

Legislative Council Panels on Environmental Affairs
and Planning Lands and Works;
Advisory Council on the Environment.
Clerk to Panel, Attn Ms Christina Shiu
Legislative Council Secretariat
3rd Floor Citibank Tower
3 Garden Road, Hong Kong

18th November 2005

Dear Sirs,

Re: Concept Plan for Lantau Consultation Digest
and
Hong Kong Port - Master Plan 2020 and Draft Executive Summary
on Study on Hong Kong Port - Master Plan 2020 November 2004

1. Further to my letter of yesterday 17th November 2005 I am informed that my other letter of 28th February 2005 in relation to the Port Plan had not been included in the papers for this joint meeting but it had only been sent to the Economic Services Panel. I am grateful that after explanation the Port letter is also to be provided to the Panel on Environmental Affairs for the meeting of 22nd November 2005.
2. It is impossible to discuss Concept Plans for Lantau without the Port Plans. This was a specific point in my Concept Plan letter at paragraph 12. Much that is relevant to the Lantau Concept Plan is contained in the Port Plan letter.
3. The Port Plan Draft Executive Summary at paragraph 5.2.1 states that the Northwest Lantau or Tai O site "is dependent on new strategic infrastructure (e.g. the HK-Z-M Bridge or a new stand alone link to North Lantau Highway)." The summary of Pros and Cons at page 19 states "If HK-Z-M Bridge not in place then site needs link to North Lantau Highway at considerable additional cost...."
4. The Lantau site for the Port is thus linked to the Macau Bridge. This is in turn linked to choosing the Lantau Coast landing point instead of the Airport Island landing point. The closer the Bridge landing point is to the Tai O site the cheaper for the Port. This may be a reason the authorities currently favour the Lantau Coast landing point even though it will cause immense environmental damage to that natural coastline and countryside.
5. It is essential that Legislative Council members see the whole picture of cumulative impacts, not just parts of the picture. Please could you make this letter available to all concerned.

Yours sincerely,

Ruy Barretto S.C.

[6678.rb]

Legislative Council Panels on Environmental Affairs
and Planning Lands and Works;
Advisory Council on the Environment.
Clerk to Panel, Attn Ms Christina Shiu
Legislative Council Secretariat
3rd Floor Citibank Tower
3 Garden Road, Hong Kong

17th November 2005

Dear Sirs,

Re: Concept Plan for Lantau Consultation Digest
and
Hong Kong Port - Master Plan 2020 and Draft Executive Summary
on Study on Hong Kong Port - Master Plan 2020 November 2004

1. I understand a meeting will be convened on Tuesday the 22nd November to discuss the Lantau Concept Plan and objections. I have made submissions by my two letters 28th February 2005 objecting both to the Lantau Concept Plan and the Port Plan. I have not been invited to attend but I am informed copies of these 2 letters have been supplied to all concerned. If you do not have these, please let me know so I can send copies. Please could you make this letter available to all concerned.
2. The response from Housing, Planning and Lands Bureau 12th April 2005 fails to deal with various points and makes denials of some points but mostly without substantiating them by reference to fact or reason. As such my objections stand and await detailed consideration.
3. With such limited information from the authorities for the Concept Plan, it will not be necessary for me to make further submissions in person on 22nd November 2005. It may be necessary at a later stage when sufficient information to permit specific discussion is available.
4. The HPLB response fails to understand that Lantau was originally intended to provide the natural balance which was lost by the over-development elsewhere in Hong Kong and planned accordingly with conservation and recreation as the primary intentions, see paragraph 34 of my Concept Plan letter.
5. I fail to see how it can be genuinely said that the original planning intention for Lantau ever envisaged developments as damaging as the Macau Bridge and the Tai O Container Port, on top of all the other developments. The degree and intensity of economic development contained in the Concept Plan and the Port Plan is the proof of a major change of policy for Lantau, far beyond what was originally envisaged and stated. See paragraph 4 for quote from November 2003 policy.

6. To assert this is “balanced” is proof of the lack of sincerity inherent in the Concept Plan.
7. It would appear that since the decisions being made are not based on sound principle or good planning or on the merits but on political expediency for economic and land development, the responsibility to deal with this is now with the Legislative Council. It is now your responsibility to consider this new policy for Lantau and reject it for the good of Hong Kong.
8. I draw your attention to one example in the HPLB letter of 12th April 2005 at page 5. The paragraph headed “Re-zoning for Development” purports to deal with paragraphs 19 to 29 of my letter which relates to the South Lantau land between the beaches and the mountains. The following questions arise:
 - a. Unless it is being proposed to facilitate development, why remove the current Agricultural zone and make it Green Belt?
 - b. To assert “no major development is envisaged in the new Green Belt/countryside area” is no comfort to anyone who knows the reality in Green Belts where developments are permitted and even allegedly minor private property developments, in areas of natural beauty, can significantly degrade the landscape and conservation value of a large area.
 - c. How many hundreds of houses are envisaged as being minor developments? There is no attempt to answer the questions posed in paragraphs 21 and 22.
9. A crucial matter lies in the landing point for the Macau Bridge. This must avoid destroying even more of the natural Lantau coast and large areas of countryside. It must be attached to the Airport Island to reduce the impact.
10. I look forward to seeing your action to better protect Lantau for conservation and recreation as had been the original intention and Lantau policy for many decades. I refer to my proposal in paragraphs 45 and 46 for a better plan to be drafted with the proper considerations and principles being applied.

Yours sincerely,

Ruy Barretto S.C.

[6676.rb]

Economic Development Branch
Economic Development and Labour Bureau
2nd Floor, East Wing
Central Government Offices
Lower Albert Road
Central
Hong Kong

and

Legislative Council Panel on Economic Services;
Advisory Council on the Environment.

28th February 2005

Dear Sirs,

**Re: Hong Kong Port - Master Plan 2020 and Draft Executive Summary
on Study on Hong Kong Port - Master Plan 2020 November 2004 and
Concept Plan for Lantau, Consultation Digest.**

1. I refer to the Paper dated 22nd November 2004 for the Legislative Council Panel on Economic Services, Hong Kong Port - Master Plan 2020 which has annexed the Draft Executive Summary, Study on Hong Kong Port - Master Plan 2020 prepared by consultants of November 2004.
1. The Legislative Council Paper more or less summarises the Draft Executive Summary even further, notes that the findings of the study had been endorsed by the interested industry groups but ordered that the Draft Executive Summary be posted for public consultation up to the end of February 2005. A full copy of the Study has not been provided. Please could I have a copy as soon as possible? It is not clear why the Executive Summary is still only available in Draft. The LegCo paper apparently refers to the Draft Executive Summary as the Study.
2. The Study does not purport to be impartial but is made to justify further Port development and expansion on Lantau Island. Although using the jargon of sustainable development, the Study promotes an expanded use of scarce resources and the creation of multiple adverse environmental impacts, for uncertain and speculative short term economic gain and securing competitive advantage, but without any proper assessment of the adverse economic and environmental impacts resulting from providing subsidised facilities for a select sector of Hong Kong's business stakeholders. It is thus a misleading and faulty basis for public consultation as it does not provide a balanced study of all the issues. It should be

rejected and a proper study commissioned with proper inputs from less self interested stakeholders.

3. Who are the stakeholders? The Industry was involved, but not the public. The Introduction indicates that the stakeholders were not the public or anyone concerned with the environment such as environmental NGOs. A similar impression is given by paragraph 14 of the Legislative Council Paper. It would appear that 'the public' is regarded as separate from the stakeholders. This is unacceptable. The public have a considerable stake in the conservation of Lantau and its use for genuine recreation and tourism as well as the preservation of biological diversity. The failure to recognise this can be clearly seen in the failure to even mention in this Study the Government's Concept Plan for Lantau with its separate consultation process, other relevant Government documents, or other proposals from the public and NGO's such as A Conservation Strategy for Lantau of 1998. As such the Study is not a document which can be safely relied upon by decision makers but should be viewed with caution.
4. The Port Master Plan is neither sustainable in a genuine sense nor is it competitive in a genuine sense. The conclusion to be derived from this Study is that the continued expansion of the industry can only be enabled or sustained through massive injections of public monies and subsidies, with huge quantities of public land and other resources, at great cost and loss to the community generally. Thus it is likely that the Plan will not achieve its objective to be a sustainable strategy. Nor will it sustain economic benefits. Instead it will be a drain on Hong Kong's resources. Viability is based on uncertain assumptions which are based on favourable market conditions and zero premium, which the Study stresses must be borne in mind when making judgments on financial viability, see pages 16-17.
5. Study ignores cumulative environmental impacts. This Study, which is not really a genuine study but industry advocacy, having consulted only industry groups, of course does not seek to study the adverse impacts of the Port and the roads and all the other well known impacts on Hong Kong's quality of life such as air pollution, noise pollution and environmental degradation problems. Instead any environmental impacts are merely bundled off to be assessed in what is oddly called "an ecology study". It would appear that they are not aware of the need for comprehensive Environmental Impact Assessments which do not just study the ecology but should study the total impacts upon our quality of life. These environmental impacts will have to assess not just the port in the sea with its visual impact as has been alleged, but the impacts of the construction and road use with container lorries going 24 hours a day at high speed along the airport highway, through Tung Chung and all the way along what is now recognized as high quality coastal landscapes used for walking and peaceful recreation. However none of this appears to be the concern of this industry study which is promoting its cause.
6. Non logical and non reasonable conclusions. Section 2, a Competitive Sea Change, identifies a number of key facts but uses them to come to a perverse and non logical conclusion. The key facts and more logical conclusion are as follows:-

- a. Hong Kong is already a world leader in port management and operational expertise; from this the normal logical conclusion to be derived is that it is not necessary or sensible nor even a priority for the public purse to increase the subsidy to increase the leadership position, yet this Study demands priority be given to increasing the lead by massive public expenditure.
 - b. Medium to long trade growth prospects remain favourable; similar conclusion to above, the more logical conclusion is no priority and no need.
 - c. New Port developments in Shenzhen are growing; the logical conclusion is it may be beneficial to Hong Kong and South China as a whole if we are able to more fairly share the burden and benefits of the market.
 - d. There are more direct port calls on the mainland as the Shenzhen Ports and the Yantian ports have become more efficient and attractive; the logical conclusion would be that this is more environmentally sensible too.
 - e. Hong Kong costs are higher per container, mainly because road haulage costs are about double the costs in China; the logical conclusion is that it would do Hong Kong good in reduced air pollution and improved quality of life to steer such road haulage away from our polluted roads and living areas. Why not develop cheaper and cleaner railways? Why not insist on a railway bridge?
 - f. There will be a dramatic expansion of capacity of the ports in the next 1-6 years in the Pearl River Delta with total container terminal capacity likely to increase by over 44%, reaching 41.2 million TEUs; the logical conclusion is that there is no priority or need for planning more container terminals with spare but not needed growth potential which will involve such sacrifice of our valuable land and even more valuable open spaces and areas of outstanding natural beauty.
 - g. Hong Kong Port operators are also the principal operators in Shenzhen and can thus manage expansion and costs; the logical conclusion is that they are in the best position to determine the market, not the Hong Kong Government through offering subsidies and land.
 - h. A shift in comparative advantage is moving in favour of Shenzhen with Hong Kong having land and environmental constraints which limit improvements in productivity whereas Shenzhen has more land and relatively little environmental regulation; the logical conclusion is that Hong Kong should not invest so much in container ports in the long term.
7. At this point an impartial and rational study would conclude from the key facts that there was no need for more container terminals in Hong Kong, or at least there was no priority at all, stating for example:-
- a. There was enough market for all to share fairly.
 - b. There was enough capacity regionally.
 - c. China has many advantages leading to lower costs, as well as little environmental regulation, thus has significant cost advantages over Hong Kong.
 - d. Having regard to the severe environmental and social impacts from container ports and their expense, there would appear to be little economic advantage in pursuing industries which were inevitably bound to move north

- to China.
- e. Hong Kong would have little to gain by building more container terminals other than gaining increased pollution and severe environmental impacts and reduced quality of life.
 - f. Such huge expense for such uncertain and limited return could not be justified using public money. Effectively the public is being asked to back a speculative venture by private companies.
 - g. Additionally these private companies, being operators in China, have a conflict of interest in any event with the interests of the Hong Kong Government. There is thus no loyalty to be expected from such companies to the objectives and aspirations of the Hong Kong Government or of the needs for Hong Kong society generally, once subsidies are provided the open ended commitment could be demanded for years or indefinitely.
 - h. The resources and money would be better used and spent elsewhere.
 - i. It is hoped that rational and reasonable decision makers in Government and Legislative Council will see the matter differently from the authors of the Study.
8. Objective Unreasonable. However section 3 on Future Demand, whilst stating that the future market for Port services is marked by favourable growth prospects, such is not enough for the authors of this Study. It is their objective to see Hong Kong aggressively capturing market shares of the direct cargo segments and transshipment. This objective is unrealistic. It is futile to expect that Hong Kong can somehow, in the presence of surging modernisation in China, keep a stranglehold on imports and exports from South China and force them to come through Hong Kong's road system and container ports. Such an appetite cannot be healthy or fair or long term if it has to be sustained through monopolistic policies and practices.
 9. The more sustainable objective should be to regionally share the benefits and burdens of this cargo, not to artificially rig or monopolize the market by huge subsidies on infrastructure at public expense. Hong Kong has the advantage of deep water for ocean vessels, and will have such a lead for the foreseeable future. There is no need to compete on every aspect including transshipment which can be done more efficiently elsewhere in China.
 10. Better to defer decisions while better investment choices should be sought. Thus where the Study states that the HK share of the cargo is expected to fall from 66% in 2005 to 51% in 2020 is not cause for dismay but cause for a realistic reappraisal of our real strengths and weaknesses, our real opportunities and threats. We cannot realistically hope to stem the tide of Mainland port development. It will be of benefit to us that the Study predicts there may be no demand for any new port facilities in Hong Kong in the foreseeable future. A delay would be to our benefit as it would enable us to rethink our priorities and economic strengths and opportunities before committing public funds on such a scale.
 11. Public interest paramount for use of public resources and expenditures of public

monies. As regards section 4, Strategy, the guiding principles of the Hong Kong ports strategy are not adequate for an industry that purports to use the language of sustainable development. The principles do not measure up to the unrealistic Objectives of continuing to expand and expand Hong Kong's port facilities so as to be able to meet and monopolize the expanding growth in South China. Hong Kong does not have the size nor the geography nor the cheap labour to sustain this economically or environmentally.

12. Public deserve a genuine choice, we do not have to pay by sacrificing our quality of life and losing our high quality countryside and coastal landscapes. It would appear that part of this strategy, namely Sustainability, appears to accept environmental impacts and degradation as being the necessary price to pay for port operation. If that is the case it would be in the public interest to say that the fewer container ports the better. The more that ports are delayed is also to the better as this would reduce our environmental burden and suffering which the ordinary people of Hong Kong are having to meet. Since public monies are being sought for this purpose, the test to be satisfied is the public interest of society generally, not the private interest of a few large port operators. However this is not how the Study has been done, see page16 footnote 6. What is revealed, by the acceptance of environmental degradation as the price to be paid, is the admission that the port development being advocated cannot really comply with the principles of sustainable development at all, it is conventional degrading development.
13. Uncertainty of future port expansion. Paragraph 4.2.1 at page 11 states that the new competitive landscape makes investment planning in port expansion more uncertain. The drop off in need or profit caused the Government to give the site to Disneyland. This uncertainty in turn depends on what 'the Study' calls the Super Connectivity Initiative which means faster roads, more roads, faster boundary crossings, more vehicle and container parks, all of which are highly demanding of more and more land and creating more and more pollution. In both these matters Hong Kong has reached the limits of sustainable growth. There is no further room for more and more container highways. There is no more room for more environmental degradation. There is no more room for more air pollution. However increasing health hazards and reduced quality of life for the Hong Kong public is the sure certainty even if the economic benefits are so uncertain, see SCMP 25th February 2005. It is not in the public interest to commit such resources towards a speculative venture by private operators. We do not need another Cyberport type of joint venture with Government.
14. In these circumstances it can be seen that apart from finding space for the container port itself, there is no further room for growth in the essential highway infrastructure needed for yet another container port especially not for another container port far away from Hong Kong, off Tai O on Lantau Island.
15. Under Section 5, Port Planning, the background has been omitted. The container terminals intended for North East Lantau were dispensed with because they were not needed. Instead Disneyland was regarded as a more sensible and economically

viable alternative. The position remains the same. As can be seen from Section 5, no new container berths will be needed until the first half of the next decade. There are also many uncertainties. Flexibility is needed according to the Report. However such flexibility is better preserved and achieved by keeping the options open, not by sinking billions into preliminary planning and infrastructure which may not be needed.

16. Paragraph 5.1.4 states that consideration should also be given to expanding anchorages north of Lantau, near Tuen Mun and near Tseung Kwan O if congestion risks rise sufficiently. There is no consideration here for any ecological or marine park consequences of this proposal.
17. Double standards. Paragraph 5.1.10 notes that 2 shipyards may no longer be needed in future because of the quality of competing services offered by nearby PRD facilities. It would appear there are 2 different criteria or standards involved. Where container ports are concerned, we must have more so as to compete more, but when it comes to shipyards, no subsidy is offered and they can go north when the competition increases. The double standards applied are noticeable.
18. Failure to abide by international principles in its business conduct. Throughout this discussion there is a noticeable refusal to consider Hong Kong's position in the Region, the need for cooperation with ports in the Mainland, the need to share the benefits and burdens and environmental impacts of ports rather than seek to keep to oneself all the benefits and burdens of such polluting activities. Genuine Sustainable Development thinking now requires Governments as well as port operators to cooperate so as to reduce consumption, reduce burdens on the environment, reduce pollution and energy consumption by promoting the most competitive and efficient solution which is consistent with protecting the natural environment. None of these considerations rate a mention in this Study save as being constraints on conventional development and its conventional costs to achieve maximum profit. The costs to the environment and to the public interest generally are either discounted or treated merely as "public objections". This Study fails to realise that such public objections are based on valid international environmental principles and norms which the authors of this Study are failing to address. Thus Section 5 on Container Terminal Expansion is a flawed and partial study which lacks any justification on current international norms for sustainable development. Public Participation is the key component for sustainable development as noted by the Council on Sustainability, yet this was omitted by this Study.
19. Lantau favoured because it is cheaper because its environment is not valued. South West Tsing Yi as an option for a new container terminal development is not favoured but instead Lantau is favoured because it is cheaper and has more opportunity for expansion beyond 2020. This relative cheapness is a partial and subjective opinion based on inadequate study of the real costs which are not assessed. Tsing Yi is more expensive because the costs of land resumption could increase by \$4.9 billion. In relation to the cost of the land and the value to the

public interest of the coastline of northwest Lantau or the damage to the public from increased air and noise and water and visual pollution all along Lantau, there is no figure given in Table 8. It would appear from page 16 and footnote 8 that a zero land premium has been the assumption, is this correct? What and whose policy decision is this based on?

20. Environmental impacts are not properly described. There is only reference to loss of the dolphin habitat and the permanent visual impact on Tai O. There is only reference to ecological loss. Erroneously the area is downplayed as being merely rural area when it is far more valuable than that. There is failure to mention or value the numerous other impacts and costs and losses including:-
- a. Loss of coastline, of a quality which should merit Coastal Protection Area description and Country Park status were it now excluded to cater for this Port. There is thus the loss of a potential Country Park Extension.
 - b. Loss of potential Marine Park, the whole North West and West coast should be the mitigation for the Airport habitat destruction were it not cut in half to cater for this Port idea. Lantau has already lost 25% of its coastline to the airport, it cannot afford to lose another major percentage of what is left;
 - c. Loss of Countryside Area, which is part of the most beautiful coastline and scenery in the world, this is a major loss of tourism potential for Hong Kong, and loss of a major walking trail and amenity for Hong Kong citizens;
 - d. Loss of large amounts of land required for container lorry highways;
 - e. Loss of at least 4 kilometres of woodland and countryside area depending on the route chosen, strangely no Macau Bridge roads are marked on Figure 4 even though contained in the Lantau Concept Plan;
 - f. Noise impacts from high speed lorries, this would cause tremendous noise impacts all along the coast and into the Green Belt or Country Park or Potential Country Park areas of North West Lantau;
 - g. Aggravation of the existing dangers from already dangerous levels of air pollution already existing near Tung Chung;
 - h. Aggravating the noise and air pollution which will be generated by the Macau Bridge road .
 - i. All this is contrary to long accepted planning studies for protecting and conserving North west Lantau for walking trails and conservation, see SWNT Development Strategy Review;
21. It is clear that such ports generate considerable pollution hence it is acknowledged that the Tsing Yi site has already been degraded as a result of the existing port facilities and infrastructure. There is no warrant for spreading this degradation with its visual pollution, air pollution and water pollution and noise pollution to the wonderful clean unspoilt environment of North West Lantau.
22. All loss and damage and no mitigation. The constraints of the Lantau site means that the extensive reclamation of 245 hectares has to be squeezed close to the Lantau coast because the operators do not want the port to be partly outside Hong

Kong's boundary line. This is not acceptable and enhances the impacts. The Figure 4 in the Study is vaguely drawn. The Container Port site was deliberately omitted from the Lantau Concept Plan. Additionally,

- a. Where will the fill come from for this size of artificial island, what quantity?
- b. How many hectares of road and infrastructure and hard or artificial surfacing will be constructed in addition to the 245 hectares?
- c. How many hectares of green Lantau will be lost to this and related infrastructure construction?
- d. What mitigation in terms of creating and maintaining extensions to Country Parks is offered in exchange for this further loss of public amenity in this area?
- e. What mitigation by creating and maintaining additional Marine Parks will be offered?
- f. What is the construction cost to the public purse of the total plan?
- g. What is the annual maintenance cost to the public purse?

23. Ignores existing conservation and tourism plans and values. The Study fails to provide the proper background and planning intention to consider Lantau, namely that it was intended for conservation and recreation, a counter balance to the excess construction on Hong Kong Island and the coast from Kowloon to Tsuen Wan. Hence the Hong Kong 2030 Stage 3 Public Consultation Booklet page 7 states "It is our planning intention to conserve the beautiful countryside of , for instance, Sai Kung and Lantaucompatible recreational uses will be explored to ensure that these regions will remain as recreational and leisure gardens of Hong Kong as well as important resources for eco-tourism.." The Study notes that the North West Lantau is characterised by its rural nature (in fact it is more than just rural), notes the planning intention will have to change from leisure, recreation and protection of the natural landscape, but fails to note that the Government's Concept Plan for Lantau envisages this beautiful coastline to be part of its plans for maximising the recreation potential of the Country Parks. Hence the Concept Plan Consultation Digest at page 17 envisages an Eco trail/Heritage trail all along this coast, taking full advantage of the outstanding natural beauty of this area. How this will remain attractive when concreted over with container lorry highways, with the coast removed and the views destroyed will need explaining. It merely serves to show the partial and inadequate nature of the Port Study. There is of course no mention of conservation plans such as A Conservation Strategy for Lantau, July 1998.
24. This coastline is part of an area which should be a Coastal Protection Area, is near to Country Parks and a proposed Marine Park and which is part of an extensive area of Outstanding Natural Beauty. But for this Port plan the Potential Country Park extensions would go to the coast in the North West and the Marine Park would be much larger. In no area in the world would such damage be planned for such an area with so little justification. Lantau has already more than suffered its share of the burden of airport and infrastructure building. The airport has destroyed the ambience of much of northern Lantau. There is no justification for this container port to destroy the remote and beautiful western parts of Lantau.

25. Unfair subsidy for unfair competition and selective favouritism. Section 6, Making it Happen, states that the Hong Kong Government at the most senior levels is committed to the port and will take a leading role in securing these results. Is this claim correct? Which officials are implicated in this statement? Statements such as this provide further evidence for the accusations of collusion between Government and the biggest companies in several large infrastructure related deals. The indirect subsidies proposed by this container port plan is not a justifiable use of public monies and thus not in the public interest.
26. Increasing Hong Kong's environmental footprint internationally. Paragraph 6.1.3 states that "using existing assets better also limits the environmental footprint of the port." What evidence is relied on for this statement? It is not clear how using the coast of Lantau, land which ought to be Country Park and the water immediately next to a proposed dolphin sanctuary and Marine Park, which in itself ought to be part of that dolphin sanctuary, amounts to using existing assets better or reduces the environmental impact. Any impartial observer would see that building a new port off the North West coast of Lantau will merely be creating a huge expense in terms of infrastructure and severely increase the environmental footprint of Hong Kong. It will mean that Hong Kong will slip further down internationally in terms of sustainable development and reinforce our poor record of environmental exploitation. Hong Kong, for its small size has an appalling record in consumption and destruction of the world's natural resources. This trend must be reversed. However this port plan, based on old exploitation-based consumption and subsidy enhanced business practice will merely serve to reinforce Hong Kong's image as a rather selfish world citizen with non-sustainable practices and use of resources.
27. Please refer to my submission to the Lantau Development Task Force, copy enclosed. Why is there no reference to this Concept Plan in your Study? Why is there no reference to any other planning studies or conservation plans or policies?
28. In Conclusion, this Study should be rejected as being partial and misleading and a faulty and inadequate basis for public consultation and decision making. The container port of Lantau Island should be rejected as being a non prudent and non sustainable use of our resources. The port is neither necessary nor a long term economic benefit. The Government should now consider alternative priorities and redirect its financial resources into industries which are likely to be competitive in the long run, likely to be of environmental benefit to Hong Kong and likely to enhance the quality of life of Hong Kong residents.
29. Please could I have copies of the full original Study, and any further studies and reports which are conducted in relation to this issue. I look forward to your replies to my various questions. Please could I see a revised Study taking into account all the environmental, social and other impacts which will be caused by these ports developments and their roads and related infrastructures. In future this should be studied with and not artificially separated from the Government Concept

Plans to develop Lantau generally. Please could you keep me informed as to the progress or otherwise of this issue and any further LegCo meetings which relate to the issue.

Yours sincerely,

Ruy Barretto S.C.

[6544.rb]

Fax No: 2890 5194

Lantau Development Task Force
c/o Lantau and Islands District
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New Territories
Attn. Mr Henry Tang GBS,JP.

28th February 2005

Legislative Council Panels on Environmental affairs and Planning Lands and Works;
Advisory Council on the Environment.

Dear Sirs,

Re: Concept Plan for Lantau Consultation Digest

1. I object to this plan which amounts to a massive development proposal for Lantau. It is a conventional private property led approach but cloaked in the terminology of sustainability. There are prominent claims for sustainable development but little of real substance. The Concept Plan is misleading and fails to inform the public of several important matters, and especially the background context for the decision making. It is not conceptual when dealing with some of the developments which appear to have already attracted Government commitment.
2. **Implicit in the proposal is a change in Government policy and planning intention towards Lantau.** This is the fundamental but concealed concept in the Concept Plan. Although not mentioned but only hinted at in this document, Government's general policy for several decades has been to state that **Lantau was to be kept for conservation and recreation** as mitigation for environmental damage elsewhere and while Hong Kong Island was to be developed and reclaimed as fully as possible and the coast was built over from Kowloon to Tsuen Wan. Thus the promise was that Lantau was to be the close by and natural haven and lung for the ordinary hardworking people of Hong Kong to enjoy, while Hong Kong and Kowloon became more and more polluted. When Hong Kong's environmental conditions and lack of controls were criticized internationally, the official reply would include words to the effect that we have our country parks and Lantau to make up for that.
3. A quick review provides an example of this policy, the official Hong Kong Government annual report, Hong Kong 1980, pages 60 onwards, featured Lantau as

“Island in the Sun”. The theme of this piece is that Lantau is Hong Kong’s place for recreation and history and beauty, “....Lantau is a lovely island where the past merges with the present. Bustling at weekends with cheerful crowds of swimmers, campers and hikers revelling in sun, sea and greenery, Lantau moves at a different pace mid week....Because of growing urbanisation on the New Territories mainland, Lantau with its vast country parks, beautiful beaches and serenity, has become an important recreational outlet. To cater for increased holiday makers and to provide better amenities for local people, a number of development and tourism programmes are going ahead....” It also however notes the feasibility studies for the airport and for industry on northern Lantau (which was later abandoned in favour of Disney).

4. Another example of Government planning policy for Lantau is contained in the Hong Kong 2030 Planning Vision and Strategy Stage 3 Public Consultation Booklet, November 2003, page7 which states **“It is our planning intention to conserve the beautiful countryside of, for instance, Sai Kung, Lantau and many of our offshore 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 as well as important resources for eco-tourism....”** There are other examples which show that there has been a consistent planning intention for Lantau which is very different from the new Concept Plan.
5. Over the last 30 years Government has made various exceptions to this Policy such as:-
 - a. Discovery Bay, this became an exception for political reasons primarily as the original development was a resort primarily intended for recreation with numerous promises to show it was compatible with the environment, see enclosed advertisement dating from 1974 which shows how the green low rise was planned. Few of those promises were kept as it became increasingly residential and then high rise, apparently without much control as revealed in recent LegCo investigations;
 - b. Chek Lap Kok Airport was another exception, it was justified as being mostly offshore, there was no other place for the airport we were told, it was the legacy of the colonial administration, and this was strictly on the condition that mitigation was to be extensive with the creation of much expanded country parks on Lantau.
 - c. Disney was another exception but justified on the basis of recreation and tourism, thus compatible with the policy for Lantau.
6. Recreation became here defined very widely by Government to include golf resorts aimed at businessmen and hotels. Recently an official has unwisely supported a motor racing track with all its added fumes and noise pollution. Thus Government’s planning intention and idea of recreation has changed from the normal low impact outdoor “compatible recreation” for which Lantau was originally intended. This is contrary to the original planned concept of “Island in the Sun” or in the Hong Kong 2030 eco-tourism plan as quoted above.
 - a. The non-compatible recreation which is now being planned is contrary to the

Planning Department's Planning Standards and Guidelines on Recreation and Open Space, Chapter 4, page 4, for places such as Lantau which are mostly Green Open Space, for which "the prime function is for conservation of the natural environment and for amenity and visual purposes." The recreation under favour by the Concept Plan is instead the highly intensive and polluting type of recreation which is not suitable for tranquil Countryside, Coastal Area and Country Park which are mostly green and beautiful.

- b. The proper context for Recreation in the Countryside in HKPSG Chapter 4 at page 23 should be followed.
 - c. This requires an EIA and landscape plans to prove feasibility be conducted for any recreational development proposal.
 - d. In particular, such facilities must be separated from conservation zones to reduce the potential for adverse impacts caused by recreation.
7. Thus the exceptions on Lantau were on the basis that development on Lantau was focussed on recreation and conservation, not comprehensive development. Without expressly saying so, and without going through the proper procedures, **what the Lantau Development Task Force is attempting is unilaterally changing the planning intention for Lantau, from conservation and compatible recreation and eco-tourism to property led conventional development.**
8. The mitigation conditions for the airport have mostly not been performed. Even in the Concept Plan page 19 there is still no genuine commitment, as the previously promised Country Park Extensions are now made conditional on other developments wanting the land and conditional on "resource availability" ie Government deciding to pay. The Concept Plan expressly does not even give a time table for carrying out this long overdue promise. All the promises have been broken. This has been a continuing feature of Government action and there is nothing to show a change of heart. It has showed continuing insincerity with mitigation for environmental damage to Lantau.
9. Public recreation and Conservation gives way to private port and private property development. Now this Concept Plan shows that the pretense of recreation and conservation have been abandoned. The public's free and open access to the common land which is our countryside is being cut back. The Government is merely providing a private property weighted shift in the 'balance' so that public enjoyment and access now becomes only one of other competing interests such as ports and property and resort development which are regarded as more important. This Concept Plan will mostly benefit port and property business interests at the expense of the ordinary people of Hong Kong who will gradually lose more and more of their convenient and cheap week end holiday destination.
10. **No genuine balance of interests.** The Concept Plan states "On the other hand, Lantau has been well recognized for its nature conservation and recreation value. A right balance of development and conservation is essential." It is clear that this is not sincere. The Introduction sets the real pro-development agenda, "Lantau has tremendous development potentials..." There is no genuine balance intended.

Hong Kong has achieved its regrettable balance now with many other areas damaged and concreted by infrastructure and housing. This Concept Plan will further upset the balance in favour of private business property development. This Concept Plan is now cutting into Hong Kong's green garden and holiday "Island in the Sun" and this must not be allowed. Lantau has in fact tremendous conservation and recreation importance already existing and in place and if this were genuine consultation, this would be emphasized by the authors of the document and would be the main point of the exercise.

11. Who decided on the New Land Use Needs, the new Planning Vision and Overall Planning Concept, and the new Planning Principles? These are all inappropriate for the original planning intention and should be redrafted with much less property development bias.
12. Omissions of major proposals. The Concept Plan itself is seriously defective in that it fails to show in any of the Concept Plan graphics or Plan1 or on any map the proposed Container Terminal 10. There is only a briefest possible mention in the text at paragraph 11. The reality, not mentioned, is that in parallel, the Economic Development and Labour Bureau is conducting a consultation amongst stakeholders i.e. the relevant industry, on the Hong Kong Port Master Plan 2020 which will also end on the 28th February 2005. This involves a proposed Northwest Lantau Port which will involve extensive reclamation of about 245 hectares to form an artificial offshore island near Tai O together with connecting roads to the proposed bridge to Macau and roads along the shore **thus destroying wonderful coastline between Tai O and Tung Chung.** However this major damage is not illustrated on the Concept Plan for Lantau. Of course the impacts on the proposed Marine Park, Country Parks, eco-trails and the tourism plans for Tai O are omitted. This is a scandalous omission. The consultation is being done in a way to minimize public opposition by omitting to provide the full facts yet claiming to be comprehensive and co-ordinated. This is regrettably becoming typical of current Government consultations concerning the environment.
13. Also not detailed are Government plans for the other islands which are just little blank outlines on the Concept Plan. There is nothing to state that Hei Leng Chau has not been given over to intensive development instead of the Super prison. China Light & Power have expressed interest in the Soko Islands. It is noted that the Concept Plan itself does not show the Soko Islands with a liquified natural gas terminal, this is only mentioned in paragraph 11. There is no mention of the public opposition to things like this as shown by the Petition against CLP's attempt to build a power plant near Fan Lau in about 1990. If container ports can be built on artificial islands, it is feasible for CLP to create an LPG island in a place less damaging to the marine and visual environment.
14. **The Bridge to Macao or container port etc must not touch Lantau's natural coast line.** What consultation is being conducted on this, or is it part of this consultation? Why is there an option of a southern route for the North Lantau Highway Connector cutting through woodland and scenic countryside when it is

obvious that the road, if this is built, should run along and from the Airport island without harming Lantau Island? Please could an explanation be provided so the reasoning can be assessed.

15. To be compatible with the Concept Plan's walking trail and recreation intentions for the area the North West Lantau Coast should be a Coastal Protection Area and an extension of the Country Park. The proposed route of the container traffic or Macau Bridge road cuts through about 4 kilometres of extensive wooded areas and areas of high amenity, cultural, and ecological value. This beautiful coastal area with peaceful inlets and countryside must not be lost. The noise and air pollution impacts will cover a large area of high quality landscape and country park land which is the current route of the proposed Eco Trail or Heritage Trail. What study has been made to enable the Lantau Development Task Force to already decide on the most damaging route?
16. Originally part of the coast between Tung Chung and Sham Wat was promised for a potential extension of Lantau North Country Park. Who decided to break that promise and why? Again the background to the changes in planning intention are omitted from this Concept Plan.
17. Finally this Port Plan and major Bridge road cutting through North West Lantau coast contradicts the Planning Vision and Overall Concept in paragraph 12 which is intended to focus the major infrastructure in the already spoiled North Lantau while protecting the other parts which comprise primarily high quality landscape and ecologically sensitive natural environment. Lantau lost 25% of its natural coast line by the decision to save money and build the airport highway on land. That was more than enough loss and must not be aggravated with more damage to an additional 10 kilometres of coastline.
18. **Misleading and defective consultation.** In these circumstance this consultation is flawed from the beginning, fails to provide the true context, conceals relevant facts and consequences of the proposals, and conceals from the public the fact that we are now seeing a complete change of Government policy towards Lantau. This change of planning and policy has not been explained nor justified. I object to this change of policy towards Lantau.
19. **Loss of Agricultural Land and countryside.** The Planning Principles and Broad Land Use Pattern at paragraph 13 are unacceptable. This shows the main concept is conventional land development as usual, there is no genuine sustainable development feature about this change in planning intention.
20. Re-zoning to Green Belt development zonings. In particular paragraph 13(g) to allow limited growth of the clusters at various places, this is so vague as to be meaningless unless specific zoning limits and height and density limits are set. Any growth of these will not preserve the character of the surrounding environment. Care is needed to deal with speculative pressures for intense development and the

need for yet further infrastructure and damage to landscape and public access to green countryside. What is the current zoning? The Agricultural Land should be re-zoned if at all to Country Parks, Conservation Area and or Landscape Protection Areas or Coastal Protection Areas.

21. Development Areas or Countryside Area? The large areas to be re-zoned tends to contradict the Concept Plan which sees “possible development pressure” as an issue to be addressed, para 21 page 20, yet is providing the zoning basis to aggravate such pressures. There are large areas coloured pale green which are vaguely marked on the map as Green Belt/Countryside Area. There could be a considerable difference between these. For example Discovery Bay is all pale green, but what does this really mean in terms of development and density?
- What is intended to be the development status of the Countryside Area?
 - What is the difference between Green Belt which is a statutory zoning and Countryside Area?
 - Where are the Countryside Areas?
 - What heights and building density is to be permitted in the Green Belts?
 - What heights and building density is to be permitted in the Countryside Areas?
 - In so far as the Countryside Area permits more development than Agriculture and permits Agricultural Land to be converted into development land, than this radical change of planning intention for large areas of Lantau is rejected as contrary to the original planning intention for Lantau and is not consistent with the representations of the Concept Plan itself.
22. How is this Re-zoning going to be sustainable? What indicators for sustainability were used to justify this Concept Plan, if any? In particular:-
- How many trees, including saplings and shrubs, and over what number of hectares, will be lost to development and infrastructure and access roads?
 - How many hectares of Agricultural Land will be lost to Green Belt and other development zonings?
 - What percentage of Lantau’s Agricultural Land is being re-zoned or changed in some way?
 - How many hectares of hard eg concrete and tar and artificial surfacing will be laid?
 - How many kilometres of roads and access will be constructed?
 - If one adds in the Container Terminal damage, what extra damage figures need to be added to each item above?
23. Re-zoning to Green Belt means that development is now proposed to be permitted under conditions which are always subject to Government or Town Planning Board discretion. If there is re-zoning to Green Belt, this is a significant gift to land owners/speculators currently holding non-development land on Lantau. This is a gift at public expense. In these circumstances the re-zoning of huge areas of presumably mostly Agricultural Land to Green Belt is of grave long term concern. Green Belt Zoning contains no real protection for the natural environment and no real protection for conservation purposes. It is viewed as a thinly disguised first

step to property development. It encourages property speculators to move in, they apply pressure to Government and District boards and other interested groups to more intensively re-zone so that private development is eventually permitted on a case by case basis. Once a house development is permitted, the precedent is set, and further applications become harder to resist, until the end result of suburban sprawl is achieved.

24. In particular the long stretch of Green Belt along South Lantau Road and other areas along South Lantau is objected to because it will inevitably lead to pressure for housing development. Changing land from Agricultural Land to Green Belt will especially encourage property speculation and development. Such private housing at such an important community and recreation area will have the effect of isolating the coastline from the hillside hinterland. Effectively the public will face a barrier of private property between them on the coast and the country parks on the hills. Instead of being continuing greenery, it will be continuous concrete and walls and access roads and private property. This “ribbon development” is bad planning practice and not acceptable according to Hong Kong Planning Department Standards and Guidelines and is objected to.
25. **What should be preserved is what the public have now, namely total visual access and actual access from hill to coast.** Any development should be strictly confined to the existing village areas and no more. The reports from Government, eg Urbis Landscape Value Mapping, have rated most of Lantau of the highest landscape value, with its integrity, not blighted by intrusive blocks of development or housing. We must not allow any possibility for suburban or urban sprawl by the coast.
26. Additionally there is no need for converting open and beautiful Agricultural land to another large area of Green Belt all along the Tai O Road and valley. This will destroy the recreation and tourism potential of large areas of country park and the exceptional scenic quality of the surrounding area. The heritage value and biodiversity value will also be mostly lost.
27. Agriculture Policy. There has been total failure to consider the loss of Agricultural Land which is generally in good condition. In appropriate areas genuine organic agriculture can still have economic, recreational, educational, cultural and therapeutic values. Despite claims to be concerned for protecting heritage, there has been failure to remember that Agriculture is deeply part of our South China culture and heritage. Loss of agricultural fields under concrete will be a serious loss to claims for sustainability. Tourists will have even less reason to come to Lantau if traditional cultural activities are just preserved in museums surrounded by high rise blocks per page13.
28. In these circumstances the areas proposed for Green Belt/Countryside Area should be zoned to a more protective zoning with a strong presumption against development. The Country Parks should extend mostly all the way to the coast wherever possible. This will preserve the public’s free access between hill and

coast as currently exists. It would also preserve the remarkable scenic quality and integrity of this area. It will render agriculture possible again in future. By whom and when was a policy decision taken to abolish agriculture in Lantau?

29. These Green Belt extensions are thus substantial property gifts to land owners and speculators out of the pocket of the ordinary public, there is no justification attempted for this change in policy and objection is made to this. This sets a serious precedent and makes applications for change of land use hard to resist in future.
30. No need for luxury private resorts. Developing South Lantau into a series of private resorts will simply cater to the rich and privileged who have no need for such facilities here. In a place such as Hong Kong where recreation facilities close at hand are scarce, it is essential that such amenities be preserved generally for the masses, not for the privileged few. The Green Belt Development Proposal all along South Lantau will not do anything to solve any housing shortage in Hong Kong. It will simply aggravate the situation and reduce the public's enjoyment of one of its few assets close to areas of population. To add to the injury, the public will be paying for the cost of the infrastructure to support the resorts for the wealthy. If roads are built to proposed beach side resorts such as Tai Long Wan they will destroy large areas of countryside. It is contrary to the HKPSG Chapter 4 and not correct to say at page 12 that such resorts are "compatible with the natural environment."
31. The luxury low rise recreational resort plans did not work on Discovery Bay, so it became an excuse for high rise. This has become clear to LegCo from its recent investigation into this case. Most of Lantau is an area of significant landscape quality. The end result for Lantau is likely to be a chain of high rise blocks cutting off views of sea and sky and mountains, probably even more damaging than other coastal suburbs and beach side flats and hotels one sees in previously attractive coasts such as in Surfers Paradise and some USA beach cities. This is bad planning and contrary to many of our Planning Standards and Guidelines which for example in Chapter 10, Conservation, includes as a first principle for conservation "Retain significant landscapes....". **We do not want such beach towns or coastal suburbs dividing our beaches from our hills in Lantau.**
32. No genuine sustainable development. Please could I have a copy of the alleged sustainability assessment and all related standards? Contrary to paragraph 20, one fails to see how a genuine sustainability assessment has been conducted when Hong Kong still has no real sustainability policy in place and has not become a party to any of the main international instruments such as the Convention on Biological Diversity. There is thus no official Biodiversity Action Plan for Hong Kong. There is little sustainable about this Concept Plan, it is simply the conventional idea of development in the minds of a few persons in Government, with reserves for even more future development, which are claimed as being sustainable. **All that is**

being sustained here is development. This is made explicit on the Concept Plan where it is stated that the Bridge, the Theme Parks, etc “would continue to play an important role in sustaining Hong Kong’s development.” This failure is a consequence of failing to have a proper commitment to genuine sustainable development in Hong Kong.

33. The Concept Plan is rejected as being totally unsuitable to the needs of Hong Kong when considered as a whole in the context of the needs of the whole SAR and in the context of the South China Region.
34. It is wrong in principle to look at Lantau in isolation from the rest of Hong Kong, then see Lantau is green mostly, and then try to balance the Lantau situation by adding more concrete and roads to Lantau. **Lantau’s greenery and scenery is Hong Kong’s mitigation for past environmental damage and loss in other parts of the SAR.** There is no justification to remove or reduce from ordinary week ends this remaining precious refuge from polluted Hong Kong Island. With increasing pressures on wild life and plant habitats, with increasing pollution in Hong Kong and in the South China region and the Pearl River Delta in particular, it has become all the more important to conserve Lantau. Lantau is not a land bank for this SAR Government to alienate piece meal or sell bit by bit for private development. These failures are part of the continuing failure for many years to apply or have a proper conservation policy and strategy which applies the Convention on Biological Diversity. Hong Kong has a responsibility to China to conserve Lantau as part of the China’s threatened southern biological diversity.
35. Huge port and logistics infrastructure are wrong in principle, not needed and not sustainable. It is wrong in principle to look at Hong Kong SAR in isolation from the rest of the Pearl River Delta and try to build yet more ports and infrastructure just to steal or recover a competitive advantage from our neighbour South China. If other places in China can deliver port services cheaper and with less pollution and loss of countryside than us, then they should be encouraged. There is no need to import and create pollution and environmental damage just to compete for port services. Every dollar gained by the port operators will cost the public more dollars spent on health and illness caused by increased pollution together with reduced land values and quality of life. Hong Kong can move to provide other less dirty services.
36. This Concept Plan, its claims for New Land Use Needs and its Planning Considerations, and the Hong Kong Port Master Plan 2020 are environmentally irresponsible and not sustainable. China is a party to the Kyoto Protocol in force from 16th February 2005 and Earth Summit international agreements. Hong Kong by its self-centred decisions is doing what it can to aggravate the situation, and is not doing all it can in planning to mitigate the damage. We should co-operate with the Mainland on ports, not opt for Government sponsored development action to subsidize private operators at the expense of the public generally. This Concept

Plan will supply further evidence of claimed collusion between the Administration and big companies.

37. **A Conservation Strategy for Lantau, July 1998.** A more appropriate plan for Lantau was devised by the Green Lantau Association, Friends of the Earth and others in 1998. This was in response to the Government's policy of preserving Lantau as a haven for conservation and recreation for the public and in response to international conservation obligations such as the Convention on Biological Diversity. That proposal was welcomed by the Government at the time and now should be considered more fully. However it is not even mentioned in this Concept Plan.
- Have you considered this and tried to apply it? Prior to publication of the Concept Plan had the Lantau Development Task Force seen it? (It is understood that recently a copy was provided to the Task Force. A colour photo copy can be made if required. A colour copy will be sent to LegCo with a copy of this letter).
 - Government's response was dated 5th November 1998 is enclosed, what has actually been implemented or will be implemented and when?
 - What features noted in the FoE Lantau Island Coastal Guide Series of 1997 are being considered for conservation?
38. All the Conservation Strategy proposals and FoE proposals are adopted and supported now. With the delay and increasing damage, each one of the proposals is of more importance than they were 7 years ago. Paragraph 13(i) of the Concept Plan is far too little and limiting and yet vague. Please could I have your updated responses, preferably positive, to each of the conservation proposals contained in the Conservation Strategy for Lantau of July 1998?
39. Public awareness for damage to the environment to benefit business interests is now acute. Represented by various NGO's the public objected to the CLP Power Plant at Fan Lau. The public objected to Hei Ling Chau being developed into a super prison. The public is totally against proposals which will alienate them from their ability to fully enjoy and access one of the last natural assets which is close and convenient to areas of population such as Hong Kong Island, Kowloon and Tsuen Wan and Tuen Mun.
40. No real gain in Recreation areas. There are pages 12-17 in the Concept Plan devoted to Recreation but this is mainly recognizing what the public already enjoys for free and then suggesting building more so that in future the public has to pay for it. The agricultural land and coastal areas which are regarded as common land should be left un-cluttered with private facilities. For example there is no need for an indoor beach in Hong Kong. Even Ocean Park could not make their Water World financially viable and scrapped it. However by re-zoning many coastal areas as Green Belt Government will be encouraging private developments which is contrary to the main recreation intention. What is now common land with free access will be lost to the public once it becomes development potential land.

41. The proposed coastal Eco trail or Heritage trail from Tung Chung to Tai O should be a walk through beautiful Coastal Area and Countryside, as it exists now, not a noisy dirty trudge through houses and massive container lorry roads going to the new bridge and container port. The path from Tung Chung to Tai O and on to Shek Pik should be wild and free from visual pollution and be conserved as one of the great walks of Hong Kong. The value of this with several proposals for conservation was contained in FoE's Lantau Island Coastal Guide Series, with annotated maps, 1997. The SWNT Development Strategy Review advised that "Specifically, North east Lantau has been proposed to accommodate world class tourism facilities including HK Disneyland, and that North west Lantau should be for cultural and religious-oriented tourist and recreation activities, including scenic trails and heritage walks etc..." What reference was made by the Task Force to this and other books and magazine articles and editorials which have repeatedly called for the conservation of these great coastal landscapes? Why is this whole coast not made into a Coastal Protection Area if the intention is to have walking recreation all along it? Why is only South Lantau suggested for Coastal Protection Area but not North West Lantau's wonderful coast? Why was the potential extension of the Country Park to the coast near Sham Wat cancelled and by whom?
42. **No gain in Conservation Areas.** For Conservation, page 18-19 what is being proposed is less than was originally promised for the devastation caused over Lantau and other parts of Hong Kong by the Airport development about 8 years ago. There is nothing extra for conservation provided by this Concept Plan to mitigate for the extra damage planned by the new Port, the new Bridge and connecting roads to Macau, and other logistics, infrastructure and property development. If previous examples are taken into account, these promises are likely to be as devoid of real conservation value. See above paragraph 6. In conservation terms, Lantau has become an island of broken promises. A summary of the promises already made and being broken in 1997 is contained in the FoE Coastal Guide pages 9-11.
43. Tai Ho Stream and Valley, being circled by Green Belt or whatever the pale green may be together with the vague text, amounts to no real conservation gain. Viewed in the context of previous failed promises it points to development but no genuine plan for conservation.
44. The New Town in the Tung Chung Valley is far too large, it should be reduced in size and following the Planning Standards and Guidelines should be surrounded by a wide buffer area so as to protect the surrounding Country Park from urban fringe impacts and pollution. What density and height limits are suggested if any or will it all be high rise upto the Country Park boundaries? Having flats right up against the hills, destroying the landscape, will be further evidence of bad planning. There is no point in siting an Eco-Tour Centre in the town. That area should remain as Countryside Area. On no account should the New Town penetrate up the valleys, especially the major ecologically rich valley leading into the Country Park below Sunset Peak. This will lead to undesirable fragmentation of wild areas right

close to the Sunset Peak SSSI. This valley should be part of the Country Park Extension.

45. In these circumstances it is proposed that the Concept Plan be rejected and that a fresh plan be put forward with conservation and recreation as the prime objectives and original planning intention for Lantau. It has been the legitimate expectation of the people of Hong Kong as encouraged by the Government to regard Lantau as the natural garden for Hong Kong. Relying on this, we have seen much of the other areas of Hong Kong degraded and developed and privatized. Now we see even Lantau is being carved up for development. Unbalanced development which is heavily weighted in favour of property development and infrastructure development and transport development should be abandoned. The past promises to conserve can finally be honoured and new proposals should be made to comply with the international obligations for biodiversity conservation and genuine sustainable development.
46. The piece meal approach in paragraphs 20-21 is sure to lead to piece meal destruction of Lantau as our "Island in the Sun". The EIA process will not be able to protect the public interest here as it will be project focussed, not seeing the overall cumulative impact of all of these harmful impacts as a whole on Lantau and Hong Kong SAR. Fine tuning is not enough. This Concept Plan has to be abandoned and significantly redrafted now before it is claimed it is too late to change minds.
47. Public participation is recognized, such as by Hong Kong's Council for Sustainable Development, as a key component of the Earth Summit and international norms for sustainable development and conservation. It is notably absent in the process of drafting this Concept Plan. I propose that the opportunity to rectify this failure lies in revising the plan considerably and working on a Conservation Proposal for Lantau based on international conservation, sustainable development, and planning principles and faithfully complying with our own Planning Department Standards and Guidelines. This Concept Plan will provide a legacy of planning and development mistakes for Lantau and this can be prevented or reduced now by a far sighted fresh look at the real needs of Hong Kong and its true quality of life.
48. These are just preliminary objections based on the vague and contradictory material provided so far. Could you send me your revised proposals and all relevant material? What is needed are detailed and specific proposals for conservation in a proper Conservation Proposal, not just vague words.
49. I look forward to your replies to all the questions raised herein, and a proper response and proper consultation on this important matter for Hong Kong conservation.
50. Has the Lantau Concept Plan been submitted to Legislative Council? If not, why not? If so please could I have all relevant papers. The matter should be fully debated in Legislative Council along side the Port Plan which has been the subject

of a LegCo Paper but which strangely omits all mention of the Lantau Concept Plan. My submissions on the Port Plan are enclosed so both the matters are seen in context. Please could you keep me informed as to the progress of the matters and any such LegCo meetings.

Yours sincerely,

Ruy Barretto S.C.

[6540.rb]

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5 November, 1998

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Lantau Conservation Plan

Following my initial reply to you on 2 September 1998, I have sought comments from relevant departments on the range of recommendations made by the various green groups in the Lantau Conservation Plan. I am now able to give you a substantive reply to your letter of 14 August to Mr Bowen Leung.

On behalf of the Government, I would like to extend my sincere thanks to you and other green groups for putting so much effort in carrying out such an extensive study of the environment in Lantau Island and in compiling the Lantau Conservation Plan. The Plan contains some important findings on the natural resources of Lantau and many interesting ideas which would definitely be

useful to conservation work on the island.

I would be happy to meet you in future so that we can further discuss your Conservation Plan. In the meantime, I would like to give you our responses to your 16 recommendations here below, using your same notations:

1. Tai Ho Stream, wetlands and mangroves

[Any new town development at Tai Ho should be carefully planned to ensure that the natural stream banks, bed and mouth are retained. The stream and a designated buffer zone should be designated as an SSSI under OZP or DPA plans. There should be no further reclamation of the bay.]

- a. Development in Tai Ho is under study and it is our aim to retain ecological features intact as far as possible. This will include minimising the extent of reclamation, retaining the continuity of streams and maximizing retention of ecological features in their natural state. Where engineering features are required the interfaces will be designed to maximise potential for re-colonisation and recreation of habitat. Before the commencement of any construction works, an EIA study will be conducted for submission to the Advisory Council on the Environment (ACE) for advice.
- b. We will further investigate whether the stream should be designated as an SSSI.

2. Tung Chung Stream and Seagrass beds at San Tau

[The extent and shape of reclamation planned for Tung Chung Bay should be realigned to ensure that the natural coastline and suitable hydrological conditions are retained. Both the stream mouth and existing mudflats should be retained. A buffer zone around the stream, seagrass beds and

mangrove should be designated as an SSSI under OZP or DPA plans.]

Reclamation at Tung Chung was identified in the North Lantau Development Study produced in 1993. Current studies on development in Tung Chung will review reclamation requirements. The seagrass bed and mangrove stand at San Tau was already designated as an SSSI in 1994. We will make sure that any reclamation would be designed to maximize the buffer zone to this feature. Water quality modelling will be carried out as part of the EIA study to ensure that acceptable hydrological conditions are maintained on completion of reclamation. Where possible, important ecological features will be retained in their natural state and features will be included to encourage recreation of habitat.

3. North and South Lantau coastal waters

[The marine park at Sha Chau and Lung Kwu Chau should be extended to cover the whole of South Lantau waters (see Figure 3). Sewage treatment facilities at Siu Ho Wan, Urmston Road and Pillar Point should be upgraded to at least secondary treatment in order to meet Water Quality Objectives and protect marine mammals. There should be no more reclamation of the natural coastline.]

- a. The Agriculture and Fisheries Department (AFD) is undertaking a study of the South West Lantau for suitability of designation as marine parks. The study will be completed by early 1999. The outcome of the study will provide useful input to our consideration of whether and how the marine park should be extended to cover the whole of South Lantau waters.

- b. Water quality within the Marine Park is constantly monitored by the AFD and is found to be good and in compliance with the Water Quality Objectives. To provide further protection to marine mammals, we have decided to upgrade the sewerage

treatment plants in the vicinity of the marine park to provide chemically enhanced primary treatment with disinfection. This has been endorsed by ACE.

c. There are no reclamation plans in South Lantau.

4. Tai O wetlands

[These should be designated as an SSSI under an OZP or DPA plan. The extent of the SSSI should be subject to further study.]

The Tai O wetlands cover a very large area and the suitability of designation as an SSSI has to be further examined.

5. South Lantau coastline, including Shui Hau mudflats and Pui O wetlands

[All Government dumping in South Lantau should be stopped by effective contractual and legal enforcement. The Chief Executive should issue a directive to prepare a new DPA plan for South Lantau to enable effective enforcement of landuses in this area.]

a. Following the recommendation of the Task Force for Fly-tipping Control, Works Bureau will soon introduce conditions in all Government works contracts to require that construction and demolition materials generated by the works projects must be directed to designated disposal facilities.

b. The Mui Wo Fringe OZP was prepared in accordance with the Town Planning Ordinance (the Ordinance) and is an enforceable zoning plan, whereas, the South Lantau Coast OZP which covers the other parts of South Lantau has no enforcement power because it existed before the enactment of the Ordinance. According to the Ordinance, existing OZP cannot

be replaced by a new DPA plan. The rationale is that enforcement in areas covered by OZPs existed before the enactment of the Ordinance has been and continues to be effected by other ordinances, such as the Government Land Ordinance, various health and hygiene ordinances and by-laws, e.g. Summary of Offences Ordinance and the Lease Conditions directly or indirectly. Although we cannot enforce control on development in South Lantau by the Town Planning Ordinance, we will continue to effect control by means of other relevant ordinances.

6. Proposed North Lantau Country Park extension, including Pok to Yan, Por Kai Shan, Wong Lung Hang and other forests currently outside country park controls

[The proposed North Lantau Country Park extension area should be implemented immediately before any further damage or encroachment can happen.]

It is our view that the area of the potential extension of the Lantau North Country Park is not under threat from developments. We have therefore allocated resources in 1998 to areas which are in greater need for protection, such as designating Lung Fu Shan as a country park and implementing the conservation projects in the Mai PO and Inner Deep Bay Ramsar Site. But the potential extension of the Lantau North Country Park remains on our agenda.

7. Tong Fuk and Luk Tei Tong Fung Shui woodland

[These areas should be zoned as a conservation area under an OZP or DPA plan]

This recommendation is supported, but details on the boundary have to be worked out.

8. Corridor between Tung Chung and Sham Wat

[The North Lantau Country Park should be extended to the

coastline or designated as a Coastal Protection Area under a new OZP or DPA plan. The proposed highway between Tung Chung and Sham Wat should be blocked and any new development south of the airport should be prohibited on the grounds that it would be affected by unacceptably high noise levels from the new airport. There should be no further reclamation of this coastline.]

- a. The boundary of the potential extension of the Lantau North Country Park will cover some part of the coastline between Tung Chung and Sham Wat. However, the exact boundary will have to take into account the existence of villages and land status.
- b. The proposed road between Tung Chung and Sham Wat is still at its feasibility stage. Like all other proposed major road projects, this project if it is decided to go ahead will be subject to the EIA Ordinance to ensure that it will not incur irreversible impacts on the environment.
- c. New noise sensitive developments are already prohibited in areas within the NEF 25 contour of the Chak Lap Kok Airport.

9. Sunshine Island, Shek Kwu Chua, Hei Ling Chau, Soko Islands

[These islands should be designated as Coastal Protection Areas and Conservation Areas under new OZP or DPA plans.]

10. Tai Long Wan and Yi O

[These areas should be designated as Coastal Protection Areas under OZP or DPA plan.]

It is our intention to extend statutory plans to cover the entire territory based on priority which takes into consideration the local

needs of each area and the available resources to best satisfy the community needs.

11. South Lantau waters

[The marine park should be extended to the south of Chi Ma Wan peninsula]

We will consider this after the completion of AFD's study mentioned in point 3 above.

12. Ngong Ping and Keung Shan

[These areas should be designated as conservation areas under OZP or DPA plans.]

These are enclaves in an existing country park. We are currently undertaking a study on enclaves in country parks and will review if Ngong Ping and Keung Shan could be assigned high priority for preparing statutory plans.

13. [Damaged habitats such as the wetlands at Tai O and Pui O should be enhanced.]

A mangrove replanting project at Tai O salt pans to compensate for the loss of mangrove/wetland habitats, including that at Tai O and Pui O, is in hand. The engineering works will commence in 2001.

14. [Fire breaks should be provided at all cemeteries and burial grounds on Lantau.]

Point 15. [Prevention of hillfires should be properly enforced at Ching Ming and Chung Yeung festivals.]

These points are supported. We have passed them on to relevant departments for necessary action.

16. [Proper funding should be provided to Agriculture & Fisheries Department and Planning Department to implement the above recommendations.]

We welcome your support for funding for these two departments.

(Kim Salkeld)
for Secretary for Planning,
Environment and Lands

<http://www.legco.gov.hk/yr98-99/chinese/panels/ea/papers/ea11126b.htm>

<http://www.legco.gov.hk/general/english/panels/epan/epan9800.htm>

<http://www.legco.gov.hk/index.htm>

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HPLB(PL) P 50/01/190

12 April 2005

By Fax 2810 0302 and By Post

Mr Ruy Barretto S C
Temple Chambers
16/F, One Pacific Place
88 Queensway
Hong Kong

Dear Mr Barretto,

Concept Plan for Lantau

Thank you for your letter of 28 February 2005 commenting on the Concept Plan for Lantau. Before responding to your comments made in the specific areas, let me first reiterate the purpose and background of the Concept Plan. The Concept Plan for Lantau aims to provide a coherent planning framework to meet a diversity of land use needs. In drawing up the Plan, the Government has adopted a sustainable planning approach balancing both development and conservation needs. While some of the proposals aim to sustain the economic development of Hong Kong, we have not lost sight of the importance of conserving the natural environment of Lantau and have included conservation as one of the major themes in the Plan.

The purpose of the public consultation undertaken from end November 2004 to end February 2005 is to engage the public at the early conceptual stage in planning for Lantau. Therefore, the proposals set out in the Concept Plan are conceptual in nature to invite community discussion. They would be reviewed and revised, as appropriate, to take into account the community's feedback. Proposals to be taken forward will be subject to detailed studies, including environmental impact assessment, to establish their feasibility.

As part of the community-wide consultation exercise, a briefing was held for the Planning, Lands and Works Panel of the Legislative Council on 26 October 2004. With general support from the Panel members, the Plan was put out for public consultation. During the public consultation, we actively engaged different stakeholders in the discussion of the Concept Plan. Over 30 discussion meetings were held with the relevant statutory and advisory bodies, the Islands and Tsuen Wan District Councils, the Rural Committees, local organizations, professional institutes, environmental groups and other relevant stakeholder groups. In addition, two public forums were held. The community has enthusiastically responded to the proposals and given a lot of valuable comments and suggestions. We are carefully analysing the public feedback.

Responses to comments made in specific areas

Planning Policy and Intentions for Lantau

There is no change in Government policy and our planning intentions for Lantau. The Concept Plan for Lantau has followed the overarching principle of achieving sustainable development by balancing social, environmental and economic needs of Hong Kong under the Hong Kong 2030: Planning Vision and Strategy Study (the HK2030 Study). The proposals are in line with the three planning directions promulgated in the HK2030 Study, i.e. providing a quality living environment, enhancing economic competitiveness and strengthening links with the Mainland. Apart from conserving the beautiful countryside, the contribution that Lantau may make in logistics and tourism developments in Hong Kong and improving the cross boundary transport connection is also reckoned in the HK2030 Study.

The South West New Territories Recommended Development Strategy (SWNT RDS) endorsed by Government in 2001 has been taken as a basis in drawing up the Concept Plan. The vision of the RDS is to balance development and conservation needs, with particular emphasis on turning the sub-region, including Lantau and the outlying islands, into a tourist, recreation and leisure centre. This overall direction is adopted for the Concept Plan. The planning themes for Lantau set out in the RDS include a tourism and recreation hub in Northeast Lantau, an urban development area along the north shore, and conservation and sustainable recreational uses in South and Northwest Lantau. The Concept Plan has also taken into account latest planning circumstances, aspirations of the local community, development constraints in Lantau and other relevant

factors.

In gist, your comments that the Lantau Development Task Force is attempting to unilaterally change the planning intention for Lantau to property-led conventional development is groundless.

Balance of Development and Conservation Needs

In balancing the development and conservation needs, the Concept Plan proposes major economic infrastructure and tourism uses in North Lantau to optimise the use of the transport links and infrastructure. The other parts of Lantau are protected primarily for nature conservation and sustainable recreational and tourist uses, and the existing nature and rural character therein will be maintained. It cannot be said that no genuine balance is intended in the Concept Plan.

Recreation

In line with the SWNT RDS, the Concept Plan has set out proposals for recreation which are compatible with the characteristics of different parts of Lantau. As you have pointed out, Chapter 4 of the Hong Kong Planning Standards and Guidelines (HKPSG) sets out a set of definition and standards each for open space and recreation. For the “Green Open Space” mentioned in your letter, the conservation of the natural environment and the promotion of compatible countryside recreation such as cycling, hiking and eco-tourism in rural Lantau are in line with the intention for this type of green space. The provision of non-core recreation facilities is also encouraged. The proposals for more specialist types of recreation at North Lantau could not be said to be at variance with the planning standards. These recreational facilities, if taken forward, will be subject to detailed studies to ascertain their feasibility, and relevant requirements under the Environmental Impact Assessment Ordinance will also have to be complied with.

Regarding the Motor Racing Circuit mentioned in your letter, it is a proposal from the Hong Kong Automobile Association. This together with other proposals received in the public consultation will require detailed consideration.

In sum, a majority part of Lantau has been dedicated for nature protection and countryside recreation in the existing Lantau North and Lantau South Country Parks. With the improvement in the facilities and

accessibility, as proposed in the Concept Plan, there will be a real gain in public recreation opportunities in Lantau. For the proposed heritage and eco-trail from Tung Chung to Tai O, there is not yet any detailed design. If the proposal is to be taken forward, they would be carefully designed to tie in with the natural character of the area.

Conservation

The need to conserve high quality natural landscape, ecological habitats and cultural heritage sites has been a priority planning consideration in formulating the Concept Plan. Conservation is one of the major themes and the Concept Plan has set out proposals to meet such needs in Lantau.

The recommendations contained in the Conservation Strategy for Lantau issued by six environmental groups in 1998 have been submitted to the Lantau Development Task Force and given careful consideration during the preparation of the Concept Plan. Most of those areas identified as having high ecological values such as those in Tai Ho, Ngong Ping and South Lantau have been designated as Sites of Special Scientific Interest or protected under conservation related zonings on relevant statutory town plans. Tai Ho Stream and the adjacent valley have been designated as a priority site for enhanced conservation under the new nature conservation policy. The implementation of the Lantau North (Extension) Country Park and South Lantau Marine Park, which is one of the recommendations of the Conservation Strategy for Lantau, is also among the conservation proposals in the Concept Plan. We are considering the implementation timetable for designating the Lantau North (Extension) Country Park and the South West Lantau Marine Park. Government will continue to strengthen the protection of sites of conservation value in Lantau, as proposed in the Concept Plan.

We would like to clarify that the proposed Lantau North (Extension) Country Park is not a compensation measure for the Hong Kong International Airport. The proposed country park was identified as one of the 14 potential sites in the previous Territorial Development Strategy Review in 1993. The boundary of the proposed Lantau North (Extension) Country Park has taken into account views of the Islands District Council, Lantau Rural Committees, the relevant village representatives, various environmental concern groups and the Advisory Council on Environment through various consultation meetings. A portion of the coastal area at Hau Hok Wan was excised from the proposed

boundary in response to the suggestion of the Lantau Rural Committees. The Country and Marine Park Board was consulted and agreed to the draft map gazetted in 2001.

Sustainability Assessment

A preliminary sustainability assessment has been conducted for the Concept Plan. Planning Department will separately let you have a copy of the preliminary sustainability assessment. Further sustainability assessments will be conducted in the feasibility studies to be undertaken for projects selected to be taken forward. The overall cumulative environmental impacts of relevant projects will be assessed in the feasibility studies in accordance with relevant statutory requirements.

Rezoning for Development

The land use pattern included in the Concept Plan is conceptual in nature and there are no development details or rezoning proposals. The 'Green Belt/Countryside Area' shown on the Concept Plan are not development zonings. They signify vegetated and countryside areas at the suburban fringe to limit the sprawl of urban development. They are consistent with the planning intention for retaining the existing character of rural Lantau on the relevant statutory town plans. No major development is envisaged in the 'Green Belt/Countryside Area'. There is simply no basis to assume that such zoning will lead to loss of agricultural land or countryside in favour of property developments or "barrier of private property" along the South Lantau Coast and along Tai O Road and valley as alleged in your letter.

Resort Proposals

As for the resort proposals for South Lantau, the overall planning concept for the area is to preserve the high quality and ecologically sensitive natural environment. The proposed resort facilities aim at enhancing the leisure potential of the area without compromising its landscape and conservation values. It is intended that they would be low-rise and low-density and would be sensitively designed to harmonize with the surrounding natural setting. The implementation will be subject to market demand and detailed studies to confirm the feasibility and environmental acceptability. For the potential site at Tai Long Wan, marine access would be the main mode of transport, if the resort proposal is to be implemented.

New Town area at Tung Chung Valley

The Concept Plan proposes that Tung Chung would be a comprehensively planned new town for a population of around 220 000. Continuing development of the new town is necessary to provide for the population threshold to support the various community, commercial and transport facilities and services required by the residents. Adequate buffers will be maintained between the development areas and the adjacent Country Park and other ecologically sensitive areas in designing the new town.

Status of Certain Projects

The alignment of the Hong Kong section of the Hong Kong – Zhuhai – Macao Bridge (HZMB) and the infrastructure connecting it to the local network is being studied in an Investigation and Preliminary Design Study conducted by Highways Department. The Bridge is planned to land on Northwest Lantau near the San Shek Wan/Shalo Wan headland. This landing point has been most carefully chosen to minimize the ecological and other environmental impacts on Lantau Island. The alignments shown on the Concept Plan only indicate some of the possible alignments at this stage. The exact alignment will be further studied and will be subject to an Environmental Impact Assessment. The public will have the opportunity to offer their comments in due course.

For Container Terminal (CT) 10, no decision has been made on its location at this stage. The Study on Hong Kong Port Master Plan 2020 (HKP2020 Study) has identified two possible locations, namely, Northwest Lantau and Southwest Tsing Yi. Both sites have their pros and cons. As recommended in the HKP2020 Study, Government will conduct an ecological study on the Northwest Lantau site option to further assess its environmental suitability for constructing CT10. In parallel, we will update the Port Cargo Forecast to work out the optimal timing for constructing CT10. When a decision is made on the preferred site, a detailed Environmental Impact Assessment and feasibility study will have to be conducted to fulfill the various planning requirements. The public will be fully consulted on the proposed plan then. As there is no decision on the location of CT10, it is not appropriate to include the Northwest Lantau option in the Concept Plan.

The construction of an LNG Terminal in Hong Kong is a proposal of Castle Peak Power Company Limited/CLP Power. Soko

Islands is one of the sites currently under consideration by the company. It is therefore not appropriate to include the proposal in the Concept Plan.

Public Engagement

During the public consultation, we have actively engaged different stakeholders individually and collectively in the discussion of the Concept Plan. As mentioned at the beginning of my reply, we will carefully analyse and consolidate the public feedback for submission to the Task Force for considering the way forward. We will continue to listen to the views of the public with a view to mapping out the future development of Lantau jointly with the community.

Hope the above will answer your enquiries. If you have further questions, please do not hesitate to call me.

Yours sincerely,

(Miss Christine Chow)
Secretary, Lantau Development Task Force

c.c. Clerk to the Legislative Council Panel on Planning, Lands & Works
Advisory Council on the Environment
Secretary for Environment, Transport and Works
Secretary for Economic Development and Labour
Secretary for Home Affairs
Director of Planning
Director of Agriculture, Fisheries and Conservation
Director of Environmental Protection