

Country and Marine Parks Board (CMPB)
Confirmed Minutes of the 50th Meeting

Date : 13 June 2012 (Wednesday) File Ref.: AF CPA 01/1/0
Time : 2:30 p.m.
Venue : Room 701, Agriculture, Fisheries and Conservation Department (AFCD)
Headquarters

ATTENDANCE

Chairman

Prof Nora TAM Fung-ye, BBS, JP

Members

Dr Gary ADES

Professor Rebecca CHIU Lai-har, JP

Mr CHOW Kwok-keung

Prof CHU Lee-man

Dr Billy HAU Chi-hang

Ms Tennessy HUI Mei-sheung, JP

Mr LEUNG Wing-hang

Dr Eric LI Shing-foon

Ms LO Po-man

Dr NG Cho-nam, BBS, JP

Mr TANG King-shing, GBS, PDSM

Mr TIK Chi-yuen, BBS, JP

Mr Alan WONG Chi-kong, JP Director of Agriculture, Fisheries and Conservation

Dr LEUNG Siu-fai, JP Deputy Director of Agriculture, Fisheries and Conservation

Mr Wilson SO Ying-leung Assistant Director of Planning (New Territories)

Ms Rosanna TSE	Assistant Director of Lands (Estate Management) (Acting)
Mr Elvis AU Wai-kwong, JP	Assistant Director (Nature Conservation & Infrastructure Planning), Environmental Protection Department
Mr HUI, Eric Kwok Sun, JP	Assistant Director (2), Home Affairs Department
Mr Bobby NG Mang-tung, JP	Assistant Director / Development, Water Supplies Department

Secretary

Mr Patrick TSANG	Assistant Secretary (Boards)1, AFCD
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IN ATTENDANCE

Agriculture, Fisheries and Conservation Department (AFCD)

Mr Joseph SHAM	Assistant Director (Country and Marine Parks)
Mr LEUNG Chi-hong	Senior Country Parks Officer/North-west
Mr Franco NG	Senior Country Parks Officer/South-east (Acting)
Mr Edmond LAM	Senior Country Parks Officer/Ranger Services
Mr Alan CHAN Lai-koon	Senior Marine Parks Officer

Leisure and Cultural Services Department (LCSD)

Ms LOK Kit-ha	Chief Leisure Manager (New Territories East)
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For Agenda Item III only

Civil Engineering and Development Department (CEDD)

Mr LAM Shu Kai	Senior Engineer
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Mr HUNG Ka Kui Engineer

Mott MacDonald Hong Kong Limited (Mott)

Mr James KAM Associate

Mr Mike CHEUNG Principal Engineer

Ms Julia CHAN Senior Environmental Scientist

ABSENT WITH APOLOGIES

Ms Jasminia Kristine CHEUNG

Ms KWAN Sau-wan

Dr Young NG Chun-yeong, MH

Hon WONG Yung-kan, SBS, JP

Mr Donald CHOY Chi-mun Assistant Director of Leisure and Cultural Services
(Leisure Services)³

Mr CHUNG Siu-man Assistant Director / Port Control, Marine Department

OPENING REMARKS BY THE CHAIRMAN

54/12 The Chairman welcomed everyone to the meeting.

55/12 The Chairman informed members that, as an established practice, to facilitate the taking of meeting minutes, sound recording would be made during the meeting. The audio records would be destroyed after the meeting minutes were confirmed.

AGENDA ITEMS

I. Confirmation of Minutes of the Last Meeting held on 22 February 2012

56/12 The minutes of the last meeting held on 22 February 2012 were confirmed without amendments.

II. Matters Arising

(a) Progress Report on the Woodside Biodiversity Education Centre at the Woodside (Para. 7/12 to 21/12)

57/12 Mr Edmond LAM reported that the Woodside Biodiversity Education Centre (WBEC) was open to the public on 1 June 2012. The WBEC attracted slightly below 100 visitors in weekdays and between 300 and 500 visitors in weekends during the two-week trial run from 19 May 2012. There were about 900 visitors on 3 June 2012 (Sunday) after media coverage on the opening. The number of visitors subsequently levelled off to the figures of the trial run period.

58/12 Mr LAM went on to say that over 95% of the visitors who completed the survey questionnaires for feedback were satisfied with the WBEC as well as the exhibitions. They also indicated that they would visit the WBEC again and recommend it to their relatives and friends. In the first week of June, the WBEC had issued letters to local primary and secondary schools for enrolment of its education programmes and was receiving the applications.

59/12 Mr LAM replied to a member's enquiry that the WBEC had been implementing visitor flow control measures. It was observed that overcrowding did not occur in the WBEC because visitors came and left in a steady stream.

(b) Progress Report on Proposed Designation of the Country Park Enclave of Tai Long Sai Wan as Part of Sai Kung East Country Park (Para. 22/12 to 44/12)

60/12 Mr LEUNG Chi-hong reported that this item would be dealt with under Agenda Item IV. Members noted.

III. The Interface Issues on Construction of Cycle Track and the Associated Supporting Facilities from Tai Tung to Sai Kung Town with Country Park Areas (Working Paper: WP/CMPB/7/2012)

61/12 Mr LEUNG Chi-hong gave an introduction on Working Paper WP/CMPB/7/2012. He said that the Board had supported the CEDD's project – "Cycle Track Network in New Territories – Feasibility Study" in principle at a meeting in August 2005. However, the proposed Sai Kung Section of cycle track, which was the only section of the cycle track that would affect country parks, had not been ascertained at that time. At present CEDD would plan to commence the construction of the proposed Sai Kung Section from Tai Tung to Sai Kung

Town (hereafter referred to as “the Project”). As the Project was a designated project under Environmental Impact Assessment (EIA) Ordinance, CEDD had commenced the EIA study since March 2009 and had yet to submit the EIA study report to Environmental Protection Department (EPD).

62/12 The Chairman welcomed the following persons to attend the meeting:

Civil Engineering and Development Department

Mr LAM Shu Kai Senior Engineer

Mr HUNG Ka Kui Engineer

Mott MacDonald Hong Kong Limited

Mr James KAM Associate

Mr Mike CHEUNG Principal Engineer

Ms Julia CHAN Senior Environmental Scientist

63/12 Ms Julia CHAN briefed members on Working Paper WP/CMPB/7/2012, including project background and scope, tentative construction programme, summary of project area within country parks, summary of affected areas of country park, and assessment of impacts of country parks.

64/12 As regards the tentative construction programme, Ms Julia CHAN said that the investigation stage was nearly completed and the detailed design stage was expected to commence in early 2013. Construction of the Stage 1 cycle track between Sai Kung Town and O Tau was expected to commence by end 2014 for completion by end 2017. The Stage 2 construction for the section between O Tau and Tai Tung was under review subject to the alignment to be agreed with local villagers. Besides, the tree transplantation plan and compensatory tree planting plan would be submitted at the detailed design stage.

(Dr NG Cho-nam, BBS, JP attended the meeting at this juncture.)

65/12 Ms CHAN elaborated the refinements considered for avoidance of Sai Sha Road BBQ Area Site 7, Tai Mong Tsai BBQ Area Site 3 and Tai Mong Tsai BBQ Area Site 1.

(Ms LO Po-man attended the meeting at this juncture.)

66/12 Ms CHAN remarked that approximate seven numbers of barbeque (BBQ) or Picnic site area would be temporarily affected during construction phase. The temporary affected

areas would be reinstated upon completion of construction. The potential recreational impact of country parks was anticipated to be low because the proposed construction would be in phases and the area to be temporarily affected was small.

67/12 Ms CHAN went on to say that approximate three numbers of BBQ or Picnic site area would be permanently affected during operation phase, in which the loss of BBQ or Picnic site facilities of 47m² would be reprovided in the adjacent area of approximate 60m². The net loss of country park area was considered to be of low recreational impact, in view of the fact that (1) the lost areas were at the fringe of the BBQ sites, (2) the provision of resting stations with canopy shaded area (with benches) and bicycle parking racks would furnish alternative facilities to the visitors, (3) tree and landscape planting would be provided along cycle track and (4) provision of associated facilities would enhance the environment. The affected BBQ area of 24m² at Tai Mong Tsai BBQ Site No.2 in Ma On Shan Country Park would be compensated by reprovision of BBQ area of 39m². Likewise, the affected BBQ area of 23m² at Sai Sha Road Picnic Site No. 6 outside country park would be compensated by reprovision of BBQ area of 21m². Education boards would be provided where appropriate to raise public awareness about nature conservation.

68/12 Mr James KAM answered to a member's enquiry that the design of the proposed cycle track was based on the design guideline for cycle tracks, cycling ramps and subways of Transport Department. Hence, the gradient of the proposed cycle track shall be below 4%.

69/12 In response to a member's enquiries about whether the design of the cycle track between Tai Mong Tsai and Tai Tung would involve diversion of existing road or pavement and large-scale slope works, Mr LAM Shu Kai said that the proposed cycle track between Tai Mong Tsai and Tai Tung would basically lie alongside the existing pavement of Sai Sha Road. To minimize the impacts on existing slopes and trees, the number of retaining wall would be minimized and the cycle track would adopt the design of decking-on-minipiles as far as possible at the detailed design stage. He addressed the Chairman's follow-up enquiry that if the width of some sections of existing pavement was less than the standard of 2m, the sections would be widened to 2m as practicable as possible.

70/12 The member was of the view that more information about the piling machine, piling method and the area of piling zone would be required for the Board's consideration.

71/12 Mr LAM Shu Kai responded to the member's view that the Project had not commenced the detailed design stage yet and the construction method would be considered in that stage. He said that maximum use of small machines, such as mini-piles, would be considered as the proposed cycle track would lie along Sai Sha Road. Hence, the information about the construction method could be provided at the detailed design stage only.

72/12 Mr LEUNG Chi-hong addressed a member's enquiry that CEDD and the project consultant would consider the views of the Board at the detailed design stage. The Board could then decide whether the Project should be supported. The Chairman remarked that the meeting was a preliminary consultation on the alignment of the proposed cycle track. As the number and species of affected trees, the compensatory tree planting plan and the EIA report were not available at the moment, the Board should be consulted on the detailed design in the future.

73/12 A member advised that those country park areas which had not been frequented by country park visitors would be popular upon completion of the cycle track to Sai Kung Town. Hence, the Authority should consider the future management of the areas.

74/12 Mr Alan WONG Chi-kong, JP enquired whether a total of approximate 2,600 m² of affected country park land should be excised from Ma On Shan Country Park (MOSCP) and Sai Kung West Country Park (SKWCP) upon completion of the cycle track and whether maintenance and management of the cycle track would be undertaken by relevant departments, including the Highways Department and Transport Department. Mr Alan WONG Chi-kong, JP suggested that Lands Department give advice whether the excision of such small area of country park land from country parks for the Project would be required. Ms Rosanna TSE advised that Lands Department had not processed any land documents for land allocations of country parks as the gazettal of country parks was done under the Country Parks Ordinance (CPO). If the affected land was proposed to be excised from the two country parks, she doubted whether the gazetted boundaries of the two country parks should be amended under the CPO. She supplemented that it was not necessary for Lands Department to prepare any land documents because Lands Department had not proceeded any land allocations of country parks to AFCD before.

75/12 In response to the Chairman's perception that the cycle track would still be within the country parks and under AFCD's management since the boundary of the country parks would not change, Mr Alan WONG Chi-kong, JP pointed out that the cycle track would be open to the public and stretched from Tai Tung (outside country park areas) into the MOSCP. As the public in general required permission from AFCD for cycling within country park areas, the cycle track would pose management problems to AFCD.

76/12 Mr Joseph SHAM proposed that AFCD would discuss with Lands Department on the technical issues, including management problems, excision of the country park land and amendment to approved maps of the two country parks.

77/12 Mr Alan WONG Chi-kong, JP proposed that departments concerned should discuss the management of the proposed cycle track after the meeting; namely, whether AFCD would undertake the management of the sections of cycle track within the country parks or whether the

Highways Department and Transport Department would be responsible for the management of the whole cycle track if the sections within the country parks formed an integral part of the Cycle Track Network in New Territories.

78/12 Mr LAM Shu Kai addressed a member's enquiries that the 4 resting stations were provided at appropriate sites of the cycle track. Sufficient bicycle parking racks would be provided so that cyclists could take a rest therein.

79/12 A member remarked that there should be continuity in design which should be in harmony with countryside areas. Communication among departments concerned was an acute issue so as to avoid clashes of designs and colours.

80/12 Ms Julia CHAN responded to the member's enquiries that temporary loss of woodland meant that the woodland areas outside Project area may require site clearance for temporary works areas and be reinstated into woodland by planting similar kinds of trees, so that there would be no permanent loss of the areas.

81/12 The member was of the view that there would be permanent damage to the woodland areas if they were used as works areas. A piece of woodland did not just comprise trees, it also included lower plants, shrubs and other vegetation. He enquired about any mitigation measures to prevent or minimize the damage to the woodland.

82/12 Ms Julia CHAN replied that any species of conservation value found in the woodland areas would be fenced off so as to minimize encroachment of the areas and preserve the species as far as possible.

83/12 The Chairman agreed to the member's view that felling of original trees and replanting of the same species could not be called "temporary loss" because the replanted trees were different from the original ones. "Temporary loss of woodland areas" meant that the areas were enclosed without any damage after the construction. She remarked that the consultant should use the ecological definitions of "temporary loss" and "permanent loss". Hence, the consultant should provide very clear information about tree planting, tree damaging and ecological habitat values of the woodland areas because Members were very concerned about ecological damage and ecological mitigation methods.

84/12 A member proposed that parking stations should be provided by taking the needs of hikers and cyclists into consideration. Besides, it should take the opportunity to remove some species of trees, like *Acacia confusa* (台灣相思) and White Popinac (銀合歡), from the affected areas of the country parks.

85/12 Mr Alan WONG Chi-kong, JP shared his experience of management of cycle tracks, in particular cycling safety. As regards the design of the sections of the proposed cycle

track ahead of pedestrian crossings, he proposed that “hidden ascending slope” (暗斜) should be considered for the sections so as to slow down bicycles approaching pedestrian crossings and lessen cyclists’ risks. He also proposed that signs should be installed at long descending sections before pedestrian crossings so as to remind cyclists to dismount when arriving at pedestrian crossings, in particular for sections with a big bend.

86/12 Mr LEUNG Chi-hong suggested that the design should also consider the measures to prevent entry of bicycles into BBQ sites and trespass of people into the cycle tracks, given that there were interfaces between the proposed cycle tracks and existing BBQ sites.

87/12 A member proposed that removed hedgerows should be re-established along the boundary of affected BBQ sites upon completion of construction since hedgerows were more natural measures to prevent entry of bicycles than ugly-looking fence or wall.

88/12 A member advised that the design should pay heed to cycling safety. The publicity of cycling safety should be promoted upon opening of the cycle track, in particular the section to Sai Kung Town.

89/12 The Chairman summed up that Members were supportive of the Project by offering their comments on the design, ecological habitats and tree protection enthusiastically. She advised that CEDD and the project consultant should refine the design so as to mitigate possible conflicts among various country park users. She thanked the representatives of CEDD and Mott MacDonald for attending the meeting and expected that the Board would be consulted again.

90/12 Mr LAM Shu Kai responded that different stakeholders, including the Board, would be consulted at the detailed design stage.

(Representatives of CEDD and project consultant left the meeting at this juncture.)

IV. Note on the Use or Development of Land within a Country Park Enclave after Inclusion into a Country Parks (Working Paper: WP/CMPB/8/2012)

91/12 Mr LEUNG Chi-hong briefed Members on Working Paper WP/CMPB/8/2012.

92/12 A member was of the view that it was very difficult to prepare an advisory note that reflected the meaning of a section of an ordinance precisely, having regard to the interactions among various sections of the ordinance. As regards paragraph 3.1 of the Paper, she enquired about which departments had been consulted for the preparation of the Note. She also enquired whether the Note was sent to these departments to ascertain whether their representation in the Note was their true intention.

93/12 Mr LEUNG Chi-hong replied that the first draft of the Note had been submitted to Department of Justice (D of J), Lands Department, Planning Department and Home Affairs Department for comments. After incorporating their inputs into the Note, AFCD let the departments have sight on the Note before issue. He addressed the member's further enquiry that the D of J had gone through the Note and offered comments on the Note.

94/12 The member pointed out that whenever a conflict arose and it was necessary to go to court, the Authority was bound by the CPO but not the Note because it was the CPO that vested the Authority with the power. If the Note was not an accurate representation of the CPO, people might have an excuse that they were misled by the Note in making their decisions. Hence, the Note must be absolutely an accurate representation of the CPO.

95/12 Mr Alan WONG Chi-kong, JP invited the member to raise the points mentioned in the Paper that should be referred to the D of J, which was the legal adviser of government departments, for further consideration. He also reiterated the background and purpose of the Note. He highlighted that the power of Board was ultimately given by the CPO and the CPO did not stipulate that the Note must be complied with. The Note was aimed to improve the transparency of the Authority and the Board, and minimize villagers' concern about small house development.

96/12 The member was of the view that paragraph 3.2 of the Note oversimplified the situation because it did not make any distinction between the approach to a draft map gazetted under Section 9(1) of the CPO and the approach to a draft map that had not been gazetted under Section 9(1). She explained that if a draft map was gazetted under Section 9(1), new development had to seek the prior approval of the Authority under Section 10, in addition to any other approvals. However, paragraph 3.2 seemed to mean that the approval of the Authority was transferred to a District Lands Officer who normally consulted the Authority before making a decision. She supplemented that there was a distinction between the power of the Authority under Section 9(1) and not under Section 9(1).

97/12 The member went on to say that paragraph 3.2 did not mention that Section 16 empowered the Authority to have overriding authority when the Authority was of the opinion that any land use was incompatible with the country parks setting. She was of the view that the Note did not have any problem if it was for internal use only. On the other hand, if the Note could not depict the full picture of the situation, problems might arise when the Note was for public use and other parties likely relied on it.

98/12 The Chairman remarked that the member's views were technical issues which might have to be referred to the D of J and relevant departments for deliberation.

99/12 As regard a member's enquiries about whether the practice mentioned in paragraph 5.2 of the Note was an existing or a new one, Mr LEUNG Chi-hong replied that in the past Lands Department normally consulted the Authority on small house applications for sites outside country parks. The Authority had used the practice and assessment criteria mentioned in paragraph 5.2 to give expert advice to Lands Department. After incorporating country park enclaves into country parks, Lands Department must consult the Authority on the applications before taking a decision. The Authority would continue to use the existing assessment criteria and practice.

100/12 Dr LEUNG Siu-fai, JP supplemented that the Authority had used the same assessment criteria on small house applications for private lands within country parks in the past and gave expert advice to Lands Department for decision-making. The purpose of the Note was to document the existing criteria so as to enhance transparency.

101/12 Dr LEUNG Siu-fai, JP addressed the member's further enquiries that the Note had been thoroughly reviewed by relevant departments on the aspects under their purview and submitted to the D of J to see whether there were any conflicts with the CPO. Hence, the Authority was of the view that the Note was secure in legal and technical aspects.

(Ms LO Po-man left the meeting at this juncture.)

102/12 Mr LEUNG Chi-hong answered to a member's enquiries that the District Lands Officer/Sai Kung had approved a total of 12 small house applications in Sai Wan where construction works had not yet commenced. These applications had to be submitted to the Town Planning Board (TPB) for approval under current Development Permission Area (DPA) plan and one application had already been submitted to the TPB and was approved. Upon incorporation of the enclave of Sai Wan into the Sai Kung East Country Park (SKECP), all these 12 applications must seek the prior approval of the Authority for development. Hence, 12 applications were affected at the moment. He supplemented that Lands Department had not received any new small house applications in Sai Wan since 2003.

103/12 Dr LEUNG Siu-fai, JP supplemented that in the past the Authority had processed and approved two small house applications within the private land of country parks. Besides, only a few villagers residing in Sai Wan would be affected by the incorporation of the area into SKECP.

104/12 Mr Alan WONG Chi-kong, JP highlighted that this was really not just a matter of number of people affected but property rights which were inviolable in the eyes of indigenous villagers. The Heung Yee Kuk, which was the statutory body representing the interest of indigenous villagers who were the owners of the private lands within country park enclaves, alleged that thousands of villagers, including their offspring living abroad, would be deprived

of their right for small house development by the proposed incorporation of country park enclaves into country parks.

105/12 In response to a member's enquiries about the issue of V zone upon incorporation of the enclave of Sai Wan into the SKECP, Mr Wilson SO Ying-leung remarked that directive was given for TPB to immediately prepare and publish the Draft Tai Long Sai Wan Development Permission Area (TLSWDPA) Plan, which was a stopgap measure, after the Sai Wan incident. He advised that if the enclave of Sai Wan was incorporated into the SKECP, there was no need to replace the TLSWDPA plan by an outline zoning plan (OZP) and hence the issue of V zone would not arise. He highlighted that the TLSWDPA plan had been gazetted on 10 August 2010 and was only effective for a period of three years until 9 August 2013 by virtue of the Town Planning Ordinance (TPO). In other words, the proposed designation of country park enclave of Sai Wan shall be completed within the statutory time-limit of the TLSWDPA plan.

106/12 Dr LEUNG Siu-fai, JP supplemented that the TLSWDPA plan would not be replaced by an OZP and so V zone would not exist upon incorporation of the enclave of Sai Wan into the SKECP. On the other hand, administrative "VE" at Sai Wan Village would still be in existence.

107/12 The Chairman reiterated that at the last meeting the Board knew the time-table very clearly and advised the Authority to invoke the statutory procedures under the CPO to incorporate the enclave of Sai Wan into the SKECP before the deadline of statutory time limit.

108/12 In response to a member's enquiries, Dr LEUNG Siu-fai, JP said that the Authority would target at completing the country park designation process by the statutory time-limit of the TLSWDPA (i.e. August 2013). Besides, the Task Force on Planning Issues Related to Tai Long Sai Wan (Task Force) under Sai Kung District Council (SKDC) planned to submit a report on the proposed incorporation of the enclave of Sai Wan into SKECP to the SKDC in July 2012 for discussion. By taking the SKDC's views into consideration, the Authority would review whether to invoke the statutory procedures under the CPO to incorporate the enclave of Sai Wan into the SKECP. If the Authority was of the view that the proposed designation should go ahead according to the time table, it was anticipated that the statutory procedures for incorporating Sai Wan into SKECP could complete before August 2013.

109/12 Dr LEUNG Siu-fai, JP highlighted that the Note did not aim to indicate that AFCD would simply relax its practice to please the villagers or the SKDC members. On the other hand, the Authority was of the view that the existing practice, including the criteria for assessing an application for proposed use or development of land in a country park, should be documented so as to enhance transparency. The Note would also facilitate the Authority and the Board to consider applications on a consistent set of criteria in the future. It also addressed

the concerns of the Task Force and the SKDC about the criteria used by the Authority. He supplemented that the Authority, in consultation with relevant departments, spent a lot of time to prepare the Note very cautiously so as to make sure that the Note was correct and consistent with the existing practice of the Administration. The D of J had provided comments on the Note and confirmed that it had no legal conflict.

110/12 As regards the member's enquiry about the usefulness of the Note, Dr LEUNG Siu-fai, JP replied that the Note would inform district councillors and villagers of the objective criteria for assessing the applications for small house development so as to minimize any possibility of misunderstanding. The Note would serve the positive purposes by addressing the concerns of the villagers as well as district councillors.

111/12 As regards the member's enquiry about the way forward if the SKDC would not give a positive feedback to the Authority, Dr LEUNG Siu-fai, JP answered that the Authority would deliberate on the opinions and reasons of the SKDC and then take a decision. If necessary, the Authority would keep the Board abreast of the SKDC's opinions and invite the Board to offer their final comments on whether to proceed the statutory procedures.

112/12 Mr Elvis AU Wai-kwong, JP supplemented that the preparation of the Note by the Authority was consistent with the existing practice of other statutory bodies which aimed to enhance transparency of considerations. Higher degree of transparency would convince not only the applicants but also the community at large that approving authority assessed applications in an open and impartial process; hence, the practice would gain acceptance from members of the public and applicants.

(Mr LEUNG Wing-hang left the meeting at this juncture.)

113/12 A member was of the view that the Note served the purposes of enhancing transparency and of minimizing any possible misunderstanding. He agreed to Mr Elvis AU's remarks that the Board dealt with not only villagers of Tai Long Sai Wan but also the entire community; hence, enhancing transparency of the whole assessment process would improve acceptability of the public and counteract those objections which accused the assessment process of black box operation.

114/12 Mr Alan WONG Chi-kong, JP remarked the Note was worthwhile. It would let the villagers know that the Authority exercised judgement properly under existing system.

115/12 The Chairman pointed out that members had clearly indicated that they were very determined to incorporate the enclave of Sai Wan into the SKECP at the last meeting. Members had also emphasized that communication with the SKDC should be enhanced so as to reduce the differences between the Board and the SKDC. Hence, the Board would exchange views

with the Task Force so that the Task Force could convey the Board's views to the SKDC for better mutual understanding. With an aim of creating a win-win situation, she agreed to the Authority that the views of the SKDC should be relayed to the Board.

116/12 Mr Joseph SHAM thanked the Chairman, Dr Billy HAU Chi-hang and Mr CHOW Kwok-keung for attending the meeting of the Task Force on 18 June 2012.

[Post-meeting note: The Chairman, Dr Billy HAU Chi-hang, Mr CHOW Kwok-keung and AFCD subject officers had attended the 3rd meeting (2012) of the Task Force on 18 June 2012. The Task Force submitted a report rounding up the discussion of its meetings to the SKDC meeting on 17 July 2012. The report was also circulated to Members by email on 19 July 2012.]

117/12 The Chairman remarked that the proposed designation of the country park enclave of Tai Long Sai Wan as part of Sai Kung East Country Park would be followed up in the next meeting.

[Post-meeting note: The Board unanimously supported the proposed designation of the country park enclave of Tai Long Sai Wan as part of Sai Kung East Country Park by invoking the statutory procedures under the CPO at the special meeting on 8 August 2012.]

V. Summary Report of Country Parks Committee (CPC) (Working Paper: WP/CMPB/9/2012)

118/12 Prof CHU Lee-man, Chairman of the Country Parks Committee, presented Working Paper WP/CMPB/9/2012.

119/12 Mr LEUNG Chi-hong supplemented that the Sha Tin District Council Development and Housing Committee was consulted on proposed designation of the country park enclave of Kam Shan on 3 May 2012. The Committee in-principle agreed to the proposed designation. Besides, the Tsuen Wan District Council (TWDC) was consulted on proposed designation of the country park enclave of Yuen Tun on 29 May 2012. The TWDC also in-principle supported the proposed designation. The Authority would invoke the statutory procedures under the CPO to incorporate the enclave of Kam Shan into the Kam Shan Country Park (KSCP) and the enclave of Yuen Tun into the Tai Lam Country Park (TLCP) respectively.

[Post-meeting note: The Board unanimously supported the proposed designation of the country park enclaves of Kam Shan and Yuen Tun as part of KSCP and TLCP respectively by invoking the statutory procedures under the CPO at the special meeting on 8 August 2012.]

120/12 Members noted the Report.

(Mr Elvis AU Wai-kwong, JP left the meeting at this juncture.)

**VI. Summary Report of Marine Parks Committee (MPC)
(Working Paper WP/CMPB/10/2012)**

121/12 Dr Eric LI Shing-foon, Chairman of the Marine Parks Committee, presented the Working Paper WP/CMPB/10/2012. Members noted the Report.

**VII. Summary Report of Public Relations Committee (PRC)
(Working Paper WP/CMPB/11/2012)**

122/12 Ms Tennessy HUI Mei-sheung, JP, Chairman of the Public Relations Committee, presented the Working Paper WP/CMPB/11/2012.

123/12 Mr Edmond LAM supplemented that the event of Country Park Hiking and Planting Day 2012 Programme in Ma On Shan Country Park on 29 April 2012 had been cancelled due to inclement weather.

124/12 Members noted the Report.

**VIII. Country and Marine Parks Authority Progress Report
(Working Paper WP/CMPB/12/2012)**

125/12 Mr Joseph SHAM presented Working Paper WP/CMPB/12/2012 on Country and Marine Parks Authority Progress Report for the period from 1 January to 30 April 2012.

126/12 In response to a member's enquiry about preventive measures to protect country parks in the wake of unauthorized development of Tai Tong Lychee Garden (大棠荔枝園) in TLCP, Mr Joseph SHAM briefed the member on the law enforcement action taken to remove unauthorized structures within the government land in the TLCP. He advised that AFCD staff would closely monitor the situation and inter-departmental enforcement action might be taken if unauthorized development was found in government land within country parks.

127/12 Mr Edmond LAM answered to a member's enquiry that the bat cave of Tai Tong Lychee Garden was located at the rear part of a hillside in TLCP and was usually not frequented by people. He said that AFCD had removed the unauthorized power facilities found in the cave and erected warning signs at the entrances of the cave to alert visitors not to disturb the bats inside the cave. One of the two entrances of the cave had been closed and another one would be closed as well if necessary.

128/12 Mr Alan WONG Chi-kong, JP supplemented that AFCD would consider exploring the options of leisure farm and ecotourism with Tai Tong Lychee Garden if appropriate.

129/12 By citing cases of concreting natural grassland or mudflats at seaside or beach at Nai Chung (泥涌) in Ma On Shan and Tai Mei Tuk (大美督) BBQ site in Plover Cove Reservoir (船灣淡水湖), the Chairman enquired about how AFCD help members of the public to recognize whether the areas concerned were within country parks or not so that they could make their complaints to responsible departments. She also enquired about whether AFCD would turn natural land in country parks to concrete land. Mr Edmond LAM replied that members of the public could make their complaints to 1823 Call Centre (1823) and 1823 would refer the complaint case to responsible department. If 1823 could not identify the responsible department, the case would be directed to AFCD. AFCD would find out whether the act was an illegal incident or a permitted activity and whether it was under the purview of AFCD. If the case was not under AFCD's purview, AFCD would usually refer the case to Lands Department to ascertain the use and status of the land for possible follow-up action. He agreed to the Chairman's understanding that AFCD would not concrete an area in a country park or a marine park unless there was development at the site. Besides, notice boards would be erected at the site to inform the public of the development.

130/12 The Chairman remarked that several academics had expressed concerns on the matter and so it must clearly sound out that an area within a country park or a marine park in-principle would not be concreted unless there was development at the site and notice boards would be erected accordingly. If there was no notice board at the site, the site was clearly not part of a country park and the case should be referred to responsible department for follow-up action. Mr Joseph SHAM welcomed the Chairman to provide further information to AFCD for referral.

131/12 A member suggested that AFCD could work with volunteer organizations to conduct large-scale coastal cleanup activities for better result.

132/12 Members noted the Report.

IX. Any Other Business

133/12 Members had no other business to discuss.

X. Date of Next Meeting

134/12 The Chairman informed members that the date of next meeting was tentatively scheduled for 28 September 2012.

[Post-meeting note: The next meeting has been re-scheduled for 17 October 2012 at 2:30 p.m.]

135/12 The meeting was adjourned at 4:55 p.m.

– End –