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* The HKMCS welcomes the provision in the Bill to include Marine Parks and Marine Reserves on statutory plans. This is understood to be for the purpose of highlighting these areas, which will continue to be administered under the Marine Parks Ordinance and Regulations. This appears to be the first case in which landuse zonings have been proposed for areas below the mean high water mark. The HKMCS would like to encourage the Government to consider whether it may be useful to extend the concept of statutory zoning to other intertidal and marine areas, particularly those of high environmental sensitivity.

* The HKMCS is pleased to note the provisions of the Bill which open up the plan preparation and planning application processes to public participation. We urge Government to extend the 2-week period for public comment on draft plans to at least 1 month. While expediting the process is in principle desirable, an additional 2 weeks' delay in approving a plan is extremely unlikely to affect the viability of any planning application. It will, however, give interested parties much-needed time to become aware of the draft plan and to prepare their representations or comments to the authorities.

* The HKMCS would encourage Government to include a provision in the Bill to open up Town Planning Board meetings to the public, in order to ensure maximum transparency in the workings of this body.

* The HKMCS would like to propose the inclusion of the Deep Bay Wetland Conservation Area and Wetland Buffer Area specifically within the Bill. These areas are currently defined and controlled only by Town Planning Board Guidelines, which lack statutory force. Given the great importance of Inner Deep Bay to biodiversity conservation in Hong Kong, we urge Government to enshrine these Areas in legislation for the better protection of Deep Bay.

* The HKMCS wishes to express its concern over Planning Department's approach to "reinstatement" of a site where unauthorized development has occurred. Reinstatement of an ecologically sensitive site must include not only removal of the unauthorized development but also ecological restoration

of the site to a condition comparable to its pre-disturbance state.

Restoration of damaged or destroyed vegetation should always be part of reinstatement. In the case of wetlands, effective reinstatement may also require restoration of pre-existing soil and hydrologic conditions. We would therefore welcome the addition of a specific reference to ecological restoration in all references to "reinstatement" in the Bill.

Overall, the HKMCS applauds the improvements that have been included in the Bill, such as the greater openness of the planning process, the requirement for Town Planning Board members to declare interest, and the ability to prosecute contractors for unauthorized developments. We look forward to the passage of this Bill.

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Yours sincerely,

Mary Felley
Councillor,
Hong Kong Marine Conservation Society