

**Country and Marine Parks Board (CMPB)**  
**Confirmed Minutes of the 65<sup>th</sup> Meeting**

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Date : 24 November 2017 (Friday) File Ref.: AF CPA 01/1/0  
Time : 2:30 p.m.  
Venue : Room 701, Agriculture, Fisheries and Conservation Department (AFCD)  
Headquarters

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**PRESENT**

**Chairman**

Mr TANG King-shing, GBS, PDSM

**Members**

Mr Jan CHAN

Mr CHAN Ka-kui, SBS, JP

Ms CHAN Po-kam, Beatrice

Dr LAU Tai-wai, David

Dr LEE Nam-yuk, Amelia

Mr LEE Yee-keung, Charles

Professor LEUNG Mei-yee, Kenneth

Ms MA Miu-wah, Katherine

Dr MAN Chi-sum, JP

Mr MO Ka-hung, Joseph

Professor NG Sai-leung

Mr SO Kwok-yin, Ken

Ms WONG Pik-yan, Nicole

Dr LEUNG Siu-fai, JP

Director of Agriculture, Fisheries and Conservation

Dr SO Ping-man, JP	Deputy Director of Agriculture, Fisheries and Conservation
Dr CHUI Ho-kwong, Samuel	Assistant Director (Nature Conservation & Infrastructure Planning), Environmental Protection Department (EPD)
Mr Alan LO	Assistant Director of Lands (Specialist 2), Lands Department
Mr LAI Chi-tung	Assistant Director of Marine (Port Control), Marine Department
Mr Wilson CHAN	Assistant Director of Planning (New Territories), Planning Department

Secretary

Miss Phyllis CHAN	Assistant Secretary (Boards)1, AFCD
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**IN ATTENDANCE**

Agriculture, Fisheries and Conservation Department

Mr Patrick LAI	Assistant Director (Country and Marine Parks)
Mr Alan CHAN	Senior Marine Parks Officer
Mr Franco NG	Senior Country Parks Officer (South-east)
Ms Y N NGAR	Senior Country Parks Officer (North-west)
Mr Alfred WONG	Senior Country Parks Officer (Ranger Services)
Dr James LUK	Country Parks Officer (Special Duties)
Dr Y M MAK	Marine Parks Officer (West)
Ms LI Hiu-yan	Marine Parks Officer (Development 1)

Leisure and Cultural Services Department (LCSD)

Ms TAM Lok-yi, Tammy	Senior Leisure Manager (Camps)
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Water Supplies Department (WSD)

Ms Fairy WANG

Engineer (Planning Policy 2)

For Agenda Item VI only

Hong Kong Housing Society

Mr WONG Kit-loong

Chief Executive Officer and Executive Director

Mr Daniel LAU

Director (Development and Marketing)

Mr Eric YEUNG

Assistant Director (Development and Marketing)

For Agenda Item VII only

EPD

Ms Joanne YUNG

Senior Environmental Protection Officer

Ms Esther HUI

Environmental Protection Officer

Environmental Resources Management – Hong Kong, Limited (ERM)

Dr Jasmine NG

Partner

Mr Jovy TAM

Principal Consultant

Ms Christine YEUNG

Assistant Consultant

**ABSENT WITH APOLOGIES**

Ms Suzanne M. GENDRON

Dr HE Shen-jing

Honourable HO Chun-yin, Steven, BBS

Ms KIU Kin-yan, Judy

Mr LAM Chung-lun, Billy, GBS, JP

Mr LEE Chung-ming, Eric

Ms SO Ka-man

Ms Eugenia CHUNG, JP

Assistant Director of Home Affairs (2), Home Affairs Department

Ms Rebecca LOU

Assistant Director of Leisure and Cultural Services (Leisure Services)<sup>3</sup>, LCSD

Mr CHAU Sai-wai

Assistant Director of Water Supplies (Development), WSD

*(The meeting began with the closed-door session in which public attendance was not allowed.)*

**OPENING REMARKS BY THE CHAIRMAN**

191/17 The Chairman welcomed everyone to the meeting.

192/17 The Chairman informed members that, as an established practice and to facilitate the taking of minutes, sound recording would be made during the meeting. The audio records would be destroyed after the minutes were confirmed.

**AGENDA ITEMS**

**I. Closed-door Session**

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(Mr CHAN Ka-kui, SBS, JP attended the meeting at this juncture.)

*(End of the discussion under the closed-door session. The meeting was opened for public attendance.)*

#### OPENING REMARKS BY THE COUNTRY AND MARINE PARKS AUTHORITY

195/17 Dr LEUNG Siu-fai, JP, the Country and Marine Parks Authority (the Authority), gave an opening remark to welcome the Chairman and members for serving the Board in the new term. He also thanked five retired members, namely Professor CHIU Lai-har, Rebecca, MH, JP, Mr CHOW Kwok-keung, Dr HAU Chi-hang, Ms KWAN Sau-wan and Dr NG Cho-nam, SBS, JP for their contributions to the Board in the past years.

#### INTRODUCTION OF MEMBERS BY THE CHAIRMAN

196/17 The Chairman introduced the following five non-official members who newly joined the Board with effect from 1 September 2017:

Dr HE Shen-jing

Dr LEE Nam-yuk, Amelia

Mr LEE Yee-keung, Charles

Professor NG Sai-leung

Mr SO Kwok-yin, Ken

197/17 The Chairman then introduced himself and all attending members and government representatives.

#### AGENDA ITEMS

##### **II. Confirmation of Minutes of the Last Meeting held on 15 August 2017**

198/17 The minutes of the last meeting held on 15 August 2017 were confirmed without amendments.

##### **III. Guidelines on Declaration of Interests**

199/17 The Chairman drew members' attention to the "Guidelines on Declaration of

Interests” and advised them to disclose any direct personal or pecuniary interest in any matter under consideration by the Board prior to the discussion of the item. Declaration of interests could be made verbally during a Board meeting or in writing to the Chairman or the Secretary before the meeting.

#### **IV. Formation of Committees of the Board and Election of Committee Chairmen**

200/17 Mr Patrick LAI briefed members on the formation of the Country Parks Committee and the Marine Parks Committee under the Board for the current term in accordance with Section 5(7) of the Country Parks Ordinance (CPO).

201/17 Members elected the Committee Chairmen as follows:-

<u>Committee</u>	<u>Chairman</u>
Country Parks Committee	Professor NG Sai-leung
Marine Parks Committee	Professor LEUNG Mei-yee, Kenneth

202/17 The membership lists of the Country Parks Committee and the Marine Parks Committee are at Annex I and II respectively.

#### **V. Matters Arising from the Last Meeting**

(a) Draft Replacement Maps of Plover Cove Country Park and Lantau South Country Park (Para. 97/17)

203/17 Dr James LUK of AFCD reported that in accordance with section 13(4) of CPO, the approved replacement maps of Plover Cove Country Park (PCCP) and Lantau South Country Park (LSCP) to incorporate the country park enclaves at Fan Kei Tok, Sai Lau Kong and the site near Nam Shan into the respective country parks were deposited in the Land Registry and the deposit of maps was notified in the Gazette on 19 May 2017. On 27 June 2017, the Chief Executive (the CE) ordered that the Country Parks (Designation) (Consolidation) (Amendment) Order 2017 (the Order) should be made under section 14 of CPO to replace the original approved maps in respect of PCCP and LSCP with the new approved maps. The Order

was then notified in the Gazette on 7 July 2017 and tabled at the Legislative Council for negative vetting on 12 July 2017. The discussion in the House Committee of the Legislative Council pertaining to the Order was completed on 27 October 2017. The Order would come into effect on 1 December 2017.

(b) Preparation of Draft Map of the Proposed Southwest Lantau Marine Park (Para. 98/17)

204/17 Mr Alan CHAN of AFCD reported that in accordance with section 8(1) of the Marine Parks Ordinance (MPO), the Authority published a notice in the Gazette on 23 June 2017, notifying the public that the draft map of the proposed Southwest Lantau Marine Park (SWLMP) and the related explanatory statement were available for public inspection for a period of 60 days from the date of notice publication. Within the 60-day period (i.e. from 23 June to 21 August 2017), the Authority received two written objections to the draft map of SWLMP. After CMPB had heard and deliberated the two objections on 20 October 2017, the Secretary notified the objectors of the Board's decision in writing on 15 November 2017. In accordance with section 13 of MPO, the Authority would then submit the draft map together with a schedule of objections and representations made under section 12 of MPO to the Chief Executive in Council (CE in C) for approval.

(c) Country Parks 40<sup>th</sup> Anniversary Celebration Programme (Para. 99/17 to 100/17)

205/17 Mr Alfred WONG of AFCD briefed members on the events from September to December 2017 to celebrate the 40<sup>th</sup> anniversary of the establishment of country parks (CP40). The events included Nature's Secret Talk, Excursion with Experts, "Joy" Us Hiking, Tree Climbing Championship cum "Trees Are Good" Fun Day, Trail Maintenance Workshop, Go Green Family Camping and Tai Tong Fun Carnival. He remarked that two guided tours which were held under the "Excursion with Experts" in September and October for people with disabilities received positive feedback.

206/17 Mr WONG continued to report that the "Country Parks 40<sup>th</sup> Anniversary" Roving Exhibitions were continued to be organised in shopping malls during the period. To promote the country parks, AFCD had also produced a series of "In the Country Parks" short videos which were uploaded onto the CP40 thematic website and social media.

**VI. Briefing by the Hong Kong Housing Society on Their Feasibility Studies on the Potential of Housing Development on the Periphery of Country Parks**

207/17 The Chairman informed members that further to the discussion in the last CMPB meeting on 15 August 2017, the Hong Kong Housing Society (HKHS) was invited to attend this Board meeting to brief members on their feasibility studies on the potential of housing development on the periphery of country parks (the Studies). He reminded members to declare if there were any potential conflicts of interest in the matter to be discussed under this agenda item.

208/17 Mr CHAN Ka-kui, SBS, JP declared that he was a member of HKHS. After consulting other members, the Chairman ruled that Mr CHAN could stay on in the meeting to listen to the briefing by HKHS. The Chairman then invited and welcomed the representatives of HKHS to the meeting.

209/17 Mr WONG Kit-loong introduced the background and objective of the Studies as well as the proposed study areas. The two proposed study areas included an area at the western side of the toll plaza of the Tai Lam Tunnel in Yuen Long that was on the periphery of the Tai Lam Country Park (TLCP) (hereinafter referred to as Tai Lam Area) and an area at the south-eastern side of Shui Chuen O Estate in Shatin that was on periphery of the Ma On Shan Country Park (MOSCP) (hereinafter referred to as Shui Chuen O Area). He stressed that the Studies would be carried out by an independent consultant without any presumption of housing development at the two proposed study areas.

210/17 Mr Daniel LAU briefed members on the details and timetable of implementation. He said that it was targeted to award the consultancy contract in January 2018. For the selection and appointment of consultant, twelve scholars from eight local universities were appointed as external advisors to advise on ecological matters during the consultant selection process, set scope of studies, and set the marking scheme for and assess the pre-qualification and tender proposals. The Studies would be divided into two stages, namely baseline study and detailed study. It would proceed to the stage of detailed study only when development was considered feasible after conducting both the ecological survey and land-use review in the baseline study. Then, based on the outcomes of the baseline study, a draft development scheme would be formulated and an Environmental Impact Assessment (EIA) study would be conducted in the detailed study stage. At last, HKHS would submit the finalised feasibility study report to the Government for consideration on the way forward. He remarked that public engagement would be an integral part throughout the baseline and detailed studies.



211/17 In response to a member's enquiry on the scope of study, Mr Eric YEUNG indicated that the scope of the baseline ecological study would be set with reference to the Technical Memorandum on Environmental Impact Assessment which set out the important elements of an ecological assessment.

212/17 Noting that HKHS would start the tendering exercise for the appointment of consultant shortly, a member questioned whether the comments of CMPB given in this meeting could be incorporated into the tender document. Besides, he queried the reasons for choosing the two study areas rather than other possible alternatives. In his opinion, HKHS's explanation that the study areas were selected in consideration of the accessibility, availability of basic infrastructure and presence of existing/ planned developments in the vicinity was inadequate to justify that. He expected that there would be public consultations before the commencement of the Studies to explain to the public the reasons for selecting the two study areas and whether there were any other alternatives available. Furthermore, the member expressed serious doubt whether the EIA study to be conducted in the detailed study stage could meet the EIA requirement of recommending effective and practicable alternatives. He considered that it would be a waste of resources to conduct the baseline study if it was obviously impossible to meet that EIA requirement in the subsequent detailed study. In response, Mr WONG Kit-loong emphasised that the Studies were pilot studies and there was no presumption of housing development at the two study areas. Regarding the tendering exercise for the appointment of consultant, he said that HKHS had consulted the twelve scholars on the tender document. Later, the twelve scholars would also examine whether the study methodology and proposal submitted by tenderers were appropriate and up to standard. Should CMPB had any comment on the tender document, HKHS would consider postponing the tendering exercise to address the comments.

213/17 A member suggested that HKHS could consider approaching AFCD for the relevant data available to shorten the time required for the baseline study. Besides, he expected that HKHS would regularly report to CMPB on the progress and findings of the Studies. Mr Daniel LAU replied that they welcomed the provision of relevant data for the reference of their consultant and believed it would be helpful to the baseline study. Yet, they understood from the twelve scholars that field studies would still be necessary for the baseline study, notwithstanding the data available. The time required for the baseline study would be more accurately estimated after a consultant was commissioned for carrying out the Studies. As regards the member's interest in the findings of the Studies, Mr LAU said that the finalised

feasibility study report would be made available to CMPB and the public during the public engagement process.

214/17 A member suggested HKHS to make good use of the expertise of the twelve scholars by also involving them in monitoring the study process, instead of only engaging them in the tender preparation and consultant selection process. Besides, he suggested HKHS to make open to the public a map showing the two proposed study areas, so that volunteer groups and environmentalists who had monitoring programmes on wild flora and fauna in the areas concerned would be able to share their data with HKHS. The member also expected that HKHS would reveal the background information of the twelve scholars and report to CMPB on the Studies regularly.

215/17 In response to the member's request for the background information of the twelve scholars, Mr Eric YEUNG indicated that they were from eight local universities. Eight of them had their academic fields in environmental science, natural science and geography, three of them in urban planning and real estate, and one in social science. Mr WONG Kit-loong displayed two location plans showing the identified area within TLCP and MOSCP respectively. He explained that the two identified areas were only the approximate areas and were larger than the required study area of 20 hectares. In marking out the two identified areas, they had avoided hiking trails and drainage channels as far as possible to minimise the potential hindrances to the Studies. The consultant of the Studies would have to appraise the identified areas and identify a site of around 20 hectares within each of them that was suitable for study. Mr Daniel LAU supplemented that the sites to be identified ultimately for the Studies should be around 20 hectares, but they had marked out identified areas of sizes larger than 20 hectares for the preliminary assessment by consultant because they were advised by their external advisors that it was important to look at the bigger picture to evaluate the impacts of housing development on the surrounding environment. As regards the member's suggestion of involving the twelve scholars in monitoring the study process, Mr LAU said that their role at the moment would mainly be providing expert advice on the selection and appointment of consultant and their participation in further work would need to be discussed with the scholars later.

216/17 A member raised the following questions: (1) what were the reasons for choosing the two study areas and whether there were alternatives available; (2) who were the twelve scholars; (3) could CMPB have a more active participation in the Studies rather than passively waiting for information from HKHS during the public engagement process; and (4) could

HKHS provide more information on the tender document so that CMPB members could better comment on it. Mr WONG Kit-loong replied to the first question that the two study areas were selected by the Government and HKHS together, and they were selected primarily because there were public transport facilities, basic infrastructure and existing/ planned housing developments in their vicinity. In response to the second question, he said that they had to seek the consent of the twelve scholars before disclosing their identity. In reply to the final question, Mr WONG said that they would provide more information on the tender document for the reference of CMPB members.

217/17 The member disagreed with the three reasons for selecting the two study areas. He opined that they were not the factors that should be considered in the selection of study areas.

218/17 Since the environmental impacts of different development projects varied, a member asked if HKHS had a potential development scheme or a few potential development schemes ready for conducting the EIA during the detailed study stage. In addition, he pointed out that should there be any concrete development project in the study areas in the future, the project proponent would have to carry out EIA. This implied that the EIA conducted by HKHS for the Studies might be a duplicated effort. Moreover, the member requested for more details of the public consultation, including what would be consulted.

(Mr Jan CHAN left the meeting at this juncture.)

219/17 Mr Eric YEUNG reiterated that HKHS had no predetermined position on this issue and there was no presumption of housing development in the two study areas. Although it was not a statutory requirement to have EIA in the Studies, they would require the detailed study to meet the EIA standards. If there was a housing development project in the areas concerned in the future, the development project would have to go through various statutory procedures and requirements, such as CPO, Environmental Impact Assessment Ordinance (EIAO) and Town Planning Ordinance (TPO). Concerning public engagement, he said that tenderers would be required to provide a public engagement strategy and plan with implementation details covering the whole study period. The public engagement strategy and plan which would be evaluated by HKHS and external advisors together would be one of the areas to be assessed under the tender proposal.

220/17 Mr WONG Kit-loong answered a member's enquiry that HKHS mainly

communicated with the Development Bureau and the Environment Bureau in the process of selecting study areas.

221/17 The member wondered how to carry out EIA without any actual or potential development scheme in the detailed study stage. Besides, he questioned why there was no public consultation in the selection of study areas when HKHS emphasised the importance of public engagement. Given there was no public consensus on studying the development potential of Tai Lam Area and Shui Chuen O Area in the first place, he questioned the purpose and meaning of the public consultation to be carried out during the study period. Furthermore, considering that it was important to ensure the study results were impartial and scientific, the member asked if the final study report would be reviewed by experts, including CMPB and AFCD, before it was submitted to the Government.

222/17 In response, Mr WONG Kit-loong expressed that HKHS understood there were different views in the community about developing the periphery of country parks for housing purpose. For this reason, it was the aim of the Studies to provide an objective and professional analysis for rational deliberation by the community on whether to develop those areas located on the periphery of country parks that had housing development potentials but low ecological values. He emphasised that the finalised study report would not decide on the way forward but provide a reference for consideration by the community. Also, even if there was a housing development proposal on the periphery of country parks, it would certainly need to complete various procedures to realise the development project. Regarding the member's concern on the impartiality of the study results, Mr WONG strongly believed that the consultant that would be chosen prudently by HKHS and their external advisors would conduct the Studies in a professional manner. In addition, consultations with the public and relevant organisations would be required during the study process. Therefore, he trusted that the study report would provide a comprehensive and unbiased analysis.

223/17 Mr Daniel LAU supplemented that public engagement would be carried out in the baseline study stage, but a precise timetable for public engagement would be subject to discussion with the consultant. He assured that public engagement would not only appear till the end of the Studies.

224/17 A member commented that study results could be heavily influenced by the survey efforts. He advised HKHS to input as much survey effort as possible, rather than merely

targeted at meeting the requirements of EIA. It would result in more convincing study results and thus the public's confidence in the study report. He also welcomed HKHS to provide CMPB with the tender document so that they could provide more advice.

225/17 Another member found the information provided by HKHS in this meeting quite confusing and expected them to provide written documents for members to provide comments or suggestions.

226/17 A member challenged the claim of HKHS that they had no predetermined position on the issue. He particularly disagreed with their assertion, without the support of any baseline study, that the ecological values of the two study areas on the periphery of country parks were low. He said that such assertion was contrary to the research findings of Green Power in the areas concerned. Again, he requested HKHS to clarify if they had any potential development scheme ready for the consultant to carry out EIA in the detailed study.

227/17 In response to the member's comment, Mr Daniel LAU first reiterated that there was no presumption of housing development in the two study areas and then explained the study stages in details. The Studies covering the two study areas would be carried out in two stages, namely baseline study and detailed study. For each study area, an ecological survey and a land-use review would be carried out concurrently during the baseline study stage. When both the ecological survey and land-use review showed no insurmountable problem for developing the area, a potential development scheme would be formed based on the findings of the baseline study. The Studies would then proceed to the stage of detailed study, during which an EIA study would be carried out based on the potential development scheme. Mr WONG Kit-loong also clarified that they did not have any potential development scheme or development idea in their mind. In fact, the shortage of land for housing was a pressing issue in Hong Kong. HKHS had all along been exploring options to relieve the shortage and would be delighted to carry out studies that could help explore lands with housing development potentials. In the past five years, they had conducted almost twenty feasibility studies similar to the one under discussion. He emphasised that HKHS basically intended to provide an objective and professional analysis for a rational deliberation by the community. He wished that members could have an open-minded attitude towards the Studies.

228/17 Noticing that the two study areas were described by HKHS repeatedly as areas with low ecological values, a member worried that this message, which had not been scientifically

verified, would prejudice the public against the two areas. He was of the view that even if the two areas had a relatively low ecological value compared to other places, they must have their function and value as parts of the country parks, for example to serve as buffer zones to protect core areas. He reminded HKHS to present to the public a balanced account of the various values and functions of the two areas and ensure the public consultations were carried out with due impartiality.

229/17 Regarding the member's enquiry about the role of CMPB in the Studies, Mr WONG Kit-loong responded that CMPB would certainly be one of the organisations to be consulted in the course of the Studies. He also said that HKHS noted members' comments in this meeting and would keep in contact with CMPB in the future. The Chairman reminded HKHS that CMPB was a statutory body to advise the Authority on any matters in respect of country and marine parks and it should be consulted on development proposals relating to these parks.

230/17 A member made the following recommendations:-

- (1) The Studies should not only assess the ecological value of the two study areas but also review their functions and significance as parts of the country parks;
- (2) The twelve scholars should not only be involved in the tender preparation and consultant selection process but also throughout the Studies to monitor and advise on the whole study process;
- (3) The Studies should set clear criteria for proceeding to the stage of detailed study; and
- (4) Public consultations of the Studies should be started as soon as possible.

Apart from the above recommendations, he also wished that CMPB could be actively involved in the Studies, such as reviewing tenders and meeting with the consultant.

231/17 Another member made the following recommendations:-

- (1) It would be better to classify the "EIA" to be conducted in the detailed study as a rigorous scientific study instead of an EIA that was commonly known for assessing the environmental impact of a development scheme;
- (2) HKHS should allocate sufficient survey efforts and set aside resources for re-surveying a place in case irregularities were found;
- (3) Since it was important to assess the impact of housing development on the

environment of both the development site and the surrounding areas, the study areas should be extended appropriately;

- (4) The Studies should also assess the impact on the endangered or rare species found within the study areas; and
- (5) There should be an external review or validation on the final study report before it was submitted to the Government.

232/17 As members made no further enquiry, the Chairman thanked the representatives of HKHS for attending the meeting and asked them to take note of members' concerns over the Studies.

(The representatives of HKHS left the meeting at this juncture.)

233/17 The Chairman reminded members that the Board should be careful about its involvement in the Studies. If the Board had overly participated in the Studies from the beginning, it might undermine its role in commenting on the findings of the Studies at a later stage. He invited members' view on how to follow up the issue.

234/17 Dr LEUNG Siu-fai, JP answered a member's enquiry that HKHS had not approached AFCDD for advice on the selection of study areas. He said that the Department would not participate in studies that were concerned with developments in country parks but it might provide comments upon request. He assured that the policy of AFCDD towards country parks according to statutory provision remained unchanged, and it would continue to look for suitable places for incorporation into or designation as country parks. Also, all applications for development within country parks would be handled in accordance with established practices and procedures.

235/17 A member would like to know if there was any preceding case of excising an area from the country parks, and if positive, under what circumstances did it happen. Dr LEUNG indicated that there were such preceding cases and explained that in accordance with the Technical Memorandum on Environmental Impact Assessment, any project that was likely to result in adverse ecological impacts in areas of ecological importance shall not normally be permitted unless the project was necessary; it had been proven that no other practical and reasonable alternatives were available, and, adequate on-site and/or off-site mitigation

measures were to be employed. Mr Patrick LAI said that the toll plaza of Route 3 Country Park Section (Route 3 CPS) was a preceding case. Route 3 CPS was a toll road that started from Ting Kau, travelling under the Tai Lam Country Park (TLCP) to Yuen Long. Before the construction of Route 3 CPS, an EIA was carried out to assess the environmental impacts of the project. The EIA report indicated that the site for the associated toll plaza would unavoidably encroach into TLCP. After that, the area concerned was excised from the country park according to the statutory procedure under CPO and a piece of woodland of similar size nearby was incorporated into the country park to compensate for the loss. He added that certain development projects that were considered compatible with the environment of country parks, such as the building of pylons, would normally be considered without the need to excise the sites from country parks.

236/17 Concerning the approach to follow up the issue, a member shared the Chairman's view that an excessive involvement in the Studies might undermine the position of the Board in assessing the final study report later. He suggested that HKHS could be invited to attend the Board's meeting more frequently to update members on the Studies and listen to members' comments. He reiterated his greatest concern that if biased information were presented to the public during the public consultations, there would possibly be a tendency for the public to support housing development within country parks.

237/17 Another member worried that with the disclosure of the two study areas, volunteer groups and environmentalists would possibly conduct ecological surveys in the related areas. If there was a high discrepancy between the findings of the Studies and those from the volunteer groups and environmentalists, it would arouse adverse criticisms in the community, just as in the case of Lung Mei. For this reason, he advocated that the Studies should be conducted in a professional manner to ensure the credibility of the study results.

238/17 A member suggested writing to HKHS to request for the scope of study and to state the key comments of members given in this meeting. He also suggested inviting the consultant of the Studies to attend the Board's meeting for a discussion.

239/17 A member commented that the shortage of land for housing should be tackled from a wider perspective. In view of the fact that there were many vacant lands in Hong Kong, the Government should make a list of all these lands and set priorities for development.



240/17 A member opined that the title of this Agenda item should be refined as “Briefing by the Hong Kong Housing Society on Their Feasibility Studies on the Potential of Housing Development of Two Sites on the Periphery of Country Parks”.

241/17 After the discussion, the Chairman concluded that members generally would like to provide comments to HKHS in this preliminary stage and expected regular communications with them so as to be kept informed on the progress of the Studies. He advised that the Secretary would write to HKHS to express the key concerns of members on the Studies.

[Post-meeting note 1: In response to members’ request for tender document, HKHS provided the Scope of Services to be included in their tender invitation for consultancy services for the Studies for CMPB members’ reference on 4 December 2017.]

[Post-meeting note 2: A letter stating the comments and suggestions of CMPB members given in this meeting was sent to HKHS on 11 December 2017. With regard to the Scope of Services, HKHS was advised by email on 18 December 2017 that the key concerns of CMPB members had been expressed in the meeting and also contained in the letter dated 11 December 2017.]

**VII. Detailed Design and Progress of the Marine Park Development in South Lantau Waters - Soko Islands Marine Park & Compensatory Marine Park for the Integrated Waste Management Facilities Phase I (Working Paper: WP/CMPB/12/2017)**

242/17 The Chairman reminded members to declare if there were any potential conflicts of interest in the matters to be discussed under this agenda item. No member made such declaration. The Chairman then invited and welcomed the representatives of EPD and their consultants from ERM to the meeting.

243/17 Mr Alan CHAN of AFCD briefed members on the detailed design and progress on the development of the proposed Soko Islands Marine Park (SIMP) and compensatory marine park for the Integrated Waste Management Facilities Phase 1 (IWMP Marine Park) in South Lantau waters (Working Paper WP/CMPB/12/2017). He informed members that in view of the latest development, EPD had revised the background map showing the existing, planned and potential marine facilities and development projects in South Lantau waters (i.e. Figure 6) in the Working Paper to remove the spa and resort facilities. The revised Working Paper had been sent to members before this meeting.

244/17 Mr CHAN highlighted two major updates in relation to the proposed SIMP and IWMF Marine Park. First of all, taking into account the stakeholders' comments and without compromising the protection of important habitats of Chinese White Dolphins (CWD) and Finless Porpoises (FP), some of the inner bays of Tai A Chau and Siu A Chau were proposed to be excluded from the originally proposed boundary of SIMP. Secondly, in view of the proximity of the proposed SIMP and IWMF Marine Park, it was proposed to combine them into one single marine park of approximately 2,067 hectares, to be named as the South Lantau Marine Park (SLMP). He said that subject to the views and comments of CMPB members, the Authority would seek the direction of the Chief Executive in Council to prepare a draft map of the proposed SLMP in accordance with Section 7(1) of the MPO and it was aimed to complete the statutory designation procedures by 2019. He welcomed members' comments and appealed for their support on the SLMP proposal.

245/17 On the invitation of the Chairman, Dr Jasmine NG of ERM provided a detailed presentation on the results of stakeholder consultations conducted for the proposed SIMP and IWMF Marine Park, the detailed design, and the proposed management plan and fisheries enhancement measures.

246/17 A member enquired if AFCD set any conservation objectives and targets related to CWD, FP and fisheries resources in formulating the proposed management plan. Since excluding the inner bay of Siu A Chau from the core area might pose challenges to the operations against illegal fishing there, she asked if AFCD would consider revising the boundary again to include it back, and if not, what would be the measures to protect the aggregated fisheries resources in the core area. Moreover, she asked whether the project team would consider releasing fish fry/ fingerlings that were the primary food of CWD and FP so as to better achieve the objective of conserving these marine mammals.

247/17 Mr Alan CHAN replied to the first question that the proposed management plan for the proposed SLMP would include long-term ecological and water quality monitoring. These would provide useful data for assessing the effectiveness of the proposed marine park in conserving CWD, FP, marine habitats and fisheries resources, and for formulating appropriate management measures. In addition, a specific and continuous monitoring plan for proposed marine park is planned to be formulated under the Hong Kong Biodiversity Strategy and Action Plan (BSAP). The relevant details would be put forward for comment and discussion in the meetings of Marine Parks Committee (MPC) and/or CMPB when appropriate. In response to

the second question, he said that it was proposed to exclude some shallow inner bays of Siu A Chau in response to the grave concerns of local villagers and the fact that the shallow inner bays were not the important habitats of dolphins. He indicated that two key measures would be in place to protect the aggregated fisheries resources in the core area. Firstly, poles and appropriate signs would be erected near the coast to demarcate the core area of the proposed SLMP. Marine users should be familiar with this demarcation method as it was also used in some of the existing marine parks and they should be aware that no fishing activities were allowed in that area. Secondly, after the designation of the proposed marine park, there would be an additional patrol vessel and patrol team to conduct day and night patrol, law enforcement and monitoring in the proposed marine park.

248/17 Dr Jasmine NG replied to the final question that the purpose of the proposed release of fish fry / fingerlings was not to increase the prey items of marine mammals but to enhance the overall fisheries resources in the proposed SLMP. In addition, since fish species that were the food of CWD and FP were mostly migratory, releasing the fish fry of these fish species might not effectively increase the abundance of these fish species in the proposed marine park. Moreover, she highlighted that after the designation of the proposed marine park, there would be a vessel speed restriction and other management measures to help protect the important habitats of CWD and FP.

(Mr CHAN Ka-kui, SBS, JP left the meeting at this juncture.)

249/17 A member enquired if there were any villagers regularly residing in Soko Islands and if there would be any public consultation on the SLMP proposal. Dr Y M MAK answered that there was no villager regularly residing in Soko Islands. However, there were recognised villages, and the villagers of Soko Islands requested the exclusion of the coastline of Tai A Chau and Siu A Chau from the proposed marine park to avoid possible impact on the future village rehabilitation and development. In response to the enquiry about public consultation, he said that subject to the views and comments of CMPB members on the SLMP proposal, the Authority would seek the direction of the CE in C to prepare a draft map of the proposed SLMP. The draft map would be prepared in consultation with CMPB and then made available for public inspection for a period of 60 days from the date of notice publication in the Gazette. Any person aggrieved by the draft map might within the period of 60 days send to the Authority a written statement of his objection to the draft map.

250/17 In reply to a member's enquiry about the recreational function of marine parks, Mr Alan CHAN indicated that marine parks were designated for the purposes of conservation, education and recreation. Coral watching activities and snorkeling were some of the examples of recreational activities that could be found in the marine parks in the Eastern waters while dolphins watching activities were mostly found in the marine parks in the Western waters. To protect the marine environment and ecology, all the recreational activities were subject to the control under the Marine Parks and Marine Reserves Regulation. For example, there was vessel speed limit inside marine parks and any activities that would pollute the water were prohibited. He added that in fact, the proposal of excluding some of the inner bays of Tai A Chau and Siu A Chau from the proposed marine park would not only address the concerns of the villagers of Soko Islands but also responded to the recreational fishers' request for recreational fishing along the coastal areas.

251/17 A member advised that AFCD had to closely monitor the recreational fishing activities in the inner bays of Tai A Chau and Siu A Chau that were proposed to be excluded from the proposed marine park, otherwise the sustainability of fisheries resources might be affected. Regarding the fisheries enhancement measures, he welcomed the proposal of releasing fish fry / fingerlings of some native species, but suggested the consultants to carefully consider the amount of orange-spotted grouper to be released because it was a top predator.

252/17 A member enquired about the relevance of potential village development in Soko Islands to the proposed exclusion of the inner bays. In response, Dr Y M MAK indicated that the villagers of Soko Islands worried about the potential restriction on future village development if the inner bays were included in the proposed marine park. Mr Alan CHAN supplemented that the villagers of Soko Islands and the Islands District Council (Islands DC) expressed concern on the restrictions on repairs and minor works in the inner bays if these areas were designated as parts of the marine park. He said that views of the relevant stakeholders, including the local communities, were carefully considered for every new marine park proposal. Using the case of the proposed SWLMP as an example, a water channel between the eastern boundary of the proposed SWLMP and the coastline from Kai Kung Shan to Fan Lau Kok would be maintained as a corridor for navigation, to address the concern of the local communities.

253/17 The member noticed that in both the SWLMP and SLMP proposals, the local villagers were concerned about the possible restriction on the discharge of effluent from village houses. However, he recalled that AFCD had explained before that the discharge of effluent

from village houses was currently subject to regulation, irrespective as to whether there was a marine park nearby. Dr LEUNG Siu-fai, JP responded that the member's understanding was correct and that villagers' concerns were taken into account in both the SWLMP proposal and the SLMP proposal under discussion. He clarified that the main concern of the villagers of Soko Islands was the restrictions on village development if the inner bays were designated as parts of the marine park. For instance, they would have to submit application for approval to carry out any development or minor works within the marine park, such as the construction of pier. Furthermore, he pointed out that proposals to designate new marine parks usually involved the interests of various stakeholders, for example fishermen, marine operators and local villagers. It was necessary to balance the concerns of the various stakeholders in order to successfully designate the new marine parks. In general, AFCD would consider addressing the concerns of stakeholders provided that they would not contravene the objective(s) of designating the marine park concerned.

254/17 A member shared a fish marking technique that could be used in the future to distinguish fishes that were released by the project team and hence to tell whether the fishes had utilised the artificial reefs deployed in the core area of the proposed SLMP. It was to put fishes from hatchery into waters at a slightly lower temperature for a few weeks to create dark bands on their ear bones for identification.

255/17 A member enquired if there were any regulations on dolphin watching activities to control the disturbance to the marine ecology. Mr Alan CHAN replied that operators of dolphin watching activities were encouraged to comply with the code of conduct proposed by AFCD. Besides, dolphins watching activities within marine parks were subject to the control under the Marine Parks and Marine Reserves Regulation, such as vessel speed limit, and there were regular patrols in marine parks to monitor the compliance of these regulations.

256/17 A member reflected that the problem of marine litter was quite serious in the waters around Soko Islands. She hoped that AFCD and other relevant government departments would examine measures to tackle the problem.

257/17 As members made no further enquiry, the Chairman thanked the representatives of EPD and their consultants for attending the meeting.

(The representatives of EPD and their consultants left the meeting at this juncture.)

(Dr MAN Chi-sum, JP and Mr SO Kwok-yin, Ken also left the meeting at this juncture.)

**VIII. Country and Marine Parks Authority Progress Report  
(Working Paper: WP/CMPB/13/2017)**

258/17 Mr Patrick LAI briefed members on the Country and Marine Parks Authority Progress Report for the period from 1 July to 30 September 2017 (Working Paper WP/CMPB/13/2017). Members noted the Report.

**IX. Any Other Business**

**(a) Annual Field Visit 2017**

259/17 Ms Y N NGAR of AFCD briefed members on the itinerary of the Annual Field Visit scheduled for 19 December 2017 (Tuesday) and the transport arrangement.

[Post-meeting note: The Annual Field Visit was conducted as scheduled.]

(Professor NG Sai-leung left the meeting at this juncture.)

260/17 After the briefing on the Annual Field Visit, members did not raise any other business for discussion.

**X. Date of Next Meeting**

261/17 The Chairman informed members that the Secretary would inform them of the date of the next meeting in due course.

262/17 The meeting adjourned at 5:55 p.m.

**Country Park Committee****Membership List**

(1.9.2017 to 31.8.2019)

**Chairman**

Professor NG Sai-leung

**Non-official members**

Mr. CHAN Ka-chun

Ms. CHAN Po-kam, Beatrice

Ms. Suzanne M. GENDRON

Honourable HO Chun-yin, Steven, BBS

Ms. KIU Kin-yan, Judy

Mr. LAM Chung-lun, Billy, GBS, JP

Dr. LAU Tai-wai, David

Mr. LEE Chung-ming, Eric

Dr. LEE Nam-yuk, Amelia

Mr. LEE Yee-keung, Charles

Professor LEUNG Mei-yee, Kenneth

Ms. MA Miu-wah, Katherine

Dr. MAN Chi-sum, JP

Mr. MO Ka-hung, Joseph

Mr. SO Kwok-yin, Ken

Mr. TANG King-shing, GBS, PDSM

**Official Members**

Deputy Director of Agriculture, Fisheries and Conservation or his alternate

Director of Environmental Protection or his alternate

Director of Home Affairs or his alternate

Director of Lands or his alternate

Director of Leisure and Cultural Services or his alternate

Director of Planning or his alternate

Director of Water Supplies or his alternate

**Co-opted members**

Mr. HO Kin-chuen, John

Mr. SHUM Si-ki

Mr. SO Ngai-hung, Samson

Mr. WONG Chi-chun, Dickson

Representative of Transport Department



**Marine Parks Committee****Membership List**

(1.9.2017 to 31.8.2019)

**Chairman**

Professor LEUNG Mei-yee, Kenneth

**Non-official members**

Mr. CHAN Ka-chun

Mr. CHAN Ka-kui, SBS, JP

Ms. Suzanne M. GENDRON

Dr. HE Shen-jing

Honourable HO Chun-yin, Steven, BBS

Mr. LEE Chung-ming, Eric

Dr. LEE Nam-yuk, Amelia

Mr. LEE Yee-keung, Charles

Dr. MAN Chi-sum, JP

Mr. MO Ka-hung, Joseph

Mr. TANG King-shing, GBS, PDSM

Ms. WONG Pik-yan, Nicole

**Official Members**

Deputy Director of Agriculture, Fisheries and Conservation or his alternate

Director of Environmental Protection or his alternate

Director of Home Affairs or his alternate

Director of Lands or his alternate

Director of Leisure and Cultural Services or his alternate

Director of Marine or his alternate

Director of Planning or his alternate

**Co-opted members**

Mr. CHEUNG Siu-keung, MH

Dr. QIU Jian-wen

Mr. WONG Lap-kei, Alex

Representative of Marine Police