

LEGISLATIVE COUNCIL BRIEF

Country Parks Ordinance
(Chapter 208)

LAI CHI WO (SPECIAL AREA) ORDER 2004

INTRODUCTION

A At the meeting of the Executive Council on 7 December 2004, the Council ADVISED and the Chief Executive ORDERED that the Lai Chi Wo (Special Area) Order 2004, at Annex A, should be made under section 24(1) of the Country Parks Ordinance (Cap. 208) (the Ordinance) to designate a Fung Shui woodland of about one hectare in area at Lai Chi Wo (Lai Chi Wo Area) as a special area.

JUSTIFICATIONS

2. The Lai Chi Wo Area is located on a slope behind the Lai Chi Wo Village in Sha Tau Kok. It involves about one hectare of Government land, and is a well-developed woodland habitat, rich in species diversity and composition as compared with other Fung Shui woodlands in the territory. More than 100 plant species have been recorded within this small area and some of them are rare in Hong Kong. Besides, there are a few very old and large trees with unusual and interesting forms and hence are of conservation value. The area was recommended as one of the sites that should come under statutory protection according to the Biodiversity Survey earlier conducted by the Department of Ecology and Biodiversity of the University of Hong Kong.

B 3. The Lai Chi Wo Area is in fact part of a large woodland of about 5.7 hectares. The rest of the woodland has already been included in the Plover Cove Country Park when it was designated in 1978. In view of the small size and high ecological value of the Lai Chi Wo Area, the Country and Marine Parks Authority (the Authority), i.e. the Director of Agriculture, Fisheries and Conservation, proposes to designate it as a special area for nature conservation and educational purposes. A plan showing the boundary of the area to be designated (Plan No. SA/LCW) is at Annex B.

4. Section 24 (1) of the Ordinance provides that the Chief Executive may designate any area of Government land outside a country park as a special area by order

in the Gazette. After designation, the Authority will be responsible for managing the special area. Activities in the special area will be subject to controls of the Country Parks and Special Areas Regulations. The site will be protected from developments and incompatible human activities.

5. We have considered the option of extending the Plover Cove Country Park to cover the Lai Chi Wo Area. Both country parks and special areas are designated under the Ordinance, and are subject to the same statutory protection and control. Country parks, however, usually cover larger areas. They are designated and managed for recreational, educational and nature conservation purposes, and are provided with facilities, such as hiking trails, barbecue and camping sites. On the other hand, special areas are of smaller sizes and higher ecological value, and are managed for nature conservation and educational uses only.

6. In view of the nature of the Lai Chi Wo Area, the Authority considers that it is more appropriate to designate it as a special area.

THE ORDER

7. The Order designates the Lai Chi Wo Area as a special area for the purposes of the Ordinance.

LEGISLATIVE TIMETABLE

8. The legislative timetable is as follows –

Publication of the Order in the Gazette	17 December 2004
Tabling of the Order at the Legislative Council	5 January 2005

IMPLICATIONS OF THE PROPOSAL

9. The designation is in conformity with the Basic Law, including the provisions concerning human rights. Besides, the Order will not affect the binding effect of the Ordinance. It has no productivity, economic, financial and staffing implications either. The Agriculture, Fisheries and Conservation Department will absorb the additional management duties arising from the designation with its existing resources.

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10. The designation has environmental and sustainability implications as set out at Annex C.

PUBLIC CONSULTATION

11. The designation proposal was endorsed by the Country and Marine Parks Board in June 2002. The Authority also consulted the Village Representatives of Lai Chi Wo and two nearby villages, viz. Kap Tong and Mui Tze Lam, in May 2002, and the North District Council in June 2002. All of them have no objection to the proposal. The Authority confirmed again in July 2004 that the local villages have no objection towards the designation proposal.

PUBLICITY

12. A Legislative Council Brief and a press release will be issued. A spokesman will be available to handle media enquiries.

BACKGROUND

13. The Ordinance provides for the designation, control and management of country parks and special areas. Country parks may contain Government land or private land while only areas on Government land can be designated as special areas. At present, there are 23 country parks and 15 special areas (11 of them are within country parks).

ENQUIRY

14. Any enquiry of this brief should be directed to Mr C H Leung, Senior Country Parks Officer (Southeast) of the Agriculture, Fisheries and Conservation Department on telephone 2150 6840 or fax 2199 7044.