

**Confirmed Minutes of the
31st Nature Conservation Subcommittee Meeting
held on 14 May 2019 at 10:30 a.m.
in Conference Room, 33/F, Revenue Tower, Wan Chai, Hong Kong**

Present:

Prof Kenneth LEUNG, JP (Chairman)
Prof Nora TAM, BBS, JP
Ms Carmen CHAN, BBS, JP
Ir Cary CHAN, JP
Prof LAU Chi-pang, JP
Ms Julia LAU
Dr Michael LAU
Dr Winnie LAW
Dr SUNG Yik-hei
Ms Christina TANG
Ir Conrad WONG, BBS, JP
Ms Becky LAM (Secretary)

In Attendance:

Environmental Protection Department (EPD)

Mrs Vicki KWOK	Deputy Director of Environmental Protection (2)
Ms Daisy LO	Assistant Director (Nature Conservation)
Ms Thebe NG	Senior Administrative Officer (Nature Conservation)
Miss Dora CHU	Executive Officer (CBD) 1
Miss Carman LEUNG	Executive Officer (CBD) 2

Agriculture, Fisheries and Conservation Department (AFCD)

Mr Simon CHAN	Assistant Director (Conservation)
Dr Flora MOK	Senior Nature Reserve Officer

In Attendance for Item 3:

EPD

Mr Alex TANG	Senior Countryside Conservation Manager (Planning)
Dr Angel AU	Countryside Conservation Manager (Planning)1

AFCD

Ms Sunny CHOW	Nature Reserve Officer / Management
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Green Power Limited

Dr MAN Chi-sum

Vice Chairman

Dr CHENG Luk-ki

Director

Mr Matthew SIN

Senior Environmental Affairs Manager

Ms Elaine YUEN

Senior Education & Conservation Officer

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The Chairman welcomed Ms Carmen Chan, Dr Winnie Law, Dr Sung Yik-hei and Ms Christina Tang who had been appointed as ACE Members and joined the Nature Conservation Subcommittee (NCSC) in the new term.

Item 1 : Matters Arising

2. The draft minutes of the last meeting were confirmed by circulation on 26 February 2019.
3. There was no matter arising from the minutes of the last meeting.

Item 2 : Extension of Sham Wan Restricted Area and Deletion of Yim Tso Ha Egretty Restricted Area
(ACE-NC Paper 2/2019)

4. The Chairman informed that the paper briefed Members on the proposed plan of the extension of Sham Wan Restricted Area and deletion of Yim Tso Ha Egretty Restricted Area.
5. On the invitation of the Chairman, a Member declared that she had provided views to Heung Yee Kuk regarding the delisting of Yim Tso Ha Egretty Site of Special Scientific Interest when the matter was first raised at Heung Yee Kuk upon the request of villagers. The meeting agreed that the Member could stay on and continue participating in the discussion.
6. Mr Simon Chan gave an overview of the subject, and by way of a PowerPoint presentation, Dr Flora Mok briefed Members on the background of the restricted areas, the need and proposed plan for the extension/deletion of the restricted areas by way of amending Schedule 6 of the Wild Animals Protection Ordinance (the Ordinance), and the timetable for taking forward the proposed plan.

Extension of Sham Wan Restricted Area

7. A Member remarked that the Sham Wan Restricted Area had been effectively protecting the nesting populations of the Green Turtles from unauthorised activities since 1999, and expressed support towards extending the Sham Wan Restricted Area so as to encourage breeding Green Turtles to

return to Sham Wan. On a side note, he drew the meeting's attention to local freshwater turtles in which various species faced commercial trapping pressures and were on the brink of extinction. Given that the local populations of many freshwater turtle species, such as the Big-headed Turtle and Three-banded Box Turtle, were of global conservation importance, he suggested with the support of another Member that the Government should strengthen the protection of these species by, say, designating restricted areas. The Member supplemented that out of the five species of freshwater turtles in Hong Kong, four of them were on the Red List of the International Union for Conservation of Nature (IUCN), amongst which one of them was assessed to be critically endangered.

8. Mr Simon Chan replied that AFCD was currently reviewing and updating the existing action plan for Three-banded Box Turtle and formulating the action plan for Big-headed Turtle. Enforcement and patrol efforts would be stepped up and the need for further conservation measures would be reviewed during the updating/formulation of the action plans.

9. A Member recalled that CD-ROMs with comprehensive information on Green Turtles and their habitat in Hong Kong were provided to schools a few years ago. She asked for the availability of teaching aids and learning materials on Green Turtles and suggested that AFCD should keep up the educational and promotional efforts.

10. Mr Simon Chan advised that AFCD had published pamphlets on sea turtles for dissemination to the public and yacht clubs in particular with a view to minimising human-induced disturbance to sea turtles. Furthermore, a series of videos about the underwater world were produced by Radio Television Hong Kong (RTHK) in collaboration with AFCD in 2010, and two of the episodes provided information on Green Turtles. A link to the videos was available on the webpage of Hong Kong Biodiversity Strategy and Action Plan (BSAP) along with other multimedia resources.

[Post meeting notes: The link to the video is: http://podcast.rthk.hk/podcast/item_all.php?pid=240&lang=zh-CN. The information was provided to the Member after the meeting.]

11. In reply to a Member's question about the planned coverage of the expanded Sham Wan Restricted Area, Mr Simon Chan advised that according to satellite tracking data, breeding Green Turtles were observed to stay in waters adjacent to their nesting sites at the sandy beach of Sham Wan (the Beach) during the nesting seasons. As such, it was proposed to expand the restricted area to cover the waters at the bay of Sham Wan (the Bay).

12. A Member expressed support towards the expansion of the Sham Wan Restricted Area and extension of the restricted period. In view of the Bay area, she suggested that a concrete boundary should be drawn up to

facilitate the consultation process, and the proposed area of expansion and extension of the restriction period should be substantiated by scientific data and facts. The Government should also make reference to overseas experience in the setting up of protected areas for Green Turtles. She further remarked that there should be adequate resources to manage the expanded restricted area, maintain enforcement efforts, as well as conduct research and conservation work.

13. Mr Simon Chan advised that the Sham Wan Restricted Area was proposed to be expanded to cover the inlet of Sham Wan. AFCD had employed satellite tracking technology to monitor the movement and migratory routes of Green Turtles that had nested in Sham Wan. Data showed that while the Green Turtles were observed to travel to as far as the Lantau Island, they would return to Sham Wan and remain in the Bay before nesting. As such, both the Beach and the Bay at Sham Wan were considered to be important habitats for breeding Green Turtles. As for the restriction period which at present only covered the nesting period of Green Turtles, i.e. from June to October, it was proposed to extend the restriction period to cover the full year to include the whole breeding period and minimise human-induced disturbance to breeding Green Turtles. Considering that the Bay was a popular destination for boating activities and supported some fishing activities, the Government would consult key stakeholders for their views on the proposed extension of restricted period.

14. Addressing a Member's remark on the adequacy of resources, Mr Simon Chan shared that the patrolling of the expanded Sham Wan Restricted Area would have great demand on manpower given the remoteness and difficulties in accessing the site. Subsequent to the expansion, additional resources including the deployment of patrol vessels would be required. AFCD would request for additional resources through existing funding mechanisms. Apart from conservation work, Mr Chan advised that AFCD had been conducting studies on Green Turtles, for instance on their migratory movement in the ocean and the threats to their survival. Some of these studies were conducted in collaboration with other organisations including higher institutions and Huidong Harbour Sea Turtle National Nature Reserve.

15. In reply to a Member's question on whether there would be any visible demarcation to avoid encroachment of the Restricted Area by marine vessels, Mr Simon Chan advised that AFCD would explore the feasibility of appropriately demarcating the boundary of the Restricted Area, while allowing access by emergency response vessels. As for the Beach, notices of access restriction were erected at the entrance and large banners were put up on the beach to warn against unauthorised access.

16. Responding to the Chairman's question on whether there would be any plans/measures to improve the habitats for Green Turtles at Sham Wan, Mr Simon Chan advised that dive surveys had been conducted in the Bay for

monitoring and removing ghost nets. After expanding Sham Wan Restricted Area, there might be room to consider additional measures such as artificial reefs to enhance the marine ecosystem. He clarified that Sham Wan was used by Green Turtles mainly as a nesting site instead of foraging grounds.

17. Considering that the breeding and nesting period of Green Turtles would only last for around two months, the Chairman asked whether the Sham Wan Restricted Area could be open up for use by fishermen outside the breeding season. Mr Simon Chan replied that while the restriction period was proposed to be extended to the full year, it would be subject to consultation with key stakeholders including fishermen. According to AFCD's observation, there had been some limited fishing activities at Sham Wan. Ms Daisy Lo supplemented that the Government would take into account the views and suggestions received during the consultation period and aim to strike an optimal balance between conservation and recreational/fishing needs for the proposed extension of the Restricted Area.

Deletion of Yim Tso Ha Egretty Restricted Area

18. A Member welcomed the deletion of Yim Tso Ha Egretty Restricted Area considering that the proposal was made based on the findings of comprehensive studies.

19. A Member enquired about the reasons for abandonment of Yim Tso Ha Egretty and the whereabouts of the relocated ardeids. He suggested strengthening the protection of other egretries in Hong Kong subsequent to the deletion of Yim Tso Ha Egretty Restricted Area.

20. A Member followed that the Government should consider designating the currently largest local egretty as restricted area under the Ordinance.

21. Mr Simon Chan advised that with reference to the monitoring data of the Yim Tso Ha Egretty collected by the Hong Kong Bird Watching Society (HKBWS) since 1958, there were large fluctuations in the number of ardeids recorded from year to year. For instance, with over 500 pairs of ardeids recorded in 1971, only one pair was recorded in 1972, but over 100 pairs in 1974. The last record was 136 pairs in 1993 and the egretty was abandoned since 1994. They were believed to have moved to A Chau which was less susceptible to human disturbance. Mr Chan advised that ardeids were observed to relocate egretries with no apparent reasons from time to time. Addressing a Member's concern about the return of ardeids to Yim Tso Ha Egretty, Mr Chan said that considering the knoll where the Yim Tso Ha Egretty once existed was well-wooded, zoning the site for conservation purposes could be considered in future rezoning exercises. He further assured Members that all wild birds were protected by law, and monitoring of the local breeding populations of ardeids would continue.

22. A Member pointed out that the ardeid population in A Chau and the entire Starling Inlet was rapidly declining. He suggested AFCD conduct research to identify the reasons or environmental factors that led to the population decline.

23. With reference to the monitoring data collected in collaboration with HKBWS, Mr Simon Chan reported that the ardeid count in Hong Kong dropped in 2017 and 2018 due to weather conditions and such a phenomenon was not unique to the Starling Inlet area. He advised that the territory-wide ardeid population had been quite stable over the years while the numbers in different regions shifted frequently. For the case of the Yim Tso Ha Egretty, he considered that there was no significant environmental deterioration in the areas they moved out from.

24. A Member suggested AFCD make reference to overseas studies on the habitat use and behaviour of different ardeid species.

25. The Chairman opined that objective facts and statistics, including territory-wide and district-based data on the ardeid populations from the 1970s to the present, should be provided to support the deletion of Yim Tso Ha Egretty Restricted Area.

26. A Member informed that HKBWS had commenced a study on ardeids in 2018. Data of over one year on the movements of ten ardeids at Deep Bay had been obtained by satellite tracking and HKBWS was now preparing to publish the results. He suggested AFCD encourage and support similar studies to ascertain the reasons for the relocation of ardeid populations.

Conclusion

27. The Chairman summarised the views of Members and concluded that Members were in general supportive of the Government's proposal to expand Sham Wan Restricted Area and delete Yim Tso Ha Egretty Restricted Area.

Item 3 : Mid-term Progress Review of Sha Lo Tung Management Agreement Project *(ACE-NC Paper 3/2019)*

28. The Chairman informed Members that the paper provided an update on the latest progress of implementation of the Management Agreement (MA) project at Sha Lo Tung Priority Site. The Sha Lo Tung MA application was last discussed at the NCSC meeting on 15 December 2017. For better monitoring of the projects under the Environment and Conservation Fund (ECF) sponsorship, it was an established practice for the recipient

organisation to report the progress of the ongoing MA projects regularly to this subcommittee.

29. Upon the invitation of the Chairman, a Member declared that he provided advice on the herpetofauna survey for the Sha Lo Tung MA project. Another Member declared that Dr Man Chi-sum, the Vice Chairman of Green Power Limited (GP), took up a management position in the company that he was working in. The meeting agreed that both Members could stay on and continue participating in the discussion.

[Mr Alex Tang and Dr Angel Au of EPD, Ms Sunny Chow of AFCD and representatives of GP joined the meeting at this juncture.]

30. As invited by the Chairman, Dr Flora Mok briefed Members on the background of the Sha Lo Tung MA project undertaken by GP.

31. With the aid of a PowerPoint presentation, Mr Matthew Sin briefed Members on the implementation progress of the Sha Lo Tung MA project during the period from 1 April 2018 to 31 March 2019, including the establishment of an advisory committee, the findings of baseline surveys, extensive and intensive habitat management, vandalism control, education and publicity works, difficulties encountered as well as remedial measures taken.

Relationship and engagement with villagers

32. A Member considered that maintaining a good relationship with local villagers was important for the smooth operation of the proposed project.

33. Mr Matthew Sin advised that the relationship between GP and indigenous villagers of Cheung Uk and Lei Uk was good. Villagers were often involved in different activities of the project such as the organic farming activities in the restored farmlands, patrolling and the setting up of a visitor centre in an old village house in Cheung Uk. Mr Sin pointed out that ground preparation work in the abandoned farmland was once interrupted by several opposing villagers due to their dispute with the land owner of Sha Lo Tung. The matter had been settled with an injunction granted by the court.

34. The Chairman suggested GP invite village representatives to join the Advisory Committee of the project. Mr Matthew Sin said that GP had regular meetings with the village representatives of Cheung Uk and Lei Uk, and would notify the villagers on any large-scale or major activities to be conducted.

Restoration and enhancement of habitats

35. A Member showed concern on whether tree survey had been conducted and the proximity of farmland to the wetland habitats. With reference to the MA scheme at Lai Chi Wo Enclave, she added that GP should consider planting crops that could attract butterflies and odonates.

36. Mr Matthew Sin advised that a baseline survey on plants had been conducted before the restoration of 0.5 hectare (ha) of abandoned farmland. In view of the existing trees on site, the boundary of 0.5 ha of farmland as proposed in the MA application was slightly adjusted with the approval of ECF Committee. Only a small number of fallen trees caused by the passage of typhoon, dead trees and trees with diameter at breast height less than 95 millimetres were removed. He further said that agricultural activities would only be carried out in Green Belt, instead of Conservation Area and Site of Special Scientific Interest according to the Outline Zoning Plan of Sha Lo Tung. The farmland was located at least 200-300 metres away from the river courses. He added that nectar and food plants in the farmlands as well as floating plants in eco-pond and artificial marshes would be cultivated to attract butterflies, odonates and herpetofauna. While the aforesaid farmland was more suitable for dry agriculture due to its location, wet agriculture would be considered in the low-lying area to restore some wetland habitats in Sha Lo Tung. Workshops on organic farming were organised for farmers of the Sha Lo Tung Greenfields before the commencement of agricultural activities.

37. Given that the area of open wetland in Sha Lo Tung recorded a drastic decline within a decade, a Member remarked on the importance of restoration of wetland habitats. While awaiting the approval by Town Planning Board (TPB) for excavation and land filling, she opined that GP might carry out other wetland restoration measures, including removal of undesirable vegetation, restoration of irrigation system and planting of wetland plants. She further suggested GP consider restoring wetland habitats in areas with lower terrain and close to the streams first. The experience gained from the project would be useful to future management of wetland habitats in Sha Lo Tung.

38. In response to the Chairman's concern on water supply, Dr Cheng Luk-ki explained that extraction of water from the stream was a traditional agricultural practice as advised by several old villagers. However, as advised by experts/academics on hydrology, restoration of the old irrigation system to transfer water from the river course to the wetland area was challenging. Given that considerable time would be required for restoration of the old irrigation system as well as establishment of eco-pond and artificial marshes, GP would conduct soil compaction in the meantime with a view to improving the water retention potential of the wetland habitats.

Vandalism control

39. A Member appreciated the engagement of villagers in patrolling and enquired on the effectiveness of combating illegal poaching of freshwater turtles in streams.

40. The Chairman suggested GP report to the relevant law enforcement authorities for potential poachers spotted by infra-red surveillance cameras with a view to strengthening the vandalism control.

41. A Member drew reference to the experience in Lai Chi Wo and suggested GP consider asking the village representatives to report suspected poaching to the Police with a view to enhancing their awareness of dealing with illegal poaching.

42. Mr Matthew Sin thanked Members for their suggestions and advised that apart from regular patrolling, 12 sets of infra-red surveillance cameras were installed along the stream courses in Sha Lo Tung in May 2018. If suspected poaching activities were spotted in the streams, active search and removal of illegal traps would be conducted immediately. After implementation of the above measures, the number of suspected poaching and illegal traps found were reduced. He further said that the case of suspected poaching would be reported in the MA project progress report.

43. In response to the Chairman's enquiry on the effectiveness of installation of signage and barriers on preventing off-road vehicles from entering into the project area, Mr Matthew Sin said that since signage and barriers were only erected in March 2019, time would be required to assess the effectiveness of these measures. In addition, 5 sets of infra-red surveillance cameras were installed along a major footpath in Sha Lo Tung in May 2018. Two cases of off-road vehicle intrusion were recorded by the cameras and the drivers were asked by security guards of GP to leave the project area immediately. He considered that installation of a drop-bar in the main entrance of Sha Lo Tung would be more effective to deter off-road vehicles, however, the setting up of drop-bar would involve higher cost and land ownership issues.

Education and publicity

44. Addressing a Member's suggestion of providing historical and cultural elements in the visitor centre in addition to introducing the biodiversity of Sha Lo Tung, Mr Matthew Sin advised that the historical and cultural background of Sha Lo Tung were provided in their education and publicity programmes. GP would consider displaying exhibits in the visitor centre to introduce the historical and cultural background of Sha Lo Tung to visitors.

Attainment of target and way forward

45. In response to a Member's enquiry on the way forward after the completion of Sha Lo Tung MA project in March 2020, Mr Matthew Sin said that GP would apply to renew the MA project if the non-in-situ land exchange was not formally approved at that time.

46. A Member expressed concerns that most of the targets set in the proposed actions would not be achieved according to the timeline. With the operation of visitor centre, she opined that it might help to achieve the target number of participants for different education activities.

47. Mr Matthew Sin admitted that there was slippage of agricultural activities, wetland restoration work and the setting up of the visitor centre. While the agricultural activities were once hindered by opposing villagers, the farmland was ploughed and opened up in March 2019. Furthermore, he explained that earth works such as excavation and landfilling required permission by TPB. The application for earth works was expected to be discussed at TPB in June 2019. Since the works should be conducted in dry season, the wetland restoration work would be carried out in November 2019 should the application be approved by TPB. Meanwhile, two old irrigation ditches had been discovered and one was repaired. For the visitor centre, there was a delay due to clarification of ownership of the village house. Mr Sin remarked that while there would be a few outreach school talks in June 2019, GP would make an effort to achieve the target number of 2,500 participants for outreach school talks as well. He informed Members that half of the target number (40 out of 80) of day tours had been organised and they had the confidence that the target number of 20 night tours could be attained since the recruitment of participants for night tours had also commenced.

48. Dr Man Chi-sum supplemented that due to safety issue arising from the interruption of agricultural activities by certain villagers, the organisation of education activities such as guided tours in Sha Lo Tung was affected. With the injunction granted by the court and the help of Sha Lo Tung land owner, he considered that the targets set in the proposed actions could be attained.

[Representatives of GP left the meeting at this juncture.]

49. In response to a Member's enquiry on the progress of non-in-situ land exchange and the possibility of renewal of Sha Lo Tung MA project after its completion in March 2020, Mrs Vicki Kwok advised that under the non-in-situ land exchange proposal, Sha Lo Tung Development Company Limited (SLTDC) pursued the development of a private golf course at the Shuen Wan Restored Landfill site which required the approval of Environmental Impact Assessment (EIA) report. The EIA report of Shuen Wan Golf Course had been exhibited for public inspection and a decision was

expected to be available by August 2019. On the other hand, the Lands Department (LD) was checking the land title of the private lots in Sha Lo Tung which might take a longer time. She advised that the terms and conditions of the non-in-situ land exchange would require formal approval from the Chief Executive in Council. Subsequent to the approval from the Chief Executive in Council, Sha Lo Tung would be put under management by AFCD. She said that AFCD would liaise with green groups on the long-term conservation management of Sha Lo Tung and the progress update would be reported to NCSC regularly.

50. A Member expressed support for the next Sha Lo Tung MA project if approved and she appreciated the good relationship established between GP and the villagers. She suggested with the support of another Member that it was important to deploy resources effectively and give priority to restoration of habitats in addition to fulfilling the target number of education programmes in the remaining time of this MA project. She considered educational programmes for farmers of the Sha Lo Tung Greenfields would also bring impacts to the restoration of habitats in the long run.

51. The Chairman suggested GP provide a progress update summarising the implementation of project activities for Members' reference. GP

[Post meeting notes: The progress update provided by GP was circulated to Members on 26 June 2019.]

Item 4 : Any Other Business

Role of NCSC on wetland conservation

52. As raised by a Member in the ACE meeting on 4 March 2019, the Chairman suggested the discussion of the role of NCSC on wetland conservation under AOB of this meeting. To facilitate the discussion, an information note titled "Recommendations for Wetland Conservation in Hong Kong" was prepared by two Members and circulated to Members before the meeting on 9 May 2019.

53. On the invitation of the Chairman, a Member declared that she was the Honorary Secretary of the Conservancy Association and two of the staff members of Conservancy Association and her spouse were stakeholders participating in the Deep Bay Wetlands Forum. Another Member declared that she had chaired and facilitated two meetings of the Deep Bay Wetlands Forum organised by the Hong Kong Wetland Conservation Association (HKWCA). A Member also declared that he was working in a consultancy company which had on-going projects in the Deep Bay area and he was the Chairman of the HKWCA which was involved in the conservation of wetlands and wetland associated nature conservation and management plans.

54. A Member briefly introduced the information note about the importance of sustaining the Deep Bay Wetlands which had been facing development pressures in and around the Mai Po Inner Deep Bay Ramsar Site. Furthermore, large areas of fishponds have been abandoned over the years and became susceptible to colonisation by invasive exotic plants. The number of fishponds performing the drain-down practice which could help provide feeding ground to waterbirds was also on the decline given the difficulty in attracting the younger generation to enter the fish farming industry. This led to significant impact on the ecological and social value of the fishponds. He advised that the Deep Bay Wetlands Forum in 2019 was organised by the HKWCA to gauge the views of local experts, representatives of green groups and other stakeholders.

55. A Member briefed Members on five recommendations made by some of the stakeholders at a meeting after the Deep Bay Wetlands Forum.

56. As a general response, Mr Simon Chan advised that the Government would address the observations and recommendations in the next NCSC meeting through a formal agenda item. A paper on the background of the latest status of the Deep Bay wetland and the historical role of the Wetland Advisory Committee (WAC) would be provided to facilitate discussion. He mentioned that the WAC advised the Government on the implementation of the Ramsar Convention in Hong Kong, the management of the Ramsar site and any other wetland-related conservation matters. In accordance with the New Nature Conservation Policy, the work of the WAC had been subsumed into NCSC with a view to strengthening the role of the ACE on nature conservation matters. Matters regarding wetland conservation and management had thereafter been brought to discussion at NCSC meetings, including the item on “Nature Conservation in Deep Bay Area” in 2008.

Site visit to Sai Wan

57. As proposed at the NCSC meeting on 30 April 2018, a site visit to Sai Wan on the progress of the project would be arranged. However, the visit was deferred due to damage of the site by the Super Typhoon Mangkhut in September 2018. The NCSC meeting on 19 October 2018 agreed to defer the visit to the first half of 2019. Subject to weather condition, it was now proposed to arrange the site visit in November 2019. Mr Alex Tang briefed Members on the route to Sai Wan and the approximate time that would take for the site visit. The Chairman said that the Secretariat would follow up on the site visit.

Secretariat

58. There was no other business for discussion at the meeting.

Item 5 : Date of next meeting

59. The Chairman said that Members would be advised on the date of

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the next meeting and the agenda in due course.

**Nature Conservation Subcommittee Secretariat
June 2019**