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Panel on Environmental Affairs

Meeting on 19 December 2017

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Setting up the Countryside Conservation Office

There have been debates from time to time on whether certain sites should be conserved especially when nature conservation objectives conflict with development proposals, and criticisms about the inadequacy of measures to conserve ecologically-important sites under private ownership. Against this background, the Government conducted a review on the nature conservation policy and measures in 2003 in order to identify practicable ways to better achieve nature conservation objectives and, in particular, enhance conservation of ecologically-important sites under private ownership while respecting the landowners' property right.

Conservation of sites under private ownership

2. In 2004, the Government announced the New Nature Conservation Policy ("NNCP") to regulate, protect and manage natural resources that are important for the conservation of biodiversity of Hong Kong in a sustainable manner, with new policy statement and objectives in respect of nature conservation. Under NNCP, the Administration pursues to enhance the conservation of ecologically-important sites under private ownership through the Public-Private Partnership ("PPP") and Management Agreement ("MA") schemes, and has identified 12 priority sites for enhanced conservation.¹

¹ The list of the 12 priority sites, in descending order of their relative ecological importance determined by a scoring system agreed by experts in field, is as follows: Ramsar Site, Sha Lo Tung, Tai Ho, Fung Yuen, Luk Keng Marsh, Mui Tsz Lam and Mau Ping, Wu Kau Tang, Long Valley and Ho Sheung Heung, Deep Bay Wetland outside Ramsar Site, Cheung Sheung, Yung Shue O, and Sham Chung.

Public-Private Partnership scheme

3. Under the PPP scheme, developments at an agreed scale will be allowed at the less ecologically-sensitive portion of any of the 12 priority sites, provided that the developer undertakes to conserve and manage the rest of the site that is ecologically more sensitive on a long-term basis. In order to provide potential proponents with flexibility, proposals involving non-in-situ land exchange for development with full justifications may also be considered, but they have to be examined and approved by the Executive Council on a case-by-case basis. To ensure the sustainability of the pledged conservation programmes under the PPP scheme, the Government introduced an enhancement measure in 2011 requiring project proponents to make upfront lump sum donations to the Environment and Conservation Fund ("ECF") to support the pledged conservation programmes, and to identify competent bodies as their conservation agents.

4. The Administration advised in May 2016 that it had received six applications under the PPP scheme since its introduction, which involved land located at Sha Lo Tung, Tai Ho, Mui Tsz Lam and Mau Ping, Wu Kau Tang, Yung Shue O, and Tin Fook Wai (an area inside the Deep Bay Wetland outside Ramsar Site). Subsequently, the proponent of the Tin Fook Wai project withdrew its application. In 2008, the Advisory Council on the Environment supported in principle the Sha Lo Tung project. The latest development of the Sha Lo Tung project is detailed in the government press release of 15 June 2017 which is hyperlinked in the **Appendix**.

Management Agreement scheme

5. Under the MA scheme, non-governmental organizations ("NGOs") may apply for funding from ECF for entering into MAs with the landowners, and provide the latter with financial incentives in exchange for land management rights or their cooperation in enhancing conservation of the sites concerned. In 2011, ECF agreed to extend the scope of the MA scheme to cover private land in country park enclaves and within country parks (i.e. in addition to the 12 priority sites under NNCP). A list of approved MA projects is available at ECF's web page: <http://www.ecf.gov.hk/en/approved/ncmap.html>.

Proposed establishment of a Countryside Conservation Office

6. As announced in the Chief Executive's 2017 Policy Address, the Government will enhance the conservation of remote areas in the countryside, thereby protecting the natural ecology, revitalizing the architectural environment of villages, and conserving cultural resources. A Countryside Conservation Office ("CCO") will be established to coordinate conservation projects that promote sustainable development of remote countryside, and

\$1 billion has been earmarked for such conservation efforts and revitalization works. As a priority, CCO will, in collaboration with NGOs, organize diversified and innovative activities and take forward the planning of enhanced effort on countryside revitalization in Lai Chi Wo,² and implement an ecological conservation project in Sha Lo Tung. The Government will keep under review the implementation of the initiative and the effectiveness of these projects from time to time, and will extend the initiative progressively to other remote countryside areas.

7. In October 2017, during the scrutiny of the Subcommittee on Country Parks (Designation) (Consolidation) (Amendment) Order 2017, some members suggested that the Administration should consider providing a mechanism to compensate those landowners whose land was incorporated into a country park for their loss of possible opportunities for land development, or setting up a conservation fund to provide compensation to landowners for their financial loss due to the implementation of Government initiatives on conservation. These members had pointed out that there were precedent cases of the Administration offering land exchange for a site with conservation value, citing the example of the ecological conservation project at Sha Lo Tung. The Administration advised that in accordance with the Country Parks Ordinance (Cap. 208), no compensation should be paid to the owner of, or to any person interested in, any land because it was situated within or was affected by a country park. Nevertheless, relevant issues raised by Members could be further explored by CCO.

8. At the meeting of the Panel on Environmental Affairs ("EA Panel") on 30 October 2017, the Secretary for Environment ("SEN") briefed members on the policy initiatives in the area of environmental protection and advised that projects to be carried out by CCO would include the following:

- (a) basic infrastructure;
- (b) minor improvement works to rehabilitate the natural ecological, cultural and architectural environment; and
- (c) activities to promote eco-tourism and other local economic activities to respond to the aspirations of the community for urban-rural symbiosis.

² A privately-funded pilot project was initiated in 2013 to revitalize Lai Chi Wo, a country park enclave with wetlands and open fields that were traditionally maintained by agricultural practices but have shown signs of degradation following abandonment in recent decades. In 2017, ECF approved an MA application for habitat rehabilitation at Lai Chi Wo, which is a follow-on project to the pilot one. The MA project focuses on rehabilitation and enhancement of the ecological values of the habitats and conservation of the associated biodiversity, through collaborating with the local rural community in carrying out habitat management and eco-friendly agricultural practices.

SEN also advised that an advisory committee involving stakeholders from different sectors of the community will be set up to advise on the funding applications received by CCO, monitor the implementation progress of the funded projects, etc.

9. At the Council meetings of 22 and 29 November 2017, Hon Kenneth LAU and Hon YIU Si-wing raised questions on the types of projects that will be supported by the funding earmarked for countryside conservation and revitalization, the application procedure for funding proposals, and how CCO would promote eco-tourism in the countryside. The press releases on the two Council questions and the Administration's replies are hyperlinked in the **Appendix**.

10. At the EA Panel meeting on 19 December 2017, the Administration will brief members on the duties and scope of work of CCO, and seek the Panel's support for the creation of a permanent Assistant Director of Environmental Protection post to head CCO.

Council Business Division 1
Legislative Council Secretariat
14 December 2017

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Hyperlink to relevant government press release

Date	Topic
15 June 2017	Non-in-situ land exchange agreed to promote long-term conservation of Sha Lo Tung

Hyperlinks to relevant Council Questions:

Date	Council Question
22 November 2017	Press release on Council question (written) raised by Hon Kenneth LAU
29 November 2017	Press release on Council question (oral) raised by Hon YIU Si-wing