚至積極參與生境管理及保育工作，在保留傳統塘魚養殖運作的同時，為水鳥提供覓食及棲息的空間，維持后海灣魚塘濕地的生態價值。
- **【違反國際公約】** 新田科技城發展緊貼「米埔內后海灣拉姆薩爾濕地」，相距或不足30米。發展須填平150公頃「濕地保育區」作創科發展，發展不但會對拉姆薩爾濕地造成嚴重干擾，更會直接切斷她與東邊濕地的連接，損害國際重要濕地的濕地完整性和生態特徵。這與《濕地公約》將「避免濕地受到不利影響」列為首要要求，和《生物多樣性公約》所提倡的濕地保護，背道而馳。
- **【未先避免濕地損失 違反國家政策】** 新田科技城未有遵循「避免、減少與補償」的原則進行規劃，未有優先考慮能夠避免負面生態影響或將破壞減到最少的方案，反而直接採納會造成大型濕地損失的方案，與「生態文明建設、高質量發展」和「保護優先」的國策，和十四五規劃提到的「整治修復濱海濕地2萬公頃」，背道而馳。
- **【疑曲解國家政策 合理化填塘方案】** 2023年8月國務院公佈的《河套深港科技創新合作區深圳園區發展規劃》，明確指出「河套深港科技創新合作區」香港

園區具體面積為87公頃，面積與落馬洲河套區的「港深科技園」吻合。新田科技城的填塘方案並非出自國家的主意。反之，具指導意義的《粵港澳大灣區發展規劃綱要》，就明確提出「加強濕地保護修復，全面保護區域內國際和國家重要濕地，開展濱海濕地跨境聯合保護」。局方選擇性解讀國策，借國家之名，忽略填平濱海濕地與國家濕地保護策略相沖的事實。

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轉寄： 提交就新田科技城分區計劃大綱草圖的書面申述  
21/04/2024 21:30

Submission Number:  
TPB/R/S/STT/1-S062

From: "Eva Cheung" [REDACTED]  
To: <tpbpd@pland.gov.hk>  
Sent by: tpbpd@pland.gov.hk  
File Ref:

Representation Number:  
TPB/R/S/STT/1-R150

申述人全名： CHEUNG Hiu Wing

申述人的身份證／護照號碼首四個字母數字： [REDACTED]

我要求城規會：

- 重新修訂新田科技城草圖，將「其他指定用途（創新及科技）」地帶重新劃為原本的地帶，即「自然保育區」、「其他指定用途（綜合發展及濕地改善區）」及「其他指定用途（綜合發展包括濕地修復區）」，或其他與濕地保育相關的用途地帶，以遵循「防患於未然」和「不會有濕地淨減少」的濕地規劃原則。
- 修改修訂項目A1及B項有關「其他指定用途」註明「濕地保育公園」地帶的規劃意向和第一欄經常准許的用途，包括將「保護濕地生態系統完整」、「防患於未然」和「不會有濕地淨減少」的原則列為規劃意向；將「農地住用構築物」轉至第二欄，以確保所有可能對濕地造成負面影響的發展和基礎設施，均受到城規會把關。

其他： \_\_\_\_\_

原因如下：

- **【不符合新田法定圖則的規劃原意】**根據原本的新田分區計劃大綱核准圖編號S/YL-ST/8，150公頃「濕地保育區」和97公頃「濕地緩衝區」的土地，主要被劃作濕地保育相關的用途地帶，例如「自然保育區」、「其他指定用途（綜合發展包括濕地改善區）」及「其他指定用途（綜合發展包括濕地修復區）」。該規劃意向主要是「保存和加強現有魚塘或濕地的生態價值和功能」，以達到「不會有濕地淨減少」的原則。新田科技城涉填平大量魚塘，與上述法定規劃意向不符。
- **【不符合后海灣濕地規劃原則】**發展入侵150公頃「濕地保育區」和97公頃「濕地緩衝區」，不僅導致90公頃濕地損失，損害濕地連結性及完整性，發展更容許興建中至高密度樓宇，恐令毗鄰的國際重要濕地的生境質素下降，導致整體生態功能喪失。這違反城市規劃委員會規劃指引12C所列明的「防患於未然」原則及「濕地零淨損失」。
- **【最新圖則剔除原有濕地規劃原則】**以往所有位於后海灣內的法定圖則，均會因應「濕地保育區」和「濕地緩衝區」而制定不同用途地帶的濕地保育要求。但根據最新的新田科技城分區圖，「濕地保育區」的大部分土地被劃為「其他指定用途（創新及科技）」地帶，其規劃意向改為「容納各式各樣的創新及科技用途」，當中經常准許的用途更達44種，包括人才公寓、商業、酒店、工業

用途等，發展高度達130米。「濕地緩衝區」亦有土地被劃作「其他指定用途（混合用途）」地帶，容許高達200米的建築發展。最新規劃不但沒有列明濕地保育要求，更沒有採納任何濕地保育的規劃原則，恐令發展與毗連環境嚴重不協調。

- **【濕地喪失和生境破碎化】**新田科技城將導致至少90公頃的濕地面積減少，令大灣區的沿海濕地總量大減。新田科技城位於整個后海灣（又稱深圳灣）濕地系統的核心，發展將切斷后海灣東西兩側的生態連接，導致濕地生境破碎化，損害后海灣（又稱深圳灣）濕地系統的完整性。
- **【濕地系統質素退化】**新田科技城填塘後不只有創科商業用地，帶來超過12,000工作人口，更預計會有6,400單位作的住宅、酒店、康樂等用途。發展引入的人口和基建，將為毗連的「米埔內后海灣拉姆薩爾濕地」及「濕地保育區」帶來不可挽回的負面生態影響，例如人類活動干擾、光污染、噪音等等。
- **【危害全球面臨絕種危機及國家級保護物種】**受影響魚塘濕地所錄得的雀鳥物種數量達205種，其中有117種為具保育級別物種。新田科技城填塘發展將危及19種全球瀕危及近危物種，例如青頭潛鴨、黃胸鵝、黑臉琵鷺、紅頭潛鴨、白眼潛鴨和尖尾濱鵝；33種國家一級或二級重點保護野生動物，例如白肩鵝、烏鶇和禿鶇。填平新田濕地將令眾多面臨滅絕物種失去其重要棲息地。
- **【危害繁殖鷺鳥族群】**新田科技城將直接影響全后海灣第二大的米埔隴鷺鳥林和第三大的米埔鷺鳥林，是超過230對鷺鳥的繁殖重陣，佔全港池鷺和小白鷺繁殖族群的三分之一。第一，新田科技城將永久移除部分用作繁殖的樹木；第二，繁殖鷺鳥將因大面積填塘而失去賴以為生的覓食地；第三，高達105米的創科發展將直接切斷繁殖鷺鳥來往鷺鳥林和覓食地的飛行廊區。發展一旦令鷺鳥無法在此繁殖後代，將直接威脅近二百對繁殖鷺鳥，相等於近15%的繁殖族群。
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- **【破壞傳統魚塘 直接影響傳統塘魚養殖】**新田科技城將直接影響超過30個已正式登記的養魚戶，發展忽視傳統塘魚養殖對經濟、社會和環境永續的貢獻。新田一帶的養魚戶過去半世紀一直養殖塘魚，甚至近十多年甚至積極參與生境管理及保育工作，在保留傳統塘魚養殖運作的同時，為水鳥提供覓食及棲息的空間，維持后海灣魚塘濕地的生態價值。
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- **【疑曲解國家政策 合理化填塘方案】**2023年8月國務院公佈的《河套深港科技創新合作區深圳園區發展規劃》，明確指出「河套深港科技創新合作區」香港園區具體面積為87公頃，面積與落馬洲河套區的「港深科技園」吻合。新田科技城的填塘方案並非出自國家的主意。反之，具指導意義的《粵港澳大灣區發展規劃綱要》，就明確提出「加強濕地保護修復，全面保護區域內國際和國家重要濕地，開展濱海濕地跨境聯合保護」。局方選擇性解讀國策，借國家之名，忽略填平濱海濕地與國家濕地保護策略相沖的事實。