



**HONG KONG
GOLF CLUB**

Old•New•Eden

O.N.E. living heritage

Representation in respect of The Draft Fanling/Sheung Shui Extension Area OZP No. S/FSSE/1

14 June 2023



*Dec 2015, Fanling Golf Course
Inter-school Cross Country Competition*

Task Force of Land Supply (TFLS 2018/19)

- TFLS proposed the Alternative Uses of Sites under Private Recreational Leases (PRL) as a land supply option in 2018 **not** FGC.
- TFLS conducted a Quantitative Analysis of short to medium term land supply options.
- 54% (Questionnaire) of the responses agreed that PRL should be an option and well behind and third in ranking after Brownfield 91% and Private Agricultural Land 79%.
- In terms of qualitative analysis, TFLS noted that “views on FGC are polarised.”
- It was erroneous for TFLS to claim, “many people support resumption of FGC site for alternative uses, particularly housing development”.

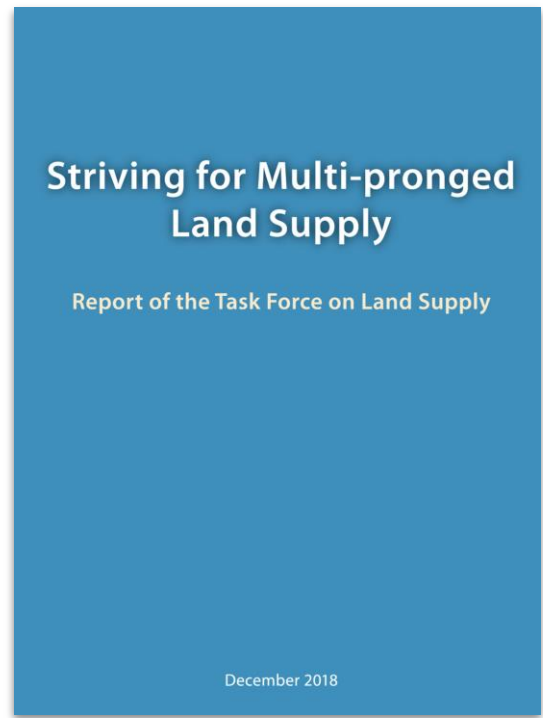


Figure 1: Quantitative Analysis of Short-to-Medium Term Land Supply Options

Land Supply Option	Questionnaire	
	All responses (%)	Responses that meet the shortfall of at least 1 200 ha of land (%)
Developing Brownfield Sites	87	91
Tapping into the Private Agricultural Land Reserve in the New Territories	68	79
Alternative Uses of Sites under Private Recreational Leases	54	54
Relocation or Consolidation of Land-Extensive Recreational Facilities	33	34

Task Force of Land Supply (TFLS)

- TFLS stated FGC-PD is a “spade ready/ short to medium term/ built by 2029” option without conducting any technical or environmental assessment.
- This included to “accord priority to **studying** and resuming the 32 ha of land of FGC to the east of Fan Kam Road for housing development” short to medium term land supply options.



*HKGC Technical Studies
Submission to TFLS in 2018*

Civil Engineering and Development Department (CEDDD)

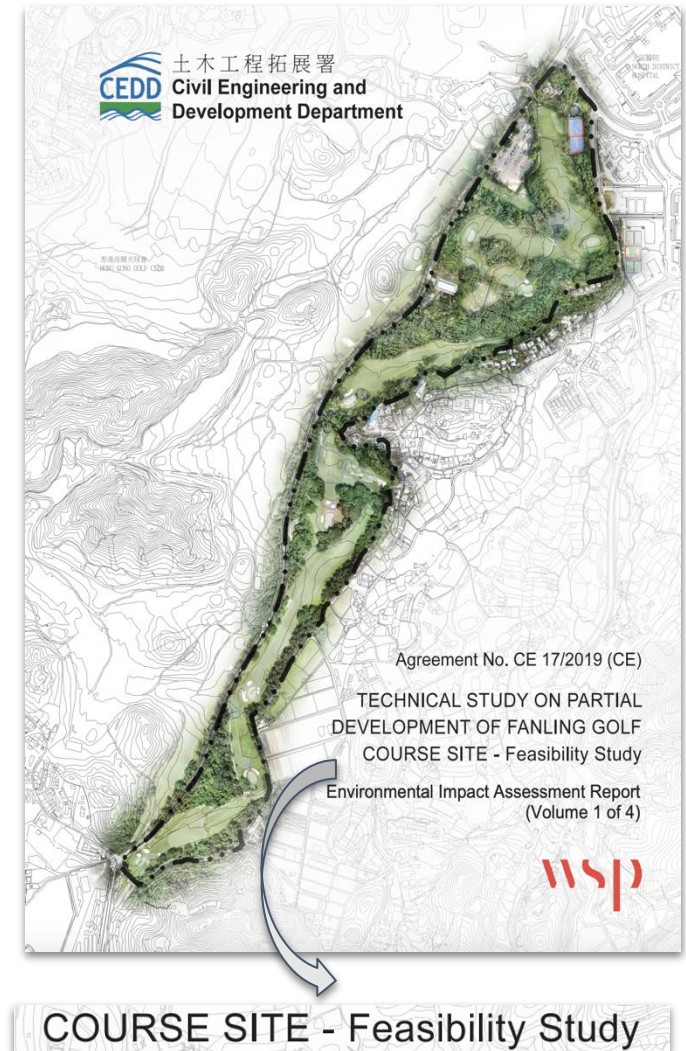
Submission to the Environmental Protection Department, HKSAR Government for the Project Profile Regarding Technical Study on Partial Development of Fanling Golf Course Site – Feasibility Study



Submission to the Environmental Protection Department, HKSAR Government for the Project Profile Regarding Technical Study on Partial Development of Fanling Golf Course Site – Feasibility Study

11 June 2019

- The government “will accordingly commence a detailed, technical study ... to ascertain the highest flat yield attainable in short to medium terms.”
- FGC commented on CEDDD Project Profile transparently sharing environmental data in June 2019.

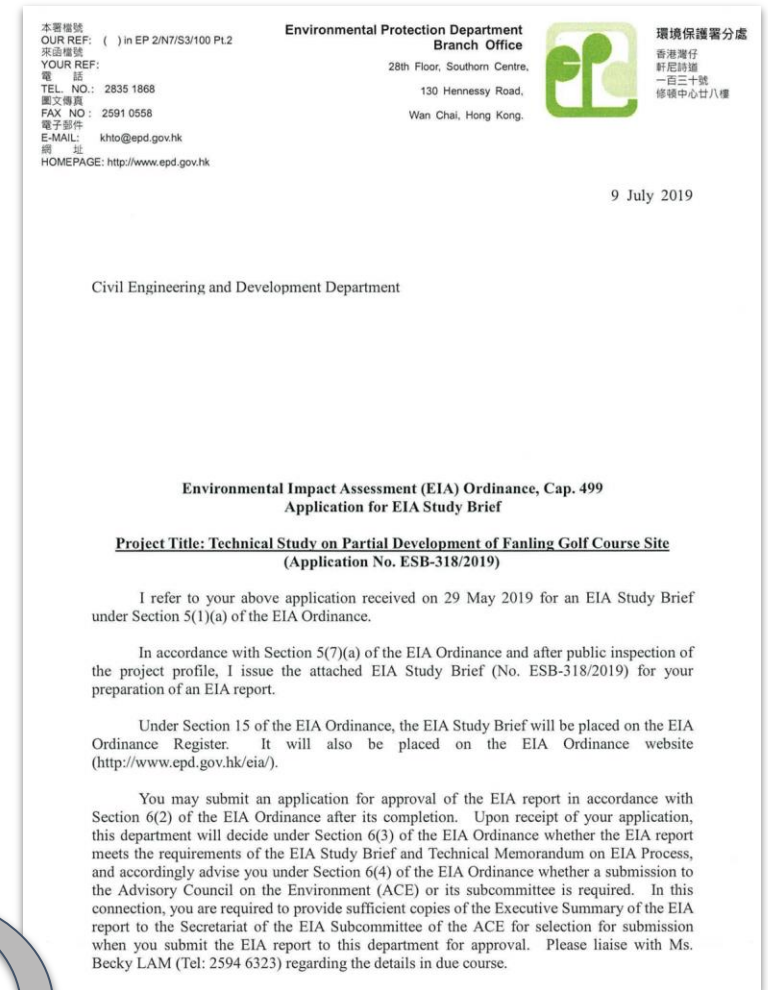


Civil Engineering and Development Department (CEDD)

- Meaningful public consultation comprises an integral and important part of the EIA and town planning process.
- North District Council & Sheung Shui District Rural Committee voted unanimously against the OZP draft in June 2022 respectively.
 - Loss of >110 years of cultural heritage of entire HKGC.
 - **‘Risk to life’** fears from:
 - Compromised expanded North District Hospital A&E services (急症室服務);
 - Flooding risk to villagers to the east; and
 - Worsening local and district road congestion traffic.

Environmental Impact Assessment (EIA)

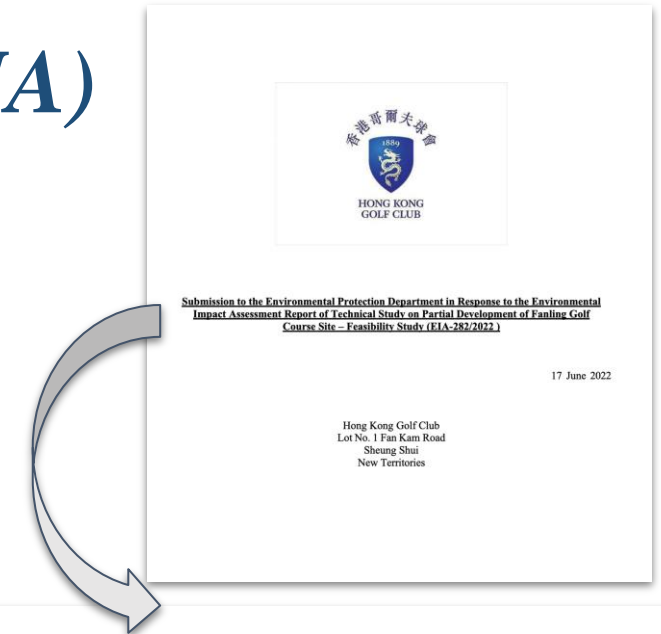
- EIA Study Brief Cover Letter Project Proponent is “strongly advised to engage the public and interest groups during the course of the EIA study.”
- EIAO TM: Demands EIA report should “address the main concerns of the general public and specific interest groups who may be affected by the project.
- A single public consultation event with Green Groups on 25 Sep 2020.
- HKGC was **never** consulted by the Project Proponent during nearly 32 months EIA.



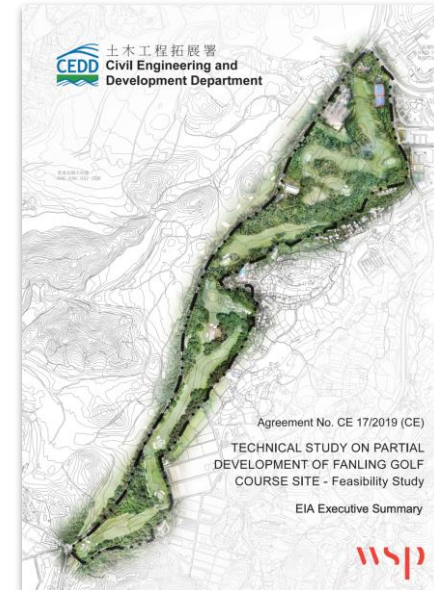
conclusions and recommendations of the EIA study. In particular, the main environmental concerns of the general public and interest groups who may be affected by the Project should be identified and addressed in the EIA study. As such, you are strongly advised to engage the public and interest groups during the course of the EIA study. Please find attached a copy

Environmental Impact Assessment (EIA)

- CEDD conducted a “Feasibility” EIA on FGC-PD 12,000 Flats.
- ACE received large number (1,451) of public comments and 1,449 rejected the proposal, equivalent to 99.9% of the total comments.
- Club compared with its own scientific findings and found flawed EIA: survey, assessment, and development acceptability conclusions and shared to EPD and ACE in June 2022.



Submission to the Environmental Protection Department in Response to the Environmental Impact Assessment Report of Technical Study on Partial Development of Fanling Golf Course Site - Feasibility Study (EIA-282/2022)



Advisory Council on the Environment (ACE) 2022

Action

- In July and August 2022, ACE discussed EIA on FGC-PD for >22 hours.
- ACE did not approve it and “Members considered the information provided by the Project Proponent insufficient to allow the Council to support the endorsement of the report”.

preservation and compensation of the project. As Members considered the information provided by the project proponent insufficient to allow the Council to support the endorsement of the report, the Chairman suggested Members to deliberate the details of the further information required based on the framework of the above areas of concerns. A Member agreed with the Chairman’s proposal and

Voting

87. Dr Samuel Chui understood from the discussion of the meeting that Members generally considered the EIA report should not be rejected. As such, Members were suggested to consider whether the report could be endorsed with conditions or further information would be required from the project proponent. With the agreement of the meeting, the Chairman announced that the matter would be put to the vote. A Member opined and another Member echoed that Members should be allowed to abstain from voting if they so wished.

88. A Member enquired and the Chairman explained that according to the ACE House Rules, voting should be by secret ballot unless all Members present agreed that it could be taken by a show of hands. The Chairman sought Members’ views on the voting arrangements. The Member suggested and echoed by another Member that secret ballot should be adopted and the votes of all Members should be kept confidential.

89. Dr Kenneth Leung explained the voting procedures and reminded all Members to cast their votes. Members understood that the Chairman should have a casting vote in case of an equality of votes. In reply to a Member’s question, Dr Leung clarified that the final decision of the ACE should be decided by a majority of the votes cast. Given that there were 18 Members remaining at the meeting, it would require at least 10 votes to pass a motion.

90. Members were invited to cast their votes for endorsing the EIA report with conditions through the anonymous voting function of “Zoom”. After voting, eight Members voted for the proposal, six voted against it and four abstained. As the motion was not passed, the meeting went on to vote for seeking further information on the project. In this round, 16 Members voted to request for more information, one against it and one abstained. Based on the voting result, the meeting agreed that the ACE would recommend the DEP to seek further information from the project proponent to facilitate her decision.

List of Additional Information Required

91. The Chairman summarised that while understanding that the EIA report had met the requirements set out in the TM, relevant Guidance Notes under the EIAO as well as the EIA Study Brief, Members still had reservations on various aspects including the ecological impact, hydrological impact, layout plan and tree preservation and compensation of the project. As Members considered the information provided by the project proponent insufficient to allow the Council to support the endorsement of the report, the Chairman suggested Members to deliberate the details of the further information required based on the framework of the above areas of concerns. A Member agreed with the Chairman’s proposal and highlighted that the ACE should spell out clearly the areas of insufficiency and the details of the information required.

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Advisory Council on the Environment (ACE) 2022

- ACE and EPD (31 Aug 2022) requested CEDD to provide additional information, including
 - *Additional birds and moth surveys*
 - *Bat methodologies*
 - *Adoption of 1: 1.5 tree compensation and plan*
 - *Revised layout plan*
 - *Shading impacts*
 - *Preservation of 0.39 ha ~70 years old Yellow Cow Woodland*
 - *Hydrological impacts to ecology*
 - *Qing grave conservation*

Appendix 1.1

本署地址
OUR REF: (2) in EP2/N7/S3/100 Pt.7
來函編號
YOUR REF:
電話
TEL. NO.: 2835 1868
圖文傳真
FAX NO.: 2591 0558

Hong Kong Government
Environmental Protection Department
Branch Office
27th Floor, Southorn Centre,
130 Hennessy Road,
Wan Chai, Hong Kong

環境保護署
香港灣仔
軒尼詩道
130號
樓上中心27樓

31 August 2022

By Registered Post & Fax [REDACTED]

Civil Engineering and Development Department
[REDACTED]
[REDACTED]
[REDACTED]

Environmental Impact Assessment (EIA) Ordinance, Cap. 499
Application for Approval of EIA Report
Request for Information under Section 8(1) of the EIA Ordinance

Project Title: Technical Study on Partial Development of
Fanling Golf Course Site – Feasibility Study
(Application No. EIA-282/2022)

I refer to your application received on 22 April 2022 for approval of the subject EIA report under Section 6(2) of the EIA Ordinance.

Pursuant to Section 8(1) of the EIA Ordinance, you are asked, in connection with the comments received from the ACE, to give us the following information for us to decide whether to approve the EIA Report under Section 8(3) of the EIA Ordinance:

- Additional Bird Survey covering early morning to evening (i.e. before sunrise to 10 pm) to be conducted twice a month from September 2022 to March 2023 (covering the wet and dry seasons) to reaffirm that the overall results of the bird survey conducted in the EIA report are valid. Details of the survey methodology including the types of device used, transect of the survey, qualifications of the personnel conducting the survey as well as the locations, frequency and duration of the survey shall be included;
- Additional Moth Survey covering both evening and mid-night to be conducted twice a month from September to October 2022 to reaffirm the overall result of the moth survey conducted in the EIA report. Two rounds of survey with a duration of two hours each (i.e. one at two hours after sunset and the other one at mid-night between 00:00 and 02:00) should be carried out each night. Details of the survey methodology including the types of device used, location/transect of the survey, qualifications of the personnel conducting the survey as well as the locations, frequency and duration of the survey shall be included;

Advisory Council on the Environment (ACE) 2023

- In May 2023, CEDD submitted the additional information to ACE and EPD.
- However, CEDD's supplementary information did not satisfy the requests from ACE and EPD.
- Re: bat methodologies: duration of surveys still not provided.
- Re: adoption of 1: 1.5 tree compensation not adopted as CEDD stated *“may impose unnecessary additional constraints and limitations to the planned use of the Sub Areas”*.
- No detailed layout plan requested was provided by CEDD.

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" Previously Provided by CEDD to Facilitate Consideration of Advisory Council on the Environment and Director of Environmental Protection

香港高爾夫球會就《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。

- 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會（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。
- 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。
- 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高爾夫球會（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/node/5840/ACE_Paper_7_2023_Background_Note_by_Secretariat.pdf

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HKGC's Submission on EIA Additional Information

Environmental Impact Assessment (EIA)

EIA Session 9.6.1.2
Table 9.20 Evaluation of the Four Sub-Areas within Project Site

Criteria	Project Site			
	Sub-Area 1	Sub-Area 2	Sub-Area 3	Sub-Area 4
		Sapphire Flutterer, <i>Cerynea discontenta</i>	Cerulean, Many-banded Krait	Babbler, Masked Palm Civet, Red Muntjac, Common Rose, Common Birdwing, Grey Scrub Hopper, Forget-me-not, Blue Chaser, <i>Somaniathelphusa zanklon</i>
Re-creatability	Woodland habitats can be recreated but take time	Woodland habitats can be recreated but take time	Woodland habitats can be recreated but take time	The swampy woodland is difficult to recreate due to its old age
Fragmentation	The woodland is fragmented and the mixed woodland mostly formed thin belt	The woodland habitats connected together and form an ecological corridor	The woodland is fragmented and the mixed woodland mostly formed thin belt	The swampy woodland occurs as an isolated stand
Ecological linkage	Only the southern end functionally linked to habitats of Sub-Area 2	Functionally link to Sub-Area 1 and Sub-Area 3, and the woodland habitats formed an ecological corridor for animals	Functionally link to Sub-Area 2 and Sub-Area 4, and provide a green corridor connecting Sub-Area 2 and Sub-Area 4	The woodland formed part of the woodland outside the assessment area that functionally linked to Pak Tai To Yan SSSI and Lam Tsuen Country Park, while the swampy woodland is hydrologically linked to marsh
Potential value	Low, due to surrounded by developed area	Moderate given the large pieces of woodland habitats	Moderate due to relatively lower disturbance	N/A
Nursery/breeding ground	No significant record	No significant record, but the pond provides potential breeding habitat for Sapphire Flutterer	No significant record	No significant record, but the marsh provides potential breeding habitat for <i>Somaniathelphusa zanklon</i>
Age	N/A	N/A	N/A	Age of <i>Glyptostrobous pensilis</i> over 100 years old
Abundance/richness of	Low abundance of terrestrial fauna	Low to moderate abundance of terrestrial	Low to moderate abundance of terrestrial	Low to moderate abundance of

● The EIA Ecology value table shows the age of the Sub-Area 1 woodland as “N/A.”

Age	N/A	N/A	N/A
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Aerial photo took in 1945 showing Sub-Area 1 woodland: EIA Session 8; Appendix 8.1- Appendix A

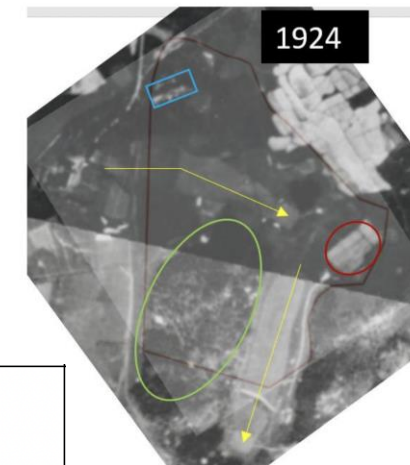


Figure 20-1924 aerial shows Ladies Pavilion (in blue box) at the northern end of the Old Course, and Hole 1 and 2. Note the uniformity and artificial appearance of fairway of Hole 2 which is also partially visible for Hole 1. An area to the northeast of Hole 2 appears 'under construction'. Meanwhile the tree cluster to the west of Hole 2 appears in 'sections' with likely shows existing (original village) paths dissecting the wood.

- 1935: construction of bunker and golf shop
- 1950s: construction of new tees and new bunkers, reconstruction of holes, tree planting

Cultural Heritage:
EIA Session 12.6.2.2; Figure 20 13



Advisory Council on the Environment (ACE) 2023

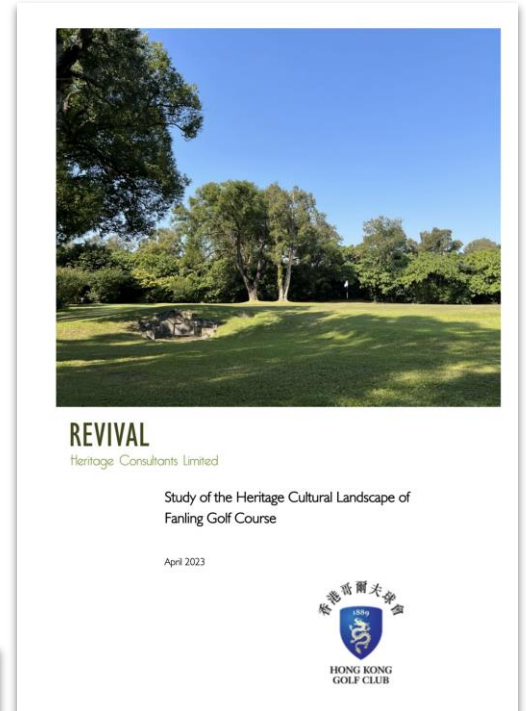
- CEDD stated “*preservation of the 0.39 ha woodland is not recommended as the scale of proposed housing and range of commercial and public facilities to be provided on the development will be affected*”.
- Re: Qing grave conservation CEDD stated “*taking account of the difficulty ..and the impact of retaining the grave ..is considered to be not practical*”.



0.39 ha 黃牛木



General view of G-01, looking west.



Grave of the Kan Clan Built in Qing Dynasty

Extraordinary EIA Conditions

EIA Approval Conditions:

- Notably, TFLS and its subsequent recommendations were that of previous Administration.
- Preserving the 0.39 ha 黃牛木 woodland at centre of R(A),
- Minimise trees felling in R(A) zone />1,000 SA1 trees, including pOVTs/TPIs
- Develop R(A) “Spongy city” concept proposals,
- Detailed Layout Plan,
- Detailed Landscape and Visual Plan,
- Tree Management and Maintenance and Monitoring Plan and Programme for tree compensation,
- Proposals for protection of CSC nursery area habitat swampy woodland from contamination,
- Adjust R(A) footprint, disposition, scale, heights, and density to reduce ecological and visual impact.



Extraordinary EIA Recommendations for CEDD

Recommendations for Project Proponent

- Comprehensive Education and Ecological Management Plan,
- Integrate with development of Northern Metropolis,
- Cultural heritage conservation mitigation (need to preserve R(A) zone demolished Qing grave?),
- Identify mitigation proposals to mitigate R(A)'s impacts to cultural heritage of entire 172 ha of HKGC,
- Review R(A)'s traffic arrangements.



CEDD Need to Comply with EIA Conditions and Recommendations

- The consideration of alternatives, as we have >2,000 ha of Brownfield sites (91%), and Private Agricultural Land (79%) as a statutory requirement of EIAO TM & SB”
- Need to fully comply before constructing the project.
- The conditions are a statutory requirement.
- Construction of the project without fulfilling the conditions is EIAO breach.
- EIA is so “out of compliance”, 謬以千里 (“Mao Yi Chin Lay”)
- “..estimated to take CEDD about 12 months to complete and the review outcomes are expected to be available around end-2024.”
- The DEP need to accept full compliance after that time.



Feasibility has not been demonstrated for R(A)

- R(A) not shown to be feasible nor practical
- There are clearly residual technical difficulties.
- Conditions and recommendations both show major R(A) mitigation uncertainties.
- Gov will resume 32 ha on 1 Sep 2023
- But, left for another 18+ months, the ecologically and culturally valuable, historic site will degrade rapidly and its cultural and conservation values will diminish unless maintained in the current meticulous custodianship.
- National and international scale and consequence conservation risks exist to Chinese Swamp Cypress from any future or interim mismanagement or FKR widening.



香港哥爾夫球會



HONG KONG
GOLF CLUB

Town Planning Board (TPB)

- Meaningful public consultation comprises an integral and important part of the town planning process.
- TPB received 6,839 representations and comments in total; **99.3%** objected to the R(A).
- TPB would be aligned with public sentiment by objecting to R(A).
- TPB could zone the Sub-Area 1 together with Sub Areas 2, 3 and 4 as Other Uses (Conservation cum Recreation) which preserves ecological, cultural, and social values and many public purposes to protect appropriately into perpetuity.



Destroying 112 year old Fanling Golf Course for
high rise housing would be like taking a
priceless Stradivarius violin and using it making
firewood

破壞具112年歷史的粉嶺高爾夫球場用作興建
高層住宅，等同將價值連城的斯特拉迪瓦利
小提琴視作普通木柴。