

城市規劃委員會文件第 10056 號
TPB PAPER NO. 10056

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FOR CONSIDERATION BY
THE TOWN PLANNING BOARD ON 14.12.2015

《赤鱗角分區計劃大綱草圖編號 S/I-CLK/13》
考慮申述編號 TPB/R/S/I-CLK/13-R1 至 R12220 及
意見編號 TPB/R/S/I-CLK/13-C1 至 C346

DRAFT CHEK LAP KOK OUTLINE ZONING PLAN NO. S/I-CLK/13
CONSIDERATION OF REPRESENTATIONS
NO. TPB/R/S/I-CLK/13-R1 TO R12220
AND COMMENTS NO. TPB/R/S/I-CLK/13-C1 TO C346

**DRAFT CHEK LAP KOK OUTLINE ZONING PLAN (OZP) NO. S/I-CLK/13
CONSIDERATION OF REPRESENTATIONS
NO. TPB/R/S/I-CLK/13-R1 TO R12220
AND COMMENTS NO. TPB/R/S/I-CLK/13-C1 TO C346**

Subject of Representation	Representers¹ (Annexes I-A and I-B)	Commenters² (Annex II)
<i>Supportive Representations</i>		
<p><u>Support</u> the draft Outline Zoning Plan (OZP) and the proposed Hong Kong International Airport (HKIA) three-runway system (3RS) mainly on the grounds that it can strengthen Hong Kong's position as an international aviation hub and sustain HKIA</p>	<p><u>Total: 4</u></p> <p>R1: The Hong Kong Shipper's Council R2: The Chartered Institute of Logistics and Transport in Hong Kong R3: Individual R4: Hong Kong Institution of Highways and Transportation</p>	<p><u>Total: 126</u></p> <p><u>Support</u> the supportive representations: C2: SD Advocates C3: Lantau Development Alliance C4 and C5: Individuals</p> <p><u>Support</u> the draft OZP/HKIA 3RS: C6: Individual C7, C9 and C40: Professional institutes C8, C16, C18 and C27: District Councils (DCs) Members C10 to C15 and C28 to C32: Airlines/aviation or tourism related companies/organisations C17 and C19: Local organisations C20, C21, C23, C25 and C26: Trade associations C22, C24, C41 and C43: Concern groups/organisations C33 to C39: Trade unions C42 and C44 to C127: Individuals</p>

¹ For list of representers, please refer to **Annex VI**.

² For list of commenters, please refer to **Annex VIII**.

Subject of Representation	Representers ¹ (Annexes I-A and I-B)	Commenters ² (Annex II)
<i>Adverse Representations</i>		
<p><u>Oppose</u> the draft OZP/HKIA 3RS and the associated reclamation works mainly on the grounds of unresolved airspace, high construction cost and financial arrangement, environmental and ecological impacts</p>	<p><u>Total: 12,216</u></p> <p>R5 to R7, R9 to R46 and R54 to R384, R388, R393 to R399, R401 to 509, R514, R516 to R12019³ and R12021 to R12220:</p> <p>Individuals</p> <p>R8: 新民主同盟荃灣工作隊</p> <p>R47: Hon CHAN Ka-lok (Member of Legislative Council (LegCo))</p> <p>R48: Dr Hon KWOK Ka-kei (LegCo Member)</p> <p>R49: Hon Dennis KWOK (LegCo Member)</p> <p>R50: YU Chun-cheung (Islands DC Member)</p> <p>R51: CHAN Kai-yuen (Eastern DC Member)</p> <p>R52: Tam Man Ho (Civic Party member)</p> <p>R53: Chan Suk-chong (Vice-chairperson of Civic Party)</p> <p>R385: 容溟舟 (Sha Tin DC Member)</p> <p>R386: World Wide Fund for Nature, Hong Kong</p> <p>R387: Hong Kong Dolphin Conservation Society</p> <p>R389: Hong Kong Bird Watching Society</p> <p>R390: Green Sense</p> <p>R391: Friends of the Earth (HK)</p> <p>R392: People's Aviation Watch</p> <p>R400: Doctoral Exchange</p> <p>R510: Save Lantau</p> <p>R511: 坪洲新聞</p> <p>R512: 港地陣線</p>	<p><u>Total: 220</u></p> <p><u>Comment</u> on all the adverse representations:</p> <p>C1: Airport Authority Hong Kong (AAHK)</p> <p><u>Support</u> the adverse representations and <u>oppose</u> the supportive representations:</p> <p>C128, C132 to C146, C148 to C161, C164 to C229, C231 to C342, C344 to C346: Individuals</p> <p>C129 to C131, C147, C162 and C163: Green/concern groups</p> <p>C230: Tsuen Wan DC Member</p> <p>C343: Airlines/aviation or tourism related companies/organisations</p>

³ Nine representers (**R700, R1700, R1952, R2659, R2700, R3034, R4045, R4119 and R4263**) have indicated that they did not make any submission in respect of the draft OZP.

Subject of Representation	Representers ¹ (Annexes I-A and I-B)	Commenters ² (Annex II)
	R513: Airport Development Concern Network R515: Civil Anti Third Runway R12020: Designing Hong Kong	
Grand Total:	12,220	346

1. Introduction

- 1.1 On 8 May 2015, the draft Chek Lap Kok OZP No. S/I-CLK/13, incorporating amendments to designate an area on the proposed reclamation to the north of the HKIA as “Other Specified Uses” annotated “Airport” (“OU (Airport)”) (**Amendment Item A**) and two areas in the east and west of the proposed reclamation as “OU (Airport Service Area)” (**Amendment Item B**), was exhibited for public inspection under section 5 of the Town Planning Ordinance (the Ordinance). During the 2-month public exhibition period, a total of 12,220 representations were received. However, 9 representers (**R700, R1700, R1952, R2659, R2700, R3034, R4045, R4119 and R4263**) subsequently indicated that they did not make any submission in respect of the draft OZP. On 18 August 2015, the Town Planning Board (the Board) published the representations for three weeks for comments. Upon expiry of the publication period on 8 September 2015, a total of 346 comments were received.
- 1.2 On 16 October 2015, the Board decided to consider all the representations and comments in one group.
- 1.3 This paper is to provide the Board with information for consideration of the representations and comments. The representers and commenters have been invited to attend the meeting in accordance with section 6B(3) of the Ordinance.

2. Background

- 2.1 In late 2010, AAHK drew up the “HKIA Master Plan 2030” (MP2030) and recommended two development options for HKIA: maintaining the existing two-runway system (2RS) or expanding into a 3RS. On the basis of the clear majority support for HKIA to continue to be expanded to cope with the future air traffic demand and the clear majority preference for adopting the three-runway option, AAHK submitted its recommendations to the Government in late 2011 for in-principle approval to adopt the option of expanding into a 3RS as the future development option for HKIA for planning purpose.

- 2.2 Through a comprehensive evaluation and selection process, AAHK has formulated a preferred airport layout plan for the 3RS development. The proposed 3RS development for HKIA involves reclamation of about 650 ha new land to the immediate north of HKIA and comprises the new third runway with associated taxiways, aprons and aircraft stands, a new passenger concourse building, expansion of the existing Terminal 2 (T2) building, related airside and landside works with associated ancillary and supporting facilities.
- 2.3 In March 2012, the Executive Council gave approval in-principle for AAHK to adopt the 3RS as the future development option for HKIA for planning purpose. Since then, AAHK has embarked on the necessary planning work, namely, the statutory Environmental Impact Assessment (EIA), the associated design details and the financial arrangements. On 7 November 2014, the 3RS EIA Report was approved by the Director of Environmental Protection (DEP) under the EIA Ordinance. The Environmental Permit (EP) was also granted with conditions on the same day. On 17 March 2015, the Chief Executive in Council (CE in C) affirmed the need for the 3RS project for maintaining Hong Kong's competitiveness as a global and regional aviation hub, and for catering to our long-term economic and development needs.

Public Consultation

- 2.4 Since the promulgation of MP2030, AAHK reached out to a wide spectrum of stakeholders to seek their views on the airport's development plans. From November 2008 to October 2015, over 1,400 engagement activities such as public forums, roundtable meetings, workshops, airport visits, briefings, exhibitions and seminars with a variety of stakeholder groups including green groups, media, students, residents, professional bodies, business/industry associations, business partners, consultative bodies, fishermen groups, think tanks, academia and opinion leaders were organised.
- 2.5 Among the various engagement initiatives, AAHK has set up four Technical Briefing Groups (TBGs) to collect the professional views from experts and academia with technical expertise in specific environmental aspects (i.e. air quality, noise, marine ecology and fisheries, as well as Chinese White Dolphins); and five Community Liaison Groups (CLGs) in HKIA's neighbouring districts (i.e. Islands, Kwai Tsing, Shatin, Tsuen Wan and Tuen Mun) in order to exchange views with District Councillors and the community leaders on the 3RS development.
- 2.6 The 3RS EIA report has been made available for public inspection between 20 June 2014 and 19 July 2014 in accordance with the EIA Ordinance. During the EIA public inspection period, AAHK has organized briefings for business partners and media, roving exhibition, as well as two sessions of public forum to update the public on the findings of the EIA and the initiatives to mitigate the potential impacts of the 3RS development.
- 2.7 After the approval of the EIA Report, AAHK has been continuously tracking the pulse of public opinions on the 3RS project. A new round of

communication and engagement campaign has been launched by AAHK since March 2015 to explain to the public the need for the 3RS and its contribution to the continuous development of Hong Kong, as well as to clarify common misconceptions.

Amendments to the OZP

- 2.8 On 10 April 2015, AAHK provided a brief overview on the proposed 3RS development of the HKIA to Members. In order to put the proposed expansion of HKIA under statutory planning control, amendments to the OZP are necessary.
- 2.9 On 17 April 2015, the Rural and New Town Planning Committee of the Board considered and agreed the proposed amendments to the OZP to facilitate HKIA 3RS development. On 8 May 2015, the draft Chek Lap Kok OZP No. S/I-CLK/13 was exhibited for public inspection under section 5 of the Ordinance.

Concurrent gazettal under the Foreshore and Sea-bed (Reclamations) Ordinance

- 2.10 In parallel, the 3RS reclamation scheme was gazetted under the Foreshore and Sea-bed (Reclamations) Ordinance (FS(R)O) (Cap. 127) on 8 May 2015. The objections received during the 2-month objection period between 8 May 2015 and 8 July 2015 are currently being processed by the Director of Lands.

Judicial Reviews in relation to 3RS

- 2.11 There are a total of five judicial reviews (JRs) (HCAL 21/2015, HCAL 22/2015, HCAL 99/2015, HCAL 102/2015 and HCAL 104/2015) lodged against the decisions of AAHK, DEP and CE in C in relation to the 3RS project. Another JR (HCAL 186/2015) lodged by a commenter (**C340**) has also been received against the representation procedure and consultation arrangement of the draft OZP. The Court has granted leave to two JRs (HCAL 21/2015 and HCAL 22/2015), but not yet granted leave to the remaining JRs.

3. Consultation after exhibition of the draft OZP

Consultations of the OZP amendments with Tuen Mun District Council (TMDC) (by circulation) and Islands District Council (IsDC) (by meeting) were conducted on 11 May 2015 and 22 June 2015 respectively. While no comment was received from TMDC, majority of the IsDC Members supported the OZP amendments/ HKIA 3RS project. Two IsDC members, however, expressed their concerns on the technical issues and financial arrangement of the project. Their comments are shown in the extract of the relevant IsDC meeting minutes at **Annex III**.

4. The Representations

- 4.1 Among the 12,220 representations received, 4 of them (**R1 to R4**) are submitted by trade/logistics organisations and an individual supporting the draft OZP (**Annex I-A**). The remaining 12,216 representations opposing the draft OZP/3RS project (**R5 to R12220**) are submitted by green/concern groups (**R386, R387 and R389 to R392, R400, R510 to R513, R515 and R12020**), local residents/indigenous villagers (**R5, R14, R16 to R46, R514, R11964 to R12013**), LegCo and DC Members (**R47 to R51 and R385**) and members of political parties (**R8, R52 and R53**) (**Annex I-B**). Majority of the remaining representations were submitted by individuals in various types of standard letters and emails. The list of representers and a full set of the representations are attached at **Annexes VI and VII** respectively for Members' reference (saved in the DVD-ROM). A set of hard copy is also deposited at the Secretariat of the Board for Members' inspection.

GROUND OF REPRESENTATIONS AND PROPOSALS

Supportive Representations (R1 to R4)

- 4.2 The major grounds and proposals of the supportive representations are summarised below:

Grounds of Representations

- (a) HKIA is the busiest international cargo airport and the third busiest international passenger airport as well as one of the most important logistic facilities in the world. The 3RS would sustain HKIA's competitiveness and growth to strengthen Hong Kong's position as an international aviation hub amidst the rapid growth of the other airports in the region. The capacity constraint of the current runway is a major threat to the future development and expansion of the HKIA. The 3RS project would also produce extra land for airport supporting services. Moreover, the airport expansion is essential to cater for Hong Kong's medium to long-term air demand.
- (b) The 3RS development, together with Tung Chung New Town Extension Development, Hong Kong-Zhuhai-Macau Bridge (HZMB) and Tuen Mun-Chek Lap Kok Link (TM-CLKL) will create a synergy effect for a new tourism hub with retail and commercial facilities within the Pearl River Delta region and would bring tremendous economic benefits and create ample job opportunities for Hong Kong (**R3 only**).
- (c) The EIA study undertaken by AAHK for the 3RS project is considered a thorough and well balanced study that has examined the critical elements for protecting the environment. The proposal to designate a new marine park is supported as it would ensure the prosperity of marine life in Hong Kong while maintaining the growth engine for the economy (**R3 only**).

- (d) The potential adverse environmental and ecological impacts of the 3RS development could be overcome by adopting a state-of-the-art construction technology, i.e. deep cement mixing method which is a non-dredging technique for reclamation to stabilize the marine clay, and is widely used in many developed countries. Besides, a balance between construction cost and environmental benefits should be sought, and AAHK should give equal weights to economic, social and environmental aspects in order to achieve a sustainable development of the 3RS (**R3 and R4 only**).

Representer's Proposal – Building a new airport or diverting air-bound cargo operation to Zhuhai

- (e) As HKIA 3RS is designed to cater for the air traffic demand in 2030, there are proposals to construct a separate airport in south Lantau for cargo only or to divert air-bound cargo arrivals to Zhuhai airport which is under the management of AAHK (**R4 only**).

Adverse Representations (R5 to R12220)

- 4.3 The adverse representations are made mainly on grounds of, inter alia, need for 3RS/efficiency and capacity of existing 2RS, environmental and ecological concerns, traffic concerns, insufficient/ineffective land use and development controls, procedural injustice, unresolved airspace issues, as well as cost-effectiveness and financial viability. Their grounds and proposals are shown in **Annex IV** and are summarised below:

Grounds of Representations

Need for 3RS/Efficiency and capacity of existing 2RS

- (a) There are insufficient information/technical assessments to justify that 3RS is the most feasible option for HKIA expansion. The information contained in the TPB Paper No. 9877 considered by the Board in its meeting on 10 April 2015 was based on the improper assessments conducted by AAHK. AAHK fails to demonstrate that 3RS is the most feasible option in terms of, inter alia, financial viability and environmental impact.
- (b) The allegation that the existing 2RS has reached its maximum capacity is doubtful. The feasibility of the options to enhance the operation efficiency under 2RS has not been fully investigated. These include, inter alia, removing the hilly terrain at northeast Lantau, reducing flights to less popular destinations with little passenger demand (especially in the Mainland) to release valuable airspace for flights with larger passenger demand, use of wide-bodied aircrafts with higher loading capacity, provision of additional ground support facilities (e.g. expansion of T2 Building and mid-field passenger concourse) to enhance the efficiency of 2RS.
- (c) There are other options like cooperation with nearby airports in the

region, building a new airport and improvements in air traffic management to enhance the operation efficiency of 2RS instead of establishing 3RS.

- (d) There are concerns that the commissioning of the Express Rail Link (XRL) would compete with the short-haul flights currently provided in HKIA⁴. The lack of coordination of passenger flow between XRL and 3RS would result in Hong Kong people paying the social and environmental costs for unnecessary expansion of HKIA.

Environmental and ecological concerns

- (e) The massive reclamation involved in constructing 3RS would destroy the travelling corridor and marine habitat of Chinese White Dolphins (CWD), and brings irreversible impact on the natural environment, marine ecology and the fisheries resources. The cumulative impact of several consecutive construction projects at the waters off North Lantau aggravates the problem.
- (f) The proposal of establishing a Marine Park (MP) upon completion of 3RS is not acceptable as it is tantamount to “Destroy First, Compensate Later”. Drawing from the experience of the HZMB project that a sharp decrease of CWD sighted in HZMB project area since its commencement of construction in 2013, there are doubts that CWD would return to the proposed MP area at the Brothers Island upon completion of HZMB. Thus, it is considered that designating the waters around 3RS project area as MP upon its completion is ineffective as there is no targeted measure to safeguard and conserve the disturbed population of CWD during the construction phase. Besides, the proposed MP is not the most core dolphin habitat and important fisheries spawning/nursery ground and are subject to severe disturbance from high volume of marine traffic.
- (g) The operation of HKIA has imposed unacceptable noise and air pollutions on residents in Shatin, Ma Wan, Sham Tseng as well as villagers of Sha Lo Wan and San Tau, Tung Chung. The 3RS project would aggravate noise and air pollutions but no effective mitigation measure has been proposed to alleviate the impacts. Besides, the operation of 3RS would increase carbon emission and other pollutants, thereby worsening the greenhouse effect.
- (h) The 3RS construction works would have adverse impact on Sha Chau Egret, the second largest breeding and nesting ground for birds⁵. The construction of 3RS would disturb the egret, leading to abandonment of the breeding and nesting activities there. Yet, the EIA of 3RS has failed to address the ecological impact of this important habitat.

⁴ It is generally considered that for those destinations that are within six hours of travelling time by XRL, direct competition between XRL and air flight does exist.

⁵ According to the Egret Counts in Hong Kong, with particular reference to the Mai Po Inner Deep Bay Ramsar Site – Summer 2013 Report, species comprised of Black-crowned Night Heron (*Nycticorax nycticorax*), Little Egret (*Egretta garzetta*) and Great Egret (*Ardea modesta*) were found in Sha Chau Egret.

- (i) The construction/development of HKIA has caused adverse impact on the natural environment of Ma Wan, Sha Lo Wan and San Tau Village and severe loss of sand to the beach at Sha Lo Wan.

Traffic concerns

- (j) No detailed information on the Traffic Impact Assessment (TIA) on 3RS is available for the public. The capacity of the Airport Express Line (AEL), other means of public transport and parking spaces to cope with the increased passenger brought by 3RS and other developments on Airport Island as well as North Lantau is unknown.
- (k) There is no Marine Traffic Impact Assessment (MTIA) and hydrodynamics impact assessment conducted for 3RS, especially on the impact on marine traffic capacity and safety arising from the reduced 'navigable channel' along Urmston Road as a result of the large scale reclamation.
- (l) No air traffic impact assessment and relevant assessments as required by the International Civil Aviation Organization (ICAO) for 3RS is provided. Without assessment on the aircraft movement patterns (i.e. flight paths, escape avenues and queuing loops) under different scenarios, the effectiveness of 3RS is uncertain.

Insufficient/Ineffective land use and development controls

- (m) The control on the permissible uses and development intensity in the zones under the Amendment Items is very loose that all uses are put under Column 1 as always permitted uses and no GFA restrictions are imposed. Also, the 'People Mover Depot' should be regarded as an industrial use and should not be always permitted.
- (n) The OZP amendments exercise deviates from the long-established planning principles. The Board should not consider the matter given the uncertainty over the reclamation. The Board has no right to plan the land use/amend the OZP in accordance with the Ordinance (Cap. 131) on land which has not yet existed, especially when the statutory procedures for reclamation works (i.e. gazettal under the FS(R)O (Cap. 127)) are still ongoing.

Procedural injustice

- (o) Given the fact that the EIA Report and the EP granted for 3RS project are subject to JRs, the environmental impact of the 3RS project and its associated reclamation cannot be ascertained. As environmental acceptability is the most important consideration for this project, it is premature to amend the OZP until a decision on the JRs is made by the Court.
- (p) Carry out the statutory procedures for reclamation and OZP amendments under FS(R)O and the Ordinance respectively to facilitate

the implementation of 3RS while its EIA Report and EP are subject to legal challenge is procedural unjustified. The Government should not proceed with the statutory procedures for the 3RS project until such legal issues are resolved.

Improper Public Consultation

- (q) The public consultation for HKIA expansion conducted by AAHK was biased and misleading by providing information favourable for 3RS. As a matter of due diligence, AAHK has to explain why the original design capacity of 86 million passengers and 9 million tonnes of cargo under 2RS cannot be achieved. The public are not convinced that 3RS could achieve its design capacity without such explanation.

Other issues

Unresolved airspace issues

- (r) It is assumed that a new airspace management agreement with Mainland is required for effective operation of 3RS. However, there is no proof that agreement had been made or published. The assumption of no restriction on the use of airspace upon completion of 3RS is doubtful.
- (s) The “Pearl River Delta Region Air Traffic Management Planning and Implementation Plan (Version 2.0)” (“the PRD Airspace Plan”) promulgated in 2007 proposed to, inter alia, set up “the Southern PRD Terminal Area” jointly managed by the relevant authorities in Guangdong and Hong Kong in order to remove the airspace constraints of PRD region. Such proposal may contravene the requirements under Article 130 of the Basic Law that the Hong Kong Special Administrative Region (HKSAR) shall be responsible on its own for matters of routine business and technical management of civil aviation.
- (t) Should the PRD Airspace Plan not be implemented upon completion of the 3RS, the alleged number of flights of 102 per hour to be achieved under 3RS would be significantly reduced as the aircraft movement within the airspace is constrained by the operation of Shenzhen Bao’an International Airport and the altitude and geographical location requirements for handover of flights between air traffic control units in Hong Kong and in the Mainland (referred by the representers as “Air Wall” constraint). The effectiveness of 3RS is doubtful if these issues could not be resolved.

Cost-effectiveness and financial viability

- (u) The construction cost is extravagant and there may be risk for cost overruns. The expenses for 3RS could be used for other policies beneficial to the public. There are doubts on the benefits of 3RS in enhancing the competitiveness of HKIA and on local economy. The economic return of 3RS estimated by the Government is also doubtful.

- (v) AAHK's proposal of "joint contribution" principle by making use of internal sources of fund, external borrowing and levying charges from users (the financial arrangement) to finance 3RS would bypass approval and monitoring by LegCo. Such arrangement may contravene Article 73 of the Basic Law (BL 73) that LegCo could exercise its power to approve taxation and public expenditure. The financing arrangement may also lead to procedural injustice. The Government should also disclose the information about the financial risk assessment, the internal rate of return and the social cost of the 3RS project.
- (w) The employment opportunities created by 3RS may not bring benefits to the local labour as there is currently lack of manpower in aviation and construction sectors.

Compensation to affected villagers (R16 to R46)

- (x) Applications for Small Houses within Sha Lo Wan Village have been frozen due to the development/operation of HKIA since 1998, and there has been no compensation/mitigation measure provided to compensate the loss of Sha Lo Wan villagers.

Representers' Proposals

Amendments to the Notes of the draft OZP (R391 to R398)

- (y) Proposed amendments to the Notes of the draft OZP include:
 - (i) transferring the uses in Column 1 to Column 2 under the "OU(Airport)" and "OU(Airport Service Area)" zones with the requirement of Master Layout Plan submission to allow control through the planning permission mechanism;
 - (ii) imposing restrictions on the floor area for commercial uses particularly for eating place and shop and service uses in the "OU(Airport)" and "OU(Airport Service Area)" zones;
 - (iii) deleting 'People Mover Depot' use in paragraph 7(a) of the Covering Notes of the OZP; and
 - (iv) rezoning of the areas covered by Amendment Items A and B to "Coastal Protection Area".

Other proposals

- (z) To defer making a decision on the draft OZP/suspend 3RS development in order to conduct a comprehensive review of HKIA expansion plan and studies related to strategic environmental assessment, social cost and carbon footprint and public consultation on those studies findings (**R47 and R48 only**).
- (aa) To establish funds to promote protection and safeguard the marine ecology, and interests of the local fishery industry and Sha Lo Wan villagers. The management committee of various funds should be

constituted by concerned stakeholders to ensure effectiveness of implementation (**R16 to R46 only**).

5. The Comments on Representations (Annex II)

- 5.1 Among the 346 comments on representations received, 48 of them are submitted by AAHK (**C1**), DC Members (**C8, C16, C18, C27 and C230**), professional institutes (**C7, C9, C40 and C42**), local organisations (**C17 and C19**), green/concern groups (**C2, C3, C22, C24, C41, C43, C129 to C131, C147, C148, C162, C163 and C343**), airlines/aviation and tourism related companies (**C10 to C15 and C28 to C32**), trade associations (**C20, C21, C23, C25 and C26**) and trade unions (**C33 to C39**). The remaining comments on representations are submitted by individuals in various standard forms/letters (**C4 to C6, C44 to C128, C132 to C161, C164 to C229, C231 to C346**). One of the commenters (**C340**) has applied for leave for lodging JR against the subject OZP representation procedure and consultation arrangement but leave has yet to be granted by the Court (paragraph 2.11 above).
- 5.2 AAHK (**C1**) makes responses to all adverse representations (**R5 to R12220**). Comments made by AAHK are summarised below:

Planning process for 3RS development and Public Consultations

- (a) AAHK has adopted a forward looking approach in setting out the strategic direction of the future development of HKIA through preparation of a 20-year Master Plan, which has been reviewed and updated once every five years. The latest MP2030 has conducted sufficient studies on air traffic forecast, economic impact, preliminary engineering feasibility and environmental assessment to cover broadly all the key areas required for making an informed recommendation on HKIA's future development strategy.
- (b) The planning process of 3RS is also transparent, professional and unbiased. A 3-month Public Consultation Exercise (PCE) on MP2030 was conducted to seek public views on the future development of HKIA. AAHK also implemented extensive communication and engagement plan during the statutory EIA study. In addition, four TBGs, five CLGs and one professional liaison group had been formed to collect the professional views from experts and academia with technical expertise in specific environmental aspects and to exchange views with District Councillors and the community leaders on the 3RS development.

Capacity of existing 2RS

- (c) The capacity of 2RS has been considered and reviewed thoroughly in the MP2030. The 1992 New Airport Master Plan (NAMP) mentioned by some representers only pointed out very broadly that HKIA's capacity could in theory reach 86 movements per hour under the "independent mixed mode" for runway operation. However, it could not

be realised since such mode of operation could not fully comply with relevant ICAO standards and was neither safe nor practicable. The recent study conducted by the National Air Traffic Services (NATS) in 2008 confirmed that after implementing some 40 improvement recommendations, in full compliance with ICAO safety standards/requirements, the practical maximum capacity of HKIA 2RS could be increased to 68 movements per hour. Notwithstanding, AAHK has undertaken various facilities upgrading and expansion plans at HKIA, e.g. the Midfield Development Project involving construction of a passenger concourse with 20 additional aircraft parking standards, to meet the medium-term air traffic growth under 2RS.

Options to overcome capacity constraints at HKIA

- (d) The alternatives, apart from expanding HKIA into 3RS, raised by the representers to meet the project air traffic demand, have been considered in the MP2030 study but they were neither pursued nor found to be feasible. Specifically, AAHK considers that the twin airport operation in Hong Kong would be highly costly and operation-wise inefficient. The capital investment in building a new airport involving substantial land reclamation and transport/supporting infrastructure would far exceed that required for expanding HKIA into 3RS and would require detailed assessment and studies in a separate context.

Design Capacity of 3RS

- (e) There are concerns that without resolving the airspace issues, the 3RS could not achieve its design capacity. However, AAHK understands from the Government that short, medium and long-term optimisation targets and measures have been formulated for implementation before 2020 to improve the airspace structure and air traffic control arrangements in the Pearl River Delta region to optimise the use of airspace and enhance safety. Such measures have fully taken into account the operational needs of HKIA 3RS.

Expansion of T2 Building

- (f) Regarding some of the criticisms about the proposed expansion of T2 building associated with the 3RS project, AAHK responds that different approaches to modify/expand T2 have been reviewed during the 3RS scheme design stage. According to the latest design, the entire T2 foundation, substructures and most of the building services facilities and airport system works could be retained; whilst other floor levels will be retained as far as possible but with necessary modifications to suit the expanded T2 layout. AAHK confirms that the materials demolished from the existing T2 would be re-used or re-cycled in the 3RS project.

Competition between the expanded HKIA and XRL

- (g) Whilst the concerns on the competition of short-haul flights at HKIA with XRL are noted, AAHK considers that the negative impact from XRL would unlikely be significant as the overlapping destinations between XRL and the short-haul flights at HKIA only contributes about 4% of HKIA's passenger throughput in 2014. Overall, XRL and 3RS are in fact complementary and will create synergy between the cross-boundary railway services and aviation industry.

Economic Benefits and Financial Arrangements of 3RS

- (h) In response to the concerns on the high construction cost, AAHK notes that the Government has engaged two independent Monitoring and Verification consultants to assist in vetting the design details and the associated project cost estimate of about HK\$141.5 billion (in money-of-the day prices), and they generally found that AAHK's recommendations are reasonable and in order. Such cost is also comparable to projects of similar scale, e.g. the proposed 3RS for Heathrow Airport in the United Kingdom, which is estimated to be about GBP 17.6 billion (or HK\$214 billion).
- (i) As to the doubts on the economic return of the 3RS, it should be noted that HKIA generates enormous economic value for Hong Kong⁶, supporting Hong Kong's four economic pillars, namely financial services, trading and logistics, tourism and producer and professional services. AAHK estimates that the overall economic benefits of 3RS would be around 1,046 billion (2012 dollars) over the 50-year period from 2012 to 2061. Compared with that of 2RS of around \$591 billion (2012 dollars), it would represent substantial economic contribution to Hong Kong in the long term. Besides, it is anticipated that the 3RS project would create direct employment of around 123,000 jobs as well as indirect and induced employment of 165,000 jobs.
- (j) As to the concerns on the high construction cost of 3RS and financial arrangements, AAHK, apart from optimising revenue, retaining distributable profits and raising funds from the market, proposes to introduce a new Airport Construction Fee (ACF) to fund the 3RS project. The financial proposals has been vetted and validated by the Government and the Government is satisfied that AAHK's financial proposal is overall reasonable and practicable. In light of the concerns from the Government and the industry on the proposed level of the ACF, AAHK is considering different means to maximise borrowings from the market. In response to the criticisms that the proposed financial arrangement is an attempt to circumvent the scrutiny of LegCo, AAHK clarifies that it has always kept LegCo and the public abreast of its development plans. Specifically, a subcommittee to discuss 3RS related issues and the Aviation Development and 3RS Advisory Committee were set up by LegCo and the Government in May

⁶ In 2012, the airport's direct, indirect and induced contributions to the local economy amounted to HK\$94 billion, representing 4.6% of Hong Kong's gross domestic product (GDP).

and August 2015 respectively. The first meeting of the subcommittee was held in October 2015. AAHK would continue with its public communication and engagement activities to address public concerns.

Environmental and traffic considerations

- (k) AAHK has conducted robust environmental and traffic impact assessments for the 3RS project and appropriate mitigation measures, ranging from those on marine ecology, the CWD habitats and fisheries, Sha Chau Egrettry, noise and air qualities, to road and marine traffic, have been proposed. Such measures have been incorporated in the EP granted for 3RS on 7 November 2014. AAHK has been proactively taking forward its plan to comply with the respective requirements stipulated in the EP.

5.3 126 commenters (**C2 to C127**) support the supportive representations (**R1 to R4**) or generally support the draft OZP/3RS. Some commenters provide responses to the adverse representations. Their comments are summarised in the following:

- (a) There is an imminent need for development of 3RS in view of the soon-to-be saturated capacity of the current 2RS. While the Midfield Development Project (the current airport expansion plan) is only an interim measure to alleviate flight congestion problems, the airport expansion is the only solution to cater for Hong Kong's medium to long-term air demand.
- (b) The 3RS will act as an impetus to the economy of Hong Kong, in particular the retail and tourism sectors as well as Meetings, Incentives, Conferences, and Events (MICE) development. It would sustain HKIA's competitiveness and growth to strengthen Hong Kong's position as an international aviation hub amidst the rapid growth of the other airports in the region. The construction and development of 3RS would also create ample job opportunities, from manual labours to professionals, both in district and territorial levels.
- (c) The 3RS development, together with the surrounding new developments and infrastructures including HKIA North Commercial District development, Tung Chung New Town Extension Development, HZMB as well as the proposed logistics park in Hung Shui Kiu New Development Area, will unleash the huge potential of Lantau and create a synergy effect for a new tourism hub with retail and commercial facilities. The improved transport infrastructure and access to HKIA would also improve the access to Lantau and unleash its development potential.
- (d) If 3RS cannot be implemented, the aviation network will be shrunken due to failure in increasing the direct flight destinations and flight frequencies. New airline companies, especially budget airline companies will find it difficult to enter the industry. Failure in implementing the 3RS will also have adverse impact on work safety, airlines' performance and services efficiency level.

- (e) It is considered that a balance needs to be struck between development and natural conservation and AAHK will be capable to minimise the environmental impacts with deployment of latest technology, proposed mitigation measures being effectively carried out and close monitoring.
 - (f) Some commenters agree with AAHK's current financial proposal of "joint contribution" by making use of internal fund, external borrowing and levying charges from users to finance 3RS and consider it as an economically efficient option (**C7, C17 and C18 only**).
- 5.4 The remaining commenters (**C128 to C346**) either object to the supportive representations (**R1 to R4**) or support the adverse representations (**R5 to R12220**). The grounds of comments are largely the same as those raised in the adverse representations summarised in paragraph 4.3 (a) to (aa) above. The gist of comments and PlanD's responses are shown in **Annex V**. The submissions by organisations and samples of the standard forms/letters are attached at **Annex II**. The list of commenters and a full set of the comments on representations are attached at **Annexes VIII and IX** respectively saved in the DVD-ROM for Members' reference.

6. Planning Considerations and Assessments

THE REPRESENTATION SITE AND THEIR SURROUNDING AREAS (PLANS H-1 AND H-2)

- 6.1 The representation site covers the sea falling within Amendment Items A and B to the north of HKIA. It is currently a navigation channel for vessels heading to PRD destinations.
- 6.2 The surrounding areas are mainly sea surface with Sha Chau and Lung Kwu Chau MP and the proposed Brothers MP located to the north and east respectively. HKIA is located to the immediate south of the representation site.

PLANNING INTENTION

- 6.3 The draft OZP covers the existing airport island and the proposed reclamation for the third runway of HKIA, the Hong Kong Boundary Crossing Facilities, part of the HZMB Hong Kong Link Road and the Southern Landfall of TM-CLKL at Chek Lap Kok.
- 6.4 The "OU(Airport)" zone is intended for the development of airport operational facilities. The northern part of the airport island and the area to be developed as airport operational facilities for 3RS are under this zoning. Major existing facilities on the airport island include runways, airfield, air traffic control towers, air passenger terminal and concourses, and aircraft parking aprons. The uses of such facilities are unique and special. They are put under Column 1 as always permitted uses in the Notes to allow maximum flexibility for airport operational development. Other uses permitted include

‘Aviation Fuel Storage Facility’, ‘Air Passenger and Freight Handling and Processing System/Facility’ and ‘Air Cargo Handling System and Facility’ that comprise aircraft parking apron, cargo staging and loading/unloading apron, etc.

- 6.5 The “OU(Airport Service Area)” zone is intended for the development of airport support facilities to facilitate the airport operation. The areas to the east, west and south of the airport proper and area reserved for airport support facilities for 3RS are under this zoning. The major existing support facilities on the airport island include air cargo terminals, facilities for airline catering, aircraft fuelling, aircraft maintenance and the aviation fuel tank farms.

RESPONSES TO GROUNDS OF REPRESENTATIONS

- 6.6 The supporting views of **R1 to R4** are noted. The responses to the grounds of adverse representations (**R5 to R12220**) and the representers’ proposed amendments/proposals are summarised below:

Need for 3RS/efficiency and capacity of existing 2RS

Need for 3RS

- 6.7 As advised by the Transport and Housing Bureau (THB), HKIA has experienced strong traffic growth since airport opening in 1998. In 2014, HKIA received 63.3 million passengers, 4.38 million tonnes of cargo and handled 391,000 air traffic movements (“ATMs”), representing a year-on-year growth of 5.7%, 6.0% and 5.1% respectively. With more than 100 airlines operating over 1,100 daily flights to approximately 180 destinations worldwide, including 47 on the Mainland, HKIA is a leading global and regional aviation hub that helps maintain Hong Kong’s status as “Asia’s World City”. According to the latest projection, HKIA’s annual traffic demand is projected to reach 102.3 million passengers, 8.9 million tonnes of cargo and 607,000 ATMs by 2030. As at end October 2015, the airport’s two runways are already handling a total of 68 ATMs per hour at 2 peak hours (i.e. during 11am –12 noon, and 4pm –5 pm), which is the 2RS’ hourly maximum capacity. Actual ATM growth is a few years ahead of the original MP2030 forecast and, based on the latest projection, the existing 2RS would likely reach its maximum practical capacity of 420,000 ATMs per annum in 2016 or 2017. With the continued strong growth in air traffic, while the Government and AAHK are actively exploring ways to increase the capacity of the 2RS as a temporary relief measure, there is a pressing need for HKIA to develop into a 3RS.
- 6.8 To increase ground handling capacity in the short to medium terms, AAHK is pushing ahead with the Midfield Development Project, which will provide a passenger concourse with 20 additional parking stands to serve an additional 10 million passengers each year. However, expansion of the midfield will not increase the airport’s overall handling capacity as the bottleneck lies in the airport’s runway capacity. A third runway is still needed to meet long-term traffic demand.

- 6.9 Meanwhile, neighbouring aviation hubs in cities like Singapore, Seoul, Bangkok, etc, have already committed/planned or are in the course of implementing major airport expansion plans⁷. Without a major expansion plan like 3RS at HKIA, Hong Kong will eventually lose out on its competitiveness as an aviation hub, as well as associated businesses particularly in the logistics, tourism, trade and retail sectors, to major competitors. There is therefore an urgent need for the implementation of 3RS to meet Hong Kong's long-term air traffic demand.
- 6.10 In response to the above, the "HKIA Master Plan 2030" (MP2030) drawn up by AAHK in 2010 has set out two development options for HKIA. The first option is to maintain the existing 2RS but expanding terminal and apron facilities; and the second option is to expand HKIA into a 3RS which could meet the long term air traffic demand up to and possibly beyond 2030. AAHK conducted a 3-month PCE on MP2030 between June and September 2011 to seek public views on the future development of HKIA. AAHK appointed the Social Science Research Centre of the University of Hong Kong to independently compile, analyse and report on the views collected during the 3-month PCE. The two proposed development options were presented in questionnaires. Of the 24,242 questionnaires received, 73% of the respondents preferred the 3RS option, while 11.1% preferred the 2RS option. On the basis of the MP2030 and the majority support during the PCE, the Executive Council gave approval in-principle in March 2012 for AAHK to adopt the 3RS as the future development option for HKIA for planning purpose.
- 6.11 Given the importance of HKIA in rendering supportive function of various pillar sectors including trading and logistics, tourism and professional services, the 3RS would provide Hong Kong with the expansion capacity needed to capture the opportunities arising from the strong regional economic growth, and in turn conducive to the long-term economic development and growth of Hong Kong. In light of the imminent saturation of the existing 2RS, the 3RS will significantly increase the handling capacity of HKIA, and help maintain its level of services, efficiency as well as connectivity. The need for 3RS in maintaining Hong Kong's competitiveness as a global and regional aviation hub and for catering Hong Kong's long-term economic and development needs was also reaffirmed by CE in C on 17 March 2015.
- 6.12 Regarding the concerns on the competition between XRL and the short-haul flights currently provided at HKIA, as advised by THB, the regional mainland routes that are particularly affected by XRL only contributes about

⁷ Some of the major expansion plans of the neighbouring airports include a five-runway system at Shanghai Pudong International airport (raising total annual handling capacity to 80 million passengers and 4.7 million tonnes of cargo by 2020); a five-runway system at Guangzhou Baiyun airport (raising total annual handling capacity to 80 million passengers and 2.5 million tonnes of cargo by 2020); the third runway at Shenzhen Bao'an airport (raising total annual handling capacity to 45 million passengers and 2.4 million tonnes of cargo by 2020); the third runway at Singapore Changi airport (raising total annual handling capacity to 135 million passengers by 2025); a five-runway system at Seoul Incheon airport (raising total annual handling capacity to 62 million passengers and 5.8 million tonnes of cargo by 2020); the third runway at Bangkok Suvarnabhumi airport (raising total annual handling capacity to 80 million passengers by 2020); and a third and fourth passenger terminal at Taipei Taoyuan airport (raising total annual handling capacity to 86 million passengers by 2042).

4% of HKIA's passenger throughput in 2014. Hence, it is considered that the potential adverse impact from XRL on HKIA would unlikely be significant.

Efficiency and capacity of the existing 2RS

- 6.13 As advised by THB, according to the "Airspace and Runway Capacity Study" undertaken by the British aviation expert, NATS, in 2008, the room to increase the capacity of 2RS to handle more flights is limited. NATS confirmed that even with the improvement measures such as "Airfield Infrastructure Improvements", "Air Traffic Control System Upgrade", "Air Traffic and Flight Procedures Enhancement", increasing the number of Air Traffic Control staff and enhancement in relevant training, the maximum capacity of the 2RS at HKIA would be 68 movements per hour, or 420,000 ATMs per year. Since 2008, the Civil Aviation Department (CAD) has implemented various optimisation measures of air traffic management, which has successfully increased the aircraft movements under 2RS from 55 movements per hour to currently 67 movements per hour, with a view to further increasing the maximum practical capacity of 68 movements per hour in the fourth quarter of 2015. Once the maximum hourly practical capacity is reached, there is little room to further increase the annual air traffic movements of the 2RS.
- 6.14 As to the alternatives raised by the representers to increase the existing 2RS capacity, comprehensive assessments have been conducted and detailed responses are provided at **Annex IV**.

Environmental and ecological concerns

- 6.15 The concerns related to the environment and ecology raised by the representers are mainly about the impacts of 3RS on marine habitats of CWD and Sha Chau Egrettry, the effectiveness and timing of the proposed MP as an ecological mitigation measure, impact of aircraft noise and air emissions on sensitive receivers, noise impact from marine traffic, and effectiveness of environmental mitigation measures proposed. DEP considers that all these concerns are adequately addressed in the 3RS EIA Report to meet the requirements of the EIA Study Brief and the EIA Ordinance-Technical Memorandum (EIAO-TM). DEP, in consultation with relevant authorities under the EIAO, approved the 3RS EIA Report and granted an EP with conditions on 7 November 2014.
- 6.16 According to the approved EIA report and EP, the footprint of the airport expansion layout has been minimised and a MP as a compensatory measure has been proposed in the report which will provide a protected habitat for the marine ecology. The proposed MP will connect the Hong Kong International Airport Approach Areas (HKIAAA) with the existing Sha Chau and Lung Kwu Chau MP and the committed Brothers Islands MP, forming a huge continuous stretch of marine protected area of about 5,200ha. The synergy effect gained will contribute significantly to the long-term conservation of CWD habitat. Also, appropriate mitigation measures have been proposed to mitigate the potential adverse impact of 3RS project on CWD habitat, Sha Chau Egrettry and Sha Lo Wan, as well as the potential adverse noise and air

impacts. Detailed responses to the environmental and ecological concerns raised by the representers are provided at **Annex IV**.

Traffic concerns

- 6.17 AAHK has conducted TIA to assess and evaluate the possible traffic impacts of the 3RS project. The Commissioner for Transport (C for T) considers that the overall traffic impact to roads within HKIA and adjoining road network arising from 3RS is considered acceptable by 2026. While the Government acknowledges the need to provide an alternative route to HKIA, the traffic situation beyond 2026 would be constantly monitored and reviewed and suitable measures would be worked out if necessary to mitigate the traffic situation. Besides, the Government will seek necessary resources to proceed with a feasibility study of Route 11, which will link up North Lantau and Yuen Long, in the light of the future traffic demands of Lantau developments and Northwest New Territories. The project, if implemented, would become the third road corridor to Lantau Island in addition to Tsing Ma Bridge and Tuen Mun-Chek Lap Kok Link, thereby enhancing the robustness of the road network connecting to the airport.
- 6.18 The major concerns on marine traffic impact of 3RS development are about the details of the MTIA and hydrodynamic studies being carried out to assess the potential marine traffic impacts posed by the reclamation works of the 3RS Project, including any reduction of the width of Urmston Road, any creation of higher waves, any impact on the safety of navigation and the ferry passengers using this channel of waters. On this aspect, AAHK has conducted MTIA for the 3RS project in various stages. Stakeholders including relevant government bureaux/departments, and consultative committees of the marine industry, such as Local Vessels Advisory Committee, Pilotage Advisory Committee, Port Operations Committee and High Speed Craft Consultative Committee, have been consulted on the findings of the MTIA. As advised by MD, the findings of the MTIA affirmed that with the implementation of the recommended marine traffic mitigation and enhancement measures as per the recommendations of the MTIA, the 3RS project would not pose any insurmountable navigational risk and would not adversely affect the future marine traffic activities in the vicinity of Urmston Road.
- 6.19 As to the concerns on air traffic safety risk assessment, CAD has implemented the Safety Management System (SMS) in accordance with ICAO guidelines and would ensure necessary safety risk assessment for 3RS will be conducted at appropriate stages as required by ICAO. Subject to the outcome of safety risk assessment, appropriate air traffic management measures such as air traffic flow management and additional human resources would be deployed.

Insufficient/Ineffective land use and development controls

- 6.20 The draft OZP is prepared to put the development of Chek Lap Kok including airport operational facilities, boundary crossing facilities and supporting commercial facilities under planning control. The zonings designated on the draft OZP and the amendments to the covering Notes aim

to support the development of HKIA, which is a crucial strategic infrastructure in the territory, and to allow maximum flexibility for airport operational development. As the proposed uses of the amendment sites are the same as the existing HKIA, the current land use and development control imposed on the draft OZP are considered appropriate. Similarly, no GFA/building height restriction is imposed on these zonings to allow maximum flexibility for airport development. Besides, the height of the buildings/structures at and around HKIA is governed by the Airport Height Restriction administrated by CAD. Incorporating 'People Mover Depot' on top of the existing 'People Mover Track' as an use that is always permitted on land falling within the boundaries of the draft OZP is to facilitate the services of the existing and new automated people mover system, which is an essential facility at HKIA and the 3RS.

- 6.21 The administrative arrangement to concurrently gazette reclamation works under FS(R)O and land use proposals on the reclamation under the Ordinance aims to address the public concerns that the public is not adequately consulted on major proposed reclamation works and that the Board is not consulted early enough on reclamation proposals. Such arrangement will ensure that the public is consulted concurrently on both the proposed reclamation and the associated land uses, and that the Board can consider the draft OZP before the reclamation is gazetted/authorised under the FS(R)O. This will also enable CE in C to consider concurrently objections to the reclamation gazetted under the FS(R)O and representations made on the draft OZP gazetted under the Ordinance. Through parallel action where possible, this arrangement will minimise the impact of the objections on the overall construction programme of the reclamation and associated development. The same arrangement has been adopted for major reclamation projects such as the reclamation works of HZMB Hong Kong Boundary Crossing Facilities. Moreover, the Board is empowered by CE in C to prepare draft plans for the lay-out of such areas of Hong Kong as CE may direct, as well as for the types of building suitable for erection therein in accordance with the Ordinance.

Procedural injustice

- 6.22 There are concerns on the processing of OZP amendments while there are JR applications against the decision of DEP of approving the EIA Report and issuance of EP for the 3RS development. In response to these concerns, as advised by Department of Justice (DoJ), the JR applications concerned do not constitute legal restriction prohibiting the Board from continuing the ongoing statutory amendment process of the OZP under the Ordinance, unless and until the Court directed that there should be a stay of the proceedings to which the JR application relates.

Improper public consultation

- 6.23 As to the grounds of improper public consultation conducted for HKIA expansion, it should be noted that AAHK conducted a 3-month PCE on MP2030 between June and September 2011 to seek public views on the future development of HKIA. AAHK appointed the Social Science Research

Centre of the University of Hong Kong to independently compile, analyse and report on the views collected during the three-month PCE. The two proposed development options were presented in questionnaires for respondents to indicate their overall preference as well as their preferred option. Besides, four TBGs comprising members from industry and academia with technical expertise in noise, air quality, marine ecology (including CWD) and fisheries and five CLGs comprising concerned DC Members and community leaders from the airport's neighbouring districts were formed to coordinate advice and views that were channelled into the project and environmental planning process of the 3RS project. In addition, about 1,400 engagement activities were organized by AAHK from November 2008 to October 2015. AAHK had reached out to promote the 3RS project and conducted regular 3RS briefings as well as airport visits for a broad range of stakeholder groups, including universities, secondary schools, political parties, district councils, resident groups, professional bodies, industry and business organisations, business partners, the media, green groups, academia, think tanks, opinion leaders, fishermen groups, and the general public. There have also been several public hearings at the LegCo where AAHK attended to explain issues concerning the 3RS project.

Other issues

- 6.24 The remaining concerns raised by the representers are related to the airspace requirements for 3RS, cost-effectiveness/financial viability of 3RS and compensation to the affected villagers for airport development. The assessments and responses to these concerns are provided below and at **Annex IV** in details:

Unresolved Airspace issues

- (a) the Civil Aviation Administration in the Mainland, CAD of HKSAR and the Civil Aviation Authority of Macao SAR set up the "PRD Region Air Traffic Management Planning and Implementation Tripartite Working Group" (TWG) in 2004 to formulate measures to rationalise the airspace structure and air traffic management arrangements in the PRD region⁸ to optimise the use of airspace and enhance air traffic safety. CAD will ensure that the arrangements made are in compliance with the relevant provisions of the Basic Law and the relevant requirements set down by ICAO.

Cost-effectiveness and financial viability

- (b) The 3RS would provide Hong Kong with the expansion capacity needed to capture the opportunities arising from the strong regional economic growth, and in turn conducive to the long-term economic development and growth of Hong Kong. The project would also create

⁸ The principles agreed in the PRD Airspace Plan are joint air space planning, use of common standards and harmonised flight procedure design.

tremendous job opportunities which are beneficial to the public⁹. The need for 3RS in maintaining Hong Kong's competitiveness as a global and regional aviation hub and for catering Hong Kong's long-term economic and development needs was also reaffirmed by CE in C on 17 March 2015.

Compensation to affected villagers

- (c) Whilst the issue on compensation to the villagers affected by the 3RS project is not related to the OZP amendments, the District Lands Officer/Islands, Lands Department (DLO/Is, LandsD) advises that despite there are still uncertainties surrounding the implementation of 3RS, the preparatory works for Small House applications outside the NEF25 contour under 3RS would be resumed in accordance with the applicable procedures. Upon completion of the statutory procedures relating to 3RS, DLO/Is, LandsD would process the relevant applications according to the established practice.
- (d) Besides, AAHK has also offered a one-off ex-gratia payment, in the form of "HKIA Village Home Improvement Scheme" to seven villages in North Lantau, including Sha Lo Wan, to help improve villagers' living environment. AAHK is also looking into the suggestion of establishing a "sustainable development fund" for projects that can benefit the villages as a whole. Villagers can apply for subsidies to fund small-scale rural projects and villager activities. AAHK will maintain communication with village representatives and seek their advice in formulating the operational details of the fund.

RESPONSES TO THE REPRESENTERS' PROPOSALS

Building a new airport or diverting air-bound cargo operation to Zhuhai

- 6.25 As to the proposals to build a new airport or diverting part/whole of the air traffic operation at HKIA, it is considered that the twin airport operation in Hong Kong would be highly costly and operation-wise inefficient. The capital investment in building a new airport involving substantial land reclamation and transport/supporting infrastructure would far exceed that required for expanding HKIA into 3RS and would require detailed assessment and studies in a separate context. Besides, the suggestion to funnel flights to other airports at the wish of individual airports and authorities are, by definition, outside Hong Kong's jurisdiction and is unrealistic and impracticable. Detailed responses on this issue are provided at **Annex IV**.

Amendments to the Notes of the draft OZP

- 6.26 Regarding imposing more stringent planning control on the proposed land use zonings, it should be noted that the main objective of the proposed

⁹ It is anticipated that the 3RS would create direct employment of around 123,000 jobs as well as indirect and induced employment of 165,000 jobs, much higher than that of the 2RS comparables of 89,000 jobs and 119,000 jobs.

zonings of “OU(Airport)” and “OU(Airport Service Area)” in the Notes of the draft OZP are to put the future HKIA development at Chek Lap Kok under statutory planning control. The land use zonings and associated permitted uses/uses requiring application to the Board related to the amendment items are basically the same as those currently designated to the area covering the existing HKIA to allow flexibility for airport operational development and are considered appropriate from the land use planning perspective. There was no objection/adverse comment from the concerned government bureaux/departments on these amendments.

- 6.27 Regarding the proposal to delete ‘People Mover Depot’ from the covering Notes, it should be noted that the ‘People Mover Track *and Depot*’ proposed to be incorporated in the list of uses always permitted on land falling within the boundaries of the draft OZP is to facilitate the proposal to set up an integrated maintenance depot to serve the existing and new automated people mover system, which is an essential facility at HKIA and the 3RS.

Other proposals

- 6.28 The need for 3RS and the feasibility of other options for airport expansion are elaborated in paragraphs 6.7 to 6.12 and 6.23 above. As advised by THB, the comprehensive studies conducted by AAHK reveal that expanding HKIA into 3RS is the most feasible option to cater for the long-term air traffic demand in Hong Kong.
- 6.29 As to the proposal to establish funds to promote protection and safeguard ecology and interests of local fishery industry, it has been conveyed to concerned government bureaux/departments for consideration. Under EP conditions and for promoting the conservation of CWD and marine life in Hong Kong, AAHK will establish an independent Marine Ecology Enhancement Fund, with substantial resources to meet its conservation objectives in a long-term and sustainable manner for the conservation of marine life particularly the CWD within the Hong Kong and the Pearl River Estuary waters. AAHK will also establish an independent Fisheries Enhancement Fund, and collaborate with fishermen in formulating the Fisheries Management Plan for supporting the fishing industry and enhancing fisheries resources in the western Hong Kong waters especially the Lantau waters.

RESPONSES TO COMMENTS

- 6.30 The comments raised in respect of the draft OZP are similar to the grounds of representations. The assessments in paragraphs 6.7 to 6.29 above are relevant. Detailed responses to the comments are provided in **Annex V**.

7. Consultation

- 7.1 The following government bureaux/departments have been consulted and their comments have been incorporated in the above paragraphs as appropriate:

- (a) Secretary for Transport and Housing;
- (b) Department of Justice;
- (c) Commissioner for Transport;
- (d) Director-General of Civil Aviation;
- (e) Director of Agriculture, Fisheries and Conservation;
- (f) Director of Environmental Protection;
- (g) Director of Marine; and
- (h) District Lands Officer/Islands, Lands Department.

7.2 The following government bureaux and departments have been consulted and they have no comment on the representations and comments:

- (a) Secretary for Development;
- (b) Chief Engineer/Construction, Water Supplies Department;
- (c) Chief Engineer/Hong Kong & Islands, Drainage Services Department;
- (d) Chief Highway Engineer/NT East, Highways Department;
- (e) Chief Town Planner/Urban Design and Landscape, PlanD;
- (f) District Officer/Islands, Home Affairs Department (HAD);
- (g) District Officer/Tuen Mun, HAD; and
- (h) Project Manager/Hong Kong Island and Islands, Civil Engineering and Development Department.

8. **Planning Department's Views**

8.1 The supportive views of **R1** to **R4** are noted. Based on the assessments in paragraph 6 above and the following reasons, PlanD does not support the remaining views of **R4** and the views of **R5** to **R12220** and considers that the draft OZP should not be amended to meet the representations:

Need for 3RS/efficiency and capacity of existing 2RS

- (a) the Hong Kong International Airport (HKIA) plays a critical role in maintaining Hong Kong's status as an aviation hub and Hong Kong's competitiveness as a business hub and international finance centre. The three-runway system (3RS) would provide Hong Kong with the expansion capacity needed to capture the opportunities arising from the strong regional economic growth, and in turn conducive to the long-term economic development and growth of Hong Kong;
- (b) any options to increase the capacity of the two-runway system (2RS) to cope with the continued strong growth in air traffic will not increase the airport's overall handling capacity as the bottleneck lies in the airport's runway capacity. There is therefore an urgent need for the implementation of 3RS to meet Hong Kong's long-term air traffic demand;

Environmental and ecological concerns

- (c) the environmental and ecological concerns have been adequately

addressed in the 3RS Environmental Impact Assessment (EIA) Report to meet the requirements of the EIA Study Brief and the EIA Ordinance Technical Memorandum;

Traffic concerns

- (d) the overall traffic impact on roads within HKIA and adjoining road network arising from 3RS is considered acceptable by 2026. The traffic situation beyond 2026 would be constantly monitored and reviewed and suitable measures would be worked out if necessary to mitigate the traffic situation. Besides, the findings of the Marine Traffic Impact Assessment confirms that the 3RS project would not pose any insurmountable navigational risk and would not adversely affect the future marine traffic activities in the vicinity of Urmston Road;

Insufficient/Ineffective land use and development controls

- (e) the draft Outline Zoning Plan (OZP) is prepared to put the development of Chek Lap Kok including, inter alia, airport operational facilities under planning control to support the development of HKIA, and to allow maximum flexibility for airport operational development. As the proposed land uses of the amendment site are the same as those covering the existing HKIA, the current land uses and development control imposed on the draft OZP are considered appropriate;
- (f) the arrangement to concurrently gazette reclamation works under FS(R)O (Cap. 127) and the land use proposals on the reclamation under the Town Planning Ordinance (Cap. 131) will ensure that the public is consulted concurrently on both the proposed reclamation and the associated land uses and the Board can consider the draft OZP before the reclamation is gazetted/authorised under the FS(R)O. Moreover, the Board is empowered by the Chief Executive in Council (CE in C) to prepare draft plans for the lay-out of such areas of Hong Kong as CE may direct, as well as for the types of building suitable for erection therein in accordance with the Town Planning Ordinance;

Procedural injustice

- (g) the Judicial Review (JR) applications concerned do not constitute legal restriction prohibiting the Board from continuing the ongoing statutory amendment process of the OZP under the Ordinance, unless and until the Court directed that there should be a stay of the proceedings to which the JR application relates;

Improper Public Consultation

- (h) there are extensive public consultation activities conducted throughout the course of planning and designing stages of the 3RS to seek public views on the future development of HKIA; and

Amendments to the Notes of the draft OZP

- (i) incorporation of 'People Mover Depot' in the list of uses always permitted on land falling within the boundaries of the Plan is to facilitate the proposal to set up an integrated maintenance depot to serve the existing and new automated people mover system, which is an essential facility at HKIA and the 3RS.

8.2 Regarding the concerns on the unresolved airspace issues for 3RS, cost-effectiveness and financial viability of 3RS, compensation to the villagers affected by 3RS development, and other non land use related proposals raised by the representers, they are noted and the views have been conveyed to relevant government bureaux/departments for consideration. The responses to these concerns by relevant bureaux/government departments are at paragraphs 6.24, 6.28 and 6.29 in brief and at **Annex IV** in detail.

9. Decision Sought

The Board is invited to give consideration to the representations taking into consideration the points raised in the hearing session, and decide whether to uphold/not to uphold the representations.

10. Attachments

Annex I-A	Supportive Representations submitted by trade/logistics organisations and an individual
Annex I-B	Adverse Representations submitted by green/concern groups, local residents/indigenous villagers, LegCo and DC Members, members of political parties and samples of submissions in standard letters/forms
Annex II	Comments on representations submitted by AAHK, DC Members professional institutes, local organisations, airlines/aviation and tourism related companies, trade associations, trade unions and samples of submissions in standard letters/forms
Annex III	Extract of minutes of the Islands District Council meeting on 22.6.2015
Annex IV	Summary of grounds of representations/representers' proposals and PlanD's responses
Annex V	Gist of comments and PlanD's responses

The following annexes are saved in a DVD-ROM for Members' reference:

Annex VI	List of representers
Annex VII	Representers' submissions
Annex VIII	List of commenters
Annex IX	Commenters' submissions

Plan H-1	Location Plan of Representation Sites
Plan H-2	Aerial Photo of Representation Sites