

TASK FORCE ON LAND SUPPLY

Developing Country Parks

PURPOSE

This paper provides Members with some relevant background information and suggests some possible perspectives as the Task Force, and later the community, examines this question of whether certain areas in our country parks could be regarded as a source of land supply for meeting Hong Kong's housing and other needs.

BACKGROUND

History of Country Parks and Process of Designation

2. For effective protection of the countryside in Hong Kong as well as the provision of proper venues for outdoor activities, the Country Park Ordinance (Cap. 208) was enacted in 1976 to provide a legal framework for designation, development and management of country parks and special areas. Since the designation of the first batch of country parks in 1977, which included Shing Mun, Kam Shan and Lion Rock, a total of 24 country parks and 22 special areas, amounting to 44 312 hectares (ha), have been designated and put under statutory protection under Cap. 208. Statistically, country parks constitute the largest component of the 84 100 ha of non-built up area of Hong Kong. The current distribution of country parks and special areas across the territory is at **Annex A**.

3. Country parks and special areas are designated in accordance with statutory procedures as laid down in Cap. 208. Prior to invoking the relevant statutory procedures, the Agriculture, Fisheries and Conservation Department (AFCD) will assess the suitability of a potential site for designation as a new country park or incorporation into an

existing country park, according to the established criteria which include conservation value, landscape and aesthetic value, as well as recreation potential. Other factors, including size, proximity to existing country parks, land status and land use compatibility, will be considered in demarcating the boundary of a country park.

4. Pursuant to sections 8 and 15 of Cap. 208, the Country and Marine Parks Authority (the Authority which for the time being is Director of Agriculture, Fisheries and Conservation) may, at the direction of the Chief Executive in Council (CE in C) and in consultation with the Country and Marine Parks Board (CMPB), publish a draft map for designation of a new country park or replacement of an approved map of a country park in the gazette. Under section 11 of Cap. 208, any person aggrieved by the draft map may within the inspection period of 60 days lodge an objection to the CMPB. The CMPB may reject the objection or direct the Authority to amend the draft map after hearing the objection. The Authority shall then submit the draft map to the CE in C for approval. Upon the CE in C's approval of the draft map and making a Designation Order for the new country park, the Order shall then be submitted to the Legislative Council (LegCo) for negative vetting before it comes into effect.

Management of Country Parks

5. All country parks and special areas are managed by AFCD in accordance with Cap. 208, in particular, to take measures to encourage their use and development for the purposes of recreation and tourism and to protect the vegetation and wildlife inside country parks and special areas. The country parks and special areas comprise scenic hills, woodlands, reservoirs and coastlines in all parts of Hong Kong. They serve conservation, recreation, education and tourism purposes, by providing habitats to flora and fauna of Hong Kong, as well as hiking trails, mountain bike trails, nature trails, barbecue and picnic sites, camp sites and visitor centres for public enjoyment. AFCD provides a wide variety of nature education and publicity programmes to students and the general public on a regular basis. Some 13 million visits to the country parks were recorded in 2016.

Continued Efforts in the Designation of Country Parks and in Nature Conservation

6. The Government is committed to environmental protection and ecological conservation, and seeks to strike the right balance between development and conservation. In 2013, we incorporated three enclaves, namely Sai Wan, Kam Shan and Yuen Tun, into country parks, thereby increasing the total area of country parks by 38 ha. Besides, another batch of enclaves, namely Fan Kei Tok, Sai Lau Kong and a site near Nam Shan, have recently been incorporated into country parks. They have further increased the total country park area by 12 ha. In tandem, AFCD is making preparatory work to designate Robin's Nest, which is about 500 ha in size, as a new country park. AFCD will also continue to identify suitable areas for designation as or incorporation into country parks.

7. In June 2017, the CE in C gave in-principle approval for exchanging the Shuen Wan Restored Landfill in Tai Po for the 25-ha private land in Sha Lo Tung for better conservation of the latter (which ranks second in the Government's list of 12 Priority Sites for conservation).

8. Under the Management Agreement (MA) Scheme of the New Nature Conservation Policy, funding support from the Environment and Conservation Fund (ECF) has been and will continue to be granted to enable competent non-profit making organisations to enter into management agreements with landowners to organise conservation activities which are compatible with the land uses and country park objectives. Since 2011, the MA scheme has been extended to cover private land in country parks and country park enclaves in order to enhance their conservation. MA projects are being implemented at the Lai Chi Wo enclave and Sai Wan (which was once an enclave but had already been incorporated into the Sai Kung East Country Park). The ECF has also recently received a MA application in respect of Sha Lo Tung which, if granted, would start providing some form of active conservation management before the above-mentioned non-in-situ land exchange takes place (if the land exchange is eventually approved).

9. Moreover, with a view to broadening and diversifying visitors' experience in country parks and special areas and meeting the growing demand for countryside recreation, AFCD has commissioned a consultancy study to explore and identify opportunities for enhancing the recreation potential of country parks and special areas in 2017. The

study would explore the recreation potential of country parks and special areas in three broad aspects, namely overnight facilities, adventurous and leisure activities and where appropriate, educational functions. Without compromising the conservation objective, AFCD strives to provide suitable recreational facilities and services and enhance the existing popular facilities, e.g. hiking trails and camping sites, in country parks and special areas in accordance with the recommendations of the study.

10. The Government is also committed to protecting the natural ecology, revitalising the architectural environment of villages, and conserving our precious cultural resources in remote countryside areas. As announced in the Chief Executive's (CE) 2017 Policy Address, the Government will establish a Countryside Conservation Office under the Environmental Protection Department to co-ordinate conservation projects to promote sustainable development of remote countryside, and has earmarked \$1 billion for such conservation effort and revitalisation works for the remote countryside areas.

SHOULD COUNTRY PARKS BE REGARDED AS A SOURCE OF LAND SUPPLY?

Hong Kong Housing Society's Studies on the Periphery of Country Parks

11. In the 2017 Policy Address announced in January 2017, the then CE stated that while increasing the total area of ecological conservation sites and country parks and enhancing their recreational and educational values, the community should also consider allocating a small proportion of land on the periphery of country parks with relatively low ecological and public enjoyment values for purposes other than real estate development, such as public housing and non-profit-making elderly homes.

12. In fact, similar ideas were floated back in 2015 when some commentators suggested releasing certain fringes of the Tai Lam Country Park which are close to the Tai Lam Tunnel toll plaza for housing development. It was said that about 60 ha of platform area could be formed thereat to provide homes for about 90 000 residents.

13. To follow up on the suggestion, the last-term Government invited Hong Kong Housing Society (HKHS) in May 2017 to undertake the ecological and technical studies on land on the periphery of country

parks. The major purpose of these studies is to provide objective analyses and enable rational deliberations by the community. The studies, to be undertaken by HKHS at its own costs, would cover two areas in Tai Lam and Shui Chuen O (each with an approximate area of 20 ha), which fall within or lie close to Tai Lam Country Park and Ma On Shan Country Park respectively.

14. HKHS's studies will mainly look into the two areas' ecological, landscape and aesthetic values; recreational and development potentials; and the major technical factors and practical constraints of developing public housing and other public facilities thereon. It should be noted that the relevant statutory provisions, including those relating to country parks, town planning, environmental impact and infrastructure, are still applicable even if it is eventually established that certain areas in our country parks may serve as a source of land supply. The CMPB and other relevant stakeholders will also be consulted if certain areas within country parks are planned to be developed for other uses.

15. HKHS invited Expression of Interest (EOI) for the consultancy services from August to September 2017. EOI submissions from a total of 5 consultants were received. All of them could meet the pre-set requirements by HKHS, and were invited to submit their proposals for the "pre-qualification stage" in October 2017. HKHS attended the meeting of CMPB just in late November, which requested to give views on the scope of services for the study before tender issue. As such, the official invitation for tender proposal will commence in January 2018, and it is expected that the consultant will be appointed in March 2018 the earliest.

16. Upon appointment of the consultant, HKHS's studies will be carried out in two phases. Phase 1, i.e. the Baseline Studies, will commence in March 2018. It will take about 12 to 14 months to conduct the ecological surveys of the two study areas. Phase 2, i.e. the Detailed Studies, will take another 12 months to complete the detailed assessments and feasibility report. The Detailed Studies will only be carried out upon outcome of the Baseline Studies. Public engagement will also be arranged during the study process so as to take into account the views of different stakeholders. Hence, it is expected that preliminary findings on the ecological values and development feasibility of the two study areas will be available in Q2 2019 the earliest. The report of the Detailed Studies will be ready in mid-2020.

Possible Perspectives

17. Pending completion of HKHS's studies and recommendations to be submitted by the Task Force on Land Supply after completion of the relevant public engagement exercise, the Government has not formed any view on whether, and if yes how, certain parts of our country parks should be developed for housing or other purposes. The paragraphs which follow set out some possible perspectives which Members and the community may wish to take into account when examining the subject.

Has the Demand for Country Parks Changed with Time?

18. As set out in the Background section, country parks were first designated in Hong Kong in the 1970s for effective protection of the countryside in Hong Kong as well as the provision of proper venues for outdoor activities. The Government also strives to broaden and diversify visitors' experience in country parks and special areas and meet the growing demand for countryside recreation. For the past 40 years, Hong Kong's population has grown by some 2.8 million, generating competing demand for land. Some may question whether Hong Kong, with its present day demands, could still afford to keep a substantial portion of its non-built up areas as country parks when the community itself is evolving with time and when there are more pressing livelihood demands to meet. As some commentators argue, releasing only 0.1% of country park area would already increase developable land by some 40 ha. Arithmetically, and purely for illustration purpose, based on the estimated aggregate flat yield and development area for the Kwu Tung North and Fanling North New Development Areas (NDAs) (i.e. 60 000 flats), 0.1% of country park area or 40 ha might yield some 7 500 flats¹.

Do all Country Parks have the same Ecological Value and/or Recreational Value?

19. AFCD has been carrying out a territory-wide ecological survey programme since 2002 with a view to maintaining and updating an ecological database for Hong Kong. The survey programme covers all major habitats of high conservation value in Hong Kong both within and outside country parks, as well as the distribution and abundance of selected taxon groups. Ecological information will also be collected and updated through environmental and/or planning studies for different

¹ Kwun Tung North and Fanling North NDAs are estimated to provide about 60 000 flats with a total developable area of about 320 ha (including land uses other than residential).

projects from time to time. However, we are still in lack of a comprehensive database on the ecological status of each and every country park. In other words, we currently do not have any precise information as to whether all areas within the country parks share the same ecological values, and such values may also change over time. Likewise, we do not have any precise information on how much land in country parks is with relatively low public enjoyment values. The studies to be conducted by HKHS will shed some light, but only in respect of the two study areas.

Can Concern over Developments in Country Parks be Addressed through Proper Control Mechanisms?

20. There have been suggestions that even if country parks were to be considered as a source of land supply, there should be proper control “thresholds” to ease public concerns about indiscriminate development, apart from those standing control mechanisms (paragraph 21 below). For instance, some have suggested a compensation mechanism to make up for any loss of country park areas and facilities so as to demonstrate the Government’s commitment to striking a right balance between development and conservation. Focusing on just one limb of identifying country park areas with development potentials without regard to corresponding new additions to the country park areas will give a wrong impression that development is preferred to conservation. Some have also suggested that country parks should only be developed for uses which serve the wider public interest, e.g. for public housing and welfare facilities.

Technical Considerations and Lead Time

21. Developments in Hong Kong have to comply with all the relevant provisions laid down in the existing ordinances, including the Environmental Impact Assessment (EIA) Ordinance, the Town Planning Ordinance and, for those sites within country parks, the Country Parks Ordinance. For designated projects (e.g. engineering feasibility study of urban development projects with an area of more than 20 ha) covered by the EIA Ordinance (EIAO), it is the project proponent’s responsibility to conduct the statutory EIA, including ecological surveys in accordance with the Technical Memorandum on EIA process issued under the EIAO, and submit the EIA reports for approval. The EIA reports submitted must go through a statutory public inspection process for comments by the public at large, as well as considered by the Advisory Council on the Environment. The EIA Authority will approve the EIA reports only if

they can fully meet all the requirements laid down under the EIAO and its Technical Memorandum.

22. Regardless of the size of the proposed development in country parks, if any, there is a need to carry out an environmental study (including the ecological assessment) as the first point to confirm if the concerned site is acceptable. Besides, the corresponding site formation, infrastructural and building works within country park areas will need to go through the above EIAO process before commencement of construction. In particular, detailed ecological surveys covering seasonal surveys would be required in the statutory EIA so as to ascertain individual proposals' acceptability from the nature conservation/ecological perspectives. The whole ecological survey might take at least 12 to 18 months (covering both dry and wet seasons) to complete including consultant selection and report preparation. Besides the requirements under the statutory EIA, any possible impact on the existing recreational facilities and associated potential, hence the public enjoyment value of the relevant sites, should also be thoroughly assessed in support of the proposal.

23. Moreover, while land resumption or reprovisioning of existing households or facilities is normally not required in the case of developing country parks (since only about 1% of the land in country parks is private or leased land), similar to the NDA and new town extension projects involving a sizeable area for comprehensive development, it is anticipated no less than 10 years would be necessary for the planning and land development process alone, should the selected site be developed into an area with the provision of land for housing, economic, government, institution or community (G/IC) and infrastructure uses, etc. The time is required for a comprehensive planning and engineering or detailed engineering feasibility study; stages of public engagement to solicit the views of green groups, the CMPB, local communities and other relevant stakeholders; various technical assessments including traffic and visual impact assessments to ensure the acceptability of the proposed development; the statutory processes relating to country parks, environmental impact, town planning and infrastructure; and other necessary procedures, including submission of tree preservation and removal proposal with compensatory replanting plans to the relevant authorities, as well as funding application to the LegCo, before actual works (such as infrastructure upgrading and site formation) could commence. A flowchart illustrating the anticipated procedures for developing country parks, if pursued, is at **Annex B** for reference.

24. Apart from the environmental and ecological considerations, the usual planning and engineering criteria apply after identifying suitable sites in country parks for further studies and assessments as part of the above planning and land development process. From the planning angle, we need to consider whether the site is in proximity to the planned/existing urban developments and/or roads and infrastructures. Other considerations include but are not limited to the land use compatibility; potential impacts on the existing users/communities; proposed uses and development intensities; urban design requirements; requirements of G/IC facilities and open space; potential landscape, visual and air ventilation impacts; the relevant mitigation measures as well as their effectiveness and precedent/cumulative effect, etc.

25. To support housing development and other land-efficient uses, from the engineering perspective, impacts on the existing infrastructures (including sewerage/drainage/water supply/transport network); geotechnical concerns (including site formation in hilly terrain and natural terrain hazards); potential impacts on existing water catchment/catchwaters and major aboveground/underground utility facilities (such as underground water tunnel, overhead transmission lines); the need for additional infrastructures to support the proposed development (such as access roads and other transport services); and the cost effectiveness of such infrastructure provisions, would likely be the key considerations in developing suitable country park areas.

VIEWS SO FAR FROM STAKEHOLDERS/COMMUNITY

26. The community holds divergent views on the proposal of developing country parks. Given the continued tight supply of developable land and housing in Hong Kong, some consider that studies should be initiated to provide an objective and scientific basis for the community to rethink our land use planning and ecological value of country parks for Hong Kong's long-term development. The two sites under HKHS's studies only cover about 40 ha of land, which account for less than 0.1% of some 40 000 ha of country parks across the territory. Some are of the view that the release of such a small proportion of country park areas, as compared with other land supply options which involve land clearance and resumption and/or substantial infrastructural upgrading, could more effectively help meet the pressing housing and development needs of the community.

27. On the contrary, some, in particular the green groups, have strongly criticized the Government for inviting HKHS to commence the studies on land on the periphery of country parks. They consider that country parks are of paramount ecological and environmental importance in the compact city of Hong Kong. They also argue that the ecological value of the country parks would be undermined if their integrity was affected, and that allowing incompatible uses in country parks is against the objectives of having country parks in the first place. Some have stressed that Government should first resort to other sources of land supply with comparatively lower ecological and public enjoyment values (e.g. vacant government sites and brownfields) or other land supply initiatives such as the development of the two Strategic Growth Areas, i.e. East Lantau Metropolis and New Territories North.

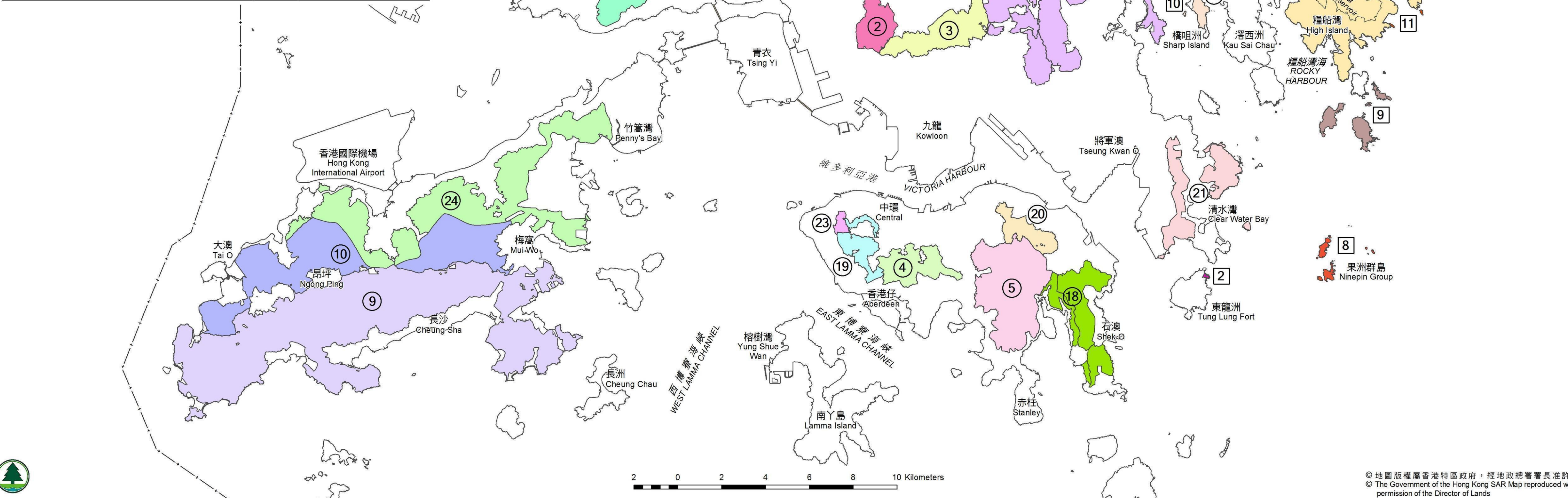
ADVICE SOUGHT

28. Members are invited to note and offer views on the potential and challenges in developing country parks as one of the land supply sources.

Development Bureau
Environment Bureau
1 December 2017

香港現已劃定的郊野公園 Designated Country Park in Hong Kong			
編號 No.	地點 Location	面積(公頃) Area (ha)	指定日期 Date of Designation
1	城門 Shing Mun	1400	24/6/1977
2	金山 Kam Shan	339	修定於/Revised on 30/12/2013
3	獅子山 Lion Rock	557	24/6/1977
4	香港仔 Aberdeen	423	28/10/1977
5	大潭 Tai Tam	1315	28/10/1977
6	西貢東 Sai Kung East	4494	修定於/Revised on 30/12/2013
7	西貢西 Sai Kung West	3000	3/2/1978
8	船灣 Plover Cove	4600	修定於/Revised on 1/12/2017
9	南大嶼 Lantau South	5646	修定於/Revised on 1/12/2017
10	北大嶼 Lantau North	2200	18/8/1978
11	八仙嶺 Pat Sin Leng	3125	18/8/1978
12	大欖 Tai Lam	5412	修定於/Revised on 30/12/2013
13	大帽山 Tai Mo Shan	1440	23/2/1979
14	林村 Lam Tsuen	1520	23/2/1979
15	馬鞍山 Ma On Shan	2880	修定於/Revised on 18/12/1998
16	橋咀 Kiu Tsui	100	1/6/1979
17	船灣(擴建部分) Plover Cove (Extension)	630	1/6/1979
18	石澳 Shek O	701	修定於/Revised on 22/10/1993
19	薄扶林 Pok Fu Lam	270	21/9/1979
20	大潭(鯉魚涌擴建部分) Tai Tam (Quarry Bay Extension)	270	21/9/1979
21	清水灣 Clear Water Bay	615	28/9/1979
22	西貢西(灣仔擴建部分) Sai Kung West (Wan Tsai Ext.)	123	14/6/1996
23	龍虎山 Lung Fu Shan	47	18/12/1998
24	北大嶼(擴建部分) Lantau North (Extension)	2360	7/11/2008
總面積 Total Area		43467	

香港現已劃定的特別地區(位於郊野公園外) Designated Special Area in Hong Kong (Outside Country Park)			
編號 No.	地點 Location	面積(公頃) Area (ha)	指定日期 Date of Designation
1	大埔滘自然護理區 Tai Po Kau Nature Reserve	460	13/5/1977
2	東龍洲炮台 Tung Lung Fort	3	22/6/1979
3	蕉坑 Tsiu Hang	24	18/12/1987
4	馬屎洲 Ma Shi Chau	61	9/4/1999
5	荔枝窩 Lai Chi Wo	1	15/3/2005
6	香港濕地公園 Hong Kong Wetland Park	61	1/10/2005
7	印洲塘 Double Haven	0.8	1/1/2011
8	果洲群島 Ninepin Group	53.1	1/1/2011
9	鯉缸群島 Ung Kong Group	176.8	1/1/2011
10	橋咀洲 Sharp Island	0.06	1/1/2011
11	糧船灣 High Island	3.9	1/1/2011
總面積 Total Area		845	



發展郊野公園的預計程序

Anticipated Procedures for Developing Country Parks

附件B Annex B

前期研究
Preliminary Studies

就郊野公園土地範圍內發展的環境研究
(包括生態評估)
Environmental Study (including Ecological Assessment)
for development within Country Park Area
(約 about 1.5 年 years)

規劃及工程研究
Planning & Engineering Study
(約 about 5 – 6 年 years)

詳細設計研究
Detailed Design Study
(約 about 3-4 年 years)

地盤平整工程
Site Formation Works
(約 about 2-3 年 years)

樓宇建設及基礎設施建設
Building Construction and
Infrastructure Works
(約 about 3-4 年 years)

多個階段的公眾參與
Multiple Stages of
Public Engagement

環境影響評估、郊野公園及城市
規劃的法定程序
Statutory Procedures related to
Environmental Impact
Assessment, Country Parks and
Town Planning
(約 about 2 - 3 年 years)

道路刊憲
Road Gazettal
(約 about 1 年 year)

批出土地
Land Disposal

規劃階段
Planning Stage
約 about 6-7 年
years

落實階段
Implementation
Stage
每期需時約9至11年
about 9-11 years
for each phase

完成首期工程
需時約15至
18年

About 15-18
years for
completion
of the first
phase