

LEGISLATIVE COUNCIL BRIEF

Country Parks Ordinance (Chapter 208)

DOUBLE HAVEN AND OTHERS (SPECIAL AREAS) ORDER 2010

INTRODUCTION

A At the meeting of the Executive Council on 19 October 2010, the Council ADVISED and the Chief Executive ORDERED that the Double Haven and Others (Special Areas) Order 2010 (at Annex A) should be made under section 24(1) of the Country Parks Ordinance (the Ordinance).

JUSTIFICATIONS

The Proposal

2. Both country parks and special areas are designated under the Ordinance, and are subject to the same statutory protection and control. Country parks, however, usually cover larger areas. They are designated and managed for recreational, educational and nature conservation purposes, and are provided with facilities, such as hiking trails, barbecue and camping sites. On the other hand, special areas are of smaller sizes and higher conservation value, and are usually managed for nature conservation and educational uses only.

3. The majority of the land areas covered by the Hong Kong National Geopark (the Geopark) are already within the existing country parks designated under the Ordinance. However, there are some areas of the Geopark that still fall outside the country parks' boundaries but are of high geological significance. In order to better protect these areas, we propose to designate them as special areas under the Ordinance. These five proposed Special Areas are all on unleased government land, covering a total of about 235 ha. The maps and explanatory statements of the five proposed Special Areas are given in Annex B. A summary of the basic facts of the sites is as follows :

B

Special Area	Special Geological interest	Area (ha)
Double Haven Special Area	Part of Ap Chau and Ap Lo Chun in Double Haven display sedimentary rocks of the Kat O Formation which offer excellent venues for studying breccia in the field. Yan Chau and Pak Ka Chau are components of the renowned 'six treasures' of Double Haven and geologically they are of interest as supratidal platform.	0.8
High Island Special Area	This proposed special area covers a diverse range of coastal features such as sea caves and sea stacks which can be found at Po Pin Chau of High Island. Moreover, it possesses a vast number of spectacular acidic volcanic rock columns, which are of high geological value.	3.9
Sharp Island Special Area	This proposed special area consists of diverse geological features that reveal the history of the Sai Kung Caldera.	0.06
Ung Kong Group Special Area	This proposed special area boasts the rare acidic volcanic columns. Moreover, it has covered a wide range of coastal features such as sea arches, sea caves and sea stacks which can be found abundantly at Basalt Island, Bluff Island, Wang Chau and Kam Chung Ngam.	176.8
Ninepin Group Special Area	Same as Ung Kong Group, this proposed special area contains the rare acidic volcanic columns. It also has a wide range of coastal features such as sea arches, sea caves and sea stacks which can be abundantly found at North Ninepin Island, South Ninepin Island and East Ninepin Island.	53.1

Designation of Special Areas

4. Under section 24(1) of the Ordinance, the Chief Executive may, by order in the Gazette, designate any area of Government land, which is not leased land, outside a country park as a special area.

5. The designation of these special areas would –
- (a) subject the five proposed Special Areas to the control and management of the Country and Marine Parks Authority (the Authority), who is the Director of Agriculture, Fisheries and Conservation, and the control of the Country Parks and Special Areas Regulations (Cap. 208, sub. leg. A); and;
 - (b) enable the Country and Marine Parks Board to consider and advise the Authority on the policy and programmes concerning the five proposed Special Areas.

THE ORDER

6. The Order seeks to designate the five proposed Special Areas, which are of geological importance, as special areas for the purposes of the Ordinance.

LEGISLATIVE TIMETABLE

7. The legislative timetable will be –

Publication in Gazette	22 October 2010
Tabling at the Legislative Council	27 October 2010
Commencement of the Order	1 January 2011

IMPLICATIONS OF MAKING THE ORDER

8. The making of the Order is in conformity with the Basic Law, including the provisions concerning human rights. It will not affect the current binding effect of the Ordinance. The additional workload arising from the management of the five proposed Special Areas will be absorbed by the Agriculture, Fisheries and Conservation Department. The making of the Order has no economic and financial implications. The environmental and sustainability implications are set out at Annex C.

C

PUBLIC CONSULTATION

9. The proposal was endorsed by the Country and Marine Parks Board on 15 January 2010. The North District Council and Sai Kung District Council were consulted on 11 February 2010 and 9 March 2010 respectively. They all supported the proposed designation. We have also consulted the Legislative Council Panel on Environmental Affairs on 28 June 2010, and received their

support for the designation. Members also advised that the Government should ensure that the Hong Kong National Geopark could be properly managed.

PUBLICITY

10. A spokesperson will be available to answer media enquiries. Any enquiry of this brief should be addressed to Mr Vincent Tang, Assistant Director (Nature Conservation and Infrastructure Planning) of the Environmental Protection Department at telephone number 2594 6036.

BACKGROUND

11. The Hong Kong National Geopark is made up of eight Geo-Areas distributed across the Sai Kung Volcanic Rock Region and Northeast New Territories Sedimentary Rock Region, covering a total area of about 50 square kilometres. It was established in 2009 with a view to promoting geo-conservation, popularization of geo-science, public education and sustainable development of geological resources.

**Environmental Protection Department
Agriculture, Fisheries and Conservation Department
20 October 2010**

Double Haven and Others (Special Areas) Order 2010

Double Haven and Others (Special Areas) Order 2010

(Made by the Chief Executive under section 24(1) of the Country Parks Ordinance (Cap. 208) after consultation with the Executive Council)

1. Commencement

This Order comes into operation on 1 January 2011.

2. Designation of special areas

The areas of Government land specified in Schedule 1 are designated as special areas for the purposes of the Ordinance.

3. Consequential amendment

The Special Areas (Designation) (Consolidation) Order (Cap. 208 sub. leg. D) is amended as set out in Schedule 2.

Schedule 1

[s. 2]

Special Areas

1. Those areas of Government land in Double Haven on—
 - (a) part of Ap Chau;
 - (b) Ap Lo Chun;
 - (c) Pak Ka Chau; and
 - (d) Yan Chau,delineated in black and coloured pink on Plan No. SA/DH dated August 2010 and deposited in the office of the Country and Marine Parks Authority.
2. Those areas of Government land on Po Pin Chau and Conic Island near High Island delineated in black and coloured pink on Plan No. SA/HI dated August 2010 and deposited in the office of the Country and Marine Parks Authority.
3. Those areas of Government land in the Rocky Area and on the unnamed rock offshore the Rocky Area near the Kiu Tsui Beach and pier in the western part of Sharp Island delineated in black and coloured pink on Plan No. SA/SI dated August 2010 and deposited in the office of the Country and Marine Parks Authority.
4. Those areas of Government land in Ung Kong Group on—
 - (a) Kong Tau Pai and the adjoining unnamed islands;
 - (b) Wang Chau and the adjoining unnamed islands;
 - (c) Pin Chau, Yuen Kong Chau and Tung Sam Chau;
 - (d) Pyramid Rock, Basalt Island, Tai Pai, Yi Pai, Sam Pai, Lung Shuen Pai, Po Yue Pai and the adjoining unnamed islands;

(e) Bluff Island, Fan Tap Pai and the adjoining unnamed islands; and

(f) Kam Chung Ngam in the southern part of Jin Island, delineated in black and coloured pink on Plan No. SA/UKG dated August 2010 and deposited in the office of the Country and Marine Parks Authority.

5. Those areas of Government land in Ninepin Group on—

(a) East Ninepin Island, consisting of Shue Long Chau, Tuen Chau Tsai, Lung Shuen Pai and an adjoining unnamed island;

(b) North Ninepin Island, consisting of Hok Tsai Pai, Sai Chau Mei and the adjoining unnamed islands; and

(c) South Ninepin Island, consisting of Shan Leng Kok, Tai Chau, Tai Chau Mei and the adjoining unnamed islands, delineated in black and coloured pink on Plan No. SA/NG dated August 2010 and deposited in the office of the Country and Marine Parks Authority.

Schedule 2

[s. 3]

Consequential Amendment to Special Areas (Designation) (Consolidation) Order (Cap. 208 sub. leg. D)

1. Schedule amended

The Schedule, after paragraph 6—

Add

“7. Those areas of Government land in Double Haven on—

- (a) part of Ap Chau;
- (b) Ap Lo Chun;
- (c) Pak Ka Chau; and
- (d) Yan Chau,

delineated in black and coloured pink on Plan No. SA/DH dated August 2010 and deposited in the office of the Country and Marine Parks Authority.

8. Those areas of Government land on Po Pin Chau and Conic Island near High Island delineated in black and coloured pink on Plan No. SA/HI dated August 2010 and deposited in the office of the Country and Marine Parks Authority.

9. Those areas of Government land in the Rocky Area and on the unnamed rock offshore the Rocky Area near the Kiu Tsui Beach and pier in the western part of Sharp Island delineated in black and coloured pink on Plan No. SA/SI dated August 2010 and deposited in the office of the Country and Marine Parks Authority.

10. Those areas of Government land in Ung Kong Group on—

- (a) Kong Tau Pai and the adjoining unnamed islands;
- (b) Wang Chau and the adjoining unnamed islands;
- (c) Pin Chau, Yuen Kong Chau and Tung Sam Chau;
- (d) Pyramid Rock, Basalt Island, Tai Pai, Yi Pai, Sam Pai, Lung Shuen Pai, Po Yue Pai and the adjoining unnamed islands;
- (e) Bluff Island, Fan Tap Pai and the adjoining unnamed islands; and
- (f) Kam Chung Ngam in the southern part of Jin Island,

delineated in black and coloured pink on Plan No. SA/UKG dated August 2010 and deposited in the office of the Country and Marine Parks Authority.

11. Those areas of Government land in Ninepin Group on—

- (a) East Ninepin Island, consisting of Shue Long Chau, Tuen Chau Tsai, Lung Shuen Pai and an adjoining unnamed island;
- (b) North Ninepin Island, consisting of Hok Tsai Pai, Sai Chau Mei and the adjoining unnamed islands; and
- (c) South Ninepin Island, consisting of Shan Leng Kok, Tai Chau, Tai Chau Mei and the adjoining unnamed islands,

delineated in black and coloured pink on Plan No. SA/NG dated August 2010 and deposited in the office of the Country and Marine Parks Authority.”.

Chief Executive

2010

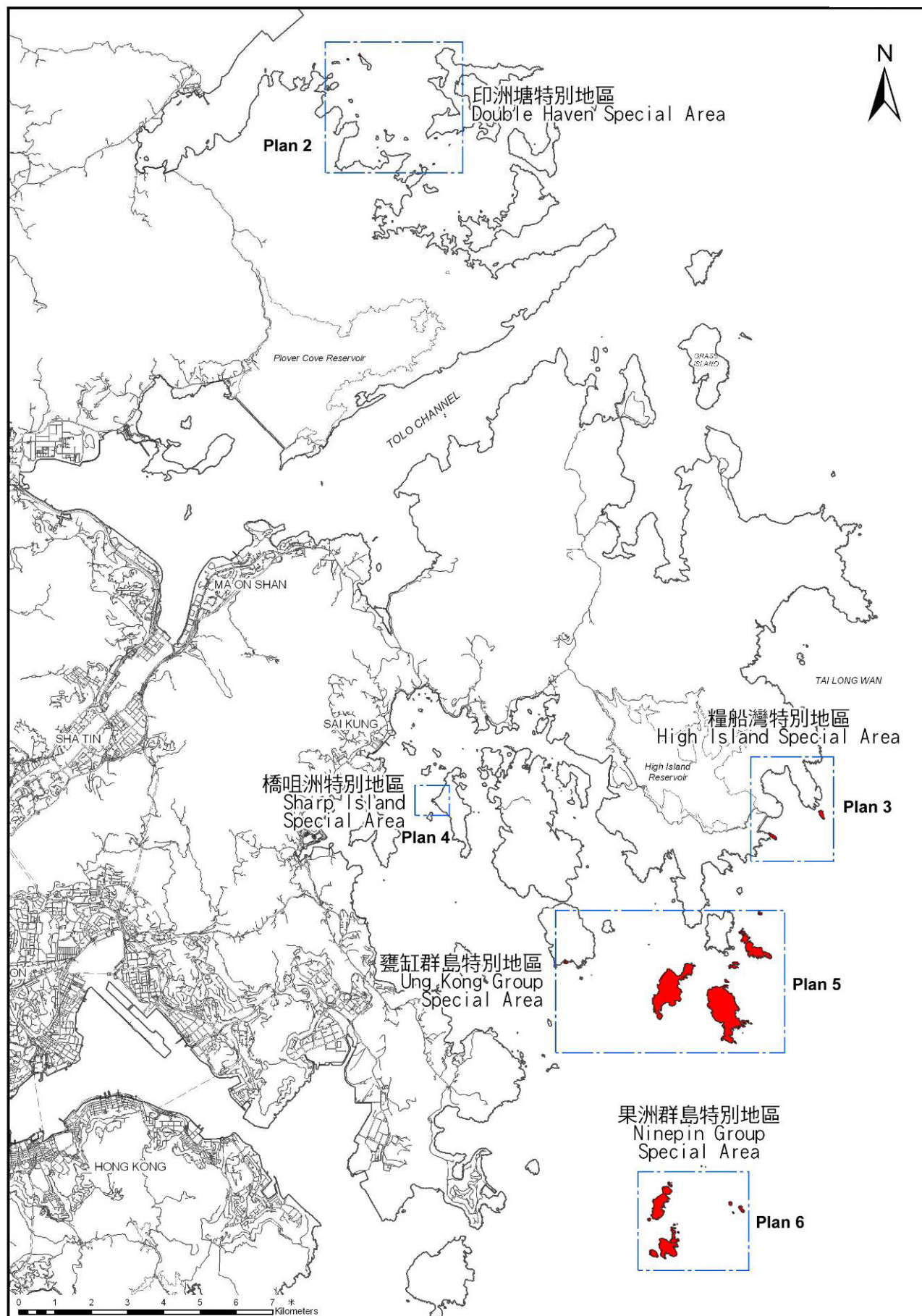
Explanatory Note

This Order designates certain areas of Government land in or near Double Haven, High Island, Sharp Island, Ung Kong Group and Ninepin Group as special areas for the purposes of the Country Parks Ordinance (Cap. 208).

Annex B

PAGE INDEX

Special Area	Plan	Page
All proposed special areas	1	2
Double Haven Special Area	2	3-5
High Island Special Area	3	6-7
Sharp Island Special Area	4	8-9
Ung Kong Group Special Area	5	10-11
Ninepin Group Special Area	6	12-13



Double Haven Special Area **Explanatory Statement**

1. Authority

This statement forms part of Plan No. SA/DH prepared by the Country and Marine Parks Authority in support of the Authority's recommendation to the Chief Executive in Council for the designation of the areas concerned as a Special Area under Section 24(1) of the Country Parks Ordinance.

2. Locations and Boundaries

The Double Haven Special Area is located in the North East New Territories, with an area of about 0.8 hectare of government land. It has four sites of geological interest, including Ap Chau (part), Ap Lo Chun, Yan Chau and Pak Ka Chau. The Area is delineated in black, which generally follows the High Water Mark (HWM) along the coastline, and coloured pink on the Plan.

3. Objectives

The Double Haven Special Area boasts diverse geological features. Ap Chau and Ap Lo Chun display sedimentary rocks of the Kat O Formation which offer excellent venues for studying breccia in the field. Yan Chau and Pak Ka Chau are components of the renowned 'six treasures' of Double Haven and geologically they are of interest as supratidal platform. Including these two sites in the designation will ensure that the 'six treasures' of Double Haven are protected under the Country Parks Ordinance from incompatible development and activities.

The Double Haven Special Area will be managed primarily for the purposes of nature conservation and outdoor education. It will be conserved as an excellent venue for field trips and scientific studies. Educational facilities will be provided at suitable locations and the Area will be patrolled by Country Park wardens.

4. Access

Access to the Double Haven Special Area can only be made by boat.

5. Zoning

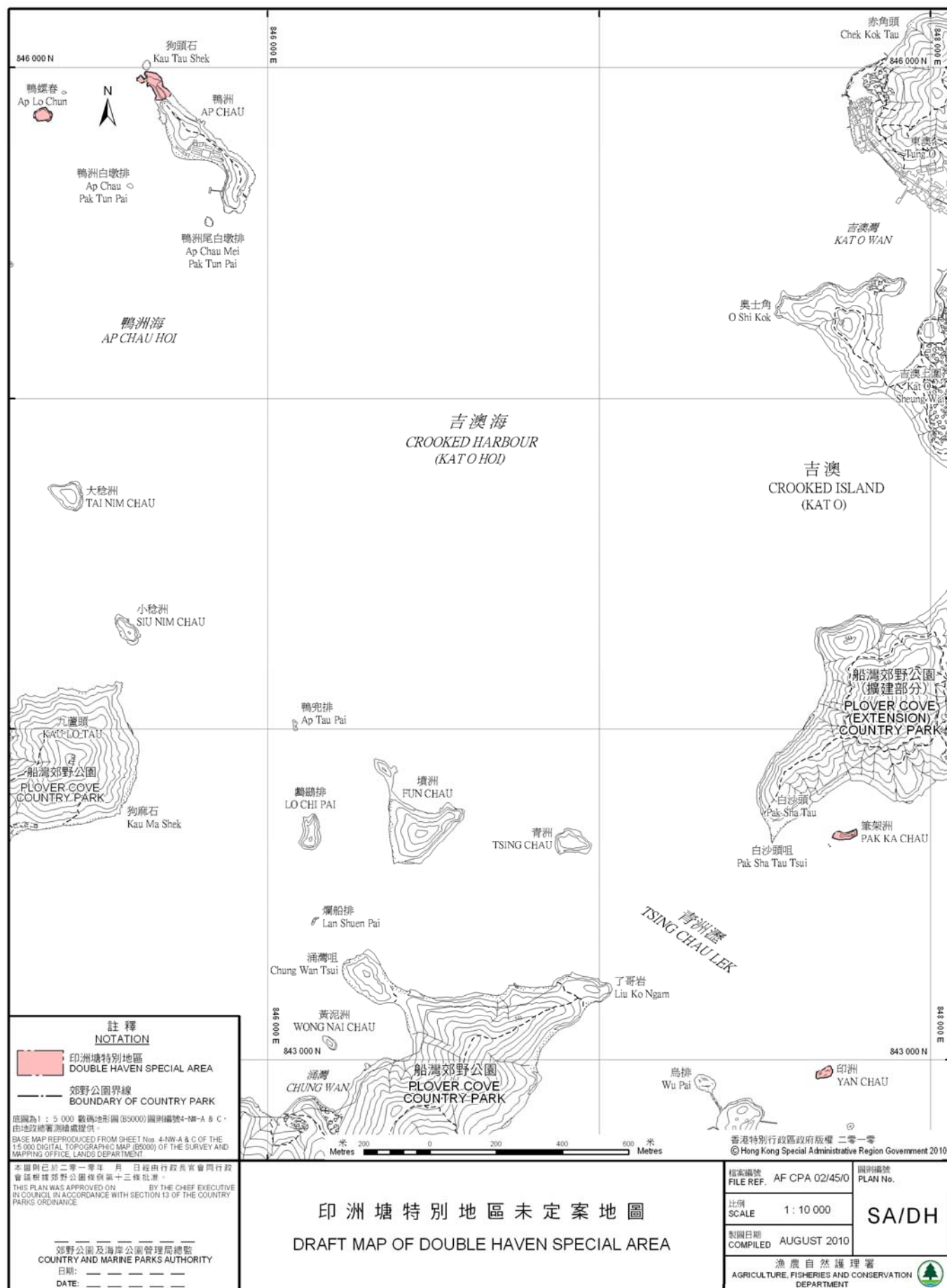
The entire Area is proposed to be zoned as an integrated protection area¹ and managed for the purposes of nature conservation and outdoor education only. There is no intention to encourage recreational activities in the Area.

6. Visitor Facilities

Information boards introducing attractions of special geological interests in Ap Chau will be provided. Other visitor facilities will be limited to safety signs and litter bins that tally with the relevant management objectives.

¹ Integrated protection areas are sites with existing visitor facilities and relatively high carrying capacity, so they can accommodate large numbers of visitors.

Country and Marine Parks Authority
Agriculture, Fisheries and Conservation Department
August 2010



High Island Special Area

Explanatory Statement

1. Authority

This statement forms part of Plan No. SA/HI prepared by the Country and Marine Parks Authority in support of the Authority's recommendation to the Chief Executive in Council for the designation of the areas concerned as a Special Area under Section 24(1) of the Country Parks Ordinance.

2. Locations and Boundaries

The High Island Special Area is located in the Eastern New Territories with an area of about 3.9 hectares of government land. It has two sites of geological interest, including Po Pin Chau and Conic Island. The Area is delineated in black, which generally follows the High Water Mark (HWM) along the coastline, and coloured pink on the Plan.

3. Objectives

A diverse range of coastal features such as sea caves and sea stack can be found at Po Pin Chau and Conic Island. These sites are made up of the rare, spectacular acidic volcanic rock columns, which have been staying intact and free from development. Including these two sites in the designation will ensure that the world-class geological features are protected under the Country Parks Ordinance from incompatible development and activities.

The High Island Special Area will be managed primarily for the purpose of nature and geological conservation.

4. Access

Access to the High Island Special Area can only be made by boat.

5. Zoning

Both Po Pin Chau and Conic Island are proposed to be zoned as core protection areas² and managed for the purpose of nature conservation only. There is no intention to encourage recreational activities in the Area.

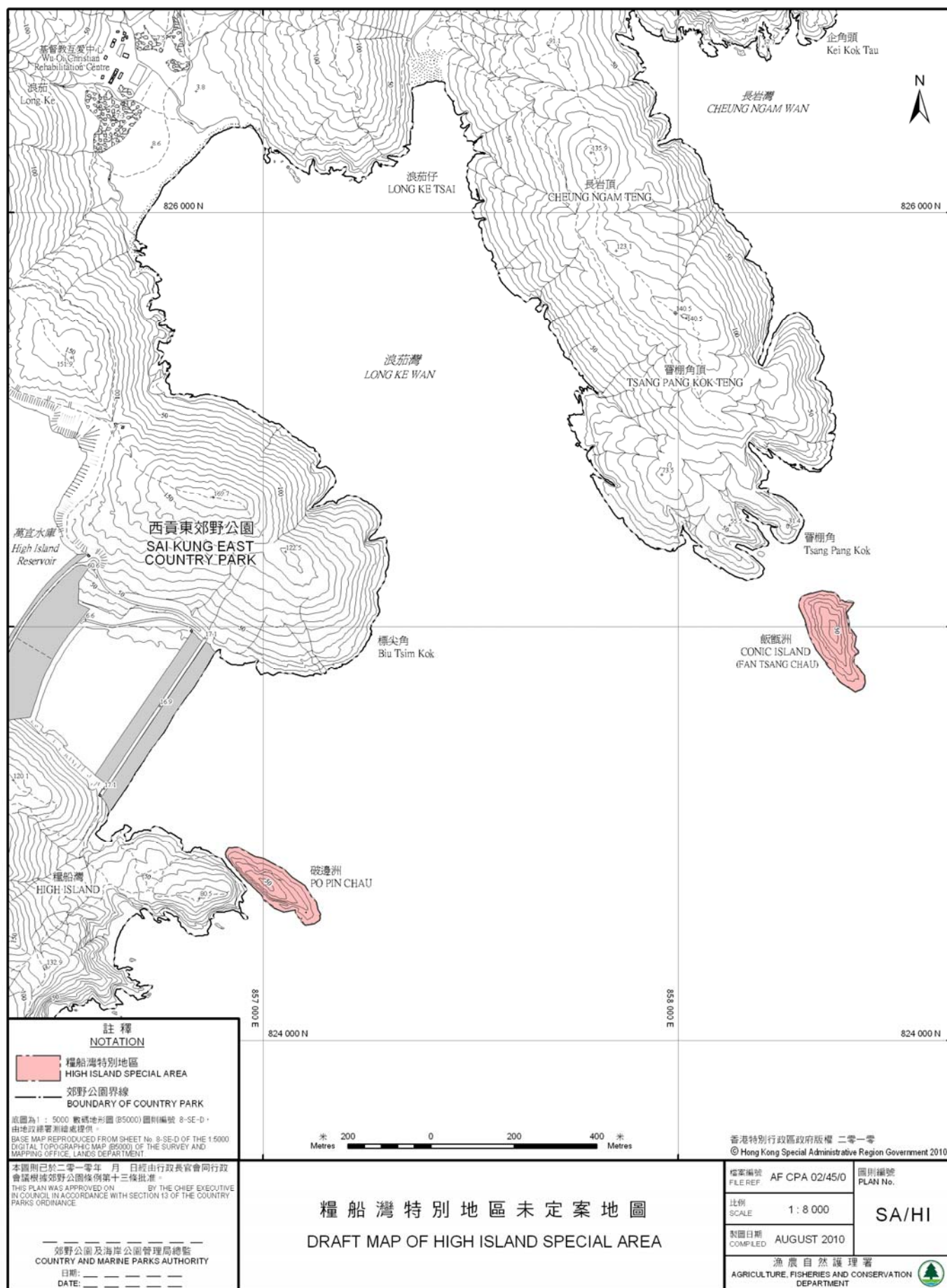
6. Visitor Facilities

Visitor facilities will be limited to safety signs that tally with the relevant management objectives.

Country and Marine Parks Authority
Agriculture, Fisheries and Conservation Department

August 2010

² Core protection areas are designated to protect geosites of greatest importance so they can maintain their natural settings and forms with minimum disturbance.



Sharp Island Special Area **Explanatory Statement**

1. Authority

This statement forms part of Plan No. SA/SI prepared by the Country and Marine Parks Authority in support of the Authority's recommendation to the Chief Executive in Council for the designation of the areas concerned as a Special Area under Section 24(1) of the Country Parks Ordinance.

2. Locations and Boundaries

The Sharp Island Special Area is located in the Eastern New Territories, with an area of about 649 square metres of government land. The area is delineated in black, which generally follows the High Water Mark (HWM) along the coastline, and coloured pink on the Plan.

3. Objectives

The Sharp Island Special Area boasts diverse geological features that reveal the history of the Sai Kung Caldera, which offer ideal sites for field studies by schools and colleges. The designation will ensure that the features are protected under the Country Parks Ordinance from incompatible development and activities.

The Sharp Island Special Area will be managed primarily for the purposes of nature and geological conservation. Educational facilities will be provided at suitable locations.

4. Access

Access to the Sharp Island Special Area can only be made by boat.

5. Zoning

The entire Area is proposed to be zoned as an integrated protection area³ and managed for the purposes of nature conservation and outdoor education.

6. Visitor Facilities

A geo-trail with information signs introducing attractions of special geological interests on Sharp Island has been provided. Other visitor facilities will be limited to information boards, safety signs and litter bins that tally with the relevant management objectives.

Country and Marine Parks Authority
Agriculture, Fisheries and Conservation Department
August 2010

³ Integrated protection areas are sites with existing visitor facilities and relatively high carrying capacity, so they can accommodate large numbers of visitors.



Ung Kong Group Special Area **Explanatory Statement**

1. Authority

This statement forms part of Plan No. SA/UKG prepared by the Country and Marine Parks Authority in support of the Authority's recommendation to the Chief Executive in Council for the designation of the areas concerned as a Special Area under Section 24(1) of the Country Parks Ordinance.

2. Locations and Boundaries

The Ung Kong Group Special Area is located in the Eastern New Territories, with an area of about 176.8 hectares of government land. It consists of the Basalt Island, Bluff Island, Wang Chau, their surrounding small islands, and Kam Chung Ngam at the southern part of Jin Island. The Area is delineated in black, which generally follows the High Water Mark (HWM) along the coastline, and coloured pink on the Plan.

3. Objectives

The Ung Kong Group Special Area boasts the world rare acidic volcanic columns. A comprehensive range of coastal features such as sea arches, sea caves and sea stack can be found at Basalt Island, Bluff Island, Wang Chau and Kam Chung Ngam. These sites of geological interest have been staying intact and free from development threat. The designation will ensure that these features are protected under the Country Parks Ordinance from incompatible development and activities.

The Ung Kong Group Special Area will be managed primarily for the purposes of nature and geological conservation.

4. Access

Access to the Ung Kong Special Area can only be made by boat.

5. Zoning

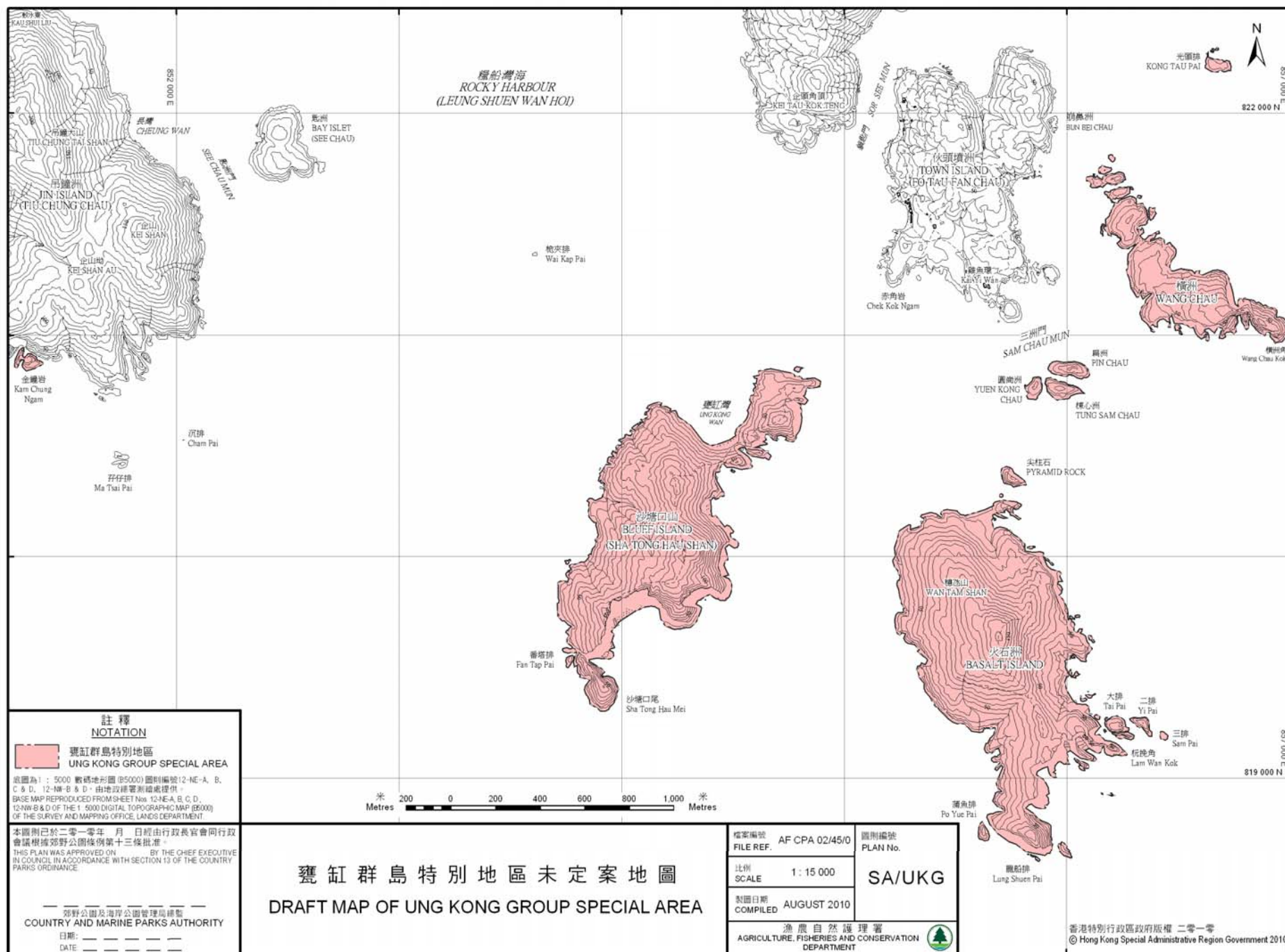
The entire Area is proposed to be zoned as a core protection area⁴ and managed mainly for the purpose of nature conservation. There is no intention to encourage recreational activities in the Area.

6. Visitor Facilities

Visitor facilities will be limited to safety signs that tally with the relevant management objectives.

Country and Marine Parks Authority
Agriculture, Fisheries and Conservation Department
August 2010

⁴ Core protection areas are designated to protect geosites of greatest importance so they can maintain their natural settings and forms with minimum disturbance.



Ninepin Group Special Area **Explanatory Statement**

1. Authority

This statement forms part of Plan No. SA/NG prepared by the Country and Marine Parks Authority in support of the Authority's recommendation to the Chief Executive in Council for the designation of the areas concerned as a Special Area under Section 24(1) of the Country Parks Ordinance.

2. Locations and Boundaries

The Ninepin Group Special Area is located in the Eastern New Territories, with an area of about 53.1 hectares of government land. It consists of the islands that make up the Ninepin Group. The Area is delineated in black, which generally follows the High Water Mark (HWM) along the coastline, and coloured pink on the Plan.

3. Objectives

The Ninepin Group Special Area boasts the world rare acidic volcanic columns. A comprehensive range of coastal features such as sea arches, sea caves and sea stacks can be found at North Ninepin Island, South Ninepin Island and East Ninepin Island. These sites of geological interest have neither been damaged nor affected by development. The designation will ensure that these geological features are protected under the Country Parks Ordinance from incompatible development and activities.

The Ninepin Group Special Area will be managed primarily for the purposes of nature and geological conservation.

4. Access

Access to the Ninepin Group Special Area can only be made by boat.

5. Zoning

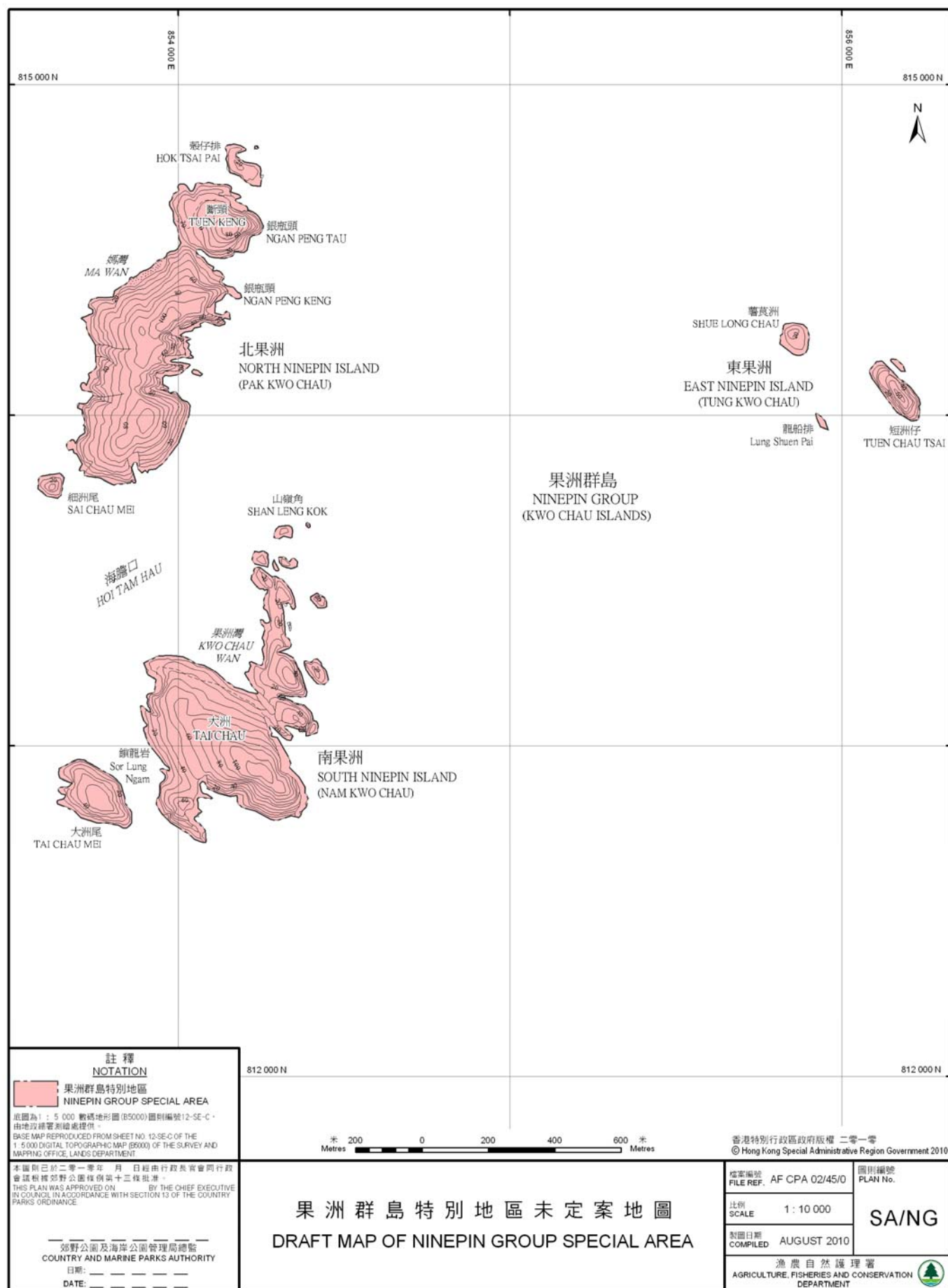
The entire Area is proposed to be zoned as a core protection area⁵ and managed mainly for the purpose of nature conservation. There is no intention to encourage recreational activities in the Area.

6. Visitor Facilities

Visitor facilities will be limited to advisory signs that tally with the relevant management objectives.

Country and Marine Parks Authority
Agriculture, Fisheries and Conservation Department
August 2010

⁵ Core protection areas are designated to protect geosites of greatest importance so they can maintain their natural settings and forms with minimum disturbance.



ENVIRONMENTAL IMPLICATIONS

The designation of the special areas will put those areas under statutory protection and enable the Authority to conserve and protect the geological features of the special areas for the purposes of geo-conservation and outdoor education.

SUSTAINABILITY IMPLICATIONS

Designation of the special areas will help contribute to the protection and conservation of the geologically important sites. It will also help enhance public awareness of the importance of nature conservation.