

For information

Legislative Council Panel on Security
Legislative Council Panel on Planning, Lands and Works
Legislative Council Panel on Environmental Affairs

Review of the Frontier Closed Area - Result of Public Consultation

Purpose

This paper summarizes the views received during the consultation with the relevant parties from September to November 2006 on the recommendations arising from the review of the coverage of the Frontier Closed Area (FCA).

Background

2. The FCA covers about 2,800 hectares of land south of the boundary between Hong Kong and Shenzhen. It is an integral part of the package of measures for maintaining the integrity of Hong Kong's boundary with the Mainland and for combating illegal immigration and other cross boundary criminal activities. Access to the FCA is controlled by the Police through the issuance of Closed Area Permits (CAP) based on actual needs to enter the FCA. Apart from this restriction on access to the FCA, other measures include a boundary fence in the vicinity of the boundary as well as security patrols in the FCA.

The review

3. With the problem of illegal immigration on land under control in recent years and the boundary fence system upgraded to enhance the law enforcement capability in detecting and intercepting illegal immigrants, our review has concluded that with the installation of a new secondary boundary fence, the objective of maintaining the integrity of the boundary may still be achieved with the FCA coverage substantially reduced.

4. On 7 September 2006, we announced our recommendations arising from the review. We propose to construct a secondary boundary

fence along the boundary patrol road, thereby enclosing the road and ensuring that it and the existing boundary fence are protected from deliberate or inadvertent interference. Having secured the boundary patrol road, for most parts of the FCA, we will be able to reduce the FCA coverage to the narrow strip of the boundary patrol road, plus the areas with points of crossing the boundary (the Boundary Control Points and Sha Tau Kok (STK) town). This means a reduction of the land area of the FCA from about 2,800 to about 800 hectares. A map showing the existing FCA and the proposed reduced coverage is at **Annex**. For the land to be excluded from the FCA, the Planning Department has embarked on a study to formulate a planning framework to guide the conservation and development thereat. Consultants will be appointed to assist in the study, including the undertaking of a Strategic Environmental Assessment.

Consultation

5. In September to November 2006, we consulted the relevant parties, namely, Heung Yee Kuk, Town Planning Board, Advisory Council on the Environment, North District Council, Yuen Long District Council, Ta Kwu Ling Rural Committee (RC), STK RC, Sheung Shui RC and San Tin RC on the above recommendations. Planning Department has also consulted green groups and the Planning Sub-Committee of Land and Building Advisory Committee on the future development of the area.

Views received

Security issues

General views

6. The local community generally welcomes the proposed reduction of the FCA coverage.

STK town

7. There are suggestions that the STK town be excised from the FCA to facilitate the development of the town. We have explained that the situation at Chung Ying Street in STK town is unique. Given its

historical background, it is the only point where people and goods cross the Hong Kong/Mainland boundary without all the necessary control measures and facilities currently in place at Boundary Control Points. There is no physical barrier to delineate the Hong Kong/Mainland boundary there. Smuggling activities have been of concern and illegal immigration persists. These inherent security risks have pointed to the need of maintaining the FCA restrictions at the STK town.

8. We fully understand the aspirations for development of the STK residents. We have also noted a number of studies suggesting that the STK public pier could be used for access to the outer islands and the east coasts of the Northern New Territories to facilitate development of eco-tourism in the area. Striking a balance, we have been discussing with the local community options of allowing tourists to use the STK public pier. We will continue the discussion with a view to drawing up a mutually agreeable arrangement.

Other areas

9. There are also suggestions that individual villages and private land should be wholly excised from the FCA, and that the proposed secondary boundary fence should be located as far away from the nearby residences as possible. As this would necessitate adjustment of the proposed alignment of the secondary boundary fence or even the relocation of the boundary patrol road as well as the primary fence, we are examining the technical feasibility and related considerations.

10. Some parties have proposed that the construction of the proposed secondary boundary fence be dispensed with in certain areas, mainly on considerations that those areas have not been used by illegal immigrants and that the proposed fence may have an adverse visual effect. We have explained that the proposed fence is a very important security measure to ensure that the reduced FCA will provide a secured zone free from interference, thereby facilitating effective law enforcement actions to maintain boundary integrity. Omitting the fence in certain areas would very likely create security loopholes which could be exploited for illegal cross-boundary activities.

Phasing

11. Based on our proposal, the reduced FCA could formally be put in place upon the completion of the entire secondary boundary fence, estimated to be around 2010. Some parties have suggested that the FCA be reduced in phases. We are examining the technical feasibility and related arrangements.

Closed Area Permit (CAP)

12. There are concerns on whether villagers who will no longer be subject to FCA restrictions upon the reduction of the FCA will still be eligible for issuance of CAPs. In this respect, we have affirmed that it will remain our principle that CAPs will continue to be issued based on actual needs to enter the FCA.

Planning issues

Proposed Future Development

13. So far public views on the future development of the area to be released from the FCA are diverse. While some consider that the rural environment and the natural setting of the area, in particular the areas of high ecological value, should be preserved, there are suggestions to take advantage of its location to develop the area for such uses as boundary shopping centre, special industrial uses, residential development and eco-tourism. Some stress the importance of balancing development and conservation. These views would be duly taken into account in formulating the land use proposals, based on the principle of sustainable development.

Infrastructural Constraints

14. There are concerns over the infrastructural constraints in the area and some suggest strengthening the transport and other infrastructure in the area. We have affirmed that the infrastructural requirements, including transport, and government, community and social facilities essential to support the development needs would be identified and catered for in the development process.

Village Type Development (“V”) Zone

15. Some local villagers ask for provision of more “V” land to meet the future demand of small house developments. We have explained that sufficient land would be reserved for such development in formulating the land use proposals for the area to be released from the FCA.

Public Participation

16. Most people consider that local participation is necessary in the course of conducting the planning study. We have assured them that relevant stakeholders and the general public would continuously be engaged throughout the study process. The public can have easy access to relevant information of the study and provide feedback through a dedicated web-page (www.pland.gov.hk/misc/FCA/frontier_eng/frontier_e.htm). Besides, we have also visited individual villages within the FCA to collect their views on the future uses of the area to be released from the FCA. We will continue our dialogue with the local villagers throughout the study process and take their views into account as appropriate in formulating planning proposals.

Programme of the Consultancy Study

17. Some consider that taking 30 months to complete the consultancy study is too slow and the study should be expedited. We have explained that due to the extensive coverage of the area and the complicated issues involved, it is necessary to allow sufficient time to carry out in-depth investigations and consult the public extensively. In response to the public comments, we are examining ways to expedite the study and to ensure that the areas to be released from the FCA would be covered by statutory town plans before the new FCA boundary comes into effect.

Environmental issues

18. Some parties have expressed concerns that reducing the FCA coverage would deprive some areas of high ecological and conservation value of the protection of the FCA, and attract environmentally unfriendly

developments in the areas to be excised. As mentioned in paragraph 13 above, we have noted the concerns and would take them into account in formulating land use proposals.

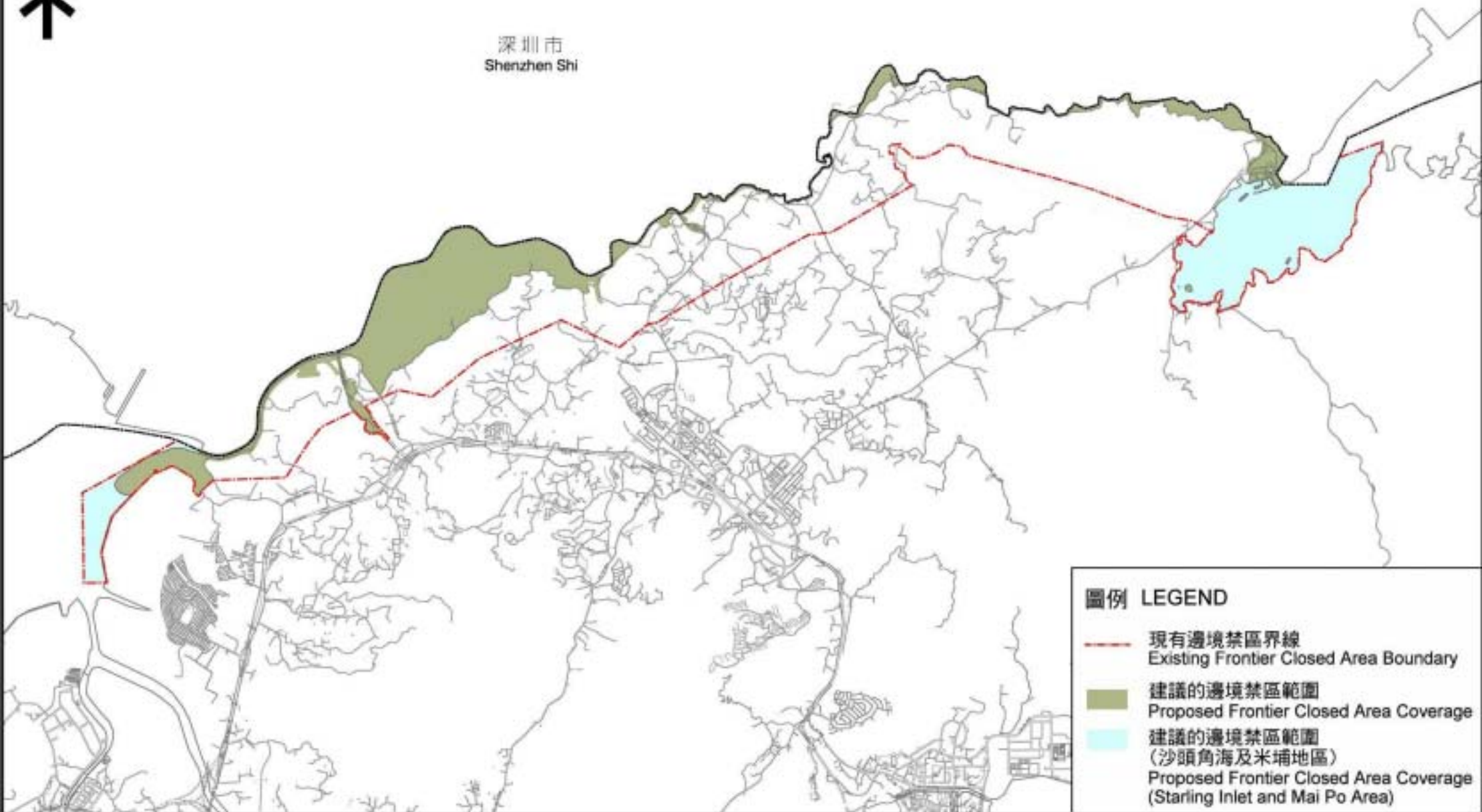
Way Forward

19. We will take into account the views that we have collected during the consultation in finalising our proposal for the secondary boundary fence and in formulating planning proposals for the relevant areas.

Security Bureau
Housing, Planning and Lands Bureau
February 2007



深圳市
Shenzhen Shi



圖例 LEGEND

- - - 現有邊境禁區界線
Existing Frontier Closed Area Boundary
- 建議的邊境禁區範圍
Proposed Frontier Closed Area Coverage
- 建議的邊境禁區範圍
(沙頭角海及米埔地區)
Proposed Frontier Closed Area Coverage
(Starling Inlet and Mai Po Area)

現有的邊境禁區界線及建議的邊境禁區範圍
Existing Frontier Closed Area Boundary and Proposed Frontier Closed Area Coverage