

Institutional Changes for Conservation **Policy Address Submission 2010**

The Conservancy Association



長春社 Since 1968

The Conservancy Association

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長春社對施政報告 2010 的建議 (摘要)

政策範疇	建議
自然、古蹟及資源保育	
- 自然保育	<ul style="list-style-type: none"> - 檢討 2004 年新自然保育政策，訂定一個可持續的機制，主動優先保護受破壞威脅的生態敏感地區 - 擴展生態管理協議計劃，由現時的兩個項目，大幅擴展到其他具生態價值地點 - 協助成立一個全港性的環境保育基金，以更具彈性的方法保育具生態生景價值的地區 - 加速制定發展審批地區圖，涵蓋在鄉郊地區有生態和生景價值的土地
- 非法傾倒	<ul style="list-style-type: none"> - 修訂廢物處置條例第 16A 條，引入在私人土地擺放廢物前要取得有關部門許可的規定 - 增加運載紀錄制度的監察工作 - 加強各部門間的協調及執法，有效打擊非法傾倒
- 樹木保育	<ul style="list-style-type: none"> - 訂立樹木法 - 提供更妥善的樹木工作指引，確保良好的執行、保養和監察樹木管理質素的工作 - 增加綠化及園境辦事處和樹木管理辦事處的工作透明度
- 古蹟保育	<ul style="list-style-type: none"> - 設立文物古蹟保育基金 - 擴大古蹟辦的工作範圍，積極主動提出保育策略和時間表，確保所有已列入為古蹟的地點和文物(包括郵筒)，得到及時和妥善的保護
氣候變化及空氣污染	
- 氣候變化	<ul style="list-style-type: none"> - 在粵港合作協議的框架下，促成一個有民間參與的監察氣候變化委員會，為減少溫室氣體排放定立指標和措施
- 能源政策	<ul style="list-style-type: none"> - 修訂城市規劃標準及指引，為現有樓宇定下削減能源消耗目標 - 為小業主提供協助，以求達到節能目標 - 把可再生能源推廣至新工程項目
- 空氣污染	<ul style="list-style-type: none"> - 設立空氣質素管制區，制定行動計劃，令空氣質素達到健康指標 - 由政府提供補貼，把現時 18,000 部的士更換為電動車輛。電動車輛計劃亦應逐步擴展至公共小巴
- 單車政策	<ul style="list-style-type: none"> - 修改現行政策，把單車定為常規交通工具之一 - 為單車徑制定富彈性的設計標準，同時亦能與自然環境互為協調

CA Submission on Policy Address 2010 (Summary)

Policy Area	Suggestions
Nature, Heritage and Resources Conservation	
- Nature Conservation	<ul style="list-style-type: none"> - Review the 2004 New Nature Conservation Policy with the aim of achieving no net loss in biodiversity in Hong Kong. - Extend the Management Agreement (MA) scheme of the 2004 New Nature Conservation Policy to cover more sites other than the 12 priority sites. - Facilitate the formation of a territorial wide “Nature Conservation Trust” to enable more flexible and innovative means in protecting our biodiversity and natural landscape. - Expedite the process of publishing Development Permission Area Plans to cover all ecologically and topologically important areas especially those that are physically within existing Country Parks.
- Fly-tipping	<ul style="list-style-type: none"> - Revise Section 16A of Waste Disposal Ordinance by imposing a permit system for deposition of waste on private land - Strengthen monitoring works on trip-ticketing system - Strengthen inter-departmental co-ordination on law enforcement
- Tree Conservation	<ul style="list-style-type: none"> - Legislate the Tree Ordinance - Strengthen the guidelines on tree works to ensure the trees are properly maintained and managed - Improve the transparency of the works of the Greening and Landscape Office and the Tree Management Office
- Heritage Conservation	<ul style="list-style-type: none"> - Establish a Heritage Conservation Trust - Widen the terms of reference of the Heritage and Antiquity Office so that it can actively and positively formulate heritage conservation plan and time table to ensure the listed locations and items (including post boxes) can be properly and timely preserved
Climate Change and Air Pollution	
- Climate Change	<ul style="list-style-type: none"> - Establish a Climate Change Monitoring Committee (with NGO engagement) under the Framework of Guangdong-Hong Kong Collaborative Agreement to set targets and action plan for cutting greenhouse gases emissions in the region
- Energy	<ul style="list-style-type: none"> - Revise the Town Planning Standard and Guidelines to specify energy reduction targets for buildings - Help private building owners to achieve the specified energy reduction targets - Promote application of renewable energy in new projects
- Air Pollution	<ul style="list-style-type: none"> - Designate Air Quality Control Zones and formulate action plans to ensure the air quality can achieve the healthy standard - Subsidize the 18000 taxis to switch to electric vehicles and gradually extend the vehicle switching scheme to light buses
- Cycling	<ul style="list-style-type: none"> - Revise the current policy to recognize cycling as a mode of regular transport - Provide flexibility in designing cycle track so that the tracks can blend in with the natural environment

Introduction

1. The Conservancy Association (CA) foresees a year of opportunities and challenges for sustainable development of Hong Kong in the coming year of 2011. In the strong moment of development, China Mainland Central Government committed to cut 40% carbon intensity in the next 20 years at the Copenhagen's Climate Change conference. Reduction of exhaust emissions and saving of energy are now on the top of Central Government policy. Echoing to the Central Government policy, Guangdong Government has been pushing ahead industrial restructuring; dirty industries are being closed down and clean technologies are strongly promoted. The mission of the Guangdong Government has been set to seek for quality living, meaning better air quality, better water quality and better living space. The Guangdong-Hong Kong Liaison Group is negotiating a new set of targets to curb air pollutants for the next decade in the Pearl River Delta Region.
2. In the meantime, economic growth in terms of Gross Domestic Product growth still dominates Central and local government policies, including Hong Kong SARG. Shenzhen Government in celebrating its 30 years of economic reform and growth has announced a massive development plan at Qian Hai on the western coast of Shenzhen and about 10 km from the North Western coast of Hong Kong. President Hu has publicly supported the Shenzhen Government's further growth plan and called for active support and participation to Shenzhen development plan from commercial sector and government of Hong Kong.
3. Hong Kong and Pearl River Delta Region will encounter huge development pressures. Governments in the region will no doubt push ahead with massive development plans to satisfy with this development pressure. At the same time, these governments will have to meet international, national and local expectations to conserve the environment and heritage in 2011. Development and conservation, if not handled well, can create conflicts, sometimes can be harmful with unexpected loss. One of the recent more noticeable events is the Sai Wan incident. This incident fully reveals the strong public support for conservation and the lack of institutional support for conservation. Many government departments were involved in land and environmental administration. However, none of these government departments has the power to stop the destruction. The related conservation legislations, including the Town Planning Ordinance are not clear; making prosecution very difficult if not impossible.
4. CA in this year's submission stresses the need of institutional changes to strengthen the tasks of conservation in the midst of foreseeable massive development. In this submission, CA particularly points out changes that have to be made in the areas of nature and heritage conservation, climate change and air pollution as well as energy consumption in the coming year and hopes that the Chief Executive, Donald Tsang will respond in his Policy Address to be announced in October 2010.

Nature Conservation

5. In 2002, the international community set 2010 as a deadline to achieve significant reduction in the rate of biodiversity loss. However, progress has been slow. As a result, the United Nations has declared 2010 as the International Year of Biodiversity¹ to raise public awareness of the importance of biodiversity to mankind. The COP10 of the Convention on Biological Biodiversity will be held in Nagoya, Aichi Prefecture, Japan, from 18 to 29 October 2010 and one of the main tasks is to review what has gone wrong and how we could protect our biodiversity better.
6. The Hong Kong SAR Government released its New Nature Conservation Policy in November 2004. This new policy states that existing conservation measures are sufficient to protect nature and biodiversity of Hong Kong except certain biodiversity hotspots that are found on private land. The focus of this new policy is thus on private land with high conservation value and 12 such sites were identified for enhanced conservation. Two schemes: Public-Private Partnership (PPP) and Management Agreement (MA) were proposed to conserve these 12 sites. However, after almost 6 years, only two of the 12 sites have come under the MA scheme. To date, no PPP has been implemented (one PPP is said to be being processed).
7. Meanwhile, unauthorized development such as fly-tipping, land filling, road development and large-scale tree felling affect many of our natural habitats that are outside the protected area systems of Hong Kong, some of which took place on government land². The recent controversy at Tai Long Sai Wan is just one of the many cases and similar cases are on the pipe line. Clearly, the New Nature Conservation Policy is not adequate in protecting the 12 sites, let alone the fact that there are still many valuable sites outside these 12 priority areas. The new challenges in recent years are increasingly eating up our natural treasures.
8. Lastly, it is stated in the 2004 New Nature Conservation Policy that “Establishment of a nature conservation trust can facilitate pooling of funds from all sectors to sustain nature conservation effort”. The Government has indicated in the 2004 policy that “they will further examine the idea”. In the last 6 years, there has been much debate and discussions through informal and formal events e.g. conferences, between NGOs, the New Territories Heung Yee Kuk and the business sector on the formation of the nature conservation trust. There is strong consensus in the society for the need of a nature conservation trust. It is the time now that the Government should take the lead in facilitating the formation of a Hong Kong Nature Conservation Trust.
9. **Recommendations:** CA proposes that **a review of the 2004 New Nature Conservation Policy is urgently needed**. As we had pointed out during the preparation of this 2004 policy,

¹ <http://www.unep.org/iyb/>

² A database showing recent destructions of our natural treasure (香港自然景物破壞地圖)
<http://www.cahk.org.hk/conser/mapphotos/index.htm>

the scope of the policy should cover all aspects of nature conservation rather than just looking at private lands. We reiterate that Hong Kong needs a comprehensive nature conservation policy which is aimed at rectifying the Convention on Biodiversity and achieving no net loss in biodiversity. The review should at least include:

- A preparation plan to rectify the Convention on Biological Diversity; The identification of all sites of high conservation value that are outside the current protected areas of Hong Kong in addition to the existing 12 priority sites;
- Expedite the process of publishing Development Permission Area Plans to cover all such sites identified above, including the 12 priority sites, as a temporary measure to secure those sites from unsuitable development.
- Extend the MA scheme to cover all such sites identified.
- Facilitate the NGOs and the business sector in the formation of a territory-wide Nature Conservation Trust.

Fly-tipping

10. The fly-tipping incidents in Ho Sheung Heung and Luk Keng last year is a sure sign that the current control regime is insufficient and ineffective. These illicit activities have encroached upon lands of high conservation value and continued to spread unabated.
11. As mentioned in our submission last year, some landowners took advantage of the loophole of the Waste Disposal Ordinance (WDO) to allow construction waste disposed on their own land, even pieces of land zoned as agricultural land in Outline Zoning Plans. One concomitant is that some landowners have unwittingly received construction waste on their land as those fly-tippers could always claim they had the prior approval of the owner. Section 16A of Waste Disposal Ordinance should be revised and a permit system be imposed.
12. Current fly-tipping case originated from government worksite reflected a need to further strengthen the monitoring works of trip-ticket system which intends to ensure proper construction waste disposal to designated disposal facility. These measures should be enforced simultaneously to make fly-tipping unsustainable.
13. The key issue remains inter-departmental co-ordination and enforcement. We should not accept any land degradation in countryside again caused by shunning responsibility among various departments.

Tree Conservation

14. After setting up the Tree Management Office (TMO) in February 2010, many efforts had been put on tree risk assessment and management. However, it is very sad that another tree related fatal accident was still happened in Yuen Chau Kok, Shatin on 14th June 2010. This accident showed once again some fundamental problems on tree management in Hong Kong.

15. From the Shatin accident, it clearly showed that quality of tree risk assessment has no improvement after the set up of TMO. Before the accident, TMO just announced that risk assessment works for most trees with the highest risk were completed. The failed tree was also inspected a month before the accident. Reviewing the existing defeat of the tree risk assessment and management procedures, i.e. Competent tree risk assessors and long term programme for training up more qualify assessors are necessary for improving the quality of tree risk management.
16. In view of the worry about potential hazard caused by tree, different government departments or private owners of trees carry out pruning works as hazard abatement. However, most of the pruning works carried out in the wrong ways, which damaged the trees and likely would become the root cause for future tree problems. In fact, most of the structural problems of trees nowadays are caused by previous poor pruning. Establishing potent pruning guideline on at least technical circular level should be considered to drive the improvement.
17. Although Tree Ordinance is not a panacea for poor tree management, plan for the enactment of Tree Ordinance is necessary in the long run for providing legal framework to facilitate good management and establish penalties. Since one of the key works for TMO is to upgrade tree management works in Hong Kong, a comprehensive tree management system has to include Tree Ordinance as the ultimate goal as tree protection tool.

Heritage Conservation

18. The ravage on Hong Kong's heritage continues: the substandard site management of Wun Yiu, the conversion of graded buildings into columbarium, and the negligence of heritage letter boxes are just a few examples.
19. The terms of reference of the Heritage and Antiquity Office should be widened so that it can actively and positively formulate heritage conservation plans and time tables to ensure the listed locations and items, including letter boxes, can be properly and timely preserved.
20. This is the tenth year CA proposed the idea of a Heritage or Conservation Trust in our policy submission. As institutional changes take years to accomplish, we do not expect the task could be completed next year. But the groundwork should be laid as soon as possible.

Climate Change

21. In our submission last year, CA called upon the Administration to *shoulder our responsibility to cut GHG emission to a minimum of 25 per cent over 1990 levels and adopt a "Kyoto-plus" policy*. We are disappointed that the CE still maintained a reduction in energy intensity of at least 25% by 2030 (with 2005 as the base year) in his policy address last year which would not

necessary contribute to GHG emission reduction.

22. Subsequently to the UNFCCC 2009 held in Copenhagen from December 7 to 18, individual developed countries is expected to set up a mid-term emission reduction target at 25% to 40% below the 1990 level by 2020, while developing countries will be given a long-term target to reduce worldwide emissions by at least 50% by 2050. Hong Kong as an affluent territory should shoulder our own responsibility and CA's demand to set a target of 25% GHG reduction below 1990 level by 2020 is a minimal we should commit.
23. CA welcomes the Administration to co-organize the C40 Large Cities Climate Leadership Group workshop to be held in Hong Kong from 3 to 6 November 2010. We believe that the workshop will raise the public awareness of the climate change issues. We also urge the Administration, as a co-host of the workshop, take a lead by committing the CA proposed GHG emission target.
24. In 2007, the Administration set up the Inter-departmental Working Group on Climate Change to strengthen co-ordination of efforts in tackling climate change amongst the relevant bureaux and departments. The Working Group may have supported Government to prepare the UNFCCC 2009 and the coming C40 meeting; it has not been able to mobilize public support. CA proposes to establish a Climate Change Monitoring Committee (with NGO engagement) under the Framework of Guangdong-Hong Kong Collaborative Agreement so that GHG emission reduction targets for both Hong Kong and the Pearl River Delta region can be set and implemented with both Government and NGO efforts.

Energy

25. Towards this end, CA strongly supports the introduction of a bill for the mandatory implementation of the Building Energy Codes. In addition to this legislative change, the Town Planning Standard and Guidelines should also be revised to specify the building energy consumption targets. We would like to see that the total energy consumption in 2010 should be at least 5% less than that of 2009.
26. In Hong Kong, 90% of the energy used is in buildings and the air conditioning plants in commercial buildings are the major users. Many of these chiller plants are more than 10 years old and their efficiencies are low in today's standard. The government should have means and incentive to help these building owners to replace their chiller plants. Once it is done, a 10% energy saving is easily achieved.
27. At the moment, the knowledge about how to achieve energy saving is within the professional groups and the big property management companies but not the small private building owners (OCs), there should be ways or bodies to transfer these technical knowhow to these OC people

so that they can understand how to conduct energy audit and to carry out retrofit works.

28. More effort should be given to help all NGOs to carry out energy saving works in old age homes, subsidy schools, community halls/centers to achieve energy saving.
29. There should be policy and practice notes for government departments, developers to use renewable energy products whenever possible in new projects as well as major renovation projects. Failure to do so will lead to project fund reduction or disapproval of building plans.
30. The recommended applications for renewable energy are public area lighting in the New Territories (could save the cabling work), solar hot water system for villas or town houses, photovoltaic system for essential lighting system in multi-story buildings, landscape lightings in parks and gardens, etc.

Air Pollution

31. Air pollution continues to be top of a public health concern issue. Air pollutants come from Pearl River Delta regional as well as local sources. To control the regional sources, it is imperative to continue set the regional emission reduction targets under the Guangdong – Hong Kong Collaborative Framework Agreement on Environmental Protection. To this end, expert groups and stakeholder groups (including NGOs) should be formed to mobilize all resources in the community to help formulate and implement the reduction targets.
32. To control the local air pollution source, the bill on switching off idling engine tabled at the Legislative Council sparked off a heated debate in the hot summer of 2010. CA has been supportive of passing this legislation as vehicle emissions at idling pose adverse health impacts on pedestrians and people working at roadside. CA urges the Administration and legislators to pass this bill with no more additional exemptions. The exemption clauses can be reviewed at the end of first year implementation.
33. CA further proposes to designate Air Quality Control Zones (AQCZ). Urban areas such as Mongkok and Causeway Bay where pedestrian concentration is high should be designated AQCZ. The air quality within the AQCZ, including the roadside, should comply with the AQO. Action plan should be formulated to ensure the air quality can achieve the healthy standard. Taxis and other commercial vehicles are the main sources of air pollutants in urban areas. Although taxis have been switched to LPG vehicles since 2000, it continues to be very polluting as Government roadside remote sensing data show that the exhaust emissions of LPG taxis far exceed the regulated emission levels. It is possible that the taxis run for 24 hours a day and thus their maintenance is poor. The catalytic converters may no longer work at full efficiency. To improve this situation, one logical solution is to switch the LPG taxis to

electric battery powered vehicles. This is in line with the stated Government policy to promote electric vehicles. The electric vehicle initiative should gradually be extended to light buses.

Cycling

34. Another solution is to promote non-motorized transport, i.e., cycling. CA made a submission last year to urge the Chief Executive to consider taking the following immediate actions: to improve the current cycling facilities in new towns so as to recognize cycling as a regular mode of transport in these areas; the cycling infrastructure should observe the five principles, i.e., connectivity, directness, attractiveness, safety and comfort; to monitor the implementation of cycling activities in these new towns with an intention to further promote cycling in other parts of the Territory; to exercise flexible design standards on cycle track provisions so that these track can be blended in with the natural environment. We continue this call for action this year.