



THE ISSUE

One-third of land in Hong Kong is not regulated by any statutory land use planning and control system. In particular, private land with ecological value is vulnerable to unauthorized habitat destruction activities, modification of land use and development pressure.

In Hong Kong, conflict between conservation value and the property rights of landowner's has been intensifying. The city has already lost some important enclaves or parcels of privately-owned farmland that contain ecologically important habitats and species of high ecological value.

Lack of up-to-date conservation policy, legislation loopholes, incompatible land use spatial planning, limitations of land use planning control and enforcement have placed many biodiversity hotspots that are situated in private land under threat from unlawful change of land use and habitat destruction.

In Pak Lap, nestled in Sai Kung East Country Park, a marsh where a rare water fern (*Ceratopteris thalictroides*) was found was proposed for re-zoning as Village Type Development. This would not provide any protection to the water fern. The Pui O marsh at South Lantau is recognized as an amphibian hotspot and has diverse aquatic plants and bird fauna but the Planning Department has been unable to act effectively to discontinue the repeated dumping of construction waste on the marsh because the area is not covered by Development Permission Area Plans.

Hong Kong's existing conservation policy – the New Nature Conservation Policy – has been criticized for inadequately protecting private land of high ecological value. Management agreements between NGOs and landowners have achieved some success, but rely on the short-term funding cycle of the government's Environment and Conservation Fund (ECF), making long-term planning a challenge.

The Public-Private Partnership (PPP) scheme has not yielded a single success since its launch in 2004. There are recent cases of eco-vandalism that are specifically aimed at destroying the ecological value of conservation priority sites, such as Tai Ho in Lantau, to prevent future conservation efforts. An updated conservation policy is needed to adequately protect private lands of high ecological value.

OUR ASK

We consider it extremely important for the government to review the New Nature Conservation Policy with the aim to protect private lands of high ecological value from emerging threats from development and eco-vandalism. We also urge the government to improve land use planning and to enable the Planning Department to take enforcement action against unauthorized development in both areas that are solely covered by Outline Zoning Plans (OZPs) without any Development Permission Area (DPA) plans and areas that have no statutory land use plans. For example, the South Lantau area with high conservation value, is covered by OZPs only and without any DPA plan. This key biodiversity and ecosystem service coastline needs protection from unauthorized development.