

Convictions under environmental legislation: April to June 2006

[Note: the EPD no longer classifies second (and subsequent) offences.]

The EPD's summary of convictions recorded and fines imposed during the above period is as follows:

April 2006

Sixteen pollution convictions in April 2006

Five of the convictions were under the Air Pollution Control Ordinance, four under the Noise Control Ordinance, five under the Waste Disposal Ordinance and two under the Water Pollution Control Ordinance.

The heaviest fine in April was \$25,000, assessed against a company which contravened the provisions of a licence.

May 2006

Twenty-five pollution convictions in May

Ten of the convictions were under the Air Pollution Control Ordinance, six under the Noise Control Ordinance, five under the Waste Disposal Ordinance, three under the Water Pollution Control Ordinance and one under the Ozone Layer Protection Ordinance.

The heaviest fine in May was \$120,000, assessed against a company which used powered mechanical equipment without a valid construction noise permit.

June 2006

Twenty-five pollution convictions in June

Among them, 10 of the convictions were under the Noise Control Ordinance, seven under the Air Pollution Control Ordinance, seven under the Waste Disposal Ordinance and one under the Water Pollution Control Ordinance

The heaviest fine in June was \$30,000, assessed against a company that contravened the provisions of a licence.

Two men who exported controlled waste without permits, contrary to the Waste Disposal Ordinance, were sentenced to two months' imprisonment, suspended for 18 months.

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URBAN PLANNING AND ENVIRONMENTAL LAW QUARTERLY

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In May 2006 the Director of Planning announced at a press briefing that the government would implement a holistic and balanced development plan for the Central harbour front. Addressing that and other major redevelopment projects, in this edition we consider what is perhaps Hong Kong's most important urban planning decision for many years - how to reorganise and revitalise Victoria Harbour's waterfront.

The Editors

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REDEVELOPING THE HARBOURFRONT: A LAST CHANCE TO RECOVER PUBLIC OPEN SPACE

In the aftermath of the 2004 successful legal challenge to government plans for extensive reclamation of Victoria Harbour to accommodate the Central - Wan Chai by-pass road and other infrastructure, the Director of Planning declared in 2005 that there would be no more reclamation of the harbour other than as needed to complete on-going projects.

Today, three major on-going projects are destined to re-shape substantially Hong Kong's geographical and cultural icon - Victoria Harbour and its waterfront districts. The projects are: -

- West Kowloon Cultural District
- Tamar and adjacent Central harbourfront re-development
- Kai Tak Airport re-development

The Director of Planning, Bosco Fung, has described these projects as "Three very important pieces in the jigsaw" of Hong Kong. Together with associated projects - such as the Wan Chai - Central road works and redevelopment of the Star Ferry and the Central Ferry Piers - these major developments offer the government a chance to redesign the appearance and use of significant parts of Hong Kong's central waterfront areas.

It is to be hoped that the general public will also be allowed a prominent role in shaping the waterfront

plans. However, Hong Kong governments do not have an impressive record of paying heed to public opinion when allocating and designing for land uses.

The West Kowloon Cultural District development is regularly reviewed in the UPELQ, so we shall leave it to one side.

The old Kai Tak Airport site is far and away the single most significant harbour development. It has an area of 328 ha., compared with the WKCD's 40 ha. and Tamar's 4 ha. The government has not yet decided on a final master plan, but it is likely to include:

- low-density residential complexes
- tourism facilities, including hotels
- a Metro Park and other green or public areas
- commercial/office buildings
- 2 sports stadiums - of 45,000 and 5,000 capacities- and other sporting/recreational facilities
- (possibly) enlargement of the notorious nullah to improve water flow and quality
- cruise ship terminal
- limited roads to discourage the use of vehicles

The Central harbourfront re-development, which adjoins Tamar, has involved yet more reclamation to enable the famous Star Ferry piers to be re-located next to the existing outlying islands ferry piers. In his press release (28/5/06) outlining the

government's plans, the Director of Planning said:

"The new harbourfront will be attractive in having a green unifying edge endowed with quality public and private developments in a luxuriant landscape setting. It will be vibrant day and night with a mix of uses and diversity of functions, inviting different activities and residents and tourists alike to the harbourfront."

"There will be good access with the provision of multi-modal transport and comprehensive pedestrian linkages at different levels to bring people to the harbour. The new Central harbourfront will become a symbol of Hong Kong, with a distinctive urban form in harmony with the ridgelines and the harbour setting."

A feature of the Central harbourfront redevelopment is an 11 ha. promenade (compare Hong Kong Park at 8 ha). The promenade will include "open-air facilities, such as outdoor forums, amphitheatres, green open space, harbourside walkways and undulating lawns."

However, if the project is carried out in the usual Hong Kong way, built-facilities will far outweigh green open space, unfortunately.

Tamar, the former British Royal Navy base, will be re-developed as government offices, if the government has its way (as it usually does). The site is the last prominent, large water-front land available.

The Chief Executive has been pushing hard for Legco and the community to accept the government's plan to allocate the site primarily for a series of buildings - to cost at least \$5.2 billion - to house the administration. Whilst a final decision has not been made, it is very likely that Tamar will predominantly be used for more high-rise buildings and associated concrete facilities, rather than as open, public space.

Many planning and architecture experts have voiced strong opposition to the Tamar site being allocated to construction of more high-rise office buildings. Several political parties were also opposed, although some have now acquiesced in the government's plans after strong official persuasion.

Recurring themes of criticism of the Tamar plan are that it continues the mistake of excessive encouragement of a built urban form, rather than introducing a much needed green reserve, and will accentuate private, rather than public, use of what is an iconic waterfront site.

Critics' grounds of opposition to the proposed Tamar re-development reflect a wider disquiet with Hong Kong's development/business driven land use agenda; if it is not steel and concrete, and at least 30 stories high, it is not worth having, apparently.

Time Asia Magazine (27/07/2006) noted that the government proposed, essentially, to use prime waterfront land for an office complex, rather than for open public space, green reserve or similar public facilities. The article records that Hong Kong "has long had a mania for excessive building and land - reclamation projects, and that ardor is cooling. Landfill has left Hong Kong with an ever narrowing harbour, and the reclaimed land has frequently been used for roads and bus terminals, rather than for parks or restaurants."

The Urban Land Institute has urged the government to:

- develop a holistic plan, and
- embrace an inclusive process

for waterfront development. The Institute says: "Each new waterfront development should be considered as an activity to enhance the harbour's quality and accessibility for Hong Kong citizens", which clearly the Tamar proposal does not do.

The *Far Eastern Economic Review* ("Scuttling Hopes for Hong Kong's Tamar", July/August 2006), laments that with Tamar, the government has passed up yet another opportunity to add some balance to the way we use harbourfront land.

Civic Exchange has been a strong and resolute critic of the Tamar proposal and the government's general approach to development of waterfront sites. The public interest organisation released on 26 January 2006 a concept plan - "Central Park": *NEW plan for NEW Central. An alternative plan for the central waterfront.*

In introducing the concept plan, Christine Loh, the CEO of Civic Exchange, said:

"What is going to be built on the Central Reclamation is crucial. Our vision for New Central provides more green areas and quality open public spaces. People can get close to the water and enjoy the Harbour for many different activities, other than just shopping. We do not need more malls in the area. Our Central Park offers Hong Kong people a better alternative to government plans."

Central Park is described by Civic Exchange as:

"Central Park is a piece of large green area situated in Central. It covers the area (reclaimed land included) bounded by the Hong Kong Convention and Exhibition Centre Extension to the East, the Government House and the Central Government Offices to the South and Airport Railway Hong Kong Station to the West. To the North, the Park extends to the waterfront.

Other than providing greenery, Central Park is also an open space for people to relax and enjoy various kinds of cultural and sports activities. The Park can be a place where people experience both peace and excitement.

It can become an icon, not only for Central, but for Hong Kong as a whole."

Even the business organisation Business Environment Council has argued that the government should embrace harbourfront trends in other cities, which increasingly focus on projects that contribute to urban regeneration and improving public access to waterfront areas. Instead, Hong Kong's administration continues its long-established policy of favouring developments which involve "engineering and the creation of infrastructure" ("Reclaiming Hong Kong's Harbour", *Urban Land*, October 2005).

It is time government planners paid attention to the world-wide shift to reintroducing into the urban landscape natural qualities - such as street trees, median strip hedges, significant grass reserves (not just small, concrete sit-out areas) and vegetated public promenades, especially in waterfront areas.

We would support the concept - half endorsed by the Director of Planning - for spacious public esplanades adjoining the harbour wherever possible, linking public parks, even if individually they are only small.

The Central Public concept espoused by Civic Exchange also has undeniable merit, and would represent a significant return of open space to the community. Such facilities as a substantial central park and/or series of smaller parks, are not just aesthetically and environmentally desirable, they also encourage tourism, which translates to increased revenue for Hong Kong. The dollars and cents argument is one the government usually does recognise.

As *Time Asia Magazine* observes: "Hong Kong could yet have a waterfront to rival those of Sydney or San Francisco. But if it gets things wrong, the city could be stuck with more lifeless stretches of concrete"

However, the evolution to date of the Tamar project does not augur well for a government planning renaissance. As *Time* wryly comments: "If there were any fairness in life, the waterfront development model which is the most attractive and people - friendly would be adopted. But this is Hong Kong; don't bet on it."

LEGISLATION DIGEST

Protection of Endangered Species of Animals and Plants Bill

[Date of Gazette: 15 April 2005]

The object of this Bill is to replace the Animals and Plants (Protection of Endangered Species) Ordinance (Cap. 187) and to :-

- (a) ensure that domestic legislation conforms to the requirements of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (1973) ("Convention");

- (b) regulate the import, introduction from the sea, export, re-export and possession or control of things that are or are claimed to be certain endangered species and their parts and derivatives, (collectively “regulated species”); and
- (c) simplify the legislation in order to implement the Convention more efficiently in Hong Kong.

Part 1 (clauses 1 to 4) contains preliminary provisions, in particular, interpretation of the terms used in the Bill and application of the Bill to hybrids of regulated species.

Part 2 (clauses 5 to 10) provides for restrictions on the import, export, possession, control and other dealings of highly endangered species (those listed in Appendix I) except in accordance with the requirements of licences or other relevant permitting documents, and creates offences for contravening such restrictions.

Part 3 (clauses 11 to 16) provides for the restrictions on the import, export, possession, control (and other dealings) of other endangered species (those listed in Appendices II and III) except in accordance with the requirements of licences or other permitting documents and creates offences for contravening such restrictions.

Part 4 sets out the circumstances in which dealings in regulated species without licence are permitted.

- (a) clauses 17, 18 and 19 relate to import of regulated species;
- (b) clauses 20 and 21 relate to possession or control of regulated species;
- (c) clause 22 relates to regulated species in transit.

Part 5 deals with matters relating to licences.

- (a) clause 23 provides for the issue of licences and creates the offences of contravening licence conditions;
- (b) clause 24 provides for the extension, renewal and variation of licences;
- (c) clause 25 provides for a notice requirement on refusal of applications;
- (d) clause 26 provides for the cancellation of licences and creates the offence of failing to surrender licences on cancellation.

Part 6 deals with powers of authorized officers.

- (a) clause 27 provides for the appointment of authorised officers to exercise the powers and perform the duties conferred or imposed on the Director of Agriculture, Fisheries and Conservation (“Director”) or authorised officers by the Bill;
- (b) clause 28 provides for the power to require the production of documents or other evidence

to show that possession or control of a specimen of a regulated species is not in contravention with the Bill and creates an offence for non-compliance;

- (c) clause 29 provides for the power to require a statement of the names of regulated species and creates an offence for non-compliance;
- (d) clause 30 provides for the power to require production of suspected specimens of regulated species for inspection;
- (e) clause 31 provides for the power to inspect premises in which regulated species are kept for commercial purposes;
- (f) clause 32 provides for the power of search and detention when there are suspected offences;
- (g) clause 33 provides for the power of entry into places or premises with warrant;
- (h) clauses 34 and 35 provide for the power of seizure and disposal of seized things respectively;
- (i) clause 36 provides for the power to require identification of suspects;
- (j) clause 37 provides for the power of arrest;
- (k) clause 38 creates an offence of obstructing the exercise by authorised officers of the powers under clauses 30, 31, 32, 33, 34, 36 and 37 under the Bill.

Part 7 (clauses 39 to 43) provides for the return or forfeiture of things seized under clause 34 (1).

Part 8 (clauses 44 to 53) contains miscellaneous provisions.

Part 9 (clauses 54 and 55) repeals the Animals and Plants (Protection of Endangered Species) Ordinance (Cap. 187) and the Animals and Plants (Protection of Endangered Species) (Exemption) Order (Cap. 187 sub. leg. A), and provides for transitional arrangements relating to the repeal.

Part 10 (clauses 56 to 58) contains consequential amendments to other Ordinances.

Schedule 1 lists out the regulated species and resembles Appendices I, II and III to the Convention.

Schedule 2 specifies the fees payable in respect of documents issued under the Bill, including the fees for licences and extension or renewal of licences.

Schedule 3 sets out (with or without modification) the relevant parts of Convention instruments that will be given the force of law in Hong Kong.

TOWN PLANNING

Henderson in flats wait after buying Cheung Sha Wan site

Henderson Land Development plans to invest HK\$1.5 billion to develop a residential-commercial complex on a newly acquired site in Cheung Sha Wan.

Industry sources said the land deal is valued at about HK\$1.1 billion, whilst the construction costs are estimated at HK\$400 million. Henderson Land said they are studying the exact number of flats to be built and construction costs have not been finalised. Revised building plans will be submitted to the government later this year.

According to previously approved building plans, the project will feature two residential blocks atop a retail podium located at Tung Chau Street. The site could yield a total gross floor area of more than 320,000 square feet.

Meanwhile, sources said a large consortium led by Henderson Land would submit a plan for an estimated HK\$60 billion (subsequently reduced to HK\$30 billion) housing project in Yau Tong Bay to the Town Planning Board. This project will provide 10,000 flats in 40 blocks with a total of 9.7 million square feet and is expected to be one of the biggest in Kowloon, at about two thirds the size of Tai Koo Shing, which is the largest development on Hong Kong Island.

[The Standard, 13/05/2006]

Developers want to build Tamar complex on huge podium

The government is now holding a pre-qualification tendering exercise for the Tamar development. The proposed government headquarters might be built on top of a huge two-storey podium, with a highway running underneath.

Four consortia have put forward plans for the development, all featuring a podium. Government guideline documents do not specify a podium, only that a road linking Central and Wanchai needs to run beneath the government headquarters. The government headquarters will have to be elevated to allow the road to pass through.

The podium would be 6 to 8 metres high, and a 50 to 60 metres wide pedestrian deck would connect the podium and the waterfront promenade.

Architects and planners are alarmed by the design as public views will be blocked. They urged the government to exhibit the proposals for public inspection.

The development will include two tall towers and two low towers. The tallest one, which will house principal government officials, will be 160 metres high. That means the government office will be the tallest building along the waterfront of the

Central extension area.

[SCMP, 15/05/06]

Draft Mong Kok outline zoning plan approved

The Chief Executive in Council has approved the draft Mong Kok Outline Zoning Plan (OZP). The Planning Scheme Area, covering about 147 hectares, is located in West Kowloon.

A total area of 42.3 hectares is zoned as “Residential (Group A)” for high density residential developments. About 2.6 hectares of land in the Tai Kok Tsui area is zoned “Residential (Group E)” to encourage the phasing out of existing industrial uses through redevelopment for residential purpose.

An area of 13.8 hectares is zoned “Government, Institution or Community” (“GIC”); 7.9 hectares is zoned “Commercial” for commercial developments, and 8.6 hectares is zoned “Open Space” to provide active and passive recreational uses.

A total of 10.6 hectares of land is zoned “Other Specified Uses” (“OU”). They include an “OU (Business)” zone and other “OU” sites earmarked for: a funeral parlour at Maple Street; five petrol filling stations; the land for the Kowloon Canton Railway (KCR); and a commercial/office/hotel development at the KCR Mong Kok Station.

A site of 0.04 hectare is zoned “Comprehensive Development Area” to preserve the existing Hing Shing Temple compound and the mature tree on the site.

Two hectares of land is designated for two urban renewal redevelopment schemes. The Argyle Street/Shanghai Street Development Scheme, which is a commercial/office/hotel development, has been completed. The Cherry Street Development Scheme is planned for a commercial/residential development with GIC facilities.

[Press release, Town Planning Board, 19/05/06]

Crisis likely on small house land policy, says think-tank

Lisa Hopkinson, a researcher for local think-tank Civic Exchange, said the government faces a crisis if it does not solve the land shortage and housing problem in the New Territories caused by indigenous villagers building new three-story houses and selling them for profit without any long term plan for sustainability.

Male indigenous villages are allowed to apply for small house lots in their respective villages, or in villages linked to their ancestry, when they turn 18. Some indigenous villagers believe that they are automatically entitled to such housing rights under Article 40 of the Basic Law. Hopkinson

stressed that opinion is “open to interpretation”, and should be settled in court.

Civic Exchange criticised the government for not dealing with the Small House Policy properly and thereby encouraging a fundamentally unsustainable system. The consequences are: poor land use; drainage and water quality problems; loss of ecologically valuable countryside; and increased speculation and corruption.

According to the figures provided by the Town Planning Board, the government has steadily approved a high rate of small house applications in the “green belt” zones for three-story houses, thus strengthening the criticism that indigenous villagers and the government are avoiding a civic responsibility to manage shrinking land availability and to create more careful rural planning policies.

It is estimated that entitlement to build at least 240,000 small houses can potentially be claimed within the next few years as indigenous villagers turn 18 years old. However, the Civic Exchange states in its report that there is land sufficient for only 74,000 more houses.

Politicians have also pointed out in Legislative Council sessions that some indigenous villagers sell their rights to build three days after they receive the certificate of compliance. The selling strategy is said to have negative impact on the civil stability in Hong Kong.

The government has regularly promised to review the small house policy and the review has gone more slowly than expected. The results of the review process remain confidential. “The government has lacked the political courage to set up a more transparent process, which could have resulted in possibly constructive ways forward,” Hopkinson said.

[The Standard, 22/05/06]

Critics of waterfront plan ask: what about Tamar?

The government has unveiled its concept plan for the Central to Wan Chai waterfront, with tree-lined promenades, lawns and outdoor entertainment areas.

The model for the harbourfront features a 1.4 km promenade and 11 hectares of open space. Detailed designs for the Tamar project are not included. Only basic representations of the buildings and a lawn-covered civic square are shown.

The Director of Planning described the new harbourfront as “attractive in having a green unifying edge endowed with quality public and private developments in a luxuriant landscape”

The 160-metre high Tamar building is not included in the model. Critics say that without taking Tamar

into account, the concept plan can hardly be called proper town planning. They also urge the government to invite more public comments on the proposal.

[SCMP, 29/05/06]

A mixed reception for Kai Tak proposal

A blueprint for the old Kai Tak airport runway was released by the administration yesterday. It met with mixed reviews, as the sustainability of the largely commercially focused design is questioned.

Under the preliminary outlined development plan, the site will provide 700,000 square metres of Grade-A office space and 17 large hotels, providing a total of 6,800 hotel rooms.

A two-berth cruise terminal, helipad and 50,000-capacity sports stadium have all been retained from the three original concept plans to ensure that the site will become a tourism and sports hub. The site is expected to become one of the city’s four new “icons” - the others are the Tamar headquarters, the Convention and Exhibition Centre and the West Kowloon cultural district.

Industry observers said the government could reap more than HK\$200 billion from the expected sale of residential, office and hotel sites. The most valuable low-rise and medium-rise waterfront residential land is estimated to be worth more than HK\$10,000 per square foot. The site would provide 30,500 flats and the residential component is larger than the size of two Tai Koo Shing private housing developments.

Legislators have expressed concerns about the balance between commercial and residential development of the site.

A number of public facilities, such as a five-hectare regional hospital and a one-hectare government office, will be built on the site. One hundred hectares of land will be devoted to open space, much of it situated along the harbour in the Metro Park, which will be more than 30 percent larger than the Victoria Park. The government plans to demolish 600 metres of the old runway to improve water flow the polluted nullah. The park will be built on top of a deck, which will sit on top of pilings in order to allow for the free flow of water between the nullah and the harbour.

Retired architect and lawmaker, Patrick Lau Sau-shing, says the design of the park is the most innovative and best part of the whole plan.

However, the proposal is likely to stir up a number of heated debates, mostly involving the integration of the site with the surrounding communities. For example, the placement of the Sha Tin to Central railway station would effectively create a wall between the site and Kowloon City.

Pollution is another concern. The government will have to provide specific details on its plan to clean

the nullah to ensure no contamination enters the harbour.

The government plans to submit the proposal to the Town Planning Board and the Harbourfront Enhancement Committee to begin consultation. If the plan is approved by the Town Planning Board, construction will begin in 2008.

[*The Standard*, 22/6/06]

WEST KOWLOON CULTURAL DISTRICT

Panel wavers on number of preferred museums

The advisory committee on the West Kowloon Cultural District (“WKCD”) said that the government must more clearly position the museum projects within the WKCD.

Members of the committee said that they generally support the four themes outlined by the government - film, modern art, Chinese ink painting and calligraphy and design— but their views were divided as to whether the cultural institutions should be housed in one building or at separate sites.

The artist Jeffrey Du Vallier d’ Aragon Aranita preferred larger museums instead of four smaller ones, whilst cultural critic Leung Man-tao said the role of the new museum should first be defined before constraints were placed on the number or kinds of museums.

Members of the committee also opined that the most important consideration for museums was to attract talented staff. They said that it was not necessary to buy the most expensive exhibits for the museums. What was most important was to recruit talented curators who were able to find and promote good exhibits.

[*The Standard*, 02/06/06]

Artists need to be nurtured

Art groups speaking at a forum organised by the Performing Arts and Tourism Advisory Group said that the WKCD advisory group should emphasise nurturing artistic talents and audiences, rather than focusing on how many buildings the cultural focal point should have.

Renowned Cantonese opera performer Law Kaying said the government has to set up a Chinese opera company for students to develop their talents because it was only after the talented students were trained that they could use the facilities to showcase their talents and compete with mainland and international performers.

Other people raised the need for the establishment of a specialist art school for young people to

develop their talents. But fellow group member Edward Lam Yik-Wah said that it was the public’s perception of art and artists that had to be changed first. Parents nowadays were still reluctant to send their kids to specialist schools while there were some other traditional professions which offered a more promising career.

[*South China Morning Post*, 03/06/06]

Diversity will guide arts policy

Recently, the Home Affairs Bureau was publicly criticised when Home Affairs Secretary Patrick Ho Chi-ping failed to address concerns of the Cantonese opera community when reconsidering planning for the controversial WKCD.

When speaking on the RTHK’s programme “Letter to Hong Kong” in relation to the development of the WKCD, Dr. Ho explained that the government would emphasise diversity rather than impose a direction on arts and cultural policy. He also stressed the importance of catholic tastes in the arts and said that whilst every branch of arts found its success and champions in Hong Kong, it was the duty of the government to ensure that none was so overshadowed as to be overlooked. He believed that the role of the government was to provide means, venues, infrastructure and subsidies to stimulate growth, but never to impose or dictate its content or direction. The government would continue to exercise catholicism and eclecticism of taste.

The Secretary said the government would also carefully consider the recommendations submitted by the performing arts advisory committee, which included the suggestion of a new grants system to help develop budding artists and smaller arts groups.

[*SCMP*, 19/06/06]

Museum mega-complex with phased development for arts hub

An adviser to the government said that four museums featuring individual themes in the WKCD could be integrated into a mega-complex. Chairman of the WKCD consultative committee on museum facilities, Victor Lo Chung - Wing, said that the size, themes and number of museums were open to options. Mr. Lo further explained that since the construction of museums could be in phases, it was difficult to predict the development of museums. The advantage of an integrated approach is that it could allow more flexibility in the deployment of manpower and resources.

Meetings and public consultative forums also proposed specific themes, such as including pop culture and late pop culture.

Mr. Lo added that the selection criteria included theme which is relevant to Hong Kong’s culture

and existing museums. In looking into how the WKCD project should co-operate with existing museums, Mr. Lo stressed that there was no implication that existing museums might be phased out.

However, another member of the consultative committee, Ada Wong Ying-Kay, complained that because of the lack of meetings among members, the views of members were divided and there was no majority view of the preferred theme or approach.

On the other hand, Selina Chow Liang Shuk Yee, a convener of the performing arts and tourism advisory group on WKCD, said members had agreed to adopt an integrated approach and they had more agreements than disagreements. By mixing the facilities together, the cultural hub would attract as many visitors as possible, as tourists would like to go to wherever local peoples are attracted go to.

[*SCMP*, 02/06/06]

HONG KONG BRIEFING

Clean up our air

Air pollution in Hong Kong is very bad. The sky is meant to be blue but instead it is always white.

Six hundred children aged between five and eleven want the government to reduce pollution and to urge people to use products that produce less pollution. They wrote to the Chief Executive calling for urgent action to tackle worsening air pollution. Two hundred companies have asked the government for tax concessions and cheap loans in return for cleaning up their emissions.

Hong Kong children will suffer significant deficiencies in lung capacity when they get older because of the toxic gases from car exhausts which they are breathing today. Professor Hedley of the community medicine department at the University of Hong Kong said that children, the elderly and the sick were the most vulnerable to air pollution. Children are particularly because their lungs are not fully formed. Their airways are smaller and therefore more likely to become blocked when irritated.

Roadside locations tend to be the worst polluted because of exhaust fumes. Professor Hedley says that this is a medical emergency. According to the World Health Organization, air pollution is linked to respiratory deaths in infants and to damage to children’s lung functions which can lead to reduced lung capacity during adulthood.

[*SCMP*, 30/04/2006]

Options for clearing the air

A government body headed by the Chief Secretary is proposing several measures to reduce air

pollution by restricting the use of vehicles on high pollution days and imposing an energy tax during periods of peak power use. Foreign chambers of commerce would also be encouraged to name and shame members who source goods from polluting suppliers. Hard and soft options are listed as “bold” and “incremental” choices. There are trade-offs and outcomes arising from each choice.

Electronic road pricing is suggested as a way to manage excessive daily road traffic and to limit the number of cars at certain times in different areas. It could also be used to reduce the use of vehicles on bad air days and to restrict the operating of diesel-powered equipment.

Another proposal is to implement stricter air-quality objectives.

Electricity suppliers could also be asked to procure only clean coal or to use gas for power generation by 2010. In order to curb the power demand, a mandatory minimum temperature setting for offices of 25.5 degrees is proposed to reduce energy consumption from the use of air-conditioning. An energy tax could be imposed to ease peak time demand.

On the transport front, it is proposed that vans be converted to comply with Euro IV emissions standards, or switched to run on LPG, within two years. For cross-border truck pollution, the group proposes setting a limit or imposing a ban on trucks using mainland diesel, which is high in sulphur. If a ban were imposed, a duty-free refilling outlet could be set up at the border to supply cleaner fuel.

For the industrial sector, a fund financed by a levy imposed on each company in the sector is proposed for the development of clean production technology.

It is time for the public to choose trade-offs for better air quality, and to accept that society will have to pay, whatever feasible options are chosen.

Hong Kong must also consider an appropriate population composition, and seek a sustainable population structure in order to enhance its competitiveness, attractiveness and quality of life.

[SCMP, 02/05/2006]

Polluting dump trucks

Lawmakers have demanded better enforcement of the law which requires dump trucks to cover debris loads with sheets. Residents and drivers on the route to a planned new construction waste dump in Chai Wan could be plagued by debris from trucks if the loads are not covered properly. Transport sector legislators said dump trucks often drove without proper covering, creating a hazard for following drivers, who have to contend with debris hitting their windscreens.

The Environmental Protection Department and Civil Engineering and Development Department

plan to open a new waste dump in Chai Wan to replace the one in Quarry Bay. Legislators threatened to vote against funding for the dump unless the government promised to require all trucks in the city to be equipped with mechanical covers by the time the dump opened in 2008.

Under existing laws, all trucks loaded with soil have to be covered with sheets to avoid dust and waste pollution.

[SCMP, 14/06/2006]

Price put on Hong Kong's pollution

Air pollution in Hong Kong causes approximately 1,600 deaths and losses of at least \$2 billion a year. If intangible costs are included, the losses are over \$20 billion.

Research by experts from three Hong Kong universities and a public policy think-tank also found that Hong Kong could each year save up to 64,000 bed days in hospital and 6.8 million visits to family doctors if air quality were improved from “average” to “good”. The study ranked Hong Kong’s air-quality standards below those of Paris, New York, London and Los Angeles, and said the city’s concentration of air pollutants exceeded World Health Organisation standards by 200 per cent.

The study was carried out by a team of experts from the University of Hong Kong, Hong Kong University of Science and Technology, the Chinese University of Hong Kong and the think-tank Civic Exchange. Their report states that approximately 1,600 people die each year as a result of air pollution which causes heart attacks, stroke, pneumonia and other lung diseases. Material losses were estimated at over \$1.5 billion to \$2 billion for health-care costs and \$504 million in lost productivity, plus a further \$19.1 billion for intangible costs for pain and suffering.

The study also found that Hong Kong had only once effected a significantly effective air quality improvement, which was 16 years ago when the Environmental Protection Department (EPD) restricted sulfur content of fuel to 0.5 per cent by weight.

University of Hong Kong researcher Professor Anthony Hedley said that the government needs to take the problem of pollution far more seriously than it has to date because we have been going backwards on the pollution front for several years. He noted that if these health impacts were occurring because of an infectious disease, then there would be a recognised public crisis.

The EPD said that the study and the World Health Organization’s new air quality guidelines would be taken into consideration. EPD will take into account the review findings as well as on-going local studies when considering the need and justification for new environmental protection standards.

[SCMP, 09/06/2006]

The smoke in Hong Kong

For the past 18 years, buildings have gone up and come down; streets have been re-routed; and businesses have changed hands. But the exhaust fumes from the street’s idling mini-buses wafting into shops have steadily worsened.

According to environmental experts, these fumes are particularly hazardous where the presence of numerous tall buildings prevents free circulation of air and traps pollutants at ground level, creating a canyon effect. This occurs when the height of buildings on both sides of a street are twice the width of the road without passages between the walls of high-rises at ground level.

Vehicle exhausts are common in every city, but Hong Kong’s narrow streets and closely packed high-rises make it much harder for the fumes to escape, especially in areas with the most densely packed structures, such as Causeway Bay, Central and Mongkok, where the air quality has now deteriorated to a critical level.

An academic at Hong Kong University who has analysed the canyon effect using computer modelling, says that the phenomenon is evident during a stroll through Causeway Bay from Hysan Avenue towards Hennessy Road. The air quality worsens around the area of Sogo.

Hong Kong residents take similar walks every day without giving it a thought that the pollution from the vehicles gets trapped in the streets and we breathe it in. Even if you stay inside, a building does not offer much more protection because no building is completely airtight and the pollution will find a way into the building. Exhaust fumes from cars and grime from nearby construction sites regularly make apartments in Hong Kong very dusty.

People in Hong Kong are most likely to inhale two groups of pollutants. The first is nitrogen oxides (NOx), the generic term for a group of highly reactive gases that include nitrogen dioxide (NO2), characterised by its reddish-brown colour. A short-term exposure to nitrogen oxides can lower a person’s resistance to normal respiratory infections, and can aggravate existing conditions such as asthma.

The second group is respirable suspended particulates (RSP), inhalation of which can lead to respiratory illness, reduced lung function and, in certain cases, increased risk of cancer.

The Environmental Protection Department (EPD) says that Hong Kong’s roadside pollution has been reduced with the improvement of vehicle-emission technology. The air-quality objectives are meant to ensure that the level of nitrogen dioxide, which is a common indicator of pollution over any 24-hour period, should not exceed 150 microgrammes per cubic metre more than once a year.

However, having taken measurements at Causeway Bay, the expert says that levels of nitrogen oxide have exceeded 400 microgrammes per cubic metre on numerous occasions. As the gas combines with oxygen in the air to form nitrogen dioxide, this shows that the government has failed to achieve its goal.

Expert view is that reducing traffic is the most obvious way to tackle the problems of air pollution. Several initiatives have been investigated, such as a recent proposal to introduce electronic road pricing which might alleviate congestion. An annual cap on buses might also help, and planting more trees, which produce oxygen, would ameliorate the air quality. But most important is for developers to create passageways at the ground level to allow air circulation. Air is allowed to flow under the building, rather than being trapped at street level. The open ground-floor lobby of the HSBC headquarters in Central is a prime example.

New developments in Kowloon, such as the Arch, exacerbate the street-canyon effect. Even though the Arch features a prominent opening, it is built on a large podium block which prevents an easy flow of air at ground level.

The reason so many developers do not pay attention to the canyon effect is that the Buildings Department has not mandated measures to ensure wind flow around buildings and ground-floor space. The Buildings Department says it encourages developers to leave openings at the ground level to allow for airflow. The department has some guidelines on open space and breezeways to improve the micro-climate and to allow effective air movements into the urban area and to improve airflow. These guidelines are applied wherever possible.

[SCMP, 25/05/2006]

Waste piles up to avoid landfill fees

The problem of illegal dumping of construction waste has rapidly increased since the government levied fees for disposal of construction waste in government landfills.

In the four months since the legislation came into effect on 20th January 2006, the Environmental Protection Department (EPD) has received 508 complaints of illegal dumping, up from 101 during the same period last year.

The new figures were released by environment chief Sarah Liao Sau-Tung in response to a question from several legislators, which led to a number of lawmakers calling for a tightening of the rules and strengthening of fines.

However, Dr. Liao said that the illegal dumping reports obscured the fact that the problem was still a very minor one, especially since illegal dumping accounted for only about 0.1 percent of legal construction waste dumping. She also emphasised that the EPD, which is responsible for enforcing the dumping laws, would step up its efforts to

control illegal dumping in different urban areas which the statistics showed to be the most serious problem areas. Only one in twenty illegal dumping reports involved rural or agricultural areas, whereas the remainder of the dump sites were located next to buildings or at kerbside in urban areas.

The EPD also conducts routine and surprise inspections to clamp down on the practice; it has conducted over 1,700 regular and "ambush" inspections during the same 4 months period and brought prosecuted a total of 69 offences.

[The Standard, 15/06/2006]

"No plastic bags day" goes monthly

From now on, the first Tuesday of the month is to be a *No Plastic Bags Day*.

By following the success of the first *No Plastic Bags Day* on April 15, its organisers, the Green Student Council and a number of retailers, have decided to make it a monthly event. Shoppers will be charged HK\$0.50 for every plastic shopping bag they require, the proceeds to be donated to Oxfam.

About two thousand stores, representing twenty five retailers, including the two main supermarket chains in Hong Kong, will take part in *No Plastic Bags Day*. This is almost double the one thousand two hundred shops, representing fourteen retailers, which participated on April 15.

Retailers joining the event include ParknShop and Wellcome supermarkets, Watsons, Mannings, Pricerite Stores, Bonjour, Sa Sa, Dymocks, Catalog, Giga Sports, A-1 Bakery and Maria's cake stores. Convenience store chain 7-Eleven, which operates about six hundred outlets in Hong Kong, has agreed to join from July onwards.

As a result of the first *No Plastic Bags Day*, there was a 70 percent reduction in plastic bag use at participating stores, and HK\$120,000 was donated to Oxfam.

The first campaign has helped to make Hong Kong citizens realise their over-use of plastic bags. A regular event is needed, as one day is not enough to change well-entrenched habits.

The monthly *No Plastic Bags Days* is an initiative for Hong Kong to promote environmental awareness. It will also allow businesses and consumers to put into practice the principles of environmentally aware shopping by encouraging consumers to be more responsible in reducing waste.

[The Standard, 06/06/2006]

Radioactive waste storage facility

Hong Kong's first low-level radioactive waste

facility has opened on Siu A Chau to provide long-term, safe and sustainable storage. At the opening ceremony, the Secretary for the Environment, Transport & Works, Dr Sarah Liao, said the facility, at a capital cost of HK\$78 million, meets stringent international standards for the safe storage of low-level radioactive waste and has enough capacity for the next hundred years.

The facility was constructed under a "design, build and operate" contract. It comprises a main storage vault, an automatic control room, a laboratory and waste reception and processing areas. All operational data is continuously monitored and controlled by real-time, around-the-clock surveillance systems from a remote control centre.

Low-level radioactive waste generated in Hong Kong mainly consists of smoke detector parts, luminous watch dials and hands, lightning protection conductor heads and low-level materials from hospitals and education institutions. However, annual generation of such waste in Hong Kong is low. All the waste was previously stored in disused tunnels on Queen's Road East, Wan Chai, and has now been transferred to the new facility.

[HKSAR News, 04/07/2006]

ADVISORY COUNCIL ON THE ENVIRONMENT (ACE)

Draft comprehensive plan to tackle road traffic noise in Hong Kong

(ACE Paper 9/2006)

Background

The government's overall policy objectives for road traffic noise control are to ensure that a satisfactory noise environment is attained and maintained in order to safeguard better quality of life for the public, and to protect people against excessive road traffic noise. When planning new roads, or widening existing roads, the relevant government department or developer must ensure that traffic noise in residential areas is within the noise standards. The Environmental Impact Assessment Ordinance (EIAO), which came into operation in 1998, requires all major roads or road modifications to meet the traffic noise standard.

In order to reduce noise impact from existing roads, in November 2000 the government introduced a policy to implement engineering solutions by way of retro-fitting barriers and enclosures, and road resurfacing with low noise material, at existing excessively noisy roads. If engineering solutions are impracticable or are inadequate in reducing the noise to a level below the noise limits, traffic management schemes would be explored on a case-by-case basis.

Progress and successes

The government has been tackling road traffic noise problems by:- preventing noise through measures taken at the outset of land use planning and project design whenever practicable; avoiding importing noisy vehicles into Hong Kong through legislation; addressing existing traffic noise problems through abatement programmes; and getting the public and other stakeholders involved through education, engagement and partnership programmes.

Since August 1996, regulation have been in place requiring that only vehicles complying with noise emissions standards will be allowed to be registered in Hong Kong. The standards were further tightened in 2002 to bring them in line with international standards.

Since the introduction of the retro-fitting policy in November 2000, thirty-six existing road sections have been identified for retro-fitting works costing approximately HK\$2.4 billion. The noise barrier retro-fit programme will benefit about 26,000 dwellings when implemented. Two road sections in Sheung Shui and Fanling have been retro-fitted with noise barriers. A noise barrier for a road section in Tsuen Wan commenced construction in September 2005. Eighteen retro-fitting projects have been allocated funds for implementation in the next six years.

An education package for school children and the public has been made available on the web to improve of general knowledge about acoustics and noise. Seminars with teachers were organised. A digital 3-dimensional noise modeling and visualization tool has been applied to public consultation for some projects to facilitate public engagement and understanding. Roundtable forum or seminars on noise policy issues have also been organised to promote interactive dialogues with professional institutions, noise experts and academics in Hong Kong.

Enhanced measures in the Draft Comprehensive Plan

The Advisory Council on the Environment (ACE) proposes the following enhanced measures to tackle the road traffic noise problems:-

- (a) Extending the trial of low noise road surfacing materials;
- (b) Exploring new designs of low noise road-surface materials for wider application;
- (c) Exploring optimum barrier designs;
- (d) Feasibility study of controlling noise emission from vehicles;
- (e) Review of the Professional Practice Note on Road Traffic Noise;
- (f) Promoting the disclosure of noise information in real estate sales brochures;

- (g) Improving road-joints at flyovers;
- (h) Implementing a night-time traffic noise standard; and
- (i) Public engagement and partnership.

The ACE is planning to consult the Legislative Council Panel on Environmental Affairs on the Draft Comprehensive Plan. They will also consult stakeholders, including the concerned District Councils, transport trades, public transport operators, professionals, academia, developers, green groups and the general public on proposed actions and measures at various stages of implementation.

In order to facilitate public engagement and better public understanding, the ACE will shortly launch a dedicated web site on road-traffic noise in Hong Kong, and will take into account the results of the consultation for further formulation of the action plans.

Proposed legislation for implementation of producer responsibility schemes

(ACE Paper 6/2006)

Background

The Advisory Council on the Environment (ACE) published “A Policy framework for the Management of Municipal Solid Waste (2005-2014)” in December 2005 which sets out a comprehensive strategy to tackle our disposal of waste problem. The principle of “polluter pays” and introducing an element of industry responsibility namely, the Producer Responsibility Schemes (PRS), are key policy tools in the Policy Framework for waste reduction, recovery and recycling.

Under the PRS, several stakeholders— such as manufacturers, importers, distributors, retailers and consumers— will share the responsibility for the collection, recycling, treatment and disposal of end-of-life products, with a view to avoiding and reducing the environmental impact caused by such wastes.

PRS involves one or several of the following elements:-

- (a) Under a product take-back scheme, the producers, importers and/or retailers are required to take back products they sell for proper waste management. They can fulfil the requirements either individually or collective responsible. It usually takes the form of an industry organisation established by statute. A product take-back scheme has been implemented successfully overseas to a wide range of products, including: vehicle tyres; rechargeable batteries; electrical and electronic equipment; and packaging materials.

- (b) Under a deposit-refund system, a consumer is required to pay a deposit when purchasing a product. The deposit will be refunded when the consumer returns the used products to designated collection points.
- (c) The Advanced Recycling Fee is levied on the sale of a product and is usually channelled to a fund established by statute to finance post-consumption management of specified products. The fee is often used in combination with other measures, such as take-back schemes which impose a fee on electrical appliances to finance end-of-life management of electronic waste and a fee on new tyres to finance eventual return of used tyres.
- (d) A product tax or levy is designed to discourage the use of a particular product, such as plastic bag, through economic disincentives. The tax or levy collected is usually used to support general waste management measures or other environmental causes.

Hong Kong has its own experience in PRS. In 2002, the ACE launched a voluntary PRS for mobile phone rechargeable batteries, which was extended to cover other types of rechargeable batteries. Whilst the voluntary PRS had a positive impact on waste reduction and recycling, the ACE now proposes to introduce mandatory PRS for:- vehicle tyres; plastic shopping bags; electrical and electronic equipment; expanded polystyrene packaging materials; beverage containers; and rechargeable batteries.

These products are accorded priority because they could be a stable source of materials for developing our local recycling industry, and their diversion from landfills will save landfill space. Moreover, hazardous materials in some electrical and electronic equipment and rechargeable batteries should be recovered and properly treated instead of being disposed of at landfills.

The legislative proposal

Hong Kong needs to enact new legislation to implement a mandatory PRS in Hong Kong. An umbrella legislative approach, e.g. enabling legislation with detailed regulatory requirements through subsidiary legislation, should be adopted. The new legislation will cover all the core elements of PRS and will empower the Chief Executive, with advice from the ACE, to introduce regulatory requirements, including:-

- (a) imposition of take-back responsibility for the collection, recycling, treatment and disposal of end-of-life products;
- (b) imposition of deposit and refund system on specific products to ensure reliable return of end-of-life products;
- (c) imposition of fee, tax or levy on specific products to finance recycling programmes or to deter indiscriminate use;

- (d) restriction on free distribution of specific products to reduce indiscriminate use;
- (e) labeling and disclosure requirements for specific products to facilitate recycling;
- (f) landfill disposal bans to complement take-back responsibility; and
- (g) registration and record-keeping requirements to ensure compliance.

Establishment of organisations

Instead of the government, sellers or manufacturers might be in a better position to operate recycling programmes of their own products, with their unique market knowledge. New legislation will therefore empower the Chief Executive to make regulations to establish industry organisations which will be tasked to manage collection and recycling programmes of their own products.

Enforcement and penalties

New legislation will authorise the Director of Environmental Protection as the enforcement authority to ensure compliance with regulatory requirements. EPD officers will have the power: to enter and inspect; to obtain and analyse samples; and to request information and records. The legislation will also provide for penalties for violation of regulatory requirements.

Financial and staffing implications

Whilst the enactment of proposed enabling legislation will not have financial and staffing implications, the introduction of PRS for specific products subsequently through subsidiary legislation will require additional resources and staff for the schemes' administration and enforcement. Mandatory fees, levies or taxes will provide revenue which will help offset the government's expenditure on waste collection, recycling and other environmental programmes.

Public consultation

The Legislative Council (LegCo) Panel on Environmental Affairs has discussed the Policy Framework. Whilst agreeing that PRS should be implemented expeditiously, a few LegCo Members expressed concerns about the umbrella legislative approach of introducing enabling legislation first and individual PRS in the form of subsidiary legislation subsequently. However, for the common objectives and the shared core elements of PRS, it would be difficult to justify the enactment of separate ordinances for individual PRS.

The ACE explained that it will fully consult the LegCo on the subsidiary legislation and that each set of PRS regulations will be subject to the vetting of the LegCo under established procedures.

The ACE will also discuss the Policy Framework, and host an Open forum on the Policy Framework to gather views from the trade, academics, green groups and the public.

The ACE will fully support the implementation of PRS in Hong Kong. Moreover, it has set up a dedicated phone number, fax number and email address for the public to express their views on the Policy Framework. They also invited views from members of Home Affairs Bureau's *Public Affairs Forum*.

Implementation plan

Besides the proposed legislation, ACE is developing PRS on specific products, with priority given to vehicle tyres, plastic shopping bags and electrical and electronic equipment. Further consultation will continue in order to seek the public's views.

REGIONAL & INTERNATIONAL

China

Illegal timber

A recently released collaborative report, *China and the Global Market for Forest Products*, has found that China is the world's major consumer of illegally harvested timber.

China has about 33% of the global furniture market. The furniture industry in China, and the country's appetite for paper, fuel China's huge demand for illegally sourced timber.

The report urges Beijing to take steps to cut China's reliance on imported timber. At present rates, natural forests will be logged-out in Papua New Guinea within 13-16 years, and within 10 years in Indonesia. The situation is no better in Myanmar and many other countries.

[SCMP, 24/03/06]

Pollution makes Yangtze 'cancerous'

Due to pollution and the policies of growth-obsessed local authorities, the quality of water in the Yangtze River is deteriorating, turning "cancerous" and putting the Yangtze River in danger of becoming a "dead river" within the next five years, the mainland environmental experts believe.

According to a study by East China Normal University in Shanghai, the river absorbs more than 40% of China's total waste water, of which 80% untreated.

Experts have also shown that the amount of waste water flowing into the river has increased from 16.8 billion tones in 2004 to 25.6 billion tones in 2005. Industrial and chemical waste, sewage, agricultural pollution and shipping discharges

contained in the waste water are the top dangers to 186 cities which depend on the Yangtze River for drinking water. As a short term solution, plants that process drinking water have been forced to relocate farther upstream to find potable water.

Environmentalists have criticised local authorities for turning a blind eye to the polluting factories and have pointed out that their attitude represents a serious lack of social responsibility and environmental awareness among local officials which has severely hampered the Beijing-led campaign to clean up the Yangtze River.

[SCMP, 31/5/06]

New law aims to shield crops from toxic waster

Recognising that China is a major consumer of fertilizer, herbicides, pesticides and hormones, China's representatives on the UN Food and Agriculture Organisation voiced their concerns about the deteriorating quality of the country's food due to the discharge of chemical waste into agricultural areas.

Pollution problems also have caused social unrest. For example, in Xinchang City of Zhejiang Province, a group of disgruntled villagers forced the closure of the Jingxin Pharmaceutical Company in July last year, complaining that its chemical waste was poisoning their river and stunting their crops. Similar incidents also occurred in Guangxi, Jilin and Harbin city.

In an effort to improve the safety of produce and to calm the anger of villagers affected, and in response to a series of food-safety incidents caused by air, soil or water pollution affecting croplands, the legislature passed a law barring sewage or chemical waste discharges into agricultural areas on 29 April 2006. The law will take effect on 1 November 2006.

[SCMP, 30/04/06]

Spain

Water theft leaves Spain even drier

WWF, formerly known as the World Wildlife Fund, reported that a volume of water sufficient to supply 58 million people in Spain with a year's supply of drinking water is stolen from Spain's underground reserves each year, causing the drying out of the already parched land. The stolen water is used to irrigate agricultural crops.

WWF stated that in Spain there was a huge and profitable black market for water extraction, and estimated that about 3,600 cubic hectometers of water are stolen each year. According to the government, southern Spain is one of the driest places in Europe, and nearly one-third of Spain is under threat of being turned into a desert.

The illegal extraction of water has dried out streams and wetlands that relied on ground-water, killed off animals and water plants and left legal

users with limited supplies of water.

WWF urged the government to heavily penalise the law-breakers and implement policies that discourage water-demanding developments and agriculture.

[SCMP, 13/05/06]

Spain's coastline an "ulcer"

According to a study by Greenpeace, poor planning, local corruption and the flaunting of European Union environmental guidelines are turning Spain's coastline into a "dead ulcer" of urban development that is polluting beaches and poisoning the sea.

Ecosystems of Spain are being destroyed by the swathe of holiday homes, hotels and golf courses spreading across Spain's popular tourist coasts. The Spanish coastline is described by coast campaigners for Greenpeace as "defenceless". The campaigners also regret to note that although citizens are increasingly aware of the degradation the coastline is facing, no administration is taking seriously the challenge to improve the situation.

Greenpeace says that those who plan to buy property in coastal regions should think carefully, as buying a house in certain regions may contribute to the destruction of the Spanish coastline.

[The Standard, 07/07/06]

Australia

Petrol price fuels study into option

Due to the increasing oil price, the Australian government has said it would consider a range of energy options, such as ethanol, to provide relief to drivers and businesses.

One federal cabinet minister is also of the view that the threat of high oil prices has driven the need to have a further look at alternative fuels. The Australian government has been trying to push for a greater take-up of ethanol as an alternative to standard petroleum.

Apart from ethanol, the government also identified liquefied natural gas and compressed natural gas, which produce less pollution, as alternatives to petrol. However, they have high production costs and therefore the government is concerned that the savings and benefits generated from using such alternatives might not be passed on to drivers eventually.

[The Australian, 07/06/06]

Lawnmower ban in the air

With emissions from industry and motor vehicles already under strict control, the Australian government is turning its attention to smaller engine-propelled devices which may contribute to causing smog in Australian cities.

The Department of Environment and Heritage of Australia and its state-based counterparts are now investigating emissions from leaf-blowers, mowers, edge-trimmers, other garden equipment and outboard motors. Although the investigation is now in its very preliminary stage, it might potentially lead to new regulations controlling the types of devices which homeowners may use in their yard or on waterways.

Although the urban air pollution caused by petrol and diesel non-road engines has not been measured in a comprehensive way, it is thought to be substantial. The chairman of the expert panel looking at the issue of small-engine emission said that the average lawnmower emitted many more kinds of pollutants than a modern passenger car.

[Weekend Australian, 17/06/06]

Asia

Asia chooses nuclear future despite fears

Fast-growing countries located in Asia, such as India, Indonesia and South Korea, are experiencing or facing energy shortages. These countries claim that their future economic growth is at risk unless they diversify their energy mix.

According to a Washington-based industry advocacy group, eighteen nuclear reactors - which is about 70 percent of the world's total nuclear reactors under construction - are going up in Asia, and another 77 are planned or proposed. The group also expects Asia to become a leader in the use of commercial nuclear power.

However, Greenpeace continues to lead the charge against nuclear power, warning that Asian countries about to embrace the atom need to think hard about the potential consequences. Greenpeace maintains that nuclear energy is inherently unsafe and generates extremely hazardous waste, the safe disposal of which remains an unsolved problem, even for highly developed countries. Greenpeace advocates focusing on renewable energy instead.

[The Standard, 08/07/06]

Sri Lanka

Public smoking ban

In early July 2006, Sri Lanka's parliament enacted an anti-smoking law.

The smoking ban applies to:- all public places; government offices; public transport; shopping complexes; restaurants; hotels which accommodate less than 30 people; and other designated areas.

The law will come into effect in the near future.

[Elaw Bulletin, 10/07/06]

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