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The Conservancy Association

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Rivers and Streams Conservation

Submission to Panel on Environmental Affairs and
Panel on Planning, Lands and Works, Legco

The Conservancy Association

23 February 2004

The Association's Concerns

1. The Conservancy Association calls for an immediate review of the existing policy on the protection of local streams and rivers with the aim of rectifying the continued neglect and controlling the frequent destruction of such an important habitat type in Hong Kong. Such destruction also causes terrible and irreversible impacts to the natural landscape.



Lam Tsuen River (after concreting works) Lam Tsuen River (before concreting works)

2. Judging from the recent incidents at Tung Chung River and Sha Kok Mei, it is apparent that existing land use control measures and policy in Hong Kong cannot offer adequate protection to local streams and rivers.
3. Being a renowned environmental watchdog in Hong Kong, the Association has been receiving a number of complaints about publicly intolerable destruction of local rivers and streams of various scales. They are reported to have been caused by different kinds of works such as road widening, laying water pipes, drainage improvement or flood control projects.
4. Many of these development or infrastructural projects in the rural areas are referred to as minor works projects under the former "Rural Planning and Improvement

Strategy (RPIS)" (1990-2000) and the current "Rural Public Works (RPW) Programme" of the Home Affairs Department. These minor works projects intend to improve the living quality and environment of rural Hong Kong. The following minor works projects included in RPIS and RPW are of particular concern in causing damages to streams and rivers:

- access roads, bridges, retaining walls, footpaths, parking areas, passing places and steps;
- reservoirs, water pipelines, dams, wells, water tanks, pumps, irrigation channels and standpipes;
- sewerage pipes and treatment facilities to unsewered villages;
- drains, surface water channels, stream and river embankments, nullahs, culverts, bunds and flood mitigation measures;



Ting Kok, Tai Po

5. We appreciate that these small projects very often carry good will that they would improve the livelihood of the residents. However, sometimes these projects could cost as much as \$15 million and thus could not be considered as "minor". But since they had been regarded as "minor", they are not necessarily required to go through careful planning or monitoring to see if they reach certain environmental standards. Many of these small projects are not subject to the control of the Environmental Impact Assessment Ordinance even if they are conducted inside country parks. The above mentioned incidents which have caused significant environmental impact and generated enormous public concern clearly show that there is a need to tighten the control on the so-called small projects.

6. Works departments related to these projects include Home affairs Department, Civil Engineering Department, Highways Department, Water Supplies Department, Drainage Services Department etc. To the Association's understanding, at most they might seek Agriculture, Fisheries and Conservation Department's advice about the ecological value of the concerned areas. If the subject sites are not under any conservation zonings or found with any protected species, they would not be recommended for protection and not even mitigation measures would be considered. As a result, rivers and streams in Hong Kong, especially the lowland ones, are

widely destroyed and they become a threatened habitat type in Hong Kong.



Ng Tung River, Fanling, after Channelization works

7. Apart from leading to biodiversity loss, these small projects have very often lead to serious destruction of the rural landscape, which is obviously contradictory to the aim of rural improvement in the “Rural Planning and Improvement Strategy”.



This picture shows a concreted section of a natural stream at Lam Tsuen, Tai Po. Apart from completely destroying the stream habitats in this section of the stream and affecting the downstream habitats, it is also a rural eye-sore.

8. We are very concerned about the recent case of concrete-lining a section of the stream at Sha Kok Mei, Sai Kung for flood control. This is a classic example of the mindset of the public as well as relevant government officials in seeing concrete channels as the only solution to flooding.
9. Indeed, there are environmentally friendly ways to deal with flooding. Even if streams and rivers have to be widened or straightened, it can be done in a greener manner. A good example is the Tong Fuk Stream on Lantau where Dr. Bosco Chan, a local stream expert of the Kadoorie Farm and Botanic Garden, the Drainage Services Department and the Home Affairs Department had worked together to come up with a drainage design that was far less damaging to the stream ecology than the original one.

Solutions

10. The Conservancy Association suggests that the government and developers should adopt the "presumption of conservation" principle which has been imposed under the

Harbour Protection Ordinance. Any works affecting natural rivers and streams must have a good cause and this good cause should be put to public consultation or hearing.

11. CA also proposes a central register of all rivers and streams in Hong Kong somewhat like the slope registration system that is maintained by the Civil Engineering Department. As such a central record of the status and the relevant maintenance departments of streams and rivers in Hong Kong will be available to the works departments, private companies and the general public.
12. As the local conservation authority, AFCD's consent must be obtained prior to the issue of any license or permissions by any other government departments with respect to all works in rivers and streams, whether natural or artificial, in Hong Kong. Moreover, AFCD must be empowered to monitor the ecological well-being of ALL rivers and streams instead of only those in country parks and take actions against any illegal works or destruction of local rivers and streams.
13. Illegal land filling and dumping of construction wastes in the New Territories has long been a serious problem in Hong Kong. Not only have such illegal activities affected important wetland such as those at Sha Po, Kam Tin and Shuen Wan, Tai Po they have also threatened stream ecology by direct destruction and/or silt run-off. The Association expects that such illegal dumping activities will become more and more severe should the landfill-charging scheme start to operate in Hong Kong. Appropriate measures must be introduced as soon as possible to control illegal dumping in Hong Kong. Failing to do so would not only lead to more serious landuse conflicts, the effectiveness of the landfill charging scheme will also be impaired.
14. The recent landuse conflicts in Tung Chung River and Lam Tsuen, etc are vivid examples of systematic failures inherited from the very nature of the land management and control process in Hong Kong. There is an urgent need to review the entire institutional structure in the Administration including an investigation into why such failures occur and what remedial and improvement measures are needed to fix the system. As the first step we recommend that the Administration conducts a public hearing to invite the public to bring out all relevant cases and to hear the views of all stakeholders on land management and control in Hong Kong.