



ABLE Charity North Lamma Conservation Initiative

Phrase 1 Deliverable



Custodians
of the
Lamma Forest



Agenda

- Land and Natural Policies in Hong Kong
- Steps involved to transit into Conservation Area
- Case studies in Hong Kong
- Our Recommendations



Land and Natural Policies in Hong Kong

Categories of protected areas in Hong Kong

- Country Parks Ordinance (Cap.208)
- Waterworks Ordinance (Cap. 102)
- Town Planning Ordinance (Cap. 131)
- Wild Animals Protection Ordinance (Cap.170)



Steps involved in transiting into conservation area

- The Hong Kong Planning Standards and Guidelines (Ch 10)
 - Four principles:
 1. retaining sites with significant landscape, ecological and geological attributes;
 2. restricting land uses to those sustaining these retained sites;
 3. controlling adjoining uses to minimize adverse impacts; and
 4. creating new conservation sites in compensation for those conservation sites lost to development.



Suitable conservation proposals should be formulated in:

- Places which merit conservation are identified in planning studies at both strategic and district levels, **special surveys undertaken by Government and non-government organisations or as the result of public views.**
 - relevant planning, development or topical studies so as to **form the basis** for the preparation of statutory town plans
 - assessment on nature conservation and consideration on **biodiversity** should be included where appropriate
 - **new information** on identification of areas of unique or significant landscape and local fauna, flora and habitats are revealed constantly through consultancy studies, academic researches and the work of both Government and non-government organisations.



Land Use and Conservation Policies in Hong Kong

Town Planning Ordinance (Cap.131)

According to the Town Planning Ordinance, any person who wishes to propose amendments to a statutory plan (the Plan), i.e. an Outline Zoning Plan (OZP) or a Development Permission Area (DPA) Plan, may **submit an application to the Town Planning Board (the Board) for amendment of plan under section 12A of the Ordinance.**

The application for amendment of plan would be considered by the Board within **3 months** of receipt. If the Board agrees to the proposal, the proposed amendment will be incorporated into a draft plan for exhibition in the normal plan-making process. Some typical issues that the Board will take into consideration when approving or rejecting planning applications and reviews are **whether the proposed development is in line with the Planning Intention**, or whether there are **any adverse comments from the government departments.**



Land Use and Conservation Policies in Hong Kong

Town Planning Ordinance (Cap.131)

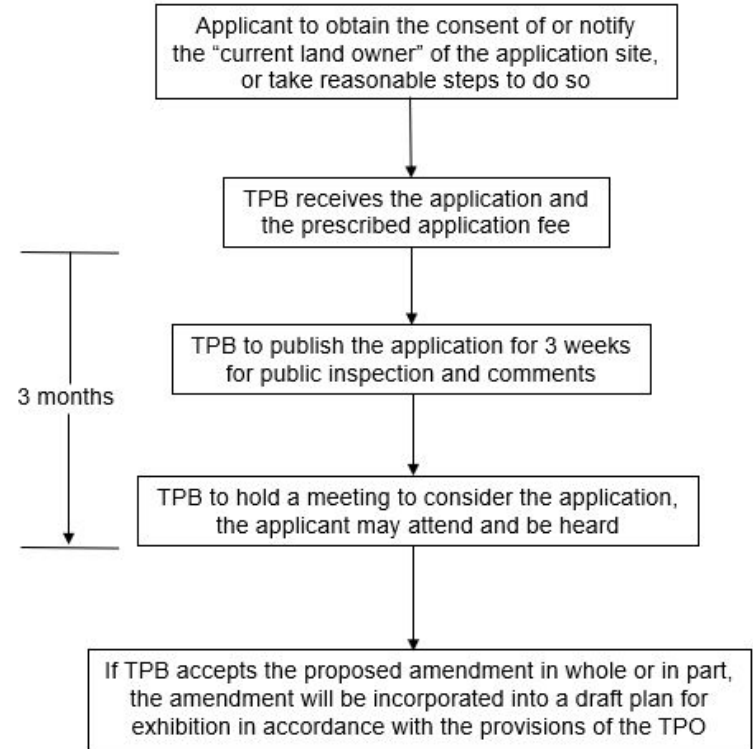
Application for Permission in Respect of Statutory Plan - Outline Zoning Plan

Zoning	Planning Intention
“Green Belt”	To primarily conserve the existing natural environment amid the built-up areas/at the urban fringe, to safeguard it from encroachment by urban type development, to define the limits of urban and sub-urban development areas by natural features , to contain urban sprawl as well as to provide passive recreational outlets , with a general presumption against development.
“Conservation Area”	To protect and retain the existing natural landscape, ecological or topographical features of the area for conservation, educational and research purposes and to separate sensitive natural environment such as SSSI or Country Park from the adverse effects of development . There is a general presumption against development in this zone. In general, only developments that are needed to support the conservation of the existing natural landscape or scenic quality of the area or are essential infrastructure projects with overriding public interest may be permitted .

Procedures for Processing Application for Amendment of Plan (Section 12A)

Steps

3 months of community
engagement





Examples

Landscape Value Mapping of Hong Kong:

https://www.pland.gov.hk/pland_en/p_study/prog_s/landscape/e_index.htm

Study on Sustainable Development for the 21st Century:

https://www.epd.gov.hk/epd/english/environmentinhk/eia_planning/sea/terresthab.html



Case Studies

1. 1976-79 Hong Kong Bird Watching Society Incident
2. 1999-2000 KCR Lok Ma Chau Spur Line Crisis
3. 2006 Tai Po Kau Conversion



1. 1976 -79 Hong Kong Bird Watching Society Controversies

1976 - The Mai Po Marshes homes large numbers of ducks, shore and marsh birds

1979- Suggests that the Mai Po village supports breeding of the Egret species

1986- it was suggested that the Hong Kong Bird Watching Society plays pivotal role in helping out the Mai Po conservation area possible.



2.1999 KCR Lok Ma Chau spur line crisis

- 1999 Government bodies proposed to build a railway system through the wetland
- Protests were held by 9 local green groups
- In 2004, the government created an ecological management protocol, protecting high valuable environments with large populations of biodiversity
- In 2005, within 13 hectares of land, it is a home to over 300 species of birds



3. 2006 Tai Po Kau Change of land use

- [Conservation study](#) conducted and Site of Special Scientific Interest “SSSI” proposal submitted on 2006.
- An initiative by Gloria Barretto, who is a botanist and her family.
- Successful land use change from “GB” and “Recreation Priority Area” to “CA” and “Site of Special Scientific Interest (1)” (“SSSI(1)”)

Romer's Tree Frog study during Wind Turbine Construction

Amphibian

Romer's Tree
Frog *Philautus
romeri*

Calling males
and tadpoles
were found in
woodland,
shrubland,
stream and
the Project
Area.

*Wild Animals
Protection
Ordinance (Cap
170)*

Found on
Lamma,
Lantau, Po Toi
and Chek Lap
Kok Islands

Restricted and
endemic

Table 5.22 Overall Impact Evaluation for Romer's Tree Frog

Evaluation Criteria	Romer's Tree Frog
<i>Habitat quality</i>	In view of the generally poor vegetation cover and the dryness of the upland areas, it is believed that the Project Area do not provide optimal habitats for the Romer's Tree Frog. The calling male Romer's Tree Frogs recorded in the Project Area were present in a discarded and rain-filled plastic container and a PVC U-shaped water pipe, but the site was not a sustainable habitat or breeding ground for the Romer's Tree Frog.
<i>Species</i>	Romer's Tree Frog <i>Philautus romeri</i> .
<i>Size/Abundance</i>	A total of three calling male of Romer's Tree Frog were recorded in the Project Area. No Romer's Tree Frog can be expected to be found within the Project Area once the water within the container/water pipe dries up or the containers have been removed.
<i>Duration</i>	The impact will persist during the construction and operational phases.
<i>Reversibility</i>	Relatively easy to create breeding habitat for Romer's Tree Frog. Due to the poor vegetation cover and the dryness of the upland areas, it is believed that the Project Area and areas in the vicinity do not provide optimal habitats for the Romer's Tree Frog.
<i>Magnitude</i>	The impacts on Romer's Tree Frog are expected to be low given that pre-construction translocation of Romer's Tree Frog (adult and tadpoles, if any) will be conducted. Since no construction waste water will be generated during the works and no serious construction runoff will be anticipated given that regular checks on good construction practice will be conducted, deterioration of the water quality of the breeding grounds of Romer's Tree Frog in the vicinity would not be expected.
Overall Impact Conclusion	Low





Recommendations

1. Collect additional scientific evidence to prove the biodiversity of the region
 - a. what are the gaps between the existing evidence and the rezoning standard?
2. Shows North Lamma serves as the critical breeding ground for Romer's Tree Frog's growth with the largest freshwater stream and the environmental improvement post-reforestation
3. Raise public awareness on the environmental and eco-tourism economic value of North Lamma
4. Engage Kadoorie Farm experts to conduct comprehensive ecological evaluation and potential impact on floral and faunal, birds and amphibian species with conservation interests to broaden the data set and increase the conservation values of North Lamma
5. Explore the alternatives to rezoning
 - a. sustainable tourism
 - b. Informal social and media pressure



Stakeholders & Communities to work with in this case study

Supporting parties

- World Wide Fund (Hong Kong) 世界自然基金會(香港分會)
- The Conservancy Association 長春社
- Friends of the Earth (Hong Kong) 香港地球之友
- Green Power 綠色力量
- Civic Exchange 思匯
- Society for Protection of the Harbour 保護海港協會
- The Experience Group
- The Hong Kong Bird Watching Society Ltd 香港觀鳥會
- Chinese University of Hong Kong 香港中文大學
- Kadoorie Farm and Botanic Garden Corporation 嘉道理農場暨植物園