

CHAPTER 5

**Environment Bureau
Agriculture, Fisheries and Conservation Department
Planning Department**

Protection of country parks and special areas

**Audit Commission
Hong Kong
30 October 2013**

This audit review was carried out under a set of guidelines tabled in the Provisional Legislative Council by the Chairman of the Public Accounts Committee on 11 February 1998. The guidelines were agreed between the Public Accounts Committee and the Director of Audit and accepted by the Government of the Hong Kong Special Administrative Region.

Report No. 61 of the Director of Audit contains 10 Chapters which are available on our website at <http://www.aud.gov.hk>

Audit Commission
26th floor, Immigration Tower
7 Gloucester Road
Wan Chai
Hong Kong

Tel : (852) 2829 4210
Fax : (852) 2824 2087
E-mail : enquiry@aud.gov.hk

PROTECTION OF COUNTRY PARKS AND SPECIAL AREAS

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PROTECTION OF COUNTRY PARKS AND SPECIAL AREAS

Executive Summary

1. About 44,240 hectares (ha) or 40% of Hong Kong's land area has been designated as country parks or special areas under the Country Parks Ordinance (Cap. 208). At present, there are 24 country parks and 22 special areas, which comprise scenic hills, woodlands, reservoirs and coastlines. According to the Agriculture, Fisheries and Conservation Department (AFCD), country parks/special areas (collectively referred to as "country parks" hereinafter) are renowned for their natural beauty. They are also the cradle of nature for interesting wildlife and are the best nature classroom. The AFCD is responsible for the management of country parks. In view of the large area covered by country parks and the increasing public concern about nature conservation, the Audit Commission (Audit) commenced a review in April 2013 to examine the AFCD's work in the protection of country parks.

Patrolling and law enforcement

2. Country parks are protected by the Country Parks Ordinance against activities which might not be compatible with the natural environment. Surrounded by or adjacent to country parks are sites left outside the country park boundaries, known as "country park enclaves" (enclaves). Not being regulated by the Ordinance, enclaves are susceptible to incompatible developments which could degrade the integrity and quality of the related country parks. The AFCD deploys its Ranger Office staff to patrol country parks and enclaves to prevent and detect damages and encroachments (paras. 2.2 to 2.6).

3. ***Patrolling practices.*** Audit visited three Ranger Offices and found room for improvement in their patrolling practices, such as: (a) target frequencies for routine patrols not always set/met; (b) coverage of patrol routes not regularly reviewed; (c) few check points (items to be inspected) for patrol routes; and (d) enclaves not adequately inspected (paras. 2.7, 2.9 to 2.12 and 2.16 to 2.18).

Executive Summary

4. ***Hill fire prevention.*** AFCD staff keep watch on hill fire from fire lookouts. The staff made use of binoculars to spot hill fire. No electronic devices were adopted to enhance and automate the process. Under the Country Parks and Special Areas Regulations (Cap. 208A), lighting of fire outside designated places (e.g. barbecue sites) is generally prohibited in country parks. Discarding lighted cigarettes in a manner likely to cause a fire is also not allowed. However, smoking is not disallowed in country parks (paras. 2.32, 2.33, 2.36 and 2.37).

Regulating incompatible developments

5. ***Protection of enclaves.*** In his 2010-11 Policy Address, the Chief Executive of the Hong Kong Special Administrative Region stated that enclaves would either be incorporated into country parks, or have their proper uses determined through statutory planning. There were 77 enclaves covering a total area of some 2,000 ha. 23 of the 77 enclaves were covered by Outline Zoning Plans for land use control. In October 2010, the Administration decided to take measures to protect the remaining 54 enclaves. The AFCD and the Planning Department (PlanD) would work together to take follow-up actions. The AFCD would incorporate 27 enclaves into country parks, and the PlanD would cover 27 enclaves by Outline Zoning Plans. As at June 2013, the PlanD had initiated statutory planning process for 23 enclaves. The AFCD had only initiated designation process for incorporating 3 enclaves into country parks. A total of 28 enclaves are still not covered by any protective measures (paras. 3.2, 3.4, 3.6, 3.7, 3.9 and 3.13).

6. ***Public works projects in country parks.*** In 1991, the then Director of Agriculture and Fisheries approved an encroachment of the South East New Territories Landfill in Tseung Kwan O onto a site of 18 ha in the nearby Clear Water Bay Country Park. At present, the Landfill is still in operation. There is no definite timeframe for the restoration and return of the 18 ha of land to the AFCD. Audit is concerned that the land which has already been used for landfill purposes may no longer be compatible with the country park objectives (paras. 3.36, 3.39 and 3.40).

Executive Summary

Publicity and educational activities

7. *School education programmes.* The AFCD conducted school visits and other school education programmes to disseminate conservation messages to students. While school visit programmes were generally well received and effective, the AFCD rejected many schools' applications for the programmes due to insufficient time slots. Besides, such programmes are currently unavailable for secondary schools. The AFCD has developed an education kit to supplement its school education programmes. However, the AFCD had not ascertained the number of schools which had adopted the kit. Regular training on the use of the kit was also not conducted for teachers (paras. 4.5 to 4.10).

8. *Publicity of the Hong Kong Geopark.* Included in the country parks is the Hong Kong Geopark. In pursuit of the Geopark objectives, the AFCD enlists the support of non-governmental organisations and the private sector to publicise the Geopark and promote geo-tourism. The AFCD did not enlist these partners in an open and transparent manner, and did not have formal contracts with them, but their service descriptions and website links were advertised on the government website. This may give an impression that the AFCD is advertising commercial activities on a government website (paras. 4.22, 4.27, 4.30 and 4.32).

Way forward

9. In 1993, the AFCD and the PlanD found 14 potential sites with conservation value for designation as country parks. As at August 2013, 9 of the 14 potential sites had not been designated as country parks. In the past two decades, Hong Kong has undergone a lot of economic development. Today, there are also great competing demands for land use and multifarious factors affecting the designation of new country parks. It is timely for the AFCD to revisit its strategy for the designation of new country parks in future (paras. 5.3, 5.4 and 5.6).

Audit recommendations

10. **Audit recommendations are made in the respective sections of this Audit Report. Only the key ones are highlighted in this Executive Summary. Audit has *recommended* that the Director of Agriculture, Fisheries and Conservation should:**

Executive Summary

Patrolling and law enforcement

- (a) **require all Ranger Offices to set target frequencies for routine patrols (para. 2.23(a));**
- (b) **review the adequacy of the coverage and frequency of routine patrols in individual Ranger Offices (para. 2.23(b));**
- (c) **consider setting more check points for inspection (para. 2.23(f));**
- (d) **keep in view the advance in technology for automated fire surveillance systems that may be applied in country parks (para. 2.41(a));**
- (e) **examine the desirability of restricting smoking in country parks (para. 2.41(b));**

Regulating incompatible developments

- (f) **critically review the progress made by the AFCD in protecting enclaves with a view to devising a more effective strategy (para. 3.22(a));**
- (g) **continue to monitor possible incompatible development activities at enclaves for necessary follow-up action (para. 3.22(b));**
- (h) **follow up the expected timeframe and the required restoration work for the return of the 18 ha of land in the Clear Water Bay Country Park to the AFCD (para. 3.41(a));**

Publicity and educational activities

- (i) **take measures to further enhance the school education programmes (para. 4.11(a));**
- (j) **conduct an evaluation of the education kit and ensure that adequate support is provided to users (paras. 4.11(b) and 4.11(c));**

Executive Summary

- (k) **review the adequacy of the collaboration arrangements between the AFCD and its Geopark partners (para. 4.35(a));**
- (l) **improve the transparency and accountability in the recruitment of Geopark partners (para. 4.35(c));**
- (m) **review the appropriateness of advertising Geopark partners' commercial activities on the government website (para. 4.35(d)); and**

Way forward

- (n) **revisit the AFCD's strategy for the designation of new country parks (para. 5.10(a)).**

Response from the Administration

11. The Director of Agriculture, Fisheries and Conservation agrees with the audit recommendations.

PART 1: INTRODUCTION

1.1 This PART describes the background to the audit and outlines the audit objectives and scope.

Background

1.2 Although Hong Kong is one of the world's metropolises, out of a total of 110,800 hectares (ha) of land, about three-quarters is countryside.

Natural environment of Hong Kong

1.3 As stated in the Agriculture, Fisheries and Conservation Department (AFCD — Note 1) website, Hong Kong's topography and sub-tropical climate provide a wide range of habitats to support a rich variety of flora and fauna (Note 2). Scenically, it has a great deal to offer: a landscape rising from sandy beaches and rocky foreshores to a height of almost 1,000-metre high, woodlands and hilly areas covered by open grassland and a variety of scenic vistas rarely matched in such a small place.

Country parks and special areas

1.4 A large part of the countryside has been designated as country parks or special areas under the Country Parks Ordinance (Cap. 208 — Note 3), which comprise scenic hills, woodlands, reservoirs and coastlines in all parts of Hong

Note 1: *Prior to 2000, the AFCD was known as the Agriculture and Fisheries Department.*

Note 2: *Regarding its flora, Hong Kong has more than 3,100 species of vascular plants, of which about 2,100 are native. As for its fauna, there are some 50 species of mammals, over 500 species of birds, about 80 species of reptiles and more than 20 species of amphibians. Insect diversity is also very high with more than 230 species of butterflies and around 115 species of dragonflies.*

Note 3: *The Ordinance provides a legal framework for the designation, development and management of country parks and special areas.*

Introduction

Kong. Country parks are designated for the purpose of nature conservation, countryside recreation and nature education. Special areas are land with special interest and importance by reason of their flora, fauna, geological, cultural or archaeological features (Note 4). They are designated mainly for the purpose of conservation.

1.5 As stated in the AFCD website, the country parks and special areas are natural wonders renowned for their natural beauty. They not only offer spectacular, picturesque sceneries, but also are the cradle of nature for a wide variety of interesting wildlife and are the best nature classroom. At present, there are 24 country parks and 22 special areas (collectively termed “country parks” in this Audit Report — see Appendix A for details), covering a total of some 44,240 ha, representing about 40% of Hong Kong’s land area. A map showing the distribution of country parks is at Appendix B.

Hong Kong Global Geopark of China

1.6 Included in the country parks are some 5,000 ha of areas of geological interest (geo-areas) which form the Hong Kong Global Geopark of China (Hong Kong Geopark — Note 5). Photograph 1 shows a country park, which is a popular destination for nature studies and outdoor activities. Photograph 2 shows a special area, which is a geo-area of the Hong Kong Geopark.

Note 4: *Unlike country parks which comprise both government land and private land (i.e. leased land), special areas comprise only government land.*

Note 5: *A geopark is an area containing geological heritage sites of particular importance. The Hong Kong Geopark has eight geo-areas (e.g. High Island Geo-Area and Sharp Island Geo-Area) which are located in different country parks. Originally, the geo-areas were named “Hong Kong National Geopark” in November 2009. In September 2011, the Geopark was accepted as a member of the Global Geoparks Network which was supported by the United Nations Educational, Scientific and Cultural Organisation, and was renamed “Hong Kong Global Geopark of China”.*

Photographs 1 and 2

Views of a country park and a special area

Photograph 1



**A popular country park
(Clear Water Bay Country Park)**

Photograph 2



**A geological site in a special area
(High Island Special Area)**

Source: AFCD records

Management of country parks

1.7 Under the Country Parks Ordinance, the Director of Agriculture, Fisheries and Conservation is the Country and Marine Parks Authority who is responsible for administering the Ordinance. His duties include:

- (a) making recommendations to the Chief Executive of the Hong Kong Special Administrative Region for the designation of areas as country parks;
- (b) developing and managing country parks; and
- (c) taking such measures in respect of country parks as he thinks necessary (e.g. encouraging their use and development for the purposes of recreation and tourism, and protecting the vegetation and wildlife inside country parks).

Introduction

1.8 The Ordinance also provides for the establishment of the Country and Marine Parks Board to advise the Director on all matters related to country parks. As at September 2013, the Board comprised a Chairman, 20 non-official members, and a number of official members including the Director of Agriculture, Fisheries and Conservation, the Deputy Director of Agriculture, Fisheries and Conservation, and representatives from the Environmental Protection Department (EPD), the Home Affairs Department, the Lands Department (LandsD), the Leisure and Cultural Services Department, the Marine Department, the Planning Department (PlanD) and the Water Supplies Department (Note 6). Its terms of reference are to:

- (a) act as a consultative body to advise the Country and Marine Parks Authority upon any matter referred to it by the Authority;
- (b) consider, and advise the Authority on, the policy and programmes prepared by the Authority in respect of existing and proposed country parks, marine parks and marine reserves; and
- (c) consider any objection that may be lodged under the Country Parks Ordinance and the Marine Parks Ordinance (Cap. 476).

1.9 The Country and Marine Parks Branch of the AFCD is responsible for the management of country parks, including development control, patrolling, fire fighting, tree planting, litter collection, and organisation of educational activities for the management and protection of the country parks. As at June 2013, some 920 staff of the Branch were directly involved in the country park daily operation. An organisation chart of the Branch is at Appendix C. The management of country

Note 6: *According to the Country Parks Ordinance, the Board shall consist of the Country and Marine Parks Authority and not less than 10 other members, of whom not less than 5 shall be public officers. Under authority delegated by the Chief Executive, the Secretary for the Environment may appoint any member of the Board as the Chairman of the Board. The members of the Board, other than those members who are public officers, shall be appointed for a period of two years or for such lesser period as the Chief Executive may in any particular case determine and shall be eligible for re-appointment.*

parks, which has an estimated expenditure of \$298 million in 2013-14, falls within the ambit of the AFCD's "Nature Conservation and Country Parks" Programme (Note 7).

1.10 Country parks are popular with different sectors of the community. As the AFCD states on its website, spending a day in a country park is one of the best recreational choices in town for the public. In 2012-13, about 13 million people visited the country parks in Hong Kong. According to a comprehensive survey of visitors to country parks conducted by the AFCD in 2012 (the 2012 Survey — Note 8), visitors were primarily driven to pay their visits by the good environment (e.g. good scenery, clean fresh air and tranquility) and the convenient locations of the country parks (see Figure 1 for details). It was also found that visitors were generally satisfied with their visits to the country parks (Note 9).

Note 7: *Apart from the management and protection of country parks, the "Nature Conservation and Country Parks" Programme also includes other activities such as the designation and management of marine parks and marine reserves, and the control of international trade in endangered species of animals and plants in Hong Kong. The Programme has an estimated expenditure of \$552 million in 2013-14.*

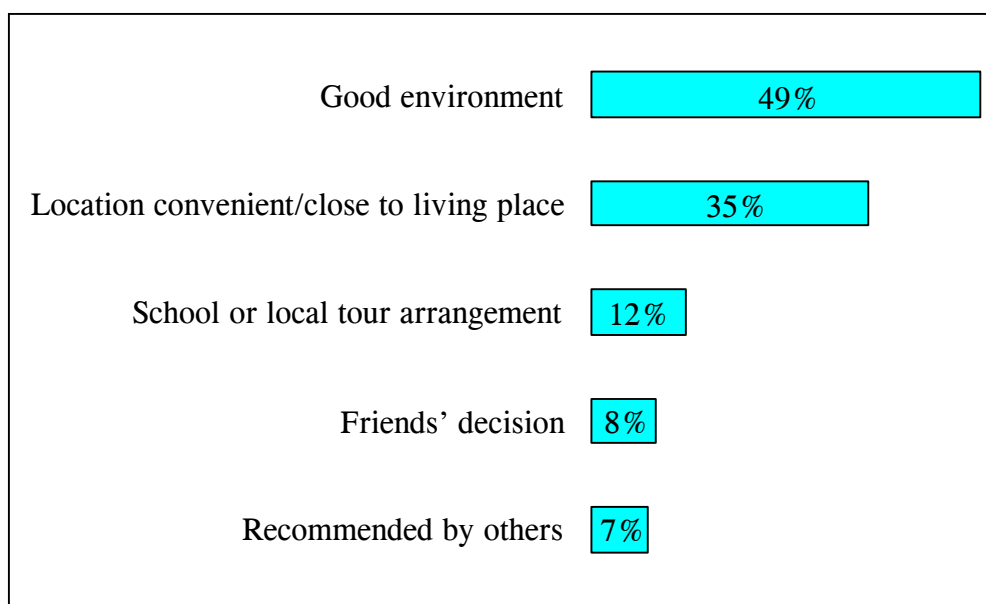
Note 8: *The survey, entitled "Country Parks Visitor Survey 2012", was conducted through consultants engaged by the AFCD. Some 4,000 visitors were surveyed. The primary objectives of the survey were to:*

- (a) investigate the profile of visitors;*
- (b) gauge the visitation and satisfaction of visitors towards country parks;
and*
- (c) find out areas for improvement for country parks.*

Note 9: *Out of a maximum score of 5, the overall satisfaction of the respondents surveyed was 3.72.*

Figure 1

**Reasons for visiting country parks
(Top five reasons selected by respondents)**



Source: AFCD 2012 Survey Report

Remarks: The percentage indicates the proportion of respondents selecting the reason. A respondent could select more than one reason.

Increasing public concern about nature conservation

1.11 In recent years, there has been an increasing public awareness of the importance of nature conservation and environmental protection in Hong Kong. As revealed in the 2012 Survey (see para. 1.10), many Hong Kong people treasure the good environment of the country parks which are located close to their living places. From time to time, incidents of human damage to the natural environment of the country parks have become causes for public concern (see paras. 3.3 and 3.4 for details). All these have highlighted the importance of the AFCD's role in the protection of country parks in Hong Kong.

Audit review

1.12 In view of the large area covered by country parks (see para. 1.5) and the increasing public concern about nature conservation (see para. 1.11), the Audit Commission (Audit) commenced a review in April 2013 to examine the AFCD's work in the protection of country parks (Note 10). The audit fieldwork was completed in August 2013. The audit review focused on the following areas:

- (a) patrolling and law enforcement (PART 2);
- (b) regulating incompatible developments (PART 3);
- (c) publicity and educational activities (PART 4); and
- (d) way forward (PART 5).

Audit has found that there is room for improvement in the above areas and has made a number of recommendations to address the issues.

Acknowledgement

1.13 Audit would like to acknowledge with gratitude the assistance and full cooperation of the staff of the AFCD, the PlanD, the LandsD, and the EPD during the course of the audit review.

Note 10: *The management of the Hong Kong Wetland Park (a special area under the Country Parks Ordinance) is not covered by this audit review. Unlike other country parks and special areas which are managed by the Country and Marine Parks Branch of the AFCD, the Hong Kong Wetland Park is managed in a different mode by the Conservation Branch of the AFCD. In 2011, Audit conducted a review entitled "Management of the Hong Kong Wetland Park", the results of which were included in Chapter 6 of the Director of Audit's Report No. 57 of October 2011.*

PART 2: PATROLLING AND LAW ENFORCEMENT

2.1 This PART examines the protection of country parks through patrolling and law enforcement work, focusing on the following areas:

- (a) patrolling practices (paras. 2.2 to 2.24);
- (b) regulation of camping (paras. 2.25 to 2.30); and
- (c) hill fire prevention (paras. 2.31 to 2.42).

Patrolling practices

Patrolling country parks

2.2 The main purpose of designating country parks is for nature conservation (see para. 1.4). Upon designation, country parks are protected by the Country Parks Ordinance, as well as the Country Parks and Special Areas Regulations (Cap. 208A) which was made under the Ordinance. The Country Parks Ordinance (including its Regulations) regulates activities which might not be compatible with the natural environment. The Country Parks Ordinance also controls, among other things, possible eco-vandalism.

2.3 To enforce the Country Parks Ordinance and other relevant laws (Note 11), the AFCD's Country Parks Ranger Services Division deploys staff to patrol country parks. Offences (e.g. driving vehicles without permits within country parks, littering, and unauthorised camping) found during patrols would be prosecuted. In 2012-13, the AFCD prosecuted 990 cases for offences relating to country parks (see Appendix D for details).

Note 11: *Examples of the other laws are the Forests and Countryside Ordinance (Cap. 96) and Wild Animals Protection Ordinance (Cap. 170).*

Patrolling country park enclaves

2.4 Surrounded by or adjacent to country parks are sites left outside the country park boundaries, known as “country park enclaves” (enclaves). The enclaves comprise both private and government land (Note 12), and are not part of the country parks under the protection of the Country Parks Ordinance. Owing to the fast pace of urbanisation, some enclaves are facing increasing development pressure. Not being protected by the Country Parks Ordinance, enclaves are susceptible to incompatible developments which could degrade the integrity, aesthetic quality and landscape quality of the related country parks as a whole.

2.5 To help control unauthorised development at enclaves, and hence maintain the integrity and quality of the related country parks, the Country Parks Ranger Services Division requires its staff to also patrol the enclaves on a regular basis. There are currently 77 enclaves (see para. 3.2). More details about the protection of enclaves through regulating incompatible developments are given in paragraphs 3.2 to 3.25.

Ranger Offices

2.6 As at June 2013, the Country Parks Ranger Services Division had some 140 staff for conducting patrols (patrol staff — Note 13). They were stationed in the Division’s 17 Ranger Offices, located in different country parks. Each Ranger Office served a specific area of country parks, and saw to it that patrols were conducted on a regular basis (routine patrols). As many parts of country parks were not accessible by cars, foot patrols were an important means of conducting routine

Note 12: *Prior to 2011, if there were pre-existing private land lots and human settlements inside or adjacent to the proposed boundaries of country parks, private land was usually left outside the boundaries except where the private land owners did not raise objection to the incorporation of their land as part of the country parks (see also para. 5.5(b)). To provide buffer areas, some government land in the vicinity of the excluded private land would also be excluded from the boundaries of the country parks.*

Note 13: *Patrol staff were usually Park Wardens. As at June 2013, there were 131 full-time and 12 part-time patrol staff. Park Wardens were responsible for a wide range of duties including patrols, law enforcement, provision of visitor services, and organising publicity events and education programmes.*

Patrolling and law enforcement

patrols (Note 14). From time to time, the Ranger Offices also conducted special operations to supplement the routine patrols (e.g. visiting villages to promote fire prevention, searching for illegal animal traps, and combating illegal tree felling activities — Note 15).

2.7 The 17 Ranger Offices are grouped under three geographical regions, namely, Northwest Region, East Region and Hong Kong Region. In June and July 2013, Audit visited three Ranger Offices (one Ranger Office selected from each region), namely Tai Mei Tuk Ranger Office (Ranger Office A), Sai Kung Ranger Office (Ranger Office B) and Tung Chung Au Ranger Office (Ranger Office C). Audit reviewed their planning and conduct of patrols (see paras. 2.8 to 2.24).

Planning of routine patrols

2.8 Each Ranger Office has adopted a number of foot beats (i.e. routes for patrolling on foot) for routine patrols. The frequencies (e.g. once a month) for patrolling individual foot beats vary. Supervisors of patrol staff set out in a duty roster the foot beats for individual staff.

Routine patrols not meeting the target frequencies

2.9 Ranger Offices A and B have set and laid down the target frequencies for patrolling individual foot beats (see para. 2.11 for Ranger Office C's practice). Audit noted, however, that target frequencies were not always met. Table 1 shows that, for 72% of the foot beats in Offices A and B, the actual frequencies of conducting routine patrols fell short of the laid-down frequencies.

Note 14: *Ranger Offices also conducted patrols by other means (e.g. cars) where appropriate.*

Note 15: *The combating of illegal tree felling was usually carried out in collaboration with the police.*

Table 1

**Routine patrols conducted by selected Ranger Offices
(July 2012 to June 2013)**

Ranger Office	Foot beat adopted		Actual frequency			
			Foot beat met the target frequency		Foot beat fell short of the target frequency (Note)	
	(No.)	(%)	(No.)	(%)	(No.)	(%)
A	16	100%	6	37%	10	63%
B	16	100%	3	19%	13	81%
Overall	32	100%	9	28%	23	72%

Source: Audit analysis of AFCD records

Note: The target frequencies of the 32 foot beats ranged from 12 to 104 a year. The shortfall in the number of routine patrols for individual beats ranged from 1 to 68.

2.10 Upon enquiry, the AFCD informed Audit in August and September 2013 that:

- (a) the “target frequencies” were a rough guideline for supervisors to plan patrolling duties for frontline staff. The exact frequencies for individual beats would be adjusted based on operational need;
- (b) some beats only marginally fell short of the target frequencies. Of the 23 beats which did not meet the target frequencies (see Table 1):
 - (i) 8 beats fell short of the target number of routine patrols by 9% or less (e.g. only 1 out of the 12 required routine patrols was not conducted during the period July 2012 to June 2013); and

Patrolling and law enforcement

- (ii) 15 beats fell short of the target number by more than 9%;
- (c) according to the target frequencies set for the 32 foot beats, the target number of routine patrols for the period July 2012 to June 2013 was 660. Ranger Offices A and B in fact conducted 523 patrols; and
- (d) the major reasons for not being able to meet the overall targets were due to redeployment of staff resources for special operations and other ad hoc/urgent tasks encountered from time to time.

Target frequencies not set for routine patrols

2.11 For Ranger Office C, Audit found no records of target frequencies for its 16 foot beats. Upon enquiry, Audit was informed in July 2013 that the Office had not laid down any target frequencies for foot beats. Audit considers this less than satisfactory. Audit also noted that Ranger Office C did not always follow the AFCD guideline issued in December 2010, requiring that enclaves situated along existing foot beats should be inspected when patrolling the beats.

Coverage of foot beats

2.12 In this connection, Audit noted that Ranger Offices' routine patrols generally covered important places such as scenic areas, major hiking routes and facilities for the public (e.g. barbecue areas). However, of the 54 enclaves for which Outline Zoning Plans (OZPs) have not yet been prepared (see para. 3.4), 10 enclaves were not covered by any foot beats. Audit found no evidence that the AFCD had conducted regular reviews of the coverage of the foot beats taking account of relevant factors (e.g. need for monitoring development activities in enclaves and on private land). Upon enquiry, the three Ranger Offices (i.e. A, B and C) informed Audit in July 2013 that the existing foot beats for routine patrols had been used for a long time without revisions. Audit considers that the AFCD needs to review the adequacy of the coverage and frequency of routine patrols having regard to the present day circumstances, in particular, the need to inspect enclaves and private land (see paras. 3.2 to 3.33).

Conducting routine patrols

2.13 In June and July 2013, Audit staff accompanied patrol staff of Ranger Offices A, B and C to conduct routine patrols. A total of nine routine patrols were selected (i.e. three for each Ranger Office). The patrols were conducted on different days and involved different foot beats (Foot Beats 1 to 9). Length of the Foot Beats ranged from 2.4 to 10.8 kilometres (km). Two patrol staff (accompanied by one Audit staff) were assigned to carried out each of the selected routine patrols (see Photograph 3).

Photograph 3

**AFCD staff conducting a routine patrol
(July 2013)**



Source: Photograph taken by Audit during the patrol on 23 July 2013

Use of unplanned time

2.14 Patrol staff in Ranger Offices A, B and C were usually given the whole working day to complete a routine patrol (Note 16). According to the Ranger Offices' duty rosters for the days of the selected routine patrols, no duties were planned for the patrol staff after they completed the selected routine patrols. The actual time taken for each of the selected foot beats ranged from about 1.4 to 5 hours.

2.15 Audit noted that, after conducting the selected routine patrols, staff made use of the unplanned time for related duties (e.g. reporting, statement taking for prosecution cases, compiling visitor statistics and analysing problems in connection with country park management) and recouping from the strenuous walk. According to the AFCD, such duties were assigned by the staff's supervisors after the completion of each routine patrol. Audit reviewed some of the patrol records and found that the patrol staff usually did not keep records of how the unplanned time was used. Moreover, the unplanned time appeared to be excessive in some cases. For example, two of the selected routine patrols (for Foot Beats 8 and 9) just took less than two hours to complete. This was not conducive to good accountability and efficient deployment of staff.

Check points for routine patrols

2.16 Patrol staff used a handheld digital device (personal data assistant — PDA) to help conduct routine patrols. The PDA displayed on its screen a number of "check points" for a foot beat, which served as a checklist of the items to be inspected during the routine patrol (Note 17). The check points could be geographical features and facilities situated along the foot beat (e.g. campsites, picnic sites and emergency telephone booths). Patrol staff needed to tick against the check points on their PDAs to acknowledge that such features and facilities had been inspected.

Note 16: *Patrol staff normally work 45 hours a week (i.e. about 9 hours a day) based on 5 working days a week.*

Note 17: *The check points were preset in the PDAs. Patrol staff were allowed to add additional check points to their PDAs. Patrol staff also used their PDAs to record the patrol details (e.g. irregularities found and actions taken).*

2.17 The AFCD had not laid down guidelines on setting check points for routine patrols. Audit noted that, on the days of the selected routine patrols, the number of check points for Foot Beats 1 to 9 varied (ranged from 3 check points for Foot Beats 6, 8 and 9, to 24 check points for Foot Beat 3). In particular, 6 Foot Beats had less than 1 check point per km along the Foot Beat (i.e. Foot Beats 1, 2, 4, 5, 6 and 9).

2.18 Audit considers that more check points could help improve patrol staff's accountability (e.g. patrol staff needed to acknowledge on the PDA that the check points had been inspected — see para. 2.16), as well as help improve the quality of patrolling (e.g. reducing the risk of overlooking important features and facilities). There is merit in setting more check points with reference to such geographical features/facilities as:

- (a) ***Distance posts.*** A distance post is generally erected every 500 metres along hiking trails in country parks (see Photograph 4). The post is an important landmark which could enable visitors to identify their whereabouts or tell their locations when they need help (e.g. if they get lost or they notice illegal activities). Distance posts were erected along 8 of the 9 selected Foot Beats. Audit noted that, for 4 Foot Beats, some distance posts were set as check points. The other 4 Foot Beats did not have any distance posts set as check points at all;

Photograph 4

A distance post along Foot Beat 1



Source: Photograph taken by Audit on 4 July 2013

- (b) **Emergency telephone booths.** Telephone booths for making emergency calls are provided in country parks (see Photograph 5). Visitors can make use of the emergency telephones to seek help and report illegal activities. This is an important facility for visitors' safety. Audit noted that emergency telephone booths were not always set as check points for routine patrols. Along Foot Beats 1 to 9, there were 6 emergency telephone booths. Only 2 of them were set as check points; and

Photograph 5

An emergency telephone booth in Foot Beat 3



Source: Photograph taken by Audit on 31 July 2013

- (c) **Enclaves (see para. 2.4).** Situated along Foot Beats 1 to 9 were 15 enclaves. Only one of these enclaves was set as check point for inspection. During the selected routine patrols, Audit noted that the patrol staff conducted an inspection visit to the enclave. They also conducted inspection visits to two other enclaves which were not set as check points. However, the patrol staff did not conduct inspection visits to the remaining 12 enclaves, contrary to the AFCD guideline issued in December 2010 (see paras. 2.5 and 2.11).

Patrolling and law enforcement

2.19 Upon enquiry, the AFCD informed Audit in September 2013 that:

- (a) most enclaves by nature involved private land. AFCD staff should avoid trespassing into private land as far as possible due to possible legal implications and potential conflicts with the villagers;
- (b) hence, the AFCD's approach was to inspect enclaves along the patrol routes to spot any irregularities based on the experience of patrol staff who were familiar with the existing site conditions. When irregularities were spotted, patrolling frequency and intensities would be stepped up appropriately. The enclaves would be inspected in more detail (e.g. the three enclaves inspected by patrol staff as noted in para. 2.18(c)); and
- (c) although some of the enclaves were not set as check points for inspection, they were inspected along the patrol routes as far as possible and photo records were taken at vantage points without entering into the enclaves.

2.20 Audit considers that the AFCD needs to consider setting more check points for inspection along the foot beats with a view to improving the accountability of patrol staff and the quality of their routine patrols.

Location-tracking function not always available

2.21 Patrol staff's PDAs are equipped with the Global Positioning System (GPS — Note 18) function. Once the GPS function is activated, the PDAs will automatically track and record the locations of patrol staff at regular time intervals. Such information would be available for review by the patrol staff's supervisors.

2.22 Audit considers that this is a very useful function which could further improve the accountability of staff in conducting routine patrols. However, this function was not always working properly. The AFCD informed Audit that, due to technical problems, the function had been suspended from April to July 2013 (including the time when Audit accompanied the selected routine patrols).

Note 18: *GPS refers to the satellite navigation system which provides location and time information to users around the world.*

Audit recommendations

2.23 **Audit has *recommended* that the Director of Agriculture, Fisheries and Conservation should:**

- (a) require all Ranger Offices to set appropriate target frequencies for routine patrols of their foot beats;**
- (b) review the adequacy of the coverage and frequency of routine patrols in individual Ranger Offices, taking account of the need for monitoring development activities in enclaves and on private land;**
- (c) remind Ranger Offices to conduct routine patrols according to the planned coverage and frequencies;**
- (d) require Ranger Offices to maintain adequate records of staff deployment, in particular, records of the use of any unplanned time after completion of routine patrols;**
- (e) take measures to improve the efficiency in the conduct of routine patrols;**
- (f) consider setting more check points for inspection along the foot beats, with a view to improving the accountability of patrol staff and the quality of their routine patrols; and**
- (g) ascertain the reasons for and minimise the downtime of the GPS function of the PDAs provided to patrol staff.**

Response from the Administration

2.24 The Director of Agriculture, Fisheries and Conservation agrees with the audit recommendations. He has said that the AFCD will take follow-up actions to implement the recommendations. He has also said that:

Patrolling and law enforcement

- (a) the AFCD would review regularly and set more realistic target frequencies for routine patrols, and establish a proper record-keeping system for any adjustments made to the targets as well as the justifications for the adjustments;
- (b) the AFCD would review regularly the patrol routes to cover all the enclaves, and the frequency of visits would be determined by a range of factors including the risk of unauthorised development in the enclaves and complaints received;
- (c) the 10 enclaves currently not covered by any routine foot beats (see para. 2.12) are generally very remote and the accessibility is low (e.g. some of them are even not connected to any trails or footpaths). The development threats of these sites are perceived to be relatively lower as compared with other enclaves. As such, some of them have only been inspected on an ad hoc basis;
- (d) the bulk of work undertaken by Park Wardens after they have completed the patrols is routine in nature. The AFCD would enhance record keeping on deployment of Park Wardens for better accountability; and
- (e) the AFCD would review the patrol routes to incorporate enclaves as check points as appropriate.

Regulation of camping

2.25 The AFCD's 2012 Survey (see para. 1.10) revealed that camping was one of the popular activities in country parks (Note 19). On the other hand, camping in country parks in an uncontrolled manner would cause damage to the natural environment. To regulate camping, the AFCD has set aside and designated campsites in country parks. Camping outside the designated campsites (unauthorised camping) would be prosecuted. In 2012-13, among other offences in country parks, unauthorised camping was the third most common type of offences being prosecuted. The number of prosecution cases in 2012-13 was 91.

Note 19: *For example, 22% of the survey respondents at Sai Kung West (Wan Tsai Extension) Country Park replied that their primary activity at the Country Park was camping.*

2.26 In March 2013, in response to a Legislative Council (LegCo) Member's enquiry about unauthorised camping in country parks, the AFCD informed LegCo that:

- (a) there were 40 designated campsites in country parks;
- (b) the provision of campsites was regularly reviewed to meet the needs of country park visitors;
- (c) when designating a campsite, the AFCD would take into account factors such as terrain, accessibility, water supply, scenic value and potential of fire hazard of the location, as well as the impact of the camping activity on the natural environment and neighbouring villages; and
- (d) over the past five years, three new campsites had been designated.

Camping facilities not fully meeting visitors' needs

2.27 Audit noted that there were media reports about visitors' adverse comments on the number and location of designated campsites in country parks. In spite of the AFCD's efforts in increasing the number of designated campsites over the past five years (see para. 2.26(d)), there were many (91) prosecution cases relating to unauthorised camping in 2012-13 (see Appendix D). It appears that the AFCD's camping facilities in country parks could not fully meet visitors' needs, resulting in camping outside the designated campsites. This may cause damage to the natural environment.

2.28 In order to encourage camping in designated campsites, there is a need for the AFCD to improve its camping facilities in country parks. For example, the following issues need to be addressed:

- (a) *No designated campsites in some country parks.* Audit analysis found that, as at June 2013, 12 of the 24 country parks did not have any designated campsites. In 5 of them (Note 20), the AFCD prosecuted a

Note 20: *The five country parks were Aberdeen, Clear Water Bay, Lion Rock, Tai Tam, and Tai Tam (Quarry Bay Extension) Country Parks.*

Patrolling and law enforcement

total of 23 cases of unauthorised camping in the past three years from 2010-11 to 2012-13 (Note 21). Visitors' demand for camping in country parks without designated campsites might need to be better addressed; and

- (b) ***Inadequate number of tent spaces.*** Tent spaces were provided in designated campsites. As at June 2013, the 40 designated campsites provided 409 tent spaces, or an average of 10 tent spaces each. While 2 of the campsites (namely Nam Shan and Hok Tau Campsites) provided as many as 40 tent spaces each, 10 campsites had only 5 or fewer tent spaces each. The small number of tent spaces in some campsites might not be adequate for meeting visitors' needs, especially during the peak season for camping.

Audit recommendations

2.29 **Audit has recommended that the Director of Agriculture, Fisheries and Conservation should, having regard to the need for conserving natural environment, take measures to better meet visitors' needs for camping in country parks, such as:**

- (a) **exploring the feasibility of providing new designated campsites in suitable locations, in particular, in country parks which do not have any designated campsites; and**
- (b) **consider providing more tent spaces at existing designated campsites.**

Response from the Administration

2.30 The Director of Agriculture, Fisheries and Conservation agrees with the audit recommendations. He has said that the AFCD will take follow-up actions to implement the recommendations.

Note 21: *The numbers of prosecution cases were 7, 4 and 12 in 2010-11, 2011-12 and 2012-13 respectively.*

Hill fire prevention

2.31 Hill fire destroys ecological environments and kills wild animals. To help prevent occurrences of hill fire in country parks, the AFCD takes various measures, such as establishing fire breaks, providing barbecue sites for public use, prosecuting offenders for illegal lighting of fire, and educating the public about fire prevention. The AFCD's Country Parks Divisions are responsible for fighting hill fire within country parks. If required, the Fire Services Department, the Civil Aid Service and the Government Flying Service will also join in fighting hill fire. The number of hill fire incidents inside country parks decreased by 65% from 51 in 2008-09 to 18 in 2012-13.

2.32 There are 11 fire lookouts in country parks. During the fire season (from October to April), staff of the Divisions work 24-hour shifts at fire lookouts to keep watch on hill fire, with two staff in each shift. The number of fire lookouts to be manned depends on the assessed fire risks having regard to relevant factors (e.g. humidity). Photographs 6 and 7 show a fire lookout located in a country park.

Photographs 6 and 7

A fire lookout (Tai Mo Shan Country Park)

Photograph 6



The outside

Photograph 7



The inside

Source: Photographs taken by Audit in May 2013

Manual surveillance of hill fire

2.33 The Country Parks Divisions' surveillance of hill fire was basically operated manually. In 2012-13, staff of the Divisions spent a total of about 2,700 man-days (Note 22) in fire lookouts to keep watch on hill fire. The staff merely made use of binoculars to spot hill fire. No electronic devices were adopted to enhance and automate the process. Like all manual processes, such surveillance of hill fire is labour-intensive and prone to human errors.

2.34 Audit notes that some Mainland/overseas cities have adopted automated fire surveillance systems, employing such devices as infrared thermal scanners and visible light cameras to capture real-time images for computer and manual analysis. Upon enquiry, the AFCD informed Audit in August and September 2013 that:

- (a) a wildfire detection system using infrared thermal remote sensing technology had been tested at a fire lookout in Tai Lam Country Park in 2010. Performance of the system was found limited by such factors as unstable connectivity of mobile telecommunication networks, unstable power supply in the area, and susceptibility to interference from ambient environment conditions, such as the light sources in the populated area (e.g. village areas) near country parks; and
- (b) given the limitations, it was then considered that the technology was not yet feasible to substitute the manual surveillance of hill fire in current practice.

2.35 Audit considers that there is merit for the AFCD to keep in view the advance in technology of automated fire surveillance systems, so as to continue exploring the use of automated systems to supplement its manual process. In the longer term, using automated systems might help improve the AFCD's work in hill fire surveillance.

Note 22: *One man-day refers to one staff member working a 24-hour shift.*

Control of smoking

2.36 Under the Country Parks and Special Areas Regulations, lighting of fire outside designated places (e.g. barbecue sites and campsites) is generally prohibited in country parks. Discarding lighted cigarettes in a manner likely to cause a fire is also not allowed.

2.37 In spite of the prohibition of lighting fire and discarding lighted cigarette butts, smoking is not disallowed in country parks (Note 23). Audit considers this unsatisfactory due to the following reasons:

- (a) **Fire hazard.** Smoking in country parks is not in line with the spirit of hill fire prevention. According to the AFCD, almost all hill fire incidents are caused by human negligence. As stated in its website, improper disposal of matches and cigarette butts is a cause of hill fire;
- (b) **Source of littering.** Cigarette butts could be a source of littering, particularly in country parks where litter bins and ashtrays are not conveniently available; and
- (c) **Public nuisance.** Many visitors are driven to visit country parks for the clean fresh air (see para. 1.10). Smoking could be a nuisance to visitors and might attract their complaints.

Note 23: *The only exception is the Hong Kong Wetland Park, a special area. Soon after the opening of the Park in May 2006, there were media reports about visitors smoking and littering inside. In October 2006, the Park was designated as a statutory no smoking area under the Smoking (Public Health) Ordinance (Cap. 371).*

Patrolling and law enforcement

2.38 In this connection, Audit noted that there had been discussions in LegCo about whether smoking ban should be applied in country parks. In March 2006, in relation to the deliberation of the amendments to the Smoking (Public Health) Ordinance (Cap. 371), LegCo was informed that enforcement of smoking ban was likely to be a problem given the vast space in country parks (Note 24). In October 2006, LegCo was further informed that there were reservations about whether tobacco control should be proceeded so quickly, and that it was not proposed to designate all country parks as no smoking areas.

2.39 Audit notes that it has been seven years since the issue was discussed in 2006. Audit research shows that some overseas countries have recently stepped up smoking restrictions in their country parks (Note 25). There is a need for the AFCD to keep in view the need to impose smoking restrictions on country parks (e.g. during fire seasons, and on certain high-risk country park areas) having regard to relevant factors (see para. 2.37).

2.40 Upon enquiry, the AFCD informed Audit in August 2013 that according to its records, smoking was not a major fire hazard in country parks. Audit reviewed AFCD records and noted that, of the 79 incidents of hill fire in country parks from 2010-11 to 2012-13, the cause of hill fire was actually unknown in 75 (95%) incidents. In fact, the tragic hill fire of 1996 at Pat Sin Leng of the Plover Cove Country Park was found by the Coroner's Court to be caused by smoking.

Audit recommendations

2.41 **Audit has recommended that the Director of Agriculture, Fisheries and Conservation should:**

Note 24: *In March 2006, the then Health, Welfare and Food Bureau also informed LegCo that because of the nature of country parks, smoke from tobacco products or any pollution could be much better diluted there than in densely populated areas. Moreover, individuals in country parks rarely needed to stay in close proximity of each other.*

Note 25: *For example, starting from January 2013, smoking is prohibited in all the 21 national parks in the Republic of Korea. In the USA, smoking is prohibited in certain national parks when the weather is hot and dry.*

- (a) **keep in view the advance in technology for automated fire surveillance systems and their use in the Mainland and overseas, with a view to exploring the feasibility of applying the technology in Hong Kong; and**
- (b) **examine the desirability of prohibiting smoking (or restricting smoking only to designated areas) in country parks, having regard to the need for further reducing fire hazard and the need for better conserving country parks.**

Response from the Administration

2.42 The Director of Agriculture, Fisheries and Conservation agrees with the audit recommendations. He has said that the AFCD will take follow-up actions to implement the recommendations. He has also said that the AFCD will continue to keep in view the latest development in technology of automated hill-fire monitoring systems and explore the feasibility of applying such technology in country parks.

PART 3: REGULATING INCOMPATIBLE DEVELOPMENTS

3.1 This PART examines the protection of country parks through regulating incompatible developments, focusing on the following areas:

- (a) protection of enclaves (paras. 3.2 to 3.25);
- (b) development on private land within country parks (paras. 3.26 to 3.33);
and
- (c) public works projects in country parks (paras. 3.34 to 3.42).

Protection of enclaves

3.2 In some country parks, there are enclaves surrounded by or adjacent to the country parks (see para. 2.4). There are currently 77 enclaves covering a total area of some 2,000 ha. Not being part of country parks, enclaves are not protected by the Country Parks Ordinance against development activities which might be incompatible with the natural environment (incompatible developments), as well as against other possible eco-vandalism. The development of enclaves is mainly subject to the terms and conditions of the land leases, and if available, statutory plans under the Town Planning Ordinance (Cap. 131) such as OZPs (Note 26) or Development Permission Area (DPA) Plans (Note 27).

Note 26: *OZP is a kind of statutory plan prepared by the Town Planning Board under the Town Planning Ordinance. It is basically a plan that shows the land-use zonings and major road systems of individual planning scheme areas. Each plan is accompanied by a Schedule of Notes which shows for a particular zone the uses always permitted and uses that would require permission from the Town Planning Board upon application.*

Note 27: *DPA Plan is prepared for an area not previously covered by OZP. Usually, due to the relatively short time for preparation, the land use information shown on a DPA Plan is generally not as detailed as on an OZP. Such Plan provides planning guidance and serves as a basis for development control within the plan area. It will only be effective for three years from the date of publication (may be extended for up to one year), and will be replaced by OZP within the period if it is intended that land use control is to be maintained under the Town Planning Ordinance.*

Government actions to regulate land use in enclaves

3.3 In June 2010, the AFCD received public complaints about excavation works on both private land and government land at Sai Wan, an enclave at the Sai Kung East Country Park. Excavators and some machinery were found on the site, and signs of soil excavation, formation of ponds, land levelling and turfing works were noted. While it had a high landscape value, Sai Wan was not covered by any statutory plans for land use control. The Government looked into the matter, and shared the public concern about the need to provide necessary planning control on the site and prevent it from being used for incompatible purposes.

3.4 The complaints about development at Sai Wan highlighted the need to take prompt action to regulate land use in enclaves. As at 2010, of the 77 enclaves (see para. 3.2), 23 had been covered by OZPs between 1980 and 2009 (see Appendix E). However, for the remaining 54 enclaves (i.e. 77 less 23), no statutory plans had been drawn up (see Appendix F). In August 2010, the PlanD prepared a DPA Plan covering Sai Wan for immediate protection from unauthorised development. In October 2010, the Chief Executive stated in his 2010-11 Policy Address that the 54 enclaves would either be incorporated into country parks, or have their proper uses determined through statutory planning (i.e. through the preparation of DPA Plans and subsequently OZPs).

3.5 In taking forward this initiative, the AFCD and the PlanD, having regard to relevant factors, made an assessment of the situation of each enclave. Enclaves under immediate development threats were to receive priority attention (priority sites). In determining whether enclaves could be incorporated into country parks or were to be covered by statutory plans, such factors as accessibility of the sites and their immediate development threats, conservation value, landscape and aesthetic value, geographical locations, and existing scale of human settlements were relevant. In general, for enclaves which were subject to imminent development threat, the DPA Plan would serve as a stopgap measure.

3.6 In October 2010, the Administration considered the assessment and decided that the following protective measures were to be taken on the 54 enclaves:

Regulating incompatible developments

- (a) 27 enclaves were to be covered by statutory plans;
- (b) 2 enclaves were to be covered by DPA Plans and then incorporated into country parks (Note 28); and
- (c) 25 enclaves were to be incorporated into country parks.

3.7 The AFCD would follow up the enclaves for incorporation into country parks, which would require invoking the designation process under the Country Parks Ordinance (Note 29). The PlanD would follow up the enclaves to be covered by statutory plans by preparing DPA Plans and OZPs. Table 2 summarises the arrangements of October 2010.

Note 28: *One of these enclaves was Sai Wan. A DPA Plan for Sai Wan was prepared in August 2010 (see para. 3.4).*

Note 29: *To incorporate an enclave into an existing country park, the boundaries of the country park would be adjusted. The areas within the new boundaries would be designated as a country park pursuant to the Country Parks Ordinance.*

Table 2

**Protective measures planned for 54 enclaves
(October 2010)**

Protective measure	No. of enclaves	Department responsible for taking follow-up action	
		PlanD (No. of enclaves)	AFCD (No. of enclaves)
Preparing DPA Plans and OZPs	27	29	27
Preparing DPA Plans, followed by incorporation into country parks	2 (Note)		
Incorporating into country parks	25		
Overall	54	29	27

Source: Audit analysis of AFCD and PlanD records

Note: For these two enclaves, DPA Plans were to be prepared by the PlanD, and actions to incorporate them into country parks were to be taken by the AFCD.

3.8 In April 2013, in response to an enquiry of a LegCo Member, the PlanD said that it was the Government's target to complete the preparation of DPA Plans for the relevant enclaves in 2013-14.

Progress in implementing protective measures

3.9 Since October 2010, the AFCD and the PlanD had initiated actions to implement the protective measures. As at June 2013, the two departments had taken the following actions:

Regulating incompatible developments

- (a) **PlanD.** Of the 29 enclaves concerned (see Table 2), statutory planning process had been initiated for 23 (79%) enclaves with DPA Plans prepared (Note 30). Details are as follows:
 - (i) 2 enclaves covered by DPA Plans to be followed by incorporation into country parks; and
 - (ii) 21 of the 27 enclaves covered by DPA Plans to be followed by OZPs; and
- (b) **AFCD.** Designation process had been initiated for 3 of the 27 enclaves (see Table 2) for incorporation into country parks. Details are as follows:
 - (i) for 3 (11%) enclaves (namely Sai Wan, Kam Shan and Yuen Tun), the designation process had commenced. The designation was still in progress; and
 - (ii) for 24 (89%) enclaves, the designation process had not yet commenced.

3.10 As at June 2013, about three years had elapsed since the October 2010 arrangements (see para. 3.6), the AFCD had only implemented measures for protecting 3 enclaves. The AFCD's progress in the incorporation of the 27 enclaves into country parks was not entirely satisfactory. Upon enquiry, the AFCD informed Audit in August 2013 that:

- (a) the number of enclaves to be incorporated into country parks was only based on a preliminary assessment (see para. 3.5). The identified enclaves were subject to detailed assessment on their suitability for designation as country parks. In fact, it was the AFCD's intention to assess all the 54 enclaves to identify suitable ones for incorporation into country parks;

Note 30: *Besides these 23 enclaves, one of the DPA Plans also covered another enclave which, according to the arrangements of October 2010, was not to be so protected. This enclave immediately adjoined another enclave that the PlanD needed to follow up. In order not to leave an adjoining enclave without statutory protection, the PlanD incorporated both enclaves into the DPA Plan.*

- (b) to allow enclaves (with private land) to be incorporated into country parks, the principles and criteria for designation of country parks needed to be revised (see also Note 12 to para. 2.4). The revision was completed in May 2011 (see also para. 5.5(b));
- (c) in view of the change of the policy for designation of country parks (see (b) above), consultation with stakeholders was necessary to avoid possible legal disputes. For the proposed incorporation of the three enclaves (namely, Sai Wan, Kam Shan and Yuen Tun) into their respective country parks, the AFCD had conducted consultation sessions to solicit views from all major local communities since June 2011; and
- (d) the AFCD would continue to assess the suitability of the other 51 enclaves for designation as country parks.

3.11 As for the PlanD, as at June 2013, DPA Plans had been prepared for 23 (79%) of the 29 enclaves, leaving 6 enclaves to be dealt with. Upon enquiry, the PlanD informed Audit in August 2013 that the position had been kept in view all along, as follows:

- (a) the making of DPA Plans and subsequent replacement by OZPs involved very lengthy procedures and was subject to tight statutory timeline as laid down in the Town Planning Ordinance;
- (b) DPA Plans would be prepared for the remaining 6 enclaves within 2013-14; and
- (c) OZPs would be prepared to replace the relevant DPA Plans before their expiry. In particular, the preparation work for the first batch of replacement OZPs was on schedule.

Many enclaves remained unprotected

3.12 As at June 2013, subsequent to the October 2010 arrangements, a total of 26 enclaves had been covered by different protective measures taken by the AFCD and the PlanD (see Table 3).

Table 3

**Protective measures taken on enclaves
(June 2013)**

No. of enclaves	Action taken for the enclaves	
	Covered by DPA Plan	Undergoing the designation process for country parks (Note)
23	✓	
2		✓
1	✓	✓
Total: 26	Covered by DPA Plans and/or undergoing the designation process	

Source: Audit analysis of AFCD and PlanD records

Note: Draft maps of the proposed country parks (which included the enclaves) had been gazetted pursuant to the Country Parks Ordinance. This already rendered certain protection to the enclaves. According to the Ordinance, without the prior approval of the Country and Marine Parks Authority, no new development shall be carried out within the area of the proposed country parks.

3.13 However, as at June 2013, 28 enclaves (i.e. 54 less 26) were not covered by any protective measures. The number of unprotected enclaves was considerable, representing 52% of the 54 enclaves to be dealt with. According to the October 2010 arrangements, 6 of the 28 unprotected enclaves were to be covered by DPA Plans by the PlanD (see para. 3.11). The remaining 22 unprotected enclaves (including two priority sites considered to be under immediate development threats — see paras. 3.3 to 3.5) were to be incorporated into country parks by the AFCD. Case 1 is an example showing that the unprotected enclaves could be at risk of possible incompatible developments.

Case 1

Excavation and tree felling in an unprotected enclave

1. Tsing Fai Tong is an enclave in the Tai Lam Country Park, which should be followed up by the AFCD according to the October 2010 arrangements. It is also one of the 28 enclaves not yet covered by protective measures (see para. 3.13). The enclave comprises both private land and government land.

2. In December 2012, AFCD patrol staff detected clearance of vegetation in the enclave (about 30 trees were felled). The AFCD informed the PlanD and the LandsD of the incident. The PlanD replied that as the affected area was not covered by any statutory plans, no enforcement action could be taken under the Town Planning Ordinance. According to the LandsD, there was no tree preservation clause for the private land concerned. Thus, tree felling on the private land did not constitute a lease breach.

3. In January 2013, AFCD patrol staff detected excavation work in the enclave. A new trench was formed at the edge of a slope. The AFCD informed the PlanD and the LandsD of the incident. The LandsD replied in February 2013 that the matter was receiving attention.

4. In March 2013, AFCD patrol staff detected further excavation and tree felling in the enclave. In April 2013, the LandsD informed the AFCD that it would take land control action against unauthorised excavation on the unleased government land. In May 2013, the LandsD erected warning signs on the government land in the enclave to prevent further land excavation. The LandsD did not find further signs of excavation afterwards.

5. In July 2013, the AFCD found that there were no substantial changes in the site conditions.

Audit comments

6. In the absence of any protective measures for this enclave, its land use was not adequately regulated. Little action can be taken against possible incompatible developments in the enclave. The AFCD, the PlanD and the LandsD should continue to monitor any development activities in this enclave and consider taking prompt action for protecting the site.

Source: AFCD records

3.14 Case 1 shows that some of the 28 unprotected enclaves could be subject to imminent development threats. There is a need to consider taking prompt actions to cover these 28 unprotected enclaves against possible incompatible developments.

Measures needed for addressing imminent risks

3.15 Of the 28 unprotected enclaves, 22 were to be incorporated into country parks by the AFCD (see para. 3.13). This would require seeking the Country and Marine Parks Board's endorsement of the suitability of the enclaves for designation as country parks, as well as invoking the designation process for country parks under the Country Parks Ordinance (see para. 3.7). The major statutory procedures involved are shown at Appendix G.

3.16 Audit analysed the time taken in recent years to gazette draft maps (see item 3 of Appendix G) of country parks for the three enclaves, namely, Sai Wan, Kam Shan and Yuen Tun. Gazetting the draft maps was an integral part of the designation process under the Country Parks Ordinance (Note 31). Table 4 shows that the time required to gazette the draft maps was about 6 to 8 months after the Country and Marine Parks Board had endorsed the suitability of the enclaves for designation as country parks (Note 32).

Note 31: *According to the Country Parks Ordinance, after the draft maps are gazetted, no new development shall be carried out within the area of the proposed country parks without the prior approval of the AFCD.*

Note 32: *In practice, after the Board's endorsement and necessary consultations with stakeholders, approval of the Chief Executive in Council on the gazettal of the draft maps would be sought.*

Table 4

**Recent gazettals of draft maps of
proposed country parks
(2012)**

Enclave	Endorsement of the suitability of the site by the Country and Marine Parks Board	Gazettal of the draft map	Time elapsed
Sai Wan	February 2012	October 2012	8 months
Kam Shan	April 2012	October 2012	6 months
Yuen Tun	April 2012	October 2012	6 months

Source: AFCD records

3.17 Moreover, Audit noted that stakeholders (e.g. villagers) had raised objections to the designation of the enclaves in Table 4. As at June 2013, the designations were not completed. About eight months had elapsed since the draft maps were gazetted.

3.18 Upon enquiry, the AFCD informed Audit in August and September 2013 that:

- (a) the Country Parks Ordinance has detailed provisions for the designation of a country park. The designation process would inherently take a long time. The AFCD had all along followed the statutory requirements (see Appendix G) in the process of country park designation, which was a careful deliberation process;
- (b) the AFCD had conducted consultation sessions to solicit views from all major local communities since June 2011. From February to July 2012, the parties consulted included the Sai Kung District Council, the Sha Tin District Council and the Tsuen Wan District Council;

Regulating incompatible developments

- (c) in August 2012, the Country and Marine Parks Board endorsed invoking the statutory procedures under the Country Parks Ordinance;
- (d) the Chief Executive in Council's approval was obtained in October 2012 and the draft maps were gazetted for public inspection. Any person aggrieved by any of the draft maps might submit a written statement of objection;
- (e) according to the Country Parks Ordinance, the draft maps, together with any objections received and amendments made, had to be submitted to the Chief Executive in Council for approval within six months from the last day of the period during which objections might be lodged. The Authority had due regard to relevant statutory requirements and submitted the draft maps for approval in less than four months;
- (f) the designation process had come to the last step. The Designation Order for incorporating the three enclaves into country parks would be tabled at LegCo for negative vetting; and
- (g) regarding the other enclaves, their incorporation into country parks would be considered and pursued by batches.

3.19 While noting the AFCD's explanations for the time (6 to 8 months) required for necessary work before gazetting of draft maps, Audit considers that the AFCD needs to explore, in collaboration with the relevant departments, other more timely and effective measures for addressing the imminent threats of possible incompatible developments in some of the enclaves.

Other measures for protecting enclaves

3.20 Apart from incorporating enclaves into country parks, the AFCD has also implemented measures through the Management Agreement (MA) Scheme under its New Nature Conservation Policy to conserve enclaves, as follows:

- (a) the MA Scheme is an initiative to encourage the participation of landowners, non-profit-making organisations and the private sector in conservation of ecologically important sites;

- (b) funding support would be granted to enable non-profit-making organisations to enter into management agreements with landowners, who would receive financial incentives (e.g. rentals) in exchange for their cooperation (e.g. management rights over the land) in enhancing conservation of the sites concerned; and
- (c) in 2004, a total of 12 sites (8 of which included enclaves) were identified with priority under the New Nature Conservation Policy. These sites and the related enclaves were covered by the MA Scheme. Since June 2011, the scope of the MA Scheme has been extended to cover all enclaves as well as private land within country parks.

3.21 Audit noted that, up to June 2013, no conservation projects had been implemented at enclaves under the MA Scheme. There is a need to further promote the use of the MA Scheme for conserving enclaves.

Audit recommendations

3.22 Audit has *recommended* that the Director of Agriculture, Fisheries and Conservation should:

- (a) **critically review the progress made by the AFCD in protecting enclaves by incorporating them into country parks, with a view to devising a more effective strategy for incorporating the 27 enclaves into country parks in accordance with the October 2010 arrangements. In particular, the AFCD should:**
 - (i) **for the 3 enclaves with designation process initiated, take measure to ensure that the process is completed in a timely manner as intended; and**
 - (ii) **devise a timetable for designating the remaining 24 enclaves having regard to the need to give priority to enclaves identified to be under imminent development threats, including the priority sites identified in October 2010 (see paras. 3.3 to 3.5), and the enclave at Tsing Fai Tong with incompatible developments detected in early 2013;**

- (b) continue to monitor possible incompatible development activities at enclaves for necessary follow-up actions by relevant departments; and
- (c) further promote the use of the MA Scheme for conserving enclaves.

3.23 Audit has also *recommended* that the Director of Planning should continue its efforts in protecting enclaves through statutory planning in accordance with the October 2010 arrangements.

Response from the Administration

3.24 The Director of Agriculture, Fisheries and Conservation agrees with the audit recommendations in paragraph 3.22. He has said that the AFCD will take follow-up actions to implement the recommendations. He has also said that the Country Parks (Designation) (Consolidation) (Amendment) Order 2013, which was for the purpose of incorporating the three enclaves into their respective country parks, was tabled at LegCo on 16 October 2013 for negative vetting.

3.25 The Director of Planning agrees with the audit recommendation in paragraph 3.23. He has said that the PlanD would continue its best efforts in protecting the enclaves through statutory planning in accordance with the October 2010 arrangements.

Development on private land within country parks

3.26 In designating country parks in the past, there were pre-existing private land lots and human settlements inside or adjacent to the proposed country park boundaries. Where the private land owners did not raise objection, the private land might be incorporated into the country parks (Note 33).

Note 33: *Private land, if any, inside or adjacent to special areas would not be incorporated into the special areas which comprise only government land.*

3.27 According to AFCD records, at present, there are some 19,000 lots of private land within country parks. Unlike enclaves which are outside the boundaries of country parks, these private land lots are part of country parks and are hence under the protection of the Country Parks Ordinance on land use control. If any use of these private land lots would substantially reduce the enjoyment and amenities of the country parks, the AFCD may request the LandsD to exercise the powers conferred by the Country Parks Ordinance to require such use be discontinued or modified (Note 34).

Need to take prompt enforcement action

3.28 According to the established practices between the AFCD and the LandsD, the AFCD is responsible for patrolling country parks and notifying the LandsD of suspected unauthorised developments so identified for necessary enforcement action. The LandsD has issued internal guidelines in this regard (see Appendix H). However, the coordination between the two departments was not always satisfactory. Case 2 shows an example.

Note 34: *The Country Parks and Special Areas Regulations also prohibit the construction or erection of any building, hut or shelter, or the excavation of any cave within a country park.*

Case 2

Suspected unauthorised columbarium works in private land within a country park

1. In November 2011, AFCD staff patrolled the Sai Kung West Country Park and found columbarium-related structures (i.e. trapezoid gravestones and an angel statue) on private land at Tsam Chuk Wan. The AFCD considered that the case was related to leased land, and requested the LandsD to take necessary enforcement action on the case. The LandsD inspected the site but could not find the gravestones and the statue.
2. From December 2011 to February 2012, the case was deliberated within the LandsD. Consideration was given to such matters as whether the gravestones and statue constituted structures not permitted under the lease.
3. In March 2012, the LandsD did not find sufficient evidence pointing to the erection of a columbarium on the site. The LandsD asked the AFCD to also take enforcement action on the case regarding other built structures found (e.g. brick walls).
4. In April 2012, the AFCD and the LandsD exchanged further correspondence about the case. The AFCD was informed that the LandsD would take necessary enforcement action if the lease conditions were breached by the land owners.
5. In late April 2012, the AFCD noted further erection of structures (e.g. a guard-house-like shelter) on the private land. The AFCD informed the LandsD of the new structures.
6. In May 2012, the LandsD received a press enquiry about the suspected columbarium on the private land. Upon further investigation, the LandsD confirmed that there was a substantial lease breach involving unauthorised development of a columbarium. The LandsD decided to take enforcement action and informed the AFCD of the decision.
7. In mid-May 2012, the LandsD issued warning letters to owners of the private land, and required that the structures be demolished. Eventually, the LandsD terminated the land lease in June 2012.

Source: LandsD and AFCD records

3.29 On handling unauthorised use of land in country parks, close liaison between the LandsD and the AFCD is important to ensure that prompt enforcement action is taken to address the problem at an early stage. Case 2 shows that there is room for further improvement in the coordination between the two departments.

Information on private land not updated promptly

3.30 The Cartographic Unit of the AFCD maintains details (e.g. lot number, location and area) of private land within country parks in a computer database. The data were obtained from the LandsD. Every two years, the AFCD conducts full-scale updating of private land details in the database. During the updating, the AFCD collects relevant details from the LandsD and uploads them into the database.

3.31 Audit noted that the AFCD database was normally only used for map-making. There is scope for the AFCD to make further use of the database to help enhance the patrol of country parks. For example, the AFCD may make reference to the private land details in the database when planning the coverage of foot beats for routine patrols (see para. 2.12). This can help further strengthen its monitoring of private land in country parks. However, since the database is currently updated once every two years, the information therein could be outdated in the interim. In this connection, Audit noted that the database was last updated in November 2011, which was almost two years ago.

Audit recommendations

3.32 **Audit has *recommended* that the Director of Agriculture, Fisheries and Conservation should:**

- (a) **in consultation with the Director of Lands, review the adequacy of the arrangements for following up unauthorised development on private land within country parks, taking account of the need for prompt action to contain the problem at an early stage;**
- (b) **consider updating the database of private land in country parks more frequently; and**
- (c) **consider making use of the database to help enhance the planning of foot beats for patrolling country parks.**

Response from the Administration

3.33 The Director of Agriculture, Fisheries and Conservation agrees with the audit recommendations. He has said that the AFCD will take follow-up actions to implement the recommendations.

Public works projects in country parks

3.34 From time to time, works projects for the provision of public facilities (e.g. widening of roads and building of other infrastructures) may need to be carried out in country parks. These projects and the related works may not be entirely compatible with the country park objectives of nature conservation (incompatible projects), and could cause adverse impacts on the natural environment.

3.35 As the Country and Marine Parks Authority, the Director of Agriculture, Fisheries and Conservation will need to make his assessment to see whether agreement can be given for the public works projects (including incompatible projects) to be carried out in country parks. The agreement is normally given as an administrative arrangement, without the need to invoke any provisions of the Country Parks Ordinance. Upon completion of the works projects, the affected areas in the country parks would be restored and vegetated where appropriate.

Using country park area for landfill purposes

3.36 In 1991, the design stage of the South East New Territories (SENT) Landfill Project in Tseung Kwan O was underway. The then Director of Agriculture and Fisheries approved an encroachment of the Landfill onto a site of 18 ha in the nearby Clear Water Bay Country Park. A chronology of key events of the case is at Appendix I. The 18 ha of land, which was subsequently allocated to the EPD for operations of the SENT Landfill, remained part of the Clear Water Bay Country Park despite the fact that its use for landfill purposes was incompatible with the country park objectives of nature conservation.

3.37 In the 2000s, the SENT Landfill was to be extended. It was intended that another 5 ha of land in the Clear Water Bay Country Park would be used for the extension. Drawing on the experience of using the 18 ha country park area for

landfill purposes, the Country and Marine Parks Board considered that the proposed 5 ha site might not be available for public enjoyment for a very long time. Having also considered other relevant factors (Note 35), the proposed 5 ha site would need to be excised from the Clear Water Bay Country Park boundary. The EPD could then use the excised site for the proposed extension of the SENT Landfill. To give effect to the revised country park boundary, the Chief Executive in Council ordered in May 2010 that the map of the Clear Water Bay Country Park should be replaced by a new map pursuant to the provisions of the Country Parks Ordinance.

3.38 However, due to objection of LegCo, in January 2011 the excision was not pursued further and the EPD revised its landfill extension plan. A chronology of key events of the case is at Appendix J.

Returning the 18 ha of land to the AFCD

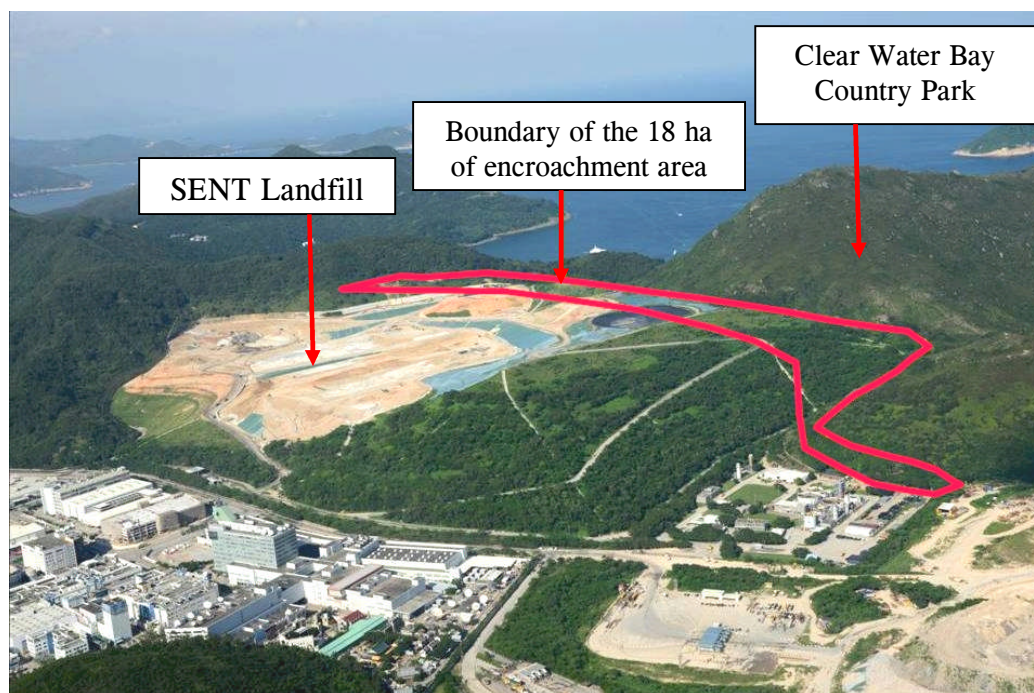
3.39 It is worth noting that in 1993 when the AFCD gave consent to the use of 18 ha of land by the EPD for landfill purposes, it was agreed that the site would be restored and returned to the AFCD after the closure of the SENT Landfill. However, at present, the SENT Landfill is still in operation (see Photograph 8) and further extension is being planned. There is no definite timeframe for the restoration and return of the 18 ha of land to the AFCD.

Note 35: *Other considerations included:*

- (a) *using the site for extension of the SENT Landfill was an incompatible use of the Clear Water Bay Country Park;*
- (b) *the ecological value of the affected land was low to moderate. There would be little deprivation of public enjoyment; and*
- (c) *excision of the site (which would call for invoking statutory procedures) would be transparent as this would provide the public with a formal objection mechanism in relation to the intended use of the Clear Water Bay Country Park for landfill purposes.*

Photograph 8

Encroachment of the SENT Landfill into the Clear Water Bay Country Park



Source: EPD records (photograph taken in June 2013)

3.40 A key objective of designating an area as a country park is nature conservation (see para. 1.4). Land that has already been used for landfill purposes may no longer be compatible with the country park objectives. There is a need to critically consider what remedial measures need to be taken for restoring the land so that it can be compatible with the natural environment of the country park.

Audit recommendations

3.41 Audit has *recommended* that the Director of Agriculture, Fisheries and Conservation should:

- (a) **follow up with the Director of Environmental Protection about the expected timeframe and the required restoration work for the return of the 18 ha of land in the Clear Water Bay Country Park to the AFCD; and**
- (b) **closely monitor the impact of the landfill site on the Clear Water Bay Country Park, and take necessary remedial measures to protect the natural environment of the Country Park.**

Response from the Administration

3.42 The Director of Agriculture, Fisheries and Conservation agrees with the audit recommendations. He has said that the AFCD will take follow-up actions to implement the recommendations.

PART 4: PUBLICITY AND EDUCATIONAL ACTIVITIES

4.1 This PART examines the AFCD's efforts in promoting conservation of country parks through publicity and educational activities. The following issues are discussed:

- (a) school education programmes (paras. 4.2 to 4.13);
- (b) publicity of keeping country parks clean (paras. 4.14 to 4.20); and
- (c) publicity of the Hong Kong Geopark (paras. 4.21 to 4.36).

School education programmes

4.2 The AFCD's Country Parks Ranger Services Division (see Appendix C) is responsible for organising publicity activities on the promotion of nature appreciation and conservation in country parks. The activities include hiking, tree planting, and school education programmes. Target participants are students, teachers and the general public (particularly nature lovers). In 2012-13, free activities were organised for about 310,000 participants.

4.3 School education programmes are a key component of the AFCD's publicity activities. Of the 310,000 participants in publicity activities in 2012-13 (see para. 4.2), about 94,000 (30%) were students taking part in school education programmes. Many of these programmes (e.g. school guided eco-tours in geo-areas) were held at country parks. Some of them (i.e. school visit programmes — Note 36) were held at the participating schools. To join a school education programme, a school is normally required to submit an application to the AFCD. Acceptance of the application was subject to availability of places. Photograph 9 shows a school visit programme held at a primary school.

Note 36: *Under these programmes, visits were paid to the participating schools to promote nature conservation through such activities as booth games and presentations. The AFCD engaged contractors to conduct the school visits.*

Photograph 9

School visit programme held at a primary school



Source: AFCD records

Demand for school education programmes not adequately met

4.4 In 2012-13, the school education programmes comprised eight programmes. For seven of these programmes (see items 1 to 7 in Table 5 in para. 4.5), a school interested in joining a programme should submit an application before the intended date of the activity. The seven programmes had in total some 39,000 participants in 2012-13. As for the remaining programme, it comprised interpretation sessions conducted according to a schedule at an education centre of a special area. These sessions provided information about conservation and relevant exhibits at the centre. Prior application for participation in an interpretation session was not required. Interested schools could join such a session when it started. This programme had some 55,000 participants in 2012-13.

4.5 Audit reviewed the applications for school education programmes (excluding interpretation sessions which did not require prior applications) received by the AFCD in 2012-13. Table 5 shows the results of the applications. Audit noted that of a total of 717 applications received, 70 (10%) were rejected by the AFCD. Many of the rejected applications were related to school visit programmes for kindergartens. In 2012-13, of a total of 134 applications received from kindergartens for school visit programmes, 37 (28%) were rejected. Upon enquiry,

Publicity and educational activities

the AFCD informed Audit in August 2013 that the applications were rejected mainly because the time slots requested by the schools were unavailable (e.g. time slots already booked by other schools).

Table 5
Applications for school education programmes
(2012-13)

Item	Programme (Note)	Application received		Application accepted		Application rejected	
		(No.)	(%)	(No.)	(%)	(No.)	(%)
Programmes held at schools							
1	School visit programmes for kindergartens	134	100%	97	72%	37	28%
2	School visit programmes for primary schools	71	100%	68	96%	3	4%
	Total	205	100%	165	80%	40	20%
Programmes held at country parks							
3	Country parks orienteering	55	100%	47	85%	8	15%
4	School guided eco-tours in geo-areas	97	100%	83	86%	14	14%
5	School education programmes at Country Park Visitor Centres	170	100%	162	95%	8	5%
6	Educational guided field studies for secondary and senior primary schools	150	100%	150	100%	0	0%
7	Rock classroom	40	100%	40	100%	0	0%
	Total	512	100%	482	94%	30	6%
	Overall	717	100%	647	90%	70	10%

Source: Audit analysis of AFCD records

Note: Interpretation sessions which did not require prior applications were excluded (see para. 4.4).

4.6 It generally takes a long time and strenuous efforts to nurture a culture of nature conservation in the community. School education programmes are an effective means to nurture such a culture among younger students. Efforts to promote nature conservation among young students will no doubt benefit our future generations. Audit noted that the 2012 Survey Report (see para. 1.10) which was published in June 2013 had also identified school education programmes as one of the AFCD's priority areas for resource allocation (Note 37). In this connection, Audit noted that the school visit programmes were generally well received by participants (Note 38). Audit considers that more can be done to strengthen and promote the school visit programmes (especially programmes for kindergartens).

Scope for conducting more school visits

4.7 School visit programmes were an effective means of disseminating conservation messages to a large number of students. In 2012-13, the school visit programmes reached a total of 28,598 participants, more students than other education programmes organised for schools (Note 39). Audit considers that there

Note 37: *The 2012 Survey aimed to find out areas for improvement for country parks, and identified resources allocation priority within the AFCD. In the Survey Report, it was noted that "nature conservation activities and education activities were relatively important with high priority for further improvement", and that the AFCD could focus on conveying the message of nature conservation through school activities.*

Note 38: *Participating schools were required to rate the school visit programmes on a scale of five grades (i.e. "very good", "good", "fair", "bad" and "very bad"). In 2012-13, 57% of the responding primary schools and 30% of the responding kindergartens rated the programmes "very good". The rest of the responding primary schools and kindergartens rated the programmes either "good" or "fair".*

Note 39: *The number of participants in programmes referred to in items 3 to 7 of Table 5 totalled 10,894. The figure did not include participants in interpretation sessions due to the different nature of the sessions. According to the AFCD, an interpretation session only lasted for about 15 minutes, differing from other school education programmes which were more in-depth (e.g. at least a 2-hour duration for a school visit).*

is room for the AFCD to leverage more on school visit programmes to convey conservation messages to more students. For example, school visit programmes are currently only available for primary schools and kindergartens, but not for secondary schools. The AFCD may consider extending the school visit programmes to secondary schools.

Promoting the use of the education kit for secondary schools

4.8 To supplement the school education programmes, in October 2010, the AFCD first launched an education kit for use by secondary schools (Note 40). The kit aimed to help teachers promote nature conservation at schools. The AFCD updated the kit from time to time, and posted the updated kit on the AFCD website for downloading by teachers (Note 41). The AFCD monitored the Internet hit rate of the kit (i.e. the number of visits to the website on which the kit was posted), which was used as an indicator of its utilisation. Table 6 shows the quarterly hit rate of the education kit for the period April 2011 to June 2013.

Note 40: *The education kit was entitled “Hong Kong Country Parks Education Kit for Secondary Schools”. It provided reference materials (e.g. suggested teaching activities and worksheets) in relation to nature conservation in Hong Kong.*

Note 41: *The downloading of the education kit was password-controlled. Only registered users (mainly teaching staff of secondary schools) can access the education kit.*

Table 6

**Quarterly hit rate of the education kit
(April 2011 to June 2013)**

Period	Number of visits to the education kit website
April to June 2011	18,385
July to September 2011	15,861
October to December 2011	13,646
January to March 2012	20,237
April to June 2012	10,116
July to September 2012	6,995
October to December 2012	4,606
January to March 2013	6,143
April to June 2013	5,368

Source: AFCD records

4.9 Table 6 shows that there was a general decreasing trend in the hit rate of the education kit starting from the quarter January to March 2012. Upon enquiry, the AFCD informed Audit in August 2013 that when teachers visited the education kit website, they might download worksheets from the website. After they had familiarised themselves with the website or downloaded the worksheets, they might explore the website less frequently, thus resulting in a reduction of the hit rate. Audit however noted that the AFCD had not ascertained the number of secondary schools which had adopted the education kit for use in teaching nature conservation. As the education kit has been launched for some three years, the AFCD may consider conducting an evaluation of the effectiveness of the kit in promoting nature conservation at secondary schools.

4.10 Audit also noted that so far only two user training sessions were conducted in October 2010 when the education kit was first launched. The AFCD

co-organised the training sessions with the Education Bureau (EDB) and a total of 51 teachers and school heads attended the training. The number of attendees appeared to be small in comparison with over 500 secondary schools in Hong Kong and the large number of users as evidenced by the hit rate of the kit. Since then, no user training sessions or refresher workshops had been organised. In order to encourage more users to adopt the kit for teaching nature conservation at secondary schools, the AFCD needs to consider organising regular training sessions (e.g. induction training and refresher workshops) for them.

Audit recommendations

4.11 Audit has *recommended* that the Director of Agriculture, Fisheries and Conservation should:

- (a) take measures, including redeployment of resources within the AFCD, to further enhance the school education programmes for promoting nature conservation and appreciation. For example, the AFCD may consider:**
 - (i) conducting more school visits under the school education programmes so as to reach out to more students; and**
 - (ii) extending the school visit programmes also to secondary schools;**
- (b) conduct an evaluation of the education kit for secondary schools. This should include, for example:**
 - (i) ascertaining the number of secondary schools which have adopted the education kit for use in teaching nature conservation; and**
 - (ii) assessing teachers' training needs for using the education kit; and**

- (c) **having regard to the evaluation, take steps to ensure that adequate support is provided to users of the education kit for secondary schools (e.g. organising induction sessions and refresher workshops for teachers on a periodic basis).**

Response from the Administration

4.12 The Director of Agriculture, Fisheries and Conservation agrees with the audit recommendations. He has said that the AFCD will take follow-up actions to implement the recommendations.

4.13 The Secretary for Education has said that the AFCD has long been a close partner of the EDB in the promotion of the protection and conservation of country parks. The EDB and the AFCD have co-organised training sessions for teachers and school heads (see para. 4.10). As these programmes benefit the professional development of teachers, the EDB encourages their participation that counts towards their Continuing Professional Development hours.

Publicity of keeping country parks clean

4.14 Every year, about 3,000 to 4,000 tonnes (Note 42) of litter is collected from country parks. Apart from prosecuting littering cases during patrolling and law enforcement (see para. 2.3), the AFCD has taken measures to publicise the need to keep country parks clean. In particular, posters are displayed at recreational sites reminding visitors to keep country parks clean, and signs are erected at entrances to and along hiking trails advising visitors to take their litter away with them (or take their litter home) for proper disposal (see Photographs 10 and 11). Participants in school education programmes and other publicity activities are also advised of the need for keeping country parks clean.

Note 42: *One tonne is equal to 1,000 kilogrammes (kg).*

Photographs 10 and 11

**Examples of signs advising visitors
to take their litter away with them for proper disposal**

Photograph 10



A sign in Country Park A

Photograph 11



A sign in Country Park B

Source: Photographs taken by Audit in May and July 2013

4.15 Table 7 shows an analysis of the amount of litter collected from country parks in the past 10 years.

Table 7

**Litter collected from country parks
(2003-04 to 2012-13)**

Year	Litter collected (a) (tonnes)	No. of visitors (b) (million)	Litter per visitor (c) = (a) × 1,000 ÷ (b) (kg per visitor)
2003-04	4,100	12.1	0.34
2004-05	3,700	12.2	0.30
2005-06	3,200	12.2	0.26
2006-07	3,200	12.2	0.26
2007-08	3,100	12.6	0.25
2008-09	2,900	12.4	0.23
2009-10	3,400	13.6	0.25
2010-11	3,400	13.2	0.26
2011-12	3,800	13.4	0.28
2012-13	3,700	12.7	0.29

Source: Audit analysis of AFCD records

Need to step up publicity efforts

4.16 As can be seen from Table 7, in the past 10 years, the amount of litter collected from country parks decreased by about 10% from 4,100 tonnes in 2003-04 to 3,700 tonnes in 2012-13. However, more recently (since 2008-09), there was a discernible trend that the amount of litter was on the rise again, increasing from 2,900 tonnes in 2008-09 by 28% (or 800 tonnes) to 3,700 tonnes in 2012-13. In particular, the amount of litter disposed of by individual visitors increased by 26% from 0.23 to 0.29 kg per visitor during the period. This is a cause for concern as it appears that more litter has been generated by each visitor, notwithstanding the AFCD's efforts in promoting the message of keeping country parks clean.

Publicity and educational activities

4.17 Upon enquiry, the AFCD informed Audit in August 2013 that:

- (a) in recent years, the AFCD had enhanced its efforts in collecting coastal garbage being washed ashore onto country parks. This might have contributed partly to the increase in the amount of litter collected from country parks. However, there were no statistics of the coastal garbage so collected;
- (b) based on the experience in country park management, most litter was collected at recreational sites (e.g. barbecue sites and picnic sites). The current trend was to promote waste reduction through the three “Rs” of waste management, namely, reducing, reusing and recycling; and
- (c) the Government already had a few announcements in the public interest (APIs) on radio and television to promote waste reduction (although these APIs were not specifically related to the theme of keeping country parks clean).

4.18 While most of the litter might have been disposed of by visitors at the right places (e.g. litter bins and litter stockades), the large amount of litter in country parks (e.g. at recreational sites — see para. 4.17(b)) would undermine their aesthetic quality and good environment which is the main reason for people visiting these places (see para. 1.10). Moreover, litter handling has also created a considerable workload for AFCD staff. There is a need for the AFCD to step up its publicity to help further promote keeping country parks clean. In this connection, Audit noted that:

- (a) although publicity of keeping country parks clean had been incorporated into the school education programmes (see para. 4.14), there was scope for the AFCD to further enhance these programmes by conducting more school visits (see para. 4.7); and
- (b) the AFCD had not publicised keeping country parks clean (e.g. through waste reduction) by broadcasting APIs on radio and television.

Audit recommendations

4.19 Audit has *recommended* that the Director of Agriculture, Fisheries and Conservation should:

- (a) review the effectiveness of the AFCD's publicity efforts in promoting the message of keeping country parks clean; and
- (b) take measures to step up the AFCD's publicity measures (e.g. broadcasting APIs on radio and television) to better promote waste reduction at country parks.

Response from the Administration

4.20 The Director of Agriculture, Fisheries and Conservation agrees with the audit recommendations. He has said that the AFCD will take follow-up actions to implement the recommendations.

Publicity of the Hong Kong Geopark

4.21 The Hong Kong Geopark is a member of the Global Geoparks Network which is supported by the United Nations Educational, Scientific and Cultural Organisation (see para. 1.6). The purposes of establishing the Hong Kong Geopark are to:

- (a) protect precious geological heritage;
- (b) spread knowledge of earth science; and
- (c) promote sustainable social and economic development through geo-tourism (Note 43).

Note 43: *Geo-tourism generally refers to tourism involving travel to areas with specific focuses on landscape and geology.*

Publicity and educational activities

Attaining these Geopark objectives is a prerequisite for maintaining the membership status of the Global Geoparks Network.

4.22 In pursuit of the Geopark objectives, the AFCD's Geopark Division carries out publicity and educational work (e.g. promoting earth science to students through seminars, liaising with members of the Global Geoparks Network, etc.), and enlists the support of various parties including non-governmental organisations (NGOs) and the private sector. The Geopark Division, headed by a Senior Geopark Officer, has a strength of nine staff (see Appendix C). In 2012-13, the participating parties carried out various activities to help publicise the Geopark and promote geo-tourism, including:

- (a) **Geo-tours.** Three NGOs provided fee-paying guided tours for visitors in different geo-areas;
- (b) **Geo-gourmets.** Five local restaurants included “geological” dishes (Note 44) in their menus to enrich customers’ geopark experience; and
- (c) **Geopark Hotel.** The AFCD named a hotel on the Hong Kong Island the “Hong Kong Geopark Hotel”. The hotel was committed to promoting the geopark concept in delivering its services. The lobby and selected rooms of the hotel were decorated with the geopark theme. Geopark videos were played in the hotel. Geopark guided tours were also available to hotel guests.

The participating parties’ publicity and promotional activities would also raise people’s awareness of the need to preserve the Hong Kong Geopark.

Promoting eco-tourism in Hong Kong

4.23 Eco-tourism generally refers to tourism involving travel to areas of natural or ecological interest for the purpose of observing wildlife and learning about the environment. With 40% of the territory protected as country parks (see para. 1.5) coupled with its richness of biodiversity (both animal and plant species)

Note 44: *This refers to the use of attractive names (e.g. “crispy dinosaur eggs” for deep-fried fresh scallops) for the dishes being served.*

and array of landforms (see para. 1.3), Hong Kong is well-placed to develop eco-tourism which offers the much-needed diversification beyond its main tourist attractions of shopping and dining in the tourism industry. Audit notes that there are a number of promotional activities of eco-tourism in Hong Kong and more specifically of the Hong Kong Geopark, and considers that special attention should be drawn to a number of promotional efforts (see paras. 4.24 to 4.34).

Unclear role of the AFCD

4.24 Audit reviewed the collaboration between the AFCD and the participating parties in 2012-13. Audit noted that in general, the participating parties' publicity and promotional activities did not receive any funding from the AFCD. These activities, particularly those run by the private sector (i.e. other than NGOs), were generally commercial in nature (e.g. operating the Geopark Hotel). The AFCD mainly played the role of a facilitator (e.g. providing training, liaising with different parties and attending publicity events), and did not take part in the business operation.

4.25 However, in spite of the AFCD's limited role, the AFCD has permitted the description of such collaboration as a partnership arrangement. Case 3 shows an example.

Case 3

AFCD's publicity of its collaboration with the Geopark Hotel

1. The AFCD publicised its collaboration with Hotel A (i.e. the Geopark Hotel) on the Hong Kong Geopark website (a government website), and stated that Hotel A:

“has made a partnership arrangement with Hong Kong Geopark to be the first Hong Kong Geopark Hotel. The Hotel is committed to geo-conservation and promotion of geopark concept”.

2. As a matter of fact, the AFCD did not take part in hotel operation, nor did it intend to be a business partner of Hotel A. There was no written agreement or formal correspondence between the AFCD and Hotel A to specify their respective duties and responsibilities.

Source: AFCD records

4.26 Audit is concerned that without a written agreement or memorandum to clearly define its role and responsibility, the AFCD's role could be misconstrued. In this regard, it is important to keep proper documentation of the formal correspondence with the participating parties in the collaboration.

4.27 Upon enquiry, the AFCD informed Audit in August 2013 that it maintained email records of discussions during the early stage of collaboration (i.e. 2009 to 2011). Due to resource constraints and the large number of interested parties, a complete record of all the meeting details was not kept. The AFCD considered that all the participating parties should be well aware of their roles and responsibilities. The AFCD did not have written contracts with any of them.

4.28 Audit considers that for the avoidance of doubt, it is preferable for the AFCD to enter into formal agreements with the participating parties, clearly specifying their respective duties and responsibilities in the collaboration.

Inadequate transparency in the recruitment of Geopark partners

4.29 While the Geopark “partners” (i.e. parties participating in the Hong Kong Geopark’s publicity and promotional activities) did not receive any funding from the AFCD, they were entitled to use the Geopark logos (see Figure 2) for promoting their related services/products.

Figure 2

**Logos for use by Geopark partners
(2012-13)**



Source: AFCD records

4.30 Audit noted that it was not the practice of the AFCD to recruit Geopark partners in an open and transparent manner. Moreover, the eligibility criteria for recruitment were not laid down. As in the case of the collaboration with Hotel A (see Case 3), no formal documentation of the AFCD’s recruitment of partners was available for audit examination. Upon enquiry, the AFCD informed Audit in September 2013 that:

- (a) while not clearly laid down, in practice, the recruitment of Geopark partners was based on a number of principles, as follows:
 - (i) the applicant’s initiatives or activities were consistent with the core objectives of the Hong Kong Geopark on the aspects of promoting sustainable geo-tourism and science popularisation;

Publicity and educational activities

- (ii) the applicants' objectives and scope of work were clearly stated;
 - (iii) the collaboration would bring media exposure and benefits to the public image of the Hong Kong Geopark, and will help promote geo-conservation; and
 - (iv) the collaboration would provide sustainable benefits to the local business or community;
- (b) Geopark partners could only use the Geopark logos for the purpose of promoting the Geopark in the course of their business. The AFCD had the right to terminate relationships that did not meet its needs and requirements; and
- (c) many interested parties approached the AFCD direct to explore collaboration opportunities. According to the Global Geoparks Network principles, the AFCD welcomed all sorts of and as many as possible organisations to be Geopark partners. However, the recruitment of Geopark partners was not publicised.

4.31 Audit considers that the right to use the Geopark logos is a valuable benefit Geopark partners may derive from their collaboration with the AFCD. The AFCD's recruitment of Geopark partners should therefore be conducted in an open and transparent manner.

Advertising commercial activities on a government website

4.32 As mentioned in paragraph 4.24, many publicity and promotional activities of the Geopark partners were commercial in nature. Audit noted that details about these Geopark partners (e.g. the Geopark partners' names, contact information, service descriptions and website links) were advertised on a government website (i.e. the Hong Kong Geopark website). This gives an impression that the AFCD is advertising commercial activities on a government website.

4.33 According to Government guidelines (Note 45), for building up links from Government websites to other websites, bureaux and departments “should be discreet and consider whether it may wrongly imply a closer relation with certain organisations, especially those commercial ones”. The guidelines also require that a conscious policy is needed in this regard.

4.34 As far as Audit could ascertain, the AFCD did not have a laid-down policy on advertising commercial activities on its website or building up links to other commercial websites such as those of the Geopark partners.

Audit recommendations

4.35 **Audit has *recommended* that the Director of Agriculture, Fisheries and Conservation should:**

- (a) **review the adequacy of the collaboration arrangements between the AFCD and its Geopark partners in publicising the Hong Kong Geopark and promoting geo-tourism, including:**
 - (i) **maintaining proper documentation of the formal correspondence with the Geopark partners;**
 - (ii) **clarifying the roles of the AFCD in the collaboration, taking into account the Government’s exposure to business risks of the Geopark partners; and**
 - (iii) **considering entering into formal agreements with the Geopark partners, clearly specifying the respective duties and responsibilities in the collaboration;**
- (b) **in publicising the collaboration between the AFCD and a Geopark partner, avoid using wording which may imply a business relationship between the Government and the Geopark partner;**

Note 45: *The guidelines are entitled “Guidelines on Dissemination of Information through Government Websites”.*

Publicity and educational activities

- (c) **take measures to improve the transparency and accountability in the recruitment of Geopark partners, including:**
 - (i) **publicising the eligibility criteria for recruitment of Geopark partners (see para. 4.30(a)); and**
 - (ii) **conducting the recruitment of the Geopark partners in an open and transparent manner; and**
- (d) **review the appropriateness of the existing practice of advertising Geopark partners' commercial activities on the Hong Kong Geopark website, including the need to formulate a clear policy for advertising commercial activities in publicising the Geopark and promoting geo-tourism.**

Response from the Administration

4.36 The Director of Agriculture, Fisheries and Conservation agrees with the audit recommendations. He has said that the AFCD will take follow-up actions to implement the recommendations. He has also said that:

- (a) the geopark concept is relatively new in Hong Kong and public knowledge is still quite limited. The AFCD will continue to promote it actively and seek more partners; and
- (b) community participation is one of the conditions for the Hong Kong Geopark to retain its membership status of the Global Geoparks Network. Any organisation interested in becoming a Geopark partner would be informed of the requirements and criteria for recruitment.

PART 5: WAY FORWARD

5.1 This PART explores the way forward for the protection of country parks, focusing on:

- (a) designation of new country parks (paras. 5.2 to 5.6); and
- (b) performance measurement and reporting of nature conservation (paras. 5.7 to 5.9).

Regarding the existing country parks, they are subject to protection under the Country Parks Ordinance. In PARTs 2 to 4, Audit has found that there is a need to further improve the protection of country parks. In particular, for the protection of enclaves, this audit review has highlighted a need for the AFCD to devise a more effective strategy for implementing protective measures in accordance with the October 2010 arrangements (see paras. 3.2 to 3.25).

Designation of new country parks

5.2 Nature conservation is a key objective of designating country parks. The designation of country parks started in the 1970s. After more than 30 years, country parks currently cover some 44,240 ha of land. At present, about 40% of Hong Kong's land area has been included in country parks (see para. 1.5). Given the developments over the past decades (e.g. increase in the coverage of country parks and the fast pace of urbanisation), the further designation of any new country parks will inevitably be a matter requiring careful consideration and thorough consultation (Note 46).

Note 46: *Regarding the use of land which is already incorporated into Country Parks, the Country Parks Ordinance provides a legal framework for the development and management of the land.*

Potential sites identified for designation

5.3 As early as the 1990s, the AFCD had identified a number of potential sites for designation as country parks, as follows:

- (a) **1993 review.** In 1993, an interdepartmental working group of the AFCD and the PlanD was formed to identify areas with conservation value for designation as country parks. The working group found 14 potential sites. The PlanD confirmed that the sites were not required for urban development. The then Country Parks Board (Note 47) also confirmed the sites' potential for designation; and
- (b) **1999 study.** In 1999, the AFCD conducted a follow-up study on 3 of the 14 potential sites identified in the 1993 review. The Country and Marine Parks Board considered that the 3 sites were suitable for designation.

Progress in designation

5.4 Audit noted that, as at August 2013:

- (a) of the 14 potential sites identified in the 1993 review, 9 (64%) had not been designated as country parks;
- (b) of the 3 potential sites reconfirmed as suitable for designation in the 1999 study, none had been designated as country parks; and
- (c) the AFCD was making preparation to designate one of these potential sites (i.e. the area at Robin's Nest near Sha Tau Kok) as a new country park.

Note 47: *The Country Parks Board was renamed Country and Marine Parks Board in 1995 upon the enactment of the Marine Parks Ordinance.*

Multifarious factors affecting designation

5.5 The identification of suitable sites for designation as country parks has been governed by established principles and criteria (e.g. conservation value of the areas). However, the designation of country parks is a dynamic activity, involving interactions of different parameters, such as:

- (a) ***Growing public concern about nature conservation.*** There has been an increasing public awareness of the importance of nature conservation and biodiversity in Hong Kong (see para. 1.11). The complaints about development at Sai Wan in 2010 (see paras. 3.3 and 3.4) highlighted the growing public concern about better protection of the countryside;
- (b) ***The 2011 revised policy.*** In the past, private land was usually left outside the boundaries of country parks. This has, however, resulted in problems with the management of enclaves (see para. 3.4). In 2011, the AFCD updated the criteria for designation of new country parks to the effect that the mere existence of private land would no longer be automatically taken as a determining factor for exclusion from the boundary of a country park. However, including private land in country parks would increase the spectrum of stakeholders (e.g. villagers) during the consultation stage for designation. Greater efforts are therefore needed to solicit the stakeholders' support in the designation process (see para. 3.17);
- (c) ***Competing demands for land use.*** Land is a scarce and valuable resource in Hong Kong. As pointed out in the 2013 Policy Address, land shortage has seriously stifled the social and economic development in Hong Kong, and the Government is committed to increasing the supply of land in the short, medium and long terms. The use of country park area for incompatible purposes such as landfill purposes (see paras. 3.36 to 3.40) highlighted the keen competing demands for land use in Hong Kong today; and
- (d) ***Other factors.*** Case 4 shows how various socio-economic factors (e.g. funding availability and policy initiatives) could affect the designation of a country park.

Case 4

Designation of the Lantau North (Extension) Country Park

1. In 1993, areas on the north of Lantau Island (Lantau North) were identified as suitable for designation as a country park.
2. From 1994 to 1997, the AFCD made attempts to secure resources for the designation but was not successful.
3. In October 1999, it was stated in the Policy Address that the Administration would substantially extend managed country park areas on Lantau Island in 2001.
4. During 2000 to 2002, the AFCD obtained the endorsement of the Country and Marine Parks Board, and gazetted the draft map of Lantau North (Extension) Country Park. The draft map was then submitted to the Administration for consideration.
5. In 2003, it was considered that the Administration might not have sufficient resources to administer the proposed country park. The designation of the country park would require further consideration.
6. In 2007, a concept plan for Lantau Island was published by a task force which was under the steer of the Financial Secretary. It was stated in the concept plan that the proposed Lantau North (Extension) Country Park was a major element under the development theme.
7. In 2008, the designation process was revived. The draft map of the proposed country park was gazetted again. The country park was designated in November 2008.

Audit comments

8. Having been affected by different factors (e.g. funding availability and policy initiatives), the designation of the Lantau North (Extension) Country Park turned out to be a very long process.

Source: AFCD records

Need to keep potential sites under review

5.6 The 14 potential sites for designation as country parks were first identified 20 years ago in 1993 (see para. 5.3(a)). So far, less than half (36%) of these potential sites have been designated as country parks (see para. 5.4(a)). Given its fast pace of urbanisation, Hong Kong has undergone a lot of economic development in the past two decades. Today, there are also great competing demands for land use and multifarious factors affecting the designation of new country parks (see para. 5.5). Audit considers that the AFCD needs to keep under review the suitability for designation of the nine outstanding potential sites as country parks. Given the long time elapsed since the identification of the potential sites for country parks in the 1993 review, it is timely for the AFCD to revisit its strategy for the designation of new country parks in future.

Performance measurement and reporting of nature conservation

5.7 In a small place like Hong Kong, a fine balance needs to be struck between economic development and nature conservation. This is important for the long-term sustainable development of country parks as a key component of nature conservation in Hong Kong. In this regard, the AFCD needs to make more efforts to demonstrate to all stakeholders the outcomes and effectiveness of its “Nature Conservation and Country Parks” Programme (see para. 1.9).

Performance measures

5.8 The AFCD has included in its Controlling Officer’s Report a number of performance measures, some of which are related to country parks. Table 8 shows the key performance measures relating to the protection of country parks.

Table 8

**Key performance measures relating to
the protection of country parks**

Key performance measures		2011	2012	2013
<i>Target</i>	Target	(Actual)	(Actual)	(Planned)
(a)	Country parks and special areas managed (ha)	44,276	44,239	44,276
<i>Indicator</i>		(Actual)	(Actual)	(Estimate)
(b)	Seedlings produced	710,000	700,000	680,000
(c)	Seedlings planted	740,000	723,000	700,000
(d)	Participants in educational activities	334,400	280,000	280,000
(e)	Visitors to country parks (million)	13.4	12.9	13.0
(f)	Hill fires attended to	42	15	25

Source: AFCD Controlling Officer's Report

5.9 As can be seen from Table 8, the AFCD's key performance measures relating to the protection of country parks are mainly output indicators. These performance measures are not able to indicate the outcomes and effectiveness of AFCD's work on nature conservation (e.g. biodiversity) in country parks. In this regard, Audit notes that the AFCD has conducted periodic biodiversity surveys over the territory. However, results of the surveys in relation to country parks are currently not published.

Audit recommendations

5.10 **Audit has *recommended* that the Director of Agriculture, Fisheries and Conservation, in consultation with the Secretary for the Environment, should:**

- (a) having regard to the multifarious factors mentioned in paragraph 5.5, revisit the AFCD's strategy for the designation of new country parks. In particular, the AFCD should:**
 - (i) for the nine potential sites identified in the 1993 review which have not yet been designated as country parks, keep under review their suitability for designation as country parks; and**
 - (ii) formulate an action plan (with expected timeframe) for implementing the revised strategy, taking account of all relevant factors; and**
- (b) consider developing performance measures showing the outcomes and effectiveness of the AFCD's work on nature conservation in country parks for publishing in its website.**

Response from the Administration

5.11 The Director of Agriculture, Fisheries and Conservation agrees with the audit recommendations. He has said that the AFCD will take follow-up actions to implement the recommendations.

Country parks and special areas in Hong Kong (June 2013)

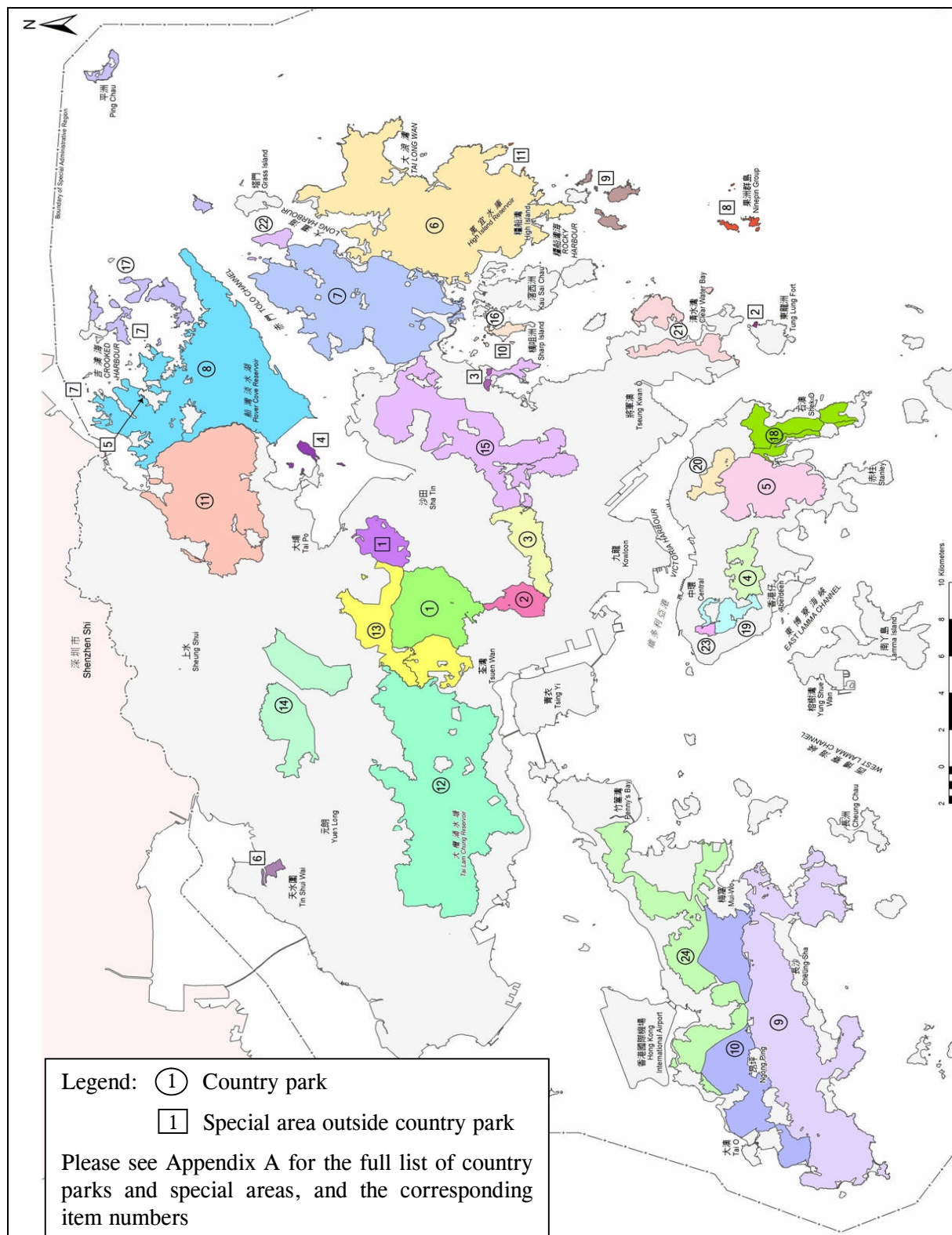
Item	Country park/special area	Year of designation	Area (ha)
<i>Country parks:</i>			
1.	Shing Mun	1977	1,400
2.	Kam Shan	1977	337
3.	Lion Rock	1977	557
4.	Aberdeen	1977	423
5.	Tai Tam	1977	1,315
6.	Sai Kung East	1978	4,477
7.	Sai Kung West	1978	3,000
8.	Plover Cove	1978	4,594
9.	Lantau South	1978	5,640
10.	Lantau North	1978	2,200
11.	Pat Sin Leng	1978	3,125
12.	Tai Lam	1979 (revised in 1995)	5,370
13.	Tai Mo Shan	1979	1,440
14.	Lam Tsuen	1979	1,520
15.	Ma On Shan	1979 (revised in 1998)	2,880
16.	Kiu Tsui	1979	100
17.	Plover Cove (Extension)	1979	630
18.	Shek O	1979 (revised in 1993)	701
19.	Pok Fu Lam	1979	270
20.	Tai Tam (Quarry Bay Extension)	1979	270
21.	Clear Water Bay	1979	615
22.	Sai Kung West (Wan Tsai Extension)	1996	123
23.	Lung Fu Shan	1998	47
24.	Lantau North (Extension)	2008	2,360
Sub-total:			43,394

Appendix A
(Cont'd)
(para. 1.5 and Appendix B refer)

Item	Country park/special area	Year of designation	Area (ha)
<i>Special areas outside country parks:</i>			
1.	Tai Po Kau Nature Reserve	1977	460
2.	Tung Lung Fort	1979	3
3.	Tsiu Hang	1987	24
4.	Ma Shi Chau	1999	61
5.	Lai Chi Wo	2005	1
6.	Hong Kong Wetland Park	2005	61
7.	Double Haven	2011	0.8
8.	Ninepin Group	2011	53.1
9.	Ung Kong Group	2011	176.8
10.	Sharp Island	2011	0.06
11.	High Island	2011	3.9
Sub-total:			844.66
Total area for country parks and special areas outside country parks:			44,238.66
<i>Special areas inside country parks:</i> <i>(Figures in brackets refer to the item numbers of the related country parks as listed above)</i>			
12.	Shing Mun Fung Shui Woodland (1)	1977	6
13.	Tai Mo Shan Montane Scrub Forest (1)	1977	130
14.	Kat O Chau (17)	1979	24
15.	Lantau Peak (9)	1980	116
16.	Pat Sin Range (11)	1980	128
17.	Pak Tai To Yan (14)	1980	32
18.	Sunset Peak (9 and 10)	1980	370
19.	Pok Fu Lam (19)	1980	155
20.	Ma On Shan (15)	1980	55
21.	Chiu Keng Tam (8)	1980	8
22.	Ng Tung Chai (13)	1980	128

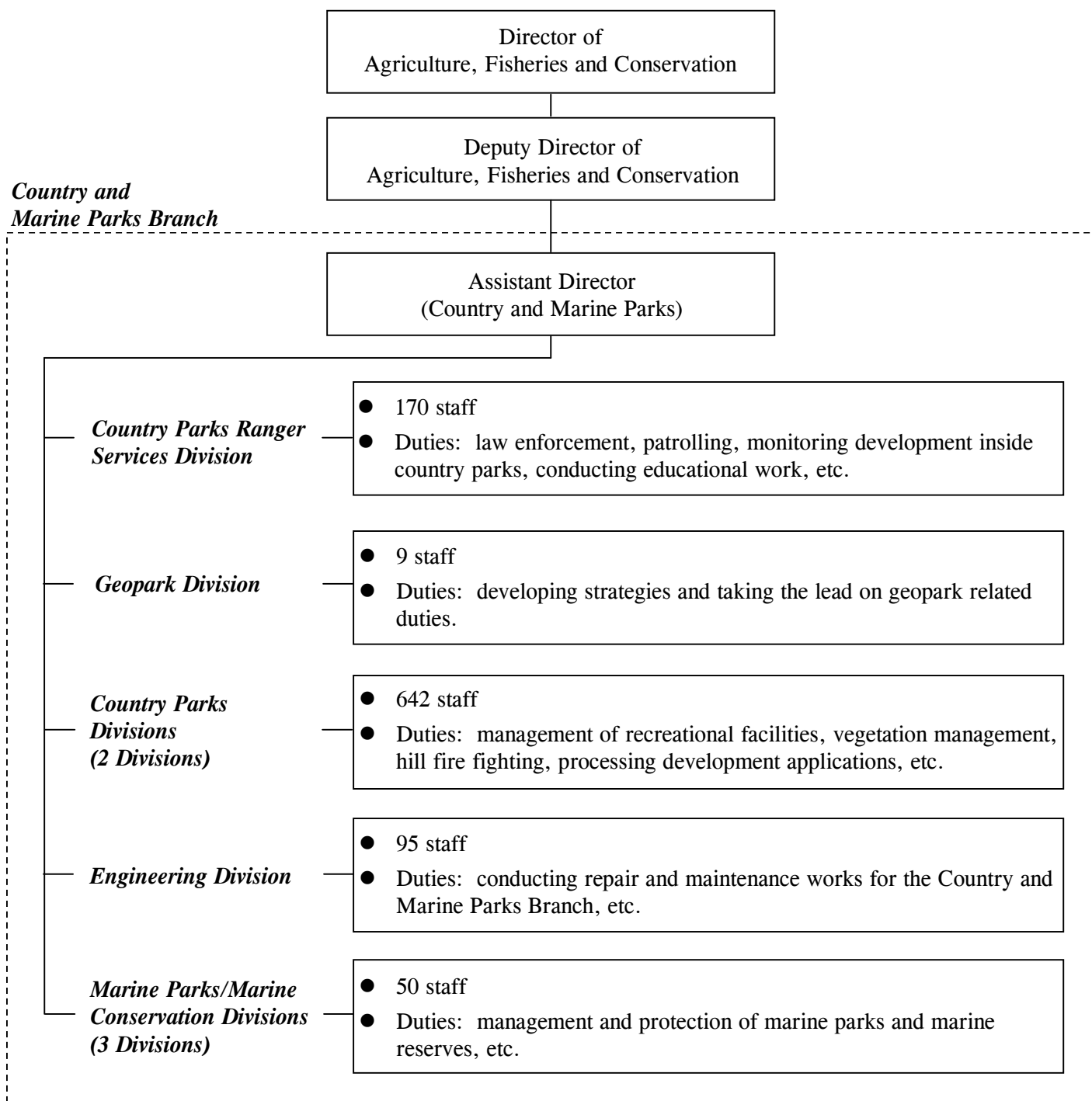
Source: AFCD records

Distribution of country parks and special areas (June 2013)



Source: AFCD records

**Country and Marine Parks Branch
Organisation chart
(June 2013)**



Source: AFCD records

**Prosecutions in relation to offences in country parks
(2008-09 to 2012-13)**

Nature of offence	Number of prosecution cases				
	2008-09	2009-10	2010-11	2011-12	2012-13
Driving/possessing of vehicles/bicycles without permits	239	277	350	362	610
Littering	383	387	386	313	235
Unauthorised camping	17	31	29	32	91
Illegal felling of plants (Note)	16	6	12	14	3
Others (e.g. illegal feeding of wild animals) (Note)	187	160	133	140	51
Total	842	861	910	861	990

Source: AFCD records

Note: Some of the offences were committed outside country parks.

**Enclaves covered by Outline Zoning Plans
(at the time of the Sai Wan Incident in 2010)**

Country park	Item	Name of the site	Area (ha)
Lion Rock	1	Shap Yi Wat	3
Ma On Shan	2	Ngau Liu and Kwun Yam Shan	72
	3	Wong Chuk Yeung	37
Pat Sin Leng	4	Sha Lo Tung	56
Plover Cove	5	Kai Kuk Shue Ha, Ho Lek Pui and Ham Hang Mei	8
	6	Ho Pui, Tin Sam, Sam Ka Tsuen, San Uk Tsuen, San Uk Ha, Lo Wai, Leng Pui and Kau Tam Tso	98
Sai Kung East and West	7	Wong Yi Chau and Hei Tsz Wan	9
	8	Pak Tam Chung	2
	9	Tsak Yue Wu	15
	10	Tai Long, Lam Uk Wai, Lung Mei Tau, Tai Wan and Ham Tin	46
	11	Pak Tam	5
	12	Shek Hang	3
	13	Tai Mong Tsai, She Tau, Ping Tun, Tit Kim Hang, Tam Wat, Tai Po Tsai, San Tin Hang, Tso Wo Hang, Wong Chuk Wan and Wong Mo Ying	126
	14	Wong Keng Tei and Tsam Chuk Wan	36
	15	Sham Chung	32
Lantau South, North and North (Extension)	16	Fan Lau Tsuen	24
	17	Pak Fu Tin	3
	18	Lung Mei and Tai Long	28
	19	Ngong Ping	103
	20	Lai Chi Yuen	5
	21	Shui Tseng Wan	2
	22	Yi Long	7
	23	Shui Hau Wan	1
Total			721

Source: AFCD and PlanD records

**Enclaves not covered by statutory plans
(at the time of the Sai Wan Incident in 2010)**

Country park	Item	Name of the site	Area (ha)
Ma On Shan	1	Mau Ping, Mau Ping Lo Uk, Mau Ping San Uk and Wong Chuk Shan	45
Kam Shan	2	Kam Shan	1
Tai Mo Shan	3	Site near Chuen Lung	10
	4	Site near Tso Kung Tam	9
Tai Lam	5	Tin Fu Tsai	53
	6	Tsing Fai Tong	26
	7	Sheung Tong	10
	8	Sheung Fa Shan	26
	9	Yuen Tun	19
Pat Sin Leng	10	Ping Shan Chai	15
Plover Cove	11	Hung Shek Mun Tsuen	10
	12	Lai Tau Shek	10
	13	Sam A Tsuen	23
	14	Sai Lau Kong	2
	15	Siu Tan	20
	16	Kop Tong, Mui Tsz Lam and Lai Chi Wo	91
	17	So Lo Pun	29
	18	Kuk Po San Uk Ha, Kuk Po Lo Wai, Yi To, Sam To, Sze To and Ng To	64
	19	Fung Hang	9
	20	Yung Shue Au	18
	21	Fan Kei Tok	5
	22	Chau Mei, Tai Tong, Chau Tau and Sha Tau	26
Sai Kung East and West	23	Pak A	11
	24	Tung A	10
	25	Pak Lap	6
	26	Pak Tam Au	14
	27	To Kwa Peng	9

Appendix F
(Cont'd)
(para. 3.4 refers)

Country park	Item	Name of the site	Area (ha)
Sai Kung East and West	28	Chek Keng	31
	29	Tai Tan, Uk Tau, Ko Tong and Ko Tong Ha Yeung	67
	30	Tung Sam Kei	4
	31	Ko Lau Wan, Mo Uk, Lam Uk, Lau Uk and Tse Uk	33
	32	Sai Wan	17
	33	Hoi Ha	8
	34	Pak Sha O and Pak Sha O Ha Yeung	29
	35	Nam Sham Tung	5
	36	Lai Chi Chong	16
	37	Yung Shue O	32
	38	Cheung Sheung	16
	39	Tai Hom	5
	40	Wong Chuk Long	4
	41	Site near Wong Mau Kok	3
Lantau South, North and North (Extension)	42	Luk Wu, Upper Keung Shan, Lower Keung Shan, Cheung Ting and Hang Pui	155
	43	Tsin Yue Wan	4
	44	Ngau Kwo Tin	7
	45	Tei Tong Tsai	15
	46	Yi Tung Shan	7
	47	Man Cheung Po	2
	48	Site near Nam Shan	6
	49	Site near Peaked Hill	5
	50	Tai Ho and site near Wong Kung Tin	277
	51	Yi O	23
Tai Po Kau Special Area	52	Site near Ngau Wu Tok	5
	53	Site near Tai Po Mei	6
Ma Shi Chau Special Area	54	Shui Mong Tin	2
Total			1,355

Source: AFCD and PlanD records

**Major statutory procedures for
revising the boundaries of an existing country park**

Item	Procedure
1	The Chief Executive in Council may refer the approved map of an existing country park to the Country and Marine Parks Authority for replacement by a new map.
2	The Authority shall prepare the draft map showing the new country park boundary in consultation with the Country and Marine Parks Board.
3	The Authority shall gazette the draft map for public inspection for a period of 60 days.
4	The Country and Marine Parks Board shall hear objections to the draft map, if any. The Board may reject the objection in whole or in part, or direct amendments to be made to the draft map to meet the objection in whole or in part.
5	The Authority shall submit the draft map, together with a schedule of objections and any amendments made to meet objections, to the Chief Executive in Council for approval within six months from the last day of the period during which objections may be lodged.
6	Upon submission of the draft map, the Chief Executive in Council shall: <ul style="list-style-type: none"> (i) approve the draft map; (ii) refuse to approve it; or (iii) refer it to the Authority for further consideration and amendment.
7	After approval of the draft map by the Chief Executive in Council, the Chief Executive shall designate the areas shown in the approved map to be country parks.

Source: AFCD records

Departments responsible for taking action against unauthorised use of land in country parks

Item	Matters involved	Action to be taken (Note)	
		AFCD	LandsD
	<i>Leased land (i.e. private land)</i>		
1	Unauthorised development	—	Lease enforcement action
	<i>Unleased land (i.e. government land)</i>		
2	Unauthorised development involving structures	Support and assistance to the LandsD	Enforcement action
3	Unauthorised development not involving structures	Enforcement action	—
4	Unauthorised excavation	Enforcement action against illegal planting	Enforcement action against site formation

Source: LandsD records

Note: Overall, the AFCD is responsible for patrolling country parks and notifying the LandsD of any suspected unauthorised developments within country parks. The LandsD will confirm upon request by the AFCD the status of any land inside country parks where suspected unauthorised development is detected.

**Chronology of key events:
Using 18 ha of land in the
Clear Water Bay Country Park for landfill purposes
(July 1991 to September 2013)**

Date	Key event
July 1991	Having consulted the then Country Parks Board (see also Note 47 to para. 5.3(a)), the then Director of Agriculture and Fisheries approved the encroachment of the SENT Landfill onto a site of 18 ha in the Clear Water Bay Country Park.
August 1992	<p>(a) A joint meeting was held among the AFCD, the EPD, the then Attorney General's Chambers, and the then Planning, Environment and Lands Bureau.</p> <p>(b) It was concluded that the AFCD would issue a memo to the LandsD, denoting that the AFCD did not object to using the 18 ha of land in Clear Water Bay Country Park for purposes of the SENT Landfill operation.</p> <p>(c) It was also concluded that, upon issuing the memo, the LandsD would allocate the area concerned to the EPD for use as a landfill site.</p>
August 1993	The LandsD allocated the area concerned to the EPD.
August 1993 to September 2013	The site was being used for landfill purposes.

Source: AFCD and EPD records

**Chronology of key events:
Proposed excision of 5 ha of land from the Clear Water Bay Country Park
(December 2005 to January 2011)**

Date	Key event
December 2005 to September 2008	The AFCD and the EPD consulted the Country and Marine Parks Board. It was intended that 5 ha of land in the Clear Water Bay Country Park would be used for the extension of the SENT Landfill.
September 2008	The Country and Marine Parks Board advised that an area of 5 ha be excised from the Clear Water Bay Country Park.
May 2010	The Chief Executive in Council ordered that the original map of the Clear Water Bay Country Park should be replaced by a new map which excluded the area of 5 ha.
October 2010	LegCo objected to the excision of the area concerned from the Clear Water Bay Country Park.
January 2011	The Administration stopped pursuing the excision and the EPD revised its landfill extension plan.

Source: AFCD records

Acronyms and abbreviations

AFCD	Agriculture, Fisheries and Conservation Department
API	Announcement in the public interest
Audit	Audit Commission
DPA	Development Permission Area
EDB	Education Bureau
EPD	Environmental Protection Department
GPS	Global Positioning System
ha	Hectare
kg	Kilogramme
km	Kilometre
LandsD	Lands Department
LegCo	Legislative Council
MA	Management Agreement
NGO	Non-governmental organisation
OZP	Outline Zoning Plan
PDA	Personal data assistant
PlanD	Planning Department
SENT	South East New Territories