

Hong Kong Golf Club's Comments on Additional Information Prepared for the EIA report on "Technical Study on Partial Development of Fanling Golf Course Site -Feasibility Study" to Make Up "Insufficient Information"¹ Previously Provided by CEDD to Facilitate Consideration of Advisory Council on the Environment and Director of Environmental Protection

香港哥爾夫球會就《粉嶺高爾夫球場用地局部發展技術研究》環評擬備補充資料提出意見，以彌補土木工程拓展署早前提供的「不足資料」，及便環境諮詢委員會及環境保護署署長考慮

1. **Inadequacy and unacceptability of the Original EIA Report:** The quality of the original CEDD EIA Report and every technical section does not meet EIA Ordinance Technical Memorandum and Study Brief. The ACE debate on it was protracted to 3 meetings lasting for ~ 22 hours in total. ACE and EPD required additional 7 months to conduct extra study and survey.

首份環境評估報告（環評報告）不足及不可接受：由土木工程拓展署向環境諮詢委員（環諮會）提交的第一份環評研究報告，以每一個技術部分均不符合《環境影響評估條例》的技術備忘錄和環評研判概要的要求。。環諮會就該份報告共召開了三次會議進行討論，歷時22小時，結果環諮會和環境保護署（環保署）要求該署需再進行為期7個月的研究和調查，以補充資料。

2. **Unscientific bird survey:** ACE demanded additional Bird Survey but the overall CEDD's results, which supported the EIA's survey validity, are based on an erroneous direct comparison between an 'Early Morning' 4-5 hour period with a 12-hour Daytime period without any adjustment for time/effort, which is deeply, scientifically, flawed.

不科學的雀鳥調查方法：環諮會要求署方補做雀鳥調查。署方為確認首份環評報告有關雀鳥調查結果而補做雀鳥調查結果去確認原本報告的結果，但卻是錯誤地基於在清晨四至五小時進行的調查結果與在日間12小時的調查結果作直接的比較，而當中卻沒有就時間上和規模的差異作出調整，這樣是既不深入、不科學化和錯誤的做法。

3. **Massive difference between CEDD and HKGC moth surveys:** ACE demanded additional Moth Survey. However, CEDD's additional moth survey identified only 28 species whereas HKGC's found 323 species during the same additional time period, including 4 new species to Hong Kong. The HKGC additional survey adds 109 moths species to those recorded at Fanling to a total number of species documented at 729, including an increase in number of species of conservation concern to 107 spp, including at least 12 only found in HK, making the site of international conservation significance for moth fauna, and a key lowland moth site in Hong Kong.

土木工程拓展署和香港哥爾夫球會（球會）分別進行的飛蛾調查存在巨大差別：環諮會要求署方補做飛蛾調查。署方補做的調查只發現28種飛蛾，而球會在同一時段進行另一次飛蛾調查則錄得323種飛蛾，當中包括4種首次在香港發現的新品種，結果在粉嶺球場紀錄到的飛蛾品種增加109種，總數至729種。調查所錄得的具保育價值飛蛾物種更增至107種，其中至少

¹ Para 90 & 91, Discussion at the ACE Meeting on 19 August 2022.

https://www.eeb.gov.hk/sites/default/files/en/node5840/ACE_Paper_7_2023_Background_Note_by_Secretariat.pdf

12種是香港所獨有的，令粉嶺球場成為國際保育飛蛾的重要據點，亦是香港一個極具生態價值的飛蛾棲息地。

- Inadequate bat research:** EPD suggested the significant disparities between the EIA and HKGC's bat counts were due to different survey methodologies, but HKGC in the last 7 months used the same methodologies as the EIA to prove the EIA's bat surveys were grossly flawed and underreported bat numbers and ecological value of the CEDD's development site. Data from HKGC's study (combined with historical data they collected between 2018-2022) indicates that FGC is a rich resource for bats in Hong Kong (68% of bats on the Hong Kong list) and, from the publicly available literature reviewed, Fanling Golf Course (Sub-Area 1-4) is the best site for bats in Hong Kong, this is not reflected in the EIA. Furthermore, additional information on methodology for roosting bats has been provided. This makes it clear that surveys for roosts were only conducted along the transects and no bat roosts were recorded in the EIA. This approach covers only a small percentage of roost locations. During HKGC's recent study, comprehensive roost surveys identified 12 bat roost locations for four bat species, two of which are highlighted in the EIA Study Brief.

不足的蝙蝠調查：環保署指出，由於環評報告和球會委託進行的蝙蝠調查採取了不同的調查方法，故導致結果出現明顯差異。不過，球會在過去7個月採用了環評報告所使用的方法進行蝙蝠調查，證實環評報告中的蝙蝠調查結果存有錯漏，低估了蝙蝠數目和有關土地的生態價值。根據球會所委託進行的蝙蝠調查（包括2018-2022年所進行的蝙蝠調查數據），粉嶺球場有豐富蝙蝠物種（在場內紀錄到全港68%的蝙蝠物種）。按照香港蝙蝠物種的公開文獻回顧，粉嶺球場（第一至第四分區）是香港最適宜蝙蝠棲息的低地，而環評報告並沒有反映這點。再者，有關蝙蝠棲息調查的補充資料顯示，調查是根據橫切面進行，環評並沒有錄得蝙蝠棲息地。這種方法只覆蓋到一小部分棲息地。球會近期的蝙蝠棲息調查發現了12個蝙蝠棲息地，共有4種蝙蝠棲息，而其中兩種在環評研判概要中亦有提及。

- Unprofessional, substandard EIA tree survey.** A detailed audit of the EIA tree survey by HKGC consultants reveals the survey missed 460 trees (approx. one quarter of trees on site) including 26 rare and/or protected species and 5 large Trees of Particular Interest (TPIs); misidentified 57 tree species; plotted over 60 trees in wrong locations; and recorded most tree dimensions incorrectly at averages of only 86% of actual tree trunk diameters (DBH), 76% of actual tree heights and 66% (in woodland areas) and 60% (in open areas) of actual tree canopy spreads.

不專業、不合格的環評樹木調查報告：球會顧問的詳細樹木審核顯示，土木工程拓展署的調查遺漏了460棵樹木，約佔擬議發展區樹木總數的四分之一，其中包括26種罕見和／或受保護的樹種及5棵受關注樹木（Trees of Particular Interest）。署方調查亦錯判了57棵樹的品種，並標錯了60棵樹木的位置。大部分署方記錄的樹木尺寸有誤，平均來說，署方數據只反映了實際樹幹直徑（actual tree trunk diameters，DBH）的86%、實際樹高的76%，以及實際樹冠闊度的66%（林地區域）和60%（開揚區域）。

- Grossly inadequate tree evaluation.** Furthermore, the EIA tree survey fails to identify that 25 of the 29 large TPIs in Sub Area 1 are directly comparable in size and quality with existing Old and Valuable Trees (OVTs) on Government's OVT Register, meaning these trees are likely to be registered as OVTs if Government resumes the land and, therefore, they should not be touched. The only other sites in Hong Kong with comparable OVT numbers are Kowloon Park (28) and Victoria Park (14).

樹木評估極度不足：環評報告亦未能指出，位於第一分區的29棵受關注樹木之中，有25棵的尺寸和質素可媲美《古樹名木冊》內的珍貴古樹。這意味着若政府收回土地，這些樹木很可能獲註冊為古樹名木，因此不應作任何改動。全港極少地點有相近數量的古樹名木，目前只有九龍公園（28棵）和維多利亞公園（14棵）。

7. **Grossly inadequate assessment of tree impacts and proposed tree compensation.** The major failures of the tree survey are material and mean the EIA grossly underestimates tree impacts. The EIA claims 998 trees will be felled whereas the actual number will be more than 1400 trees, including 16 large TPis (potential OVTs). Consequently, the proposed tree compensation is grossly inadequate and falls a long way short of the claimed 1:1 compensation, and ACE's demanded 1:1.5 compensation. Furthermore, removal of a single living OVT is prohibited under DEVB TC(W)5/2020 Registration of Old and Valuable Trees.

對樹木影響的評估及補償方案極度不足：署方的樹木調查出現重大失誤，導致環評報告嚴重低估擬議發展對樹木的影響。環評報告聲稱將砍伐998棵樹木，但實際砍伐的樹木數量將超過1400棵，其中包括16受關注樹木（即潛在古樹名木）。因此，署方提出的樹木補償方案極度不足，最終補償性植樹比率遠少於與署方聲稱的1：1和環諮會要求的1：1.5。此外，DEVB TC(W)5/2020《古樹名木的註冊和保育指引》亦列明，禁止移除任何存活古樹名木。

8. **Failure to meet ACE/EPD's additional requirements:** ACE members clearly required "a tree compensation plan which should include details of planting numbers with a compensation ratio of at least 1:1.5 having regard to the number of trees affected, locations and tree species to be compensated as well as a management plan " However, the CEDD refused to provide the detailed plan and insisted the compensation ratio should remain at 1:1.

未能滿足環諮會／環境保護署的其他要求：環諮會成員明確要求「樹木補償計劃應包括補償性植樹比率為1：1.5或以上的植樹數量及詳情，以及交代受影響樹木數量、樹木位置、需補償的樹種及有關管理計劃。」然而，土木工程拓展署拒絕提供詳細計劃，並堅持將補償性植樹比率維持於1：1。

9. **0.39 ha of secondary woodland destroyed.** The ACE/EPD requested "a detailed layout plan of the proposed housing development which shall illustrate the preservation of an additional 0.39 ha of secondary woodland in Sub-Area 1... with a view to minimising adverse ecological impact". Yet the CEDD refused to provide the ACE'S requested detailed layout plan, and CEDD's supplementary materials stated that "the scale of proposed public housing and range of commercial and public facilities to be provided under the development will be affected if the woodland in concern is to be preserved."

0.39公頃次森林會遭受破壞。環諮會／環保署要求「擬建房屋項目的詳細佈局圖，其中應說明保留分區1的額外0.39公頃次森林...以盡量減少不利的生態影響。」惟土木工程拓展署拒絕提供詳細佈局圖。署方在補充文件中表示：「若保留有關林地，擬議公共房屋的規模和商業及公共設施可發展範圍將受影響。」

10. **Destruction of Qing Dynasty grave:** CEDD reported that the ancient Qing dynasty grave will be in conflict with the housing block and the carpark building. The existing grave is proposed to be removed by CEDD as the impact of retaining the grave to the proposed housing development is

considered to be not practical. ACE's earnest request regarding saving the historic grave could not be accommodated by CEDD.

清朝古墳遭破壞：土木工程拓展署報告指出，高樓大廈和停車場的興建會因場內的清朝古墳而備受影響。土木工程拓展署建議拆除現存的古墳，稱保留古墳對擬建房屋的發展計劃並不可行，未能回應環諮會對保留具歷史古墳作出的懇切請求。

- 11. Hydrogeology and lowering of Water Table:** Additional CEDD studies showed no adverse hydrological impact to rare, water table sensitive, tree species, as CEDD's Green-Ampt infiltration method cannot provide any information on the water table change due to CEDD's housing development and water loss from CEDD compensatory tree planting. However, HKGC's own additional hydrogeology survey and modelling concludes that the combination of CEDD's dense high rise housing development and foundations in Sub Area 1 and more than 4 ha of compensatory tree planting in Sub Areas 2 and 3 can lead to about 0.7 m decrease of water table level in Sub Areas 2-4, which can adversely impact the survival of rare and water table sensitive, nationally and internationally protected and critically endangered, Chinese Swamp Cypress.

影響水文及降低地下水位：土木工程拓展署提交的進一步資料顯示，相關發展對珍稀且對地下水位敏感的樹種沒有不利的水文影響。這是因為土木工程拓展署採用而的「格林—安普特下滲模型」不能提供因擬建房屋計劃和補償性植樹而流失地下水，對地下水位影響的相關資料。不過，根據球會進行的額外水文調查和模擬結果，土木工程拓展署的高密度高樓大廈發展、其在分區 1 的地基工程，以及於分區 2 和 3 超過 4 公頃的補償性植樹，可導致分區 2 至 4 的地下水位降低 0.7 米。這會對珍稀且對地下水位敏感、受國家和國際保護，且極度瀕危的中國水松生存帶來不利的影響。

- 12. Ignoring Cultural Landscape value:** CEDD's EIA referenced HKGC as a cultural landscape, but did not factor it into the assessment. Independent overseas heritage experts have recently and objectively appraised the cultural landscape of HKGC and given it the highest international ratings (outstanding and high) and recommended it as UNESCO conservation award status.

忽視文化景觀價值：土木工程拓展署的環評報告提到香港哥爾夫球會屬文化景觀，卻並沒將此列入評估的考慮因素。獨立海外古蹟專家近日對球會作為一個文化景觀作出客觀評價，並給予最高的國際評級（優秀及高），同時建議球會可申請聯合國教科文組織的保育獎項。

- 13. Ignoring Antiquities Advisory Board request:** ACE asked CEDD to request the Antiquities Advisory Board to speed up the review of the grading assessment on the FGC, and yet no update has been provided by CEDD in its recent submittal to ACE, over 7 months after this request.

忽視古物諮詢委員會（古諮會）相關要求：環諮會已要求土木工程拓展署請求古諮會加快處理粉嶺球場的評級審核。惟時隔 7 個月至今，土木工程拓展署仍未就此向環諮會提供進一步資料。

- 14. ACE has the prerogative to visit FGC** to better understand the affected areas. HKGC has sent an invitation to CEDD, EPD and ACE Secretariat on 17 April 2023 to offer a visit to Fanling Golf Course at any time. Visiting FGC is a key way for the ACE member to be familiar with FGC's environment and a vital element in their decision-making process. CEDD has not made any arrangements, thus far,

but invited the previous ACE to Fanling on 12 July 2022.

環諮會有權利親訪粉嶺球場了解實況。球會曾於2023年4月17日向土木工程拓展署、環保署和ACE秘書處發出邀請，誠邀他們可以隨時到訪粉嶺球場。環諮會成員親身視察粉嶺球場，熟識粉嶺球場的環境，對他們作出決策極之重要。土木工程拓展署目前沒有就造訪球場作出任何安排，而上屆環諮會則在2022年7月12日曾應邀到訪球場。

15. **To conclude**, the original EIA Report contained serious and material flaws and errors in every technical section but ACE/EPD's demanded additional work, does not fix the EIA Ordinance non-compliances and gross inadequacy and unacceptability of the EIA report which is still ostensibly legally not approvable.

總結而言，首份環評報告每一個技術環節均存在嚴重和實質性錯漏，而環諮會／環境保護署要求進行的進一步工作，仍未能夠解決相關報告不符合《環境影響評估研究》的問題，亦未能扭轉環評報告嚴重不足和不可接受的情況，這份報告表面上缺乏被接納的法律理據。