

立法會
Legislative Council

LC Paper No. CB(1)164/17-18

Ref. : CB1/SS/16/16

Paper for House Committee

**Report of the Subcommittee on Country Parks (Designation)
(Consolidation) (Amendment) Order 2017**

Purpose

This paper reports on the deliberations of the Subcommittee on Country Parks (Designation) (Consolidation) (Amendment) Order 2017 ("the Subcommittee").

Background

Country park enclaves

2. Country park enclaves are sites that are surrounded by or adjacent to country parks designated under the Country Parks Ordinance (Cap. 208) ("CPO"), but are left outside the boundaries of those country parks. Some of the country park enclaves comprise both private and Government lands. Control of developments on private land at country park enclaves relies on the terms and conditions of the land leases, the Buildings Ordinance (Cap. 123) and, if available, Development Permission Area ("DPA") Plans or Outline Zoning Plans ("OZPs") under the Town Planning Ordinance (Cap. 131) ("TPO").¹

Protection of country park enclaves

3. In June 2010, unauthorized excavation works were detected on the private and Government lands at Sai Wan, an enclave of the Sai Kung East

¹ The purpose of DPA Plans is to provide interim planning control and development guidance for selected areas pending the preparation of OZPs. A DPA Plan is effective for a period of three years from the date of first publication unless the effective period is extended by the Chief Executive.

Country Park ("the Sai Wan enclave"). This triggered significant public concerns on the protection of country park enclaves in Hong Kong. At that time, there were 77 country park enclaves, of which 23 had already been covered by OZPs under TPO. For the other 54 enclaves, the Administration undertook in the 2010-2011 Policy Address to either include them into country parks or determine their proper uses through statutory planning to meet conservation and social development needs. At present, amongst the 54 enclaves, six of them have been or are being incorporated into country parks (as elaborated in paragraphs 4 and 5) while 29 enclaves are now covered by OZPs. The Agriculture, Fisheries and Conservation Department ("AFCD") will continue to assess the suitability of the remaining 19 enclaves for incorporation into country parks. According to the Administration, when suitable enclaves have been identified, AFCD will consult the Country and Marine Parks Board ("CMPB") and relevant stakeholders on the incorporation proposals in accordance with established procedures as appropriate.

4. The Administration had identified the first batch of three country park enclaves at Sai Wan, Kam Shan and Yuen Tun for inclusion into the Sai Kung East Country Park, Kam Shan Country Park and Tai Lam Country Park respectively. After completing the statutory procedures under CPO, the Administration gazetted the Country Parks (Designation) (Consolidation) (Amendment) Order 2013 ("the 2013 Amendment Order") and tabled it at the Legislative Council ("LegCo") in October 2013. Came into operation on 30 December 2013, the 2013 Amendment Order amended the Country Parks (Designation) (Consolidation) Order (Cap. 208B) by replacing the original approved maps with new approved maps, in which the three enclaves above had been incorporated into the boundaries of the respective country parks.

Proposal of incorporation of enclaves at Fan Kei Tok, Sai Lau Kong and the site near Nam Shan into country parks

5. At the end of 2015, AFCD activated the relevant statutory procedures for incorporating three other enclaves, which are situated in Fan Kei Tok, Sai Lau Kong and the site near Nam Shan, into country parks. In accordance with the provisions of CPO, the Director of AFCD, acting as the Country and Marine Parks Authority ("Authority"), prepared the draft maps of the Plover Cove Country Park ("PCCP") and Lantau South Country Park ("LSCP"). The draft maps were available for public inspection from 30 September to 28 November 2016 (gazetted maps showing the areas to be incorporated into country parks are in **Appendix I**).

The enclaves at Fan Kei Tok and Sai Lau Kong

6. Fan Kei Tok is an inland enclave located north of Wu Kau Tang and is wholly surrounded by PCCP. Sai Lau Kong is an enclave at a headland bounded by Yan Chau Tong Marine Park to the east and Ngau Shi Wu Wan to the west and adjoining PCCP to the south. According to the Administration, no stakeholders raised objection to or adverse comments on the proposal to incorporate these two enclaves into PCCP during the Authority's consultation with them, but some stakeholders reminded the Authority to duly respect the rights of Government Land Licence ("GLL") holders in Sai Lau Kong. On 13 February 2017, CMPB heard an objection² to the draft map of PCCP received during the public inspection period, and rejected the objection in whole.

The enclave at the site near Nam Shan

7. The enclave at the site near Nam Shan is located on a slope east of Yi Tung Shan and is enclosed by LSCP. Stakeholders did not raise any objection to or have major comments on the proposal to incorporate the enclave into LSCP during the Authority's consultation with them. At the request of the South Lantau Rural Committee, the Authority clarified in writing whether the rights of GLL holders would remain the same after the designation. There was no objection against the draft map of LSCP during the public inspection period.

The Country Parks (Designation) (Consolidation) (Amendment) Order 2017

8. The Country Parks (Designation) (Consolidation) (Amendment) Order 2017 ("Amendment Order") is made by the Chief Executive ("CE") under section 14 of CPO after consultation with the Executive Council. It amends the Country Parks (Designation) (Consolidation) Order by replacing the original approved maps with new approved maps in respect of PCCP and LSCP:

- (a) PCCP: Plan No. CP/PC^B approved on 21 March 1978 by the Governor in Council is to be replaced by Plan No. CP/PC^C approved on 25 April 2017 by CE in Council; and

² The subject site of the objection is not falling within or connected to the two enclaves at Fan Kei Tok and Sai Lau Kong.

- (b) LSCP: Plan CP/LT(S)^A approved on 4 April 1978 by the Governor in Council is to be replaced by Plan No. CP/LT(S)^B approved on 25 April 2017 by CE in Council.

9. After the amendments, the country park enclaves at Fan Kei Tok and Sai Lau Kong will be incorporated into PCCP and the country park enclave near Nam Shan will be incorporated into LSCP. The legal effect of the amendments is that the control and management of the two country parks as shown in the new approved maps will be vested in the Authority.

10. The Amendment Order was gazetted and tabled in the Legislative Council ("LegCo") on 7 and 12 July 2017 respectively and is to come into operation on 1 December 2017.

The Subcommittee

11. At the House Committee meeting held on 6 October 2017, Members agreed to form a subcommittee to study the Amendment Order. Under the chairmanship of Ms Tanya CHAN, the Subcommittee has held one meeting on 16 October 2017 to discuss with the Administration. The membership list of the Subcommittee is in the **Appendix II**.

12. To allow more time for the Subcommittee to prepare its report for the House Committee, the Chairman of the House Committee was to move a resolution at the Council meeting of 18 October 2017 to extend the scrutiny period of the Amendment Order to the Council meeting of 8 November 2017. However, as the resolution was not dealt with at the Council meeting of 18 October 2017, the scrutiny period of the Amendment Order had expired at that Council meeting.

Deliberations of the Subcommittee

13. The Subcommittee is in support of the proposed inclusion of the country park enclaves at Fan Kei Tok, Sai Lau Kong and the site near Nam Shan, being Government land, into country parks for enhanced conservation. In examining the Amendment Order, the Subcommittee has discussed issues including the circumstances leading to the present proposal, impact of the proposal, and measures to enhance the protection or management of the enclaves after their incorporation into country parks.

The proposal to incorporate Fan Kei Tok, Sai Lau Kong and the site near Nam Shan into country parks

14. Members have enquired about the reasons for incorporating the three enclaves into country parks. Some members are of the view that as CE of the new-term government has set up a Task Force on Land Supply in September 2017 to, amongst other things, review and evaluate other land supply options in Hong Kong to meet various development needs, the proposed inclusion would expand the total area of designated country parks, and hence may not be consistent with the government policy.

15. The Administration has advised that in determining whether to include an enclave into a country park or to apply statutory planning, the Authority will consider relevant factors such as conservation value, landscape and aesthetic value, recreation potential, geographical location, and scale of human settlement. In this connection, the proposed inclusion will enhance protection and conservation of the enclaves and safeguard them from incompatible development or human activities. In response to members' concern, the Administration has clarified that while the former CE has proposed to study and identify possible sites for non-profit-making use on the periphery of country parks with lower ecological value, the current proposal does not involve sites located on the periphery of country parks. Members have been informed that relevant studies on the development potential of sites on the periphery of country parks will be conducted by the Development Bureau.

16. Members have expressed concern on the Administration's consultation work in reviewing and assessing the enclaves to be incorporated into country parks. According to the Administration, before taking forward the preparatory work for incorporating suitable enclaves into country parks ("incorporation proposals"), the Authority of AFCD will first consult the residents residing within the enclaves and the relevant District Councils and Rural Committees, etc. After collecting the views of various stakeholders, AFCD will submit the incorporation proposals to CMPB for discussion. Some members including Hon Kenneth LAU, Hon CHAN Hak-kan, Hon Steven HO and Dr Hon Elizabeth QUAT have expressed grave concern that the views of Heung Yee Kuk had not been sought during the Authority's consultation with relevant stakeholders. These members are of the view that relevant developments of enclaves on Government land will have across the board implication on other enclaves located on private land in rural areas, the Authority should consult the Heung Yee Kuk on such important policy issues.

17. Hon Steven HO enquired how the Administration had addressed the concerns raised by stakeholders during the consultation process. The Administration has explained that:

- (a) Fan Kei Tok and Sai Lau Kong: in the consultation held in April 2015, the Sha Tau Kok District Rural Committee expressed concern that the Sai Lau Kong proposal might hinder the implementation of a centre project by a non-governmental organization ("NGO"). The Lands Department had subsequently endorsed the relevant applications by the NGO for the construction and operation of a drug treatment and rehabilitation centre in the enclave of Sai Lau Kong, with funding support from the Security Bureau; and
- (b) The site near Nam Shan: in the consultation held in May 2015, the South Lantau Rural Committee did not have major comment on the proposal but urged the Government to confirm in writing that the rights of the holders of GLL would remain the same after the designation. The concern was subsequently addressed by the Authority's written clarification in the minutes of meeting.

Management of the land in a country park enclave after it is incorporated into a country park

18. Members have expressed concern about the management of the land in a country park enclave after it is incorporated into a country park. According to the Administration, once the enclaves are included to their respective country parks under CPO, the Authority will take active management of the areas. Incompatible land developments and activities within the country park areas are unlikely to be approved. The conservation and management of the enclaves will be enhanced to ensure the integrity and landscape value of the sites and the adjacent country parks. For the visitors, country park facilities will be provided and signage/notice boards will be installed to promote outdoor safety. Publicity and education programmes will be implemented to encourage the appreciation of the nature and to remind visitors not to spoil the natural environment. The visitors will also bring business opportunities to local villagers.

19. Hon YIU Si-wing has expressed concern on whether the inclusion of an enclave into a country park would bring improvements to the living environment of the local villagers and other local economic activities (e.g. operating home-stay lodgings in villages) in terms of infrastructure and visitor facilities.

20. The Administration has advised that the Authority would manage the area as part of the country parks and improve the supporting facilities therein. The Authority will arrange vegetation management and refuse collection. Besides, AFCD has dedicated law enforcement staff, i.e. the Park Rangers, to carry out regular patrol and surveillance in country parks who will take action against irregularities or breaches as and when necessary. According to the Administration, the incorporation of "enclaves" into country parks will enable the Government to provide more and better infrastructure for villages and improve the supporting facilities therein in the course of discharging its duty of managing country parks.

21. Hon HUI Chi-fung has enquired whether there are cases involving unauthorized development, pollution or vandalism in the three enclaves. According to the Administration, AFCD conducts regular patrols in country parks including the enclaves. If suspected cases of unauthorized developments are detected in enclaves incorporated into the country parks, AFCD will take enforcement actions under CPO or refer such cases to the relevant departments as appropriate for follow-up actions to be taken in accordance with the relevant legislation or lease conditions. Members are informed that AFCD has not received or detected cases of pollution or vandalism in these enclaves.

Management Agreement Scheme

22. The Subcommittee has discussed the Administration's efforts in providing financial support for engaging villagers in enhancing conservation of the sites concerned, for instance, by helping them develop green tourism, or obtaining licences for operating small businesses such as shops, food stalls and home-stay lodging services in their village.

23. The Administration has advised that, in respect of financial support for engaging villagers in conservation of land, the Management Agreement ("MA") Scheme under the New Nature Conservation Policy has been extended in 2011 to cover country park enclaves as well as private land within country parks. Under the MA Scheme, funding support will be granted to enable competent non-profit making organizations to enter into management agreements with landowners to organize conservation activities which are compatible with the land uses and country park objectives within private land in country parks or their enclaves. The Administration has undertaken to assist interested villagers in applying for funds under the MA Scheme for conservation activities and obtaining the necessary licences for operating small business within country parks.

24. The Subcommittee has noted that the Environment and Conservation Fund ("ECF") approved a funding support of about \$9.5 million for an NGO to implement a MA project at Sai Wan enclave to conserve the natural habitats, showcase the cultural uniqueness and enhance the amenity value of the area through engagement of the local community and public. According to the Administration, AFCD will continue to encourage the collaboration of NGO and the local community to implement conservation projects at country park enclaves under the MA Scheme, through funding support of ECF where applicable. Dr Hon Elizabeth QUAT and Hon CHU Hoi-dick have requested the Administration to report progress of its work since the incorporation of the Sai Wan enclave as part of the Sai Kung East Country Park. In this regard, the Administration has provided details of relevant items discussed at the Working Group on Sai Wan Management (**Appendix III**) and details of the MA project at Sai Wan enclave (**Appendix IV**) for members' reference.

Other related issues

Land ownership and compensation issues

25. Notwithstanding that there being no private land in the country park enclaves at Fan Kei Tok, Sai Lau Kong and the site near Nam Shan, Hon Kenneth LAU and Hon LEUNG Che-cheung have pointed out that in the 1960s, when the then Hong Kong Government started to designate country parks, to avoid interfering with village life and to respect private property ownership, private land would not be included into country parks. Hon LEUNG Che-cheung has pointed out that indigenous villagers are very unwilling to have their private land designated as country parks because they envisage that it would be very difficult for them to develop small houses there.

26. The Administration has advised that incorporating private land into a country park is by no means depriving anyone of the ownership of the private land or reverting the land back to the Government. In general, development of small houses on private land must comply with the small house policy and the requirements of relevant land lease conditions, as well as the relevant ordinances, such as the Buildings Ordinance (Application to the New Territories) Ordinance (Cap. 121), and other requirements stipulated by the Government. If the application is not in contravention to the relevant legislations and is not objected to by relevant departments (including AFCD), the relevant District Lands Office ("DLO") may approve such application with conditions. Should the proposed development involves private land

within a country park, the consent of the Authority (i.e. Director of AFCD) should be sought. In considering any application for development within a country park, DLO will consult the Authority before making a decision to approve or not to approve it. The Administration has advised that the Authority has prepared a "Note on the Use or Development of Land within a Country Park Enclave after Inclusion into a Country Park" for reference by relevant stakeholders. In response to Hon LEUNG Che-cheung's enquiry regarding applications for building of small houses within the boundaries of country parks since the handover in 1997, the Administration has subsequently advised that AFCD received 14 applications for small house development (including new development or re-development) within recognized villages within country parks since July 1997.³

27. The Administration has clarified that after incorporation of an enclave as part of a country park, the uses of private land in the enclave that are permitted under existing land leases will not be affected under CPO. The Administration has advised that whenever the Authority was of the opinion that any proposed use of any private land by the occupier within a country park will substantially reduce the enjoyment and amenities of the country park, the occupier may be prohibited from proceeding with the proposed use. Any aggrieved occupiers may object and if overruled can seek compensation according to procedures prescribed under CPO. In response to Hon CHU Hoi-dick's enquiry, the Administration has advised that no such claims for compensation have been received in relation to the Authority's decisions on the land use in country parks so far.

28. Hon CHAN Hak-kan and Dr Hon Elizabeth QUAT have suggested that the Administration should consider providing a mechanism to compensate those landowners whose land is incorporated into a country park for their loss of possible opportunities for land development, or setting up a conservation fund to provide compensation to landowners for their financial loss due to the implementation of Government initiatives on conservation. Hon CHAN Hak-kan has also pointed out that there are precedent cases of the Administration offering land exchange for a site with conservation value, citing the example of the ecological conservation project at Sha Lo Tung.

³ According to the Administration, after assessing the details of these applications, the Authority has indicated no objection to six of the applications. There were six applications that the Authority could not process further as the final development sites had changed to areas outside country parks, or the applicants failed to provide further necessary information due to comments from other departments. Meanwhile, two applications are still being considered by the Authority.

29. In accordance with CPO, no compensation shall be paid to the owner of, or to any person interested in, any land because it is situated within or is affected by a country park. However, the Administration has advised that as announced in the CE's 2017 Policy Address, to enhance the conservation of remote countryside areas, the Government will set up a multi-disciplinary Countryside Conservation Office ("the Office") to coordinate conservation projects to protect the natural ecology of the countryside, revitalize its village architectural environment, and conserve the precious cultural resources. In this connection, the issues raised by members in this area could be further explored by the Office.

Related judicial review case

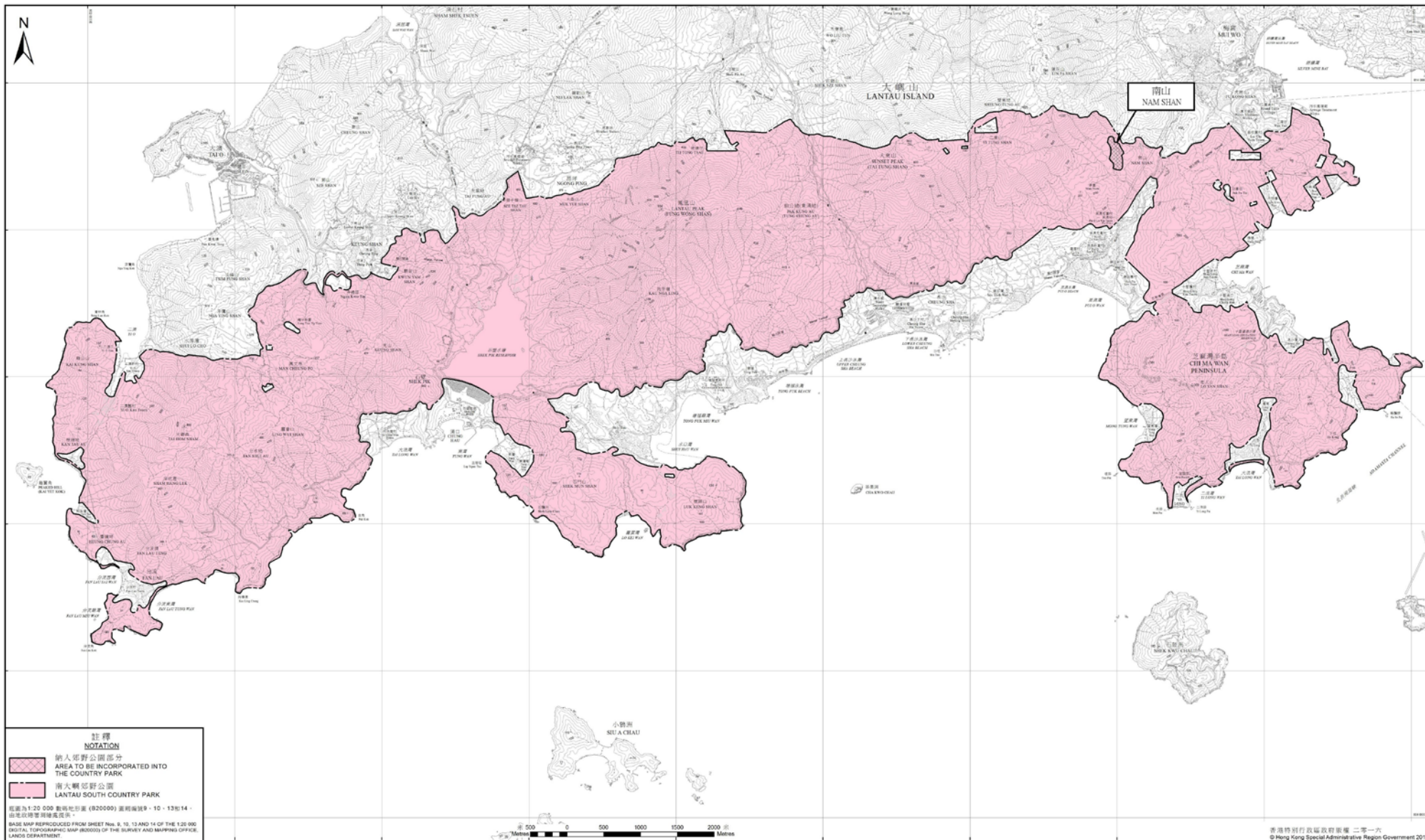
30. With reference to the judicial review launched by CHAN Ka-lam against the Authority's non-recommendation decision relating to six enclaves where it was ruled that the Authority was not in breach of any legal obligation in not referring its conclusions to CMPB for consideration and advice, the Subcommittee is concerned whether there is any further appeal relating to the case as the judgment may have implication on the future work of CMPB. AFCD said that the applicant has lodged an appeal in July 2017 against the decision of the court and it would seek legal advice from the Department of Justice in the light of new development of the judicial proceeding currently underway.

Recommendation

31. The Subcommittee has completed scrutiny of and generally supports the Amendment Order.

Advice sought

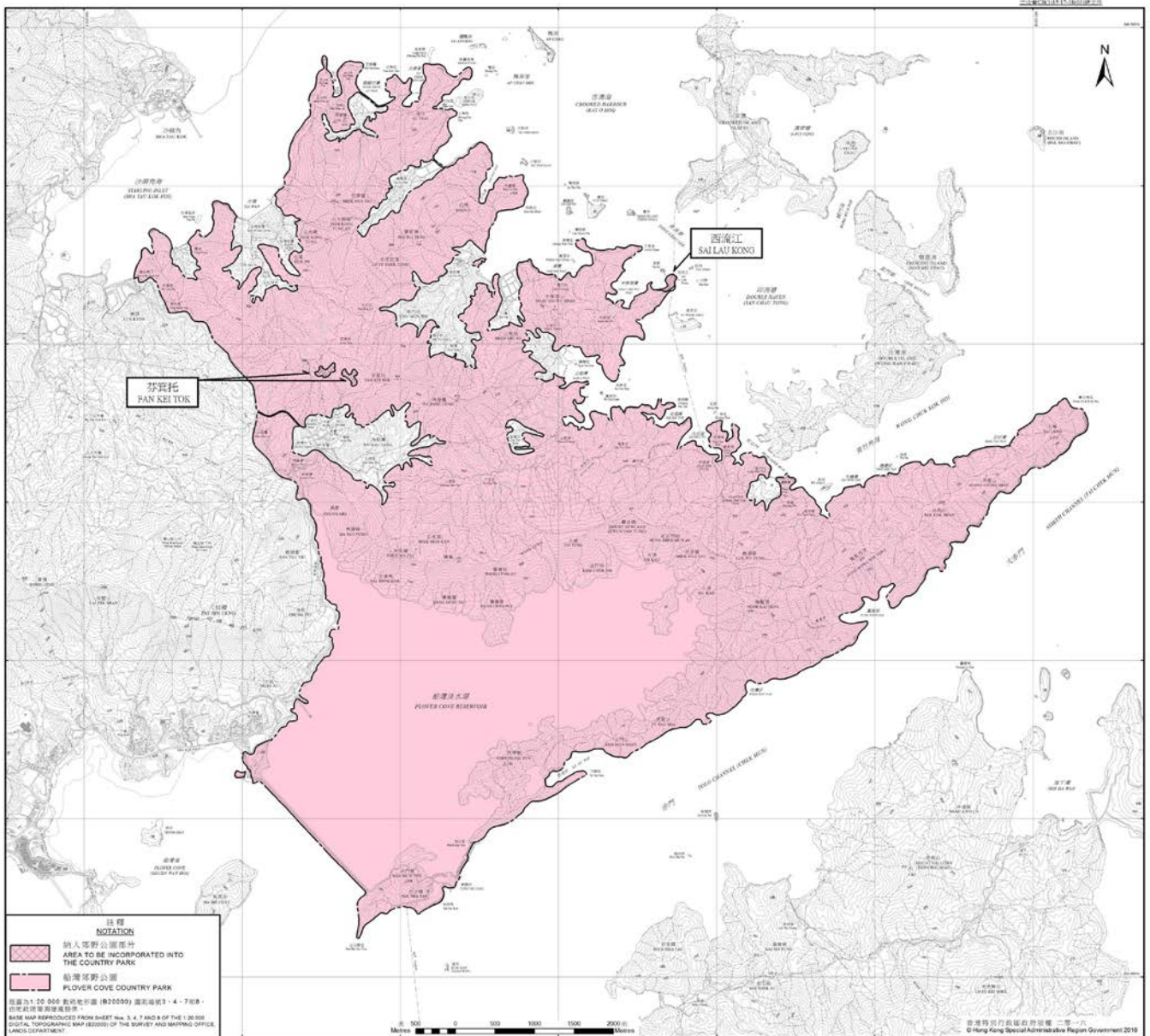
32. Members are invited to note the deliberations of the Subcommittee.



南大嶼郊野公園未定案地圖(取代舊圖)
DRAFT MAP OF LANTAU SOUTH COUNTRY PARK (for replacement)

檔案編號 FILE REF.	圖則編號 PLAN No.
比例 SCALE 1:20 000	CP/LT(S) ^B
制圖日期 COMPLETED 3, 2016	
漁農自然護理署 AGRICULTURE, FISHERIES AND CONSERVATION DEPARTMENT	

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註釋
 NOTATION
 納入郊野公園界外
 AREA TO BE INCORPORATED INTO
 THE COUNTRY PARK
 船灣郊野公園
 PLOVER COVE COUNTRY PARK
 地圖為 1:20 000 數值地形圖 (S20099) 測圖號 3-4-7 及 B-
 000 的縮印圖
 BASE MAP REPRODUCED FROM SHEET Nos. 3, 4, 7 AND B OF THE 1:20 000
 DIGITAL TOPOGRAPHIC MAP (S20099) OF THE SURVEY AND MAPPING OFFICE,
 LANDS DEPARTMENT

香港特別行政區政府 二零一六年
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船灣郊野公園未定案地圖(取代舊圖)
 DRAFT MAP OF PLOVER COVE COUNTRY PARK (for replacement)

檔案編號 FILE REF. 比例尺 SCALE 1:20 000 完成日期 COMPLET. 3-2016	計劃編號 PLAN No. CP/PC ^C
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漁農自然護理署
 AGRICULTURE, FISHERIES AND CONSERVATION
 DEPARTMENT

Appendix II

Subcommittee on Country Parks (Designation) (Consolidation) (Amendment) Order 2017

Membership list

Chairman Hon Tanya CHAN

Members Hon CHAN Hak-kan, BBS, JP
Hon Steven HO Chun-yin, BBS
Hon YIU Si-wing, BBS
Hon LEUNG Che-cheung, SBS, MH, JP
Dr Hon Elizabeth QUAT, BBS, JP
Hon Andrew WAN Siu-kin
Hon CHU Hoi-dick
Dr Hon Junius HO Kwan-yiu, JP
Hon YUNG Hoi-yan
Hon HUI Chi-fung
Hon Kenneth LAU Ip-keung, BBS, MH, JP

(Total : 12 members)

Clerk Miss Cindy HO

Legal Adviser Ms Vanessa CHENG

Summary of the records of discussion of the Sai Wan Management Working Group

After the country park enclave at Sai Wan was incorporated into the Sai Kung East Country Park in 2013, the Country Parks Committee of the Country and Marine Parks Board formed a working group which focused on the discussion of the management of Sai Wan and other related issues.

The first meeting of the Sai Wan Management Working Group (“the Working Group”) was held on 10th April 2014, and a total of eight meetings had been held so far. Apart from some of the members of the Country Parks Committee and the representatives of the Agriculture, Fisheries and Conservation Department (AFCD), representatives from other government departments, such as the Lands Department (LandsD), the Food and Environmental Hygiene Department (FEHD), the Environmental Protection Department and the Sai Kung District Office (SKDO), etc. were also invited to the meetings. In addition, AFCD also had several additional meetings with stakeholders such as the Heung Yee Kuk, rural committee, village representatives and villagers of Sai Wan Village, etc. to follow up on various projects. Matters discussed in these meetings are summarized as follows:

Environmental Hygiene

Since the incorporation of Sai Wan into the Sai Kung East Country Park, AFCD had continued to put in resources to upkeep the environmental hygiene condition in Sai Wan. These included engaging a contractor to provide daily refuse collection service and cleansing service at the two public toilets, and large-scale operation to remove accumulated large-sized garbage, etc. In order to cope with the demand from the villagers and visitors, AFCD is upgrading the sewage treatment systems at the two public toilets and reconstructing the refuse collection point in Sai Wan. AFCD and the Electrical and Mechanical Services Department are now working on the preliminary designs of the sewage treatment systems and the refuse collection point.

Tree Risk Assessment and removal of trees with hazard

AFCD conducted tree risk assessment every year in Sai Wan and removed trees with hazard to ensure the safety of villagers and visitors. Moreover, AFCD carried out enrichment planting in Sai Wan, which included the removal of aging or wilted exotic trees and planting of native trees at the woodland areas, and planting of mangroves along the riverbank areas to enrich the mangrove diversity and enhance their coverage, so as to enhance the overall biodiversity and the quality of living environment in Sai Wan.

Visitor Facilities

To provide suitable facilities for visitors who come for ecotourism, AFCD designated a camp site at a beach in Sai Wan, constructed a new hiking trail, and planned to install a stargazing site. At the meetings of the Working Group, Members had made various suggestions on visitor facilities, which would be considered and followed up by AFCD as appropriate.

The Footpath to Sai Wan

Sai Wan villagers mainly access Sai Wan Village through a footpath provided by SKDO. Representatives of the Sai Wan Village expressed their concern that the footpath was rather narrow, and hoped the footpath could be improved for villagers to transport goods by village vehicles and small tractors. As the footpath was built and maintained by SKDO, any works for the footpath should be discussed with SKDO. AFCD arranged a joint site visit with representatives of the Sai Wan Village and SKDO in May 2015. Representatives of the Sai Wan Village gave their opinions on the footpath design, and representatives of SKDO agreed to take follow-up actions and proposed improvement plan. AFCD and SKDO carried out another site visit in October 2016 with the Wan villagers, representatives of the Working Group and the Chairman of Sai Kung Rural Committee and explain the proposed designs of the footpath enhancement works. The designs were later modified according to the feedbacks from the Sai Wan villagers and members of the Working Group.

Sitting-out Area and Stargazing Area

AFCD commissioned the Faculty of Architecture of the University of Hong Kong (HKU) to provide design proposals for the proposed sitting-out area and stargazing site in Sai Wan. A design charrette workshop was held in June 2015 in HKU, where architecture professionals and Sai Wan stakeholders (e.g.

hiking groups and representatives of the Working Group) were invited to provide comments. During September and October 2015, the Faculty of Architecture of HKU organised a public exhibition in Sai Kung Country Park Visitor Centre in Pak Tam Chung, which displayed various design proposals and collected comments from the public. AFCD also invited representatives of Sai Wan Village to visit the exhibition and collected their comments. With reference to the relevant design proposals and comments, the Architectural Services Department is currently working out the detailed design and arranging the construction works.

Food Stalls and Home-stay Lodgings

Currently, as there are villagers residing in Sai Wan Village and operating food stalls there, one of the major objectives of the management of Sai Wan is to facilitate ecotourism at Sai Wan through the engagement of villagers. Although some of the existing village houses may have potential to transform into food stalls, yet such transformation must be conducted in a lawful and sustainable manner, so that the overall characteristics in Sai Wan would not be depreciated.

The Working Group had in-depth discussions in various meetings about the food stalls in Sai Wan and their licensing requirements. Representatives of relevant departments were invited to the meetings to provide advice. In general, relevant licence could be applied from the FEHD if such use was permitted at the relevant structure/ land. If the cafe only provided takeaway food, a Food Factory Licence could be considered.

Suggestions of providing village houses as home-stay lodges for visitors would require transformation of the houses and have other policy considerations. The Working Group considered that the Government should continue discussing with the villagers to work out feasible proposals.

“Management Agreement Scheme” in Sai Wan

With a view to effectively managing the private land while conserving the historic, cultural and ecological values of Sai Wan, the Working Group discussed the application of a Management Agreement project in Sai Wan for funding support under the Environment and Conservation Fund (ECF). The Working Group acknowledged the merit of cooperation between the landowners and relevant non-government organisations to implement a

conservation project, and has taken forward the idea of Management Agreement Scheme to promote eco-tourism at Sai Wan through local engagement.

In late 2015, the Sai Kung District Community Centre introduced a rehabilitation project for Sai Wan under the “Management Agreement Scheme” to the Working Group, and responded to the members’ enquiries and suggestions. After collecting the Sai Wan Villagers’ opinions, the Sai Kung District Community Centre and Heung Yee Kuk jointly submitted an application for a rehabilitation project for Sai Wan area under a revised “Management Agreement Scheme” to the ECF, which was approved in late 2016. The Management Agreement Scheme is now in progress.

Follow-up on the Unauthorised Structures in Sai Wan

LandsD and AFCD have been reporting the latest situation and follow-up actions taken against the unauthorised structures in Sai Wan to the Working Group. The Working Group agreed with the enforcement actions taken against the unauthorised structures, and suggested that the Government should communicate with villagers via Heung Yee Kuk to resolve the problems.

Sai Wan Management Agreement

Background

The Sai Wan enclave was designated as part of the Sai Kung East Country Park in December 2013. During the consultation for country park designation, there were views that a non-governmental organisation can apply funding support from the Environment and Conservation Fund (ECF) for implementing a Management Agreement (MA) project in Sai Wan in order to effectively manage the private land, while conserving the historic, cultural and ecological values of Sai Wan. The Working Group on Sai Wan Management acknowledged the merit of cooperation between the landowners and relevant non-government organisations to implement a conservation project, thus promoting eco-tourism at Sai Wan through the MA Scheme and local engagement.

In this connection, Sai Kung District Community Centre (SKDCC) in association with Heung Yee Kuk submitted a MA application titled “Rehabilitation Project for Sai Wan Area”. The project aims at revitalising Sai Wan through the concerted efforts of relevant stakeholders and the rural community to conserve the ecological habitats, showcase the cultural uniqueness of the area and enhance the amenity of the country park areas through engagement of local villagers and public.

In October 2016, ECF approved a funding of about \$9.5 million for the MA project. The MA project commenced on 15 February 2017 and will last for 36 months.

Project Scope

Under the project, SKDCC will carry the following to implement the MA:

- (i) renting abandoned agricultural land for rehabilitation;
- (ii) renovating a village house to become a visitor information centre and a venue for workshops;

- (iii) restoring an old well in the village;
- (iv) carrying out habitat management work to enhance the conservation value and amenity of Sai Wan;
- (v) organising education programmes including workshops and guided tours, as well as other publicity programmes for the general public;
- (iv) engaging Sai Wan villagers to assist in management and conservation work of the MA.

The rehabilitation work is now in progress.

In February 2017, in accordance with the approval conditions, SKDCC has set up a steering committee to oversee the project. Members include representative of Heung Yee Kuk, two Sai Wan villagers, representatives from green groups, relevant experts and academics.