

LEGISLATIVE COUNCIL BRIEF

Country Parks Ordinance
(Chapter 208)

LAI CHI WO (SPECIAL AREA) ORDER 2004

INTRODUCTION

A At the meeting of the Executive Council on 7 December 2004, the Council ADVISED and the Chief Executive ORDERED that the Lai Chi Wo (Special Area) Order 2004, at Annex A, should be made under section 24(1) of the Country Parks Ordinance (Cap. 208) (the Ordinance) to designate a Fung Shui woodland of about one hectare in area at Lai Chi Wo (Lai Chi Wo Area) as a special area.

JUSTIFICATIONS

2. The Lai Chi Wo Area is located on a slope behind the Lai Chi Wo Village in Sha Tau Kok. It involves about one hectare of Government land, and is a well-developed woodland habitat, rich in species diversity and composition as compared with other Fung Shui woodlands in the territory. More than 100 plant species have been recorded within this small area and some of them are rare in Hong Kong. Besides, there are a few very old and large trees with unusual and interesting forms and hence are of conservation value. The area was recommended as one of the sites that should come under statutory protection according to the Biodiversity Survey earlier conducted by the Department of Ecology and Biodiversity of the University of Hong Kong.

B 3. The Lai Chi Wo Area is in fact part of a large woodland of about 5.7 hectares. The rest of the woodland has already been included in the Plover Cove Country Park when it was designated in 1978. In view of the small size and high ecological value of the Lai Chi Wo Area, the Country and Marine Parks Authority (the Authority), i.e. the Director of Agriculture, Fisheries and Conservation, proposes to designate it as a special area for nature conservation and educational purposes. A plan showing the boundary of the area to be designated (Plan No. SA/LCW) is at Annex B.

4. Section 24 (1) of the Ordinance provides that the Chief Executive may designate any area of Government land outside a country park as a special area by order

in the Gazette. After designation, the Authority will be responsible for managing the special area. Activities in the special area will be subject to controls of the Country Parks and Special Areas Regulations. The site will be protected from developments and incompatible human activities.

5. We have considered the option of extending the Plover Cove Country Park to cover the Lai Chi Wo Area. Both country parks and special areas are designated under the Ordinance, and are subject to the same statutory protection and control. Country parks, however, usually cover larger areas. They are designated and managed for recreational, educational and nature conservation purposes, and are provided with facilities, such as hiking trails, barbecue and camping sites. On the other hand, special areas are of smaller sizes and higher ecological value, and are managed for nature conservation and educational uses only.

6. In view of the nature of the Lai Chi Wo Area, the Authority considers that it is more appropriate to designate it as a special area.

THE ORDER

7. The Order designates the Lai Chi Wo Area as a special area for the purposes of the Ordinance.

LEGISLATIVE TIMETABLE

8. The legislative timetable is as follows –

Publication of the Order in the Gazette	17 December 2004
Tabling of the Order at the Legislative Council	5 January 2005

IMPLICATIONS OF THE PROPOSAL

9. The designation is in conformity with the Basic Law, including the provisions concerning human rights. Besides, the Order will not affect the binding effect of the Ordinance. It has no productivity, economic, financial and staffing implications either. The Agriculture, Fisheries and Conservation Department will absorb the additional management duties arising from the designation with its existing resources.

C
10. The designation has environmental and sustainability implications as set out at Annex C.

PUBLIC CONSULTATION

11. The designation proposal was endorsed by the Country and Marine Parks Board in June 2002. The Authority also consulted the Village Representatives of Lai Chi Wo and two nearby villages, viz. Kap Tong and Mui Tze Lam, in May 2002, and the North District Council in June 2002. All of them have no objection to the proposal. The Authority confirmed again in July 2004 that the local villages have no objection towards the designation proposal.

PUBLICITY

12. A Legislative Council Brief and a press release will be issued. A spokesman will be available to handle media enquiries.

BACKGROUND

13. The Ordinance provides for the designation, control and management of country parks and special areas. Country parks may contain Government land or private land while only areas on Government land can be designated as special areas. At present, there are 23 country parks and 15 special areas (11 of them are within country parks).

ENQUIRY

14. Any enquiry of this brief should be directed to Mr C H Leung, Senior Country Parks Officer (Southeast) of the Agriculture, Fisheries and Conservation Department on telephone 2150 6840 or fax 2199 7044.

LAI CHI WO (SPECIAL AREA) ORDER 2004

(Made under section 24(1) of the Country Parks Ordinance (Cap. 208)
after consultation with the Executive Council)

1. Commencement

This Order shall come into operation on 15 March 2005.

2. Designation of a special area

The area of Government land at Lai Chi Wo delineated in black and coloured pink on Plan No. SA/LCW dated 8 December 2004 and deposited in the office of the Country and Marine Parks Authority is designated as a special area for the purposes of the Country Parks Ordinance (Cap. 208).

3. Schedule amended

The Schedule to the Special Areas (Designation) (Consolidation) Order (Cap. 208 sub. leg. D) is amended by adding –

- “5. The area of Government land at Lai Chi Wo delineated in black and coloured pink on Plan No. SA/LCW dated 8 December 2004 and deposited in the office of the Country and Marine Parks Authority.”.

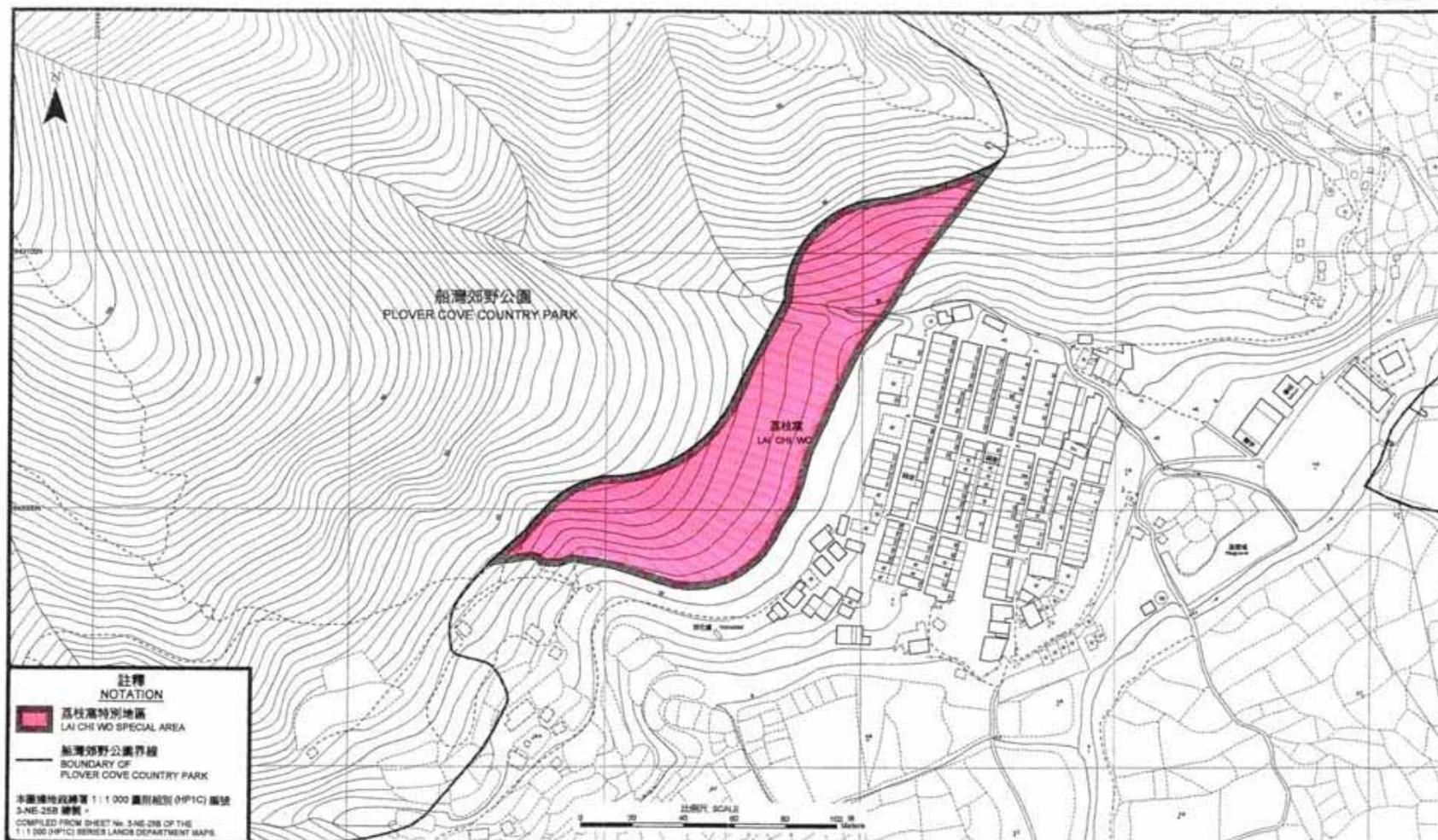


Chief Executive

9 December 2004

Explanatory Note

This Order designates an area of Government land at Lai Chi Wo as a special area for the purposes of the Country Parks Ordinance (Cap. 208).



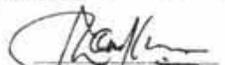
註釋
NOTATION

 荔枝窩特別地區
LAI CHI WO SPECIAL AREA

 船灣郊野公園界線
BOUNDARY OF
PLOVER COVE COUNTRY PARK

本圖繪地政總署 1:1 000 圖則組別 (HP1C) 編號
S-NE-358 繪製
COMPILED FROM SHEET No. S-NE-218 OF THE
1:1 000 (HP1C) SERIES LANDS DEPARTMENT MAPS.

由郊野公園及海洋公園管理處編製及發行郊野公園
條例第 24(1) 條所屬
DESIGNED BY THE COUNTRY AND MARINE PARKS AUTHORITY
FOR THE PURPOSES OF SECTION 24(1) OF THE COUNTRY
PARKS ORDINANCE


郊野公園及海洋公園管理處
COUNTRY AND MARINE PARKS AUTHORITY

日期：二〇〇四年十二月八日
DATE: 28th December, 2004

荔枝窩特別地區

LAI CHI WO SPECIAL AREA

檔案編號
FILE REF. AF CPA 02/43

比例
SCALE

製圖日期
COMPILED 10/2004

圖則編號

PLAN No.

SA / LCW

漁農自然護理署
AGRICULTURE, FISHERIES AND CONSERVATION
DEPARTMENT



Implications of the proposal

ENVIRONMENTAL IMPLICATIONS

The proposal will enable an area of high ecological value to be protected under the Ordinance and managed by the Authority for the purposes of nature conservation and education. Designation of the special area will therefore contribute to conservation of the environment.

SUSTAINABILITY IMPLICATIONS

2. The proposal will help enhance the conservation of biodiversity and terrestrial habitats. Though the overall impact may not be significant, designation of the special area contributes to the development of nature education and enhances public awareness of the importance of nature conservation.