

**立法會**  
**Legislative Council**

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by the Administration and  
cleared by the Chairman)

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**Panel on Environmental Affairs**

**Minutes of special meeting held on  
Thursday, 17 July 2003, at 2:15 pm  
in Conference Room B of the Legislative Council Building**

- Members present** : Hon CHOY So-yuk (Chairman)  
Hon Cyd HO Sau-lan (Deputy Chairman)  
Dr Hon David CHU Yu-lin, JP  
Ir Dr Hon Raymond HO Chung-tai, JP  
Hon Martin LEE Chu-ming, SC, JP  
Hon Emily LAU Wai-hing, JP  
Dr Hon LAW Chi-kwong, JP
- Members absent** : Hon SIN Chung-kai  
Hon WONG Yung-kan  
Hon LAU Kong-wah, JP  
Hon Miriam LAU Kin-yee, JP  
Hon Henry WU King-cheong, BBS, JP  
Dr Hon LO Wing-lok, JP  
Hon LAU Ping-cheung  
Hon Audrey EU Yuet-mee, SC, JP
- Public officers attending** : Environment, Transport and Works Bureau  
  
Dr Sarah LIAO  
Secretary  
  
Mrs Rita LAU  
Permanent Secretary (Environment and Transport)  
  
Mr Thomas CHOW  
Deputy Secretary (Environment and Transport) E2

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Ms Jessie WONG  
Principal Assistant Secretary (Environment and Transport) E4

Agriculture, Fisheries and Conservation Department

Mr Thomas CHAN  
Director

Mr C C LAY  
Assistant Director (Conservation)

**Clerk in attendance** : Miss Becky YU  
Chief Assistant Secretary (1)1

**Staff in attendance** : Mrs Mary TANG  
Senior Assistant Secretary (1)2

Miss Mandy POON  
Legislative Assistant 4

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**I. Public consultation on review of nature conservation policy**

At the invitation of the Chairman, the Secretary for the Environment, Transport and Works (SETW) briefed members on the findings of the review of nature conservation policy and the improvement proposals as set out in the Consultation Document tabled at the meeting. She said that a public consultation exercise would be conducted from 17 July to 18 October 2003. Noting that the subject would be discussed in greater detail at the forthcoming regular Panel meeting on 22 July 2003, Ir Dr Raymond HO questioned the need for holding this short briefing session. The Chairman explained that it had been the practice for the Administration to brief the Legislature before the announcement of any important policy.

2. Dr LAW Chi-kwong enquired whether the existing legislation was adequate in protecting sites of high ecological importance and if not, whether legislative changes were required. SETW advised that the nature conservation policy review did not focus on legislation but what efforts and priority should be accorded to the conservation of individual sites. Apart from the ecological value, Dr LAW asked whether other values such as aesthetical, historical, and scientific research values would also be taken into account in assessing the ecological importance of sites under the proposed scoring system. SETW clarified that the protection of sites of historical importance was dealt with under a separate policy of HAB. To enable a more objective and systematic evaluation of the relative ecological importance of individual

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sites, a scoring system based on a semi-quantitative analysis of the habitat and biodiversity had been worked out taking into account reference from international practices. A biodiversity database setting out the availability of the different species of rare animals and plants in Hong Kong was being compiled by the Agriculture, Fisheries and Conservation Department taking into account previous studies including the one conducted by the University of Hong Kong. Past ecological information had been kept confidential for the protection of habitats and species. After the priority list and conservation measures had been agreed, the Administration would approach the landowners and provide them with advice where necessary.

3. Ir Dr Raymond HO opined that it would be conducive to nature conservation if the Administration could assist in facilitating the joint development of adjacent sites of high ecological value under separate ownership. SETW explained that the Environment, Transport and Works Bureau would give advice to landowners on matters of nature conservation. As regards the development of land, it would more appropriately be dealt with by the Housing, Planning and Lands Bureau. Notwithstanding, there would be close cooperation between both bureaux in formulating the nature conservation policy to strike a proper balance between conservation and development needs.

4. While recognizing the practical difficulties in implementing land resumption and land exchange as options of nature conservation, Ms Emily LAU was concerned about the expectations which landowners could have if their land was of a high ecological value. Expressing similar concern, Ms Cyd HO pointed out that it was not a common practice for the Administration to exclude certain options from public consultation documents. She stressed that in formulating the nature conservation policy, efforts should be made to strike a balance between conservation and ownership/development rights of landowners whose land had been regarded as having high ecological value. To facilitate the consultation process, consideration should also be given to providing assistance and funding for non-government organizations to conduct their own consultation exercise. SETW took note of members' views but stressed that the proposed conservation measures would not in any way change or interfere with the use of land which was governed by the Town Planning Ordinance (Cap. 131). At present, most sites of ecological importance were situated on agricultural land and the owners concerned were not entitled to any development rights according to the land leases. They might be able to obtain financial gains through, say, development of eco-tourism under the management agreements option because of the ecological value of the land.

5. Ms Emily LAU queried the propriety of promoting eco-tourism as "eco" and "tourism" were incompatible with each other. She expressed concern that once a site of ecological importance was frequented by tourists, the habitat would be destroyed and the ecological value would diminish. SETW said that eco-tourism was common worldwide and was viable so long as suitable restrictions were imposed. By way of illustration, some of the most precious mangrove areas were only open to a limited number of visitors per day and motor vessels were prohibited from entering the protected area. She agreed to the need for proper planning and control in the

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development of eco-tourism to prevent damage to habitats. The Chairman added that eco-tourism was different from general picnicking. Ms Cyd HO also suggested that the Administration should make available more information on the development of eco-tourism and organic farming.

6. Mr Martin LEE opined that Hong Kong people had become more aware of the need to protect their assets, particularly after the outbreak of the Severe Acute Respiratory Syndrome and the peaceful demonstration on 1 July 2003. He stressed that the concept of environmental protection should be instilled in the younger generation at an early stage and fostered within the family. Instead of stepping up education on the need for nature conservation, effort should be made to encourage public participation. SETW thanked members for their valuable views. She agreed that it was an opportune time to conduct the review and the public consultation exercise when there was no pressing need for development of rural land. She also supported the compulsory inclusion of nature conservation in school syllabus to educate children not to take away animals or plants found during their visits to the countryside.

7. In response to the Chairman's enquiry on the setting up of a nature conservation fund to protect sites of high ecological importance, SETW said that the Administration was exploring the feasibility of adopting a private-public partnership approach in enhancing conservation of sites of ecological importance having regard to overseas experience and had been in touch with developers and tour operators in this respect. It was expected that a start-up fund would be required for managing the sites, after which the fund would be perpetually generated through profits gained from activities within the sites. There were organizations which had already shown interest in this option and efforts would be made to secure donations for funding these projects.

8. The Chairman reminded members of the next regular Panel meeting to be held on 22 July 2003 from 2:30 pm to 6:30 pm.

**II. Any other business**

9. There being no other business, the meeting ended at 2:50 pm.