



世界自然基金會
香港分會

WWF-Hong Kong

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By email only

Dear Sir/Madam,

Submission to the public consultation on
“Dedicated legislation to accelerate the development of the Northern Metropolis”
**“A Dedicated Legislative Framework to Regulate Visitor Impacts in
Nature-focused Parks of the Northern Metropolis”**

This submission responds to the Government’s consultation on “Dedicated legislation to accelerate the development of the Northern Metropolis”. While acknowledging the important role of legislative tools in facilitating development efficiency, we consider that a robust legislative framework must also address the environmental sustainability and management challenges arising from increased human activity in the nature-focused parks which have been committed or are planned in the Northern Metropolis.

To align with President Xi’s vision of reshaping China’s development pathway to be harmonious with nature, Hong Kong is expected to pursue a development trajectory that delivers nature-positive outcomes. In this context, the principle of ecological civilisation and green development should be embedded across all stages and dimensions of Hong Kong’s economic and social development.

Against this backdrop, both the HKSAR Government and the Central Authorities have demonstrated a clear commitment to advancing the Northern

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Metropolis (NM), supported by a dedicated legislative framework to accelerate its implementation. Given its inherited ecological and landscape values amidst two major cities, NM offers a unique opportunity to seamlessly integrate development and conservation. Over the past few years, the Government has proposed a number of innovative nature-focused park systems, aiming to protect the natural environment while providing eco-recreation opportunities—namely Nature Park, Wetland Conservation Park (WCP) and Coastal Protection Park (CPP)—covering over 1,300 hectares of land within the Northern Metropolis. This reflects a clear policy intention to embed biodiversity conservation within the broader development framework.

However, experience from recent cases of overtourism, such as that of Sharp Island, highlights a critical regulatory gap: statutory designations alone are insufficient to protect ecologically sensitive areas without enforceable provisions governing visitor behaviours. Incompatible activities such as trampling of sensitive habitats, disturbance of wildlife and collection of natural resources remain difficult to control in such sites, resulting in biodiversity loss, environmental degradation and broader societal costs. These issues are driven not only by subpar public awareness, but also by the lack of a clear statutory framework for intervention. Due to the lack of enforceable provisions for the marine waters of Sharp Island, the Government resorted to heavy investment in civil servant presence, as well as commissioning NGOs to discourage inappropriate visitor behaviours during the May Golden Week holiday. Although such interim measures were effective, it is not a sustainable long-term solution for visitor management in ecologically sensitive areas. WWF is glad to learn that AFCD is in the process of designating a new Marine Park in parts of Sharp Island’s coastal water, so that appropriate regulatory framework can be applied if necessary.

In this regard, a critical question arises for the Northern Metropolis: whether the proposed WCPs and CPP are subject to threats from overtourism due to the lack of a supporting legal framework? The Sam Po Shue (SPS) WCP, currently at an advanced planning stage, would certainly attract masses of visitors with its state-of-the-art tourism facilities such as visitor centre, extensive boardwalk and viewing platforms. Without good visitor management framework, it and other WCPs/CPP may encounter governance challenges similar to Sharp Island.

Experience from the Long Valley Nature Park, which shares similar characteristics with SPS in combining biodiversity conservation, farming, and ecotourism, reveals notable regulatory limitations. The current framework relies primarily on the “Visitor Code for the Long Valley Nature Park”¹, which is largely advisory rather than legally binding, lacking teeth to effectively regulate inappropriate visitor behaviours when needed. While certain activities—such as disturbing or feeding wildlife, and damaging plants—are nominally prohibited, enforcement provisions are largely absent.

This limited regulatory approach is further constrained by management provisions that allow intervention only where ecological impacts become evident, rather than the

¹ https://www.lvnp.gov.hk/en/visitor_code.html

prevention of such undesirable outcomes. Measures such as temporary closure of habitats, footpaths, or crowd control are applied reactively, rather than through forward-planning, precautionary regulatory measures. This approach implicitly accommodates unrestricted public access, relying on post hoc mitigation rather than proactive regulation.

These concerns are amplified by the park's 24-hour public access. Continuous accessibility increases the likelihood of undesirable activities, when enforcement presence is minimal. This elevates risks of disturbances to wildlife and critical habitats, as well as other incompatible behaviours. In the absence of a robust statutory framework, such a management model places disproportionate reliance on good faith and high environmental awareness of all visitors, potentially resulting in cumulative and irreversible ecological impacts.

A review of existing land-based ordinances in Hong Kong (Annex 1) reveals that statutory mechanisms for regulating human behaviours already exist but are scattered across multiple ordinances serving different policy objectives. While instruments such as the Country Parks and Special Areas Regulations (Cap. 208A) provide ecology-linked behavioural controls, and the Pleasure Grounds Regulation (Cap. 132BC) offers strong on-site enforcement powers, no single ordinance simultaneously delivers comprehensive behavioural regulation, visitor pressure management, and applicability beyond designated country parks. This fragmentation underscores a critical policy gap: although individual regulatory elements are well established, they are not cohesively applied to emerging conservation challenges, such as overtourism in ecologically sensitive sites outside legally-protected areas.

In view of this, there is a clear need to establish a dedicated legislative framework to regulate potential visitor impacts in WCPs, CPP and Nature Parks. Given the existence of mature legal provisions across multiple ordinances, such a framework need not be developed from square one. Instead, it could be achieved through extending the scope of an existing principal ordinance, introducing subsidiary legislation that systematically incorporates relevant provisions from different ordinances, even where their original legislative intents differ. The proposed "Dedicated legislation to accelerate the development of the Northern Metropolis" demonstrates a viable legislative approach that could be adapted in this context.

Relevant examples include the Country Parks and Special Areas Regulations (Cap. 208A), which provides statutory controls over littering, vegetation damage, and wildlife disturbance, and the Pleasure Grounds Regulation (Cap. 132BC), which governs behaviour in public recreational spaces through more stringent provisions and clear enforcement authority. Together, these instruments offer practical and enforceable precedents that could be selectively integrated into a tailored regulatory framework for nature-focused parks in NM, which can strengthen protection for ecologically sensitive areas while facilitating appropriate public enjoyment.

Although the proposed dedicated legislation for the Northern Metropolis is principally framed around accelerating development, the Northern Metropolis also includes

significant conservation estates that will face its own implementation and management challenges. If dedicated legislative tools are considered necessary to expedite development delivery, there is an equally strong context for establishing a parallel statutory framework to regulate visitor pressures and behavioural impacts in Wetland Conservation Parks, Coastal Protection Parks and Nature Parks. This would promote greater policy coherence across the Northern Metropolis and help ensure that conservation objectives are not subordinated to the pace of development.

Thank you very much for your kind attention.

Kind regards,

A handwritten signature in black ink, appearing to read 'Tobi Lau', written in a cursive style.

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Annex 1

A comparison of key land-based ordinances and by-laws in Hong Kong in terms of their ability to regulate human pressure

Ordinance / Function	Direct Behaviour Control	Conservation-driven Behaviour Control	Visitor Activity Restrictions	Access / Entry Control	Wildlife / Habitat Protection	On-site Enforcement Powers	Applicability Beyond Country Parks
Country Parks & Special Areas Regulations (Cap. 208A)	✓	✓	✓	✗	✓	✓	✗
Wild Animals Protection Ordinance (Cap. 170)	✓	✓	✗	✓	✓	✓	✓
Forests and Countryside Ordinance / Forestry Regulations (Cap. 96)	✗	✓	✗	✗	✓	✓	✓
West Kowloon Cultural District (Public Open Spaces) Bylaw (Cap. 601A)	✓	✗	✓	✗	✗	✓	✓
Pleasure Grounds Regulation (Cap. 132BC)	✓	✗	✓	✗	✗	✓	✓
Town Planning Ordinance (Cap. 131)	✗	✗	✗	✗	✓	✗	✓

Key to Functions

- **Direct Behaviour Control:** Explicit regulation of what visitors may or may not do
- **Conservation-driven Behaviour Control:** Behaviour regulated explicitly for ecological or conservation reasons
- **Visitor Activity Restrictions:** Controls on recreational activities (camping, games, noise, fires, etc.)
- **Access / Entry Control:** Permit systems, restricted areas, zoning-based access limits
- **Wildlife / Habitat Protection:** Statutory protection of animals, plants and habitats
- **On-site Enforcement Powers:** Clear authority for wardens, officers, or site managers
- **Applicability Beyond Country Parks:** Can apply outside the country park system