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The Editors

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TOXIC BY-PRODUCTS OF HONG KONG'S VORACIOUS APPETITE FOR REEF FISH

A new health issue

In an informative and well-written dissertation with the title : *REVIEW OF FOOD SAFETY POLICY IN HONG KONG : CHALLENGES BROUGHT BY CIGUATERA ON THE SAFE CONSUMPTION OF LIVE ROOF FISH*, University of Hong Kong MSc (Environmental Management) student, Yeung Lau Kong, argues that people in Hong Kong are regularly exposed to serious illness from eating live reef fish (LRF), and for that reason the administration needs to implement an effective control and monitoring system for the importation of LRF. The author used *ciguatera* – a form of food poisoning – as the index, or representative, illness for the dissertation.

Ciguatera is a form of food poisoning which is caused by consumption of mainly reef fish which have accumulated naturally occurring *ciguatoxins* through their marine food chain. Until recently, the illness usually has been confined to populations living near coral reefs, especially in the Pacific and Western Indian Oceans; it was not historically a problem for Hong Kong and Southeast Asia countries.

However, in recent years, worldwide consumption of LRF has increased dramatically, and with it the occurrence of *ciguatera* in places such as Hong Kong and southern China, which are today the world's major importers of LRF.

This rapid expansion of the LRF trade has brought with it dramatically adverse environmental consequences for the world's coral reefs, such that many species of LRF are highly endangered or vulnerable, as a result of gross overfishing and destructive fishing methods; e.g. use of dynamite and cyanide to stun fish. [Hong Kong's refusal to limit LRF imports or control fishing methods contributes significantly to coral reef destruction in the Pacific and Indian Oceans, and has been the topic for the main articles in two previous *Quarterlys*: *Shark's fin soup reflects Hong Kong's marine conservation credentials*, October 2004 and *When will Hong Kong accept responsibility to assist marine conservation globally?*, August 2005]

In addition to ecologically adverse impacts, the author argues that Hong Kong now has a significant public health problem as a result of its part in the LRF trade : increasing exposure to consumption of *ciguatoxins* which can lead to *ciguatera* poisoning.

Therefore, the author argues, "it is important for Hong Kong to have an effective food safety policy to protect consumers from exposure to *ciguatoxic* fish".

Importation of LRF

Although the government does not have a compulsory, comprehensive system to monitor LRF imports, the Census and Statistics Department (CSD) and Agricultural, Fisheries and Conservation Department (AFCD) do maintain partial, or approximate, records of imports using data customs declarations and data voluntarily supplied by some of Hong Kong's licensed fishermen. The author reproduced data from these sources :

• Import data from CSD

Figures of live marine fish from CSD were divided into 13 categories under the HS, with 12 categories relating to particular reef fish species and one to “other marine fish”. Under the system, the trade in certain species and groups of LRF are recorded by quantity (kg) and by value (HK\$ x 1000). The source of the import reflects the declared country of origin. These data are an indication of the current reef fish species imported and their sources, although the reliability of the data is not known.

HK HS code	Description	Unit in quantity
0301 9921	Giant grouper (<i>Epinephelus lanceolatus</i>)	kg
0301 9922	High-finned grouper (<i>Cromileptes altivelis</i>)	kg
0301 9924	Green Grouper (<i>Epinephelus coioides</i>)	kg
0301 9925	Tiger grouper (<i>Epinephelus fuscoguttatus</i>)	kg
0301 9926	Flowery grouper (<i>Epinephelus polyphekadion</i>)	kg
0301 9927	Leopard coral trout (<i>Plectropomus leopardus</i>)	kg
0301 9928	Spotted coral trout (<i>Plectropomus areolatus</i>)	kg
0301 9929	Other groupers	kg
0301 9931	Humphead wrasse (<i>Cheilinus undulates</i>)	kg
0301 9939	Other wrasse and parrotfish	kg
0301 9941	Snooks & Basses	kg
0301 9951	Mangrove snapper (<i>Lutjanus argentimaculatus</i>)	kg
0301 9999	Other marine fish	kg

• Import data from AFCD

Import data of importation of LRF by locally licensed vessels are kept by AFCD, and the data are available to the public upon request. In 2005, the import data of live marine fish collected by AFCD were estimated from the information provided voluntarily by about 11 traders shipping live marine fish into Hong Kong (AFCD pers. comm., March 2006). Similar to the import data from CSD, the imports of some commonly available species are recorded at species level in terms of quantity (kg) and value (HK\$1000).

Species	Other names
Flowery Grouper	<i>Epinephelus polyphekadion</i>
Giant Grouper	<i>Epinephelus lanceolatus</i>
Green Grouper	<i>Epinephelus coioides</i>
High-finned Grouper	<i>Cromileptes altivelis</i>
Humphead Wrasse	<i>Cheilinus undulates</i>
Leopard Coral Trout	<i>Plectropomus leopardus</i>
Mangrove Snapper	<i>Lutjanus argentimaculatus</i>
Spotted Coral Trout	<i>Plectropomus areolatus</i>
Tiger Grouper	<i>Epinephelus fuscoguttatus</i>
Other Groupers	<ul style="list-style-type: none"> • Brown-spotted grouper • Roving spotted grouper • Speckled blue grouper • Bared cheek spotted grouper
Other Marine Fish	<ul style="list-style-type: none"> • Waigen perch • Russell’s snapper • Red snapper • White blotched snapper • Pampano • Green wrasse
Other Wrasses and Parrotfish	<ul style="list-style-type: none"> • Blue stripe parrot fish

(Source : adapted from AFCD, 2005)

Today, Hong Kong is the world’s major importer of LRF. [Hence our direct role in the destruction of the world’s precious coral reefs.]

According to such limited LRF importation data as is available, in 2005 Hong Kong imported almost 18 tonnes of LRF. The author notes :

“The most popular categories of imported fish (excluding “other marine fish”) were grouper including Leopard coral trout, other groupers, Green grouper and Flowery grouper, which accounted for more than 40% of the total imports of live marine fish (Table 16). Leopard coral trout was the most popular fish species among groupers, which constituted 14.13% of the total imports of live marine fish, followed by other grouper (10.97%), Green grouper (8.25%), Tiger grouper (4.41%) and Flowery grouper (2.38%).”

History and nature of ciguatera

The dissertation sets out a summary of the known, global history of ciguatera cases, as well as the chemical characteristics and mechanism of the illness. *Ciguatera* was identified as early as 1606 in the New Hebrides (now Vanuatu). Cases were reported by the famous English explorer, Captain James Cook, in the southern Pacific in 1774. However, the term “ciguatera” originated in the Caribbean in 1866 and was first used by a Cuban scientist to described food poisoning caused by eating a small gastropod mollusk known locally as “*cigua*”. Symptoms of ciguatera are described in the dissertation as follows :

“Symptoms of ciguatera consist of a combination of a few to more than 30 gastrointestinal, neurological or generalized disturbances (Lewis, 2001), which are variable, depending on the type and amount of toxin present, and on the individual’s susceptibility. Time to onset of symptoms also varies and usually appears inversely related to dose (Lehane and Lewis, 2000), being as short as 30 minutes for severe intoxications, or delayed for up to 24 hours to occasionally 48 hours after consumption of fish (Lewis, 2001). The first symptoms can be either gastrointestinal or neurological in nature, but it is typically characterized by the initial gastrointestinal disturbances with the onset of intense vomiting, diarrhea and abdominal pain within hours of ingestion of toxic fish (Lehane and Lewis, 2000). In cases where gastrointestinal symptoms are absent, neurological symptoms such as tingling, crawling or burning sensation of the skin, numbness in the mouth and the extremities, as well as sensation of temperature reversal are often seen (Lehane and Lewis, 2000; WHO, 2005). In severe cases, ciguatera can involve hypotension with reduced heartbeat, breathing difficulties and paralysis (Lewis, 2000). The symptoms typically last for several weeks to several months, but in some cases, certain symptoms may persist for a number of years (Lewis, 2001). Ciguatera has rarely caused fatalities (~0.1% of cases) except the ciguatera in the Indian Ocean, which is more often fatal (Lewis, 2000).”

Ciguatera is a clinically determined disease which is traditionally treated by intravenously administered doses of manbitol. A second infusion is usually required if symptoms occur. Other treatment is necessary for serious cases. During recovery, patients are advised to avoid fish and alcohol for 3-6 months.

Fish species causing ciguatera

More than 400 fish species have been identified globally as potential carriers of *ciguatoxins*, the cause of *ciguatera*. The author comments:

“Many species and many families of reef fishes are involved in *ciguatera* globally. It is believed that over 400 fish species have been implicated in *ciguatera* and carnivorous fish higher in the food chain are likely to accumulate more *ciguatoxins* and to be more dangerous (Halstead, 1978). The fish involved in *ciguatera* are generally restricted to species feeding on algae or detritus around tropical reefs such as surgeon fish (*Acanthuridae*) and parrotfish (*Scaridae*), as well as carnivorous fish preying on herbivores such as snappers (*Lutjanidae*); jacks (*Carangidae*), wrasses (*Labridae*), groupers, sea-bass, rock cod (*Serranidae*), moray eels (*Muraenidae*), triggerfish (*Balistidae*), and barracudas (*Sphyraenidae*) (Yasumoto et al., 1980). Among these fishes, the moray eel (*Lycodontis* or *Gymnothorax javanicus*) is generally regarded as the most toxic *ciguateric* fish (Lewis and King, 1996).”

Ciguatera is now a major health issue for much of the world, and is believed to be the most common form of marine food poisoning related to consumption of finfish, affecting an estimated 25,000 persons globally each year.

Control and monitoring systems

An effective control and monitoring system for *ciguatera* will rely on a comprehensive clinical and epidemiological data base, such as was established by the South Pacific Commission (representing most of the South Pacific’s small island nations) in the late 1990s.

As *ciguatera* is a public health concern, its prevention or control also has to be backed-up by legislation. Examples of regulatory frameworks established in other parts of the world are provided in the dissertation :-

Europe	Article 5, Directive 91/293/ECC prohibits marketing of poisonous fish for human consumption, and fishery products containing biotoxins such as <i>ciguatoxins</i> .
France	The above directive is incorporated in French legislation and applicable for products imported from outside the European Union.
USA	Hazard Analysis Critical Control Point (HACCP) Guidelines suggest preventive measures for naturally occurring toxins, e.g. ensuring incoming fish have not been caught in high-risk areas of <i>ciguatera</i> .
Australia	Applies Hazard Analysis Critical Control Point Guidelines; dead and live fish are treated similarly; Sales of certain potentially <i>ciguatoxic</i> fish species are prohibited.
Tahiti	Sales of specified <i>ciguatoxic</i> fish species are prohibited.
Puerto Rico	Sales of specified <i>ciguatoxic</i> fish species are prohibited.
Reunion Island	Imports and marketing of certain fish species are prohibited.
Mauritius	Sales of specified <i>ciguatoxic</i> fish species (more than 17 species) are prohibited.

Management of ciguatera in Hong Kong

Hong Kong’s first known case of *ciguatera* was detected in 1984. In the two decades to 2004, 416 cases involving 1736 persons were recorded by health authorities. Hong Kong’s current management of *ciguatera* “depends mainly on legislation, control and monitoring, as well as publicity and health education.”

Legislation

Ciguatera control comes under Hong Kong’s general food safety control legal framework. Examples of legislation covering food safety are :

- *Part V of Public Health and Municipal Services Ordinance (Cap.132)*, which basically requires that food which is unfit for human consumption should not be offered for sale. However, LRF are not defined as “food” in this legislation.
- *Marine Fish (Marketing) Ordinance (Cap.291)*, which requires all fresh marine fish to be sold through wholesale markets operated by the Fish Marketing Organisation. However, LRF are not within the definition of “Marine fish (Section 2) and so the sources of LRF imports by locally licensed fishing vessels are sometimes unknown and difficult to trace.

In short, the government has no legislative authority to control the trade of LRF.

As the author points out :-

“There are clearly loopholes of the existing system that make ciguatera management in Hong Kong difficult because the government has no authority to control or prohibit the sales of LRF which are potentially ciguatoxic or even confirmed as ciguatoxic. Without legal support, the government can only control ciguatera on a voluntary basis, e.g. voluntary surveillance of confirmed live ciguatoxic fish or voluntary COP system. In 1999, about 10 tonnes of contaminated live fish were shipped to Hong Kong from Fiji by a Hong Kong company, the government (e.g. DH and AFCD) together with the Hong Kong Chamber of Seafood Merchants could only informally prevent the sales of those contaminated fish in Hong Kong by intervention. However, the fish were finally sold in mainland China causing unknown impacts on consumers (Sadovy, 1999). This case revealed the importance of legal support for ciguatera management by government.”

Monitoring and control

Hong Kong’s monitoring of LRF imports has to date depended on voluntary reporting by stakeholders. The system has been ineffective.

A voluntary reporting, tracing and retrieval system for coral reef fish was established by the government and fish traders in 1998. However, by 2004 only 27 reports of imports by three companies were made to the authorities. In December 2004 another voluntary system – the Code of Practice (COP) – replaced the 1998 scheme. This, too, has proved to be ineffective, although an improvement on the first scheme.

The COP is described by the author as follows :

“Under this COP, the importers are required to report to FEHD (Food, Environment & Hygiene Department) the date of arrival, amount, type, size and source of fish within 48 hours of the arrival of every shipment of live reef fish. In addition, importers, wholesalers and retainers are advised not to import, purchase and sell reef fish of high-risk regions, and to keep proper and accurate records (for at least 60 days from the date of each transaction) of the supplies and distribution of all live marine fish (Table 19). The records should also be readily available all the times for inspection by public officer (FEHD, 2005).

Table 19 Records to be kept by Importers, Wholesalers and Retailers under COP

Records to be kept	Importers	Wholesalers	Retailers
Source of fish	✓	✓	
Landing point	✓		
Date of purchase		✓	✓
Name and address of supplier		✓	✓
Date of distribution	✓	✓	
Names and addresses of purchasers	✓	✓	
Type of fish	✓	✓	✓
Amount of fish	✓	✓	✓
Size of fish	✓	✓	✓

(Source : FEHD, 2005)

According to FEHD records, the COP has resulted in voluntary reports of imports of LRF covering only about 6% of all LRF probably imported in the subject period. As well, until May 2005 only 55% of live fish retailers were keeping proper records; 37% kept only partial records; and 8% kept none at all.

Thus, the current *ciguatera* management scheme in Hong Kong has a number of significant shortcomings which need to be addressed by the government.

Recommendations for improving ciguatera management

The author concludes his dissertation with an overview of a number of recommendations to improve the government’s management of *ciguatera* risks :

- Amend the legislation to re-classify “live-fish” as food and as marine fish under the above Ordinances, which would ensure LRF were sourced only from countries approved by the FEHD.
- Implement a mandatory COP and health certificate scheme, which would oblige traders to keep full records of LRF imports and to obtain LRF “health certificates” from exporting countries.
- Widen and enhance public education concerning *ciguatera*.
- Internalise the cost to the fishing industry of *ciguatoxic* LRF. Fines could also be imposed for importing such fish.
- Prohibit the sale of high-risk (of being *ciguatoxic*) fish species.
- Designate a limited number of government controlled and/or approved landing points for imported LRF.

Concluding comment

This well-researched and written dissertation is yet another reminder to Hong Kong’s health and environmental agencies that so much more needs to be done for Hong Kong to be considered an environmentally responsible community. The context is public health – which perhaps is an issue more likely to catch the attention of the administration – but the wider benefit of controlling and limiting imports of LRF include the survival of these threatened species themselves – and their fast-disappearing coral habitats.

TOWN PLANNING

Study casts doubt on Sneaker Street plans

There are fundamental difficulties to overcome if shop owners’ innovative plans for the redevelopment of “Sneaker Street” in Mong Kok are to be adopted, an initial Urban Renewal Authority study shows.

The proposal, which will keep shops on the ground floor and demolish residential flats on the upper floors, would require support from government departments and consensus among shop owners.

The Authority’s plans involve a huge shopping mall selling sports products, to replace existing old buildings. The Authority said that further feasibility studies on the shop owners’ proposal were being carried out, stressing that the project at Fa Yuen Street–also known as Sneaker Street– and Sai Yee Street must start this financial year.

The K28 Concern Group, comprising 40 per cent of shop owners, released its own study by consultants this month and tried to prove that the proposal could be implemented in compliance with applicable building and fire regulations.

Under the proposal, only five of the 28 buildings would be demolished for a 30-storey commercial building at the end of Sai Yee Street. Four eight-storey buildings would be reduced to three or four storeys, while most old buildings would be renovated for commercial use. Fire facilities and connectivity among buildings would be upgraded and roof gardens would be opened for public use. During the redevelopment, shops selling sneakers on the ground floor would operate as usual.

However, the Authority said the lack of unanimous support among shop owners would undermine the proposal since the idea required moving out some shops until the completion of the redevelopment. Besides, the piling work, which would last at least 18 months, would have to take place at some shops and would disrupt business. The proposal would also require a rezoning permit from the Town Planning Board to allow residential flats to be used as commercial sites.

A spokesman said the Authority would announce its final decision after completion of further studies of problems arising from the proposal. He said that redevelopment would affect only 16 shops, equivalent to 25 per cent of the sneaker shops.

[SCMP, 21/08/2007]

Relaxation of restrictions on small house applications

Construction of village houses in the New Territories was put on the fast track with the Town Planning Board’s decision to relax the restrictions on small house applications.

The Planning Department has recently proposed to relax the restrictions on small house applications. If at least half the development is within the village-type development zone, as long as it does not involve any tree felling, even if it encroaches on a green belt zone, planning applications will be exempted. Under existing practice, permission is required for any small house development within the green belt zone.

Ng Cho-nam, a member of the Board, commented that this would encourage the villagers to hack away trees so that their applications do not require permission from the Board.

The Board, under pressure from indigenous villagers eventually decided to require planning applications for small house development within the green belt zone, whether or not any tree felling is involved.

The Lands Department will process not less than 2300 small house applications per year. Raymond Young, Chairman of the Town Planning Board and permanent secretary for development, said that after relaxing the restrictions, some small house applications would be exempted from planning applications. This will shorten the processing time by approximately 2 months. Mr. Young said that he did not think the decision would lead to applications flooding in.

In order to ensure proper planning, however, the exemption from planning application, will not apply to sites encroaching on conservation-related zones, country parks, green-belt zones, road zones and water gathering grounds.

[Ming Pao, 08/09/2007]

Fierce protests as residents move to block pier facility

The Town Planning Board has postponed a decision to turn a Hung Hom pier into a logistics facility amid fierce protests by residents of a nearby middle-class residential complex. More than 70 disgruntled residents of the Laguna Verde complex marched to a meeting of the Board in North Point on 3 August in a bid to block the project.

Logistics company DHL Express plans to set up a distribution centre at the Kowloon Permanent Pier. It had applied to the Board in January this year to use the pier as a cargo handling and forwarding facility.

The Board decided to grant the change of land use in May, sparking uproar among Laguna Verde residents, who are worried that the logistics hub will generate serious air and noise pollution. They claimed that the logistics facility will bring in more trucks to the already congested area.

Residents have repeatedly urged the Board to leave the pier as an open space so that it can be incorporated into the waterfront promenade of the Kai Tak redevelopment project. In the wake of the residents' uproar and with more than 1,000 protest letters submitted, the Board decided to classify the future use of the pier as "undetermined."

A spokesman for the Board said it intended to keep the pier as an open space and in the long run, it will become part of the Kai Tak waterfront promenade stretching from Tsim Sha Tsui to Kowloon City.

[The Standard, 04/08/2007]

Riverfront walk planned on banks of Kai Tak nullah

The scale of commercial development along the Kai Tak nullah has been cut drastically and the notorious drainage channel planned as a pleasant river in the latest design for the former airport area approved recently by the Town Planning Board.

According to the plan, part of the commercial area originally planned along the nullah has been transferred to an area behind the proposed Kai Tak railway station, where two 80-metre "iconic" towers will be built. The earlier plan allowed for commercial development 150 to 175 metres high - more than 50 storeys - beside the nullah, but this has been reduced to between 15 and 40 metres, or just five to 13 floors.

The Planning Department said the new design would improve visual links between Kai Tak and neighbouring San Po Kong and Kowloon City, allowing residents there to enjoy views of the transformed nullah and the Kai Tak station square.

The twin towers behind the station - named the Gateway Iconic Towers - would be about 26 storeys high and will be designated for commercial use. The towers will also hide the public housing to enhance the scenic outlook of the area.

The design details incorporated public views put forward during consultation, including an elevated walkway linking the three districts suggested by the Democratic Alliance for the Betterment and Progress of Hong Kong. The centre of the walkway features a waterfall to mark the head of the nullah, which will be beautified to resemble a river, if this proves to be feasible.

The "river" passes through the square of Kai Tak station and a medium-density residential development. Areas along both sides of the cleaned-up nullah will be zoned as comprehensive development areas, and there will be shops and eating places along the walkway to create a vibrant public gathering place.

The Development Bureau said the government was studying ways to improve the nullah, including water treatment and opening a gap of about 600 metres in the former airport runway to improve water circulation. Any measures would need approval of the Environmental Protection Department.

The Kai Tak outline zoning plan is expected to be submitted to the Executive Council by October, but the development schedule still depends on the results of feasibility studies.

[SCMP, 18/08/2007]

New and revised Town Planning Board Guidance Notes and Guidelines promulgated

The Town Planning Board recently promulgated two sets of Guidance Notes to assist applicants in submitting applications for change of use to commercial uses in industrial premises and in complying with condition in relation to provision of fire safety measures.

Since January 2006, to ensure the timely provision of fire safety measures for commercial uses on the ground floor of industrial premises, the Board, in approving any such applications, has adopted the practice of imposing a time-limited condition requiring the provision of fire safety measures before operation (in the case of a proposed use) or within six months from the date of approval (in the case of regularisation of an existing use). If the condition is not complied with as required, the permission will be revoked by the Board.

From the history of past planning applications, the Board considers it prudent to ascertain from concerned departments whether there is any insurmountable problem relating to the application, particularly in meeting the fire safety requirements, that cannot be resolved by way of an approval condition, before giving its approval. In this connection, the Guidance Notes have been revised requiring the submission of relevant information, including plans to show the location of the premises under application in the subject building and all means of exit, entry and internal passageways.

To facilitate compliance with the approval condition on fire safety measures, a new Guidance Note has been prepared to lay down the required steps to be followed by the applicant on the Board's approval of the application. In particular, for cases where no building works are involved or no building plan submission is required, a separate submission should be made for compliance with the condition to the District Planning Office of the Planning Department which will refer it to the Fire Services Department for consideration. The submission should include a layout plan to show the location of existing and proposed fire service installations within the premises under application.

[Sing Tao Daily, 21/09/2007]

Plot ratio transfer on cards in bid to save King Yin Lei

Development Bureau chief Carrie Lam Cheng Yuet-ngor has hinted a transfer of plot ratio is a likely strategy in the preservation of King Yin Lei, a 70-year-old Chinese-style mansion. The mansion, with its garden, was declared a proposed monument after initial demolition work began, and hurriedly gazetted on September 15.

Ms. Lam promised legislators to increase funding to speed up the grading of Hong Kong's 1,440 heritage buildings and to overhaul the government's heritage conservation policy. The focus of future negotiations would be on a site's potential value.

The Bureau has already contacted the lawyer for the owner of the King Yin Lei site and a meeting will be set up soon. With a 75-year land lease, the Bureau must provide the owner with a financial incentive without compromising his development rights.

Ms. Lam told the Legislative Council's home affairs panel a transfer of plot ratio is a likely strategy in preserving the mansion at 45 Stubbs Road. Since the mansion has not used up all of the site's 0.5 plot ratio, 40 percent of the 4,700-square-meter site may be used for residential development.

A team of heritage experts from Hong Kong and the mainland will be assembled by the end of this month to draft a restoration plan, which will include the method to be used and the cost and time involved.

As for the 1,440 buildings awaiting grading, the Antiquities and Monuments Office will seek outside help to speed up the job, with extra resources requested by the Bureau in the coming fiscal year.

Ms. Lam, a former Permanent Secretary for Home Affairs, admitted there are loopholes within the existing system and some of her colleagues might have been insensitive to heritage conservation after the media reported that staff of the Home Affairs Bureau had ignored a request by King Yin Lei's former owner for a meeting in April.

Although demolition work had started, the Buildings Department cannot stop it so long as the building is not structurally damaged.

With a heritage conservation policy review due by the end of the year, Ms. Lam promised to reveal further details to legislators on October 15.

[The Standard, 03/10/2007]

Proposals for developing Yau Tong Bay thrown out

The Town Planning Board has vetoed all three options for the HK\$20 billion Yau Tong Bay development plan. The three options all have a total plot ratio ranging from five to six, with the developer planning for 5,000 residential units, with one option containing 10 twin towers and two low-rise blocks for residential use with heights ranging from 48 meters to 188 metres and a 178-metre office building. The second option has no office building, but 11 residential twin towers and two low-rises with heights ranging from 48 to 188 metres. The third option has 14 150-metre twin towers with a 200-metre office block.

Although the Planning Department preferred the second option, none of the three options garnered support from the Board members. They have reservations about all three designs, with buildings close to 200 metres in height, compared with the current tallest building on the Hung Hom waterfront, which is only about 75 metres tall. Besides, the developer did not provide adequate information or models to justify such high-rise development on the waterfront.

The Planning Department considered the gross floor areas of the three proposals excessive and unacceptable for the waterfront. It criticised Henderson Land's calculation of plot ratios and gross floor areas, saying they included the proposed promenade and deviated from planning standards. Chairman of the Board requested the Planning Department give Henderson planning parameters and meet the Board again in about two months.

A spokesman of Henderson Land property development said the decision was disappointing, adding that the Board should not focus solely on building heights, and that the ruling that the promenade area be excluded from the plot ratio was unfair.

[*The Standard, 08/09/2007*]

Wan Chai Market facade may stay

The Urban Renewal Authority was considering ways to preserve the facade of Wan Chai Market. A residential block will be built on top of the three-storey market because of a requirement set down by the deed of mutual covenant. The plan is one of the two options being considered by the Authority. The other is to build a residential block on the hill next to the site, but this requires a change in land use which would have to be approved by the Town Planning Board.

A government source said keeping the facade was in line with the principle of heritage preservation. But further studies would have to be conducted to see if the suggestion was technically feasible.

Wan Chai Market, built in 1937, is believed to be one of only two well preserved markets in Bauhaus style left in the world. The other is in Phnom Penh. Architects and conservationists have urged the Authority to preserve the block.

In 1997, property developer Chinese Estates Holdings formed a joint venture with the Land Development Corporation, the Authority's predecessor, to redevelop the area. The project includes the Zenith development, which is supposed to comprise four blocks, including the one built at the Wan Chai Market site.

Architects who have been lobbying for the preservation of the market reacted positively to the proposal. A member of the Antiquities Advisory Board said the market is too valuable to be knocked down and preserving the facade of the market was better than having it demolished.

Wong Kam-sing, chairman of the Institute of Architects' board of local affairs, said that besides the facade, the Authority should consider preserving the market's unique ventilation feature and the building's use of daylight.

Activists said the proposal was unacceptable and called for preservation of both the facade and the inner structure of the Wan Chai Market.

[*SCMP, 25/09/2007*]

Public views sought on proposals to enhance Hung Hom Harbour-front area

The Planning Department recently announced the launch of the Stage 2 Public Engagement Programme of the Hung Hom District Study, inviting public comments on proposals to enhance the Hung Hom harbour-front area.

The enhancement proposals were prepared subsequent to the completion of the Stage 1 Public Engagement Programme in February this year.

Revised land use framework and enhancement proposals are formulated mainly for four Potential Development Sites (PDS) along the Hung Hom harbour-front. They cover land currently occupied by the KCRC Freight Yard, the International Mail Centre, the Comprehensive Development Area and adjoining open space fronting Hung Hom Bay, land zoned "Residential (Group A) 2" along Hung Luen Road and the Tai Wan Shan Park. There are also proposals for enhancement of the public realm and measures to improve connectivity of the Hung Hom harbour-front area.

The Hung Hom District Study, as part of the Harbour Plan Review, began in December 2006, to formulate a comprehensive district plan to guide the planning and design of the Hung Hom harbour-front area with a view to creating an attractive, accessible and vibrant waterfront for public enjoyment and integrating the new development

areas with the adjoining waterfront districts and Hung Hom hinterland.

The Stage 1 Public Engagement Programme sought views on people's perception of the Hung Hom harbour-front area and visions on how to enhance the area. The Stage 2 Public Engagement Programme aims to solicit views on the proposals, which are formulated having regard to the Town Planning Board's Vision Statement for Victoria Harbour, the Harbour Planning Principles and Harbour Planning Guidelines promulgated by the Harbour-front Enhancement Committee, the Urban Design Guidelines of the Hong Kong Planning Standards and Guidelines, as well as the community's aspirations expressed earlier this year in the public consultation process.

Major activities of the Stage 2 Public Engagement Programme include a roving exhibition and a public forum in September this year. The Town Planning Board, the Kowloon City District Council and the Yau Tsim Mong District Council will also be consulted on the proposals.

[*Planning Department, 30/08/2007*]

Bid for wind corridor on waterfront site defeated

The Town Planning Board has recently rejected an environmental group's bid to keep a 10-meter-wide wind corridor and to reduce the plot ratio on reclaimed waterfront land at Hoi Fai Road.

The applicant, Green Sense, argued that the core of the application is residents' concern with the area's lack of natural ventilation. High-rises ranging from 34 to 60 stories already line the southwest Kowloon waterfront. Building another high-rise at Hoi Fai Road would block sea wind from reaching the hinterland and aggravate air pollution in the area.

The group proposed a reduction of the maximum domestic plot ratio of the site from 6.5 to 5. It also pushed for a height limit of 30 meters and a 10-meter-wide wind corridor at the northern part of the site. The site's current building height restriction is 140 metres. Three private residential buildings surrounding the site are between 112 and 177 metres in height.

Whilst some Board members were concerned about air ventilation, they said the applicant had not produced adequate data to prove the need for a wind corridor. However, the Board recommended that the Building Department should look into air ventilation before approving building plans.

The application for amendments to the Hoi Fai Road site was submitted on 4 June, before the land was auctioned to Sun Hung Kai Properties for HK\$5.56 billion on 12 June.

Before the auction, a judicial challenge against high-rise development on the waterfront site was defeated due to lack of supporting data. The Building Department will decide on the submitted plan to build eight residential blocks before the end of August.

Out of the 131 comments received during the three-week public consultation period, the sole opposition to Green Sense's bid came from the landowner, Smart Globe, a subsidiary company of Sun Hung Kai Properties.

[*The Standard, 25/08/2007*]

WEST KOWLOON CULTURAL DISTRICT (WKCD)

Instalment plan for West Kowloon urged

The HK\$19 billion injection into arts and cultural facilities at the West Kowloon Cultural District should be paid in instalments, legislators suggested yesterday. They said such an arrangement would allow the Legislative Council

to scrutinise how the money was spent by the West Kowloon Cultural District authority. A Democratic Party lawmaker said it would be unreasonable to approve all the money at once for a project that would last at least until 2026.

Secretary for Home Affairs said it was up to the Council's Finance Committee to decide how the money would be handed to the authority. Several legislators also raised concern about the authority, which would be responsible for managing the arts and cultural facilities, the district's layout and finances.

The view was expressed that the government should study the model adopted by the Hong Kong Arts Development Council and allow relevant sectors to nominate representatives to the authority. One legislator said if the government decided to appoint members itself, it should make public the criteria. The Chief Executive said the government would consider legislators' opinions before deciding how the authority would be formed.

The government will inject HK\$19 billion from the sale of more than 40 per cent of the district's gross floor area for residential and commercial development. The authority is to be set up by the middle of next year. Construction of the first phase is to start in 2010, with the first venues operating in 2014 at the earliest.

[*SCMP, 04/10/07*]

Only 2 venues at cultural hub will break even

Only two of the 17 arts and cultural facilities in the West Kowloon cultural district will generate enough money to support themselves, the government has revealed. The rest are expected to operate in the red. However, the permanent secretary for home affairs said steps were being taken to cover the deficit.

An executive councillor and convener of the performing arts and tourism advisory group on West Kowloon said only the performance venue, which will hold 15,000 people, and the 10,000 square metre exhibition centre are likely to make enough money to cover operating costs.

The first venues will start operating in 2014. The government estimates that the 17 facilities will run up a deficit of HK\$6.7 billion over the course of 50 years. The aim is to cover this with rental income from shops, restaurants and entertainment facilities, estimated at HK\$7.5 billion during the same period.

Referring to the likelihood of bigger deficits, the Secretary for Home Affairs said: "We have prepared enough room for it. Even if the deficit is more than we expect, there is still room."

Under new proposals for the arts hub, revenue from selling land for property development will cover the capital cost of the 17 performing venues, museums, convention centre, transport and public facilities. The government said the land sale was expected to raise HK\$18.9 billion.

But the optimism of the Secretary for Home Affairs was questioned in some quarters. An associate business professor at Chinese University said reliance on rental revenue was risky because the amount could fluctuate.

Director of the Centre for Economic Development at the University of Science and Technology said land sales could yield HK\$20 billion or more, although the government has ruled out injecting more money if earnings from the sales are better than expected.

He also said the government must make the district a popular destination instead of just an arts and cultural hub to keep the businesses there thriving. "The whole [40-hectare] piece of land could yield HK\$40 billion to HK\$45 billion if it was used purely for property development. It is important to turn it into a place where it can produce the fruits the government pledges to harvest. On the other hand, the government should remember that it should be made a popular site for the businesses to survive. High culture

does not always attract support from the populace.”

Meanwhile, more developers are vying for the land in the district. The chairman and chief executive of Sun Hung Kai Properties said he wanted to take part in the auction and the 20 per cent of the total gross floor area allocated for residential use was within expectations.

[SCMP, 14/09/07]

New vision unveiled for cultural hub

The government yesterday unveiled its fresh start for the West Kowloon Cultural District, scrapping the widely condemned single-developer approach, handing control to a new authority and abandoning the award-winning design proposed by architect Lord Foster.

Under a new financing model, the cultural authority will be sustained by income from the retail, restaurants and entertainment venues.

The government will inject HK\$19 billion - from the sale of more than 40 per cent of the district's gross floor area for residential and commercial development - to pay for construction of 15 performing arts venues, museum, convention centre, transport and public facilities. The amount is about 40 per cent less than the HK\$30 billion proposed in 2003.

However, to ensure the hub is financially sustainable within the 40-hectare site, the size of a flagship museum - dubbed M+ - will be cut by 30 per cent in exchange for more offices, according to the government's report released for public consultation yesterday.

The proposal also includes 23 hectares of open space, mostly at ground level and open to the waterfront.

The project is expected to create more than 40,000 jobs in the first 30 years. Additional spending of HK\$3.7 billion by more than 4.5 million tourists annually is also estimated, with an overall increase in Hong Kong's gross domestic product of HK\$71 billion over 46 years.

Secretary for Home Affairs said the project would alleviate the shortage of cultural facilities by increasing the total seating capacity of the city's arts venues by 37 per cent and public museum space by 52 per cent. The bureau planned to invest more on cultural education and training of professionals.

Although the government proposes investing HK\$19 billion in the project, one surveyor estimated land being sold for commercial and residential purposes could generate a land premium close to HK\$25 billion.

Addressing lawmakers' calls that the government should inject more money into the project if the land sold at a higher-than-projected price, the Chief Secretary said HK\$19 billion was the government consultant's "best estimate".

A government source said if the retail, restaurants and entertainment facilities run by the government generated more revenue than the conservative projections, the additional revenue would be ploughed back into the arts.

The former Chief Secretary, who led the former proposal, said the government was now investing only HK\$19 billion because the new financial model was less risky and the retail development would provide stable income for operating the arts facilities. He refused to say whether he would head the cultural authority, as has been tipped.

Key points

- An authority will be set up to build and manage the **cultural** district
- The government will inject HK\$19 billion into the authority
- Revenue from entertainment and retailing will be used to support its operation
- Fifteen arts performance venues, a big museum and a convention centre will be built, in two phases
- Nearly 60 per cent of the site will be for commercial,

residential and hotel use

- First phase of works to be completed by 2015

[SCMP, 13/09/07]

Cultural district plans attacked over lack of open space

Activists monitoring the West Kowloon cultural district project will today urge the government to scrap plans for a residential development at the site and instead push for more "high-quality" open space.

Just one day before the government announces its plans for the cultural development, pressure groups, including Local Action and Community Cultural Concern, will present their own plan at a joint press conference.

The groups said a park was originally planned for the 40-hectare site but it had been replaced with scattered open spaces which may not be easy to access.

Meanwhile, Designing Hong Kong and the People's Panel on West Kowloon plan to offer their own concepts for cultural development at the site during the three-month public consultation, which begins tomorrow.

A core member of Local Action said that during the 1990s 300 hectares of reclaimed land at West Kowloon was intended to be used to alleviate the lack of open space in the district.

According to a consultation document prepared by the Planning Department in 1994, the waterfront site was reclaimed to address problems such as the severe shortage of open space and a high concentration of low-income and elderly households in need of affordable local housing. The document proposed a park of more than 20 hectares at the southern tip of West Kowloon. But the plan was completely changed in 1998, when the former Chief Executive announced the proposal to develop a massive arts hub.

The Secretary for Development told a legislative meeting this year that 20-hectares of open space would still be available, but it might be on podiums or rooftops instead of on the ground. The government also prefers the project to be financially self-funding, and is aiming for HK\$25 billion in planned revenue to be generated from on-site residential and commercial developments.

Questioning the government's approach to the project, a core member of Local Action said they did not want residential and office developments blocking the harbour front and the land should be returned to the public for an accessible and high-quality open space.

With a current shortfall of 9 hectares of open space in West Kowloon, according to the government's own planning guidelines, plans for residential and large-scale commercial developments should be scrapped and more money should be injected into the project.

The government did not honour its promise to relieve the densely populated areas with reclaimed land. Instead, the land was disconnected from the old areas, the core member of Local Action said, adding that the government had made a profit of more than HK\$50 billion from the sale of West Kowloon land for luxury residential developments in recent years and the government would pocket an extra HK\$80 billion if the remaining seven parcels of land in West Kowloon were sold, according to some surveys.

A spokeswoman for Community Cultural Concern said the group had invited local and overseas professionals to produce an alternative plan, in consultation with the public, to be submitted to the government by the end of the year.

Convenor of Designing Hong Kong said a large piece of open space should be reserved at ground level, and the project's scale should be reduced if facilities at City Hall and the cultural centre were to be upgraded.

[SCMP, 11/09/07]

HONG KONG BRIEFING

Big business joins drive to buy more green products

Large corporations, such as Disneyland and Cathay Pacific Airways, have thrown their weight behind a pioneering initiative to encourage firms to buy environmentally friendly products, so-called "green purchasing". The Green Council, a nonprofit organisation, yesterday launched the Hong Kong green Purchasing Charter—a call for businesses to buy green products as part of their routine procurement programmes.

The charter, which is supported by the UN Environment Programme, has received the backing of major business players, including the MTR Corporation, China Light and Power and Hong Kong International Airport.

Green Council's chief executive officer said the charter was necessary because Hong Kong's business community does not have a good record in green purchasing compared with China and the rest of Asia. Green purchasing began with stationery, paper and energy efficiency.

Cathy Pacific is one of the 11 founding members of the charter. The company's general manager of purchasing and aircraft trading said the airline is focusing on the sustainable aspects of aviation. Pointing to examples of large-scale green procurement, he said that the new Boeing 777-300 Extended Range jetliner, launched last week, used 22 percent less fuel.

Secretary for the Environment said green purchasing would build business opportunities by developing market demand for green products.

The Green Council urged other businesses to join the charter and pledged to provide guidance. Last year a Green Council survey of 654 respondents found 75 percent of consumers were willing to pay more for environmentally friendly products, but most found it hard to identify them.

[The Standard, 05/10/07]

Want not, waste not ... landfills' limited capacities

Invariably, most diners opt not to finish their meals, a choice that is starkly revealed in Environmental Protection Department figures showing that each day last year more than 3,000 tonnes of wasted food was dumped into our rapidly filling landfills.

If ever there was a statistic that was food for thought amid the discussion about environmental sustainability, this must be it. Reducing the amount of recyclable material we throw away and helping cut air pollution levels are not straightforward matters; however, being less wasteful with food should be as easy as pie.

The "less rice, save money" campaign to be launched in December is a good beginning. With three major catering organisations joining the initiative of environmental groups, awareness will be heightened of a problem to which few of us give thought. Attracting diners in the cut-throat restaurant world generally involves offering value for money. More often than not, that means heaped bowls and plates of food. On average, one-third will be left uneaten and will go into the rubbish bin. Few of us apparently feel guilty about this, if Environmental Protection Department statistics are any guide. Affluence breeds expectations of plenty, after all, and few of us witness dump trucks pouring food into landfills.

The situation is markedly different from the Hong Kong of half a century ago, when food was precious and prized. People from that generation were struggling with post-war poverty and the "waste not, want not" philosophy was ingrained in society. Those days are long gone and forgotten by all but the dwindling numbers who lived through them. With the rapid degradation of our environment, we need a wake-up call.

Food is the perfect place to start. By asking for less rice when ordering our meals, and getting a discount as an incentive, we will be doing our part to help save what we have around us. But to ensure that we get the message, the campaign should be widened, and food portions as a rule reduced in size. Construction workers may be thankful for the extra cup or two of rice, but the majority of us do not need it.

[SCMP, 01/10/07]

Pollution index based on objectives set 20 years ago

Hong Kong's air pollution index (API) is a numerical scale from 0 to 500 that indicates the overall level of air pollution based on six chemicals harmful to health.

Levels of sulfur dioxide, nitrogen dioxide, total and respirable suspended particulates, carbon monoxide, ozone and lead are measured at 11 general stations and three roadside stations throughout the territory. The readings are updated hourly. The combined reading is based on air quality objectives which were set in 1987 for each of the pollutants.

The target level for each pollutant is measured in micrograms per cubic metre, but the period of time over which each is measured varies, ranging between an hour, a day and a year. One-hour, 24-hour and annual targets are set for sulfur dioxide and nitrogen dioxide, and 24-hour and annual objectives for particulates.

The World Health Organisation introduced worldwide air quality guidelines last year to replace European ones last updated in 1997. These comprise revised limits for ozone, nitrogen dioxide and sulfur dioxide based on latest scientific evidence, and introduced new worldwide limits for particulates - tiny carbon particles that can lodge deep inside a person's lungs. The particulate guidelines introduce new measures for very small particulates, which are more dangerous because they can interfere with the operation of the lungs.

Where they can be compared directly, Hong Kong's air quality objectives are dramatically higher than the WHO guidelines. For sulfur dioxide, the level is 40 times higher, and for suspended respirable particulates, seven times higher. Other constituents of the API are not measured over the same time periods or are not included in WHO guidelines.

A chair professor of community medicine at the University of Hong Kong, said that if the Hong Kong API was reconstituted using latest WHO data, daily readings would be "absolutely sky high" for most of the year.

The Environmental Protection Department launched an 18-month research programme to review Hong Kong's air quality objectives in June which will include reviewing the WHO guidelines.

The Council for Sustainable Development is holding a public consultation until October 15 on possible improvements to the air pollution alert and response system.

[SCMP, 30/09/07]

Foul-air gauge for pupils too high, say critics

Medical experts have condemned the government's advice to schools on air pollution as "totally unacceptable", saying it is failing to adequately protect children's health. Leading paediatricians and community health specialists are urging schools to cancel sports events when the air pollution index reaches 100 - half the current limit of 200, but still higher than World Health Organisation guidelines.

A professor of community medicine at the University of Hong Kong said a reading of 200 as a cut-off point for consistent strenuous outdoor activity could not offer a reasonable level of health protection, and it was totally unacceptable that principals, parents and children should be misled in this way, given current scientific evidence.

In a circular first issued in 1998, the Education Bureau

advised schools to suspend sports events and reduce outdoor activities for all students when the pollution index exceeds 200, which is a "severe" level. Pollution has very rarely reached that level in Hong Kong. Schools within 10 metres of busy roads are advised to use the roadside index. The bureau has also urged schools to use discretion.

Chinese International School called off its annual swimming gala in Victoria Park this month after the Causeway Bay roadside reading hit 111, which is in the "very high" range of 101 to 200. The event was relocated to the Braemar Hill school's indoor pool, preventing hundreds of children from taking part. Two days later, South Island School in Aberdeen postponed a cross-country race because of high pollution levels. Other schools are reviewing policies on air pollution.

The chair professor of community medicine at the University of Hong Kong said Hong Kong's air pollution objectives, on which the pollution index is based, should be brought into line with the latest WHO guidelines for individual pollutants, many of which were much lower. Meanwhile, schools needed more appropriate guidance as a stopgap measure.

A member of the Hong Kong Medical Association and the Council on Smoking and Health also said that the danger level of 200 was obviously set too high. Students should not participate in physical activity once the reading reached 140.

A spokesman for the Education Bureau said the air pollution circular conformed with the health advice of the Environmental Protection Department.

[SCMP, 30/09/07]

A third of companies fail to adopt green initiatives; lack of incentives in pollution fight, AmCham survey finds

Almost one-third of businesses in Hong Kong have no environmental initiatives in place despite the city's widely publicised pollution problems, an American Chamber of Commerce-sponsored study on corporate social responsibility has found. It also found that unclear government expectations and a lack of incentives are holding back greater corporate involvement in social and community development.

Of the 139 companies which took part in the survey, 31 per cent said they were not involved in any local environmental initiatives. However, 47 per cent of US companies surveyed actively support local projects compared with 37 per cent for Hong Kong businesses.

Significantly, 24 per cent of Hong Kong businesses have made green investments, more than double the 11 per cent recorded for US companies.

The survey found companies were much more likely to be involved in philanthropy and supporting social initiatives than getting involved in direct environmental action.

US companies accounted for 57 per cent of the respondents. Hong Kong businesses made up almost 33 per cent.

In Hong Kong, much of the focus of corporate social responsibility was on protecting the environment and improving worsening air pollution. Bus operators regularly publicise their investment in the latest environmentally friendly engines; power companies are exploring the use of cleaner fuels; and businesses have implemented measures to reduce electricity consumption and promote recycling.

The corporate social responsibility movement is also increasingly fashionable, meaning more companies around the world, and not just big multinationals, are seeing the value of adopting business practices that are considered ethical and responsible by communities in which they operate.

However, a lack of resources, incentives and government action are discouraging many businesses from becoming more socially responsible, the survey found. Respondents

pointed to a lack of resources as the "prime deterrent" to adopting the activities.

An Asia-Pacific Economic Co-operation-certified business counsellor said many companies wanted to exercise corporate social responsibility but simply could not afford to do so. Government initiatives, such as tax incentives, rather than control-legislation, were needed to promote greater corporate social responsibility.

[SCMP, 27/09/07]

Officials refuse to acknowledge mounting costs of air pollution

The proclamations of some government officials continue to mislead, misrepresent or deny the seriousness of the evidence on both the short- and long-term health threat of serious air pollution. The administration and the business sectors refuse to acknowledge the mounting external costs of air pollution. A recent chamber of commerce newsletter even implies that the media portrayal of pollution is overblown, and we continue to accept trade-offs between low-cost manufacturing with dirty fuel and lifetime damage to the respiratory health of our children.

By contrast, a recent report from The China Project, involving Harvard, Hong Kong Polytechnic and mainland universities, estimates that annual pollution costs up to 4 per cent of China's gross domestic product.

Whilst Hong Kong's emissions have been reduced, our pollution-abatement strategy continues to be based mainly on volunteerism, not legislation. It is too slow to prevent large-scale morbidity and mortality. It fails to target local sources which are major contributors to pollutant concentrations. The strategy includes a prescriptive form of procrastination, in that there is no chance of adopting new air-quality standards for at least two more years. The annual average air pollutant concentration curves are statistically flat and high, and we are looking at decades of dirty air. Solutions are always over the horizon, which we can no longer see.

[SCMP, 27/09/07]

Move to reduce fumes by 2009

Bus and truck operators have barely begun replenishing their fleets with models meeting current European Union standards for pollution emissions, but the government is already considering bringing in tougher standards for new vehicles within two years. New vans and light buses and trucks may be required to meet the standards after a further two years, in 2011, said a principal environmental protection officer.

The Euro V standards, covering emissions of respirable suspended particulates, nitrogen oxides and hydrocarbons, will come into force in the European Union next year. The Euro V standard for nitrogen oxides is 42 per cent tighter than that under the current Euro IV.

"We have been following the timetable of the European Union closely in tightening emission standards," the EPD officer said at a briefing organised by the Business Environment Council. Euro IV has applied to new trucks and buses registered in Hong Kong since October 1.

New World First Bus and Citybus will add the first 28 Euro IV buses to their combined fleet of 1,600 by November. Kowloon Motor Bus, which runs more than 4,000 buses, bought its third Euro IV vehicle in February. KMB's chief engineer said the company had tentative plans to run Euro V buses in 2009.

Vehicles are the second-largest source of air pollution in Hong Kong, contributing 25 per cent of respirable suspended particulates and nitrogen oxides. Diesel trucks are the biggest vehicle polluters, accounting for 90 per cent of particulate emissions and 80 per cent of nitrogen oxides.

[SCMP, 25/09/07]

Unity and leadership needed in pollution war

Blue skies and clean air are not a matter of luck or the result of a quirk of nature; they are the preserve of a society that cares about its environment. The grey pall of smog which has blanketed Hong Kong this week therefore says much about this city's resolve to deal with a problem that is becoming increasingly serious.

Meteorologists put the poor air readings down to climatic conditions which have been hemming in pollution. But that is meaningless to the Chinese International School's children who were unable to compete in their annual swimming gala in Victoria Park because teachers considered air quality readings were at unhealthy levels.

Nor do such explanations convince professionals, from nations where environmental matters are taken seriously, that they should come here to work. They certainly hold no sway with disappointed tourists peering down at the sea of haze from The Peak, who go home with poor perceptions of Hong Kong to pass on to friends and relatives.

Government warnings to those with heart and lung problems that conditions are not conducive to exercise or stressful activities are worrying. Children and the elderly are especially vulnerable.

Two months ago, the Secretary for the Environment was claiming that the blue skies and clean air being experienced at the time were proof that government measures were working. Environmentalists criticised his approach, saying that prevailing winds had a considerable impact on pollution - as the Hong Kong Observatory has been telling us in recent days.

The Secretary has been conspicuously silent this week, despite the time being perfect for him to be showing the leadership necessary to pull Hong Kong together to make a concerted effort to tackle pollution.

Environmental matters have, in recent years, increasingly concerned the government. Policies are gradually being put in place, but as the poor air quality readings attest, much greater effort is needed.

This will come about only through strong government leadership to build awareness of the gravity of the problem and the need to take specific concerted action. Schools appear to need, for example, clearer government guidelines on what to do when air quality readings reach unhealthy levels.

But while many of us complain about how bad the air is, few are bothering to do anything about it. That is evidenced by vehicle-choked roads, parked cars with engines idling, air conditioners turned to freezing temperatures and excessively bright lighting in shops. Less visible are the power stations and locally-owned factories in Guangdong province spewing pollution, which are Hong Kong's major air polluters.

We do not lack available solutions. The administration's Council for Sustainable Development has a set of far-reaching recommendations under public consultation. Among worthy suggestions are: electronic road pricing during peak hours; banning public vehicles from congested areas; and requiring power companies to use only ultra-low-sulfur coal or liquefied natural gas.

Ridding Hong Kong of polluted air is an urgent goal. Swift decision-making, adoption and implementation of effective solutions after the consultation process has ended, are essential. But total community involvement is as necessary as top-level leadership. We are all, to a degree, responsible for the air pollution. Through working together, Hong Kong can attain what London, Los Angeles, Sydney and other cities have already achieved.

[SCMP, 21/09/07]

Thirst for bottled water harming environment

Local landfills are filling up with empty plastic water containers as more Hong Kong people turn to bottled water to quench their thirst. Last year, the city imported 24.96 million litres of mineral water worth HK\$127.4 million - nearly eight million litres more than in 2000, when 17.08 million litres were imported. In the first seven months of this year, the total was 15 million litres.

Imports of distilled water also increased from 2.67 million kg, costing HK\$3.8 million in 2005, to 3.24 million kg last year, costing HK\$5.4 million. In the first seven months of this year, 3.37 million kg was imported at a cost of HK\$4.42 million. Government figures for distilled water are measured only in kilograms.

A biochemist said the health benefits of bottled water were unproven, and environmentalists argued that it was not only a waste of money and energy, but also produced more rubbish for the city's almost-full landfills. "Much bottled water is just bottled tap water anyway," said a professor of Chinese University of Hong Kong. "Also, some of it ... has been found to be contaminated and not as pure as consumers may think."

This professor said the use of bottled water also presented environmental concerns because a lot of energy was used to transport water and the plastic used to make the bottles was usually not recycled. Green groups agreed bottled water resulted in much waste of money and energy.

The Water Supplies Department claims the quality of local tap water is as good as that of many well-developed countries and regions. People can drink tap water without boiling it on condition that the management of the building is carried out responsibly.

[SCMP, 17/09/07]

Hiking guidebook calls paved nature trails a mindless waste

The author of a popular hiking guide has taken aim at the government's "obsessive" practice of turning Hong Kong's nature trails into cement pavements and labeled this long-standing approach as "a mindless waste of taxpayers' money".

In a newly released guide to local trails and hidden natural beauty spots, *The Serious Hiker's Guide to Hong Kong*, the author criticises the installation of metal railings and the use of concrete to smooth paths as "completely out of keeping with the environment".

Within the last three years, trails have been paved at such natural beauty spots as Needle Hill in Sha Tin, in Sheung Shui, in Plover Cove Country Park, and along the Tuen Mun Trail and Tsing Yi Nature Trails. Paving has also been laid on trails leading to Amah Rock and section two of the MacLehose Trail, whilst concrete steps have been constructed to the beach at Tai Long Wan.

A hiking columnist and author of the book said more trails were turning into concrete. He also said it was disappointing for trail hikers to feel like they were "walking in Mong Kok" instead of feeling pebbles, leaves and tree roots under their feet. He said that the government just needed some common sense as in most of the places there were so few hikers that hardly need concrete or railings.

An Agriculture, Fisheries and Conservation Department spokesman said the department did not have any further plans to "improve the conditions" of hiking trails. He said the department tried to maintain earth tracks in country parks where possible, and concrete was not used unless there were safety concerns; for example, if the footpath was too steep or there was excessive loose material.

[SCMP, 16/09/07]

ADVISORY COUNCIL ON THE ENVIRONMENT (ACE)

Report of the Environmental Assessment Sub-committee

(ACE Paper 15/2007)

Background

The Environmental Impact Assessment (EIA) Subcommittee considered the EIA report on Drainage Improvement in Sha Tin and Tai Po (ACE-EIA Paper 5/2007). The period for public inspection of the EIA report was from 17 May to 15 June 2007. The Environmental Protection Department (EPD) has received 2 sets of public comments.

Need for the Project

The flooding problem in Shuen Wan area is recurrent and the project aims at alleviating the problem by improving the drainage system in accordance with the recommendations of the Sha Tin and Tai Po Drainage Master Plan Study.

Description of the Project

The combined effect of excessive rainwater during severe storm situations and ingress of sea water from the Tolo Harbour during high tide event has been the cause of flooding of the low-lying area of Shuen Wan.

The original design of the project involved building a floodwall 900m long with a maximum height of 1.7 m along Tung Tsz Road to prevent storm water entering village settlements. In view of the concerns of villagers, centred mainly on the adverse potential visual impact of the proposed floodwall, an alternative design is proposed. It comprises construction of a box culvert underneath Tung Tsz Road to divert excessive stormwater from the Wai Ha River to the Tolo Harbour, a flood gate system to avoid ingress of sea water from the Tolo Harbour, and a pumping system to extract water from villages.

The project includes a 1000m long twin cell box culvert along Tung Tsz Road; a floodwater pumping station at Shuen Wan; automatic mechanical flood gates replacing the existing manually operated gates at the mouth of Wai Ha River; a drainage pipe 280m long and 1200mm in diameter near Wai Ha River; and a flood barrier 260m long and 2100mm in diameter along Ting Kok Road.

The box culvert, with the alignment located at the fringe of the "Conservation Area" in Shuen Wan, constitutes a designated project under Item Q.1, Part I, Schedule 2 of the EIA Ordinance.

Views and Conclusion of the Subcommittee

After considering the EIA report, Members agreed that the EIA report could be endorsed without conditions. The Subcommittee endorsed Members' views and agreed to recommend the EIA report to the full Council for unconditional endorsement.

Report of the Environmental Assessment Sub-committee

(ACE Paper 16/2007)

Background

The Environmental Impact Assessment (EIA) Subcommittee considered the EIA report on North East New Territories (NENT) Landfill Extension (ACE-EIA Paper 6/2007). The period for public inspection of the EIA report was from 25 June to 24 July 2007, and the Environmental Protection Department (EPD) has received 8 sets of public comments.

Need for the project

At the moment, about 6 million tonnes of waste are

disposed of annually at the three landfills in Hong Kong: the West New Territories (WENT) Landfill, the South East New Territories (SENT) Landfill and the NENT Landfill. With a total capacity of 140 million cubic metres, the three landfills were originally expected to meet the waste disposal needs of Hong Kong until 2020 or beyond. However, with an actual disposal rate higher than forecast, it is predicted that these three existing landfills will last only until early to mid next decade.

Efforts have been made to reduce and recycle waste. The government has planned to develop Integrated Waste Management Facilities (IWMF) to reduce substantially the volume of waste disposal into landfills. Yet, these measures cannot obviate totally the need for new landfill capacity in Hong Kong.

The EPD therefore has inquired into the possibility of extending existing landfills, and the identification of potential new waste disposal sites. A study on the extension of the NENT Landfill has been commissioned.

Description of the project

The extension of the NENT Landfill will have an area of about 70 hectares and a total capacity of about 19 million cubic metres. It will be located immediately east of the existing NENT Landfill. A large proportion of the extension, about 42 hectares, is in fact the borrow/stockpiling area and haul road of the existing landfill. The project will involve a series of works programmes, from site formation and installation of a liner system, to separating rubbish and leachate from groundwater, to restoration and aftercare in subsequent stages, as well as implementation of environmental monitoring and auditing.

The project is classified as a designated project under Schedule 2, G.1, of the EIA Ordinance (Cap. 354).

Views and conclusion of the subcommittee

After considering the EIA report, Members agreed that the EIA report could be endorsed without conditions. The Subcommittee endorsed Members' views and agreed to recommend the EIA report to the full Council for unconditional endorsement.

An Environmental Levy on Plastic Shopping Bags

(ACE Paper 17/2007)

Background

The Environmental Protection Department (EPD) launched a public consultation concerning a proposal to impose an environmental levy (or tax) on plastic shopping bags. The objective of the proposal is to reduce indiscriminate use of plastic shopping bags through an economic disincentive. The proposal involves a phased introduction of a levy of 50 cents on each plastic shopping bag distributed by retailers, with the first phase covering chain or large supermarkets, convenience stores and personal health and beauty stores.

It is estimated that nearly one billion plastic shopping bags could be saved each year with the introduction of the environmental levy. The public consultation lasted for about two months and ended on 31 July 2007.

Public consultation

General public

84% and 66% of the respondents supported the implementation of the "polluter pays" principle and the introduction of the environmental levy on plastic shopping bags respectively.

Among the respondents who supported the introduction of the environmental levy, 76% considered that a levy of 50 cents or more would be effective in discouraging the use of plastic shopping bags.

Notwithstanding the general public consensus, some members of the public considered the proposed environmental levy amounted to a penalty, and could be a

burden on the underprivileged. Some considered that most of the plastic shopping bags are being productively reused as garbage bags or packaging bags. Some suggested that the government should encourage the use of degradable plastic shopping bags instead. Others suggested that the government should strengthen public education and further work with retailers on the reduction, reuse and recovery of plastic shopping bags on a voluntary basis.

Plastic bag manufacturers

Plastic Bag Manufacturers, as represented by the Hong Kong Plastic Bags Manufacturers' Association, opposed the environmental levy on plastic shopping bags. In their opinion, plastic bags could be reused and recycled. They questioned the effectiveness of the scheme in waste reduction, given the limited number of plastic shopping bags disposed of in landfills.

Retailers

As represented by the Hong Kong Retail Management Association, the retailers opposed the levy as well. They believed that major retailers such as large supermarkets, convenient stores, and personal health and beauty stores only contributed to small portion of the problem, yet, they were being unfairly targeted under the proposal. They questioned the effectiveness of the proposal because of the limited initial coverage, and the risk of switching to other single-use containers or other free sources of plastic shopping bags. There were also doubts expressed based on results of a number of similar schemes implemented overseas.

Legislative Council

The LegCo Panel on Environmental Affairs discussed the proposed environmental levy at its meetings on 28 May 2007 and 16 July 2007. The majority of political parties supported the levy. They considered that the environmental levy was in line with the principle of "polluter pays", and given the seriousness of plastic shopping bag abuse, it should be implemented as soon as practicable. There were a number of suggestions regarding the details of the proposal.

Way Forward

It is clear from the public consultation that there has been an increasing awareness on environmental protection among members of the public, and the public generally support the introduction of the environmental levy. Going forward, the EPD shall proceed with the preparation of the relevant legislation, namely the Product Eco-Responsibility Bill (PER Bill). The first draft will set out the purpose of the Bill, the types of products and materials to be covered, and the main regulatory measures. The EPD plans to introduce the PER Bill into the LegCo in the 2007/08 legislative session.

Minutes of the 143rd Meeting of the Advisory Council on the Environment

Agenda Item 3: A proposal for an environmental levy on plastic shopping bags (ACE Paper 12/2007)

Summaries of Members' views and suggestions:-

1. The Council supported the proposed environmental levy on plastic bags. It would help to reduce waste and also educate the public on their "eco-responsibility". It represented another major step forward in putting the "polluter-pays" principle into practice;
2. The scheme should be implemented as soon as possible;
3. The Council accepted that the scheme, being the first phase in the introduction of producer responsibility scheme (PRS), should be made simple and easy to administer, such that it should get off the ground smoothly;
4. The Council encouraged the Administration to review the scheme in a year's time. Consideration

then should be given to extending the scheme to other retail outlets so as to realise more environmental benefits and foster a level-playing field in the affected business sector;

5. The Administration should continue with the voluntary effort on plastic shopping bag reduction, especially at retailers not yet covered by the scheme;
6. The Council urged the Administration and LegCo to cooperate to bring in the statutory PRS as soon as possible; and
7. Although the majority of the Members accepted that it was not advisable to set aside the revenue generated from the scheme for environmental protection and conservation purposes, the Council encouraged the Administration to make efforts in securing additional resources for pursuing environmental protection and conservation.

Agenda Item 5 : Report of the Environmental Impact Assessment Subcommittee (ACE Paper 14/2007)

The Council decided to endorse the Environmental Impact Assessment report on Drainage Improvement in Northern New Territories – Package C without conditions, as recommended by the Subcommittee.

REGIONAL & INTERNATIONAL

China

Eco-city project to begin in new year

China will build its first eco-city next year and plans four other radical urban developments as well.

The first project is at Dongtan, consisting of developing on an island outside Shanghai as a residential community in which all energy used will come from renewable sources. The island is expected to house 400,000 people eventually. Gasoline-fuelled vehicles would not be permitted there, and nearby farms will grow organic vegetables for local consumption.

[The Standard, 10/09/2007]

Illegal land projects soar

In some mainland city, almost 80 percent of new land projects are illegal. A survey carried out last year showed 22 percent of new land acquisitions in 90 of the country's main cities were in fact illegal. The worst offenders were in central and western China, where the central and government is pushing quick development to close the gap with the booming coast.

However, China's central government earlier this year passed a landmark property rights law after an unusually contentious process. Opponents managed to ensure that the law excluded rural land, saying that inclusion would protect expropriators while leaving farmers with no means to protect the land which maybe misused by local officials.

Despite the central government's measures to protect it, arable land in China declined from 122 million to 121.8 million hectares last year.

[The Standard, 28/09/2007]

Green light for monitoring system

A Chinese-developed satellite-monitoring system has passed a review by experts. The system was designed to track the transportation of dangerous chemicals by collecting information from a black box installed in the subject vehicle and sending signals to a control centre immediately. The speed of the system for sending accident alerts is even faster than achievable using the

Global Positioning System.

[SCMP, 14/08/2007]

Arsenic clean-up will take years

As a result of chemical contamination, it will take at least five years to clean up a river contaminated with arsenic. After the heaviest rainfall in 50 years in Chongon, a dam holding phosphate gypsum waste from a nearby factory collapsed and released chemicals into the river system.

People living on the banks of the Chongan River noticed strange smells and thousands of dead fish floating in the river. Water samples taken recorded phosphate and arsenic 4,157 times and 1.54 times above permitted safety levels respectively. It is estimated that more than 20 tonnes of dead fish had already been removed from the river in the first few days following the discharge, and that immediate remediation costs were approximately 8 million yuan.

Although no deaths from arsenic poisoning have been reported so far, a worker was admitted to hospital after eating fish caught in the river. The contamination also caused problems for some of the 20,000 Miao people living along the river, because it will be difficult for their livestock to access safe drinking water.

According to the environmental protection department of Huang-ping county, the situation had eased as the pollution moved downstream, but they were still monitoring the situation.

[SCMP, 14/08/2007]

Highs and lows for Lhasa

Lhasa's deputy mayor has announced that maximum height restrictions in the city centre and minimum height restrictions outside the city centre would be set. Owing to limited land in river valleys, tall instead of low, sprawling buildings are to be preferred outside the city centre.

[SCMP, 06/06/2007]

Better enforcement of pollution goals needed

Only four provinces and municipalities in mainland China, namely: Beijing, Gansu, Jiangsu and Tianjin, have met ambitious goals to cut pollution levels.

The central government knows it is in the nation's interests to cut emissions of pollutants. However, the industries responsible for producing pollutants continue to experience strong growth, and as such, environmental issues are either ignored.

The State Environmental Protection Administration and National Statistics Bureau have failed to give updates on the progress of pollution reduction twice a year, as had been promised by the central government. This is due to the fact success rates were not high at all.

Nevertheless, efforts are being made in developing alternative energy sources to fossil fuels, like biofuel, hydroelectric, nuclear, solar and wind energy sources.

[SCMP, 29/05/2007]

Beijing vehicle ban cut pollution 20%, scientist claims

According to a scientist advising Beijing on its campaign to clean up pollutants ahead of the Olympics, a 20 percent cut in Beijing's air pollution was recorded as a result of the partial vehicle ban in the previous month, when more than 1.3 million vehicles, or about 40 percent of the city's vehicles, were taken off the roads.

Meanwhile, Hebei province, Beijing's neighbouring province, also announced its first substantial campaign to tackle pollution ahead of the Olympics.

[SCMP, 12/09/2007]

Forest plan deferred to save farms

An eight-year old scheme which encouraged farmers to plant forests has been suspended by Beijing. As per a State Council circular, the scheme has been put on hold to ensure that the area of the country comprising farmland would not fall below 120 million hectares by 2010, which is the minimum area of land assessed to be required for China to feed its population.

[SCMP, 12/09/2007]

New river diversion scheme in Yunnan raises old questions

To save the drought-hit provincial capital, Kunming, and polluted Dianchi Lake, the Yunnan government has revised its plan to divert water from the Jinsha River to Kunming via 479 km of channels; but environmentalists and geologists have expressed the opinion that the original plan and the new one are not much different. The new plan would need an even higher dam than the originally proposed 276 metres to flush Dianchi Lake, and the old issue concerning whether the beautiful Tiger Leaping Gorge would survive the canal project still remains.

[SCMP, 15/09/2007]

Asia

A disordered planet

Heavy rainfall is typical in south Asia during summer months, but this season's storms have been unusually fierce. Four monsoon depressions, double the usual number, have caused the worst flooding in memory in parts of Pakistan, India, Nepal and Bangladesh. Nearly 800 people have died and more than 20 million have been forced to leave their homes. More rains may be coming, according to forecasts. Aid agencies also called for attention to the possible outbreak of malaria and dengue fever.

[Times, 20/08/07]

Ebola virus wiping out apes as endangered species list grows

As per the 2007 Red List of Threatened Species, the western gorilla, the most common gorilla in the world, is now critically endangered, and is just one step away from extinction. In the last 10 years, the Ebola disease (which also affects human beings) has been the single largest killer of apes. If the disease continues unabated, we may lose all of the apes in 10 to 12 years. Not just apes are endangered; both redheaded vultures and gharial crocodiles are also in danger, but for different reasons.

In Asia, the redheaded vulture moved from 'near threatened' to 'critically endangered' due to deaths caused by ingestion of diclofenac, a painkiller given to ill or injured farm cattle. The chemical poisons the vultures when they eat livestock carcasses.

India and Nepal's crocodiles have also become critically endangered because dams, irrigation projects and artificial embankments have reduced habitat to just 2 percent of the crocodiles' former range.

[SCMP, 14/09/2007]

Australia

Call to keep Coral Sea's sharks off dinner tables

To protect the Coral Sea, off the east coast of Australia, from illegal shark fishing, (mainly for shark fins for the Asian market) WWF has launched a campaign to declare that the Coral Sea a vast marine park which would provide a refuge for tiger sharks, manta rays and other big and small marine creatures.

According to WWF, the number of big oceanic creatures, such as sharks, has dropped 90 percent globally since 1950. WWF has called on the Australian government to grant protection to 780,000 sq km of the tropical ocean.

[SCMP, 18/09/2007]

'Grunter hunters' lose ground in the battle to control Australia's wild pigs

It is estimated that there are 23 million feral pigs in Australia, outnumbering the people living in Australia by two million. They cause millions of dollars of damage to crops and even threaten the survival of endangered animals in rainforests.

Feral pigs can grow to a huge size, with adults weighing approximately 150 kg and equipped with tusks that can cause serious injuries. However, they are not edible because they carry worms and bacteria.

Pig hunting is popular in rural Australia and there is an army of Australians-- "Grunter Hunters"-- who spend their weekends stalking and hunting feral pigs. Nevertheless, these hunters are finding themselves increasingly outnumbered by wild pigs due to decades of inaction and squabbling among farmers, wildlife authorities and the government.

[The Standard, 03/10/2007]

The United States

The threatening storm

New Orleans is a city which is not only below sea-level, but also is surrounded by a rim of earthen levees and concrete walls designed to keep nature out. Two years after Katrina, the U.S. Army Corps of Engineers says the levees are back to pre-hurricane strength. New Orleans may be coming back to normalcy, but the risk remains.

The Corps started as a Revolutionary War regiment, but it evolved into an all-purpose engineering unit, eventually over-seeing local flood control on the Mississippi. The Corps built dams throughout the Mississippi basin. Unfortunately the levees have caused problems. The levees effectively wall off the river and trap its sediments behind giant dams. The Corps inadvertently choked off the land-building process. The river now carries less than half of its original sediment load down to Louisiana. As a result, the rate of land-building is slower than the rate of coast erosion, causing New Orleans gradually to sink. About 30% of the coast's wetlands have slipped into the river. Scientists and engineers warn that the Army Corps is likely to repeat its mistakes in the current rebuilding programme.

[Times, 20/08/07]

International

Livestock varieties on the way to extinction

According to the United Nations Food and Agriculture Organization, 20 percent of the more than 7600 breeds of farm animals and poultry are at risk of extinction. In the past six years, we have lost one breed every single month. And as such, it was suggested that rapid establishment of gene banks to conserve the sperms and eggs of the animals at risk are urgently needed.

[FT.com, 05/09/2007]

This Quarterly Report does not constitute legal advice given on any particular matter. Whilst all effort has been made to ensure completeness and accuracy at the time of publication, no responsibility is accepted for errors and omissions. Further information and enquiries in respect of this quarterly should be directed to Fred Kan & Co.

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Convictions under environmental legislation: August to October 2007

[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:

August 2007

Thirty-seven pollution convictions in August 2007

Twenty-three of the convictions were under the Air Pollution Control Ordinance, three under the Noise Control Ordinance, nine under the Waste Disposal Ordinance, and two under the Water Pollution Control Ordinance.

The heaviest fine in August was \$80,000, assessed against a company which imported controlled waste without a permit. A person, failing to engage services of waste collector, received a sentence of two months' imprisonment.

September 2007

Forty-one pollution convictions in September 2007

Twenty-six of the convictions were under the Air Pollution Control Ordinance, seven under the Noise Control Ordinance, six under the Waste Disposal Ordinance and one under the Water Pollution Control Ordinance and the Ozone Layer Protection Ordinance.

The heaviest fine in September was \$40,000, assessed against a company which used powered mechanical equipment without valid construction noise permit.

October 2007

Forty-one pollution convictions in October 2007

Nineteen of the convictions were under the Air Pollution Control Ordinance, nineteen under the Waste Disposal Ordinance, two under the Water Pollution Control Ordinance, and one under the Ozone Layer Protection Ordinance.

The heaviest fine in October was \$50,000, assessed against a company which discharged waste/pollutin matter into the water control zone.

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