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To <sjyuen@legco.gov.hk>
cc Andy Brown <abrown@kfbg.org>, Gary Ades
<kfgarya@kfbg.org>, Captain <captainw@kfbg.org>
bcc
Subject Lantau Development Concept Plan - soft copy of Kadoorie Farm submission

Dear Ms Yuen

Following discussion this afternoon with your colleague Ms Odelia Leung, please find attached a soft copy of the submission of Kadoorie Farm and Botanic Garden to the Lantau Development Concept Plan for uploading to the LegCo website under the Panel on Planning Lands and Works page.

A soft copy of the original covering letter (no signature on electronic copy) is also included for your reference.

Please fell free to contact me on if you have any questions.

Kind regards,

Mike Kilburn



Submission 28 feb final.doc Cover letter 26 Feb 05.doc



嘉道理農場暨植物園公司
Kadoorie Farm & Botanic Garden Corporation

Lantau Development Task Force
c/o Lantau and Islands District Planning Office
Planning Department
15/F Sha Tin Government Offices
1 Sheung Wo Che Road
Sha Tin, N.T.

By Fax and Mail

28 February, 2005

Dear Sir,

Please find enclosed the Submission by Kadoorie Farm and Botanic Garden in respect of the public consultation by the Lantau Development Task Force”.

Yours sincerely,

Andy Brown
Executive Director

cc.

Town Planning Board
Council for Sustainable Development
Advisory Council on the Environment
Legislative Council Panel on the Environment
Legislative Council Panel on Economic Services

Public Consultation by the Lantau Development Task Force

Lantau Development Concept Plan

Response from Kadoorie Farm and Botanic Garden

1. Introduction

- 1.1 The following document represents the submission of Kadoorie Farm and Botanic Garden Corporation in the public consultation exercise for the HKSAR Administration's 2003 Conservation Policy Review.
- 1.2 Kadoorie Farm and Botanic Garden Corporation (KFBG) was created by a Legislative Council Ordinance in 1995¹. For many years before, and since then, it has made a major practical contribution to biodiversity conservation and the rural environment in Hong Kong and Southern China through a range of agricultural aid, training, education and survey programmes, wild animal rescue and rehabilitation and establishing breeding populations of threatened species. In addition, KFBG has published papers articles and books on a wide range of ecological, agricultural, rural economy (including organic farming), and environmental issues.
- 1.3 In addition to the above, KFBG's current work includes research into rural land use, land administration and enforcement, planning for conservation and ecological footprinting.
- 1.4 KFBG has played an active role in the current consultation, including the following events:
 - Attended a briefing session by Planning Department in December 2004
 - Organised internal workshop on the Concept Plan for KFBG staff
 - Shared opinions and expertise with other environmental NGOs interested in the Lantau Development Concept Plan

¹ Kadoorie Farm and Botanic Garden Corporation Bill (cap1156): "To establish a body corporate to manage and control the Kadoorie Farm and Botanic Garden for the public benefit as a centre for conservation and education."

2. THE CONSULTATION

- 2.1 Kadoorie Farm and Botanic Garden welcomes:
- 2.1.1 The notion of a concept plan for Lantau which addresses economic, social and environmental development under the broad concept of sustainability.
 - 2.1.2 The recognition that Lantau plays an important role in Hong Kong as a centre for nature conservation and compatible recreation. We note that in the Hong Kong 2030 planning vision and strategy study² this is codified as a planning intention.
 - 2.1.3 The recognition that it is beneficial to expand the existing country park network on Lantau and to seek ways to improve the amenity value of the country parks.
 - 2.1.4 However, despite these positive aspects of the Concept Plan, KFBG retains the following reservations in regard to the consultation methodology and the content of the Concept Plan:

3 Reservations

3.1 *Task Force Composition*

- 3.1.1 The absence from the Lantau Development Taskforce of the department responsible both for nature conservation and for the Country Parks has resulted in a development plan which is fundamentally flawed in failing to address the key conservation concerns on Lantau.
- 3.1.2 As a result the level playing field for implementing a sustainable approach, whereby conservation and environment play an equally important role to social and economic development is immediately lost.
- 3.1.3 We believe that involving all stakeholders in formulating a Concept Plan would reflect the genuine intention of the Administration to work in partnership with the community in order to build a truly sustainable Concept Plan for Lantau.
- 3.1.4 We are confused as to why as special taskforce has been created to draft the Concept Plan, rather than allow the new ideas to be presented though the usual channel – namely studies and consultations conducted by the Planning Department. We would welcome your clarification.

² “It is our planning intention to conserve the beautiful countryside of, for instance, Sai Kung, Lantau and many of the outlying islands. At the same time, opportunities for compatible recreational uses will be explored to ensure that these regions will remain as recreational and leisure gardens of Hong Kong . . .” “Hong Kong 2030 Planning Vision and Strategy Stage 3 public consultation” Page 7 paragraph 4.

3.2 Failure to Apply International Standards for Sustainable Development

- 3.2.1 We note the vision of the Lantau Task Force to: “promote sustainable development by balancing development and conservation needs.”³ However, it is clear from studying the Concept Plan that the intention is to promote development at the expense of conservation of natural heritage and in particular at the expense of ecology and landscape. The clearest sign of this imbalance can be found in the last sentences of paragraphs D and D2, where it is made clear that the designation of nature reserves will only occur when other requirements have been satisfied:

“The Government is considering the timing for implementation of the designation proposal, **taking into account the planned developments in Lantau and resource availability.**”

- 3.2.2 Paragraph 20 of the Consultation Document notes that: “A preliminary sustainability assessment has been conducted . . . ” and goes on to outline the economic and leisure benefits that will accrue from execution of the concept plan. It is significant that no improvements are claimed for conservation, only the assertion that “with due emphasis” – whatever that means – “. . . the proposals will help maintain the rich biodiversity of Hong Kong.”
- 3.2.3 It is clear from the emphasis on development in the above examples that the Task Force has failed to understand the key concepts of Sustainable Development as laid out in the Rio Declaration and the Johannesburg Declaration on Sustainable Development.

3.3 Existing Planning Intentions and Commitments

- 3.3.1 We are disappointed that no reference is made to either the 1999 Policy Address (specifically paragraph 134), or the Hong Kong 2030 Planning Vision and Strategy stage 3 public consultation. The latter in particular sets the planning intention for Lantau in the context of the wider planning strategy for the Hong Kong SAR. It should be noted that this study reflects the Administration’s position on Lantau for the last three decades.
- 3.3.2 We further note that the Executive Summary of the South West New Territories Recommended Development Strategy (SWNTRDS) noted in paragraph 4.4:

“The potential for further development in SWNT should be carefully examined and supported by detailed assessment, without compromising the unique conservation areas and high quality landscape features. For such developments, all adverse impacts on the environment must be minimized and mitigated to an acceptable level. Tourist / recreational proposals must also be sensibly integrated with the environment.”

³ Legco Working paper: WP/CMPB/1/2005 paragraph 4.

- 3.3.3 We are deeply concerned that the huge integrated infrastructure proposals, some recreation proposals and the intention to encourage development of Green Belt expressed in the Concept Plan will have serious and irreversible negative impacts *contra* the intentions of the 1999 Policy Address, the Hong Kong 2030 Planning Vision and Strategy and SWNTRDS and Government policy for Lantau stretching back more than 30 years.
- 3.3.4 In addition we note that the Hong Kong Planning Standards and Guidelines provide clear indications of what is and is not acceptable in relation to conservation (Chapter 10) and recreation, open space and greening (Chapter 4). We believe that many of the individual projects outlined and referred to in the Concept Plan fall short of these standards and guidelines.
- 3.3.5 We believe that this Concept Plan represents an attempt to fundamentally change the long-term planning intention for Lantau, by developing large-scale development scenarios and political expectations without subjecting them to the rigorous testing of the professional planning process or fair and open public consultation.

3.4 *Inconsistencies in the Consultation Process*

- 3.4.1 During the presentation of the Concept Plan to ENGOs, the Administration has continually asserted that this is purely a concept plan, and that anything on it may be changed, omitted or adapted, and that everything is subject to public consultation.
- 3.4.2 However, this assertion is contradicted by two issues:
 - a) The Chief Secretary has already announced San Shek Wan as the landing point for the proposed bridge across the Pearl River Delta, based on a report and an agreement made outside the jurisdiction of the Hong Kong SAR.
 - b) During the initial meeting with the ENGOs in December 2004, the Administration admitted that it is already seeking expressions of interest for the proposed Logistics Park.
- 3.4.3 We note, with regret, the absence from all graphics of two proposed major infrastructure projects which could reasonably be expected to fall within the scope of a Lantau Development Concept Plan, namely the proposed CT10 container facility (for which the consultation document clearly favours locating on reclaimed land on the western edge of Lantau) and the proposed LNG terminal (for which the Soko Islands is one of two proposed sites). The omission of these projects creates a misleading impression to the public over the true scale of economic development envisaged by the Administration for Lantau.

- 3.4.4 In the face of such contradictory statements and actions it become difficult to maintain any faith in the openness and fairness of the consultation process. Such actions run contrary to the expectation of public consultation implicit in sustainable development. We also believe that proceeding with these projects without completing an environmental impact assessment under the Environmental Impact Assessment Ordinance (cap 499) may leave them open to legal challenge.
- 3.4.5 As a result of the abovementioned points we object in the strongest terms to the methodology of the Lantau Development Concept Plan

4. *Content of the Concept Plan*

4.1 Complete imbalance

- 4.1.1 We are deeply disappointed that under the current Concept Plan, allocation of new resources for economic and conservation purposes can reasonably be expressed as follows:
 - 4.1.2 “New economic development: several billions. Conservation: zero”
 - 4.1.3 We also believe this is a fundamental failing of the Concept Plan’s stated intention of balancing economic development and conservation, in addition to the internationally accepted standards of sustainable development.
 - 4.1.4 We note that a proposal for a motor racing circuit (probably one of the least sustainable activities on the planet) has been listed in the report, but that the Lantau conservation proposal produced by several ENGOs in 1998 is not mentioned. Why is this?

4.2 Double Counting

- 4.2.1 In particular we are surprised to learn that the concept plan is offering the finalisation of the Country Park extensions that were promised as mitigation for the negative ecological impacts of Chek Lap Kok Airport and ancillary transport infrastructure in 1998. It is unacceptable that this has been presented as a new initiative in this plan.
- 4.2.2 It is regretted that this is the second initiative of the Administration within a year whereby resources already allocated for environmental protection or enhancement have been repackaged to make it appear that the Administration is providing new resources. The other example is the Nature Conservation Policy, which allocated HK\$5 million from the Environment Conservation Fund for the management agreement initiative in the nature conservation policy, although this money is already available for similar purposes!
- 4.2.3 We note further that “double counting” of mitigation was not considered acceptable during the assessment of the Sheung Shui - Lok Ma Chau Spur Line

under the Environmental Impact Assessment Ordinance. There is no reason why it should now be acceptable for Lantau.

4.3 Conditional Conservation

- 4.3.1 Our belief that nothing new has been offered and that the Task Force has little interest in conservation is reinforced by reading the final sentence of paragraphs D1 and D2 of the Concept Plan consultation digest, which relate to designating a Country Park Extension and a Marine Park:
- 4.3.2 “The Government is considering the timing for implementation of the designation proposal, taking into account the planned developments in Lantau and resource availability.”
- 4.3.3 This makes clear that any or all of the Country Park Extensions remain subordinate to other development priorities and the Administration’s demonstrated unwillingness to allocate resources for conservation.
- 4.3.4 Unfortunately this conditional approach is contradictory to the Chief Executive’s 1999 Policy Address. Paragraph 134 states:
- 4.3.5 “Amidst the rapid pace of city life in the 21st Century, it is important that we preserve our countryside. **Taking advantage of the beautiful natural landscape of Lantau Island and Sai Kung District, we intend to develop these two areas into centres of recreational conservation. In 2001, we will also substantially extend managed country park areas on Lantau Island**, enhance management of countryside areas such as the wetlands in Mai Po, and deploy more artificial reefs and leisure activities compatible with the principle of nature conservation.
- 4.3.6 We object in the strongest terms to the fact that the Lantau Development Task Force has seen fit to make this conditional on other factors, where the original words of the Chief Executive gave no indication that conditions were attached.

4.4 Conservation subordinated to development

- 4.4.1 In the case of the proposed Country Park extension for NW Lantau, the Administration’s disregard even of past commitments to the environmental protection of Lantau has been demonstrated by the Chief Secretary’s announcement that San Shek Wan will be the landing point for the HK-Macau-Zhuhai Bridge. As a result the highway will cut across land currently designated as Country Park Extension, causing serious construction phase and operational phase impacts to an area of acknowledged landscape, amenity and ecological value.
- 4.4.2 Thus the Administration’s intentions for balancing economic development and conservation can reasonably be expressed as follows:

“New economic development on Lantau will take precedence over the Administration’s past and present commitments to conservation.”

- 4.4.3 In reality, the Administration is offering precisely nothing new to improve the sustainability of Lantau’s natural heritage. There is no commitment whatsoever to securing sites of high ecological value outside country parks, only the statement that “due regard” will be given to protecting sites of high ecological value through planning designations.
 - 4.4.5 We know from past experience that “due regard” does not equate to more conservation. We refer specifically to the example of an application in 2000 by the World Wide Fund For Nature Hong Kong and the Hong Kong Bird Watching Society to rezone Long Valley to Conservation Area. This application is yet even to be considered by the Town Planning Board, and Long Valley has no better protection than it had in 2000.
- 4.5 Maximising the potential of Country Parks?
- 4.5.1 We are surprised that the Plan seeks to “maximise the recreation potential of Country Parks”, but makes no reference to improving the conservation potential of the parks, when nature conservation is one of the key objectives of the Country Parks. Why is this?
 - 4.5.2 We note that all of the proposed Eco/Heritage Trails and cycling/mountain biking trails are already existing trails, and that the building of a museum and eco tour centre enhances the opportunities for education and awareness-raising, but does nothing to conserve or protect the habitats and cultural resources themselves.
 - 4.5.3 Without further investment to enhance and conserve the ecological and cultural heritage elements of these trails, this remains an empty measure offering little more than a few signs and leaflets.
 - 4.5.4 It should also be noted that the Administration’s current study on developing “Green Tourism” reflects the fact that it is unwilling to adopt, let alone implement, internationally recognized definitions of ecotourism. This does not bode well for the development of ecotourism on Lantau.
- 4.6 Conflicting Intentions for Northwest Lantau
- 4.6.1 We note that the existing development on north Lantau and Chek Lap Kok are major eyesores that can be seen from Tai O, Lantau Peak, Sunset Peak and many other scenic spots in Lantau’s Country Parks (when air quality is good enough).
 - 4.6.1 Noting the abovementioned comment in the 1999 Policy address, the planning intention to preserve the beauty of Lantau stated in the Hong Kong 2030 Planning Vision and Strategy, and para 3.2 of the Planning Standards and Guidelines Chapter 10: Conservation section 3.2.1, which specifically notes the threat posed

to Hong Kong's coastline by the expanding area of Hong Kong's port, please inform us:

- i) if the coast between Tung Chung Bay and Tai O meets the criteria for designation as Coastal Protection Area, and
 - ii) what bearing this has had/will have on deciding the locations of the proposed CT10 and the landing point for the proposed HK-Macau-Zhuhai bridge?
- 4.6.2 We note further that this Concept Plan has identified the coastal path between Tung Chung and Tai O as a potential Eco/Heritage Trail. Part of this area is also marked as a potential Country Park Extension. Please inform us how the proposed CT10 and the footprint for the proposed HK-Macau-Zhuhai Bridge under the landing point announced by the Financial Secretary at San Shek Wan would impact this trail and the Administration's previous commitment in 2001 to designate this area as a Country Park Extension.
- 4.6.3 Please also inform us under what circumstances agreements made with the Guangdong authorities on the proposed routing for the HK-Macau-Zhuhai Bridge take precedence over the Environmental Impact Assessment Ordinance (cap 499) in determining the ecological impact of the proposed project inside the jurisdiction of the Hong Kong SAR, and the right of the Hong Kong public to be consulted on designated projects located with that jurisdiction.
- 4.7 Misleading Landuse Designations and Unenforceable Zoning Plans
- 4.7.1 We note that Discovery Bay, Tai Ho, Tai O, Ngong Ping, much of South Central Lantau between the water catchment and the coast, and the San Tau valley are marked as "Green Belt/Countryside Area" on Plan 1 of the Concept Plan consultation document. It is entirely misleading to lump all such areas under a single designation when their current use and ecological, heritage, agricultural and development value vary so dramatically.
- 4.7.2 We note further that the current South Lantau Coast Outline Zoning Plan is not considered to be enforceable, and that no plans currently exist to rectify this situation. This poses a major threat to ensuring sustainable development in this area, and as such we urge that should be addressed as a matter of urgency by the Lantau Development Taskforce.
- 4.8 Cumulative result – lost credibility and questionable sincerity
- 4.8.1 Regretfully, such measures bring into question the sincerity and credibility of the Administration, and especially the Taskforce towards securing a sustainable environment for Lantau.
- 4.8.2 Furthermore, the recognition of such shortcomings increases cynicism amongst the public towards the Administration, and enhance the impression that there is

collusion between the Administration and “commercial interests” in planning the future development of Hong Kong.

5. RECOMMENDATIONS

5.1 Improving the consultation process

Measures which may be taken to redress this imbalance and erosion of public trust and willingness to participate in such consultations might include:

- 5.1.1 Conduct a complete review of the Concept Plan in light of the outstanding policy and mitigation commitments of the Administration, with particular reference to the 1999 Policy Address (paragraph 134), the Hong Kong Planning Standards and Guidelines, SWNTRDS, the Hong Kong 2030 Planning Vision and Strategy and to “A Conservation Strategy For Lantau, July 1998”.
- 5.1.2 Make available for public inspection and comment:
 - i) the preliminary sustainability assessment mentioned in paragraph 20 of the Concept Plan.
 - ii) approximate estimates of the costs to the public purse for implementing each of the items proposed in the Concept Plan, including: the bridge, the port , the logistics park, the indoor beach, the Country Park extensions, the eco/heritage and cycle/mountain biking trails
- 5.1.3 Invite the Hong Kong Sustainable Development Council to conduct a public review of the sustainability of the Lantau Concept Plan against the highest international standards as laid out in the Rio and Johannesburg Declarations on Sustainable Development.
- 5.1.4 Present the Concept Plan for review by the Town Planning Board as the authority for strategic, sub-regional and district planning in Hong Kong.
- 5.1.5 Recognising that the ENGOs and academics have a greater awareness than the Administration of Lantau’s biodiversity resources, conduct an inclusive and actionable consultation exercise to establish which of Lantau’s ecological resources are most in need of protection and involve the ENGOs and academics in preparing a plan to make this a reality.

5.2 Meeting the Sustainability Objectives of the Concept Plan

- 5.2.1 Maximise the conservation potential of Lantau’s Country Parks and SSSIs by devising a proactive habitat enhancement and conservation management plan for each of Lantau’s Country Parks and SSSIs and allocating sufficient funding for effective implementation, monitoring and ongoing management.
- 5.2.2 Securing sites of high ecological value on private land by non in-situ land exchange as proposed under the new Nature Conservation Policy. Further information on a mechanism to achieve this is attached in Appendix 1

- 5.2.3 Designating and managing wildlife corridors to ensure ongoing connectivity between different habitat types to allow for sustainable levels of genetic transfer, as proposed under the Hong Kong 2030 Planning Vision and Strategy Stage 3 Public consultation.
- 5.2.4 The resources required to designate and manage the proposed Country Park Extensions are derisory when compared with the new investment the Plan proposes for infrastructure and economic projects with serious environmental impact and dubious economic value. Releasing these resources (as noted in points D1-D2) is a political decision that would demonstrate that the Taskforce in particular and the Administration in general is beginning to put sustainable development into practice.

6. CONCLUSION

- 6.1 To date, the consultation for the Lantau Concept development plan represents a major step back in the development of participative public consultation on major planning issues by the HKSAR Administration. We note, regretfully, that this reflects poorly on the commitment made by the Chief Executive in his 2005 Policy Address to listen more closely to the views of the community.
- 6.2 The consultation process is deeply compromised by the pre-announcement of mega developments that ignore both existing impact assessment legislation, and the hard lessons learned from the Superprison and Long Valley.
- 6.3 The process is further compromised by the omission from the key graphic of additional ecologically harmful infrastructure developments (CT10 and LNG terminal), without adequate explanation.
- 6.4 It's content is characterised by an emphasis on huge infrastructural and economic developments of dubious economic merit, and in direct contradiction of the internationally accepted principles of sustainable development, and at the cost of environmental and human health on Lantau.
- 6.5 The lack of public consultation prior to the announcement of decisions on major public infrastructure projects is cause for serious concern.
- 6.6 Nothing whatsoever is offered to improve the environmental sustainability of Lantau, which has not previously been offered before. Instead greater exploitation of country parks and trails for tourism and education, with correspondingly higher human impacts is planned and in the worst case a multi-lane superhighway looks set to supercede a Country Park Extension gazetted in 2001.
- 6.7 As a result it is clear that the Concept Plan has failed to meet its original planning vision of promoting sustainable development of Lantau by balancing development and conservation needs.
- 6.8 Bearing these issues in mind we reject the Lantau Development Concept Plan and call for an immediate review under the auspices of both the Planning Department and the Council for Sustainable Development.