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Message from the Chairman, Betty Ho, Chairman, Conservancy Association

Back in 1968, little was said about environmental protection and conservation in Hong Kong. Economic growth and social stability were the prime concern of the time. Yet a few people who had the vision and passion on environment started the very first environmental group in Hong Kong. This year, The Conservancy Association celebrates her 40th year of history.

In the past decades, the pace of development has been rapid and the desire for economic prosperity seems to have overridden the need for protecting our environment. Now, Hong Kong faces severe environmental problems such as climate change, air pollution and air ventilation problems, heat island effect, waste management, energy supply, nature and built heritage conservation, etc. We started as a lonely voice 40 years ago and the title of our journal, “SOS Environment” then seemed remote to a lot of people. With all these threats and crisis emerging, we now witness the development of many more green groups and the growing empowerment of the citizens.

This book, which was mainly written by the late Dr. Chan Wai Kwan, is not only about the 40 years of history of The Conservancy Association. It is a history about conservation and environmental movement in Hong Kong and how we, as citizens, strive for a better and sustainable living environment. It is a testimony of how The Conservancy Association came into being, how we pioneered the environmental movement and how we advocated for heritage conservation as well as sustainable development. There are cases where we succeeded, cases that we failed, lessons that we learnt and efforts that we paid for finding the sustainable path to the future.

As we move on, we will probably be facing more challenges. However, with the increasing understanding and support from the community, we are confident that Hong Kong will revert to becoming a more habitable place for all.

Author's Foreword

The Conservancy Association's Current Affairs Committee, of which I have the privilege of being Convenor since 1995, holds a regular lunchtime meeting every week. Well, maybe not every week literally as we do slip sometimes, but over the past years we did manage to get together twice out of three times, perhaps more. For me at least, the experience has been most rewarding.

I hope these pages will allow a glimpse of CA's many labours in advocating a quality environment for Hong Kong. As a group of volunteers supported by a small secretariat and a dearth of resources, we have discussed and debated the environmental issues of the day both among ourselves and with our counterparts in government, business and civil society. What we exchange over the meeting table is rarely theories or ideologies but usually ideas and comments on specific policies and issues that affect the lives of actual people around us. When we need to wage battle over some calamity or others our only weapon is the pen and the occasional banners or green ribbons. Sometime we win, often we lose, always we learn.

I pay tribute to the various stakeholders with whom we have engaged over the years: other friendly green groups, the business sector, developers, the media, politicians, and the various government departments. Through our encounters we have shared many moments of patient understanding, endured misunderstandings, traded criticisms, found some wisdom, seen many follies or plain banalities, and experienced the occasional sparks of brilliance. All are agreed on sustainable development as the way forward, for us success means more concrete progress, for some progress means more concrete. But we shall persevere. If in the end we have done some good for Hong Kong, they, whether as our ally or adversary, will have also had their due contribution.

The 140 cases described in this book are to illustrate these encounters of CA. I have not tried to be exhaustive whether in selecting them or in reporting the details of every case. Rather, my aim is to relate them to CA's work. Nor is this meant to reflect every aspect of what CA does. My focus is on the "current affairs", those that have to do with government policies or current issues of public interest; in short, CA's advocacy agenda. Hence the huge amount of work by CA on publicity promotion and public education is only briefly reflected in a few news-breaking cases.

In ordering the cases I have tried to strike a balance between a broad chronological order and some meaningful clustering. The final product reflects my own preference and prejudices for which, and for any other errors, inaccuracies and omissions, the responsibility is entirely mine.

I want to thank the early advocates of CA, the many fellow members of the Current Affairs Committee throughout the years, and the longsuffering secretaries of the Committee at the CA office, particularly Law Wai Yan, Kate Choy, Martin Wan and Peter Li for their excellent support.

WKC

Preface

Conservancy Association: The Beginning

By Hung Wing Tat and Chan Wai Kwan

The bustling port of Hong Kong in 1955 was the destination of a young commander of the British Army, John Pain. He enjoyed working in Hong Kong and in 1964 he joined the Hong Kong Tourist Association, an organization he was later to spend 23 years serving. He, a country man, together with his friends Prof. Brian Loft and Jeremy Brown who were brought up in the Scottish and Welsh countryside, are genuine nature lovers. Friends before coming to Hong Kong, they had a habit of roaming the countryside together during weekends.

The three friends were soon joined by the strong-willed Scottish lady Agnes “Agony” Black who moved to Hong Kong after a long stint in Beijing. They wanted to give a name to themselves; Agnes suggested the name “Banyan Tree” but the men decided that they would name themselves “Bauhinia’s Circle”, after the floral emblem of Hong Kong. That was in 1967.

Their regard for the Hong Kong countryside came at just the right time as the Hong Kong government made plans in 1968 for a “Provisional Council for the Use and Conservation of the Countryside”, an idea from a government-commissioned report “Conservation of the Hong Kong Countryside” in 1965 by Lee M Talbot. Between rounds of country-roaming and chit-chatting about life in the British colony, the Bauhinia’s Circle made their cause known to the Hong Kong government, mostly through persistent phone calls to officials by the indefatigable Agnes Black promoting tree planting or complaining of hill fires.

The idea of forming an association came during one of these walks when three friends saw the mass destruction of the village land, mainly because of the influx of the Chinese settlements and the rapid road works and industrial expansion. They knew that that had to be changed, so they talked about forming an interested group to preserve Hong Kong’s countryside. As a senior person at the Hong Kong Tourist Association, John also saw the necessity of stopping the littering habit of the local residents. Like good young men in those days, the three friends, John, Brian and Jeremy, started a litter collection campaign at a very dirty bay between Tsuen Wan and Tuen Mun. They picked the litters among the beach-goers which got widely reported in the newspapers. The next time they went to the same beach, the local boys picked up the litters with them.

And so, one day in October 1968 when they were gathered at the “Virgin’s Retreat”, a.k.a. Helena May Institute on Garden Road of which Agnes Black was a member, the Zoology professor of Hong Kong University, the young partner from Jardine Matheson, and the Scottish lady from Beijing joined the Assistant Director of the Hong Kong Tourist Association in declaring themselves the Conservancy Association – thus was born the first ever green group of Hong Kong.

In choosing the name “Conservancy” both the expertise of Messrs Brian Loft and John Pain were called upon. Professor Loft had been organizer of an earlier international conference on conservation and in the course of doing so he had sought to harness the experience of the HKTA in doing conferences. So when they considered the name of the new association, “Conservancy” was the term that satisfied both the scientist and the marketing man as being one that would best suit their purpose.

Soon they recruited Robert Rayne, the scholar from Lincolnshire who enjoyed walking the hills of Hong Kong whilst not attending to his duties as Vice President of the Chinese University’s Chung Chi College; and Michael Webster, a keen bird-watcher who frequented the Mai Po marshes. Through Prof Loft, many of his academic colleagues were drawn into the work of the Association, including Sir Lindsay Ride, former Vice Chancellor of Hong Kong University and Dr Hu Shiu Ying, renowned botanist at Chinese University. The Chinese name of CA was probably given by Hu, a self-contained young lady who was the first local Chinese to participate in the work of the Association although she only formally joined later after much persuasion.

John Pain was regarded as the Chairman among them although no election was held; it was all very informal. They were later joined by a junior biology teacher Father Harold Naylor of Wah Yan College Kowloon who was initiated into conservation education after a five-day ecology course at Hong Kong University earlier; the Irish priest caught Robert Rayne’s eyes by his insistence to bring students outdoors instead of just imparting knowledge in the classroom. A conference in March 1969 on the Development and Conservation of the Countryside organized by Professor Lofts at Hong Kong University provided another occasion for them to expand their network.

Though still relatively amorphous, the group took their business increasingly seriously, the boardroom of the Hong Kong Tourist Association at Realty Building becoming their regular meeting place. Importantly, when handling CA’s work John had strong support from his personal assistant, Teresa Chen who was an animal lover. In late 1969, slightly more than a year after the group was founded, it was formally registered as a society. But it wasn’t until 1970 when the first proper Annual General Meeting was held, at which Robert Rayne was elected Chairman with Michael Webster as Secretary. The Second AGM was held on 21 October 1971, the year that saw social activist Dr LK Ding joining their ranks. In the same year John Pain himself had been elevated to become Executive Director of the HKTA.

In the early days of CA, everyone worked on a voluntary basis, there was no permanent staff and strictly speaking no office space of its own. Soon it became apparent that CA could not continue like that without having its own office and staff. A membership drive and fund raising campaign was launched, with all 111 individuals and 31 companies declared “Founding Members” in May 1972. According to a full-page advertisement on the South China Morning Post on 11 May 1972, the Conservancy Association’s founding firms included many major names in the corporate sector, such as AIU, BAT, Caltex, Chartered Bank, China Light and Power, Esso, Gammon, Hong Kong & Shanghai Bank, Hong Kong & China Gas, Hutchison, IBM, Jardine Matheson, Jockey Club, Mobil, Shell, Wharf, and Worldwide Shipping. Through Dr LK Ding’s connection, the Association got office space provided by the Methodist church on the

seventh floor of Metropole Building, 57 Peking Road, while Robert Raynes made a personal grant to finance the office equipment. There was enormous generosity and goodwill. The membership fee and sponsorship collected was sufficient for CA to maintain the office and install a small staff to run its activities.

After CA's office moved away from the HKTA, John gradually drifted away from the core of CA, although he remained ever generous in giving time to the Association. Professor Brian Loft left Hong Kong later and Jeremy Brown as Managing Director of Jardine flew all around the world and was never permanently stationed in Hong Kong. These initiators completed their romantic tour with CA and moved on, carrying with them the fond memories of the old days and the good wish that Hong Kong will ever be striving to become a better place.

(This is a reconstruction from notes of an interview with John Pain by Hung Wing Tat on 4 August 2008, and snippets provided by John Pain, Father Naylor and the late Dr LK Ding.)

Part I
Early Encounters

Where precisely, in Hong Kong, is the public input into environmental policy making? Can we honestly, as conservationists, or even as citizens of no mean city, accept a situation in which Big Brother knows best? It is easy to say 'No', but much harder to find out how we can make ourselves felt. Perhaps we have to become politicians after all.

Michael Webster, Editorial, *SOS Environment*, June 1975

1. Conservancy Association founded

The origin of the Conservancy Association can be traced to a meeting in October 1968 among a few expatriates who decided to form a group to protect the environment. Initially calling themselves “Bauhinia’s Circle”, they were formally registered as “The Conservancy Association” in 1969.

As recounted by John Pain, one of the founders who later became Executive Director of the Hong Kong Tourist Association,

It will make you laugh when I tell you that the inaugural meeting was held at the “Virgin’s Retreat”, a.k.a. Helena May Institute on Garden Road. There were about four people. I have contacted two, namely Professor Brian Lofts of HKU (Endocrinology), a vice chancellor in his days, and Jeremy Brown of Jardine Matheson (became M.D. later). The third was the loveable “Agony Black”, a strong-willed Scottish lady who lived in China most of her life and came to H.K. from Peking. (Private correspondence, 25 January 2007)

The Association’s Chinese name was 長春社 (meaning “Ever-Spring Society”), with a second name known as 香港保護自然景物協會 (or “Hong Kong Association for the Protection of the Natural Realm”). In the next few years the Association attracted a strong following, both individuals and corporations. According to a full-page advertisement on the South China Morning Post on 11 May 1972, the Conservancy Association’s Founding Firms included the following, many being major names in the corporate sector (total 31):

American Friends Service Committee
American International Underwriters Ltd
British-American Tobacco Co (HK) Ltd
Butterfield & Swire Ltd
Caltex Oil Hong Kong Ltd
The Chartered Bank
China Light & Power Co Ltd
Dodwell & Co Ltd
Esso Standard Oil (HK) Ltd
Gammon (HK) Ltd
Hutchison Int’l Ltd
Olivetti (HK) Ltd
The HK & China Gas Co Ltd
Hong Kong Commercial Broadcasting Co Ltd
Hong Kong Hilton
The Hong Kong & Kowloon Wharf & Godown Co Ltd
The Hong Kong & Shanghai Banking Corp
IBM World Trade Corp
ICI (China) Ltd
Jardine, Matheson & Co Ltd
Mei Foo Investments Ltd
Mobil Oil (HK) Ltd
Mok Ying Kie

Oxford University Press
Peninsula Petroleum Co Ltd
Rank Xerox
The Royal HK Jockey Club
The Shell Company of Hong Kong Ltd
Union Insurance Society of Canton Ltd
The Wing On Bank Ltd
World-wide Shipping Ltd

The following were named as individual Founding Members (total 111):

The Rt. Rev. J H G Baker
Miss Agnes Black
Mr Gus Borgeest
Mr Jeremy Brown
Mr Frederick Brunn
Dr & Mrs J Carey-Hughes
Mrs Helen Chan
Mr Robert Chan Hon
Dr Samuel T H Chan
Mr Chan Shu Sun
Dr Chang Shu Ting
Mr Chau Cham Son
Mr & Mrs J A Cheetham
Mr T C Cheng
Miss Chow Pak Ham
Mr N Croucher
Mr & Mrs P A Daley
Mr & Mrs H A Dangler
Dr & Mrs G C Dansey-Browning
Mrs J S Davidson
Dr L K Ding
Mr Perry Z Draganich
Dr A R B Etherton
Mrs Kenneth Fung
Prof W G Gregory
Mr G K Harman
Mr C J Hoddiaott
Mr John A Holt
Dr Hu Shiu Ying
Dr Denny M H Huang
Mr R S Huthart
Mr Hugh Gibb
Mr & Mrs D A Gilkes
Mr H Kadoorie
Mr Ralph Karr
Miss Elma Kelly
Mr Lamson Kwok
Mr Lam Chik Ho

Mr & Mrs Lee Kam Woon
Mr & Mrs Q W Lee
Dr Richard C Lee
Mr & Mrs Lee San Wai
Miss Martha Lesser
Mr & Mrs Li Fook Hing
Dr D Y Lin
Mr K S Lo
Mr & Mrs Robert K L Lo
Prof Brian Lofts
Mr H P Lok
Mr & Mrs John L Marden
Dr Y P Mei
Mr & Mrs MacCrimmon
Mr Ng Chun Man
Mr Ngan Shing Kwan
Mr & Mrs D C P Nixon
Mr John H Pain
Mr & Mrs K C Pang
Mr & Mrs Jon Prescott
Mr Robert N Rayne
Mr & Mrs O'Donnell Redfern
Sir Lindsay & Lady Ride
Dr & Mrs David G Robertson
Mr & Mrs W G Robertson
Dr K E Robinson
Mr R D Rodgers
Dr & Mrs A T Roy
Miss Mary E Runyan
The Hon G M B Salmon
Dr Shen Philip
Mr Shum Sui Sang
Miss Shum Suk Kuen
Mr Shum Yau Sang
Mr & Mrs Richard Siegert
Mr J C B Slack
Mr Szeto Wai
Mr & Mrs M C R Talamo
Mr C L Tam
Mr Tang Pak Lai
Prof & Mrs L B Thrower
Dr & Mrs L B Trott
Mrs Tonia Walls
Mr D D Waters
Mr Alan Waudby
The Hon Wilfred S B Wong
Mr & Mrs J M Weedon
Mr Yau Hon Ti

Dr Yung Chi Tung

The first “Life Members” of the Association included (15 names):

Miss Sharon Au
Mr Joseph S Brooker
Mr Roger A Ellis
Mr Simon Ellis
Mrs Pauline Gordon
Miss Joanne M L Leung
Fr Harold Naylor
Fr John Russell S J
Mr Ronald W Smith
Mrs Susan Mary Smith
Mr Peter Stafford
Mr M J E Thornhill
Dr B S Vaughan
Mrs Mary Visick
Mrs Patricia Williams

From the beginning CA has taken on a dual role as both critic and partner of the government. Starting with pollution caused by the tanneries at Sheung Shui, CA acted as a vocal environmental watchdog putting pressure on the government. Its role as a pressure group was so prominent that later in 1979 it was revealed to be under the watch of a secret government body known as the Special Committee on Pressure Groups. At the same time, CA cooperated closely with the government in environmental education both in schools and for the general public. This dual role has been reinforced throughout CA’s 40 years of history.

2. A pioneer in environmental education

The Education Committee of the Conservancy Association was formed in 1971 with Father Harold Naylor of Wah Yan College Kowloon as its first chairman. It heralded the many environmental education activities of the CA.

The Education Committee quickly found a willing partner in the Education Department of the Hong Kong government. In 1973 the Department developed an education programme to provide training for teachers on environmental education at primary and secondary levels. In the same year, CA led a major drive to help secondary schools establish Conservancy Clubs, with 41 being inaugurated on 29 September 1973 at a ceremony held at Wah Yan College officiated by Fr Naylor and the Education Department.

The following years were probably the most productive for CA in environmental education. The Education Committee benefited especially from the commitment of an Advisory Inspectorate of the Education Department, Mr KK Lai 黎家駒, who helped in nearly every major educational project among schools. Mr Hui Ho Tung 許皓東, a Biology teacher of Wa Ying College, also made substantial contributions as Chairman of the Committee from 1976. Under their leadership, the Committee directed major projects such as Shore Watch and Acid Rain, both involving a large number of secondary students.

In 1972, the Education Committee oversaw the first Youth Environment Forum, which led to the formation of the Youth Environment Action Group (YEAG). In 1973, YEAG started publishing a quarterly magazine *SOS Environment* 協調, with Michael Webster as the first editor from CA, and Ho Lok Sang 何灝生 as the first editor from YEAG. This author was Chief Editor in 1979 and 1980.

In 1976 the Education Committee decided to publish a glossary of environmental terms. The task was later taken up by the YEAG, with Mobil Oil as sponsor. The bulk of the Glossary was written by two undergraduates, including this author, and YEAG member Ng Ho Keung, then a summer returnee from Edinburgh University, in the summer of 1979. The 200-page book (then described as “Abbreviated Glossary”) was published later in the same year.

From 1980 the Education Committee began to fade, but not so CA’s work on environmental education. An “Environment 80” TV series was produced in cooperation with RTHK in 1980. *SOS Environment* was discontinued in the same year but was replaced by a newsletter. In 1981 a Conservation Awards Programme modeled on the Duke of Edinburgh Award was launched, although it proved short-lived. In 1988, CA established the Hong Kong Environment Centre within the CA office as the first environmental resource centre open to the public. The Centre’s first few years of operation was supported by a grant from the Asia Partnership for Human Development which enabled the Centre to, among other things, launch a publication known as *Green Alert*. In 2006, the Hong Kong Environment Centre was transformed into the Conservancy Association Centre for Heritage (CACHe).

Young people have remained the main target of CA's effort in environmental education. In 1990 a Young Green Leader programme was launched with the participation of 20 secondary schools and 200 student leaders. This evolved into the Environmental Pioneer Scheme in 1992, a training programme for young volunteers which ran for eight years until 2000. A first ever Environmental Games Workshop and Carnival in 1997, and a Green Interpreter Scheme for tourist guides in 2000 are examples of other innovations in environmental education by the CA.

3. The Earth Conference 1972

The United Nations Conference on the Human Environment, held in Stockholm on 5-16 June 1972, was an epochal event signifying global recognition of environmental problems. This first “Earth Conference” set off the international movement on environmental conservation and sustainable development. The inaugural day of the Conference, 5 June, was thereafter named World Environment Day.

CA was the only Hong Kong presence in this historic conference through the participation of Father Harold Naylor. As Father Naylor described it, “Sentab, a Swedish engineering company that had much experience boring tunnels through the granite of Hong Kong, sponsored my stay in Stockholm. They were trying to get a contract to build underground oil storage on Lamma Island for the proposed oil refinery, which never materialized.”

At the Earth Summit itself, “There were ministers from governments from around the world. But the NGO’s had their own meetings, and they numbered over four thousand! They were environmental pressure groups, each with a specific aim. I was completely unprepared to attend such a gathering with so many conflicting views. There were stalls and exhibitions on everything, from housing schemes to the ozone layer, radiation risks to alternative energy sources, from wild life preservation to the importance of wetlands. I had nothing to contribute and very little to urge, as I was so new to environmental matters.”

The Conference produced a Declaration and an Action Plan. The United Nations Environment Programme (UNEP) was created as a result of the Conference. Many of today’s global environmental campaigns, such as sustainable development and climate change, have emanated from the 1972 Conference.

4. Youth Environment Action Group

The first Youth Environment Forum was held on 21-24 August 1972 at the Chinese University campus. Some 90 senior secondary school students and university undergraduates took part in the residential camp. With a theme on environmental conservation, the programme included visits to Mai Po, Kadoorie Farm and Sheung Shui tanneries.

From the Forum came the idea of creating a youth arm of CA, thus was formed the Youth Environment Action Group (YEAG). An ad hoc group was appointed after the Forum with David Wong Oi-yee of Chinese University as Chairman in 1972. He was succeeded shortly after by Li Pak Cheong in 1973. YEAG's membership was open to young people under 30, with an Executive Committee made up of post-secondary students and undergraduates. In 1974 Wan Sek Lun became Chairman, and among his Executive Committee was one Chui Lap Chee, a Biology post graduate who progressed from being Publication Secretary of YEAG then to Vice Chancellor of Hong Kong University today.

The Youth Environment Forum became YEAG's flagship annual event. From the second Forum onward, pre-forum study projects were conducted and the Forum itself became a week-long affair consisting of seminars, field survey, visits and a concluding Main Forum. The fourth Forum in 1975 had the most participants (140 people) and that cohort has generated the most active and long-lasting members of CA. At the time of CA's 40th Anniversary, three of them are still active in CA's board, including the present Chairman Betty Ho, a past Chairman Albert Lai, and this author.

1975 was also the year when YEAG's membership reached its height at 170. Under the Chairmanship of Wan Sek Lun, the group exuded seemingly boundless energy, setting up the School Conservancy Club's Liaison Board (SCCLB), extending its activities to 21 youth centres, as well as organized the 1975 Asia Youth Conference on Environment and Education on 20-30 December together with the International Youth Federation. Held at Morrison House of Hong Kong University with sponsorship from UNESCO and IUCN, the conference was the first of such international events in Hong Kong, with representatives from nine countries sharing their country reports and joining site visits, workshop and seminars.

Ironically, the height of YEAG also saw the beginning of its demise, when the somewhat idealistic youth began to be embroiled in constitutional amendment and administrative restructuring rather than action campaigns. In between busy activities, an Extraordinary General Meeting was held in August 1975 to empower an ad hoc committee to study YEAG's structure, which produced a report in October 1975 recommending the formation of a Constitutional Amendment Committee which formulated proposals that were subsequently adopted in the AGM the following January.

The YEAG of 1976, under the Chairmanship of Elsie Yuen, continued to operate with five committees on Publication, Documentation, Programme, Public Relations and Membership. It was as busy as ever: besides the summer Forum, it organized work

camps, monitored current affairs, and put together an environmental festival with the SCCLB. At times YEAG's youthful energy was spent wrestling with its mentor, the CA; YEAG members (including the current Chairman Betty Ho) disrupted CA's AGM in October 1976, challenging openly the lack of transparency in the election to CA's Executive Committee. The youth members even forced an impromptu motion to be carried to amend and improve CA's constitution.

Despite that, YEAG's 1977 annual report acknowledged that members' participation had been below par. In 1978, when Albert Lai took over as Chairman, membership declined to 100 and thereafter YEAG gradually fizzled out. Happily, many YEAG members have stayed with CA and remained committed members.

5. School Conservancy Clubs Liaison Board

On 1 November 1975, the School Conservancy Clubs Liaison Board (SCCLB, 保護環境學會聯校協進會) was established by YEAG as a “self-administered” group but with “intimate connections with YEAG and CA”. For several years, Wah Yan College Kowloon was the venue for the election of the SCCLB’s Board.

The founding members of SCCLB included 21 secondary schools:

- Cheung Sha Wan Catholic Secondary School
- Chuen Yuen College
- Diocesan Girls’s School
- Hong Kong Tang King Po College
- Kwun Tong Maryknoll School
- La Salle College
- Lutheran Middle School
- Maryknoll Sisters’ School
- Pope Paul VI College
- Queen’s College
- St Bonaventure College and High School
- St Joseph’s A/C School
- St Joseph’s College
- St Mary’s Canossian College
- St Paul’s Co-ed College
- St Paul’s Secondary School
- Shung Tak College
- True Light Girl’s College
- Wan Yan College Kowloon
- Ying Wa College

The Board consisted of two representatives from each school, with an Executive Committee and five Area Groups. The latter organized a variety of activities by their own geographical areas, from usual school events like a field trip to Tai Po Kau forest or a visit to Kennedy Town incinerator, to more elaborate study projects on public recreational grounds or other environmental themes. For secondary school students, some of the activities were truly ahead of the times, such as a lecture on the theme of conservation and politics organized by Diocesan Girl’s School in December 1976.

With assistance from YEAG, the first two years of SCCLB were extremely productive. The Joint School Environment Festival of 1976 was a joint venture of YEAG and SCCLB. From November 1976 to April 1977, SCCLB took part in CA’s Shore Watch project, with a programme including study camps, survey of floating population, coastal observation visits, and photo/essay competition. The result of SCCLB’s work was exhibited at the St Mary’s Canossian College in July 1978. But SCCLB also organized independent activities of its own, for example, a “gull watch” project, and other surveys and field studies on country parks, new towns or rural villages.

With YEAG somewhat weakened after 1978, SCCLB began to be detached from the CA. A network of secondary school conservancy clubs still exist today.

6. Walkathon

CA was a group of volunteers with a lot of enthusiasm but no resources. Soon an anonymous donor provided a grant to enable CA to rent a small office and reach out to the community. As CA's activities grew, so did the need for funding, thus giving rise to the first "Environment Expedition" on 3 March 1974.

Using the Community Chest's "Walk for a Million" concept, CA members and supporters raised a total of \$36,000 by asking their friends to sponsor their walk through a rural trail in Tai Po. The Expedition, also known as "Walkathon" or "Walk for the Environment", became almost an annual event.

Besides fund-raising, the Walkathon was also environmental education in action. The routes varied from rural areas like Tai Po, to country parks like Tai Tam and Tai Lam, the wetland in Deep Bay and Tsim Bei Tsui, and urban fringe such as Lyemun and Mount Parker. Through the Walkathons, participants were encouraged to appreciate nature, learn about landscape and ecology, as well as study urban and new town development.

In recent years (after 2000) the Walkathon has been returning return between \$160,000 to \$373,000 to the CA – by no means a big amount, but useful in supporting the Association's finance. In the early years as many as 1,500 people took part, and lately the number steadied to around 800.

7. Sheung Shui Tanneries

In 1970 CA started a campaign against pollution in River Sutlej (Shek Sheung River) and River Indus (Ng Tung River) caused by illegal tanneries discharging dirty effluents. The exposure of the highly polluted stream created much interest among the public and was the first major impact by the Association. CA made enough noise to persuade the government to serve notice to all tanneries to close down by December 1971, and to move their operations to a controlled offensive-trade area to be built in Kwai Chung.

However, both the tanneries and the government procrastinated and the rivers had to suffer a few more years of pollution. By December 1971, nothing happened and the tanneries won six more months of reprieve. An agreement was reached for all the tanneries to be removed by 31 July 1976, with the government promising to provide the offensive trade area ready by 1973.

However, by 1973, the tanneries extended to other clean areas. The Tai Po District Office prohibited their operation until they cleaned up, but on protests from tanneries workers, government regrettably backed down. The situation did not improve in 1976 and government finally stood firm and cracked down on the polluters. By the deadline of 31 July 1976, the polluting tanneries were gradually cleared.

8. Mai Po and Tai Sang Wai

The Mai Po marshes lie in the path of migratory birds and attract a large number and variety every year, especially from March to May. Some 230 of the 360 species of birds found in Hong Kong can be spotted in Mai Po, including 109 rare species.

After CA was formed, one of its first acts was to call on the government to protect the Mai Po marshes by designating it a nature reserve. The campaign started as early as 1971 and gradually bore fruit: in 1973 hunting was forbidden, and in 1975 Mai Po was made a regulated area requiring access license from the Agriculture and Fisheries Department.

The campaign met with a major setback in 1974 when a developer, the Canadian Overseas Development Co Ltd., proposed to build 5,000 houses for 30,000 people in the nearby Tai Sang Wai fishponds. With its emerging network of youth members and school supporters (the Youth Environment Action Group and the secondary school Conservancy Clubs), CA organised 20,000 students, teachers and young people in 1974-75 to campaign against the destruction of fish ponds in Tai Sang Wai. Despite the strenuous campaign, the fishponds became what is Fairview Park today.

CA repeated its call for Mai Po to be made a nature reserve in 1975, with conservation and education as the main elements. But development pressure never let up on the Mai Po marshes and nearby areas. Fortunately, in 1978 the Government agreed to designate the Mai Po area, including mangrove, fish ponds and “kei-wai’s” as a nature reserve. In 1983 the area was given over to the then newly formed World Wildlife Fund (established by Sir Kenneth Fung Ping Fan in 1981, now renamed Worldwide Fund for Nature) to manage as a wetland reserve.

In 1995, in a submission to Governor Chris Patten on his Policy Address, CA proposed to designate Mai Po as a Ramsar site to give it international recognition and protection. Soon it received a reply from the Government acceding to the request. The designation of Mai Po later in that year was welcomed by all green groups.

9. Country Parks

The idea of country park came from an earlier government consultancy report in 1965 on “Conservation of Hong Kong Countryside” by Lee M Talbot. The designation of country parks, it was contended, would serve many purposes including conservation, recreation, and importantly, protection of reservoir catchment areas. It was that report on the protection of the countryside that set off the formation of a small group of expatriats keen on Hong Kong’s countryside, who later formed the Conservancy Association.

In 1972, CA’s Michael Webster initiated a policy statement on nature conservation, just as country parks began to be designated. In June 1972, a modest country park development plan was devised providing simple facilities in popular areas like Shing Mun and Tai Tam. The Country Park scheme became official with the enactment of the Country Parks Ordinance in March 1976 and the formation of the Country Park Board in August of the same year. A total of 19 Country Parks covering 147 square miles or 20,000 hectares (40% of land in Hong Kong) was planned, to be fully developed by 1981.

The Country Parks Ordinance also provides for the designation of “Special Areas”, restricted zones dedicated for conservation of ecologically sensitive habitats. This was the predecessor of the SSSI zoning (Sites of Special Scientific Interests). The first such areas were Shing Mun fung shui forest, Tai Po Kau conservation area, and Tai Mo Shan highland shrub area.

CA took on an active role throughout the development of country parks, advocating their popular use for recreation as well as emphasizing the need for conservation education. The March 1979 issue of CA’s *SOS Environment* was devoted to rural conservation, with a detailed feature on country parks. The Association also provided members to serve on the Country Park Board (e.g. former Chairman Fung Shiu Wing from 1990, and current Chairperson Betty Ho from 2006).

But CA’s support of rural conservation is not limited to country parks or areas of ecological interests, but the rural character in general. In the March 1979 *SOS Environment*, CA warned of the danger of development in the New Territories and advocated “development with societal rationality, justice and culture”, thus prefacing the Association’s later advocacy for a comprehensive rural conservation strategy.

Nor should nature be limited to country parks in the rural areas – besides country parks, CA also emphasized, “We must bear in mind that Country Parks are no substitute for urban (local/district) parks or open spaces which seem to be shrinking amidst concrete jungles down town.” (*SOS Environment*, March 1978).

Since then the Country Parks has become a prized natural asset of Hong Kong. In February 1992 protection of our natural heritage was extended to the coastal waters, with Cape D’Aguila, Hoi Ha Wan and Double Haven declared by the government as Hong Kong’s first Marine Parks. Later the two were put together under the same

jurisdiction, and the Country Park Board also became the Country and Marine Parks Board.

CA continued to defend our countryside and natural resources against any potential threats, such as a proposed amendment of the Country Parks Ordinance in 1996 which sought to enable the Governor to remove an SSSI designation due to public interest such as the need to build infrastructure – CA under the name of Chairman Ng Cho Nam wrote to the Director of Agriculture and Fisheries in June 1996 opposing the amendment and stating that Country Parks should simply not be developed.

10. Night flight at Kai Tak

To support the growing air traffic, the Kai Tak airport runway had to be extended in 1973. But it was more than the runway which government wanted extended – plans were announced to stretch the operating hours of the airport to 24 hours.

The proposal would have affected over 1 million people under the flight path. Led by Carl Nielsen of its Noise Subcommittee, CA mounted a campaign to oppose it. So said the Editorial of the March 1973 issue of the *SOS Environment*, “the proposed relaxation of the present ban on night flight is a backward step, unworthy of a forward looking city like ours; it is an unwarranted attack on the nerves and mental faculties of a large number of our own citizens. The price we pay for it is more than it is worth.” CA’s stand was supported by many who flooded the letters pages of the newspapers.

CA’s protest took both the traditional form of written petitions as well as the more radical form, by the standard of the 1970s, of demonstrations and protest banners involving residents of Kowloon City and Tai Hang Tung. If that seemed like activist, it was also firmly knowledge-based: CA made it clear that it was not against the aviation industry per se, nor the high-value air freight services which were important for the economy. But the health hazard to millions of people could not be compromised, and CA called for “a new airport, away from population concentrations, where we can maintain a twenty-four hour service, to expand our airborne trade...” (Editorial of *SOS Environment*, September 1974). The government finally gave in and the night flight proposal was dropped.

A variation of the same happened twenty years later when government, then with the new airport project in full swing, proposed to stretch the closing hour of Kai Tak Airport from 11:30pm to 12:30am, to create more slots for aircrafts to take off and land. The extension, so it was reasoned, would bring in an extra \$4.3b tourist dollars and \$160M landing charges. The Director of Aviation, Peter Lok, even spent a night in Kowloon City in an attempt to demonstrate that the additional noise was bearable – a move strongly criticized by CA, who held that health and environmental quality must not be compromised. The matter dragged on for another half a year and eventually, reason prevailed and the government informed CA in July 1995 that the proposal had been withdrawn.

With the opening of the Hong Kong International Airport at Chek Lap Kok in 1998, the Kai Tak airport, and the associated aircraft noise pollution, has become a thing of the past.

11. Lamma Oil Refinery

In the early 1970s the Shell Company and another consortium formed by a local textile company and a Japanese chemical plant put forward a plan to build an oil refinery and petrochemical plant on Lamma Island, with an annual capacity of 10 million tons of oil. In response CA mounted a campaign to oppose it, sparking another round of “green versus development” debate. The movement was made more controversial in late 1973 against the backdrop of an energy crisis as a result of the oil embargo imposed by the Organisation of Petroleum Exporting Countries.

The refinery was supported by industrialists who favoured the economic benefits and stability of fuel supply from a local petrochemical industry. CA’s arguments against the refinery, as stated by Michael Webster in an article in February 1973, was threefold: that petroleum is an obsolescent energy producer, that the refinery carries huge threat of pollution, and that the Lamma Island countryside would be destroyed. Throughout 1973 CA continued to make statements both in its own SOS Environment and in the press denouncing the oil refinery proposal.

CA’s opposition was justified on 8 November 1973 by an oil spill occurring in Ap Lei Chau from a rupture in the oil storage tank of Shell Company, causing pollution and killing fish in Lamma’s Sok Ku Chau. A few school conservancy clubs including Wah Yan College Kowloon, Diocesan Girls’ School and Lutheran Middle School organized seminars to discuss the subject. CA followed up in 1974 with an essay competition on the theme of “energy crisis” to engage secondary students on the oil refinery and the wider issue of energy policy. One Christine Loh of Island School won the first prize with an essay entitled “my view of the energy crisis”. The development plan was not seriously followed through although the controversy continued for some time.

A few years later, in September 1977, public opinion swung conclusively CA’s way when a Danish vessel got stranded causing a massive oil spill near Sok Ku Bay, destroying nearby fish farms and causing loss of tens of million dollars of fishery. After conducting a site survey, YEAG issued a statement supporting stricter fines on oil spillage, and calling for more stringent regulation of marine traffic near fish farms. There was no more need to worry about an oil refinery.

12. Stream Survey and Shore Watch

CA conducted a simple survey of coastal pollution in 1970. In 1973, it collaborated with the Education Department on a stream survey project of a much bigger scale. With the help of the Science Teachers Association and sponsorship from Caltex Oil, CA distributed 2,000 kits and 20,000 booklets and generated a participation of 18,440 pupils from 125 primary and secondary schools. Using simple equipment, it enabled hundreds of students to complete a survey of the streams in the New Territories. Based on 120,000 survey forms collected, a report was compiled and published in 1974. According to the report, the study area covered one third of Hong Kong's total land, with 38 areas identified as containing grossly polluted streams, 49 where caution was needed, and 42 which were clean. A 1975 information sheet of CA stated, "The most encouraging factor about this survey was that the reports brought in by the students closely approximated the report of a firm of consultants which cost the Hong Kong taxpayers over 2,000,000 dollars."

Moving on from streams to shoreline, in 1976 CA mobilized its network of secondary school Conservancy Clubs in a "Shore Watch" project under the auspices of the Education Committee. Headed by Hui Ho Tung of Wa Ying College and with strong support by KK Lai of the Education Department, the coastal ecological survey was launched on 22 May 1976 at a seminar opened by the Director of Education Mr KW Topley, with Dr Brian Morton of Hong Kong University as advisor and Lion Club 303 and Caltex as sponsors. The project was extended to over 300 schools, with 20,000 "adventure packs" distributed. Each comprising five booklets, the packs were adapted by Dr Morton from a British version written originally by Dr Jenny Baker of the Field Studies Council's Oil Pollution Research Unit. The project continued into April 1977 with study camps, observation at various coastal sites, and a survey on environmental impact of the boat population.

13. Pure Air and Acid Rain

“Pure Air” was a two-year project launched in March 1975, led by CA Vice Chairman Dr Beth Gott of Hong Kong University’s Department of Botany. The project consisted of three parts. The first was “acid rain”, measuring acidity of rainfall caused by pollutants such as sulphur and nitrogen oxides. With the support of the Royal Observatory and the Air Pollution Unit of the Labour Department, students from 58 schools collected rain water samples throughout the territory and recorded their pH value – a value of 4.9 or below being designated “acid rain”. In April 1975, the acid rain project was extended to 200 schools, with two more elements added including collection of particulates by sticky tape and examining the effect of pollution on plants through observing soot or yellow spots on leaves. The result showed that 91% of the samples were below the “pure air” standard of pH 5.7, of which 50% was below pH 5.0, and 18% below pH 4.5. The most acidic rainfall was recorded near Choi Hung estate, of pH value 3.2, whereas the particulate study showed Western District to be ten times more polluted than Wah Fu Estate.

The second part, “Project Windshift”, was to investigate wind speed and direction using anemometer to track weather changes due to atmospheric conditions caused by air pollution.

The third component of the Pure Air project was an interesting one-day campaign on 17 January 1975 to monitor vehicle smoke emissions, with 342 students from 15 schools trained to observe and report vehicles that emit black smoke. A total of 2,133 smoky vehicle reports were filed from 17 observation stations, mostly from diesel-powered vehicles such as trucks and lorries (601), taxis (539) and minibuses (400). The results were forwarded to the Police which, on the basis of the returns, sent 1,908 letters calling in vehicles for inspection. This successful project was the herald of the scheme for reporting smoky vehicles run by the Environmental Protection Department since 1988. A project report was compiled by Michael Webster recommending a regime for controlling smoky vehicles through establishing an effective maintenance regime.

In 1976 the Pure Air project was replicated, starting on 14 February at Wah Yan College Kowloon, with Rank Xerox as sponsor. As in the previous year, the project enabled CA to collect and analyse information on air pollution in different parts of Hong Kong. The project was concluded in the summer of 1977 and followed by another lichen survey, using the “lichen scale” (colour and thickness) to measure air pollution. The study was led by Prof S Thrower and involved both YEAG and SCCLB from 1978 to 1979.

14. Environment Festival

In 1976 YEAG and SCCLB organized the Joint School Environment Festival, the first major public campaign on environmental education. A total of 21 schools took part, coordinated by an organizing committee headed by Simon Siu of Wah Yan College Kowloon. The Festival featured a wide range of activities such as photo competition, youth environment forum, forestry work camp, concert, essay and poster competition, and television programme and film shows. The highlight of the Festival was a two-week exhibition in August and September, first in Wah Yan College Kowloon and then St Mary's Canossian College. The exhibition displayed works from secondary students on nine themes ranging from pollution, land use, transport to energy. A few of the exhibits were selected and sent by the Education Department to England for display, including works by St Mary's Canossian College (stream pollution), Wa Ying College (oil spill), and St Bonaventure College (water treatment).

Encouraged by the success of the Joint School Environment Festival, CA decided to expand it into the Hong Kong Environment Festival in 1978 to mark the Association's 10th Anniversary. While retaining many elements of the last festival, such as seminars and photo competition, an ambitious "anti-waste campaign" was launched including an "Anti-Waste Day" rally on 10 September in Morse Park, the promulgation of an "Anti-Waste Code", and the creation of an anti-mascot known as "Luxurian bug" (奢侈怪), and four study projects on natural resources, energy waste, solid waste and mass consumption. The exhibition on 16-17 September was held in the Ocean Terminal with participation expanded from the YEAG and SCCLB network to social and commercial organizations (e.g. Hong Kong Council for Social Services, China Light & Power and Hong Kong Electric) as well as professional bodies (e.g. Hong Kong Institute of Architects). The Festival's final event was a Concluding Seminar on 24 September at which CA took a strong stand advocating the establishment of an Environment Department as well as a unit within government to deal with energy policy.

The HKEF was a big event, but perhaps bigger than what a voluntary body could undertake. Most of the activities were conducted by the same energetic youth of YEAG, but campaign fatigue showed when the Concluding Seminar saw a mere attendance of 20 people, an anti-climax to what was otherwise a successful public campaign.

In 1988, a second Environment Festival was held to celebrate CA's 20th Anniversary. Much more restrained in scale, the Festival programme kicked off on World Environment Day on 5 June and included an environmental pollution survey in cooperation with Caritas, environmental education booklets, school competition, and a "prudent plastic bag campaign". The second Environment Festival proved to be the last for CA, with the government-run Environment Campaign Committee soon taking up most of the big public education campaigns.

The Anti-Waste Code – Hong Kong Environment Festival 1978

- Do not throw away reusable plastic bags, glass containers, tin cans, paper and envelopes.
- Do not buy goods packaged excessively.
- Do not consume canned drinks.
- Do not use unnecessary paper cups, paper plates, and paper towels.
- Do not use excessive electricity, especially lighting; keep the amount of heating/cooling in your home or office to a minimum.
- Do not drive unless absolutely necessary; always use public transport.
- Do not buy high-energy-consuming cars.
- Do not waste precious water.

15. World Environment Day

The World Environment Day (WED) was created to mark the opening of the UN Conference on the Human Environment at Stockholm in 1972. The first WED was organized in 1975 with a theme on “Environment and Development” and since then it takes place annually on 5 June under the direction of the UN Environment Programme and the Environment Liaison Centre at Nairobi.

Through CA Hong Kong joined the WED in 1978. Under the theme of “Development within Environmental Constraints”, CA organized a symposium on 2 June with the Hong Kong Council for Social Services, the Royal Town Planning Institute and the Hong Kong Institute of Architects. An open air rally was held on 4 June. The WED message was widely promoted through television, radio, newspapers and the district offices. On 5 June, the WED itself, a protest was staged at Tsim Sha Tsui Star Ferry with YEAG members wearing gas masks and handing out leaflets against air pollution. The YEAG members were led by WK Chan and Albert Lai, the latter being singled out by police and taken away for questioning.

In 1979 the theme of the WED was “Development without Destruction”. CA held a press conference commenting on that theme, spelling out its principles especially on heritage preservation. Since then many more organizations began to organize activities under the WED banner. While groups are free to do their own programmes, from 1988 onwards, the Environment Campaign Committee of the government became, informally, the organizer of WED activities.

16. EPCOM and EPD

The Hong Kong Government appointed a British consultant firm Environmental Resources Ltd (ERL) in December 1974 to advise on comprehensive legislation and form of organization required to protect the environment. In the same year the Advisory Committee on Environmental Pollution (EPCOM) was formed, and in 1975 the Environment Branch was created within government as a policy branch.

ERL submitted a report in August 1975 describing four major types of pollution in Hong Kong, namely, air, noise, water and solid waste, and recommending that there should be a single pollution control body within government. On ERL's advice, the Environmental Protection Unit (EPU) was formed in 1976 as part of the Environmental Protection Division of the Environment Branch. The Unit consisted of four Principal Environmental Protection Officers on air, water, noise and solid waste, with Dr Stuart Reed as Adviser. Its first task was to develop legislation on pollution control in air, water and noise.

In 1977, ERL presented another report titled *Control of the Environment in Hong Kong*, proposing five ordinances on air, noise, water, solid waste and environmental impact assessment (EIA). This brought changes to both the EPCOM and EPU. In 1978 EPCOM's full name was changed from Advisory Committee on Environmental Pollution to Environmental Protection Advisory Committee, with more unofficial members added. In 1980, EPCOM set up four Special Committees, namely, Land and Water Pollution, Air Pollution, Noise, and Legislation.

As for the EPU, it was expanded in April 1980 with the four groups each having three sections on survey, policy and projects. In addition to the EPU, the control functions were decentralized with the Noise and Vibration Control Unit in the Urban Services Department, the Air Pollution Control Unit in the Labour Department, and the Liquid Effluent and Waste Disposal Unit in the Public Works Department, and Agricultural Waste Unit in the Agriculture and Fisheries Department. In 1981 the Unit was expanded to become the Environmental Protection Agency and in 1986, the Environmental Protection Department, with Dr Stuart Reed as the first Director.

CA has been active in EPCOM since it was established. Both Dr LK Ding and Michael Webster were long-time members of EPCOM. In addition, for each of the four subcommittees, one seat was specially designated for a representative of the CA. Of this, a paper by the Environmental Protection Agency of 1982 has this description:

Each Special Committee comprises roughly 50% officials representing heads of concerned departments and 50% ad personam and representative unofficials. The Chairman and Vice Chairman of the EPCOM Special Committees are drawn from the ad-personam unofficials on the committees and are also members of the main EPCOM. The representative unofficials on the Special Committees are from the CMA (Chinese Manufacturers Association), FHKI (Federation of Hong Kong Industries), HKGCC (Hong Kong General Chamber of Commerce) and other more narrowly-based bodies such as the Building Contractors Association. The Conservancy Association is represented on all EPCOM Special Committees.

In December 1988, under the Chairmanship of Prof Wang Gangwu, Vice Chancellor of Hong Kong University, EPCOM was restructured and its membership expanded.

17. Comprehensive Transport Policy

As early as 1974 CA was a proponent of what was later described as “sustainable transport”. In a paper entitled “Blueprint for Hong Kong”, the Association proposed, among other things, that

- Preference must be given to public transport and goods vehicles, to reduce congestion and give more economic use of fuel;
- The railway should be further developed for passenger transportation and to serve the new towns;
- Private transport should be restricted, by fiscal, anti-pollution and other measures;
- Clearways for buses and goods vehicles should be more adequately provided;
- Thorough maintenance controls should be ensured, and pollution could be controlled by regular maintenance checks;
- Traffic congestion can be controlled by reducing the volume of traffic.

In the same year, the government published a Green Paper “Transport in Hong Kong”, from which a White Paper on Internal Transport Policy was developed in 1979, the year when the Mass Transit Railway began operation. The White Paper was the first comprehensive transport policy paper, laying down a blueprint for the city’s transport. With 1991 as the target year, the White Paper detailed a programme of road building, regulation of vehicles, and importantly, the development of the MTRC railway system. In response to the White Paper, CA organized a public seminar on 3 June 1979 titled “Development without Destruction – our Future Transport”, with a panel comprising of Assistant Commissioner for Transport P. Miller, Steven Cheng of Hong Kong Polytechnic, Urban Councillor Augustine Chung, Public Light Bus representative KM Lai, and *SOS Environment* Chief Editor WK Chan (then an undergraduate). That was a model of many current affairs seminars on various issues organized by CA’s. At the seminar the main criticism of the White Paper was that it was “not accompanied by an Environmental Impact Statement”, and that “it will be inept for HK\$14,000,000,000 to be spent on a project that does not know its environmental results.”

The editorial in CA’s *SOS Environment* of June 1979 stated that “for the problem of transport, we need to integrate its solution with that of city planning and social administration”. Public participation was emphasized, and staggering working hour was cited as an example of “social administration” in contributing to transport planning. On that issue Ca had organized an earlier seminar on staggered working hours in March 1978, with deputy secretary for the environment R Butler and Assistant Director of the Hong Kong General Chamber of Commerce Harry Garlick as the speakers, together with representatives from China Motor Bus and motor vehicle supplier Zung Fu. There was consensus about the merits of staggered or flexible hours but the idea of staggering cinema hours to avoid congestion was also suggested – cinemas used to have fixed hours but since then staggered cinema hours have become the norm.

18. Noise pollution

Amidst talks of bringing in the Concorde Airliner to Hong Kong, CA organized a seminar on 15 March 1976 with stakeholders including British Airways and the Noise Pollution Subcommittee of the Environmental Pollution Committee (EPCOM), chaired by Henry Litton QC. At the time the Concorde was the world's fastest and noisiest aircraft; when it flew into Hong Kong in 1976 a noise level of 119 decibels was recorded during take-off and 106 decibels during landing. CA was concerned at the additional noise impact for Kowloon city residents who were already suffering from unacceptable aircraft noise. Mercifully, for the residents, the Concorde flights did not materialize other than one or two guest appearances.

In early 1977 YEAG conducted a study on noise pollution including interviews with experts as well as a survey of the public's attitude and opinions. The study concluded that a new airport was needed to replace the Kai Tak airport and a regime should be set up to control noise pollution such as construction noise. It also called for better town planning to segregate residence with pollution source. It took 20 years for the airport to be moved to Chek Lap Kok, the new airport opening in 1998.

Noise in general is regulated by the Noise Control Ordinance, one of the anti-pollution laws developed by the Hong Kong Government in the 1980s. CA's view has always been to emphasise the need for good planning in addition to the technical aspects of noise control, such as its comments on the Ordinance in July 1987. The Ordinance came into effect in February 1989 when construction sites were only allowed works from 7am-7pm with permits needed for Sunday and public holidays. Gradually the coverage of the Ordinance began to be expanded, e.g. in March 1992 CA welcomed another curb on construction noise arising from hand drillers and compressors.

19. Oyster at Lau Fau Shan

The Lau Fau Shan oyster farm started 300 years ago. In industrial Hong Kong, pollution from agricultural and industrial effluents from the Yuen Long Plain began to contaminate the oyster farms. Following the movement against pollution by the tanneries in Sheung Shui, CA drew attention to pollution in Deep Bay and the impact on oyster farms. By nothing happened for several years, until October 1978 when government announced that the cadmium content of oysters from Lau Fau Shan far exceeded WHO (World Health Organisation) standards by ten times (0.4-5.4ppm, compared to WHO standard of 0.05ppm). This caused an immediate drop in oyster consumption threatening the livelihood of oyster farmers, and causing great furore in the community.

CA's youth arm the YEAG organized an investigation into the causes of the pollution, drawing attention also to the issues of compensation and relocation of the oyster farmers. On 10 December 1978, CA organized a seminar on "Pollution control in Deep Bay from oyster issue 從生蠔事件看深灣污染管制" with representatives from the government as well as academics, and YEAG Vice Chairman Cecilia Wong Man Chi as CA spokesman. The government was criticized for not taking action although the problem was identified as early as 1971. CA expressed sympathies for the oyster farmers who were victims of pollution and called on government to tackle pollution at source and compensate the oyster farmers.

Then, in a dramatic turn, the Lau Fau Shan oysters began to die in April 1979. By June, the oyster kill wiped out almost all oysters with less than 10% surviving. CA made a statement expressing regret and renewing its call for pollution control, asking in its *SOS Environment* of June 1979, "which is more expensive: tertiary sewage treatment, or \$130,000,000 worth of oysters plus incalculable amount of poison in our body?" CA considered that the Lau Fau Shan area was not suitable for oyster farming until there was pollution control, and called for secondary sewage treatment in populated areas and tertiary treatment in industrial areas, as well as an upgrading and relocation of the oyster farmers.

Today, the oyster farms still exist as pollution abated from decline of industry and agriculture.

20. Lamma Island Power Plant

Electricity on Hong Kong Island used to be provided by a power plant in Ap Lei Chau, operated by Hong Kong Electric Company. Citing inadequate capacity in Ap Lei Chau, Hong Kong Electric proposed to build an additional power plant in Lamma Island at Po Lo Tsui, with a capacity of 1700 megawatts. With reclamation and jetties, the site would occupy 58.9 ha with the power plant costing \$2-3 billion and 5 years to build. The project was gazetted in May 1978.

CA objected to the plan and conducted a study in July 1978 to assess the project's environmental impacts during construction and operation, such as noise, waste and air pollution. Irreversible environmental changes caused by the smoke stacks and long term effects on fisheries and beach pollution was also highlighted. CA's report also included an examination of alternatives, including the no-project alternative – the first time that the idea of merging the two power companies were raised.

Despite CA's previous success in preventing an oil refinery on Lamma Island, this time the "lure of power" proved too strong for the Hong Kong government which approved the construction plan in September 1978, after consultation with EPCOM whose views, it was reported, was divided right down in the middle. Despite the setback, CA continued to call on stringent environmental controls to be put in place to reduce impacts to a minimum.

CA was to be proven right in later years for challenging the Lamma Island power plant, when the two power companies were shown to have excessive generating capacity. As for Ap Lei Chau, the power station has long been replaced by the residential estate known as South Horizon.

21. Tsim Sha Tsui Rail Terminus

The terminus of the Kowloon Canton Railway Corporation (KCRC) at the Tsim Sha Tsui waterfront was once the famed destination of the longest train ride of the British empire – a train ticket could be purchased at London Victoria Station for Hong Kong, to pass through the European Continent, the Trans-Siberia, through China and into the then British Colony of Hong Kong.

Then the Hong Kong government decided to move the KCRC Terminus to Hung Hom and to redevelop the Tsim Sha Tsui waterfront. After the Tsim Sha Tsui Station ceased operation on 20 November 1975, CA began a campaign together with the Hong Kong Heritage Society, an association formed in March 1977 by David Russell of Hong Kong University, to have the Terminus building and the clock tower preserved.

In early 1977, a review was conducted by Transmark, a subsidiary of British Rail, on the connection between the KCR and the planned mass transit railway. One of the options being considered then was to link use the old Terminus to link the MTR with the KCR – a possibility that could see the old structure preserved. From August 1977, CA and the Heritage Society stepped up the preservation campaign. The December 1977 issue of CA's *SOS Environment* reported that "public support in preserving the old KCR terminus and clock tower is gaining momentum. It may also be revitalized if a KCR extension line be built from Hunghom to Tsimshatsui."

But that was not to be. Despite the support they gathered, CA and Heritage Society failed to convince A de O Sales, Chairman of the Urban Council, who was determined to develop a new cultural complex at the site of the old Terminus. On 5 June 1978 – the day Hong Kong joined the World Environment Day for the first time – the Secretary for Environment Derek Jones announced that the Queen had turned down the petition to preserve the old station, although the clock tower would be preserved and integrated into the design of the cultural facilities.

Thus was built on the Tsim Sha Tsui waterfront the commercial cluster comprising the New World Centre and two waterfront hotels and the cultural complex of the Museum of History, Space Museum and the infamous windowless structure known as Cultural Centre.

22. Victoria Barracks

The Victoria Barracks was a cluster of historic military buildings occupying a prime site between Central and Wanchai. In June 1977 government announced a comprehensive redevelopment plan for the 17-hectare site, with the aim is to maximize its development potential. The plan envisaged commercial (11%) and residential (17%) development as the main feature, supplemented by public uses (20%) such as government offices and school buildings. Other than roads and infrastructure, the remaining (38%) will be retained as open space.

CA and the Heritage Society made a joint plea to preserve Victoria Barracks as a public park. Complaining that “urban Hong Kong is grossly overcrowded” and that the government “did not consider overall planning for Central and Wanchai”, CA objected to the residential or commercial use and called for the preservation of the many heritage buildings within the site.

CA seemed to score a partial victory when in September 1977, the planning committee for the redevelopment revised its proposal and submitted a new report to the Governor-in-Council recommending a modest 8% of the land for commercial use and 79% retained for open space, with no residential development. However, in July 1978 the government decided to allocate only 60% as open space and sell a considerably larger proportion for commercial and residential development.

The plan was confirmed in 1980, with one third for commercial development and 10% for residential use – these have become present-day Pacific Place and Regent on the Park. The rest became what is now Hong Kong Park. The Flagstaff House, the oldest historical building used formerly as the residence of the Commander-in-Chief of the British Armed Forces, now houses the Museum of Tea Ware. The Cotton Tree Drive marriage registry used to be the Rawlinson House, whereas the former Wavell House is now an education centre and the Cassels Block the Hong Kong Visual Arts Centre. However, another Birdwood Block identical to the Cassels Block was dismantled, and so was the Murray Barracks although it was later re-assembled at the Stanley waterfront.

23. Tsim Sha Tsui Hill

The Marine Police Headquarters was erected in 1884 on a small hill facing Salisbury Road at the Tsim Sha Tsui waterfront. In 1967, the site was zoned for residential and commercial use with a public transport station. Another zoning plan in July 1976 would have preserved its government and community use and moved the transport terminus to Star Ferry to connect with a planned cultural complex; however, after objection by the Transport Department, this was reversed in 1977 which saw the development cum transport terminus reinstated in the zoning plan.

Both CA and the Heritage Society objected to the zoning plan. Taking advantage of the World Environment Day (5 June) of 1979, the Chairmen of CA and the Heritage Society, SL Wan and David Russell, made a joint public statement calling for the building and the hill to be conserved as a public park “for environmental, aesthetic and cultural reasons”. CA cited six reasons, including

1. much greater need for open recreational space, given the congestion in Tsim Sha Tsui;
2. the hill as an integral natural feature providing pedestrian relief from the street level noise, pollution, heat and over-crowding;
3. the adverse environmental, microclimatological and aesthetic impact of the proposed use;
4. a major bus terminus being undesirable and unnecessary, given the present terminal and alternative sites for feeder buses to the MTR and KCR;
5. the historical value of the then 95-old building, a landmark of the area, forming a distinctive cultural and architectural feature together with YMCA and Peninsula Hotel; and
6. the possible use of the main building, after renovation, for public functions, with its gardens and lawns providing a unique setting.

This was rejected by the Secretary of the Town Planning Board, KS Kiernan, in a public letter of 8 June which stated that the retention of the Hill would be “preventing desirable commercial development and interfering with the overall economy of Hong Kong.” But CA was convinced that Hong Kong would be better served by preserving rather than developing the Hill. A study by CA in July 1979 found 21 different species of mature trees on the site. Another microclimate investigation on thermal comfort of the Tsim Sha Tsui Hill was organized by CA in August 1979 with Dr William Kyle of Hong Kong University. The study found that Tsim Sha Tsui Hill “provides a more comfortable thermal environment for human activity, particularly during the day, than does the environment at Peking Road”, and concluded that “there is strong evidence in favour of retaining the Hill...as an oasis of lower thermal stress in southern Tsim Sha Tsui”.

CA and the Heritage Society found many allies, including A de O Sales, Chairman of the Urban Council. Indeed, this campaign of CA’s was marked not just by scientific research but also by stakeholder engagement with civic and professional groups including the Hong Kong Institute of Architects, the Hong Kong Museum of History, the Hong Kong Archaeological Society, the Hong Kong History Society, the Hong Kong Bird Watching Society, the Urban Council, as well as academics from the

universities. The ecological, planning and heritage studies evolved into a formal 50-page submission to the Secretary for the Environment addressing the town planning, transport, building (heritage), microclimate and flora/fauna aspects of the site and making a compelling case for preservation. Apart from reiterating the planning considerations and arguing against the transport case, CA emphasized the site's history including its previous use as army headquarters by the Japanese who also dug tunnels underneath. At the time CA was emphatic that the Hill was as important as the building and must be preserved together.

Evidently the campaign had been successful in curtailing the development plan. The site's use remained inconclusive until 20 years later when the decision was made to turn it into a heritage development.

24. Microclimate

CA organized a microclimatic study of Tsim Sha Tsui Hill in August 1979 with Dr William Kyle of Hong Kong University's Department of Geography and Geology. Besides being used to support the campaign for preservation of Tsim Sha Tsui Hill, the study culminated in a report "An assessment of the micro-climatic evidence for the conservation of the Tsim Sha Tsui Hill as a public park/open space", published in *SOS Environment* in 1980.

Riding on the success of that study, CA and Dr Kyle collaborated on a larger-scale survey of microclimate in Hong Kong in 1980, this time with the support of the Education Department and the Centre of Environmental Studies of the Hong Kong Polytechnic. The project measures microclimatic features including temperature, wind speed and humidity throughout the territory. The survey took place from 15 September to 13 October 1980, covering 56 one-kilometer square grids. A total of 88 schools participated, with 739 report sheets returned covering 6,650 hourly readings. The results were then compared with Royal Observatory readings and demonstrated clearly the "urban heat island effect", highlighting the need for urban open spaces.

The study was published in a report by Dr Kyle in 1981 entitled "Investigating microclimate – Results of a survey carried out by Hong Kong Secondary School Students", and published by the Education Department. It was the first study to have drawn attention to the problems of urban heat island and walled effect which have now become major issues in the urban environment.

25. Hong Kong Club and Supreme Court

The Hong Kong Club, established in 1846, was the first social club in Hong Kong. Its club house, an imposing colonial-style building erected in 1897, had been the venue of, among other things, a few of the Annual General Meetings of the Conservancy Association in the 1970s. Adjacent to the Club was the charming old Supreme Court, opened in 1912. Both were major landmarks in Central.

But the Club fell for the development boom in the 1970s and proposed to replace the old club house building with a modern one. There were also suggestions to pull down the old Supreme Court to give way to office buildings. Against that, CA and the Heritage Society lobbied for both to be preserved. Within the Club there were also differing views on whether to re-develop, but in a general meeting in December 1979, the demolitionists prevailed.

Not wanting to give up, CA's youth arm YEAG conducted a survey in June 1980 on the community's attitude towards the fate of the two buildings. The results showed conclusively in favour of preservation – 82% of the 400 respondents wanted the Club preserved, and 84% the Supreme Court, citing a variety of reasons including historical and aesthetic value, character and urban design of Central, and the relationship of the buildings with Statue Square. The conclusion gave another boost to CA's campaign, but the Hong Kong Club, being a private property, proved too difficult to save although the Supreme Court did survive and became the Legislative Council building in 1985.

26. World Conservation Strategy

In 1978 the International Union of Conservation of Nature and Natural Resources (IUCN) began formulated the World Conservation Strategy. After several drafts, a final document was developed and in Hong Kong it was launched by the CA on 6 March 1980.

The aim of the WCS is to design policies and outline programmes of action to maintain biodiversity and ecosystems. Under the WCS is a Conservation Programme for Sustainable Development for 1980-82 to conserve species and ecosystems through protected areas and conservation programmes. For Hong Kong, the WCS was the precursor of conservation policy and as the advocate for the WCS, CA was the first to champion the concept of sustainable development in Hong Kong, well before the term gained currency in Hong Kong and internationally.

With the WCS as guide, CA attempted to develop a local version for Hong Kong, starting with an introductory version in the April 1980 issue of the *SOS Environment*. A conservation strategy team was formed comprising WK Chan, Chan Shu Keung, Alice Chan, Albert Lai and Tang Wai Kong. A few papers were developed which were compiled into a *Hong Kong Conservation Strategy* published in 1981. The editor was WK Chan, who wrote a large part of the Strategy based on the team's work. The Strategy consisted of three simple statements on 22 aspects of environment and conservation, namely, a problem statement, principle and strategy. The 22 aspects are, respectively

- Heritage
- Cultural specification
- Legislation
- Environmental movement
- Town planning
- Transport
- Housing
- Recreation
- Education
- Agriculture and fisheries
- Offensive industries
- Pollution control
- Environmental services
- Utilities
- Industrial safety
- Energy
- Flora and fauna
- Air
- Water
- Material resources
- Population
- Food

Many of the statements made in 1981 were ahead of their times; some examples:

- Energy: “Establish an Energy Commission to formulate and implement energy policies towards sustainable energy management.”
- Environmental services: “Develop local environmental service industry by training local people... Establish institutional support for these services, e.g. legislative support through law on environmental impact assessment.”
- Environmental movement: “Establish environmentally-related sub-committees in the District Boards... Decentralise environmental policy making into the District level.”
- Town planning: “Establish a Lands Department independent of the Public Works Department to undertake all urban and rural planning and to evaluate related work undertaken by the Transport Department and the Agriculture and Fisheries Department.”
- Heritage: “Protect items of historical interest from destruction by declaring them monuments. If possible, develop them into structures that can be consumed by the public. Set up a trust fund to fight for preservation of these sites.”

27. Industrial pollution in Kwun Tong

Air pollution in Hong Kong made a special appearance in 1979 and 1980, in the form of mystery gas attacks. Six such incidents took place in 1979, with 164 people sent to hospital, the number rising to 400 in 1980, affecting especially schools in Kwai Chung, Lam Tin and Sau Mau Ping.

Against that backdrop, CA joined with the Christian Industrial Committee to conduct a survey of industrial pollution in Kwun Tong from December 1979 to April 1980. The study was directed by WK Chan, a sociology undergraduate of Hong Kong University, in cooperation with CIC's Lau Chin Shek. The latter provided 50 interviewers who conducted a questionnaire survey in December 1979, with 464 valid returns. From the survey data the relationship between environment, pollution and health was analysed statistically and presented in a 50-page report. The major findings include:

- that air pollution factors such as vehicle and factory exhausts are important in causing physical discomfort, such as stomach complaints, as well as psychological discomfort;
- respiratory difficulties and chronic bronchial and tracheal illnesses were common among workers of Kwun Tong, compounded by noise pollution and smoky vehicles;
- lack of recreational facilities meant 69% workers were compelled to stay in polluted factories during lunch and rest times;
- internal factory environment also affects health to varying degrees, such as perceived discomforts in lung, skin, visual, hearing, tiredness, etc.

The report recommends improvements in factory environment through environmental engineering and design, as well as air pollution control, and advocates a "monitoring by complaints" system to provide statutory protection for workers making environmental complaints. The report also called for more recreational land as well as better representation of workers in environmental committees where employers were already represented.

CA and CIC took the report to the Office of the Unofficial Members of the Executive and Legislative Councils to press for improvement in measures to protect worker health, and were received by a group of legislators and Executive Councillors including Lydia Dunn and Allen Lee.

28. Daya Bay Nuclear Power Plant

From the early days CA has developed an anti-nuclear stand. The September 1973 issue of the *SOS Environment* was about nuclear energy and nuclear weapons which CA opposed. An article in the September 1975 issue of *SOS* by Father Harold Naylor expressed concerns over radioactive wastes and the links between nuclear power and nuclear weaponry.

But CA's campaign against nuclear power was more intellectual than real, until 1980 when a nearby nuclear reactor became a real possibility. From 1980 to 1982, CA changed from a mere voice to a campaigner against the construction of a nuclear power plant at Daya Bay, just outside of Hong Kong's north east borders.

As reported in CA's 1982 Annual Report, "The Association has joined with the Asia Monitor Resources Centre and Student Christian Movement to organize the Joint Organisation of the Concerned for Nuclear Energy (JOCNE)... A public seminar on this subject was held on 12.6.82 at the Polytechnic with heated participation." A radiation specialist Dr Rosaline Bertell was invited to Hong Kong in November 1982 to hold a public seminar on impact of nuclear power. From CA side, the campaign was led by Albert Lai, WK Chan and Peter Neu, with Trini Leung of the AMRC also playing an active role.

JOCNE's work concentrated on educating the public about nuclear energy and the health impact of radiations. It queried China Light & Power's electricity demand projections for Hong Kong, and questioned Hong Kong government's role in China's overall energy plan. Through CA it expanded the campaign by engaging the media as well as other civil society groups like Christian Industrial Committee and the Society for Community Organisation (SoCO). With CLP and the Chinese government being strong advocates of nuclear power, JOCNE called on the Hong Kong government to stay neutral and to defend the public interest of Hong Kong. Despite JOCNE's position, it engaged closely with the nuclear power proponents, organizing a site visit to Daya Bay in 1983 and holding discussion with the Chinese authorities.

Whilst both sides remained friendly, the gap grew wider and in 1986 JOCNE launched what was to become the biggest signature campaign in Hong Kong's history, with one million names signing up against the nuclear power plant. Despite that, Daya Bay was a confirmed decision in 1987, with a Daya Bay Nuclear Power Plant Safety Advisory Committee 廣東大亞灣核電站安全諮詢委員會 being formed in an attempt to allay the concern of the Hong Kong public. Though increasingly futile, CA and JOCNE continued to organize the opposition against Daya Bay, including a concert named Musicians United Against Nuclear in July 1987, a Conference for a Nuclear-Free Asia Pacific in June 1988 with 20 anti-nuclear scientists and campaigners from nine countries, and an Anti-nuclear seminar in December 1988 featuring Rosalie Bartell. Reports in October 1992 about a second nuclear power plant in Guangdong prompted another statement by CA to Secretary for Planning Environment and Lands Tony Eason, in his capacity as Hong Kong's representative in the Hong Kong-Guangdong Environmental Liaison Group, opposing more nuclear plants.

CA greeted Daya Bay's opening in 1994 with a bicycle rally on 20 February in Shatin protesting against nuclear power and calling for a sustainable energy policy. While accepting the reality of Daya Bay, CA continued to monitor its operation, including organizing a site visit in November 1995; but at the same time maintaining its opposition to nuclear energy in general. In September 1995, CA was represented by Lo Wai Yan in the Asia non-nuclear conference 非核亞洲論譚 in Taiwan, signing a declaration against nuclear energy. From the summer of 1995 to early 1996, CA led an opposition campaign against nuclear energy of another kind, namely, nuclear testing in Polynesia by France. A "millions say no" 萬萬不可 campaign by the Anti-Nuclear Action, which comprised all four major green groups, saw 54,000 signatures collected and submitted to the French embassy and the New China (Xinhua) News Agency on 15 February 1996 opposing nuclear testing. The signatures were handed in Lai See packets after a protest march led by traditional lion dance with protesters in Chinese New Year dress. CA's last major statement against nuclear power was issued on 30 March 1996 to mark the occasion of the tenth anniversary of the Chernobyl disaster and call for a sustainable and non-nuclear energy policy.

Part II
In Transition

The Government of the Hong Kong Special Administrative Region shall formulate appropriate policies to promote and co-ordinate the development of various trades such as manufacturing, commerce, tourism, real estate, transport, public utilities, services, agriculture and fisheries, and pay regard to the protection of the environment.

Article 119, Hong Kong Basic Law

29. Establishing links with the Mainland

In January 1979, Tang Wai Kong, President of YEAG, sent a letter to Qu Geping, head of the State Council's Office of Environmental Protection 國務院環境保護領導小組 seeking cooperation between CA and the Mainland. YEAG received a reply from Mr Qu dated 6 February welcoming further contacts. In the summer of 1979, seven YEAG members went on a month-long trip to the Mainland and whilst in Beijing, they sought an audience with Mr Qu and were graciously received on 25 June, marking the first contact between CA and the Mainland's authorities on the environment. The seven YEAG members were Simon Yick, Betty Ho, Chan Shu Keung, Dick Yu, Grace Lai, Magdalene Chan and WK Chan.

What followed were intermittent contacts between the two sides, including a brief gathering during the 1992 Earth Summit in Rio de Janeiro. In June 1993, on the occasion of the World Environment Day, CA organized another formal delegation to Beijing. Led by Vice Chairman Ng Cho Nam, the delegates included Betty Ho, WK Chan, Peggy Poon, Hung Wing Tat, Stephen Chan, Gordon Ng and Law Wai Yan. Before joining a tree planting ceremony on the WED (5 June), they called on Mr Chen Juo'er of the Hong Kong and Macau Affairs Office on 2 June to exchange views on the role of Hong Kong NGO's in China, Hong Kong's participation in international forums, cross-border environmental issues, as well as major infrastructure projects like the new airport and the sewage strategy. On 3 June, the delegation met with Professor Qu Geping, then as Director of the National Environmental Protection Agency to discuss, among other things, the Mainland's work on Agenda 21. The group also called on youth and academic bodies in Beijing. The delegation came back to Hong Kong and held a press conference on 6 June reporting on the visit. The group also took the opportunity to criticize the Hong Kong government for falling behind the Mainland in developing Hong Kong's Agenda 21. As a result of the visit, CA decided to establish a China Fund for conservation work in the Mainland, the first project being to provide financial support to the *Nature* 大自然 magazine, which had 25,000 readers in the Mainland.

CA's projects in China were mostly conservation and education oriented, rather than focusing on policy or current affairs. An example of a major project was a three-year "Green Gift to our Beloved Country" programme starting in 1998, involving 11 nature conservation and afforestation projects covering over 11,000 ha of land in 5 provinces in the Mainland.

30. Environmental Basic Law

Under the Joint Declaration between China and the United Kingdom in 1984, Hong Kong would be returned to China as a Special Administrative Region. A mini-constitution, the Basic Law, would be enacted by China for the Hong Kong SAR.

In May 1988, when the Basic Law was being drafted, CA submitted a statement titled “Hong Kong Environmental Basic Law” 香港環境基本法 to the Basic Law Drafting Committee. The statement affirmed the important constitutional status of the Basic Law but lamented at the lack of mention of the environment in the draft. The catch phrase then was to establish a system to maintain Hong Kong’s “stability and prosperity”, but CA made the point that a sustainable environment would be a crucial ingredient which was unfortunately omitted. CA’s case was that the sustainable development concept should be put into the Basic Law: thus CA’s recommendation of a nine-point “Environmental Basic Law” including:

1. Social, economic and political development should be based on conservation and regeneration of natural resources.
2. Development plans should be subject to comprehensive environmental impact assessment.
3. The right to public participation and access to information must be firmly established.
4. Polluter-pay principle especially for industrial and commercial developments must be affirmed.
5. Incentives should be provided for clean production and recycling.
6. Production processes that harm human beings or ecology should be prohibited.
7. Toxic wastes should be banned from production, storage or import.
8. Environmental protection should be part of the main curriculum.
9. There should be a comprehensive greening plan for Hong Kong including greening, afforestation, conservation of wetland and country parks.

The Basic Law was promulgated in April 1990. It did not include provisions on the environment any where near what CA proposed, although a reference was made in Article 119: “The Government of the Hong Kong Special Administrative Region shall formulate appropriate policies to promote and co-ordinate the development of various trades such as manufacturing, commerce, tourism, real estate, transport, public utilities, services, agriculture and fisheries, and pay regard to the protection of the environment.”

31. Sustainable consumption

Sustainable consumption was an advocacy of the CA, but in a somewhat sporadic manner. The first organized campaign was in 1985 when CA began formulating a message against MSG (Monosodium glutamate) food. Led by then Executive Committee member Simon Chau, the “No MSG Campaign” gained momentum in 1987 and was reported by Dr Chau in a June 1988 Conference on Asian Regional Exchange for New Alternatives in Bombay.

Several years later, CA resumed its advocacy on sustainable consumption through a letter in 1996 to the Consumer Council proposing the establishment of an eco-labeling scheme to guide consumers on green products. The government was also urged to set up a regulatory system on eco-labeling for consumer products.

Then, in 2000, following a few years of solid work on tree planting in the desert fringes of Mainland China, CA began a campaign in June to call on the Hong Kong public to stop eating “fat choy”, or hairy moss, to prevent desertification in the Mainland. This was because the harvesting of fat choy in Inner Mongolia, Ningxia, Qinghai and Xinjiang Provinces entailed destruction of grassland. In the last 20 years, in Inner Mongolia alone, the harvest of fat choy has turned 2,000 km² of grassland to desert every year (about 2 times the land area of Hong Kong). Trade in fat choy had been prohibited by the State Council but an illegal trade still flourished due to strong demand from consumers, especially those of Guangdong and Hong Kong for which “fat choy” carries an auspicious meaning.

Led by Lister Cheung, the campaign went on throughout 2000 until Chinese New Year of 2001. With sponsorship by Rotary 3450 District, it was expanded to a “No Fat Choy for good fortune 不吃髮菜齊發財” movement aimed at the government, the Legislative Council, restaurants, schools and companies. By CA’s calculation, the harvest of every Chinese tael (about 50 g) of fat choy would destroy grassland about the surface area of two standard swimming pools.

The campaign proved a difficult one: in the restaurant sector, of 50 eateries surveyed by CA, only one agreed to reduce fat choy consumption. If the campaign had been successful, CA would not have to replicate it again in 2003, then in 2006, and again in 2007. It seemed a losing battle; in 2008, fat choy has remained a common menu item in many restaurants.

32. District environmental hazards

From the 1980s CA began to engage the local districts in environmental protection. That often means going beyond territorial issues to focus on district-specific problems.

The idea began in the early 1980s when a “District Environmental Hazard Identification Programme” was conceived by Albert Lai and WK Chan. The programme was never seriously carried out until 1987 when CA carried out a less ambitious Environmental Black Spots scheme published in the June issue of Mingpao Monthly. That paved the way for a campaign under the banner of the 1988 World Environment Day for which a survey of potential environmental hazards was conducted, covering sites such as amusement park underneath flyovers or residential area exposed to nullahs. The survey was designed by CA and conducted with the help of volunteers from Caritas. A series of talks was also organized.

The campaign was replicated in Central and Western District in 1996, the 環保黑點逐個捉 programme from February to March 1996. This time the District Council was the collaborator with citizens encouraged to report on black spots like back alleys, dirty bus stops, or dangerous slopes.

33. Sustainable fisheries

The pristine waters of Kat O (Crooked Island, 吉澳) and Double Haven (印洲堂) in the northern shores of Hong Kong is one of the most scenic in the territory. It was also the site of a government plan for ocean fish farms in 1988.

The proposal drew strong opposition from CA. In September 1988, CA issued a paper opposing the proposal, which CA considered unsustainable. Concern was raised over pollution from fish feeds and the failure of Tolo Harbour. The government was urged not to extend fish farms into the areas and to study and introduce sustainable and non-polluting fish farms.

CA's position drew a sharp response and heavy criticism from a coalition of 1,800 fish farmers from 28 districts, who issued a joint statement on 13 September lambasting CA and rejecting the claim that fish farms caused pollution, attributing the latter instead to industrial effluents.

In response, CA issued another statement stating that it supported Hong Kong fisheries but emphasized the need for sustainable practices and protection of the waters of North East New Territories from pollution. While not opposed to fish farms per se, CA stood by its position that fisheries should be regulated and pollution controlled, and that the Double Haven area should be conserved instead of used for fish farms.

The fish farm idea was eventually abandoned. The picturesque Double Haven area is now a much-loved tourist haven.

34. Air pollution legislation

About ten cases of students being attacked by “mysterious gas” captured the newspaper headlines in 1986-88. Against that backdrop, CA initiated a “Clean Air in the Sky 天地有淨氣” campaign on 11 December 1988. Led by Lister Cheung with the Professional Teachers Union as co-organiser, the programme involved primary and secondary schools testing the composition of air and air pollutants from January to May 1989, supplemented with talks, seminars, an exhibition, and a territory-wide air quality survey.

As if in reply to the programme, the Air Pollution Control (Fuel Restrictions) Regulations were issued for consultation, to require the sulphur content of industrial fuel to be lowered from 2.5% to 0.5%. The Regulations were opposed by industrialists with the Federation of Hong Kong Industries lobbying the government for exemption. CA issued a public comment on the draft Regulations in March 1990 welcoming the Regulations and opposing any exemptions for industry. Effective enforcement was emphasized especially for residential areas close to industrial zones such as Kwun Tong and Tsing Yi. The industrial lobby did not have its way and the Regulations became effective on 1 July 1990.

In 1992 CA again supported another amendment to the Air Pollution Control Ordinance but adding that the air pollution control regime should be further strengthened to incorporate environmental auditing and full public consultation, with more effective control also over indoor air pollution as well as pollution from mobile sources.

35. Waste reduction campaigns

CA has strong expertise on waste management policy. This has been due in no small measure to two decades of experience in organizing community-level waste reduction and recycling campaigns.

In January 1988 a working group was formed on a campaign to promote prudent use of plastic bags 慎用膠袋. The campaign was launched on 7 February with a range of activities including visit to plastic bag factory, landfill site inspection and talk on recycling. It culminated in a week of exhibition at Star Ferry from 29 May, the opening day of the Clean Hong Kong Campaign to World Environment Day on 5 June, where a collection point was set up for the public to bring recycled material. The campaign was championed by Simon Chau Siu Cheung and had the support of both the Education Department and the Environmental Protection Department.

A similar but larger-scale “Reduce Rubbish 減少垃圾 Campaign” was organized the following year, with a combination of quiz, seminar, pollution-free picnic and slogan competition. A “Reduce Rubbish 減少垃圾 Carnival” planned for 11 June was to be the finale of the campaign; then came the Tiananmin Square Tragedy in Beijing on 4 June and CA decided to postpone the event to 22 October.

Among CA’s campaigners was one Wong Ping Tong 黃炳棠 who worked for the Reduce Rubbish Campaign. He left CA later for health reasons but still helped in the campaign as a volunteer. Unfortunately, his health deteriorated and he died of heart failure on 31 December 1989.

CA continued with the campaign in 1990 but in a different form, with 8 April designated as “Newspaper Recycling Day”. A total of 159 metric tonnes of newspaper was collected from the campaign.

Thereafter CA’s community campaigns on waste management were undertaken side by side with policy lobbying. In 1994 it began to call for a levy on plastic bags. In 1997, a large-scale plastic bottles recovery programme was organized in 9 districts in the New Territories, with the support of the Provisional Regional Council. The campaign lasted until 1999 when the brown plastic bottle recycling bin was introduced. Then in 1999, a “Green Challenge” campaign focused on plastic bags for newspapers, extending to over 1,000 newspaper vendors and retail outlets and collecting over 500,000 signatures of pledges not to receive plastic bags with newspapers. But bad habits die hard and most consumers and vendors resumed plastic bags for newspapers afterwards. To this date CA is still busily involved in community recycling projects of one kind or another.

36. Waste management policy

A green group tells people not to waste – that was the message of CA’s 1989 “Less Rubbish” 減少垃圾 campaign. A seminar on solid waste was organized on 5 March 1989 as part of the campaign, during which CA Chairman Hung Wing Tat took the opportunity to criticize government’s reliance on landfills and its lack of a comprehensive waste management policy. This was answered by the government in January 1990 when it announced its first Waste Treatment Plan, a \$5 billion blueprint with three landfill sites, six refuse transfer stations and one chemical waste treatment plant. Thus was the landfill-based policy of the 1990s.

Soon it became clear that such a policy was not sustainable, especially as the building boom in the 1990s gave rise to rampant dumping of construction wastes. In January 1993, with waste expert Gordon Ng as principal spokesman, CA warned of the danger of a shortening landfill life, and advocated “an integrated waste management strategy including source reduction, recycling and other disposal options including environmentally sound incineration to recover energy.” The message was reinforced in a seminar on solid waste organized by CA on 15 April with government and industry representatives. CA’s expertise was underlined by the publication of the “Decision Makers’ Guide to Solid Waste Management in Hong Kong”, written by Gordon Ng.

A public consultation paper in July 1993 marked the beginning of an ongoing debate on waste disposal charging, as a way to ease the pressure on landfills. The suggestion was to target private waste collectors only and to charge at 50% of the landfill disposal cost, i.e. from \$175 to \$350 depending on types of vehicles. CA’s comments were submitted in August. The polluter-pay principle implied in the proposal was welcomed by CA but the proposed fee was criticized as being too low, as was the lack of measures on re-use and recycling and on enforcement against fly-tipping. CA’s continual advocacy was reflected emphatically in its Earth Day (22 April) message of 1995, which called for a waste management policy.

Apparently the criticisms were taken on board as the government conducted a Waste Reduction Study, with its Consultants’ Findings and Recommendations in 1996 being the subject of further exchanges between the government and CA. While supporting the study’s recommendations, CA raised further issues including:

- Integrated waste management approach: suggesting a waste hierarchy be adopted with avoidance and material recovery given priority; a combination of different policy measures in waste treatment, education, market creation; a combination of technical options in an integrated approach instead of just relying on landfill or incineration; a joint effort with government playing a coordinating role.
- Voluntary participatory approach: encouraging waste generators to make use of existing waste reduction system and to establish habit change and lifestyle change, while not ruling out mandatory measures if voluntary approach fails.
- Implementation: to involve the community such as schools and housing estates as well as green groups; to encourage green managers within government to adopt waste reduction; to facilitate the private sector; and to implement landfill charging.

From the Waste Reduction Study came the Draft Waste Reduction Plan in May 1997. In another position paper presented at a seminar on 31 August, CA welcomed the waste reduction target of 40% in the next 10 years, but reiterated CA's stand for an integrated approach and its criticism over the lack of financial incentives for recycling and reduction and the lack of progress in landfill charging or community education.

In 1998 CA's waste management campaign focused on recycling of plastic bottles. After writing to the Hong Kong Productivity Council and the Consumer Council in February to promote the recycling label on plastic bottles, CA asked the government to consider legislating to mandate labeling. This was followed this by a half-year long plastic bottle recycling campaign in Tuen Mun launched on 14 June 1998 with Environmental Protection Department, Provisional Urban Council and Provisional Regional Council. Later a 10-point policy paper on plastic recycling was submitted to the government and the municipal councils advocating reduction at source, promotion of recycling, waste charging, labeling and public education.

In December 1998 CA issued a statement on another aspect of waste management, namely, the paper recycling industry, arguing that the industry must not be treated as a purely economic sector and government subsidy would be justified in the short term to help build a sustainable industry and to facilitate the development of the production chain.

37. Proposed power station at Fan Lau

The Hong Kong government received a request from China Light and Power (CLP) in 1989 for approval of a new coal-fire power station to be built in Fan Lau, the south western end of Lantau Island. The new power station could be commissioned by 1996 if works were to begin by the end of 1989.

The proposal was opposed by CA, which issued a statement in May 1989 questioning the rationale for a new power plant and rejecting the site proposed. CA observed that CLP had been expanding its generating capacity since the Scheme of Control Agreement between it and the government in 1978 (then to expire in 1993). Under the SOC, China Light was entitled a rate of return on its fixed assets, hence giving it an incentive to over-invest: with new stations already constructed in Castle Peak and another new nuclear power plant at Daya Bay, the need for additional power stations was questioned. Instead of an expansion of generating capacity, CA called for full transparency of information from CLP, and the establishment of an effective energy advisory committee to formulate energy policy, develop renewable energy, and promote demand side management. The government was asked to re-evaluate the SOC and put it under the framework of a comprehensive energy policy supervised by an adequate regulatory system within government.

For CA, the demand for additional power plants should be determined with adequate public participation, including through public hearings. Whether or not the need would be established, CA strongly opposed the proposed site in Fan Lau, part of the Lantau Country Park. With the help of other green groups including Green Lantau Association, Friends of the Earth, Green Power and Lamma Island Conservation Association, CA conducted a site study of Fan Lau and compiled a report advocating conservation of the area.

In the face of opposition from green groups, CLP proposed to build the new power plant at Lan Kok Tsui in Tuen Mun. In a statement issued on 24 August 1990, CA acknowledged that the environmental impact in Tuen Mun would be much less than Fan Lau, but nevertheless maintained its opposition before CLP could prove the need for the additional demand. Years later, CA's concern was justified as CLP was demonstrably producing excess energy.

In February 1991, Hung Wing Tat penned an energy policy strategy paper in CA's newsletter, making a call for energy conservation, energy efficiency and renewable energy, both at supply (power plant) and demand (homes and user) sides. The establishment of an appropriate regulatory authority and the need to conduct energy audits were also advocated. Five years later, in July 1996, the government established the Energy Advisory Committee.

38. White Paper: Pollution in Hong Kong – A Time to Act

Looking back, the 1989 White Paper “Pollution in Hong Kong – A Time to Act” was a historic document defining a new era in Hong Kong government’s environmental policy making. But as fate would have it, the World Environment Day on which it was released happened to be the day following the Tiananmen Square tragedy on 4 June 1989. For a few months, Hong Kong civil society – or perhaps Hong Kong itself – had only one agenda, namely, the June 4 Incident.

The White Paper gave a comprehensive account, for the first time, of the government’s environmental objectives and outlines a number of initiatives in waste management, air quality, water and noise pollution, environmental planning, enforcement and education. It was in this White Paper that the establishment of the Planning Environment and Lands Branch, the Drainage Services Department and the Planning Department was proposed. The preparation of a Waste Disposal Plan, the construction of a Chemical Waste Treatment Plant, the sewage strategy study, and measures to reduce diesel engine vehicles all came from the White Paper.

Significant as it was, the White Paper was not entirely the government’s doing but the product of engagement between the government and the community. Its preparation began in November 1988 when newly appointed Secretary for Public Works Graham Barnes announced to the Legislative Council that a White Paper on the environment would be published. While welcoming the news, CA Chairman Hung Wing Tat emphasized that the White Paper should be guided by the polluter-pay principle, the need for treating pollution at source, and full public participation in the battle against pollution. In 1989, in anticipation of the White Paper, CA organized a two-day seminar on “Hong Kong Environmental Protection Strategy 1989” on 27 and 28 May. After the White Paper was published on 5 June, CA issued a 24-point paper with comments including, among other points:

- disappointment that the White Paper only addressed pollution and not conservation or sustainability;
- proposal to set up an energy committee;
- more resources to be devoted to education, including more funding to support green groups;
- whilst welcoming the sewerage master plans, emphasizing the need for treatment, not just collection and disposal;
- advocating electricity regulation;
- supporting switch from diesel to petrol for vehicles’
- the importance of town planning, including appointing green group representatives to the Town Planning Board;
- the need to enact legislation on environmental impact assessment (EIA);

Looking back, many of CA’s comments have gradually materialized over the years; for instance, In 1992, the then CA Chairman Fung Shiu Wing was appointed to the Town Planning Board; later an Environment and Conservation Fund was established providing funding for community programmes; and an EIA regime was eventually established in 1997.

The White Paper was an achievement in environmental policy making not just because of the initiatives themselves, but because it set off a continuous process of reviews enabling further policy improvements. The First Review was presented on World Environment Day in 1991 and was essentially a progress report of the White Paper. The Second Review was a more elaborate process starting in early 1993, with briefing meetings on the scope and outline of the review. CA was generous in presenting views to the government, especially on the experience from the Earth Summit which CA attended the previous year.

The Second Review published in end-1993 turned out to be a 170-page document titled “Second Review of the 1989 White Paper: A Green Challenge for the Community”, which gave a detailed stock-taking of the state of the environment in Hong Kong. While welcoming the paper, CA criticized the government for confusing policy review with public education. Although there was an acknowledgement in the Second Review of the need for policies in conservation and energy, there were few specific targets and taken as a whole the document was more a public education tool than a policy review.

But that was then remedied in the Third Review, which started with a “think-piece” by the government on 5 June 1995 highlighting sustainable development as the crux of the Review. CA made a submission using Agenda 21 as the outline and drawing on CA’s own version of Agenda 21 for Hong Kong. The following year, the Third Review entitled “Heading Towards Sustainability: Third Review of Progress on the 1989 White Paper” was published. Though a small unprepossessing booklet, this Review drew an uncharacteristically favourable response from CA.

In a 30-paragraph comment on the Third Review issued in April 1996, CA stated, “Although this Third Review was published late (in 1996 instead of 1995), and in a much more modest and unimpressive format than the Second Review, our view is that the contents of this Third Review are much more substantial and it merits a place as an important document in the ongoing formulation of Hong Kong's environmental policy.” This is because the Third Review has “set government firmly on the direction of a policy guided by sustainable development.” The announcement that a SUSDEV21 study would be launched was seen as the fruition of CA’s many years of patient lobbying, as was the promise of a conservation strategy. CA also made the point that the then Financial Secretary Donald Tsang has made sustainable development a theme in the “framework for action” of his initiative to promote Hong Kong’s service industries launched in his 1996/97 Budget, thus showing that “environment and sustainable development is no longer a matter of lip service but a genuine commitment from government which should be recognised.”

But CA’s comment was not all about giving recognition: “Equally importantly, there must be concrete action to put sustainability into practice which, at the end of the day, is how government will be judged.” Besides making specific comments on issues ranging from waste, air, conservation, energy, environmental education to Hong Kong-Guangdong cooperation, CA also reaffirmed an idea it initiated earlier, of developing a suitable Sustainable Development Bill in the long term.

39. Strategic Sewage Disposal Scheme

The sight of polluting effluents discharging into our coastal waters has long been a public concern. In 1987, the government began a consultancy study on strategies to manage sewage disposal in the urban area. From the study, the idea of collecting sewage and discharging into the South China Sea was proposed in 1988, but the idea was immediately criticized by the Conservancy Association. Hung Wing Tat, CA's Chairman in 1988, made a public statement in June that year calling for sewage to be treated rather than discharged into the ocean. The debate over disposal versus treatment was one of the most significant in Hong Kong's environmental policy, and one in which CA was, again, proven right.

The government study culminated in the 1989 Sewage Strategy which consisted of two stages, firstly, collecting sewage from the major areas for "primary treatment" (i.e. simple, mechanical separation of sludge from sewage, and secondly, discharging the effluent into the South China Sea through a 30-km long tunnel under the seabed from Lamma Island to the South China Sea. The proposal, which came to be called the Strategic Sewage Disposal Scheme or SSDS, assumed that the sewage to be transported and discharged into the Ocean would not undergo further treatment such as secondary, i.e. biological treatment to reduce organic pollutants, or tertiary, i.e. chemical, treatment. The scheme \$11.8 billion scheme was expected to take seven years and be completed in 1997.

While Stage 1 of SSDS was generally supported, Stage 2 was a matter of some controversy. The Current Affairs Committee of CA issued a long statement in October 1989 describing the dumping of almost untreated sewage into the Ocean as grossly irresponsible, and criticized the government for failing to provide solutions to other related water pollution problems arising from construction activities and industrial effluents. The CA statement advocated a wholistic strategy to deal with water pollution with the adoption of higher levels of sewage treatment. The importance of working with Mainland China and applying the polluter-pay principle was emphasized.

The SSDS did not start in 1990 as originally anticipated, but the idea did progress within government. The first stage works began in 1994 with the construction a "chemically-enhanced primary treatment" (CEPT) plant at the Stonecutters Island Sewage Treatment Works and a tunnel system for collecting sewage in the urban areas. At the same time, a three-member International Review Panel was set up to advise on the next steps. In a paper in September 1994 responding to the review, CA stated, "A fundamental flaw in the whole concept of the SSDS is its one-sided, and, by focusing on the oceanic outfall, almost exclusive, concern with *disposal*. It is our view that a genuine strategy should take full account also of source control as well as cross-border development." For CA, a genuine strategy should embody sewage treatment at local, regional and territorial levels, but the first two were lacking in SSDS. In the meantime, the cost of the project escalated to \$20 billion, and the fate of the SSDS became embroiled in political controversy between the last British Colonial Administration and the Chinese government. The three experts failed to arrive at any consensus on treatment options but they did conclude that an EIA should be carried out on further treatment and disposal options.

Moving on relentlessly, the SSDS went into the environmental impact assessment stage in 1996. In two papers commenting on the criteria and options for the project's EIA in April and May 1997, CA queried the standards to be adopted for waste water discharged into Chinese waters, asking if alternative options to the oceanic outfall were adequately represented.

From the EIA study, four options were shortlisted in 1998 with varying levels of treatment at different outfall locations. At a meeting with the Environmental Protection Department on 23 September 1998 to consider the "Briefing Document on Options Evolution and Comparison", CA's Albert Lai expressed concern over accepting the lower-level CEPT treatment just because of cost difference with biological treatment, and suggested that a "distributed system" (as opposed to the centralized system) of cheaper secondary treatment options be considered. The EPD's Malcolm Broom wrote to CA the next day stating that a distributed system would not be pursued, citing difficulties in cost and siting. In response, CA issued a public statement on 5 October emphasizing the need for a long-term and regional perspective instead of a narrow self-serving view, and reinforcing CA's view that the minimal option should be "biological treatment with nutrient removal" before sewage is disposed. CA continued to oppose the oceanic outfall and questioned the cost and siting difficulties in adopting a distributed system with secondary treatment. Nevertheless, government concluded in January 1999 that it would go ahead with SSDS, with further enhancement to CEPT through a disinfection facility in Lamma Island, and then have the sewage transported through the deep sea tunnel for discharge into oceanic waters.

But the same year saw a turning point for SSDS when, nine months later, the Chief Executive Mr Tung Chee Hwa announced in his October Policy Address that a new review for SSDS would be conducted. Accordingly, a new six-member International Review Panel was appointed to oversee the review, which took the unprecedented step of conducting public hearing on SSDS options. CA's views were presented by Albert Lai at a public hearing on 28 May 2000. The IRP published its report in November 2000 and just as CA advocated, it supported a distributed system with higher levels of treatment, although stating that further studies would be required on finding suitable sites. Thus spelt the end of the original SSDS.

In March 2001 the government accepted the IRP recommendations and began to seek funding from the Legislative Council to conduct further studies on the long term solution to sewage treatment. With SSDS abandoned, a new name was given to the scheme for sewage treatment and disposal: the Harbour Area Treatment Scheme, or HATS.

The CEPT plant at Stonecutters Island – the first stage of the original SSDS – was fully commissioned in end 2001, whereby some 70% of the sewage from around the harbour was treated, bringing a marked improvement in water quality. For the long term, however, an alternative to the long oceanic outfall would still be needed, to be delivered under the new HATS.

40. Water pollution and sewage charge

The Water Pollution Control Ordinance was enacted as early as 1980 but it was not until ten years later when the Ordinance became fully effective. In 1989 a comprehensive Sewage Strategy was laid down, under which a sewage collection system would be built throughout the territory with the collected effluents subject to different treatments in different areas.

In 1990 CA weighed in the debate over the Water Pollution Control (Amendment) Bill, which sought to implement the 1980 Ordinance by removing exemptions and establishing a Technical Memorandum to control industrial and domestic sewage. Against calls from the industrial sector, represented by the Federation of Hong Kong Industries, for continual exemption and delay in the implementation of the Technical Memorandum, CA issued a statement in July 1990 reiterating the importance of the polluter-pay principle and urging the government to implement Amendment immediately in order to induce industrialists to install environmental management systems.

Although the legislation and Technical Memorandum were duly passed, the water pollution control strategy was subject to a grueling debate over one crucial aspect of the Sewage Strategy, namely, the Strategic Sewage Disposal Scheme for the urban area. Nevertheless, with or without the deep sea tunnel, the sewerage system for sewage collection had to be built or upgraded. In November 1991, however, the Secretary for Planning Environment and Lands Mr Graham Barnes indicated that the funding for the sewerage system might not be available due to government's commitment to other public works projects – ostensibly the construction projects in support of the new Chek Lap Kok airport. Thus alternative funding sources would be required or the construction of the sewage infrastructure might be delayed. CA put out a statement in December 1991 criticising the government's lack of commitment to building the sewerage system for Hong Kong, at the same time stating that CA would support a sewage charge or a green tax to finance the infrastructure for sewage treatment and disposal.

As the sewage charge became a contentious issue in the community, CA issued a number of statements in November 1993 and held a demonstration outside the Legislative Council with other green groups on 1 December in support of a sewage charge to be levied by the government – a brave thing to do for a community group that counted on citizens' support. But it was a matter of principle for CA that polluters should pay, whether industry or households. For its part government was urged to enhance efforts in education and provide incentives in water conservation. The sewage charge was duly passed by the Legislative Council and implemented on 1 April 1995.

41. Metroplan

The public consultation for the Metroplan – a master plan for the urban area – began in April 1988. In 1990, together with the Port and Airport Development Strategy (PADS), the Metroplan was presented as a blueprint re-defining the city of Hong Kong. The centerpiece of the Metroplan was massive reclamation to provide land for the port, the new airport and for the city to expand. Three initial options with varying degrees of development intensity were offered for consultation in 1990.

CA responded in March 1990 commenting on the lack of an energy dimension in the Metroplan; in other words, a low-energy economy should have been a guiding principle in developing the blueprint. CA was not satisfied that the incompatibility of land uses such as that between polluting uses and residential areas was not sufficiently addressed. But above all, CA expressed concern, well ahead of the modern harbour protection movement, over the massive scale of reclamation. Instead of reclaiming the harbour for commercial uses, urban redevelopment was advocated instead. The lack of transport planning was also questioned, the same transport network having apparently been presumed for all three options.

The Metroplan concepts were gradually translated into district plans and it was then that the problems surfaced, when the impact of the massive reclamations began to be visualized. Looking back, the original Metroplan was clearly based on unsustainable assumptions, and with increasing demand by the community on quality of life and on scaling back reclamation, the Metroplan gradually became irrelevant.

42. Hong Kong Planning Standards and Guidelines

With the growing importance of environmental planning, Chapter 9 of the Hong Kong Planning Standards and Guidelines on the environment was revised in 1990. In June 1990 CA issued a statement commenting on the revised Guidelines. CA considered that the guidelines lacked direction and displayed a negative attitude of taking pollution as inevitable. The biggest gap missing was the lack of energy conservation in land use, transport or building design.

The guidelines were also criticized for failing to consider solid waste treatment such as making provisions in new developments for waste management facilities. Lack of public participation was another omission; although Environmental Impact Assessment reports were asked for in certain cases, there was no requirement to make them accessible to the public. CA also called for higher levels of compliance on pollution standards.

The limited application also came under fire, as the Guidelines were to apply to urban areas only, not rural areas. But above all, the Guidelines were toothless; they lacked statutory authority. CA's view was that they should have the status equivalent to that of a Technical Memorandum under the Town Planning Ordinance.

Since then many improvements have been made to the HKPSG, including the chapter on environment.

43. Earth Day

The Earth Day on 22 April was founded by US Senator Gaylord Nelson in 1970, and is celebrated in many countries as the anniversary of the birth of the modern environmental movement. Hong Kong's first involvement in the Earth Day was when CA was invited to be coordinator of the 1990 Earth Day. The main event was a rally through Tsim Sha Tsui and a carnival at Kowloon Park, organized with the help of the Hong Kong Environment Centre, World Wildlife Fund, Friends of the Earth, Green Power, Methodist Centre, and Zonta (Eastern). A seminar on environmental protection in the 90s was also organised.

The Earth Day then became the occasion for Hong Kong green groups to deliver environmental campaign messages, e.g. in 1992 CA used it to launch its delegation to the Earth Summit in Brazil. The green groups' messages might differ but in 1993 they joined together in a Earth Day Declaration "Creating a Sustainable Future" 地球日宣言：創建香港的持續未來, and announced the formation of the Green Groups United Front 綠色團體聯合陣線. The Declaration was an 11-point statement covering sustainable development strategy, institutional structure, air and transport policy, land management, water, energy efficiency, waste management, conservation, public consultation and education. It was mainly of an agenda setting nature directing attention to the then forthcoming review of the White Paper on Pollution.

44. Hong Kong Environment Charter

The *Hong Kong Environment Charter for a Sustainable Future* was launched on Earth Day 22 April 1992 by the Conservancy Association. The Charter included the following nine sections:

Three Principles

- Protect and sustainably manage the atmosphere, land and ocean systems
- Proper valuation of the environment
- Conservation of biodiversity

Three Goals

- Joint effort
- Free flow of environmental information
- Societal priority in sustainable development

Three Actions

- Sustainable use of energy and resources
- Reduce wastes
- Use recyclable products

Endorsed by the government Environment Campaign Committee and supported by seven other green groups and community groups, the Charter was part of CA's preparatory activities for the Earth Summit 1992. After a five-week signature campaign, 23,472 signatures in support of the Earth Charter were collected and submitted to the Director of Environmental Protection Dr Stuart Reed on 27 May, shortly before representatives of CA embarked on their journey to the Earth Summit in Brazil.

45. Earth Summit 1992

An empty chair where Hong Kong government's representative was to have been – the picture that splashed across the newspaper front pages was transmitted by the Conservancy Association, non-governmental participants at the 1992 Earth Summit at Rio de Janeiro.

With 176 countries participating, the Earth Summit from 30 May to 14 June 1992 was the biggest international event on the environment since the United Nations Conference on the Human Environment in Stockholm in 1972. In Rio de Janeiro as in Stockholm, CA was the only Hong Kong presence. The 8-member delegation were led by CA Chairman Fung Shiu Wing, with Stephen Chan as Deputy Leader. Other team members included Hung Wing Tat, Ng Cho Nam, Peggy Poon, James Buchanan, Gordon Ng and Lister Cheung.

The preparation began way before the event itself. A year before, CA's Gordon Ng participated in the National Development and Sustainable Development Conference in South Africa, a preparatory conference for the Earth Summit. On 15 April 1992, CA initiated the Tree of Life programme, inviting citizens to write down on a leaf one environmental commitment and one wish for government action. The following week, on Earth Day 22 April, CA launched a five-week signature campaign in support of the Hong Kong Environment Charter developed by the Association. By the time of the Earth Summit, more than 3,000 Tree-for-Life leaves and 23,472 signatures for the Hong Kong Environment charter were collected and taken to Brazil.

For the Earth Summit itself, CA published the *Hong Kong Environment Profile* to be shared at the Global Forum of the Summit. The group also presented a paper entitled "Environment and Social Development – the Case of Hong Kong". Being NGOs, CA delegates were not eligible to attend official meetings of the Summit, but they took part actively in meetings and NGO rallies throughout the conference. The CA delegation also organized meetings with the Chinese and British government delegations.

The Earth Summit delivered a few historic documents, including

- the Rio Declaration on Environment and Development, with its 27 Principles on various aspects of sustainable development;
- Agenda 21, a comprehensive plan of action for the global effort on sustainable development;
- the Framework Convention on Climate Change (FCCC); and
- the Biodiversity Convention.

Upon their return to Hong Kong, the eight representatives of CA convened a press conference on 27 June reporting on the Summit and declaring that the main challenge for Hong Kong was no longer pollution control but sustainable development. CA's recommendations to the government were subsequently published in a booklet titled "The Earth Summit: Implications for Hong Kong", which sought to urge the government to:

1. ratify the Convention on Biodiversity;
2. ratify the Convention on Climate Change as a developed territory;

3. follow up the Agenda 21;
4. adopt the Rio Declaration and the Forest Principles; and
5. develop and implement a sustainable development policy that embraces the Conventions on Biodiversity and Climate Change, the Agenda 21, the Rio Declaration and the Forest Principles and the Hong Kong Environment Charter for a Sustainable Future.

The message was reinforced in an open forum on 3 July on sustainable development, and a lobbying mission on 7 August with members of the Legislative Council. On 2 December, during a LegCo motion debate sponsored by Peter Wong Hong Yuen, CA demonstrated outside LegCo to urge the Hong Kong government to adopt the Earth Summit agreements. The following year, CA continued to push the Earth Summit agenda by publishing its own Agenda 21 for Hong Kong.

46. Environmental Impact Assessment Bill

Before the Environmental Impact Assessment Ordinance was enacted, a rudimentary form of EIA was practiced as an administrative arrangement but with little understanding from the community.

In 1991, the EIA reports of the West Kowloon Reclamation were published for public inspection, but drew immediate fire from CA which objected to the lack of transparency as government provided only photocopies, without explanation or any enquiry point. But above all, there was no legislative requirement on EIA, making it a mere procedure for mitigation of impacts from predetermined projects. CA proposed that there should instead be a statutory EIA process with a two-step consultation: at the start of the EIA study and after the study is completed. EIA reports should be centralized in an EIA information centre which should be open to the public.

CA's campaign for a statutory EIA regime received a boost when it called on and obtained the support of Prof Wang Gungwu, Chairman of EPCOM, in December 1992. A month later, under the name of its Chairman Fung Shiu Wing, CA wrote to Peter Wong, Convenor of LegCo's Environmental Panel on the need for a mandatory EIA process.

CA's lobbying paid off when government began drafting an EIA Bill. The gist was that EIA's should be required for "designated projects" and be open to public participation. Upon approval of an EIA report, the Director of Environmental Protection would issue an Environmental Permit which would clear the way from the environmental point of view for the project to go ahead. Significantly, heritage impact was also included as part of the EIA process. Throughout 1994 CA continued to contribute comments on the Bill, focusing on public participation and the need for discretion to apply the EIA requirement also to non-designated projects. Questions were also raised about responsibilities in case of non-compliance of permit conditions.

In January 1996 the EIA Bill was gazetted. CA organized a forum in June 1996 to discuss the bill. The Bill was passed into law in January 1997, with a set of Technical Memorandum adopted later.

47. High Street Mental Hospital

The Old Mental Hospital at High Street was built in 1892, originally as the dormitory of European nursing staff. It was converted into a hospital for mental patients in 1937 but disused in 1961 after the Psychiatric Hospital was moved to Castle Peak. Without maintenance, it became derelict and acquired notoriety as a “haunted house”

In December 1993, CA submitted an objection to the Town Planning Board on the Draft Sai Ying Pun & Sheung Wan Outline Zoning Plan, which sought to rezone the Old Mental Hospital from Government, Institution and Community (GIC) to Residential Group B. CA called for conservation of the block, which was accorded Grade I status by the Antiquities Advisory Board. Besides the building’s historic and architectural value, CA was also concerned with the traffic and visual impacts of the new residential development.

The Town Planning Board gave preliminary consideration to the objection on 25 March 1994 and agreed with CA to revert the zoning it back to GIC. The building has since been redeveloped as a community centre with the main historical features preserved and additional space constructed to serve the Sai Ying Pun area.

48. Survey on Polluter-Pay Principle

Prompted by the debate over sewage charge, CA conducted a study on the polluter-pay principle using funding from the Environment and Conservation fund in 1994. More than 1,000 valid questionnaires were returned.

The results were release on 2 June 1994, showing that

- 79% agree that government and polluters have responsibility to pay.
- 81% agree that the commercial sector should pay a sewage charge.
- 42% agree that households should pay a sewage charge, and 27% will reduce water usage upon charging.
- 55% accept municipal solid waste charge.
- 79% will reduce waste upon solid waste charge.
- On average, people are willing to pay an annual tax of \$573 for cleanup of the environment, up from \$500 in a previous survey conducted by CA in 1991.
- The government was criticized for not doing enough in educating on the polluter-pay principle, and urged to do more on promoting reuse and recycling.

49. Diesel-to-petrol scheme

In response to the government's "Report of the Working Party on Measures to Address Traffic Congestion", CA organized a seminar on 21 January 1995, at which the government was taken to task for failing to address energy usage and emission reduction obligations under the Framework Convention on Climate Change. Advocating a rail-first strategy, CA advised the government to undertake measures to discourage car ownership and enhance vehicle maintenance.

In the same year the government issued a consultation paper proposing tax incentives to encourage switching from diesel to petrol for light diesel vehicles such as taxis, Public Light Buses and school buses. With a 5-year target, the programme was anticipated to reduce particulates substantially. Responding to the scheme, Miriam Lau, the Legislative Councillor for the transport constituency, proposed a motion in December 1995 to make the scheme voluntary, to which CA objected strongly, demanding that the scheme should be made mandatory. In January 1996 CA issued a position paper supporting the diesel-petrol switch, but at the same time calling for more stringent Air Quality Objectives as well as greater effort in vehicle maintenance and enforcement against infringement.

After a successful 12-month trial on taxis to switch from diesel to other fuel, a full scale scheme was formalized in 1998 to have the entire taxis fleet changed from diesel to liquid petroleum gas. CA wrote to the government on 31 December 1998 giving its support to the scheme but also suggesting that it be expanded to other vehicles.

50. Chemical waste disposal

One of the early deliverables of the 1989 White Paper “Pollution in Hong Kong: A Time to Act” was the Chemical Waste Treatment Facility in Tsing Yi Island. The plant was built quickly and commissioned in April 1993. The Facility was the answer to the once widespread problem of dumping chemical waste into rivers or sewers. Under the new system, chemical waste producers would be registered and required to pack and store chemical wastes for collection by licensed collectors using a “reverse milk bottle” system, thus making sure the chemical waste is tracked and safely disposed of.

The plant was extraordinary in that the government took a “build first, charge later” approach – not unwelcome by green groups – and issued a consultation paper in June 1993 seeking views on the charges to be levied, well after the plant went into operation. The government’s target was to devise a simple system to achieve an overall 43% recovery rate for operating cost, with a low starting fee at 20% gradually rising to full recovery by the end of the eighth year.

CA replied in August 1993 welcoming the polluter-pay principle behind the charging scheme but at the same time expressing concern over enforcement, as a large number of firms had not registered. CA also queried why the recovery was limited to operating cost only but not capital cost.

That last point was the subject of another letter to the Environmental Protection Department in March 1996, when the Chemical Waste Treatment Facility had run smoothly. The polluter-pay principle was highlighted again and EPD was asked to develop a plan for full cost recovery, instead of being persuaded into freezing the charges as the government was then under pressure for.

51. Dumping of used tyres and vehicle parts

Up to 400,000 used tyres are thrown away each year. Some ended in landfills but a large quantity were dumped in the New Territories or simply burnt, causing air pollution and bad smell. In a statement by Chung Shan Shan in March 1994, CA drew attention to the problem and called for a ban on open burning, lamenting the lack of used car collection centre and hence the government's inability to treat waste tyres. The alternative of cutting tyres into small pieces and then dumping at landfills would be wasteful. Instead CA suggested that the used tyres be collected and then either incinerated to generate electricity, or broken up through secondary material recycling for other uses such as plastic furniture or construction.

The issue was later extended to that of dumping of used vehicle parts. In July 1994 CA wrote to the Secretary for Planning and Lands Mr Tony Eason suggesting that a deposit system be imposed to register vehicles before they were dismantled and disposed, i.e. a levy for disposal which would be refunded after actual disposal, to be built into the vehicle registration tax. The Planning Environment and Lands Branch replied a month later rejecting the deposit system as impractical and pledging that government would continue to use planning control to regulate the problem.

52. Waste charging

The Product Eco-responsibility Bill passed on 10 July 2008 paved the way for a levy on plastic shopping bag to be introduced. As early as 14 years before, in June 1994, CA's waste expert Gordon Ng had made a public call for plastic bags to be charged. The rate suggested was \$0.5, the same charge being contemplated by the government in 2008.

The plastic bags levy would look an easy one compared to charging for disposing at landfills. In the latter case, the charging was approved by the Legislative Council in 1995, a scheme on charging construction waste disposal at landfills was introduced in 1996 but it was never carried out. The problem stemmed from opposition of truck drivers and waste haulers on the fee collection mechanism, which was mainly based on a trip-ticket system, i.e. requiring truck drivers to pay at the gate or purchase tickets before dumping. The waste collectors and drivers felt it unfair to have to pay the charge instead of the waste generators. On the other hand, collecting the fee at the gate is the most efficient way of administering the charge, and is widely practiced elsewhere.

On 26 May 2001 CA held a seminar on Solid Waste Disposal Charging with representatives from the Environmental Protection Department, Legislative Council, and construction and waste management industries. While there was consensus on the need to press ahead with the charging scheme, views differed on implementation details.

The scheme made slow progress when government introduced the Waste Disposal (Amendment) (No. 2) Bill 2003 to the Legislative Council. The latest proposals were highly accommodating to the waste haulers and drivers: the government would identify major waste producers and charge them direct, despite the much higher administrative cost. Haulers and drivers would still need to share the burden of collecting and paying the charge for other waste producers, but small business haulers would be allowed a credit period. Despite these concessions, however, truck drivers and haulers still threatened to derail the Bill.

CA staged a petition outside LegCo when the Bills Committee met on 28 April 2004 to demand LegCo members not to block the Bill. CA also presented a public statement on the same day, decrying the lack of progress in the charging scheme eight years after the legislation was passed. The CA statement pointed that, "Every day 10,200 tonnes of construction wastes are sent to landfill, based on the operation cost of \$125 per tonne, the whole society has to pay \$1,270,000 every day, it is simply not fair."

Nor would it be if the charging were to be limited to construction waste only. CA wanted the scheme "to be extended to cover other wastes such as clinical, commercial, industrial and household waste in due course."

The Bill was duly passed by LegCo in 2004 and the actual charging began in 2006.

53. Open storage in the New Territories

Open storage was one of the two issues addressed in CA's September 1994 report on "Land Use and Environmental Quality in North West New Territories" (the other was wetland conservation). In 1991 the Town Planning Ordinance was amended to prevent sprawl of open storage, but it could not control pre-existing uses. The Town Planning Board had tried to upzone selected sites to Residential Group D to provide incentives for landowners to upgrade, but that had largely failed as the incentive (usually plot ratio of 0.2) was deemed not enough. Lack of enforcement over unauthorized uses exacerbated the problem further. CA's solution was a rigorous clean-up and strict enforcement against non-compliance, while using non in-situ exchange for sites with potential to be turned into a well-planned port back-up area.

But open storage persisted and became a reality which New Territories residents had to put up with. Occasionally conflicts broke out: one of the cases involving CA was in Fairview Park where schools and residents were exposed to air and noise pollution and traffic hazard arising from illegal open storage yards nearby. With the help of CA, the residents and schools got organized to lobby Environmental Protection Department, Planning Department, Lands Department and Education Department in May 1998. Though not completely resolved, the problem was alleviated somewhat, but the bigger gain was perhaps in building the local community.

54. Dumping in the New Territories

The illegal dumping of construction and domestic wastes has been a problem that plagued the country side for many years. A particularly bad case was uncovered by CA in March 1998 in Sheung Pak Nai, an otherwise picturesque coastal area in the remote part of Western New Territories, where hundreds of tonnes of wastes were dumped. CA wrote to Secretary for Planning Environment and Lands Mr. Bowen Leung on 25 February urging the government to take strict enforcement action and to punish drivers of trucks which dumped the wastes, and followed it up with another letter to the Provisional Legislative Council on 7 March.

Following a site visit, CA held a press conference on 23 March 1998 condemning the illegal dumping and proposing that the government impose strict fines as well as set up a hotline to encourage citizens to report on similar infringements. CA also made a public call to the landowner to reinstate the site to its unpolluted state. It received a reply on 30 March from the Planning Environment and Lands Bureau acknowledging that “the current legislative controls may be inadequate” and that government would conduct a comprehensive review of the enforcement measures to improve control. But that was never delivered and illegal dumping remained as serious a problem in 2008 as it was ten years before.

55. Waste Reduction Plan

In May 1997 the government published a consultation paper entitled the “Draft Waste Reduction Plan for Hong Kong”. In the Draft Waste Reduction Plan a waste management hierarchy was adopted, comprising, in order of desirability: “avoid waste, minimize waste, maximize recovery, reuse and recycling of waste, reduce bulk, and finally dispose”. The consultation paper was an important document in the policy making on waste management, and it formed the basis for the Waste Reduction Framework Plan subsequently developed by the government.

With strong expertise in waste management policy led by Dr Gordon Ng and Dr Chung Shan Shan, CA formulated an elaborate response to the consultation document in August 1997. While welcoming the Draft Waste Reduction Plan, CA pointed out several concerns, the key being the unsustainable pattern of production and consumption which CA saw as the root cause of the problem. CA’s view was that a primary objective of the Waste Reduction Plan should be “to encourage resource conservation in production and consumption process as a means of achieving sustainable living in Hong Kong”. CA supported an integrated approach embodying the three dimensions of policy measures, technical management options and cross-sector commitment, and supplemented by per capita waste reduction targets. Besides supporting early implementation of the plan, CA also commented on other aspects including encouraging markets for recovered materials and recycled products, government land allocation to recyclers, grants for material recovery projects, recycling credits schemes, disposal charges, volume based charging, composting, and programme transparency.

In 1998 the Government published the Waste Reduction Framework Plan 1998-2007 setting out the blueprint for waste management for the future. CA returned its comments in November 1998 calling for more resources to be devoted to recycling, and reinforcing the polluter-pay principle. CA’s views were further consolidated in a statement on 5 January 1999 specifically commenting on the government policy on solid waste and recycling (解決香港固體廢物和回收問題的政策建議). The paper consisted of three parts. The first part dealt with recycling, in which CA emphasized that recycling should not be regarded just as an industry, but as one that has social and environmental objectives, hence warranting subsidies and further government efforts in facilitating the production chain. In another part of the paper, CA proposed an “environmental employment” concept of creating jobs in waste management (e.g. collection and recycling) which are labour-intensive industries. The main paper consisted of ten solutions to the solid waste problem, which have become the basis of CA’s ongoing position on waste management. The ten solutions are:

1. waste reduction at source
2. raising the utility of waste collection material to stabilize their price in the market
3. ensuring reasonable return for waste collection and recycling businesses
4. waste disposal charging
5. volume-based waste collection charging
6. education and publicity
7. source separation and labeling of collected material

8. regional network for collection of recyclable material
9. more pilot schemes on collection of recyclables at households
10. information and technical support

Of the waste management policies, charging was always a controversial issue. On 26 May 2001, CA organized a public seminar on “Implementing waste disposal charge – an important step towards sound waste management 邁向有效廢物管理 – 推行廢物棄置費”, with participation from the Environmental Protection Department, Legislative Council as well as the waste management industry. At the seminar CA Chief Executive Gordon Ng delivered a statement in support of waste disposal charging, publicly stating CA’s support for landfill charges but also calling for producer responsibility to be introduced. The report of the views expressed in the seminar was submitted to EPD on 7 June, in which support for landfill charging was emphasized. However, it had to be a few years later before landfill charging was implemented.

In September 2001, the Environment and Food Bureau announced new waste prevention and recovery initiatives, including a 20-hectares recovery park at Tuen Mun, injection of \$100m into the Environment and Conservation Fund to encourage reduction and recycling projects in the community, the setting up of a hotline, and implementation of recycling of glass bottles, batteries and computers. All these initiatives were welcomed by CA, which put out a statement proposing 10 measures to help achieve the government’s targets. While supporting the recovery park, CA wanted priority to be given to domestic waste recovery, and in that regard the \$100m injection into the Environment and Conservation Fund was deemed not enough. Education and public involvement should be facilitated further through, among other things, design of new bins to improve participation rate and efficiency of collection. CA also urged early implementation of landfill charges and producer responsibility and emphasized the need for strong government leadership.

56. Sha Lo Tung

The Agriculture and Fisheries Department (AFD) must have thought an 18-hole golf course with 62 houses, 200 flats and 160 village houses on 66 hectares of land a welcome addition to Hong Kong's countryside, when it approved the development proposal in October 1991. Except that nearly half of the land, 31 hectares, was in the Pat Sin Leng Country Park, while the rest would occupy the Sha Lo Tung valley, a historic village and a haven for rare species of dragonflies.

The development proposal sparked outrage from green groups. On 24 October 1991, the leading green groups of Hong Kong, including the Conservancy Association, petitioned the Legislative Council and the Executive Council against the scheme. They took their objection to the Country Parks Board in November 1991, highlighting the ecological and heritage value of Sha Lo Tung and opposing the encroachment into the Country Park.

In January 1992, the green groups submitted another joint petition to the Legislative Council objecting the golf course. Views were divided among members of the Legislative Council, with some on the side of the green groups while others favouring development. With the support of five other green groups including CA, Friends of the Earth decided to apply for judicial review against the government approval. In the meantime, CA collected 24,000 signatures against the scheme which were submitted to the Governor on 31 January 1992.

On 23 February 1992 CA organized a study trip to Sha Lo Tung with botanical expert and CA founding member Dr Hu Shiu Ying to inspect the ecological significance of the valley. On their way they ran into Governor Sir David Wilson who was then hiking the New Territories countryside, and made an impromptu petition to the Governor.

The joint action by the green groups led to a decision by the Country Parks Board in February 1992 to freeze any further approval for golf courses in country parks, pending the outcome of the Sha Lo Tung court case. By then additional applications for golf courses were flooding in, with proposals for developments in Luk Keng, Yuen Long and Lau Fau Shan.

In March 1992 the Town Planning Board rejected a proposal for golf course in Luk Keng. Then, on 13 April 1992, the High Court quashed the Country Park Board's approval for the Sha Lo Tung golf course – a historic victory for Friends of the Earth and for the green groups together.

But the victory was far from complete: it only prohibited developments in country parks, but did not offer any protection for Sha Lo Tung Valley, which was not part of the Country Park nor regulated by any town plan. Instead, the possibility of a golf course for Sha Lo Tung became even more real when the valley was identified as a "Recreation Priority Area", where golf course development was possible, in the Tai Po Development Programme of the Territory Development Department. In January 1993, CA wrote to Director of Planning Mr Peter Pun expressing concern over TDD's development programme, and highlighting the need to protect Sha Lo Tung's and

preserve its high ecological and heritage value. But just as CA feared, the development proposal went ahead, this time without encroaching onto the Country Park. The developer even completed a draft Environmental Impact Assessment report to the Director for Environmental Protection, on which both FoE and WWF commented in September 1993.

On 3 August 1994, five green groups including CA, FoE, WWF, Green Power and Green Lantau Association submitted a joint “Position Paper: Objection to the Proposed Development at Sha Lo Tung, Tai Po” to Governor Chris Patten, citing five reasons:

- (1) Improper land use planning: The proposal contravened the Convention of Biodiversity as well as previous planning studies such as the Territorial Development Strategy; the proper land use should have been SSSI (Sites of Special Scientific Interest);
- (2) Mal-administration in processing the Sha Lo Tung development: The application was originally rejected in 1979 due to objection by Water Services Department and AFD, but was approved by government a year later without adequate justification – a subject of a complaint by FoE to the Commissioner for Administrative Complaints;
- (3) Ecological impacts, including habitat destruction (pollution of freshwater streams) and loss of biodiversity (threat to mammals, dragonflies and plants);
- (4) Impact on freshwater supply, the Sha Lo Tung Valley being water gathering ground which would be lost to the golf course; and
- (5) Development impact: green groups would oppose even if the developer dropped the golf course proposal and only build houses.

The case dragged on for some time until 1996 when the Advisory Council for the Environment decided not to endorse the EIA report. Government gazetted part of the site as SSSI. But things took a worse turn: villagers sabotaged the valley by digging up the land and stacking the river side with excavated sand and mud. On 24 January 1997, Sha Lo Tung was finally put under planning control through the gazetting of a Development Permission Area (DPA) Plan, with SSSI being designated along the stream and the rest being largely classified as Unspecified zone. CA wrote to Planning Department objecting to the DPA Plan in March 1997 and proposing to rezone the major portion of Unspecified zone to Conservation Area, emphasizing integrity of the valley as a whole including the Hakka village houses. As a concession, CA suggested relaxing part of the U zone away from stream but close to the existing access road to allow for some development for recreation or village expansion – a concept which subsequently became the key to Sha Lo Tung’s conservation years later.

In 1999, Planning Department put forward three proposals for Sha Lo Tung to the Town Planning Board, ranging from conservation, a smaller scale of development, to medium development. CA responded to the Board with a firm view in support of conservation. The Town Planning Board eventually decided to publish an Outline Zoning Plan for Sha Lo Tung in January 2001 with most land being zoned Conservation Area or Green Belt, thus establishing the conservation-first principle for Sha Lo Tung although even then, CA’s view was that most of the valley should be Conservation rather than Green Belt, with the exception of the area away from stream but close to the access road.

Later on, a possible solution for Sha Lo Tung began to emerge under the government's new conservation policy. By 2008, that solution was still being worked out as a private-public partnership between the government, the developer and local green group Green Power.

57. Nam Sang Wai

Nam Sang Wai is a history-making planning case reflecting the tug-of-war between development and conservation, which has been ongoing for nearly two decades but is still unresolved.

As early as 1990 local developer Henderson Land Development applied to the Town Planning Board for a residential development in Nam Sang Wai covering 98 hectares of fishponds. The development would comprise a 18-hole golf course and 2,500 low-rise houses of two to eight stories for 9,000 residents. As a compensation for the impact caused by the development, the developer would undertake ecological management of nearby fishponds in Lut Chau. However, since the Nam Sang Wai area falls within the Deep Bay Buffer Zone, the application was rejected by the Town Planning Board in June 1993. But that was only the beginning of what turned out to be a long battle.

Henderson appealed to the Town Planning Appeal Board in September 1993 and scored a victory in August 1994 when the Appeal Board upheld its case. CA expressed disappointment publicly over the Town Planning Appeal Board's decision and warned of the precedent effect on other fishponds near Mai Po Nature Reserve. If Nam Sang Wai goes, the Buffer Zone goes – that was not an exaggerated concern given that there were already seven proposals for residential developments nearby.

In view of the threat posed by the Appeal Board's decision, CA held a joint press conference on 9 September 1994 with WWF and Friends of the Earth calling on the government to establish a conservation policy to protect the wetland, including the fishponds, in North West New Territories. CA followed that up with a seminar on "Land Use and Environmental Quality in North West New Territories" on 29 September, at which Director of Planning Dr Peter Pun, Henderson's Wan Man Yee, Town Planning Board's Prof Yeung Yue Man and CA's Hung Wing Tat debated the need to protect the fishponds.

Encouraging news for the green groups came in November 1994 when Town Planning Board decided to judicially review the Appeal Board's decision on the ground that it was unreasonable and the Appeal Board had acted *ultra vires*. But once again, CA and other green groups were disappointed when the High Court ruled in April 1995 that there was nothing improper in the Town Planning Appeal Board's ruling. CA joined other groups in expressing regret over the ruling.

But to its credit the Town Planning Board persevered and took the matter to the Appeal Court, which in early 1996 upheld the Town Planning Board's appeal, ruling that the Town Planning Appeal Board had misunderstood the planning intention of the Development Permission Area Plan and had approved the development with conditions which were impractical. The Town Planning Board's original decision that there should be no major development there was upheld.

That would have been a major victory for the Town Planning Board and the green groups, except that the developer appealed to the Privy Council in England which, in another dramatic turnaround, ruled in December 1996 in favour of Henderson Land

Development. As that was the final decision by the then highest judicial authority, in planning terms, all the hurdles were cleared for the development. However, after more than ten years, Henderson has not been able to commence development as it has not been able to fulfill the conditions attached – a reflection of the wisdom of the green groups, the Town Planning Board and the Appeal Court.

58. Mai Po Ramsar site

In the wake of the Town Planning Appeal Board's reversal of the Town Planning Board decision on the Nam Sang Wai case by Henderson Land Development, CA compiled a report on "Land Use and Environmental Quality in North West New Territories" and presented it at a seminar of the same name on 29 September 1994.

The report highlighted the unacceptable development pressure around Mai Po. Already the Town Planning Board has established guidelines for the Buffer Zones around Mai Po since 1992, but there were still plenty of applications for golf courses and residential developments, often accompanied with reports understating the ecological values of the fish ponds. CA believed that a limit must be determined for the ecological carrying capacity of the wetland and the applications must be assessed not only on their own, but with their cumulative impact evaluated. To give protection to Mai Po, CA proposed that it should be declared a Ramsar site, i.e. a wetlands designated by the Ramsar Convention for inclusion in the list of wetlands of international importance.

From then on the campaign for Mai Po picked up momentum. CA wrote to Governor Chris Patten after the Policy Address in October recommending, among other things, that Mai Po should be designated as a Ramsar site. In November it received a reply from the Planning Environment and Lands Branch saying that the area was being actively considered as a "Wetland of International Importance Especially s Waterfowl Habitat under the Ramsar Convention". CA then held a press conference on wetland protection on 17 November 1994, reinforced by another public seminar on 24 November on the ecological importance of fishponds. Two days later saw the start of a signature campaign, with 10,000 signatures collected on the first day. A total of 50,000 were collected and submitted to the government on 14 January 1995.

On 6 March 1995, the government announced that Mai Po and the Inner Deep Bay Wetlands would be designated as a Ramsar site – a fitting time as a record-breaking 61,000 birds roosted there the previous year. The news was warmly welcomed by all the green groups. A few days before, on 3 March the government also launched a 17-month Fish Pond Study on their ecological value.

From 1997 onwards CA began to take part in the government's Ramsar site education and management project. With funding from the Agriculture Fisheries and Conservation Department, it started a Ramsar Wetland Conservation Programme including talks, tours, exhibition, seminars and wetland newsletters. This has remained a popular environmental education programme in 2008.

59. Deep Bay fish ponds

As early as 1994 CA wrote to the Town Planning Board to object to the destruction of fish ponds on the draft Nam Sang Wai Outline Zoning Plan and the draft Mai Po Outline Zoning Plan. CA's objection was to the Recreation zoning which allowed development of houses, flats, hotels, amusement park and retail shop the in Deep Bay Buffer Zone II. While supporting some passive recreation, CA objected to the development-prone uses and proposed to have those uses deleted from the notes of the OZP. CA also proposed a portion of the Nam Sang Wai OZP north of Kam Tin River to be rezoned Conservation Area from Recreation, as they were fish ponds contiguous to existing Conservation Areas.

In October 1995, CA objected to a rezoning request submitted by New World Development to change the zoning of the fish ponds in Wing Kee Tsuen near Mai Po from Recreation to Residential uses, which would enable 470 low-density houses to be built on 31 hectares of fish ponds in the Buffer Zone. CA proposed to have the Recreation zone retained but deleting the "house" use from the notes of the OZP.

Consideration of these plans were deferred a number of years due to the court cases over the Nam Sang Wai fish ponds. On 7 May 1999, the Town Planning Board proceeded to give preliminary consideration to the objections. The Board decided to partially uphold CA's objection by rezoning the fishponds near Wing Kei Tsuen and those to the west of Yau Mei San Tsuen from "Recreation" to "Conservation Area". This would conserve the existing fish ponds which TPB acknowledged "formed part of the continuous and contiguous fish pond system." (letter to CA, 21 May 1999). The Board also agreed to rezone the area in the eastern part of Tai Sang Wai and those in the vicinity of Wing Kei Tsuen from "Recreation" and "Residential (Group D)" to "Other Specified Use annotated Comprehensive Development to include Wetland Restoration Area" to encourage removal of existing open storage and container related uses and provide incentive to restore some of the filled fish ponds.

That was some victory for CA, but a complication arose the following year. In March 2000 the Town Planning Board intended to rezone part of the Recreation zone to "Other Specified Use annotated Comprehensive Development and Wetland Protection Area" to meet another objection. As part of the land overlapped with the Conservation Area zone originally agreed with CA, agreement had to be sought from CA to the further amendment. CA replied on 19 May with no objection provided that the conservation objective was not undermined, and suggesting that an independent Wetland Trust should be set up to manage the CDWPA areas.

60. Wetland conservation policy

The designation of Mai Po as a Ramsar site in 1995 elevated it to international status. But development threats still persisted, as CA indicated in a letter of April 1996 from Chairman Ng Cho Nam to Deputy Secretary for Planning Environment and Lands Marco Wu. In the letter ideas like non-in situ exchange, transfer of entitlements and conservation fund were proposed as possible solutions.

Then the long battle between the Town Planning Board and Henderson Land Development over Nam Sang Wai came to a regrettable end in December 1996, when the Privy Council in England ruled in favour of Henderson. CA felt a real threat to Mai Po and wrote to the Town Planning Board in March 1997 to plead for more stringent planning control to protect the wetland. The town plans then were not effective in achieving the planning intention of conservation, particular with problematic zoning such as Unspecified Uses and Recreation which gave developers flexibility to apply for developments under Section 16 of the Town Planning Ordinance. To remedy this, CA proposed two actions. Firstly, the Town Planning Board should not consider any large scale development under Section 16 applications – which would only be considered by a committee of the Town Planning Board – but should only accept rezoning applications, which would need to go through a statutory plan-making process. Secondly, the Board should always consider the cumulative environmental impacts rather than each project on its own.

The realization that haphazard protests would not do to protect the wetland for the long term, CA's thinking became more organized and on 3 November 1998 it published "Conservation of Wetland – position paper by CA". Five options were offered:

1. government resumption;
2. conservation in exchange for development rights;
3. management of areas of conservation value;
4. green tax; and
5. off-site compensation.

The paper concluded that a sustainable development framework was needed, with a number of principles, namely:

- that any change of status quo within the buffer zones should result in more substantial and widespread public ownership of wetland areas;
- if a development option were pursued, it should include a contribution towards the wetland nature reserve of a significant magnitude;
- enhancement of total ecological value; and
- long term management and enhancement of wetland.

The 1998 paper was the basis of CA's subsequent position papers on nature conservation policy. As the conservation campaign gained momentum, so did development pressure. Faced with more approvals of development applications in the wetland Buffer Zones such as the public-private partnership proposal for Fung Lok Wai, CA initiated a joint green group statement in 2000 to the Legislative Council, the Advisory Council on the Environment and the Town Planning Board. Titled "Objection to Development in Conservation Areas", the paper noted that the green groups

welcomed the establishment of an independent Wetland Trust and the transfer to public ownership of the wetland otherwise occupied by developers. But it went on to say, “Our endorsement of the conservation of wetland and the independent Trust does not imply our recognition of development rights within the area. On the contrary, we believe that no development rights should be recognised within the wetland areas.”

While not ruling out public-private partnership, the paper stated that it should be “a matter of exception, not a matter of course”, and would be worth considering only if the five criteria were met:

- i. the principle of no net loss of wetland can be satisfied;
- ii. the integrity of the wetland with the rest of the Ramsar site, including the preservation of rural character, is enhanced;
- iii. the development rights arising from the wetland area concerned, if established under exceptional circumstances, are transferred to non-sensitive development areas away from the wetland;
- iv. the development can generate sufficient contributions to an independent wetland trust which will be used to support the long term management and enhancement of the wetland system;
- v. the impact of possible cumulative effects on the wetland is fully assessed and deemed acceptable.

Even for demonstrably worthwhile development projects, CA raised the threshold further: “the best endeavour should be made by the developer and the government to explore an exchange of sites, so that the development rights arising from the proposals – assuming the right is justifiable – can be transferred elsewhere.” As always, it was not just the developments themselves but their precedent effects. The underlying thinking is important and is worth being quoted:

“We find it unacceptable, even dangerous, to extrapolate from any single development proposal the implication that development rights exist for the rest of the wetland conservation areas. We find it extremely disturbing that landowners of the conservation areas seem to be encouraged into thinking that they are entitled to a development right, which must be exercised if conservation is to be achieved. This will open a floodgate to developments within the wetland, and perhaps to other conservation areas as well. That will be a mockery of the zoning system. Its implication – that if there is a valuable natural heritage then a few people must profit from it first before the rest can benefit – is both unjust and unjustifiable. If conservation is the intention, then the presumption must be that there should be no development rights.”

It was this philosophy that informed CA’s subsequent thinking on nature conservation policy, the gist of which the 2000 paper already embodied.

61. Tai Long Wan

Because of its remote location, Sai Kung's Tai Long Wan is relative untouched from development. It boasts some of the most beautiful beaches of Hong Kong, and is popular with hikers and campers. But is that going to last? That was the question CA wanted to address when it wrote to the Town Planning Board in April 1996, asking that a statutory plan be drawn up for Tai Long Wan. At the time, though surrounded by the Sai Kung Country Park, the Tai Long Wan area itself was excluded from any planning or land use control.

CA's call was echoed by other green groups later in the same year. So in May 1997, the Town Planning Board drew up a Development Permission Area Plan for Tai Long Wan to give it statutory planning control, with 80% of the land zoned Conservation Area.

The DPA was replaced by a draft Outline Zoning Plan published in April 2000, on which CA expressed concern over five "Village" zones providing for 300 houses. With the Hong Kong Hiking Association, CA formed an alliance "Friends of Tai Long Wan", which organized a "Hike for Tai Long Wan 同行大浪灣" on March 2001 with 1,000 citizens participating. Several thousand signatures were collected against development in Tai Long Wan, which were submitted to the Town Planning Board. The OZP published in May 2001 showed that the Town Planning Board was convinced and had reduced the V zones substantially.

But the conservation-led OZP was challenged by a developer through a "further objection". CA had to attend another Town Planning Board hearing on 13 July 2001 to explain the importance of conservation and defend its stand against the further objection. CA's original objection was upheld.

62. Fung Lok Wai

Fung Lok Wai is a wetland made up of about 80 hectares of fishponds, to the South West of the Mai Po Nature Reserve. As the majority of the area falls within the Deep Bay Buffer Zone, it is not suitable for development. However, developer Cheung Kong came up with an innovative way of developing the area by conserving 95% of the site for wetland conservation and concentrating development in high-rise buildings in 5% of the area. The conservation area would then be handed over to the government and managed by an independent Trust. Described as a public-private partnership, this concept was accepted by the Town Planning Board in 1999.

Despite the large area for conservation, the residential portion was still a sizeable development with some 1,500 flats for a population of more than 4,000. In response to the Town Planning Board decision, CA issued a statement in 1999 stating that “the proposed residential development on part of the site will no doubt diminish the integrity of the wetland and destroy the rural character of the area.” Although welcoming the independent Wetland Trust and the transfer to public ownership of the majority of the wetland, CA emphasized that the development rights must not be taken for granted, and should only be accepted subject to a few conditions, including”

- the conservation of wetland in accordance with the principle of no net loss of wetland;
- the enhancement of the integrity of the wetland with the rest of the Ramsar site;
- sufficient contribution arising from the development towards long term management and enhancement of the wetland system;
- full assessment of the impact of possible cumulative effects on the wetland.

CA further added that even if development rights were established, the best outcome would be for the development to take place in another site, i.e. through off-site compensation, so that no development would eventually take place in Fung Lok Wai.

Nevertheless, with Town Planning Board approval, the zoning of the site was changed to enable the developer to proceed to detailed planning for the development. The Environmental Impact Assessment of the proposed development was approved by the Advisory Council on the Environment in September 2008.

63. The Kyoto Protocol

CA began seriously promoting the climate change message as soon as its delegation returned to Hong Kong from the 1992 Earth Summit in Rio de Janeiro.

The Framework Convention on Climate Change came into effect on 21 March 1994. By October 1995, 95 countries had signed up to the Convention, including the UK and China. In that year, CA formed the Atmospheric Action Network of East Asia with other NGOs in the region. CA's Gordon Ng was the only presence from Hong Kong to the second Conference of Parties (COP2) of the FCCC in Geneva on 8-19 July 1996. The discussion was then on achieving the FCCC target of returning global Green House Gas (GHG) emissions to 1990 levels by 2000. In Hong Kong's case, the 1994 emission level was 45,600,000 metric tonnes of CO₂ and 660,000 tonnes of other GHG, up 21% and 14% respectively from 1990.

After organizing the Third Conference of the Atmospheric Action Network for East Asia, CA's Gordon Ng was again the only Hong Kong voice in the now famed COP3 at Kyoto in December 1997. For the occasion CA published a report on "Greenhouse Gas and Climate Change: Hong Kong".

The result of COP3 was the all-important Kyoto Protocol to reduce GHG emissions of industrialized countries by 2010. The targets are to achieve emission reductions for six types of GHG below their 1990 levels by of 5% or more.

With what it learnt from Kyoto, CA published a report in 1998 (in Chinese) introducing the global climate change debate and discussing Hong Kong's role. The Hong Kong government did not have a climate change policy as such but related measures such as those on energy efficiency were discussed. Hong Kong not being a country, it was not bound by the Kyoto Protocol, nor would it be obligated if it followed China, a developing country to which the Kyoto obligations did not apply. But CA's position was that as a developed city Hong Kong should nevertheless commit voluntarily to Kyoto targets.

Specifically, CA proposed that Hong Kong should set a target of reducing 1% of GHG every year, so that by 2010, the CO₂ emission would be 89% of the 1990 level. To achieve that would require demand side management, i.e. promotion of energy efficiency among consumers; use of natural gas for all new power stations; as well as development of renewable energy. These are among a comprehensive package of measures to reduce GHG, with suggestions on alternative energies, energy efficiency measures, control of industrial emissions, low-emission vehicles, waste reduction, carbon sinks such as tree-planting, legislative measures (such as energy labeling), fiscal incentives (e.g. carbon tax), education and publicity, research and institutional change.

CA continued to be represented in COP6 in November 2000 in Hague. In preparation, a booklet on "Hong Kong's Contribution to Combating Global Warming" was published, describing initiatives adopted by various sectors in Hong Kong to reduce GHG. As the Conference failed to reach agreement on implementing Kyoto, on return to Hong Kong

CA issued a statement expressing disappointment. It was to be several years later when Hong Kong government began seriously to address the climate change issue.

64. Conservation policy

After the Earth Summit, CA published its own “Agenda 21 for Hong Kong” in 1993, in which the need for a nature conservation policy was discussed. In April 1993 CA submitted a paper to the government on “A Framework for Nature Conservation”, championing the view that nature conservation should be an integral part of sustainable development. The proposed Framework consisted of the following elements:

- a nature conservation strategy, which had been omitted so far from the White Paper on environmental policy;
- review of legislation on conservation;
- identifying and building up an inventory of items of conservation interests, including baseline studies and the legal and institutional backup for the Sites of Special Scientific Interests (SSSI);
- strengthening institutional structure; and
- using existing resources to enhance quality of life, e.g. more tree planting and nature trails.

That framework was the precursor to the conservation policy developed by CA years later. Meantime, in 1994’s submission to the Governor ahead of the Policy Address, CA again raised the issue of a nature conservation policy, among other matters. Afterwards, a Deputy Secretary Marco Wu was appointed to the Planning Environment and Lands Branch to work on a possible conservation policy. A number of meetings were held between CA and the bureau but the subject proved too difficult for the government to achieve any quick results.

From 1994 to 1998, the debate over fishponds around Mai Po helped CA articulate its own thinking on the wider issue of conservation policy. In January 1998, occasioned by the destruction of the Tsung Tsai Yuen orchard at the fringe of Tai Po Kau nature reserve, CA wrote to the Director of Planning Dr KS Pun complaining of the lack of protection of the site, then zoned Greenbelt. Warning against the “first destroy, then apply” tactic by developers, CA proposed that more stringent zoning should be applied and drastic measures such as government resumption should be considered to protect sites of high ecological value, even though they were private land.

But CA recognized that private landowners would not have their land down-zoned without a fight, and in other cases the owners might have legitimate development rights conferred by the land use zoning. On 10 May 2000, CA joined with the Hong Kong Institute of Planners to present a seminar on “Balancing development and conservation – TDR mechanism”, focusing specifically on Transfer of Development Rights. The seminar featured experts including Town Planning Board member Nick Brooke, Swire Properties’ Gordon Ongley, Sam Wong of the Antiquities Advisory Board, Andrew Lam of HKIP and CA’s Vice Chairman Betty Ho. Consensus was not difficult among the panel, who all agreed that a TDR mechanism must be developed in Hong Kong.

CA’s thinking on conservation policy was then crystallized into a policy paper in August 2000 entitled “Achieving Conservation – a Positive Conservation Policy for Hong Kong”. This was the paper that informed much of the ongoing debate on

conservation policy among the government, green groups, developers and the community.

The paper started with the premise that “natural and cultural heritage is an invaluable public asset that belongs to society and posterity. It is part of the “social capital” of Hong Kong. Management of this asset in a sustainable manner will not only enhance our quality of life, but also contribute substantially to Hong Kong’s competitiveness.” The current framework on conservation which relied on partial provisions in the Country Parks Ordinance and the Town Planning Ordinance was judged incomplete and ineffective: “Areas of conservation value should not just be ‘named’. There should be a very strong presumption against development for these areas as well as a mechanism to ‘make conservation work’.”

A conservation framework was then put forward comprising, firstly, the “wild places” in the countryside, for which the Conservation Area zoning would suffice. In addition, six types of specific conservation areas were identified, all having a higher conservation value than the CA zoning, as follows.

- (1) Existing SSSI’s (Sites of Special Scientific Interests), which could be renamed “sites of significant ecological value”.
- (2) Areas which should be preserved simply because of their landscape value, for instance, Tai Long Wan and Wu Kau Tang. These could be named “sites of special landscape value”.
- (3) A special case of unique landscape value, namely, the shoreline. The present “Coastal Protection Area” should be such special conservation zone.
- (4) “Sites of Significant Historical Value”, which could be applied to individual buildings, building lots or whole areas, and thus provides greater coverage than declared monuments or archeological sites. A precautionary principle could be extended to specific classes of historical structures, such as pre-War buildings, for which applications for demolition should be subject to planning applications.
- (5) “Sites of Significant Rural Character” for areas of rural and cultural character such as Lam Tsuen Valley and Long Valley.
- (6) “Sites of Significant Cultural Value” which embody some local way of life valued by the community, for instance, the way of life in Tai O in Lantau and Shanghai Street in Yamautei.

With such a framework established, the CA paper then discussed implementation options, including

- Government resumption or buy out, a “strong option” for “places of unique conservation and heritage value, of world-class proportion, which command such a high community value that resumption or government buy out is justified”.

- Charitable trusts, like the Jockey Club, which may be persuaded to buy up some sites and turn them into conservation areas, with management then be entrusted to appropriate parties such as green groups.
- Granting development rights in exchange for conservation, i.e. the so-called private public partnership approach with the developer building on part of the land and surrendering the rest to the care of the public. However, this should be used sparingly so as not to encourage speculation of “hope values”.
- Transfer of development rights, which could be achieved through a land-swap, or extra plot ratio in areas owned by the same developer elsewhere, or monetising the development right so that it becomes a commodity which can be freely exchanged.
- Nature Conservation Trust, similar to the UK National Trust, supported by a Conservation Bill which lays down the authority for the Trust.

CA’s paper was an oft-quoted source in the debate on conservation policy until the government’s “new” conservation policy came into being in 2004.

65. Policy Address submissions

Shortly after Chris Patten became Governor of Hong Kong, CA made a call on him on 25 September 1992 to voice the Association's views on environmental policy. After the Policy Address was delivered in October, CA commented publicly expressing disappointment at the passive attitude towards the environment and the lack of a comprehensive strategy. Still fresh from the Earth Summit, CA advocated a sustainable development approach to government's environmental policy, and called for a green paper to be issued on environmental policy. The Governor replied in December promising that the green paper idea would be taken up in the form of the Third Review of the 1989 White Paper. Thus began CA's regular submissions to the Government over the Policy Address.

On 6 October 1993, Governor Chris Patten delivered his second Policy Address to the Legislative Council, with seven (out of 190) paragraphs on the environment. New measures included setting up an Environment and Conservation Fund "to give welcome material assistance to 'green groups' undertaking worthwhile environmental projects", appointing "green managers" in all government departments, and a new task force to "clean up the New Territories over the next decade" (para 36).

While welcoming the measures, CA wrote to the Governor under Chairman Fung Shiu Wing's name regretting the meager funding (\$50m) for the newly established ECF and the lack of guidelines for government's environmental managers.

In 1994, CA's submission was delivered to the Governor before the Policy Address. In the submission CA asked the government to move beyond pollution control to sustainable development and to supplement its environmental policy with a nature conservation policy. Suggestions were also made on energy conservation, China-Hong Kong cooperation, indoor pollution and the institutional structure for environment policy and regulations. After the Policy Address was delivered, CA once again provided a critique, drawing attention in particular to the need to cooperate with Guangdong Province over the Strategic Sewage Disposal Scheme, and proposing that Inner Deep Bay be designated a Ramsar site – both of which were later adopted by the government in one way or another.

In 1995, CA's made a brief 2-page policy address submission in September sent under the name of Ng Cho Nam, having earlier sent its views on the White Paper Review 1995 commenting on a wide range of environmental policy issues outlined in Agenda 21. CA's submission was focused on waste reduction, polluter-pay-principle, and conservation.

The 1997 submission was a 31-paged paper to the Chief Executive of Hong Kong SAR Mr Tung Chee Hwa on "The Conservancy Association's Comments on Environmental Policy of Hong Kong for 1997 and After", with proposals on reforming the government executive system, conservation of natural resources, urban and rural planning, air quality, water quality, solid waste, energy, environmental education, economy and law, and sustainable development. Thereafter, CA submitted ever more elaborate papers

ahead of every Policy Address, nearly all of them having sustainable development as the theme. From 1998 onwards, the title of CA's submissions read:

- 1998 Sustainable development policy
- 1999 A Green Policy Address
- 2000 Putting sustainable development into practice
- 2001 Institution Building for Sustainable Development
- 2002 Asia's World City and a Model of Sustainable Development - Hong Kong Can Do It!!
- 2003 Sustainable Governance
- 2004 Community empowerment for sustainable development
- 2005 Act for a Sustainable City
- 2006 Taking action and making hard decisions now, for a sustainable future
- 2007 Sustainable leadership
- 2008 Infrastructure for Sustainability

From the first one in 1993, all CA's policy address submissions were developed by the Current Affairs Committee and drafted by WK Chan. Although they were consistently ignored – the government never even held one meeting to discuss with CA – these many submissions reflect the consistent and coherent approach adopted by CA in developing civil society's advocacy on environmental policy, in contrast to the haphazard and sometimes incoherent approach to environmental policy by the government over the years.

66. Local Agenda 21

In October 1993, CA published “Agenda 21 for Hong Kong – Towards a Green Era”, as the culmination of its follow-up programme for the 1992 Earth Summit in Rio de Janeiro.

The 50-page document follows the outline of the UN Agenda 21. Edited by Gordon Ng, with 15 contributors and content as follows.

Towards a green era	Gordon Ng
International cooperation	Dr WK Chan
Changing consumption patterns	Dr WK Chan
Protection and promotion of human health	Dr Linda Koo
Integration environment and development in decision making	SW Fung/Betty Ho
Education, public awareness and training	YK Lau
Information for decision making	WT Hung/Gordon Ng
Protection of the atmosphere	WT Hung
Integrated approach to the planning and management of land resources	SW Fung/Betty Ho
Promoting sustainable agriculture and rural development	KK Chan
Conservation and biological diversity	Dr CN Ng
Protection of the oceans, all kinds of seas and coastal areas and the protection, rational use and development of their living resources	Dr SG Cheung
Environmental sound management of hazardous wastes	Dr CS Poon
Management of solid waste and sewage	SS Chung
Safe and environmentally sound management of radioactive wastes	Dr MY Tso
Global action for women towards sustainable and equitable development	YF Cheung
Children and youth in sustainable development	SW Fung
Strengthening the role of non-governmental organisations	Dr WK Chan
Local authorities initiatives in support of Agenda 21	Stephen Chan
Strengthening the role of business and industry	Dr WK Chan

The issue of Local Agenda 21 was never taken up by the Hong Kong government. Nor did Hong Kong join the ICLEI-Local Governments for Sustainability, the international association of local governments to promote sustainable development and Local Agenda 21.

67. Sustainable development policy

In 1995, CA began advocating the concept of a “Sustainable Development Bill” – a message which keeps recurring in subsequent advocacy messages.

CA continued to be engaged in the policy formulation on sustainable development, through involvement in the “Sustainable Development for the 21st Century (Susdev21)” study announced by the government in 1996 and begun in 1997.

A response to the outline study brief for Susdev21 in October 1996 under the name of CA General Secretary Lister Cheung advocated an integrated approach with Awareness, Support, Involvement and Action (“ASIA”) as key elements, and community building as a central theme.

In June 1998, responding to the public consultation on Susdev21, CA warned of the danger of the study losing its focus and instead degenerating into “an attempt to formulate and promote an ill-defined concept of ‘comprehensive development’ for Hong Kong”. In 2000, while continuing to react to the Susdev21 consultation, CA began to make “Sustainable development” the title theme its policy address submission. In its 2000 recommendations, CA reinforced its support for the establishment of a Sustainable Development Council and suggested that the Council should be given two mandates, namely

- the formulation of a Sustainable Development Strategy and the overseeing of its implementation, and
- the preparation and advocacy of a Sustainable Development Bill (CA response to Susdev21 second-stage consultation, January 2000)

When the report of the Susdev21 study was published, CA expressed disappointment in April 2001 at the failure of the report “to provide adequate insight for the community on how we achieve sustainable development”, and cast doubts on the usefulness of the Computer Aided Sustainability Evaluation Tool (CASET) model developed from the study.

CA then began a year-long preparation for the World Summit on Sustainable Development in 2002. After leading the biggest NGO delegation from Hong Kong to the World Summit, CA made another elaborate submission ahead of the Chief Executive’s Policy Address, entitled “Asia’s World City and a Model of Sustainable Development – Hong Kong Can Do It!”, putting forward recommendations on Local Agenda 21, partnership and participation, governance and institutional structure, resources conservation, and international obligations. It was also in that Policy Address submission that CA floated the idea of forming a People’s Council for Sustainable Development. Accordingly, CA took an active role in the preparatory work for the PCSD, providing the secretariat for the preparatory committee set up in January 2003. The PCSD came into being in September 2003 with former CA Chairman Albert Lai as its first Chairman.

Meantime, the government's Council for Sustainable Development was established formally in March 2003. CA participated actively as a collaborator organization in the public engagement exercises launched by the Council.

68. Hong Kong and Guangdong

The Guangdong-Hong Kong relationship is a key aspect of CA's Mainland China agenda. On 23-24 June 1994, a 9-member delegation from CA went on a goodwill mission to the Environmental Protection Bureau and the Forestry Office of Guangdong. In July CA issued a press statement refuting the allegedly lower environmental standard in the Mainland and urging industrialists not to relocate factories to Guangdong with the aim to move their pollution to the Mainland.

As Hong Kong and the Mainland's link grew closer after the Handover, more joint infrastructure projects were put on the drawing board. In January 1998, CA sent a letter to the Secretary for Planning Environment and Lands Bowen Leung expressing concern about the proposed bridge link via Deep Bay to Shenzhen and the possible impact on the Deep Bay Ramsar Site. The Bureau replied on 3 February reassuring CA that the alignment of the Western Corridor, as the bridge was to be called, would not traverse Inner Deep Bay and the impacts would be examined.

But the Western Corridor was only one of the projects being considered by the Hong Kong Guangdong Environmental Liaison Group formed by the governments of the two sides. A CA paper in April 1998 commenting on the Work Programme of the Liaison Group called for regular audits for the protection of Mirs Bay and Deep Bay to be made known to the public. As the two sides were undertaking the Deep Bay Water Quality Regional Control Strategy Study, CA called for public participation to be made part of the study process. Pollution was another concern, and CA asked that the exchanging of monitoring data should reflect the relationship between source and effect to enable pollution control. A common basis on the calculation of the Air Pollution Index was proposed. On waste management, CA put forward the idea of a community-wide engagement involving government, business, environmental community groups and academics from both sides. Concluding its suggestions was the call for public participation to be built into the cross border liaison mechanism – something which never quite happened ten years on.

Part III
The Sustainability Challenge

*Asia's World City and a Model of Sustainable Development –
Hong Kong Can Do It !!*

CA Policy Address Submission (Title), 2002

69. Central Reclamation

In 1989, the government published the Port and Airport Development Scheme (PADS) and the Metroplan, which showed massive reclamation plans. CA was then the lone voice questioning the reclamation proposals. The years that followed saw reclamation projects being undertaken in West Kowloon, Central and Wanchai in preparation for the Chek Lap Kok new airport and the extension of the Convention and Exhibition Centre.

The reclamation issue was re-ignited in June 1994 when CA was approached by Town Planning Board member Winston Chu about excessive filling of the harbour. In December 1994, CA wrote to the government expressing concern over reclamation, while a debate began to emerge in the community triggered by the idea of a Harbour Protection Ordinance, proposed by Winston Chu and pursued in the Legislative Council by then LegCo member Christine Loh.

The government was then conducting consultation on the reclamation proposals for Central. CA expressed doubts over reclamation but felt uneasy that the anti-reclamation message at that time was bundled with a call to develop the New Territories. On 10 August 1995, CA organized a forum to debate the issue. The anti-reclamation campaign at the time had three messages: (1) stop the central harbour being filled up; (2) stop all reclamation projects, including those not inside the central harbour; and (3) develop the New Territories. While supporting the first, CA was more flexible on the second, and opposed the third, emphasizing that the New Territories must be protected as well.

On 7 November 1995, CA organized the second forum on harbour reclamation, at which CA, through its Executive Committee member Hung Wing Tat, stated that harbour planning must be guided by the principles of sustainable development – a position which guided CA's thinking throughout. Holding on to that principle, CA lodged an objection to the Green Island Reclamation gazetted under the Foreshore and Seabed (Reclamation) Ordinance in December 1995 to create a public dump in preparation for future reclamation, citing uncertainties in planning and the need to protect vegetation on Green Island.

Shortly afterwards, in another statement published in the South China Morning Post of 8 January 1996, CA stated its support for the Protection of the Harbour Ordinance provided that it became the first of three similar pieces of legislation, the second being a "New Territories Development Bill" to protect sites of ecological interest in the rural areas, and thirdly a "Sustainable Development Bill" to balance development with sustainable living. In June 1997, the Protection of the Harbour Ordinance was duly passed by the Legislative Council.

After the Draft Central District (Extension) Outline Zoning Plan covering the Central Reclamation Phase 3 and Wanchai Reclamation Phase 2 was gazetted (29 May 1998), CA wrote to the Planning Department later questioning the scale of the commercial sites (17% of the reclaimed area). While supporting a promenade, CA asked that the reclamation be scaled back to form a concave bay-shape coastline, and urged the government to draw a statutory coastline of the inner Victoria Harbour beyond which there should be no further reclamation.

The following year CA commented further on the revised plan for Green Island Reclamation. Though the intended population size had been cut down drastically from 100,000 to 30,000, CA was still not satisfied with the reduced reclamation, which had to provide also for new trunk roads Route 7 and Route 10. For CA, a rail-based transport would be more environmentally friendly and would render the trunk roads redundant, hence further reducing the need for reclamation.

CA continued to be engaged in the reclamation debate and witnessed the growing aspirations of the community for protecting the harbour. On 31 March 2001, CA issued a statement commenting on the Planning Study on the Harbour and its Waterfront Areas & Stage II Study on Review of Metroplan, emphasizing again that the principle of sustainability should be embraced more forcefully. The statement says, among other things, “The Association believes that the Peak and the Harbour are two key features that define the “character” of Hong Kong. They are important heritage of Hong Kong that must be preserved. The guiding principle must be minimum reclamation of the harbour, and maximum visual interaction between the harbour and the peak.”

In the meantime, the harbour reclamation debate entered a new phase in the judicial review brought by the Society for Protection of the Harbour against the Town Planning Board throughout 2002 and 2003 on the reclamation proposed in the Wanchai Outline Zoning Plan. Along with the community, CA took a harder line on reclamation and in October 2003, under the name of the then chairman Albert Lai, CA issued a statement calling for a four-step process: (1) a freeze in all reclamation; (2) public hearings by an independent panel of experts to review all reclamation proposals; (3) Harbour Conservation Authority to be set up; (4) reform of the Town Planning Board.

In a statement to LegCo dated 20 November 2003, CA concluded that it was “not persuaded by the Government’s justifications for the reclamations in Central and Wanchai and cannot support” the reclamation projects. CA called into doubt the need for the Central-Wanchai Bypass and called for the waterfront along Central and Wanchai to be upgraded rather than replaced. On 27 November 2003, CA’s Hung Wing Tat attended the joint meeting of the Legislative Council’s Panel on Planning, Lands and Works and Panel on Environmental Affairs and made an oral representation on the Central Reclamation Phase III(CRIII) and Wanchai Development Phase II (WDII). As observed by the CA Current Affairs Committee, at the time, there was no other green group that objected to the proposed Central-Wan Chai Bypass other than CA.

Throughout the end of 2003 and the beginning of 2004, CA joined with 15 other professional and civil society groups to organise a series of public participation events, including exhibitions, charrettes and a citizen hearing, to widen the public platform for harbour planning. These organizations, comprising 4 universities, 4 professional institutions and 8 civil society bodies in environmental protection, social service and district development were then transformed into the “Citizens Envisioning At Harbour”, or CE@H, which continues to coordinate civil society participation in harbour planning.

Shortly afterwards, the government formed the Harbourfront Enhancement Committee in May 2004. CA was represented in the HEC by Dr Alvin Kwok and Lister Cheung.

70. Wanchai Reclamation

In 1999 the Territory Development Department published the Wanchai Development Phase II – Trunk Road and Waterfront Development Proposals. In its response CA stated that although it would not support reclaiming the harbour for development, it did not object to the reclamation for the purpose of building the Central-Wanchai Bypass.

In view of the prominent location of the development area, CA called for careful planning and landscape treatment to enhance the visual quality of the harbour. CA also made suggestions on waterfront design including the nature of the public squares and the proposed Maritime Museum, emphasizing the need for connectivity and pedestrian linkages. The government plan included a 3.5 ha harbour park built from the existing breakwater, which CA objected to on the ground that the park's access might be problematic and might not be widely used.

Subsequently, the Wanchai Outline Zoning Plan became the subject of a judicial review by the Society for Protection of the Harbour against the Town Planning Board. The Society won the judicial review and the TPB was directed by the court to revise the OZP. CA continued to be involved in drawing up the new OZP through public engagement and participation in the Harbourfront Enhancement Committee.

71. Kai Tak planning

Following an earlier decision to move the Hong Kong International Airport from Kai Tak to Chek Kap Kok, T Planning for the Kai Tak areas began with the 1993 “South East Kowloon Development Statement Study”. In 1998, government announced the result of the South East Kowloon Development Feasibility Study which proposed a \$36 billion development project to turn Kai Tak into the “City within a City” in 18 years, housing an additional 320,000 population and creating 92,000 jobs. On the basis of the study, the Town Planning Board gazetted two outline zoning plans (OZPs) in September 1998. The plans envisaged large-scale reclamations of 299 ha of land, from the old airport runway stretching to Hung Hom. A big Metro Park would be provided within the centre of the new reclamation area.

In view of the major environmental and social impacts, CA organized a public seminar titled “City within city: Development of South East Kowloon and the sustainable development of HK 城中之城論譚：九龍東南發展計劃與香港可持續發展” on 24 October 1998. Among the views expressed at the seminar was the strong public sentiment against massive reclamation of the harbour.

At the close of the exhibition period, the Town Planning Board received 807 objections. At its meeting on 29 January 1999, the Board agreed to defer consideration of the objections and to begin a fresh round of consultation, starting with the formulation of a vision for Victoria Harbour. Shortly after the TPB decision, CA submitted a position paper on 3 February 1999 calling on the government to revise its plans for Kai Tak. While expressing understanding for reclamation of the Kai Tak Nullah for environmental improvement, CA called the “principle of least disturbance to the environment – minimum reclamation” to be adopted, and reclamation to be drastically reduced. According to the CA paper, the reclamation should not go beyond the limit of the current breakwater within Kowloon Bay, and the Metro Park should be sited at the waterfront for public access to the harbour. CA also called for the scale of commercial development to be reduced.

After formulating the Vision and Goals for Victoria Harbour, the Town Planning Board decided to revise the OZP for Kai Tak, and in November 1999 the Comprehensive Feasibility Study for the Revised Scheme of South East Kowloon Development was commissioned by the government. As a result, a new approach using “sustainable Kai Tak” as theme was proposed, with substantial reduction in reclamation. In a paper submitted to the government in June 2000, CA welcomed the changes and proposed further improvements to the plan, particularly in introducing sustainable modes of transport and reducing the scale of transport interchanges.

On the basis of the new study, new plans were drawn up in June 2001 to develop Kai Tak into and “Environmentally Friendly City” to house a population of 260,000 and with reclamation cut by more than half to 133 ha. With the revisions to the draft OZPs, the Town Planning Board began conducting the long-adjourned objection hearings in November 2001. This time most objectors were satisfied with the revised plans for Kai Tak, and the OZPs were approved accordingly in 2002.

However, Kai Tak's planning was soon overtaken by other events, as the Society for the Protection of the Harbour filed a judicial review over the Town Planning Board's decision with respect to the Wanchai North Outline Zoning Plan. The Board lost the judicial review in 2003, sparking a new round of harbour planning. In May 2004 the government established the Harbourfront Enhancement Committee (HEC), in which CA was represented, to assist the government in harbour planning. The Planning Department was tasked to undertake a planning review for Kai Tak, while a subcommittee was set up within the HEC to help guide the public engagement of the planning review. The HEC Subcommittee on South East Kowloon Development Review was chaired by Dr WK Chan, in his capacity as member of the HEC, with CA's Alvin Kwok as one of the members and Lister Cheung as his alternate. The four-stage public engagement exercise on Kai Tak planning culminated in a new revised OZP without any reclamation, and a much reduced development intensity. The new Kai Tak OZP was approved in November 2007.

72. Western District Development Strategy

The Western District Development Strategy published by the Planning Department in October 2000 was the subject of another CA letter in December 2000. The study sought to revitalize the Western District and create new land by reclamation to accommodate the needs for urban renewal and coastal transport infrastructure.

In its statement CA opposed to reclamation unless there was a demonstrably irreplaceable need, in which case reclamation should be limited to the minimum necessary. CA also objected to Route 7, the coastal highway, demanding instead that the Mass Transit Railway be extended to the Western District. CA only supported environmentally friendly modes of transport, instead of more roads and more congestion.

But CA's biggest complaint was against the "revitalization" approach. In CA's view, the area was already a lively district with well-established local character; there was no need to "revitalize" it. Instead the local character should be preserved and if that conflicted with development needs, then the development rights should be transferred elsewhere. Linkages between the old Western District thus preserved and the new development areas along the waterfront should be substantially improved.

As the plans for the Western District took shape, many of what CA asked have materialized: there are no more reclamation plans; Route 7 (re-named to Route 4) is unlikely to be pursued; and the decision has been made for the MTR to extend to the District. CA itself demonstrated its commitment to the District by establishing the CA Centre for Heritage there.

73. Woodside

Woodside is a red-brick, two-storey house in Quarry Bay near Tai Tam Country Park (Quarry Bay Extension). Built in 1917 by the Swire company as quarters for the deputy manager of the Tai Koo Sugar Refinery, the house is now under government ownership and is one of the rare remaining early-20th century civilian residential houses in Hong Kong. The woodland around Woodside is an urban oasis enjoyed by nearby residents. However, as a result of the housing policy of the HKSAR Chief Executive Mr Tung Chee Hwa, the area was designated residential use and earmarked for development into 1,880 flats under the Home Ownership Scheme. For the development to go ahead, Woodside would need to be demolished and the woodland destroyed despite it being home to protected species of bats and squirrels and a popular site for morning walkers and joggers.

CA wrote to Rosanna Wong, Chairman of the Housing Authority on 9 January 1998 expressing concern over the HOS scheme and stressing the ecological and heritage significance of Woodside and the surrounding woodland. Housing Authorities' reply came a month later confirming the development but refusing to preserve the building or the environment, stating that "the provision of additional public housing in this case would outweigh the impact on the urban environment".

Together with the Eastern District residents, CA led a campaign to save Woodside and the woodland, masterminded by the then General Secretary Lister Cheung. Given that the government's plan was drawn up in the heyday of the "85,000" housing policy, CA's campaign had seemed a lost cause. However, the movement gathered momentum throughout 1998 with the formation, facilitated by CA, of local group Eastern Green Action 東區綠色行動.

Citizen forums and signature campaigns ensued, but it was CA's diligence in pursuing the due process which proved critical. On 24 June 1998 CA wrote to the Secretary for Transport Ng objecting to the extension of Greig Road and realignment of Mount Parker Road, a project in preparation for the housing scheme. On 14 July, armed with 20,000 signatures and 500 letters in support, a rezoning request was submitted to the Town Planning Board asking that the area be turned into Greenbelt. A green ribbon campaign was held on 2 August, an especially appealing act with the community mobilized to tie green ribbons around the trees. This was followed by an open letter to the Chief Executive and the Executive Council on 4 August. Another letter to the Antiquities Advisory Board on 20 August asked for Woodside to be declared a monument.

At its meeting on 25 September 1998, the Town Planning Board acceded to CA's request and changed the zoning accordingly to Greenbelt, thus saving Woodside and the woodland. Later the house was given Grade II historical building status by the Antiquities Advisory Board.

On 11 October 1998, the "Run for Woodside" 為林邊跑步 activity originally planned as a protest rally for Woodside, turned into a celebratory run. The activity was supported by legislator Martin Lee QC, Chairman of the Environment Campaign

Committee Mr Ronnie Wong, and Eastern District Councillor Lai Chi Keung (黎志強) who had been a particularly staunch supporter of the campaign.

In 1999, CA then joined force with the Eastern District Council to turn the Quarry Park section of Mount Parker Road into the Eastern Green Trail, the third such urban green trail established by the Association.

Woodside is now a natural resources centre of the Agriculture, Fisheries and Conservation Department. In 2003, in the course of developing the resources centre, CA successfully persuaded AFCD to include historical heritage education elements in the centre.

74. Mature trees on Kennedy Road

The Kennedy Road Improvements and Queen's Lines Link is a flyover system developed by the Highways Department to connect Kennedy Road with Justice Drive and Supreme Court Road, to provide a new corridor linking the city and the peak area through the mid-levels. The project would include a 15.8m wide 4-lane flyover, with 400m of dual-2-lane carriage way on Kennedy Road, necessitating the felling of some 400 trees in the woodland between Pacific Place and Wanchai. Among its other impacts was the irreparable damage to the habitat of protected bat species in the woodland.

Kennedy Road residents rallied behind the CA at a press conference held on 15 May 1998 against the scheme. Tying the trees with green ribbons, CA collected 2,800 signatures. But the Highways Department went ahead and gazetted the plan in June 1998. CA submitted its formal objection on 24 June, supplemented with another letter on 7 July which went together with the signatures collected.

A meeting was held with government officials on 24 September 1998 but CA remained unconvinced that a new corridor was needed to supplement the Cotton Tree Drive/Garden Road corridor. Apart from the ecological impact and the felling of mature trees, CA also objected to the air and noise pollution and the additional traffic disturbance to Kennedy Road.

On 26 October Highways Department invited CA to withdraw, after promising to minimize the environmental impact and to replant the felled trees. CA flatly refused through its reply of 16 November. Another letter from Highways on 24 December came with "further explanation", but CA got back on 11 January 1999 again maintaining its position of not withdrawing. Later in 1999, Highways Department agreed to shelve the project thus sparing the trees from the axe.

75. Edinburgh Place

The planned Central Wanchai Bypass was, among other things, intended to resolve the traffic congestion in Central, but the controversies over harbour reclamation in the Central waterfront has brought uncertainties to the construction of the Bypass. In 1999, to relieve congestion on Connaught Road, the Transport Department proposed to construct a temporary road from Connaught Place outside Jardine House through to Lung Wui Road in Tamar, covering Edinburgh Place in front of City Hall. The net effect was to turn Edinburgh Place into part of the road, causing Star Ferry and Queen's Pier to be cut off from City Hall.

CA launched a signature campaign on 25 July 1999 to object to the proposal. Pointing out the 10,000 people walk through or enjoyed the corridor and open spaces around Edinburgh Place every hour, CA considered the preservation of the historic public open space far more important than the convenience of some motorists which could be managed through other means of traffic management. Despite that, Government gazetted the temporary road on 3 December 1999. CA submitted a formal objection to the Secretary for Transport on 4 January 2000, stating that Queen's Pier and Edinburgh Place were "landmarks in the history of Hong Kong. Former colonial governors and members of the Royal Family who came to Hong Kong were all landed there. It is of vital importance to preserve such a unique place and its monuments not just for tourists' interest but also for their irreplaceable historical value." CA also expressed concern over pollution as well as tree felling necessitated by the road.

On 20 June 2000 CA was invited to a joint meeting of a few government departments who explained the necessity of the temporary link from the government's point of view, but CA stood firm on its opposition. On 23 June CA made another submission reiterating its opposition and reaffirming its concern on the environmental, cultural and safety impacts of the proposed link. CA's argument was supported with data from a traffic survey conducted by CA director and transport expert Hung Wing Tat, which casted doubt on the seriousness of the congestion problem. In the submission CA also contested the notion of the eventuality of Edinburgh Place being lost due to the then planned reclamation – a matter on which CA was later proved right – and put forward the concept of the City Hall, Edinburgh Place and Queen's Pier together as a totality to be preserved in the planning of the "new Central".

On 9 October 2000 the Highways Department replied with an elaborate 18-point letter rejecting CA's submission, stating, among other things, that the temporary link was "absolutely essential" to alleviate traffic congestion in Central, although they agreed that Edinburgh Place was an important historical site. CA was invited to reconsider its views, but replied on 23 October with a long letter reaffirming our opposition and addressing the 18 issues point-by-point.

The assumption was then that the plan and CA's opposition would all be submitted to the Executive Council for a final decision. Before that took place, however, CA learnt in May 2001 that the plans for the temporary link were withdrawn. That was a victory scored through perseverance.

In June 2003, CA understood that Transport Department was planning to revive the project, and continued to object to the link. Later on, Edinburgh Place's preservation was assured by a re-planning of the Central Outline Zoning Plan, though Star Ferry and Queen's Pier were sadly dismantled to give way for reclamation.

76. Sub-regional Planning: Lantau

The consultation document for South West New Territories Development Strategy Review, released in 1992, was really about developing Lantau Island. CA sent in its comments in November 1992 basically stating that it supported the least development scenario under which development would be limited to the Tung Chung and Tai Ho areas in North Lantau, forming a support community for the planned new airport, while the rest would be protected from urban sprawl. CA objected to new road apart from upgrading of Tung Chung Road. Other development ideas were rejected, whether reclamation for Tai O, Cheung Chau or developing Peng Chau.

But Lantau continued to come under development pressure. As the opening of the new airport beckoned, CA joined five other green groups to publish *A Conservation Strategy for Lantau* and submitted it to the HKSAR Chief Executive on 31 July 1998. Drafted by the Green Lantau Association, the document detailed Lantau's conservation value such as its fresh water and river habitats, the Romer's frog, rare orchids, birds and pink dolphin, with 16 recommendations covering preservation of Tai Ho, protection of Tung Chung river, reduction of reclamation, and expansion of Country Park and Marine Park.

The product of earlier consultations was the August 1999 document by the Planning Department on "South West Territorial Development Strategy Review – Recommended Options". Under the new options, Lantau would be divided into four sub-regions including a recreation-oriented North East, new towns in North Lantau including possible development in Tai Ho, a religious and cultural theme for North West Lantau, and a South Lantau for conservation and sustainable development. The development plans, if realized, envisaged a population of some 493,000 on the island by 2011, in addition to various development projects such as Disney theme park, golf course, hotels, convention facilities and resort areas.

With Green Lantau Association, CA held a forum on 11 December 1999 on conservation and development of Lantau. The main message was to object to the development-led approach in planning the future of Lantau. Represented by Hung Wing Tat, CA called for a conservation-first approach and a drastic reduction in the scale of development for Lantau, with emphasis on preserving the natural and rural character. According to CA, further development should be limited to North Lantau which already housed the new airport. There should be no new hotels or resorts whether in Mui Wo, Ngong Ping, Soko Islands or the adjacent outlying islands of Peng Chau and Cheung Chau. Public transport should be the mode in any further expansion. Accordingly, CA did not object to the cable car for Ngong Ping. CA however opposed the plan for a container terminal immediately off North Lantau.

77. North-South Lantau Link

In 1999, the government proposed to widen Tung Chung Road to improve safety on the narrow and winding passageway through North and South Lantau. CA deliberated this at the Current Affairs Committee throughout 1999 to 2001, questioning the need for the project and querying that the widening might be a step towards intensifying development in South Lantau. Furthermore, a widening of the road beyond 3 meters would encroach upon the country park.

In December 2000, Transport Bureau called a meeting of green groups to discuss north-south traffic on Lantau, expressing its preference for widening of Tung Chung road but at the same time sounding out the possibility of a bigger-scale tunnel link between Mui Wo and Siu Ho Wan. CA, represented by Hung Wing Tat, objected to both. Nevertheless, the call for broadening the north-south link in Lantau intensified, with a new proposal to construct a road link from Tai Ho to Mui Wo. This would both threaten the ecology of the Tai Ho valley as well as encroach upon the South Lantau Country Park. CA was a vehement opponent of the idea.

After two years of negotiations, in 2001 CA successfully lobbied for the new north-south link to be scrapped while agreeing to a limited widening of Tung Chung Road mainly on safety grounds.

78. Tai Ho

Tai Ho consists of a wetland rich in freshwater species, with a stream leading out to a clan of mangroves and a valley housing the historic village of Pak Mong. Under the government's proposed development plans for North Lantau in 1999, the stream and wetland would be permanently destroyed by the reclamation planned for Tai Ho along the stream and the waterfront. The development pressure would be aggravated if another proposal for a new trunk road between Mui Wo and Tai Ho materialized. Against these proposals, CA advocated preservation of the wetland ecology and the historic village of Pak Mong, and proposed that the area be zoned Sites of Special Scientific Interests (SSSI) to facilitate its protection. Indigenous villagers, on the other hand, threatened to resume farming and destroy the wetland. The conflict came to a head when a mangrove area with SSSI (Sites of Special Scientific Interest) designation on Tai Ho stream was destroyed maliciously. CA protested to Secretary for Planning Environment and Lands Gordon Siu in a letter on 25 June 1999 and requested that the government establish legal means of protecting SSSI sites against destruction.

In response to the strong views of CA and other green groups, the Territory Development Department announced the Recommended Outline Development Plan on Tung Chung and Tai Ho in January 2000. Under the new plan, a large part of the adjacent North Lantau areas were proposed to be designated Conservation Area and country park. The original reclamations for Tung Chung and Tai Ho streams were withdrawn, though some reclamation proposal was retained at the exit of the Tai Ho stream. In a letter of 24 January 2000, CA welcomed the revised plan but proposed that the remaining reclamation be moved eastward to allow the smooth opening of the Tai Ho Stream.

In 2001, the proposed North-South link through Tai Ho was scrapped thus sparing the Valley of another outpouring of concrete. Subsequently Tai Ho was designated one of the twelve sites of the new conservation policy in 2003.

79. Tai O

In compensation for the ecological damage resulting from the Airport Core Projects, the government intended to plant mangrove in the Tai O salt field. This would necessitate re-construction of the original boat shelter. Consultation on these works began in July 1995.

In the meantime, the community's interest in the Tai O grew, as the stilt houses, the river and the village together made up an interesting attraction both from heritage and tourism angles. Planning Department began a Study on Revitalization of Tai O, but met with resistance from. In a statement in May 2000, CA questioned the rationale for the study, arguing that Tai O needed not be "developed" at all and objecting to any study that amounted to a commercialization of Tai O. CA also considered it bad planning to propose a big new anchorage close to the mangrove replanting area, preferring: "Tai O should be peaceful fishing village, not a fishing boat repair centre."

The government's proposal for seawall improvement was also criticized for causing destruction of many stilt houses. The idea was to prevent flooding but CA did not consider the problem serious enough to warrant a heavy engineering approach. On improving access, CA preferred water-based transport using small junks ("Kai To" 街渡) and the restoration of the traditional pull-push boat across the river channel. Although the need to improve emergency vehicle access was not disputed, the government was urged to consider the character of Tai O and adopt a sympathetic approach. The proposal to build a helipad by reclaiming land was rejected. Finally, government was asked to help villages in the proper maintenance of the stilt houses.

CA's further work on Tai O was guided by the principles established in its 2000 statement. In September 2007, CA reiterated the same principle of "maximum conservation, minimum intervention" in responding to Civil Engineering and Development Department's project on "Improvement Works for Tai O Facelift", which CA considered to be more akin to re-development than improvement.

Despite the difference of views, CA believes the best solution for a sustainable Tai O would emerge from a proper public engagement of stakeholders, hence CA was a partner in the Design Competition for the Revitalisation of Tai O organized by CEDD, together with 11 other bodies including government departments, professional organization and green groups. The Competition was kicked off in March 2008 and lasted until September. It was won by a team of architects who chose preservation and minimum intervention as the best way to revive Tai O.

80. Disney and Penny's Bay

In November 1999, the government concluded a deal with Disney to build the Hong Kong Disneyland. In a press release issued on 3 November, CA declared Disney as unsustainable consumerism and called for a sustainability impact assessment to be conducted before the project was approved by the Executive Council. Citing the case of Florida where Disney purchased a 8,000 ha nature reserve to compensate for ecological damage, CA demanded that Disney provide commensurate ecological compensation should the Hong Kong Disneyland go ahead.

On 5 November 1999, CA petitioned Disney's Hong Kong office, protesting against Disney's refusal to commit to ecological compensation for Hong Kong Disneyland as in Florida. CA considered that as an unacceptable treatment of Hong Kong as "second class", and called on Disney to undertake compensation as well as contribute to a nature conservation fund.

During the construction of Hong Kong Disneyland, CA continued to monitor the environmental impacts, particularly on the treatment of dioxin in the course of decommissioning the Cheoy Lee Shipyard in Penny's Bay. Accordingly, in response to the EIA report published in February 2002, CA made a submission to the Legislative Council on 12 March 2002 expressing concern over the offsite thermal desorption treatment of dioxin-contaminated mud which CA considered to be more risky than the on-site treatment option, although the latter might take longer time. CA concluded, "Regardless of how this contamination issue is resolved, the Conservancy Association believes that this issue raised a wider question on the quality of planning, and the quality of decision making on major infrastructure projects in Hong Kong. There is a danger that more of the same problems will surface if political commitments on land-use and work programmes are made before the due process of planning and EIA is allowed to carry through in a truthful and professional manner. The society at large will then have to pay higher costs and risks for second-rated solutions designed under politically imposed constraints."

81. Ngong Ping

The Ngong Ping 360 Cable Car and Theme Park is a famed tourist attraction. During its construction, the government and the developer, MTRC, were challenged by CA to build it as a demonstration project in sustainable development, not just another tourism project. That means abiding by the most stringent environmental standards. CA's comments were directed at three aspects of the project, namely, the Environmental Impact Assessment (EIA), the sewage treatment plant, and the public transport interchange.

In a submission in April 2003, CA judged that the EIA report provided by the MTRC was inadequate and had not addressed the cumulative impacts of the cable car, the theme village, the car parks and additional traffic, the sewage treatment plant, the roads and the additional visitors. CA also expressed concern about the design and construction of the emergency rescue trail and its impact on woodland, shrubs and nearby streams. Although the MTRC had committed to follow guidelines adopted in the New South Wales National Park Service, CA cautioned that such good intention must be strictly followed through by the contractors if it were to be realized.

As a whole the Cable Car project would affect many areas in the Country Park and many woodlands and stream courses. The need for the strictest monitoring by the project proponent and the Environmental Protection Department was stressed. In the views of CA, only a full-scale EIA could address that, hence the environmental permit should not be granted until the full comprehensive EIA was conducted.

At the same time CA was following up with LegCo on one particular component of the whole development, namely, the Ngong Ping Sewage Treatment Works. The \$250.4 million worth project was to provide tertiary treatment of sewage, a level much welcomed by CA. But that did not mean CA would accept the project uncritically. On the contrary, CA asked the LegCo Environmental Panel and the Finance Committee to withhold funding approval until the cost-effectiveness of the project had been proven (letter of 16 May 2003 to LegCo Finance Committee).

CA's main concern was that the project might be over-designed and its budget over-estimated. Firstly, CA questioned the capacity estimation which made no distinction between the per capita sewage generated by visitors and residents. Since in reality a transient visitor's impact would be much less than a resident, such estimate might lead to an over-design of two times or more than the actual capacity required. Secondly, given that the visitor numbers had to be built up gradually, a modular design to increase the capacity in stages would have been preferred to building up the maximum capacity in one go. Thirdly, the estimated capital expenditure for the plant, at HK\$153 million, was considered an over-estimate. But most important of all, the project comprised a full capacity pipeline to the seashore for ocean discharge. Since tertiary treatment would produce water of re-use standard, the ocean discharge would not be needed unless during emergency shutdown. But the latter could be addressed by alternative arrangements such as a 24-hour buffer tank or artificial wetlands for emergency discharge. The pipeline had therefore to be justified. As CA asked, "Why should we need to spend such a huge sum of public money if the treated sewage which is

supposedly as good as drinking water, is not planned to be reused fully? The government has a duty to coordinate all parties and to ensure that this precious resource is fully utilized.”

On the issue of public transport interchange (PTI), CA submitted an objection in July 2003 to the Environment Transport and Works Bureau requesting explanation of why a huge PTI of 1.2 hectares had to be provided – the Theme Village itself was only 2 hectares in size. An earlier letter of CA to the MTRC of 22 April 2003 pointed out that the PTI was too large and would cause disturbances to the natural Ngong Ping area. It also had a spin-off effect of constraining the size, location and design Theme Village, necessitating a diversion of the Ngong Ping Stream which would not otherwise have been necessary.

Although CA’s engagement with MTRC and the government did produce some minor modifications, the basic parameters remained unchanged. Ngong Ping 360 was opened in September 2006.

82. Tung Chung River

A strange theft took place in 2003: natural boulders were stolen from Tung Chung River causing destruction to the stream ecology. This was roundly condemned by green groups.

What was more bizarre was that the “thief” turned out to be a contractor of the Civil Engineering and Development Department. The boulders were procured for the construction of the artificial lake in Penny’s Bay.

CEDD was rightly chastised for lack of supervision over its contractors. The matter was discussed at the joint meeting of the LegCo Panel on Planning Lands and Works and Panel on Environmental Affairs on 23 February 2004. CA took the opportunity to submit a paper on “Rivers and Streams Conservation” calling for “an immediate review of the existing policy on the protection of local streams and rivers with the aim of rectifying the continued neglect and controlling the frequent destruction of such an important habitat type in Hong Kong.” For CA, Tung Chung River and other cases like concrete-lining of a stream at Sha Kok Mei showed that rivers and streams were not adequately protected

Ironically, much of the destruction was due to works carried out by the government under the rural public works programme of the Home Affairs Department, known as “Rural Planning and Improvement Strategy (RPIS)” in 1990-2000 and “Rural Public Works (RPW) Programme” afterwards. They are minor works projects intended to improve the living quality and environment of the rural areas, and may include projects on:

- access roads, bridges, retaining walls, footpaths, parking areas, passing places and steps;
- reservoirs, water pipelines, dams, wells, water tanks, pumps, irrigation channels and standpipes;
- sewerage pipes and treatment facilities to unsewered villages;
- drains, surface water channels, stream and river embankments, nullahs, culverts, bunds and flood mitigation measures.

However, being “minor” these projects are not required to go through careful planning or execution. Poor regulation and monitoring thus led to the unintended result of damaging streams and rivers. Sometimes the projects are by no means “minor” and this exacerbates the damage. Instead of improvements, they threaten ecology and damage rural landscape.

To prevent further damage, CA proposed that the government and developers should adopt the “presumption of conservation” principle, similar to the one imposed under the Harbour Protection Ordinance, for rivers and streams. Thus works affecting natural rivers and streams should only take place with enough justification after thorough public consultation. There should also be a central register of all rivers and streams in Hong Kong which should be made available to the works departments, private companies and the general public. As the conservation authority, the Agriculture Fisheries and

Conservation Department should be empowered to issue licenses for works affecting rivers and streams.

83. Ng Tung River Training

For the purpose of drainage and flood control, the Drainage Services Department (DSD) undertakes “river training” works in rivers and streams in the New Territories.

In 1998, CA objected to the rehabilitation works of River Indus (Ng Tung River) at Kwan Tei – a river long known to the Association – which was part of the Phase 1A of the Rural Drainage Rehabilitation Scheme (North East New Territories). CA’s objection was against the tree felling of an existing woodland along the river, affecting the habitat of protected species of bats.

CA conducted its own daytime survey of bats nearby the affected woodland and submitted the result in an objection letter to DSD on 20 August 1998. CA’s effort paid off when it was informed by the DSD in a letter dated 1 September 1998 that “after thorough study”, Mouchel Asia Ltd, the project consultant, found it “feasible to provide further protection to the existing woodland by revising the alignment of the proposed temporary fence so as to exclude” part of the land originally earmarked.

84. “Let Wildlife be Wild”

On 26 June 1999, CA presented a seminar on wildlife conservation with Asian Wildlife Fund founder Jill Robinson as well as other speakers talking on trade in wildlife, the ecological impact of wildlife poaching, and wildlife consumption from Chinese medicine aspects.

In 2003, following the SARS outbreak, CA continued to promote awareness of abstinence from wildlife consumption through a three-month long campaign from May to July. The campaign consisted, among other things, of a “Let wildlife be wild” signature campaign, a petition outside the Legislative Council building on World Environment Day (5 June) asking officials and legislators to pledge not to eat wildlife, and a demonstration at Chater Garden with CA members wearing masks and displaying banners to promote awareness of wildlife conservation.

CA also engaged legislators like David Chu and lobbied the Hong Kong delegates of National People’s Congress and Chinese People’s Political Consultative Conference to support the campaign. In July 2003, a public hearing was held in Guangzhou at which government officials and participating stakeholders adopted most of CA’s views on wildlife consumption.

85. Long Valley

In the history of conservation in Hong Kong, the Long Valley episode is legendary. It was almost like a bird standing in the way of a train and de-railing it.

CA had played a leading role in the Long Valley saga, with Ng Cho Nam as the champion. It is worth reproducing the chronology from CA's homepage:

The Conservancy Association's Long Valley Campaign

Date	Events
30-01-2000	Organized a site visit to appreciate the beauty and ecological value of Long Valley
16-05-2000	Organized a press conference with the Hong Kong Bird Watching Society and World Wide Fund for Nature Hong Kong to present alternative alignments for Lok Ma Chau spurline
03-06-2000	Ng Cho Nam expressed his concern for the Long Valley in the radio programme "Letter to Hong Kong"
20-06-2000	Met Transport Bureau with Hon Emily Lau and Hon Lee Cheuk Yan and other green groups
23-06-2000	CA led a coalition and sent an open letter to the Chief Executive to lodge objection to the Spur Line.
23-06-2000	A joint press conference was organized.
29-06-2000	CA article on KCRC's arbitrariness published in Economic Journal
30-06-2000	Facilitated the set-up of the Joint University Save Long Valley Group which presented a position paper, initiated a website for releasing news of the Long Valley and an online signature campaign
08-07-2000	Facilitated a march by the Joint University Save Long Valley Group
10-07-2000	Submitted comments on the Lok Ma Chau Spur Line Environmental Impact Assessment report to the Director of Environmental Protection objecting to the issue of environmental permit
14-07-2000	Sent comments to the EIA report to KY Yeung, then Chairman of KCRC
20-07-2000	Supported LegCo member Hon Law Chi Kwong's signature campaign and received 18 LegCo members' objections to the Spur Line
21-07-2000	Responded to Advisory Council on the Environment's conclusion to the EIA report
05-10-2000	Wrote to Nicholas Ng, then Secretary for Transport, to request him to retract his remarks made on 4 October 2000 which were reported to have alluded to the environmental impacts of the Spur Line and the issuing of the environmental permit by the Director of Environmental Protection (DEP)
08-10-2000	Organized the Green Ribbon Campaign at Hung Hom KCRC station with hundreds citizens tying green ribbons
08-10-2000	With support from over 10 organizations, sent a joint open letter to the SAR government titled "Say No to Capital Punishment to Long Valley"
16-10-2000	Press release responding to DEP's refusal to accept the EIA report
19-01-2001	Wrote to Chief Executive with Catholic "Messengers of Green Consciousness", Green China Foundation, Green Power and Hong Kong Bird

Watching Society to seek appropriate action against appeal of KCRC to DEP's decision

30-07-2001 Organized a green groups joint press conference right after the Long Valley Appeal hand-down

30-07-2001 Issued its own response welcoming the EIA Appeal Board's verdict and urging the government to work out a conservation policy

The question was simple: should railway company KCRC build a Spur Line from Sheung Shui to Lok Ma Chau across Long Valley, a site of ecological interest. The project had been approved by the government and would go full steam ahead once KCRC obtained an environmental permit from Rob Law, the Director of Environmental Protection. The green groups' case was that its EIA report was not satisfactory and the permit should not be issued.

As described in CA's submission to DEP on the EIA in July 2000, Long Valley should be regarded as an "absolute constraint" for any development. With 97 species of butterflies, 9 amphibians and reptiles and 213 birds, the ecological value of Long Valley should be self-evident. Even the EIA report itself described it as the "largest remaining area of such habitat in Hong Kong" with "high landscape quality and high sensitivity to change due to the openness of the landscape." And if an EIA were to go ahead anyway, at least it should have been done properly; yet CA found many causes of complaint:

- absence of year-long survey;
- lack of information on amphibians, reptiles and mammals;
- lack of justification of preferred alignment compared to alternative routes;
- inadequate mitigation and compensation measures even in the Report's own terms;
- lack of scientific evidence to support whether the proposed mitigation and compensation measures would work;
- no provision of fallback measures;
- failure to meet the criteria of "no net loss in area or function" under the planning guidelines for development in the Wetland Conservation Areas of the Ramsar site (net loss of 9.5 ha of fishponds);
- failure to provide adequate assessment of the cumulative impacts from various current and planned projects along the Spur Line (e.g. Shenzhen river training, San Tin drainage channel);
- failure to consider the impact on tenant farmers in Long Valley;
- impossibility of mitigating visual and landscape impact; and
- failure to address the damages to the high cultural heritage value of Long Valley.

Clearly, Long Valley was not just a protest movement but a highly knowledge-based campaign. In the end the green groups won on reason and rationality, but not without spending effort to mobilize the public, and in CA's case that meant the green ribbon campaign on 8 October 2000.

On 16 October 2000 DEP rejected the EIA report, but the green group's victory was only partial. KCRC decided to appeal and put forward volumes of additional material in preparation for the hearing, scheduled to start from April 2001.

On 30 July 2001, the EIA Appeal Board dismissed the appeal, and history was made. That day was also the rare occasion when champagne corks popped as green groups gathered.

86. Spur Line vs Northern Link

After the EIA for the Long Valley Spur Line was rejected by the EIA Appeal Board, the KCRC re-submitted an amended plan using tunnel and viaduct. The new project would incur an additional cost of \$2 billion.

Though the new alignment would largely go underground and hence avoided Long Valley, CA was not satisfied that the Spur Line should go ahead. Although tunnel would solve the problem of surface impacts, it would create other sustainability problems such as greater energy wastage. But more importantly, CA warned against the Spur Line becoming redundant in future after other parts of the planned railway infrastructure were built. Hence CA advocated the early completion of the West Rail link to Lok Ma Chau, and the connection of Lok Ma Chau with the East Rail through the planned Northern Link. By giving priority to the Northern Link, the East Rail will be connected to Lok Ma Chau and the objective of the Spur Line – that of relieving traffic at Lowu – would have been served. Hence CA championed a “Prioritised Northern Link” option to replace the Spur Line.

CA continued to make presentations to the government, KCRC and LegCo but this time it was a comparatively lone voice. It objected formally to the EIA in February 2002 but this time DEP approved the EIA and issued the environmental permit on 11 March 2002. With that the Executive Council approved the Spur Line on 14 June 2002, despite CA regretting that the Spur Line risked becoming a white elephant.

The last of the campaign was a CA protest on 9 January 2003 at the official ground-breaking ceremony of the Spur Line at KCRC Sheung Shui station, a “cheque-tearing” ceremony against the waste of \$10 billion.

But that was not the last of CA’s involvement in Long Valley. True to its philosophy as a positive green group, CA undertook a project “Action Model on Sustainable Development in Long Valley” in 2005 with funding by the Sustainable Development Fund. The project comprised different programmes such as removing Mikania, cleaning the neighborhood, restoration of fung-shui wood, researching on fresh water conservation, training for the community, modifying traditional farming method, and developing eco-tours. Through the programme CA built up a close working relationship with the local community. It was so successful that the eco-tour element was accredited by the Hong Kong Tourism Board and became an attraction for overseas tourists.

As to the Spur Line itself, it was duly built and opened on 15 August 2007. Whether it would become a white elephant remains to be seen.

87. Heung Yee Kuk engagement

In the midst of the Long Valley saga, CA attended a Heung Yee Kuk meeting on 31 October 2000 to explain CA's position on conservation policy and to assure the villagers that their traditional rights were respected. Thus began informal contacts between green groups and the Heung Yee Kuk. Despite the apparent conflict of interest inherent between conservationists and landowners, they found a remarkable mutual interest in finding solutions for conservation of and development of the rural area. The two sides decided to establish a Rural Development and Conservation Working Group, with Heung Yee Kuk Chairman Mr. Lau Wong Fat as Convenor. The first meeting of the Group was held on 12 June 2001. The objectives of the Working Group are to "review current rural development, environmental conservation and land use planning, and to make recommendations; and to suggest a solution for private land rights issues involved in environmental conservation works."

The Working Group became the forum for CA and other green groups to exchange views with Heung Yee Kuk on policy options such as government resumption and transfer of development rights. On one issue in particular, the views of two sides were converging, namely, the establishment of a Nature Conservation Trust. In a letter of June 2005 under the name of CA Chief Executive Lister Cheung to Heung Yee Kuk Vice Chairman Cheung Hok Ming, CA stated its support to a Heung Yee Kuk suggestion of establishing the Hong Kong Nature Conservation Trust using money to be gained from the public-private partnership schemes of the New Nature Conservation Policy. The letter states, "We realise that there are differences in opinions between the Conservancy Association and the Heung Yee Kuk in the mode of operation and the scope of the Nature Conservation Trust. However, we agree that the first and the foremost important issue now is to get the government to agree to the establishment of the Nature Conservation Trust. The differences in opinion can be dealt with after the trust is formed. Thus, we would cast our support to the Heung Yee Kuk in fighting for the establishment of the Nature Conservation Trust."

In an unprecedented move, the Heung Yee Kuk and 11 green groups jointly issued a statement on 4 October supporting the establishment of a Hong Kong Nature Conservation Trust. Three requests were made in the statement:

- The development and establishment of a 'Nature Conservation Trust' for the proactive conservation of nature in HKSAR
- Establish policy objectives and strategies, which genuinely accord priority to nature conservation
- Review and enact legislation that specifically deals with conservation of nature and biodiversity

The following of principles were suggested for the Nature Conservation Trust:

- a. Take reference to and consider global best practice for Nature Conservation Trust (Such as the National Trust for England and Wales)
- b. Independence from any single stakeholder, including the Administration.
- c. Created by legislation with the right to hold and manage land in perpetuity for the benefit of the people.
- d. It should be a membership-based organization, consisting of primarily NGOs

- with majority voting rights.
- e. It should be active in advocacy for natural heritage.
 - f. It should be active in Education.
 - g. Resources of the Trust may come from PPP, premiums from land sale, donations, government incentives, etc.

The agreement of the statement had not been easy, with CA's Lister Cheung playing a key balancing role between Heung Yee Kuk and some green groups in the final stages of drafting. Although the government did not respond to the proposal, it was a landmark statement reflecting stakeholder consensus on one important aspect of nature conservation. The 11 signatories included:

The Conservancy Association 長春社
Clean The Air 爭氣行動
Earthcare 地球仁協會
Green Power 綠色力量
Green Lantau 綠色大嶼山協會
Hong Kong Bird Watching Society 香港觀鳥會
Hong Kong Sustainable Development Forum 香港可持續發展論壇
LANTAUPOST 大嶼報
Tai O Environment and Development 大澳環境及發展關注協會
Tai Po Environmental Association 大埔環保協進會
World Wide Fund for Nature HK 世界自然（香港）基金會

88. Indoor Air Pollution

In 1995, the Environmental Protection Department commissioned a consultancy study on “Indoor Air Pollution in Offices and Public Places”. The study was completed in 1998 and its report consisted of a proposed two-level framework for control of indoor air quality: Level 1 means good indoor air quality commensurate with that of a high class and comfortable building, while Level 2 represents the indoor air quality that provides protection to the public at large including the young and the aged. Compliance is based on a voluntary scheme of certification.

CA responded to the proposed framework in December 1999, supporting the voluntary scheme in the short term, i.e. for three years. The target would be for office buildings and public places to achieve Level 2 of the Indoor Air Quality Objectives. The buildings and public places would be required to indicate the indoor air quality of their premises, thus keeping the owners and tenants informed of how good or bad the air quality of their premises are and the risk they are taking.

In the medium term (3-5 years), the Association urged the Government to develop an Indoor Air Quality Regulation and adopt the Level 2 Objective as the minimum indoor air quality standard which all buildings and public places in Hong Kong must attain. During this phase, regulations to ban smoking in all office buildings and public places should be put in place and enforced.

For the long term, the aim is to make the regulations statutory and mandatory for all buildings and public areas.

More than ten years have passed since the report but there has been no mandatory requirement yet, other than that the smoking ban in public places did become a reality.

89. Lamma Island power plant extension

In 1998 the Hong Kong Electric Company (HEC) applied to build an extension to its power station on Lamma Island. The EIA study brief was issued by EPD in May 1998. To express concern over the power plant extension, CA formed a “Powerful Coalition” with other green groups and community organizations to monitor the development on Lamma and energy policy in general. The Powerful Coalition consisted of

- Act Now!
- Conservancy Association
- Citizens Party
- Democratic Party
- Earthcare
- Friends of the Earth
- Green Lamma
- Green Lantau Association
- Greenpeace
- Green Power
- Lamma Island Conservation Society

CA wrote to the government on 29 October 1998 formally objecting to the proposal. In the statement CA hit out at the excess electricity generating capacity of China Light and Power (CLP), and called for a thorough study on the potential for interconnection of electricity generation between the two power companies. CA also asked that issues on competition policy and de-regulation of the power supply sector, as well as integration with electricity supply on the Mainland be addressed before contemplating extension of the Lamma Island power plants. The CA statement also drew attention to the arrangement in the then Scheme of Control Agreement which linked the power companies’ return to its investment in fixed assets, creating a potential over-investment thus resulting in high tariffs for consumers.

CA and other members of the Powerful Coalition attended a meeting of the Legislative Council Panel on Environmental Affairs on 9 November 1998 to argue against the Lamma extension.

The EIA report for the LNG-fired (liquefied natural gas) power station was approved by EPD in May 1999. In January 2000, CA issued another statement calling on the government to implement interconnection of the power grids between CLP and HEC, as a means of expanding HEC’s capacity without building more power plants in Lamma. However, on 7 June 2000, the Government announced that it had approved HEC’s financial plan including its proposal to extend the Lamma Power Station. Despite further protests by CA and the Powerful Coalition, the plant was built and commissioned in 2006. Since then the electricity tariff of HEC went up steadily up and by 2008 was 50% higher than that of CLP.

90. Interconnection and competition in electricity market

During the campaign against the power station extension on Lamma Island, CA issued a paper under Albert Lai name on “Time to revamp Hong Kong’s energy policy” (18 May 1998). The key points were that the electricity market should be opened up for competition and that closer links should be forged between Hong Kong and the Mainland by first connecting the distribution grids of both sides. The same points were made a few months later (September 1998) when CA responded to the government consultation on Interconnection and Competition in the Electricity Supply Sector in Hong Kong. In addition, alternative energy and energy conservation were also mentioned as issues to be addressed. The debate took place against the backdrop of excess power capacity in China Light and Power’s (CLP) Black Point power station on the one hand, and a demand by Hong Kong Electric (HEC) to expand its power plants in Lamma Island on the other.

In October 1999, after months of delay, the government published the consultancy report on “Interconnection and Competition in the Hong Kong Electricity Supply Sector”. Seizing on the report, CA issued a position paper in January 2000 calling for interconnection to be implemented as the solution in reforming the energy market. To CA, it makes no sense to approve the expansion of one power company while the other is experiencing excess capacity.

CA’s solution comprises four components: firstly, upgrading of the interconnection between the CLP and HEC grids; secondly, installation by CLP of Black Point units 7 and 8 in 2006 and 2007 using funds from HEC; thirdly, deferring HEC’s Lamma extension indefinitely; and fourthly, transferring from CLP to HEC the entitlement of permitted return under their Scheme of Control Agreements with the Hong Kong government. CA emphasized out that the first three items were, according to the consultancy report, the most economic and “most sound option” from a technical point of view. The only hurdle was the antiquated system of regulating the power companies through the Scheme of Control Agreements, which the fourth suggestion was to address.

In the position paper CA also made suggestions on further opening up the electricity market, and for a new regulatory regime to be instituted in 2008 when the Scheme of Control Agreements would expire.

On 9 June 2000, when the Economic Affairs Panel of the Legislative Council discussed the Lamma Power extension and interconnection, CA joined with other green groups to petition outside LegCo against extension of the Lamma power station and in favour of interconnection.

However, these efforts were not enough to overcome commercial interests and bureaucratic hurdles. The options in favour of more competition and interconnection were not pursued; instead HEC continued with the Lamma extension, and in 2008 new Scheme of Control Agreements were devised between the government and the power companies, with basically the same regime as before.

91. Causeway Bay pedestrianisation

The Planning Department took its consultation to the streets in 2004 when it set up a public meeting about its *Pedestrian Plan for Causeway Bay*. Needless to say, CA reacted positively, not only because it approved of the public engagement, but also, five years before, CA had put forward a paper in May 1999 on just that: improving air quality in Causeway Bay by creating a pedestrian zone, rationalizing bus stops and relocating mini-bus terminus.

In its response on 28 August 2004, CA stated its strong support for Causeway Bay as a Pedestrian Plan Area (PPA) and Pedestrian Priority Zone (PPZ). If anything CA wanted the concept to be extended to other areas, and for the boundary of the Causeway Bay PPZ to go further.

With both heavy pedestrian flows and bad air quality caused by traffic, Causeway Bay should be the archetypal Pedestrian Priority Zone. Although the impact on pedestrians could be mitigated by tunnels or elevated walkways, CA's preferred solution had always been to resume the road space for pedestrians.

Not that vehicles should be totally banned, as traffic had to be allowed, but CA's view was that the Pedestrian Priority Zone should be a special air quality control zone for which access should be linked to the cleanliness of the vehicle, e.g. compliance with Euro-III emission standards. Alternatively, for easy administration, access could be limited to only vehicles manufactured after 1999. Elevated walkway could be added after there has been marked air quality improvement.

A major component of this proposed pedestrian zone was a new underground pedestrian cum retail link across Hennessy Road. CA was not convinced yet of its merits as underground structures would consumer more energy, and would like to see a thorough cost and benefit analysis.

For CA, success of the scheme would mean restriction of vehicular access enough to calm traffic on Hennessy Road to the extent that, in the fullness of time, it could be narrowed to four lanes and enable more convenient surface crossings.

92. Wetland conservation: “Public-Private Partnership”

In January 2000, seven green groups including the Conservancy Association, ABLE (Charity) Ltd, Friends of the Earth, Green Lantau Association, Green Peng Chau Association, Hong Kong Bird Watching Society and Produce Green Foundation jointly issued a statement entitled “Objection to Development in Conservation Areas”, to express their “grave concern and strong objection to what appears to be a trend towards encouraging developments in designated conservation areas”.

The statement was occasioned, among other things, by a new private-public partnership (PPP) approach for the abandoned fishponds in North West New Territories, which form an integral system with the adjacent wetland, including the Mai Po marshes. The latter is designated as a Ramsar site, a wetland system of international recognition. The approach Under the PPP concept, which had the blessing of the Town Planning Board, developers may be allowed to develop part of the wetland in exchange for conservation, the latter through some form of wetland trust. While stating support for the concept of Wetland Trust, the green groups emphasised that they did not recognise the existence of development rights in conservation areas. The PPP concept which involves development in exchange for conservation should therefore be only one of the options to be considered. Furthermore, since the objective is conservation, the PPP option should be “by definition... a matter of exception, not a matter of course”.

The groups then listed five criteria which should be met if the development option were to be pursued:

- i) the principle of no net loss of wetland to be satisfied;
- ii) the integrity of the wetland with the rest of the Ramsar site, including the preservation of rural character, is enhanced;
- iii) the development rights arising from the wetland area concerned are transferred to non-sensitive development areas away from the wetland;
- iv) the development can generate sufficient contributions to an independent wetland trust which will be used to support the long term management and enhancement of the wetland system;
- v) the impact of possible cumulative effects on the wetland is fully assessed and deemed acceptable.

The green groups went on to say that even if development were justified for the purpose of conservation, the best endeavour should be made to undertake the development offsite, so as not to destroy the rural character around the wetland.

The paper also warns against opening a floodgate to landowners to claim development rights to achieve conservation, emphasizing that there should be a presumption of “no development rights” in conservation areas.

As expected by the green groups, the PPP concept gave rise to many applications for development of the fishponds, packaged and presented as conservation projects. However, as of 2008, although some PPP plans have been approved, not one has materialized yet.

93. Mangrove trimming at Deep Bay

As part of the works to control flooding, the Drainage Services Department (DSD) undertook mangrove trimming at the outlets of the Tin Shui Wai Western Drainage Channels and the Shan Pui River into Inner Deep Bay, to prevent mangrove colonization. But that caused CA's concern as what actually happened in the name of "trimming" was mangrove cutting and potential habitat destruction. Not that CA was against flood control, but CA was worried that the project might have bypassed the proper process of Environmental Impact Assessment (EIA) and might set a precedent for vegetation felling in the name of trimming.

CA met officials from the Drainage Services Department and the Agriculture Fisheries and Conservation Department on 20 August 2001 to voice its concern. The area in question covered 7.4 hectares at the river channel outlet of Shan Pui and Tin Shui Wai Rivers. Several letters were exchanged after the meeting, and CA remained unconvinced that the mangrove cutting was necessary. The main query was that if indeed only trimming was undertaken – to 300mm above bed level – the mangrove would continue to grow anyway making trimming a perpetual need. CA also questioned the claim that the area would return to mud plain afterwards since it was constantly relatively dry. Stressing that it was not obstructing flood control, CA wanted assurance that the ecological as well as landscape impacts were acceptable and suggested that the best way of ensuring that would be for a proper EIA to be undertaken.

Through a member CA had in effect asked a law firm Mallesons Stephen Jaques to provide pro bono advice on the implications of the project and CA's concern that it might set a bad precedent. The advice was that it was not improper for DSD not to have undertaken a full EIA, although CA remained of the view that for good government and to set a good example, a full EIA should have been undertaken. As to bad precedent, CA was satisfied that there should be enough legal and administrative measures to protect vegetation from illegal "trimming" or cutting.

CA did not, therefore, insist on pursuing the matter other than seeking an assurance from Agriculture Fisheries and Conservation Department that the proposed works would not constitute significant ecological impacts, and that both DSD would undertake to implement the project in an environmentally friendly way and would supervise its contractors closely for compliance.

94. New Development Areas

The Deep Bay area has been an environmental hot spot ever since CA was founded. When the North West New Territories Development Strategy Review was published in 1993, CA took the opportunity to reinforce the need to conserve the wetland. The development needs, according to CA, should be accommodated in Tuen Mun and industries located in downwind locations to minimize environmental impact. To balance development pressure, the Country Parks should be extended and the Mai Po and nearby wetland protected.

Nevertheless, the growing population needed to be catered for, and Planning Department and the Territory Development Department jointly commissioned the Planning and Development Study on North East and North West New Territories to identify new development areas (NDAs). As a result, four NDAs were proposed in 1999, namely, Hung Shui Kiu in North West New Territories, and Kwu Tung North, Fanling North and Ping Che/Ta Kwu Ling in North East New Territories. Two consultation digests were published accordingly.

In January 2000 CA responded giving support to the “environmentally-friendly new town” concept being proposed in the consultation digests, but pointed out that the details were deficient. The proposed public transport links, pedestrian streets and cycle lanes were all go ideas but they did not go much beyond the latest new towns.

To help the environmentally-friendly NDAs materialize, CA advocated a more adventurous approach guided by the concept of sustainability, such as using renewable energy, re-using domestic waste water, a holistic recycling system, a comprehensive sewage master plan, as well as green urban and architectural design. To preserve natural and cultural heritage, CA proposed that transfer of development rights should be implemented.

More specifically, for Kwu Tung North CA emphasized protection of wetland in Ho Sheung Heung, and stated again its opposition to the proposed spur line across Long Valley. For Fanling North, CA asked for more information on a proposed “eco-park” concept, while for Hung Shui Kiu we drew attention to the need for mitigation of social and environmental impact due to increased traffic to and from the border.

95. Sub-regional planning: Sai Kung

In 1999 the Government launched the first and second stages of the South East New Territories Development Strategy Review. Stage One was carried out from May to June 1999 and focused on study objectives, approach and key issues, while Stage Two took another two months from October to November on initial development options. A year later, a public consultation digest for Stage three “Draft Recommended Development Strategy” was published in January 2001.

The Study was an example of a new brand of more thorough public consultation undertaken by the Planning Department, which was very much welcomed by CA. Our views on the study itself were reflected by the then Current Affairs Campaign Officer Kate Choy at the public consultation forum on 6 January 2001, and documented in the Study’s Report on Stage 3 Public Consultation published in October 2001. CA’s response included supporting the extension of country park, but expressing concern over development-oriented proposals such as housing and village development in the conservation areas of Tai Long, Sai Wan, Pak Lap and Pak A; permanent holiday camps in the former High Island Detention Centre replacing temporary camps; and resort developments in Northern Sai Kung and the outlying islands. Instead CA preferred that development be curtailed and should be concentrated in Sai Kung town, with more use of clean fuel transport such as trolley buses and the introduction of more walking trails throughout the area.

96. Town Planning Ordinance

Hong Kong is one of the fastest changing cities of the world. Yet its town planning regime has never been truly modernized. The Town Planning Ordinance was enacted in 1939, with a major amendment in 1974 on the planning permission system. In 1991, another major revision was made to introduce Planning Committees and an Appeal Board. The need to bring the Ordinance up to date with the changing times was also recognized, thus begun the comprehensive review of the Town Planning Ordinance. CA was among the few civil society groups to have recognized its importance, holding a seminar in September 1991 to discuss the review.

The outcome of the review was a Town Planning White Bill – a consultation paper published in the form of a draft Bill – in 1996 detailing comprehensive amendments to improve the planning system. According to the White Bill, the Town Planning Board will be reformed to make it more independent and representative; both the plan-making and the planning control systems will be streamlined with a greater degree of public participation; new zoning will be introduced to protect heritage and the environment; and enforcement against infringement will be strengthened. One key concept of the Bill was to introduce a “planning license” which developers must obtain before submitting building plans.

CA made known its support of the White Bill through a number of meetings and papers to Planning Department in 1996. The White Bill was turned into the Town Planning Blue Bill in 2000. Whilst supporting the draft legislation, CA pointed out to the Legislative Council in April 2000 that the Blue Bill had not gone far enough as the planning license concept had, regrettably, been scrapped due to opposition from developers.

What then happened was a huge disappointment to green groups and professional bodies: LegCo considered that the Bill was too complicated and the government decided to withdraw it. Had the Blue Bill been passed by LegCo, there would now have been a more representative Town Planning Board, statutory zoning of Environmentally Sensitive Areas (ESA) and Special Design Areas (SDA) to protect the environment and heritage, as well as the power to name Designated Developments requiring Environmental Impact Assessment reports as part of the statutory process. The current loophole allowing incompatible developments to go ahead when a new planning intention has been established through the plan-making process would have been plugged.

The failure of the Blue Bill in 2000 was a major setback in the development of Hong Kong’s planning regime. In 2003 the government decided to split the amendments into three phases, with Phase I dealing with the less controversial issues such as streamlining of the planning process, enhancement of public participation and strengthening of enforcement. The Town Planning (Amendment) Bill 2003 was presented to LegCo to embody the amendments in Phase I.

CA was broadly in support of the 2003 Bill although the amendments were deemed not far enough. A paper was submitted to LegCo in September 2003 seeking changes to the

Bill to enhance public participation. In the paper CA also took up an issue most others overlooked, namely, a small amendment allowing the Chief Executive in Council to “of his own volition or at the request of the Board, revoke, in whole or in part, any approved plan, or refer any approved plan to the Board for replacement by a new plan or amendment.” CA was concerned that this might give the Chief Executive too much power and make him the centre of lobbying by the developers or stakeholders, while at the same time weakening the Town Planning Board (TPB)’s impartiality. As the debate turned out, CA’s advice was heeded and the Chief Executive’s powers were thus limited to only acting upon the request of the Town Planning Board.

CA’s other comments related to speeding up the creation of the new zonings of Environmentally Sensitive Areas (ESA) and Special Design Areas (SDA), promised for Phase II. The Bill was duly passed in 2004 but the promised Phase II amendments were never put on the table, despite an earlier commitment to proceed with them immediately after Phase I. By 2008, there had not even been a timetable for Phase II and Phase III of the originally planned amendments. As a result of the half-reforms, Hong Kong’s town planning regime in 2008 is arguably more problematic than before: the plan-making system becoming a tool for dissent rather than good planning, the Town Planning Board’s credibility being eroded, while bad planning continues.

97. Urban Design Guidelines

One of the most important factors affecting the quality of the living environment is urban design, hence CA took an active part in the consultation when the Planning Department developed the Urban Design Guidelines in 2000. In the Guidelines a number of principles were proposed to provide guidance on topical issues such as developments in the waterfront, impact on ridgelines, and visual impacts of building blocks.

While welcoming the Guidelines, an April 2000 paper by CA commented that preservation of historical and cultural sites and buildings should be given greater attention, and suggested that an SSHI designation – Sites of Significant Historical Importance – should be created. Also important was the pedestrian environment, and a requirement for developers to conduct pedestrian impact assessment and formulate pedestrian strategies (such as building set-back) was suggested. The need to employ urban design to preserve rural character, which was not addressed in the Guidelines, was also suggested.

With input from the public, the Urban Design Guidelines went into phase II of the consultation in 2001. CA's comments were presented by Hung Wing Tat in a forum in September 2001. Besides supporting the Guidelines, CA warned that the concept of "landmark" should not be mistakenly understood as the tallest buildings, but should be based instead on unique and distinguished architectural design. Nor do landmarks have to be newly constructed; citing Edinburgh Place and City Hall, CA's view was that existing historical and cultural buildings or settings could be as convincing landmarks as new structures.

CA also took the opportunity to give another push to the concept of "Special Design Area" to cover "waterfront areas, important vantage points, areas with beautiful urban or rural landscape and areas with important historical buildings/landmarks." CA even supported the formation of a "special design panel" under the Town Planning Board to scrutinize project profiles and ensure they match the planning objectives. CA also put forward the innovative idea of "credit grant" to developers who follow the Guidelines, to give greater incentive to developers to "take harmony with neighborhood context and setting into account as well as explore more diverse built forms and design of development."

98. OU(RU) zone

In 2001, the Planning Department conducted a “Review of Rural Land Uses in Northern New Territories”. As a result of the Review, the Planning Department proposed in September 2002 to create a new zoning, to be known as Other Specified Uses annotated Rural Use, or “OU(RU)”, to allow development rights on agricultural land in exchange for upgraded of the rural environment. As a test case, the new zoning was to apply to three sites in a new draft Outline Zoning Plan for Tai Tong.

CA was concerned that despite its stated intention of achieving rural upgraded, the definition of the zoning was unclear and there were no guidelines on implementation, given the absence of a rural conservation policy. The net effect would be to recognise and legitimise the destruction of rural land and to reward its owners with a re-zoning to other more profitable uses, thus creating a spiral of rural degradation.

CA coordinated with other green groups in a campaign to oppose the OU(RU) zoning. With the benefit of insights from a concerned barrister Ruy Barretto SC, the green groups formulated a detailed paper on 26 October 2002 entitled “Objections to Proposal to convert Agricultural Land to Other Specified Uses annotated Rural Use, OU (RU) by the Planning Department under their Review of Rural Land Uses in Northern New Territories of July 2001, and Restoring the Balance in the Countryside, Proposals for Integrated Strategic Planning and Implementing Conservation Policy Mechanism”. Armed with the paper, the green groups organized a meeting with the Planning Department to express their concerns.

On 14 November 2002, the green groups formally submitted their paper together with a covering statement lodging their objection to the new zoning, signed under the names of the Catholic Messengers of Green Consciousness, the Conservancy Association, Friends of the Earth (Hong Kong), Green Lantau Association, Green Power, Hong Kong Bird Watching Society, Hong Kong Organic Farming Association, Kadoorie Farm and Botanic Garden, Produce Green Foundation, Wildlife Conservation Foundation, and World Wide Fund For Nature Hong Kong. In the joint statement the green groups questioned the lack of consultation in the Review and warned of a phased degradation of the countryside as a result of the OU(RU) zoning, leading to “the gradual loss of the true rural character, especially in the absence of any proper definition of the concepts of ‘rural landscape’ or ‘rural area’.” The green groups proposed a “Broad Framework for Strategic Planning, Sustainable Development and Conservation in the Northern New Territories”, and called on the government to defer the implementation of the Review’s recommendations as well as withdraw the draft Tai Tong OZP. Through the submission the green groups thus lent weight to the Kadoorie Farm and Botanic Garden which had earlier submitted an objection to the Draft OZP.

On 28 February 2003, the Town Planning Board rejected the green groups’ objection, but conceded by agreeing not to implement any further OU(RU) zoning besides Tai Tong until clear guidelines are established. The Board also directed that green groups’ views should be sought in developing the guidelines.

Accordingly, the Planning Department prepared a set of draft “Town Planning Guidelines for designation of ‘other Specified uses’ annotated ‘rural use’ (‘OU(RU)’ zone and application for development within ‘OU(RU)’ zone under Section 16 of the Town Planning Ordinance” in consultation with green groups. Eight of the 12 green groups they consulted had no further comments on the Guidelines. Of the other four, CA put forward, on 7 October 2003, further recommendations including two more provisions, namely, a “clean record” test (i.e. no violation or infringement by the landowner over the last three years before application) and a “balance of contribution” test (i.e. assessing the quantum of public gain between this zoning and a conservation zone), to be added to the Guidelines.

On the eve of the TPB meeting on 19 March 2004, CA sent another letter to the Board, with two “scary pictures” of a degraded area in Lam Tsuen taken by Ng Cho Nam on 9 March during a visit of the Advisory Council on the Environment. In the letter CA reiterated the call for the two tests to be installed and calling for a moratorium on the new zoning until all the implications and adverse consequences have been considered.

Under the guidance of the then TPB Chairperson Mrs Carrie Lam, the Board agreed to “the broad principles set out in the draft TPB Guidelines”, but decided that there should be more consultation with stakeholders before the Guidelines and promulgated.

99. Foreshore and Seabed Ordinance

The Foreshore and Seabed Ordinance provides an avenue for the public to object to works which affect the waterfront or the seabed. On 7 February 2003, an amendment to the Ordinance was gazetted to shorten the objection period from two months to one month and to reduce the nine-month period for resolution of objections to four months. The Chief Executive's power to extend the resolution period for another six months was shortened to three months. The amendments would be applicable, for instance to construction projects for sewage disposal system along the waterfront.

CA found the amendments unacceptable as they would reduce the public's rights to object. The government did commit to improving consultation on public works but CA's view was that the statutory right of objection should not be compromised. The right to object was the "final vote" which could not be replaced by administrative measures, however well-intentioned the latter were.

CA did appreciate the need to streamline public works but felt strongly that this should not be done at the expense of citizen's rights to object. Instead, CA proposed that the streamlining should come from administrative re-structuring, e.g. a more efficient tendering system for public works.

CA lobbied LegCo in February against the amendments and submitted an official objection to the Secretary for Environment Transport and Works Dr Sarah Liao on 12 March. Government was convinced by CA and agreed not to proceed with the amendments but instead to seek to streamline administrative procedures. CA was pleased at the outcome.

100. SARS

SARS stroke Hong Kong in 2003. The culprit was identified as a coronavirus which is the same as that found in civet cats. As civet cat is a delicacy in Mainland China, the Conservancy Association organized the “Let Wildlife be Wild Campaign” from May to July 2003 to promote wildlife conservation and biosafety.

CA signed a joint statement with 46 local and Mainland green groups urging China to revise the Wildlife Conservation Legislation and to enter the “Cartagena Protocol on Biosafety.” CA also coordinated a Discussion Panel on Protecting Wild Animals with Mr David Chu Yu-lin, Deputy of the National People’s Congress and Legco member and other green groups to discuss the wildlife consumption issue and conservation work. CA visited Guangzhou and met with the stakeholders who were involved in the wildlife selling business to understand their current practices.

CA issued a press release to raise public’s awareness of wildlife conservation and SARS outbreak on Biodiversity Day. At the end of May 2003, CA organized the “Let Wildlife be Wild Signature Campaign” which received wide support from the then Chief Executive Tung Chee-hwa, senior government officials, legislators, district council members, schools, community groups and the public. The campaign collected over 50 000 signatures within one week. On 5 June, World Environment Day, CA staged the “Wildlife Conservation Petition.” Members of CA wore animal masks and displayed banners at Chater Garden to promote the awareness of wildlife conservation.

Part IV
A New Direction?

“We need to become new Hongkongers, better equipped to sustain developments in the new era...we will embark upon a new journey for a golden decade.”

HKSAR Chief Executive Donald Tsang, *2007-08 Policy Address* (paras 5 and 130)

101. World Summit on Sustainable Development

In the world's third environmental summit in 2002, CA was no longer the lone voice. For the first time, the Hong Kong Government sent a delegation headed by Director of Planning Bosco Fung. But the 8-member official delegation was dwarfed by the civil society presence – the team assembled by CA consisted of 37 delegates.

It was all down to good preparation, which started almost a year before. Led by Chairman Albert Lai and Chief Executive Gordon Ng, CA decided to take the lead to coordinate Hong Kong civil society participation, taking pains to be as inclusive as possible. The group was thus expanded from a CA delegation to an NGO delegation. More room was made for people to participate, even young children, through an eco-tour organized beforehand.

The event itself, the World Summit on Sustainable Development, was held from 26 August to 4 September. Successful participation hinged on good preparation and there no effort was spared. Three representatives of CA were at the Fourth Preparatory Conference of the Summit held in Bali from 27 May to 7 June, to gain a feel first-hand on the draft political declaration and the Plan of Implementation being negotiated. There the CA representatives organized a historic, albeit informal, “Chinese NGO Caucus”, with CA appointed as the secretariat and Lister Cheung as coordinator.

Then it was a matter of organizing the Hong Kong presence. A “Civil Society Declaration on Sustainable Development” was drafted and endorsed by participating organisations and launched in a seminar on 12 August. It consisted of 4 principles stating the goals of sustainable development for Hong Kong, and 6 action guidelines on issues such as sustainable consumption and production, resources, poverty, and caring community – themes that accorded with the “3P” slogan developed by the host country, namely, People, Planet and Prosperity.

The delegation itself was truly multi-sectoral. With Albert Lai as delegation leader, CA had the strongest presence, but two-thirds of the 37 delegates were from other organizations with varying background, such as deputy leader of delegation Chua Hoi Wai of the Hong Kong Council for Social Services, Oxfam's Chong Chan Yau, Friends of the Earth Director Mei Ng, and others from St James Settlement and Hong Kong Christian Service. Besides green groups and social workers, there were also academics, corporate executives, and politicians: among the delegation were two legislators, Choy So Yuk and Emily Lau. The group also included a few young people and three primary students, all properly registered with WSSD and partaking in some of the Summit activities; the youngest delegate was five year old Karina Chan.

Another type of preparation was to formulate Hong Kong's own submission to the WSSD. For that purpose, a booklet “On the Path to Sustainable Development” was published. Participation of various delegates in different forums and events was also arranged, from plenary events and NGO briefings throughout the Summit, to various forums for business and parliamentarians, a Civil Society Global Forum on 19 August, various coordination meetings with other NGOs, civil society demonstrations, not to speak of the very impressive market place set up by the host specifically for the

Summit, and the odd sustainability tours which delegates were lucky to have signed up to.

In reality the activities could never have been totally planned. A useful meeting was convened during the Summit with the Hong Kong government team. CA's planned seminar on Local Agenda 21 went ahead as scheduled, but other meetings with the "Chinese NGO Caucus" had to be changed several times being they eventually took place.

At the end of the day, however, it was not up to the 20,000 delegates but the 104 world leaders to deliver. But they did not. Although there was a final agreement on the "Plan of Implementation", it contained so many compromises that it looked like an elaboration of principles, or worse, a set of "Palliatives for Inaction" rather than a Plan of Implementation. Instead of the advertised "Rio plus 10", the WSSD almost became a kind of "Rio minus 20", as it resorted to the very early principles established in 1972 in Stockholm instead of producing concrete action to move forward.

The problem boiled down to commitment and money. One of the most important principles of sustainable development agreed in Rio was that responsibility should be "equal and differential" – in short, advanced countries should pay more. In the end, however, many felt let down by the rich countries, especially the United States, for their lack of commitment, the US' refusal to sign the Kyoto Protocol of the Framework Convention on Climatic Change being the archetypal example. That shirking of responsibility by the world's wealthiest nation and biggest polluter was more than once contrasted with the ratification of the same Protocol by China announced by Premier Zhu during the WSSD.

At the conclusion of the WSSD, CA issued a statement highlighting four points:

- The SAR government should formulate a Sustainable Development Strategy and in the course of doing so, engage the Local Agenda 21 process. For the longer term, the case for a Sustainable Development Bill should be examined carefully.
- A concerted effort is needed to find sustainable solutions on energy and water, two of the main themes addressed by the WSSD. The Mainland will have to be involved in a partnership in developing such sustainable solutions.
- Now that China has signed up to the Kyoto Protocol on climatic change, Hong Kong must play its part. As the wealthiest city of China, it should strive to meet the standard that befits that of a developed city.
- Hong Kong should aim to become a model of sustainable development. This will call for efforts on the part of the community and Hong Kong people should be prepared to bear our responsibilities towards global problems such as poverty. We have a duty, for instance, to be responsible consumers of seafood, now that agreement has been reached on conserving the world's fisheries stock.

What it learnt from WSSD was incorporated into CA's 2002 Policy Address submission to the Chief Executive, entitled "Asia's World City and a Model of Sustainable Development – Hong Kong Can Do It!" On 23 October it organized a demonstration outside LegCo in support of Choy So Yuk's motion debate on Local Agenda 21 and sustainable development, urging the government to respond promptly to the

international agreements on sustainable development. The following year, CA helped facilitate the formation of the People's Council for Sustainable Development, which was set up in September 2003. The formation of PCSD was to engender an expansion of partnership among civil society. It meant more, not less, commitment of CA to sustainable development.

102. Governance and institutional structure

While Environmental Protection Department was the main government department looking after the environment, over the years CA came across many other government departments that have responsibility over certain aspects of the environment, such as

- Agriculture, Fisheries and Conservation Department
- Antiquities and Monuments Office
- Drainage Services Department
- Food and Environmental Hygiene Department
- Leisure and Cultural Services Department
- Planning Department
- Sustainable Development Unit
- Transport Department

The same goes for the government boards and advisory committees, for example,

- Advisory Council on the Environment
- Antiquities Advisory Board
- Council for Sustainable Development
- Country and Marine Parks Board
- Energy Advisory Committee
- Environment and Conservation Fund Committee
- Town Planning Board
- Transport Advisory Committee

In 2002, the introduction of the ministerial system (the “Principal Officials Accountability System”) by Chief Executive Tung Chee Hwa was to bring in a major reform in the institutional structure. However, the green groups regarded that as having started in the wrong footing, and collectively issued a statement in April expressing “grave concerns” about the proposed merging of Environment and Food Bureau with Health and Welfare Bureau into a new Environment, Health & Welfare Bureau. The green groups considered the new bureau as “a backward step that overwhelms environmental issues with other policy issues.” They suggested an independent Environment Bureau dedicated solely to environmental issues. A week later CA wrote to the Chief Executive separately putting forward the idea of a new proposal of an Environment and Resources Bureau to be charged with:

- pollution control and environmental planning then undertaken by the Environmental Protection Department;
- waste management by a new Waste Management Authority to take over the work of waste management from Environmental Protection Department and waste collection from the Food and Environmental Hygiene Department;
- energy policy and promotion of alternate energy and energy efficiency by a new Energy Department (then the responsibility of the Energy Efficiency Unit of Electrical and Mechanical Services Department);
- water supply and conservation by the Water Services Department;
- management of our agriculture and fisheries resources by a new Rural Resources Department to take over the agriculture and fisheries work of the Agriculture Fisheries and Conservation Department;
- a new Conservation and Countryside Management Department to take over the

conservation of natural (such as ecological, geological and landscape), cultural and historical heritage, then under the remit of different departments such as AFCD, Planning Department, Antiquities and Monuments Office and Civil Engineering Department, to manage also the Country and Marine Parks; and

- greening and landscaping of Hong Kong currently undertaken by various departments.

The Environment, Health & Welfare Bureau did not materialize. But the green groups did not get their way either, as the final product was the mammoth Environment, Transport and Works Bureau with nine departments under its wings, EPD being only one of them.

Not to give up on that, CA put forward a paper in September 2002 on the advisory committees, and another one in February 2003 suggesting a re-structuring of the departments under the Environment, Transport and Works Bureau.

On the advisory bodies, CA proposed that the Advisory Council on the Environment (ACE) should be re-structured with five subcommittees under its umbrella:

1. Environmental awareness through the Environmental Campaign Committee
2. Waste management and Reduction through the Waste Reduction Committee (it should be renamed as Waste Reduction and Management Committee to broaden its scope of work)
3. Waste water management
4. Air Pollution and Greenhouse gas emission
5. EIA Subcommittee

There should be a new Advisory Council on Conservation and Resources with the following under its purview:

1. Country and Marine Park Board
2. Advisory Committee on the Quality of Water Supplies
3. Energy Advisory Committee
4. Wetland Advisory Committee
5. Environment and Conservation Fund
6. Endangered Species Advisory Committee

The CA paper also proposed that all meetings and papers of these committees be open to the public, and that an “empowerment fund” be considered to providing funding for third-party advisors or consultants to assist the work of the advisory committee members.

In 2003, the CA proposal was simplified to become one single “Council on Environment and Resources”, with 5 bodies under it respectively on EIA, pollution management, biodiversity and conservation, resources management and community environmental action.

Simplification was also the theme for the departments under the Environment, Transport and Works Bureau. CA’s proposal was for three separate authorities to be created: a

Water Authority, a Waste Authority and a Conservation Authority, with EPD retaining its role as an independent regulator on the environment.

In the end, the juggling of government departments was not a green group's job, so CA's views were flatly ignored. But CA continued to pursue the matter of government re-structuring when the third term Chief Executive Donald Tsang unveiled his plan on the restructuring of the policy bureaus in 3 May 2007. The concern was with the creation of a new Development Bureau. The main issue as pointed out in a CA submission to the LegCo Panel on Constitutional Affairs was that the newly conceived Bureau should be a Sustainable Development Bureau (26 May 2007). Thus said the CA paper: "We suggest that the Development Bureau should seek policy guidelines from the Council on Sustainable Development. And as the Development Bureau is only responsible for development-related heritage conservation only, the Environment Bureau should take up the responsibility of both nature and heritage conservation, besides taking up matters on energy." CA would also like the Development Bureau to speed up sustainable development projects such as the Harbour Area Treatment Scheme Stage 2B and Integrated Waste Management Facility.

For the government, however, "Development" and "sustainable development" just had to be separate. But at least sustainable development came under the newly created bureau dedicated to the environment – something green groups have wanted for a long time.

But it was also this same bureau which incurred the first objection from green groups. At the instigation of CA, six green groups including Clear the Air, Green Lantau Association, Green Sense, Green Student Council, the living Islands Movement and WWF Hong Kong jointly issued a statement on 7 June in the re-organisation of the Environment Bureau, expressing disappointment that the Director for Environmental Protection (DEP) would be taken up by the Permanent Secretary for the Environment, an Administrative Officer. "The DEP is the top expert within the government to offer professional advice to the Chief Executive in Council and to other government departments with regard to all issues related to the environment. Therefore this post should only be taken up by a professional scientist or engineer with relevant training, expertise and credibility in the subject matter concerned." The green groups were especially concerned about DEP's statutory role under the Environmental Impact Assessment Ordinance which might be compromised if the Director post were to be "twinned with that of the Permanent Secretary and be filled by a person who does not have the requisite professional and technical expertise." The same was said also of the Director for Agricultural, Fisheries and Conservation for which green groups preferred a professional scientist rather than an administrative officer. Neither was heeded by the government.

103. Environment Compact for LegCo

CA began monitoring the environmental performance of local politicians in the March 1995 elections of the Municipal Councils. Candidates of the Urban Council and Regional Council elections were asked to sign “Environmental Pledges” to adopt environment in their platform, use recycled paper and re-use campaign banners and placards. Only 2% committed to use recycled paper, 16% to re-use recyclable material, and 13% to have environment in their policies. The only conclusion CA could come to, reflected in a press statement on 3 March, was that candidates of the Municipal Councils were not up to standard on environmental issues.

The candidates for the Legislature fared better. In the same year CA, Friends of the Earth, Green Power, WWF and Green Lantau Association jointly invited candidates of the LegCo elections in September 1995 to sign a Green Pledge to support funding for the environment and to monitor the government’s environmental performance. Out of 138 candidates, 63 (46%) returned, mostly from candidates contesting in the geographical constituencies with only a few from functional constituencies.

The 1995 exercise was a bit tentative but CA was much more serious in the 2004 round of LegCo elections. Prior to the election, CA developed a 10-point “LegCo Environmental Compact” consisting of the following:

1. Request the Government to protect the natural and ecological environment of Hei Ling Chau. Object to the development of super-prison which will involve extensive reclamation, or any other large-scale project.
2. Object to the demolition of Hunghom Peninsula which will waste our valuable resources and generate tremendous construction waste. Request the Government to review the incident and reform the institutional structure to prevent the same happening again.
3. Urge the Government to set up a Harbour Authority to solely responsible for the protection of Victoria Harbour and the planning and management of the harbour-front districts.
4. Urge the implementation of second stage of Harbour Area Treatment Scheme and monitor its progress. Support Biological Treatment.
5. Urge the Government to implement Total Water Management, push for water recycling and reuse, review the institutional structure and increase the efficiency for water supply and treatment.
6. Request the Government to prepare the nature conservation legislation before 2008 and set up a mechanism to provide funding through land revenue to enable conservation work.
7. Request the Government to prepare heritage preservation legislation and set up a mechanism to ensure viable preservation options are implemented with adequate financial resources.
8. Request the Government to implement the waste charges scheme and producer responsibility scheme through legislation, ensuring the polluter pay principle and a sustainable waste management strategy are put into practice.
9. Implement a Quality-of-Life-led planning instead of the current transport-led planning. Support electronic road pricing and pedestrianization.
10. Monitor the Government in preparing a sustainable development strategy. Urge the

Government to re-deploy resources to all districts to formulate and implement Local Agenda 21.

All 159 Legco candidates were invited to sign the Environment Compact in early August, 73 (46%) replied, of which 28 committed to all ten items while 4 declined to sign. CA expressed regret at the 86 candidates who did not reply, especially noting that not one of the 11 legislators returned uncontested in the functional constituencies bothered to respond. Thus said CA, "Environmental protection has become increasingly higher on the public agenda as evidenced by the Long Valley Incident, Harbour Reclamation and the Save King Yin Lei Campaign. Keeping the environment free from pollution is not the only demand from the public: they now aspire a quality living environment and a sustainable lifestyle. Making laws and monitoring the government are the responsibilities of the Legco, all the legislators should not shun their responsibility."

In general, candidates from the geographical constituencies fared better than their counterparts in the functional constituency. Among the 28 candidates who committed to the full Compact, 20 came from the geographical constituencies and the remaining 8 from functional constituencies.

The top three items supported by candidates were, respectively, support for Total Water Management, objection to the demolition of Hung Hom Peninsula, and monitoring the Government in sustainable development strategy.

Of the 60 members elected on 12 September 2004, only 22 (37%) had signed; out of which only half endorsed all items in the Compact.

In 2008, CA replicated the same exercise, this time together with Friends of the Earth, Greenpeace, Green Power and Greeners Action. This time candidates were asked to indicate support for an 11-point "Green Charter" on the following:

- Air pollution (2): to adopt the World Health Organisation Air Quality Guidelines and development a blue print for air pollution control post 2010.
- Energy conservation (1): establish energy conservation targets
- Light pollution: legislate against luminous nuisance and pollution.
- Waste policy (4): urge government to achieve waste reduction targets, implement waste charging, reform the waste separation and collection regime, and regulate the provision of disposal lunch boxes in schools.
- Conservation (3): enact Tree Ordinance, mandate environmental impact assessment for public-private partnership projects under the New Conservation Policy, establish mechanism such as transfer of development rights to protect heritage.

The result was that 36 (70%) of the 53 candidate lists in the geographical constituencies, and 10 (17%) of the 59 functional constituency candidates replied, a better response rate than before though the rate from trade-based functional constituencies were still disappointingly low. The full list of candidates and the items they endorsed were published for the information of the electorate on 29 August 2008.

104. Former Explosives Magazine

A minor furore was sparked off in 2002 by an application by the US-based Asia Society to develop the former Explosives Magazine at Admiralty into its new regional headquarters.

As last remaining site of the Victoria Barracks, the Explosives Magazine had very significant historical and heritage value. The 1-hectare site housed old military buildings built in the 1840s and 1860s for storage of explosives, with a Grade I historical building status conferred by the Antiquities Advisory Board. It also consisted of the GG Block, a masonry building of the 1930s and used as an outpost station of the military cargo and explosive depot. A small rail track used for transporting explosives still remained on the site. The area was surrounded by woodland which was home to a few species of protected bats.

The Asia Society's plan was to make use of the historical buildings, which would provide a total floor space of 1,800 square meters. But in addition, a new building would be added to give another 1,300 square meters. It was this new addition which CA objected to, which was felt to be incompatible and out of character of the existing buildings. Despite the reportedly smaller area, the new building would have a bulk twice as large as all four heritage buildings put together, due to the inclusion of other floor areas not accounted for as well as the exceptionally high floor-to-ceiling height. Such a development, reportedly to cost \$200 million, was considered excessive and unnecessary.

To give proper protection to the ecological and heritage value of the site, CA submitted a request to the Town Planning Board to have the area zoned from Government/Institutions and Community, Road, Open Space and Green Belt to "Other Specified Uses (Nature and Heritage Centre)" or Green Belt. The Town Planning Board met on 28 June 2002 agreeing in principle that the site should be primarily for conservation but, in a strange twist, decided to wait for Asia Society's proposal before making a decision. The deferral, questioned by the CA, was reportedly strongly advocated by the Home Affairs Bureau, the bureau charged with preserving heritage. But stranger things occurred with the surfacing of conspiracy theories in the press alleging that the new structures by Asia Society might hamper with a military cable which could have national security implications – a distraction which, though mildly amusing, did little to help CA's cause. Throughout CA had taken care to emphasise that it did not object to revitalization of the site through cultural and community use, but would oppose excessive and incompatible development.

Even stranger was the outcome on 11 October 2002 when the Town Planning Board decided to approve both CA's rezoning request and Asia Society's application. For the Board, the new zoning would be called Other Specified Uses (Heritage Site Preserved for Cultural and Community Uses), which would both satisfy CA's request and make Asia Society's project acceptable. Subsequently the land was granted by the government to Asia Society at a token \$1,000.

Before the matter was settled, CA found itself having to criticize Asia Society in 2004 over the financing of its approved development. That was occasioned by Asia Society's application to the Hong Kong Jockey Club for \$100 million, which it successfully obtained, to undertake the development. Apart from chiding Asia Society over the scale of the development, CA's objection was directed at the commitment which the Society reportedly made earlier of raising the capital from its headquarters in the US, a pledge which did not materialize. CA might yet be proven wrong if the final structure were shown to be compatible with the natural and cultural heritage. As of 2008 the development was still under construction.

105. Old Stanley Police Station

The Old Stanley Police Station, built in 1859, is the oldest of its kind still surviving in Hong Kong. During the Japanese Occupation, the Japanese Gendarmerie used it as the local headquarter with a mortuary added to the building. After the war, the building reverted to its original use as police station until 1974. Since then it had been used as a sub-office of the Southern District Office and an Italian restaurant.

After the restaurant closed, the government found a new use of the building in 2002, namely, as a branch of the Wellcome Supermarket. That might have been a totally sound decision for the Government Property Agent, but it caused much indignation in the community, not least CA, who filed a complaint to the Secretary for Financial Services and the Treasury and the Secretary for Home Affairs.

After an unsuccessful attempt to ask the Supermarket to give it up, CA took the initiative – without the least gesture of support from the government – to engage Wellcome in discussion on minimizing the adverse impact of the supermarket and maximizing the heritage potential of the building. CA wanted the original design to be preserved, not just the structure (which would have been required by the Antiquities and Monuments Office anyway), and encouraged the Supermarket to make space for a heritage corridor linking the ground floor through the steps to the balcony on the second floor, to describe the background and explain the historical value of the building.

The Wellcome Supermarket opened on 24 January 2003. Besides preserving the structure, the design of the building was by and large maintained, though CA's advice of a historical corridor was not heeded. CA issued a press release on same day continuing to press for such a heritage corridor.

In 2007, CA had to register a protest against the renewal of the tenancy for the Supermarket. In its letter to the AMO in February 2007: “While it is commendable that the physical structure of the building is preserved, what makes heritage a heritage, i.e., the historical and cultural meaning has been vandalized. The significance of the building being a symbol of government presence can not be conveyed to the visitors or customers by the standard design and shelves of the shop.”

But the bigger issue was that heritage buildings owned by the Government should not be managed by the Government Property Agent, conservation not being its responsibility.

106. Kom Tong Hall

On 12 December 2006, a new museum at 7 Castle Road was opened in Hong Kong, the Dr Sun Yat Sen Museum. With an area of 2,560 square metres, it houses two permanent exhibitions on “Dr Sun Yat-sen and Modern China” and “Hong Kong in Dr Sun Yat-sen's Time”. Apart from the life and times of the “Father of Modern China”, one of the galleries tells the story of how the museum was converted from its original use as a private residence. What it did not highlight was that the building might not have stood now had there not been an intervention by CA and the Central and Western District Council.

This is how the building is described in the official guide: “Built in 1914, the Dr Sun Yat-sen Museum is located in the Kom Tong Hall, originally the residence of Ho Kom-tong, the younger brother of the Hong Kong's magnate Robert Hotung. Being a typical Edwardian Classical building, this four-storey building has the facade surrounded by the Greek-style granite columns. Inside the premises are preserved the stained-glass windows, balcony wall tiles and staircase railings in good condition. The Kom Tong Hall is among the best-preserved buildings dating back to the early 20th century Hong Kong. Apart from its majestic appearance, Kom Tong Hall was among the earliest residential buildings constructed with reinforced concrete structure and fitted with concealed electrical wiring in Hong Kong. It sets an important milestone in the development of building construction.”

But this icon of Hong Kong's building history was surrounded by hoardings in 2002 in preparation for its demolition. The then owner, the Mormon Church, had acquired the house since 1971 and was planning to redevelop it into a religious cum education center. This meant the building had to go, despite its status as a Grade II historical building (conferred by the Antiquities Advisory Board in 1990) and its inclusion in the Central and Western Heritage Trail (since 1999).

The demolition plan drew much indignation, especially for Stephen Chan, CA director and member of the Central and Western District Council. Enlisting the help of Andrew Tse, a great-grandson of Mr Ho Kom Tong, CA mounted a campaign which succeeded in rousing public attention. Bowing to public pressure, the government began holding discussion with the owner, the Church of Jesus Christ of Latter-Day Saints, but to little avail. On 28 November 2002 CA sent a letter to the Secretary for Home Affairs Dr Ho Chi Ping, who was also the Antiquities Authority, proposing that Kom Tong Hall be declared a monument and offering to “convert this historical building to a cultural heritage centre for the general public and to house the Conservancy Association's headquarters for the promotion of nature and heritage conservation in Hong Kong.” In another letter later, CA invited the government to consider transfer of development rights as a means to compensate the owner.

A year of protracted negotiations went by without any success. CA sent another letter to the President of the Mormon Church, Gordon Hinckley, in Salt Lake City in the US, thanking the church for its commitment to Hong Kong but pleading with it to preserve Hong Kong's heritage. The breakthrough came in February 2004 when an agreement was reached under which the government would acquire the property from the church

for \$53 million and convert it into the to Dr Sun Yat-sen Museum. That was a win-win solution for which both the Secretary for Home Affairs and the Mormon Church drew praises from CA. As intimated by a member of the church, CA's earlier letter did get the personal attention of their President, who had had a part in acquiring the building years before and shared a great respect for Hong Kong's culture and heritage. This, it was believed, had been a factor in facilitating the agreement. There was plenty of goodwill in resolving the issue and the church kindly helped CA organize an open day for members on 27 March 2004. In the course of developing the museum, it was CA's suggestion that one of the galleries should showcase the history of the building itself, including its occupation by the church, which is now duly exhibited in the gallery on "History and Renovation of the Kom Tong Hall".

107. Marine Police Headquarters

In 2002 the Government decided to invite tenders to re-develop the Marine Police Headquarters in Tsim Sha Tsui Hill into a heritage tourism development. In May 2003, the tender was awarded to a subsidiary of Cheung Kong Holdings to convert the Victorian heritage building into a hotel with the hill in the front yard turned into a shopping complex. A 50-year lease was granted with 2007 as the completion date for the project.

But the project had never stayed away from controversy. Although the Marine Police Headquarter building was preserved – a declared monument in any case – the hill on which it stood would be razed and re-developed into a Roman-style shopping complex, one which some commentators regarded as incompatible with the heritage. Then came reports that the winning bid had not been the preferred one but for its high tender price of more than \$350 million, implying that a second-best option had been chosen based on revenue contribution to the government rather than the best development proposal from a heritage point of view.

As the first advocate of the preservation of the building as well as the Hill, CA's interest lied in both the historical and the ecological heritage of the site. A briefing by the developer was arranged on 8 January 2004, after which CA sent a letter to the developer on 28 January recording its concerns.

Stating upfront that the Association did not object to a hotel and tourism development for the site, a concern was expressed that the proposed design did not pay enough tribute to the heritage, given that much of the Hill would no longer remain. As CA stated in its letter, "the heritage does not only include the items listed by the Antiquities and Monuments but also the landscape surrounding the historical building."

As far as the trees were concerned, CA wanted every tree to be preserved wherever possible. The developer did invite a renowned tree expert Prof C Y Jim as Third Party Tree Expert to review the tree transplanting proposals but there was no guarantee that his advice would be taken in full, and as it turned out, the massive tree cutting remained a major bone of contention between CA and the developer.

CA also stressed that the heritage complex should always be regarded as a public good and be allowed access to the community, hence the developer should organize open days and guided tours to encourage the general public to visit and appreciate the heritage building.

As no assurance had been given, CA wrote to the Director of Environmental Protection in 2004 requesting him not to grant the environment permit without satisfactory ecological assessment and tree impacts. But the project went ahead anyway. It did not meet the deadline of 2007 and by the end of 2008, the hotel and the tourism complex was not yet open.

108. Heritage policy

Occasioned by the Stanley Police Station fiasco where the oldest surviving police station was used as a supermarket, CA wrote to the Chairman of the Antiquities Advisory Board Professor David Lung on 5 February 2003 asking the AAB to “request the government to set as a policy to require the proactive promotion of heritage for all declared monuments and buildings of historical value which are managed by the government.” The Antiquities and Monuments Office’s remit was deemed too narrow, being limited only to protecting the heritage sites from physical damage but without any mandate to promote the heritage value of historical sites.

One week later CA submitted a paper to the Legislative Council in support of a motion debate proposed by Lau Ping Cheung to urge the government to formulate a comprehensive policy on heritage preservation. CA proposed that transfer of plot ratio was “the most workable tool for Hong Kong to sustain our heritage with relatively less financial burden.” The idea of “Special Design Zone” was also highlighted as a means to control developments in sites of historic value. Institutional reform would be necessary but even within the existing system, more could be done through administrative measure such as requiring all declared monuments and important graded buildings to display information about the history of the sites, using the Lord Wilson’s Trust more widely for heritage projects, and devoting more resources to grading and declaration of monuments. To engage the community, CA wanted a heritage trail for every district, and asked that government conduct comprehensive consultation within twelve months.

Being proactive itself, CA organized a forum on “Saving our Treasures: Developing a Mechanism to Preserve Hong Kong’s Historical Buildings” on 10 May 2003, with Deputy Secretary for Home Affairs Lolly Chiu, URA’s Andrew Lam, Legislator PC Lau, Prof David Lung and Swire’s Gordon Ongley as speakers.

Besides chairing the forum, CA’s Albert Lai also presented a paper which stated, among other thing, “An elitist or expert approach in defining heritage resource must be balanced by a community approach to reflect the public view of what constitutes important collective memory.” Public receipts from development, i.e., land sales receipts and land premiums, was cited as one possible form of funding source for heritage conservation.

More thoughts were then put into heritage conservation policy which were articulated in the form of a position paper published in October 2003 titled “Heritage for the People”, now a seminal piece among CA’s policy papers. It recounts CA’s encounters after describing its philosophy towards heritage conservation, that heritage is social capital: “We preserve heritage buildings not just for their architectural merits, but for the character and substance of the society which they embody, the softer side of Hong Kong history and society which Hong Kong stands for. Management of this asset in a sustainable manner will not only enhance our quality of life, but also contribute to Hong Kong’s competitiveness.”

In the paper CA then called on the government to accede to international principles such as the Venice Charter and the China Principles. Four tools for protecting heritage were laid out, namely, planning control, government resumption, public-private partnership, and transfer of development rights. The paper also discussed redeployment of public resources and made recommendations on institutional development, including a Heritage Impact Assessment Bill, a Heritage Trust, and eventually an over-arching Conservation Authority.

Soon CA's earlier wish that government conduct comprehensive consultation was granted, when Home Affairs Bureau released a consultation paper on Review of Built Heritage Conservation Policy. Yet CA found the Review extremely disappointing, in that the document was almost entirely about broad concepts with no discussion on details or practical options. Questions asked were of such generalities as "What should we conserve?" and "How should we conserve?" which CA considered not necessary as the broad concepts had already been debated over and over again by the Antiquities Advisory Board and the earlier Culture and Heritage Commission. The only positive light was a promise in the document that "This consultation document focuses on built heritage and on broad policy issues; implementation measures will form the subject of another consultation exercise later." The February 2004 document was to be only Stage 1 of the Review, with a "get-real" consultation promised for Stage 2.

In anticipation of the more substantive consultation to come, CA applied for funding from the Lord Wilson Heritage Trust to conduct a project "Heritage Conservation – we all gained". It consisted of desk research, a survey study, two focus group meetings in June and July, as well as a citizen hearing in July 2004.

CA's report was published in end-2004 and showed, among other things, the following results:

- 10,000 opinions on heritage conservation;
- 75% support for legislation, legal enforcement and Heritage Trust;
- 63% support for incentives to heritage owners;
- 54% agreeing to transfer of development rights;
- 54% willing to pay \$35 per year for heritage conservation; equivalent of \$245 million for the whole population.

The report contained much substance on stakeholder views on heritage policy. However, judging from its stated purpose of bridging Stage 1 and Stage 2 of the heritage Policy Review, the CA report was a failure, because Stage Two never took place.

The next occasion when government undertook a heritage policy review was in early 2007 when, under pressure from the Star Ferry and Queen's Pier saga, the Secretary for Home Affairs Dr Ho Chi Ping conducted some hastily convened consultative sessions on heritage policy. CA's response was highly critical: the consultation "is badly conducted and shows a lack of sincerity by the government to truly review heritage policy. The current consultation should have been Stage 2 of the heritage review, Stage 1 having been conducted more than three years ago (February 2004). The current consultation should have been conducted on the basis of the result of the previous

consultation. However, in terms of the questions asked and the views sought, there was no material difference in the way the current consultation is conducted from the previous one. There were no reports or papers on the result of the Stage 1 consultation, and if there were, they were never published. In other words, the community's views as reflected in the 2004 consultation have been ignored." (CA statement, 8 January 2007)

In October 2007 the Secretary for Development Mrs Carrie Lam announced a package of measures including a scheme to promote adaptive re-use of government heritage sites, subsidies for maintenance of graded buildings, and the establishment of a Heritage Commissioner post. Although described as "heritage conservation policy", these looked like stop gap measures rather than the comprehensive policy promised in the 2004 Review.

109. Central Police Station Compound

The former Central Police Station, former Victoria Prison and the former Central Magistracy is one of the oldest heritage compound with the rich Victorian, Edwardian and Oriental architectural styles. In 1995, all the buildings including the ground inside the Site were declared monuments under the Antiquities and Monuments Ordinance.

The Government decided in April 2003 to develop the site for heritage tourism. The tender was originally scheduled for early 2004, but was deferred due to public opposition initiated by CA and the Hong Kong Institute of Architects (HKIA). Initially, the objection was against the high weighting given to land premium – reportedly 40% – potentially favouring developments which put profit before heritage.

Together with the Hong Kong People's Council for Sustainable Development and the Department of Architecture of the Chinese University, CA and HKIA formed the Central Police Station Heritage Taskforce with the objective of encouraging public participation in the envisioning, planning and monitoring of the project, and to advocate a heritage-focussed tendering process. Later the Taskforce was joined by other civil society groups.

As a first step, the Taskforce organised a Roundtable discussion on 25 September 2004 at the historic building at 28 Kennedy Road, then the venue of the Hong Kong Design Centre. More than 40 people including Legislators, district councilors, representatives of cultural and art organizations, government officials and professionals attended. The consensus emerging from the Roundtable was that the Government should review the tendering and assessment mechanism comprehensively. The future uses of the heritage should be open for public consultation through visits, open days and workshops.

With the views gathered from the Roundtable, the Taskforce developed a Citizen-Envisioned Participatory Assessment Model (CEPAM) which was submitted to the Chief Executive Mr CH Tung on 11 October 2004. The key to CEPAM is to adopt the "Heritage First" principle and the internationally recognised "China Principles" (the *Principles for the Conservation of Heritage Sites in China* adopted in 2000 by the State Administration of Cultural Heritage of the Chinese Central Government) in heritage preservation. According to the CEPAM model, the tendering would be split into a pre-qualification stage and a tendering stage. Only proposals satisfying both minimum preservation requirements and financial sustainability would proceed to the second stage, where the tenders would be assessed based on a set of criteria which emphasised heritage management, design merits and public enjoyment, with economic and tourism benefits carrying 20% of the weighting. The assessment should be undertaken by a multi-stakeholder expert panel. Public engagement was also emphasised at the planning, assessment and implementation stages.

The campaign was further strengthened in November 2004 by a signature campaign coordinated by CA calling upon the government to suspend the tendering process, open the CPS compound to the public, and show respect for Hong Kong history.

The campaign bore fruit. With the cooperation of the then Tourism Commissioner Eva Cheng, CA, HKIA and the Central and Western District Council jointly organized Open Days for the Central Police Station Heritage Compound in January and February 2005. CA explained the pros and cons of different models of conserving the Compound, including the CEPAM model developed by the Taskforce, to the visitors through a set of exhibition boards displayed in Court no. 2 of the Former Central Magistracy. The Government decided to make the Open Days part of a consultation process to last until the end of May 2005.

On 6 March 2005, CA, HKIA and the Central and Western District Council took the Open Day to another level by organizing a Heritage Citizen Envisioning Day with guided tours, open seminar and forum, and design charrettes. With funding from the District Council, CA organized an oral history research headed by historical researcher Dr Hans Yeung. The report of the envisioning exercise was submitted to the Chief Executive in August 2005. The two most significant findings were:

- There is a strong community view that the preservation of “historical ambience” and “cultural values” are the most important factors in any reuse plan for the Compound.
- There is much higher public trust on charitable non-governmental organisations or the government to take charge of the development and operation of the site, than to leave the matter in the hands of private developers.

In the letter to the Chief Executive CA also suggested that as a priority a Statement of Cultural Significance and a Sustainable Reuse and Conservation Plan be formulated, and that the Government seek to put the Compound in the Tentative List of UNESCO Heritage Sites.

Government did acquiesce by not proceeding with the tender. Some further contention continued over a specific building in the Compound, namely, the F Hall of Victoria Prison. The F Hall was not among the buildings to be preserved as the government considered that it had less heritage value, but that was contested by the Taskforce.

For some time there seemed no progress on the development, until the Hong Kong Jockey Club announced in October 2007 that it had engaged reputed international architects Herzog & de Meuron to develop a design for the re-use and revitalization of the Central Police Station Compound. The Club then conducted a six-month public consultation and submitted its findings to the government in May 2008.

On 15 July 2008, the government announced that it had decided to join hands with the Hong Kong Jockey Club to conserve and revitalize the Central Police Station Compound. A new Conservation Master Plan had been drawn up to guide the conservation aspects of the development. The design would also be adjusted after taking consideration of the views from the public consultation. By end-2008 the final design has yet to be unveiled.

110. King Yin Lei

The magnificent King Yin Lei Mansion at 45 Stubbs Road was built in 1937 on a 50,650 square feet site. The original owner was the offspring of a famous Chinese merchant and philanthropist, Mr Li Po Chun. The architect for the mansion was A.R. Fenton-Raven, a Yorkshireman who came to Hong Kong as a civilian attached to the British Army in 1903. The three-storey building is a “red bricks and green tiles” mansion of Chinese Renaissance or Chinese Neo Classical Style. A private garden festooned with bonsai plants, various pavilions and terraces encircle the mansion. It has been a scenic spot for tourists from the Mainland and overseas. The legendary TV series “Yesterday’s Glitter” starring Lisa Wang and the 1955 Hollywood classic “Love is a Many-Splendored Thing” both had major shots taken in the Mansion. The Mansion later passed to the hands of local merchant the Yow family.

In early 2004, the Mansion was put up for tender. That would mean the demise of the Mansion as the new buyer would in all likelihood demolish the buildings and re-develop the site.

In view of the heritage and landscape value of the Mansion, CA wrote to the Antiquities Authority the Secretary for Home Affairs Dr Patrick Ho in April requesting him to declare the Mansion as a monument under the Antiquities and Monuments Ordinance. The Association also wrote to the owner of the site pleading for preservation of the Mansion. Not getting any response from either side, CA launched a “Save King Yin Lei Campaign” on 6 June 2004, announcing that it would submit a bid of \$6,000,00 for the heritage mansion and if successful, would conduct a one-dollar-per-citizen fund-raising among the 6 million people of Hong Kong to pay for the tender, and then open the Mansion to the community.

Needless to say, CA’s tender bid was not successful, but it did draw widespread concern and awareness over King Yin Lei and heritage protection in general. The Antiquities Advisory Board discussed the case and agreed that King Yin Lei was worth preserving on account of its high historical and architectural value, though they did not give it a historical building status as it had not been able to gain access to the Mansion. In any case, CA’s campaign produced the desired effect in that the owner decided to withhold the sale of the building thus saving it from immediate destruction.

But the reprieve proved temporary. The Mansion changed ownership in August 2007 and CA could almost see a dark cloud on the horizon. Fearing the worst, CA wrote to Carrie Lam, the Secretary for Development in early August requesting her to declare the Mansion as a proposed monument in her capacity as the Antiquities Authority under the Antiquities and Monuments Ordinance. “King Yin Lei has great heritage value historically, architecturally and culturally. Although a private property, it also has immense value as a public asset. Destruction of the building will mean an irreplaceable damage to Hong Kong’s history and heritage,” said CA in the submission. A reply was received from the Development Bureau dated 13 August which revealed that the Antiquities and Monuments Office was “in the process of conducting a detailed research with a view to ascertaining the heritage value of the building such that an appropriate way for its preservation could be devised.”

Then, the worst happened. CA was alerted by a phone call from some member of the public on 11 September and on visiting the site, CA members found, to their horror, that the Mansion was being dismantled before their eyes. In the following three days, the green tiles, the sphere-shaped decoration on the main roof, the window frames as well as the red brick wall surfaces were all destroyed. CA wrote to the Development Bureau immediately demanding that the government declare the Mansion as a temporary monument, and staged a petition on 13 September outside the Central Government Offices to urge the government to take action.

On 14 September, after a meeting of the Antiquities Advisory Board, the Secretary for Development declared King Yin Lei as a Proposed Monument. CA commended the decision which, though belated, at least preserved the structure of the Mansion.

The incident highlighted the gaping hole in government's heritage protection regime: there is no mechanism at all to protect heritage buildings in private hands other than the extreme method of declaring it a Monument. Another loophole in the Building Ordinance allows owners to willfully and systematically destroy the heritage value of historical buildings under the name of "renovation". Without a fair and transparent grading and compensation mechanism, nothing could prevent similar buildings from demolition.

The Provision Monument was a temporary status and a solution for conserving King Yin Lei was still lacking. On 20 September, in response to news report that the former owner of King Yin Lei had written to the Administration in April 2007 offering to discuss ways to preserve the Mansion but was ignored, CA wrote to the government pressing for an explanation and urging that King Yin Lei be conserved through a "transfer of development right" arrangement.

To assist in finding a solution, CA under the guidance of its Chairman Betty Ho applied to the Town Planning Board at the end of September to rezone the site from "Residential (Group C)" to "Other Specified Uses – for Residential Development with Historical Site Preserved In-situ" with a clear planning intention for the preservation of heritage.

In the meantime the assessment of the Mansion's heritage value was completed with the help of outside experts. The result, to no one's surprise, was that "few buildings of a similar kind in other parts of Hong Kong could compare with King Yin Lei in terms of its excellence in architectural design, exquisiteness in craftsmanship and diversity in building materials", not to speak of its artistic and social values. CA's rezoning request came at the right time to help a solution and eventually the government and the owner agreed on a scheme to transfer the owner's development right to land immediate adjacent to the Mansion. The new scheme was approved by the Town Planning Board in April 2008.

111. Wanchai Market

Though assessed as a “grade III” historical building by the Government, Wan Chai Market is almost the last remaining *Streamlined Moderne* building in Hong Kong. The structure was built in 1937 in place of the first Wan Chai Market. The building is “modern” both in terms of its form and the construction method: it was the first batch of single multi-storey markets and one of the first buildings constructed by concrete. The Wan Chai Market is one of the essential remnants of the surviving heritage asset of the local community, overlooking the development of “Old Wan Chai” from its strategic location. The building also have its own shares of history: The basement of the market was used by the Japanese Army for storing corpses in WWII.

The building was threatened with demolition when the Town Planning Board approved an application to turn the historical structure into a high-rise residential building in February 2004. The project dated back to 1994 when the then Land Development Corporation was approved by the Government to prepare a development scheme for Wan Chai Road/Tai Yuen Street Area (see also 112 for the fate of Tai Yuen Street).

Soon after the Town Planning Board’s decision in respect of Wan Chai Market, The Wan Chai Heritage Taskforce was set up with CA as one of its members; other members of the Taskforce included Hong Kong Institute of Architects, American Institute of Architects (Hong Kong Chapter), LIVE Architecture Programme, Department of Architecture, The Chinese University of Hong Kong and Urban Watch. If the movement to save the old Central Star Ferry Pier and Queen’s Pier is said to be a grass-root movement, the campaign to conserve Wan Chai Market is surely the latest concerned effort to rescue our cultural heritage by the professional bodies.

The Taskforce believed that a participatory process was lacking, and the historical, architectural and social values of the building had not been seriously considered throughout the decision-making decision. A design *charrette* and a road show were held in July 2004. The Taskforce also wrote to the Antiquities Advisory Board, urging it to preserve the building, but to no avail.

When all hopes seemed lost, thanks to the King Yin Lei incidents (see above), the Urban Renewal Authority and the Development Bureau jointly announced at the end of 2007 that the façade and the front part of the building would be preserved as a friendly gesture to the conservation groups.

CA thinks that the best way to keep the character of Wan Chai Market alive is turning it into a bazaar for small retailers; we do not want another inhuman and faceless chain store run by a big single operator.

112. Tai Yuen Street

The Urban Renewal Authority is meant to revitalize our old urban areas while preserving their character. In practice, however, the URA adopts a destroy-and-rebuild mentality making it the biggest threat to local culture and HongKong's city heritage – the endangered areas like Tai Yuen Street/Cross Street is a case in point.

The open-air bazaar in Tai Yuen Street/Cross Street is reputed to have a history of 80 years. Originally serving the daily needs of the grass root populace, the place has become a tourist attraction; with about 200 hawker stalls selling a wide variety of dried goods, clothing and household products.

In 2001, the URA took over the Wan Chai Road/Tai Yuen Street project (H9) from the Land Development Corporation. Accompanying the plan to dismantle the old Wan Chai Market (see 111) was the proposal by the Transport Department in 2006 to open up the part of the bazaar at Tai Yuen Street south and Cross Street east to traffic; the hawkers would be moved or relocated to the new Wan Chai Market.

CA lodged our objection to Wan Chai District Council and Transport Department in June 2006, receiving nothing but lukewarm response from the Government. The Transport Department claimed in their reply letter that the proposal was practical and balanced, and was supported by various government departments as well as the Wan Chai District Council.

CA also wrote to URA requesting for a meeting on September 2006, but they replied that the issue was “being looked into by government departments concerned, in particular the Food and Environmental Hygiene Department and Wan Chai District Office of the Home Affairs Department,” URA would just referred our letter to those departments “for attention and any actions necessary.”

Legco took up the case in March 2007, but the Administration insisted that the anticipated additional traffic demands could not be met and part of the bazaar must go. In a dramatic twist of events, the Government announced in November 2007 that the bazaar could be kept intact by adopting a series of traffic control measures. Like the plan to preserve the front part of the Wan Chai Market, this fortunate turn of fate was attributed to the King Yin Lei Incident.

113. Dragon Garden

In 2006 CA was contacted by Cynthia Lee regarding the possible sale of Dragon Garden, at Tsing Lung Tau in Sham Tseng, the largest private garden mansion in Hong Kong built by the late philanthropist Lee Iu-cheung. The Garden was designed by Mr Lee and incorporated the characteristics of Sung, Ming, Qing Dynasties and the principles of Confucianism, Buddhism and Taoism. There were over a hundred plant species in the garden, including over 30 Buddhist Pines which were probably the biggest in Hong Kong.

Having inspected the site, CA was convinced it housed an important heritage of Hong Kong and agreed to take the lead in campaigning for its preservation. Part of the Garden was designed by one of China's earliest pioneers and most famous architects, Mr. Chu Pin. Apart from the historical significance, the development could be regarded as one of the architectural masterpieces in China. Due to its uniqueness and magnificence, it has appeared in famous films like "Man with the Golden Gun" (James Bond 007), "Enter the Dragon" (Bruce Lee), "Noble House" (James Clavell's), and numerous local films over the past 50 years. For a period of time between 1960 and 1980, the owner opened it to the public.

But by the time CA saw the property, the family was engaged in talks to sell the property to a developer. CA mounted a three-prong campaign: to try to persuade the owners to preserve; to ask the government to intervene; and to seek appropriate planning control. Accordingly, in July 2006 CA wrote to the Secretary for Home Affairs and the Tourism Commissioner asking the government to assess the cultural value of Dragon Garden and to work with the owner on its effective conservation and possible tourism potential. CA also made an application to the Town Planning Board to rezone the site into an appropriate Greenbelt zoning for preservation of heritage.

It was later reported that the deal between the developer and the family broke down, and in August Dr Lee Shiu, one of the sons of the late Mr Lee, came to an agreement with the rest of the family to purchase the site with the expressed wish to preserve it. CA wrote to Dr Lee on 29 August congratulating him on the acquisition and pledging CA's support in finding the right mechanism for preservation and re-use of the Garden.

In September 2006 the Antiquities Advisory Board gave Dragon Garden a Grade 2 status. Dr Lee had offered to donate the Garden to the government subject to a satisfactory management mechanism being found. By end-2008 the two sides were still discussing details on the exact boundary of the site and the conservation options.

114. Star Ferry

CA stood up against the proposal to demolish Star Ferry. Despite its short history (since 1958), the Ferry was an icon of collective memory; the reputed “Heartbreak of Central” – the chimes of Star Ferry Clock Tower – has long been a part of life of Central. It should not be relocated despite the reclamation plans for Central. That was in September 1999. The next month, the *National Geographic Traveler* named Star ferry as one of the “50 Places of a Lifetime”.

In the ongoing debate about Central Reclamation, CA continued to call for preservation of heritage along the harbourfront, including Star Ferry, Queen’s Pier, Edinburgh Place and City Hall. Specifically on Star Ferry and Queen’s Pier, CA registered its opposition to LegCo on 20 November 2003 against their planned demolition, stressing that “the Star Ferry Pier and the Queen’s Pier accumulate many memories and are heritages of Hong Kong”.

Came 2006, the reclamation works were well-advanced. The year happened to be the 40th anniversary of the historic “Kowloon Disturbances” sparked off by the five-cent fare hike of the Star Ferry. A new Star Ferry had been constructed on newly reclaimed land, waiting to take over the Star Ferry that Hong Kong people were familiar with. The Star Ferry and the adjacent Queen’s Pier were to go as they were standing where a newly planned P2 road was to be constructed, with tunnels to be provided underneath for drainage and MTR railway extension.

As a protest to the destruction of heritage, CA members tied blue ribbons on 17 June 2006 and did a Mexican Wave rally to pay tribute to the Star Ferry and Queen’s Pier. In September, CA proposed to LegCo that both piers could be preserved if the planned P2 road were to be moved slightly to the north. The LegCo Panel on Planning, Lands and Works passed a motion to urge the Administration to postpone the demolition.

Despite that, the Star Ferry’s operation was to cease at 11:30pm on 11 November. Among thousands of citizens bidding farewell to Star Ferry and its Clock Tower, CA organized a red ribbon campaign to express indignation as well as the Association’s determination to preserve the two piers.

The Ferry Concourse, the Clock Tower and the Pier were immediately fenced off in preparation for demolition. For several weeks, CA, the SEE Network and the Hong Kong Institute of Architects were the major voice in pleading for a “stay of execution” for Star Ferry. CA’s role was to coordinate a submission to the Chief Executive Mr Donald Tsang on 28 November, a rally on 3 December, and a joint public statement to be submitted to the Executive Council on 5 December.

As the bulldozers moved in, the campaign attracted a new band of allies made up of young people from universities and the cultural sector. Although branded “activists” by the media, the young advocates for Hong Kong heritage were remarkably rational and knowledge-based. On 13 December, in a letter to CA from the Housing Planning and Lands Bureau, the government categorically dismissed any further opportunity of salvaging Star Ferry. This drew another protest statement from CA on 14 December.

But all these proved not enough to sway the government, whether protest rallies or more frantic letter writing. Regrettably, the Clock Tower was dismantled on 16 December 2006.

The removal of the Clock Tower had taken place carefully in broad daylight, with whole pieces held intact. But they were immediately transported to a landfill and crushed to pieces. The young supporters of Star Ferry were disbursed by force and some arrested. Thankfully, the historic clock itself was salvaged earlier thanks to intensive lobbying by the SEE Network. Other parts of the pier and the concourse were gradually bulldozed.

It should be explained that CA had not disputed the due planning process for the re-provisioning of the Star Ferry, nor the validity of the Central Outline Zoning Plan or the need for the infrastructure of which Star Ferry stood in the way. However, CA was adamant that the requirement for the old pier to be demolished was a fallacy which must be refuted; the OZP is not “a license to demolish.”

This is because while the OZP is a planning matter (for which due process has been completed), the preservation or demolition of the old pier would be a works matter, for which there were conflicting views being debated between government and other professionals. Relocating the Star Ferry per se did not imply that the old pier structure must necessarily be demolished (even if it would never serve as a pier again). As to the OZP, while it had indeed gone through the planning process, the plan itself did not give any authority for demolition of Star Ferry, just as it did not give authority for any mature trees within it to be chopped down.

The issue should therefore be a matter of professional and technical judgement in the course of the works. There CA and other professionals had put forward alternatives to resolve the apparent conflicts. But the government’s high-handed manner in dismantling the Clock Tower and arresting the “activists” had precluded any further rational debate. It also rendered further statements meaningless, other than a statement on 10 January 2007 condemning the government for charging peaceful demonstrators, and another submission to LegCo Panel on Planning Lands and Works on 23 January indicating CA’s preference for the salvaged Clock to be re-instated as close to the original locality as possible. Where it would actually end up would depend on the outcome of the Central Reclamation Urban Design study which was ongoing in 2008.

115. Queen's Pier

The Queen's Pier was not just a pier, but a public space as well as a venue for official ceremony. Governors in the colonial era landed at Queen's Pier for the welcoming ceremony in Edinburgh Place between Queen's Pier and City Hall. Both Queen Elizabeth II and the Prince of Wales were officially welcomed in the same spot. It was also the venue of the Opening of the Legal Year, even after the 1997 Handvoer, until recently when the ceremony was relocated to the New Wing of the Hong Kong Convention & Exhibition Centre. But most important of all, Queen's Pier, Edinburgh Place and City Hall were designed as an integral complex which had been used as a place enjoyed by the ordinary public.

That was why CA objected to the relocation of Queen's Pier. Even with the inevitability that it would lose its function due to the reclamation, it was CA's view that it could and should remain in the same place as an icon of history and a living public space.

After the old Star Ferry was brutally destroyed, civil society's battle for preservation of the Central waterfront heritage moved to Queen's Pier.

At the Legco Panel on Planning, Lands and Works on 23 January 2007, government promised to conserve Queen's Pier and would form a working group to work out ways to do so. CA's submission to LegCo, delivered by Hung Wing Tat, reaffirmed the position that it would be possible and desirable to preserve the Pier intact without jeopardizing the government's reclamation works. But a compromise solution was also offered, namely, to temporarily move Queen's Pier aside to make way for the reclamation works and then re-instate the Pier structure at the same location. CA considered that all the featured super-structure including the rooftop, landing steps, signs, seats and pots of the Queen's Pier could be removed intact with good care. A steel structure with rollers could be constructed to support the rooftop of the pier, which would be rolled aside to either the Edinburgh Place or the newly reclaimed land to make way for reclamation, and reinstated to its original location when reclamation was completed.

In the meantime, the Antiquities Advisory Board had decided to conduct its meeting in public on 9 March 2007, at which the Board would decide if Queen's Pier would be graded as a historical building. Ahead of that, CA wrote to the Chairman of AAB Mr Edward Ho on 5 March urging the AAB "to confer appropriate grade status on Queen's Pier and Edinburgh Place, with the aim of conserving them as declared monuments eventually."

The AAB meeting on 9 March was a landmark for being the first meeting to be fully opened to the public, in a public-hearing format, and for the outcome that Queen's Pier was decided as a Grade I historical building. Despite what followed, that was a victory for civil society and for heritage conservationists.

In the meantime, CA's Hung Wing Tat took part in the government working group on options to preserve Queen's Pier. CA's proposal was presented as one of four options studied by the working group but eventually, on 27 March, the government concluded

that its preferred option was to dismantle the pier and re-assemble it elsewhere. The government did concede that CA's option was feasible but it was allegedly more expensive – a point disputed by CA. CA never disputed that the in-situ options would cause delays as the surface road P2 would have to be re-aligned, necessitating a re-gazetting of the plan. But CA was not convinced that re-gazetting would cause insurmountable problem. Another statement of CA's was issued on the same day expressing regret over the government decision and asking LegCo to support CA's option. As a further concession, CA proposed that if the Queen's Pier were to be removed (as opposed to rolled aside), the government should

- preserve the structure of the Queen's Pier as much as possible;
- appoint a Government architect who has proven experience in building preservation to prepare a preservation plan;
- place the pier as close to the current location as possible so that the strengthening work of the pier should be easily seen by the public;
- produce perspective drawings and models to consult the public on the future look of the pier with the new reclamation setting;
- to delete the planned roads D6 that cut across the Edinburgh Place so that the entire square linking Edinburgh Place, City Hall Upper Block and Lower Block can be enjoyed by the public.

As a last ditch attempt, a "Civil Society Declaration on Queen's Pier" was drawn up in April 2007 remonstrating with the government to "adhere to the Principles for the Conservation of Heritage Sites in China (the "China Principles") adopted by the Central Government in 2000. The following Articles were especially cited:

- Article 18: Conservation must be undertaken in situ
- Article 19: Intervention should be minimal
- Article 21: Physical remains should be conserved in their historic condition without loss of evidence
- Article 24 The setting of heritage site must be conserved.

The statement ended with a petition to the HKSAR Government to adhere to the "China Principles" and develop an effective conservation plan for Queen's Pier on the basis of the overriding principles of "in-situ conservation, minimal intervention, preserving the current condition, and conserving heritage setting". Signed by 15 civil society groups, that was the last major public statement before Queen's Pier was dismantled and the parts stored in Lantau Island.

By 2008, the Queen's Pier story has not ended. The future location of the re-assembled Queen's Pier was the subject of the government conducted public consultation on the Central Reclamation Urban Design Study in early 2008. In the course of the study, however, 16 of the 18 District Councils passed motions to support relocation of Queen's Pier to the waterfront, rather than re-assembly at the original site. CA wrote letters of protest to a few of the District Councils before it was reported in the press that the motions were engineered by the government, as evidenced in identical wording being used in different District Councils.

116. Harbour Area Treatment Schemet (HATS)

In March 2001 the Government announced that it would adopt most of the recommendations of the International Review Panel (IRP) for the Strategic Sewage Disposal Scheme (SSDS) and officially put an end to the SSDS. To give a fresh start to the sewage strategy, the official name was changed to Harbour Area Treatment Scheme, or HATS, for which further funding was sought from LegCo.

In its submission to the government in April 2001, CA welcomed the decision as “a long-awaited step to rebuild community confidence in the painfully slow process of cleaning up Victoria Harbour and its surrounding waters.” But CA also warned the government not to repeat previous mistakes, particularly the confusion of roles within government. Maybe CA’s complaint is relevant not just to sewage strategy but to other government functions as well: “Too many government departments are involved during the process of concept planning, design, engineering, contract letting, project management, execution, operation and monitoring. In the end, no single unit in the Government took responsibility for the entire scheme and responsible officials were able to hide behind the bureaucratic maze and took advantage of confused lines of responsibilities. Consultants and contractors too could easily took advantage of the confusion when substandard work was delivered.”

Besides, the conflict between the monitoring and execution roles of the Environmental Protection Department and the lack of accountability and transparency were also highlighted. The proposed solution by the CA was to set up a new Clean Harbour Authority 淨化海港管理局 to be an integrated executing agency for HATS from design to commissioning, with EPD remaining as the regulatory authority to provide checks and balance.

That wholesale institutional reform never took place. In its place was a Monitoring Group established for HATS, with a limited mandate and a reduced membership primarily drawn from the Advisory Council on the Environment. The Group held its first meeting on 23 June. CA’s Ng Cho Nam was a member of the Group, while within CA the subject was led initially by water-industry engineer Albert Lai.

If green groups had thought the adoption of the IRP recommendations had put the debate behind once and for all, they were in for a big disappointment. The Consultation Document for HATS Stage 2 released in 2004 drew sharp criticism from green groups, including CA. In an immediate submission to the Legco Environmental Affairs Panel on 5 July 2004, CA lambasted the government for failing to commit to biological treatment, as promised earlier, and for closing down the Monitoring Group ahead of the consultation.

CA’s full response to the HATS Stage 2 Consultation was submitted on 20 November 2004. Government’s failure to commit to full-blown secondary (biological) treatment remained the main bone of contention. Secondary treatment being a legal minimum in most developed countries and in Mainland China, CA was concerned that without that level of water quality, the harbour could not possibly get up to the standard of a harbour that could accommodate recreational uses. Secondary treatment is not only essential to

improving water quality in the harbour area and beyond, but would also serve a much-needed demonstration effect to our neighbouring cities in the Pearl River Delta.

By contrast, the government's proposal was to split HATS Stage 2 into two phases, Stage 2A and Stage 2B. Biological treatment would only be introduced in Stage 2B, for which there was no clear timetable. The shortfall in treatment would be mitigated by enhanced chemical treatment with chlorination in Stage 2A. For CA, that was not good enough; biological treatment should not be delayed.

CA also commented on the number and sites of the treatment plant and accepted the centralised option of a single plant at Stonecutters Island subject to secondary treatment being introduced from day one. However, CA disagreed with the government's population projection and peak design factors which in CA's view inflated the cost of Stage 2 unnecessarily; had the cost been made more realistic, there would not have been the need to delay secondary treatment.

CA also spoke against the dissolution of the Monitoring Group, which made "a mockery of the public participation process over the last three years. It is clear that a more transparent, accountable and broad-based public participation process must be installed to avoid the past mistake and to oversee the future of HATS Stage 2."

Despite CA's protestations, the government decided to go ahead with the HATS as proposed, i.e. implementing Stage 2A first without firm commitment for Stage 2B. CA sent another submission to Legco's Environmental Affairs Panel on 27 June 2005 warning of the potential risks of capacity wastage and insufficient treatment if LegCo approved funding for HATS to go ahead in the form proposed by the government.

As a champion for the harbour clean-up, CA was not trying to be a barrier to HATS, but rather to expedite the higher level of treatment which the government had agreed to but never totally committed. Alarm bells were raised again throughout 2006 in the discussion on charging, with neither LegCo nor the Administration showing the determination to apply the polluter-pay principle. If concern about cost resulted in holding off Stage 2B, that would be a bigger cost for society. It could also mean the "sterilising" approach opposed by CA, i.e. applying chlorination, being continued indefinitely. The latter would be harmful to the marine environment and of little additional sewage treatment benefit.

The crunch time came in 2007 when LegCo was asked to approve an increase in the sewage charges for the following 10 years, upon which the government would implement HATS Stage 2A, i.e. chemically enhanced primary treatment with chlorination disinfection. No commitment was made on biological treatment (Stage 2B) other than a promise to review it in 2010/11.

CA initiated a statement in May 2007 with WWF, Green Student Council and Green Sense, putting to LegCo the question, "What excuse do we have as China's most advanced city to make do with second-best and fall short of worldwide best practice?" The statement further pointed out, "Since the IRP recommendation in 2000 that all harbour sewage should be given secondary treatment, the government has done virtually

nothing in the intervening *seven* years on the key issue of identifying and setting aside the additional land on Stonecutters Island necessary for the secondary sewage treatment plant. This inaction casts doubt on the government's good faith and begs the question whether it is truly committed to secondary treatment."

But the government's plan was approved so by 2008, there is still no set date for the promised treatment of organic pollutants (i.e. secondary, biological treatment) of our harbour waters. What will happen is that Stage 2A will be fully commissioned in 2014 with the disinfection facilities advanced to 2009. The fate of Stage 2B will be subject to review.

117. New Conservation Policy

After the Long Valley dispute was over, CA organized a forum on “Conservation & EIA: What after Long Valley” on 16 October 2001, inviting KCRC’s James Blake alongside Professor KC Lam of the Advisory Council for the Environment and Sir Gordon Wu, member of the Commission on Strategic Development to debate the way forward for Hong Kong’s conservation policy. Speaking on “Making EIA a more effective process in achieving sustainable development in Hong Kong”, CA’s Hung Wing Tat talked of a paradigm shift after Long Valley, with the consensus that environment, conservation and quality of life is worth paying for. Apart from a better mechanism to enhance quality of EIA, Dr Hung vouched for reconciliation and a genuine conservation policy.

A review of the conservation policy then came into the pipeline, with a paper produced by the government in July 2003 inviting discussion on a scoring system and implementation options for conservation. These were discussed in another CA forum on 30 August 2003, after which CA submitted a paper in October 2003 titled “Hong Kong, Asia’s World City, and the World’s Eco-City”, responding to the review.

CA’s advice was that the government should take the opportunity to devise a policy statement to state the needs for both conserving and restoring biodiversity resources of the territory in ecosystem, species and genetic levels. A key to the new policy would be a newly devised scoring system for the assessment of ecological value; here CA argued that the system was deficient in that it did not account for landscape value and that it should have given more weight to biodiversity especially for sites with rare and endemic species. The two implementation options, namely, management agreements with landowners and public-private partnership, both had CA’s support. On management agreements, a more proactive role by the government in facilitating and overseeing the arrangements was called for, with a warning that “this mechanism, and the NGOs involved, should not be used to simply ‘land-bank’ the sites for possible future changes in land use.” In the case of public-private partnership, CA stressed that it should not be carried out until very clear guidelines have been set to ensure the primary objective remains conservation, such as no net loss of ecological function and and commitment of long-term management. “Extreme care must be taken in designing and approving such schemes, or else this option may only stimulate more development in the name of conservation.”

Besides the two proposed methods, CA advised the government not to rule out other options such as government resumption or transfer of development rights. Many other measures could also be implemented to support conservation, including habitat restoration, use of reservoirs as wetland resources, enhancement of conservation in sites under government ownership, and conservation of species of special interest, and more stringent enforcement. Finally, the importance of institutional reform, such as establishing an independent Conservation Authority and a Conservation Trust, was again emphasized.

The product of the review was the “new” conservation policy announced by the government on 11 November 2005, which centred upon twelve specific sites selected

for priority treatment through the use of management agreements and public-private partnership. While giving the proposals a cautious welcome, CA and other green groups issued a joint statement in December 2004 expressing concerns that the new policy fell short of global standards and was lacking in several areas including marine conservation, sustainable resource management, conservation of threatened genetic and species diversity, trade in live wildlife (particularly birds) and marine products, and commitment to the principle of “no net loss” of biodiversity. There was insufficient financial support with a mere HK\$5 million being committed from the existing Environment Conservation Fund to help in the pilot schemes for Management Agreements.

The 12 sites identified in the New Conservation Policy include the following:

- Mai Po Ramsar Site
- Sha Lo Tung
- Tai Ho
- Fung Yuen
- Luk Keng marsh
- Mui Tsz Lam and Mau Ping
- Wu Kau Tang
- Long Valley and Ho Sheung Heung
- Deep Bay wetland outside Ramsar Site
- Cheung Sheung
- Yung Shu O
- Sham Chung

Upon the policy coming into force, CA participated as a partner in the Management Agreement for Long Valley. A few public-private partnership projects were developed for other areas but by 2008 none has materialized yet.

118. Policy Framework for Management of Municipal Solid Waste

The government policy and timetable for managing domestic waste was detailed in the document “A Policy Framework for the Management of Municipal Solid Waste (2005-2014)” published in 2005. The main idea was to charge for waste based on the amount of garbage thrown away, so as to encourage waste reduction and recycling, and to burn the residual waste by building incinerators.

Though agreeing with the timetable proposed by the Administration, CA found the charging too modest. According to the targets set in the Policy Framework, by 2015 Hong Kong would need to burn up to 5,700 tons of rubbish everyday, thus requiring big incinerators. CA advocated a more ambitious approach to reduction and source separation, through more aggressive charging to reduce the need to burn the residual waste.

In responding to the Policy Framework, CA made much use of an earlier visit in January to Japan and Taipei to study waste treatment technologies and recycling polices. The visit was led by CA Chief Executive Lister Cheung with participation of District Council members and assistants.

From overseas experience, a well-designed charging scheme would not be a financial burden to the average household as people would learn to separate recyclable material and then reduce waste so as to contain the actual charges paid. The disadvantaged community could enjoy a quota of free trash disposal but designed at a level to encourage recycling and economizing. The effect of charging would be immediate: in the case of Taipei, the domestic recycling rate leapt from a meager 2.4% in 1999 to 9.8% after the per-bag charging scheme was implemented in July 2000. The rate climbed to an amazing 34.5% in 2005. Per capita waste was also down from about 1kg in 1999 to 0.5kg in 2005.

CA was confident that once a pay-per-volume scheme was implemented, the amount of rubbish discarded would plummet and the recycling rate would soar. There would be no need to build incinerators with monstrous capacity. For Taipei, one of the incinerators reportedly did not have enough garbage to burn.

Compared with overseas experiences, therefore, the government’s target recovery rate of 26% in 2007 and 1% reduction per annum up to 2014 was too conservative and tantamount to giving a green light to super incinerators and possibly extension of landfills.

The Policy Framework was discussed by the Legislative Council Panel on Environmental Affairs on 19 January 2006. CA staged a protest outside LegCo against the government’s timid goals on expanding recycling, and its plan to build super incinerators and to expand all three strategic landfills. For CA the solution was obvious: mandatory source separation and aggressive charging by 2008. The ultimate aim should be to reduce the waste to be burnt substantially, to 1,500 tonnes per day.

119. Energy policy

The public consultation on the Future Development of the Electricity Market was to close by the end of March 2006. The aim was to help government develop the electricity regulatory regime as the Scheme of Control arrangement with the power plants were soon to expire.

Despite the far reaching implications, the subject did not attract enthusiastic response from the public. CA's seminar "Towards a Greener Electricity Market" on 11 March 2006 was to stimulate more public discussion. Representatives from related government departments as well as from the two power companies presented their views, while Albert Lai gave CA's perspective. With the benefit of the seminar, CA formulated its position and submitted its response on 21 March.

What was crucial, as CA stated upfront, was a sustainable energy policy, not just arrangements for the electricity market. The first issue raised was that of transparency and accountability in a new regulatory framework. Thus all proposals for capital investments, relevant needs analysis, feasibility studies and sustainability assessments should be released to the public before decisions are made by the Administration. To enable that, there should be "an independent, stakeholder-led regulatory authority to develop sustainable energy policy, oversee market reform, review environmental performance and decide upon tariffs based on a public hearing process." Prior to that, "the operation of the Energy Advisory Committee should be elevated to the level similar to the Advisory Committee on the Environment through more broad-based stakeholder representation, higher transparency and enhanced authority."

The second issue was grid access, which should be re-structured in favour of renewable energy. "The government should specify that when new electricity supplies become necessary because of increased local demands, new supplies must come from an RE source, whether local or across the border, and allow third parties to bid for the opportunity of providing such supplies with a view to promoting fair competition and achieving best outcome for the public."

Thirdly, more aggressive emission reduction targets should be set beyond 2010. While supporting wider use of LNG (liquefied natural gas), the site selection for LNG receiving terminal should not be limited only to Hong Kong territory. The paper states, "The government should commence urgent discussions with the Guangdong government and explore the possibility of a joint LNG terminal along the coast of Pearl River Delta." Besides, other advanced technologies such as the Clean Coal Technology (CCT) was also advocated. But the wider issue was that of energy policy: "The government should, as a matter of priority, develop guiding principles for continuous improvement and specify long-term emission targets as part of a sustainable energy policy which should include, inter alia, a fuel mix policy and an energy conservation policy."

The fourth and final point was about energy conservation and demand side management. Here CA challenged Hong Kong to be a more energy efficient as it continues to improve its quality of life. The proposed independent energy authority

should be empowered to develop a sustainable energy policy and to implement energy conservation and demand-side management measures.

By 2008 it has remained arguable whether Hong Kong has a sustainable energy policy. The Scheme of Control was renewed in a shape that was largely business-as-usual. A breakthrough did occur in August 2008 in a Memorandum of Understanding signed by the HKSAR government and the Central Government over supply of natural gas from the Mainland. How that augurs for a sustainable energy for Hong Kong remains to be seen.

120. Hong Kong 2030

Like the Territorial Development Strategy, the Hong Kong 2030 was a strategy planning exercise to establish the overall territorial land use plan for Hong Kong in the medium to long term. Started in 2001, the study took six years to complete and culminated in the final report *Hong Kong 2030 – Planning Vision and Strategy* published in October 2007.

The study has won praises from CA, not because CA directors Ng Cho Nam and Hung Wing Tat were its advisers, but because the Association was “satisfied with the transparency and progress” of the 3-stage consultation by the Planning Department: “The working papers are well prepared and available for all to review. The Association sincerely hopes that the Study will serve to coordinate the community’s effort in moving forward a better future for Hong Kong.” (CA letter 13 April 2004)

However, in that hope CA had to be disappointed. Like its predecessors, the Hong Kong 2030 had yet to be taken seriously by stakeholders, least of all the government. The most glaring example was that of the Lok Ma Chau Loop – despite the study’s own working papers casting doubt on the viability of developing the site, it was thrashed upon the public time and again. Apparently, the Administration was determined to see the area developed, despite its close proximity to the ecologically sensitive Deep Bay area, and the huge cost and risks associated with mud de-contamination. CA was of the view that the area should not be developed at all but instead should be subject to ecological conservation and restoration programmes to enhance the overall ecological values of Deep Bay area. But all these were roundly ignored when the Loop was listed as one of the ten infrastructure projects under Chief Executive Donald Tsang’s “new direction” set out in his 2007 Policy Address.

It would otherwise be difficult to argue with other strategic goals of the study – good urban design, protection of the Victoria Harbour and enhancement of waterfront, conservation of natural and cultural heritage, provision of sports, recreation and cultural facilities, and sustainable use of land resource. For CA, what mattered was not just the vision of a quality living environment, but targets, action plan, planning standards and time schedules to achieve this vision. Above all, the single most important stakeholder to buy into the vision must be the various government departments themselves.

On specific strategies, CA was especially concerned about the conservation of the rural areas. Thus on spatial development the consolidation pattern was preferred to the decentralization pattern, with new developments confined to the “grey areas”, i.e., the urban developed areas rather than sprawling to the undeveloped areas in the New Territories. The rural landscape in the New Territories should be preserved as far as possible, even if a cost had to be paid to keep the agriculture industry going as part of our heritage and history. For a similar reason, CA opposed the new container port at North West Lantau. The Lantau island and its surrounding waters are ecologically sensitive and should be preserved, and new ports should be built close to the places where cargo originate, i.e. in the Pearl River Delta.

121. Tree Ordinance

Since 2001 Choy So Yuk has been the legislator most committed to a law to protect trees. She started a motion debate on a Tree Ordinance on 22 May 2001, to which CA showed support through a public statement. In 2002 Professor CY Jim, a former adviser of CA and renowned expert on trees, prepared a draft “Urban Tree Ordinance for Hong Kong” detailing provisions on tree planting, maintenance, removal and protection and proposing the formation of an Urban Tree Advisory Board. Despite all the lobbying, the government remained unconvinced of the need for a Tree Ordinance.

During Chinese New Year in 2005, one of the main branches of the famed Lam Tsuen Wishing Tree broke due to weights thrown upon it from the traditional “wish-throwing” ritual. The tree’s health was severely damaged but it was saved from demise because of extensive media coverage. Taking the opportunity, CA hosted a press conference on 15 March 2005 with Professor CY Jim and Professor Lung Ying Tai, then Visiting Professor of Journalism and Media Studies Centre of Hong Kong University and former Cultural Minister of Taipei. They lashed out at the inadequacies of the current system – no statutory protection for trees, shabby management, lack of expertise, sloppy enforcement and inadequate punishment. Professor Jim emphasized the importance of such an Ordinance for if Hong Kong were to really become a green city. Professor Lung lamented at the “mass murder” of trees by developers and government public works departments, and called for an ordinance with “teeth” to offer genuine protection for trees.

The Earth Day (22 April) 2005 was the occasion for another boost of the campaign. By then CA had collected 10,000 signatures with its “A leaf for each of us” campaign and the “Tree for Life” programme, using the Earth Day as the occasion for a pledging ceremony in support of a Tree Ordinance.

The campaign proved its worth as 2005 turned out to be a bad year for trees in Hong Kong: besides the Lam Tsuen Wishing Tree, the wall trees along Hollywood Road and Forbes Streets in the Western District were under threat; tree murderers appeared in Tai Tong; and Incense Tree and Buddhist Pine thieves lurk around.

So CA’s campaign had to take much more than slogans and demonstrations. A serious stakeholder dialogue was initiated with developers at which consensus was reached over the need for clearer guidelines on tree protection. As a result of the stakeholder engagement, CA developed the following six principles for a Tree Ordinance for Hong Kong:

1. Trees, especially mature trees and woodland in the urban area or urban fringes, are important asset and should be protected. Woodland with important ecological or environmental value should be designated as Tree Conservation Area. The Area should not be void even when leased. Trees with unique cultural and historical value should also be protected.

2. Felling of a tree larger than a certain size should be approved by the responsible Authority. Written approval must be obtained before trees could be felled. Unauthorized tree felling will be penalized.
3. The process of tree felling application should be transparent. Tree felling larger than a certain scale should be disclosed to the public. The public should be duly consulted.
4. Planting trees in private lots should be encouraged. If the site is open to the public, the developer or owner should be compensated, such as by transfer of plot ratio.
5. Management and maintenance works of trees should be performed by qualified arborists. A professional body should be authorized and responsible for maintaining the standards and handling complaints.
6. As trees are public asset, there should be adequate and genuine community participation in tree protection and devising greening policy.

A survey conducted by CA in July 2005 found overwhelming support for legislation to protect trees. But a more important survey than people's opinions was the Tree Survey conducted by CA. After a 4-month training programme including seminars, field trips and green-spotting techniques, some 400 "Tree Lovers" were tasked to identify major trees on Hong Kong Island and to report seriously threatening cases to the authorities. The results were released on a "Tree Lovers Day" 「惜樹靈人」 in Chater Garden on 30 October 2006. A total of 245 trees were assessed, from where major health problems were identified, including leaning (30%), pest and disease (24%), physical damage (14%), pruning wound (13%), cavity (7%), fungal fruiting bodies (5%) and dieback (5%). The findings showed that poor tree management practices such as improper trimming, topping, negligence and poor gardening have caused life-threatening conditions to hundreds of trees in Hong Kong, exacerbated by poor coordination by government departments, ignorance of developers and landowners and shortage of qualified arborists.

With the help of the "Tree Lovers", CA undertook a half-year long Tree Survey in 2007, studying 339 trees in housing estates and along roadsides, and by December 2007 completed a survey of 113 out of 526 Old and Valuable Trees. The result was released on 16 December 2007. The picture was grim: the survey found that 85% of the trees in housing estates and along roadsides had potential structural risk which would be prone to collapse if no proper conservation measures were taken. As to Old and Valuable Trees, the condition was better but still unsatisfactory, with 52% having structural problems such as decay, cavity, leaning or over-growth of canopy. The CA statement then called on the government to "legislate for trees and increase the resources to protect trees and safeguard public safety." This followed an earlier letter of 5 November 2007 to the Leisure and Cultural Services Department expressing concern that if roadside trees were not properly maintained, they might be a potential danger to the life and property of residents.

Unfortunately, 2008 saw a series of mishaps: In May an Old and Valuable Tree in Bonham Road collapsed; in August about one-third of a champion tree in Kowloon Park broke off; in September a tree collapsed on a taxi. Finally, tragedy hit on 27 August 2008 when a coral tree in the Old and Valuable Tree Register in Stanley Main Street collapsed on a 19-year old girl killing her. CA convened a press conference on 2 September condemning the government's lack of action in maintaining unhealthy trees. The need for a Tree Ordinance was as urgent as ever.

122. Tree destruction

Cases of tree destruction were always sad news to CA, whether that was the result of mischief or negligence. In all of the major cases where CA took a public view, the need for a Tree Ordinance was always reinforced.

In 2005, CA was shocked by what it described as a “mass murder” of some 200 trees in Tai Lam Country Park on 13 July. The crime scene was Tai Tong Shan Road inside Tai Lam Country Park. The felled trees consisted of 10 species planted along a 1 km forest track, mostly sweet gum, include acacia, Chinese guger tree and pine.

Describing the act as “a blatant breach of law and an affront to the Administration’s conservation works”, CA petitioned the Environment, Transport and Works Bureau and LegCo, urging the Administration to bring the vandals to justice.

Then in November 2006 CA received a complaint about “topping” of mature trees from residents of Leung King Estate in Tuen Mun, a public turned private housing estate under Tenants Purchase Scheme. A site visit revealed that many mature trees were “decapitated”. According to the property manager, the “pruning” trees necessary to avoid the risk of falling branches hurting people, and was supported by the Owners’ Corporation. CA expressed deep regret and advised the property management that new shoots from topped trees were more prone to breaking, and the trees that were not properly topped would be more vulnerable to diseases thus posing bigger threats to the public. For proper tree pruning, professional arborists must be hired.

In 2007 the “King of Hong Kong Urban Tree”, the Banyan in Kowloon Park, made newspaper headlines when one third of its tree trunk collapsed on 13th August. Situated at the football pitch in Kowloon Park, it was the largest Chinese Banyan with the thickest trunk in Hong Kong, but it fell prey to construction works and ineffectual tree conservation measures. The tree is still in bad condition in 2008.

In a way that was not surprising. The tree team at the Leisure and Cultural Services Department Tree Team comprise only 110 staff, but they have to take care of 700,000 trees in Hong Kong. Although Old and Valuable Trees are inspected twice a year, the collapse of the King Banyan clearly revealed the inadequacy of resources in tree conservation. As CA stated, “Whether a tree is able to survive cannot be determined just by its health conditions, its structural stability is equally important. Even if the trunks are healthy, a tree with root decay still has chance to collapse. The Administration spares no expenses on greening, but it should also allocate resources for tree conservation, otherwise trees can hardly enhance the environment and increase the risk of collapses. The result is that it both waste public fund and jeopardize public safety.”

123. Wall trees at Forbes Street

A “flash mob” gathered on 10 July 2005 at Forbes Street just underneath a line of well-grown stone-wall trees. The flash mob had one message: preserve the trees and the stone-wall.

CA was the organizer of the flash mob. The gesture was to capture the attention of the MTRC, which was conducting consultation on the new stations to be built as extension of the Island Line. According to MTRC’s preliminary plans, the stone-wall trees would be a casualty of the project. Though an avowed supporter of railway, CA found that unacceptable and asked the MTRC to design the route alignment carefully to minimize impact on trees during construction. CA also wrote to the Antiquities and Monuments Office requesting that the government declare valuable stone wall trees as monuments, as the trees and the stone wall were one organic unit of heritage. A total of 14 sites were put to the AMO.

For Forbes Street, the protest action had the desired effect; later the MTRC agreed to re-align the Kennedy Town Station layout to preserve the trees and the stone wall.

But there are many other stone wall trees which are just as worthy of protection. And the value of wall trees must be appreciated more:

- Many wall trees have been living for several decades, most of them native species. They proffer shades to the cramped, hillside communities.
- Wall trees flourish from the joints, unattended, just like the can-do spirit of Hong Kong people. The disappearance of wall trees would mean the demise of another symbol of the Hong Kong spirit.
- Wall trees bring together the unique forms of natural vegetation and man-made structures. It is a sheer coincidence of early artisanship and natural environment. They are the living witnesses of the early history of Hong Kong.
- Wall trees consist of various species and most of them native. The rich biodiversity is beyond doubt and is important to greening as well as ecological research.

Some may already have the assurance that they would be protected, like the wall trees on Hollywood Road outside the Police Quarters, which was the subject of an earlier “green ribbon” action by the Central and Western District Council in June 2005. Those in Bonham Street near Centre Street and King George V Memorial Park are listed in the Register of Old and Valuable Trees and would hence be looked after by the Leisure and Cultural Services Department. But the future of others is unknown, such as those in Ship Street in Wanchai.

2006 saw another protest action to save wall trees, this time in Lung Chu Street in Kowloon. To promote understanding of this unique urban heritage of Hong Kong, CA organized a stone wall tree survey with the Wanchai District Council and published a guide to stone wall trees in Wanchai in June 2006.

124. Wall trees at Lung Chu Street Nullah

The open nullah at Lung Chu Street has been a regular nuisance to residents due to the occasional bad smell. The Drainage Services Department (DSD) had agreed with the Sham Shui Po District Council to cover the nullah and to remove the odour once and for all. Except that there were mature trees along the stone walls of the nullah, which had to be felled as a result.

In CA's view, the wall trees had significant ecological and cultural values, and removing them would be a great loss to Hong Kong. To cover the nullah is an incomplete way of resolving the odour problem; the right way should have been to remove illegal dumping of polluted water. CA's green ribbon campaign struck on 20 March 2006 to urge the Drainage Services Department to withdraw the tree felling plan. As CA stressed in its statement, "the only way of tackling the problem of odour is to clean up the source of pollution, not to cover it and pretend that the pollution is solved."

There were then more than 20 wall trees along the nullah, most of them being Chinese Banyan and Common Red-stem fig. All of them were mature trees with a height between 3 to 11 metres high. In particular, the group of Common Red-stem figs was considered unique as the majority of wall trees in Hong Kong are Chinese Banyan. There are no other sites with a dozen Common Red-stem fig trees in one location with buttress roots adapted to the condition of the masonry walls. The nullah was, therefore, a scene with special scientific value for further study. Besides, the trees formed a green canopy and functioned as a green lung for the community, reducing the heat island effect. As to the nullah itself, it was located in the area of Tai Hang (Big Nullah) and was the only remaining open nullah. As such it has a symbolic meaning locally and historically. CA also found several species of birds on the trees along the nullah, for example, yellow wagtail and white wagtail.

On the same day, CA wrote to the District Council to seek their understanding and support. To try to reverse a District Council decision was thought to be monumentally difficult, but CA's perseverance paid off, as some councilors began to sympathise with preservation. After further negotiations, DSD agreed at a meeting on 28 April 2006 that it was possible not to completely deck over the nullah and hence to preserve some of the trees.

On 16 June 2006, at a tripartite meeting among CA, the District Council and DSD, a compromise solution was agreed under which 8 of the wall trees would be preserved, and the area around the open nullah would be enhanced to become a public space. The District Council and the DSD were commended by CA for the open and cooperative manner in finding a sustainable solution that benefit the community in the long term.

125. Urban greening

Comprehensive greening works for the urban area were promised in the 2000 Policy Address but “Green Master Plans” were not drawn up until 2005, starting with Central and Tsim Sha Tsui. The works for these two districts were substantially completed in March 2007, but the Green Master Plans for Mong Kok and Yau Ma Tei, Shueng Wan, Wan Chai and Cuaseway Bay would not be completed until 2010, while those for the rest of the urban areas and the town centres in the New Territories had yet to be designed. In drawing these up, the government promised to roganise community forums to collect the views of the public on greening.

After visiting the greening works sites in Central and Tsim Sha Tsui in 2007 and reviewing the published information by the Government, CA expressed the following views on the Green Master Plans

On species selection, care should be taken to ensure there is enough growing space both under and above ground especially for tree species with large crowns. If community forums are used for species selection, participants should be given ample information on tree forms and suitable growth environments to enable them to make informed choices.

Likewise, the public has the right to know about the monitoring and maintenance schedules. Proper records should be kept on planting and maintenance. There should also be regular progress reports on each Green Master Plan, e.g. how the actual projects for Central and Tsim Sha Tsui lived up to the themes of “Heart of Gold” and “Jade Necklace” and achieved the proposed cityscapes.

Lastly, regular monitoring and maintenance works should be carried out by tree specialist, and public awareness on tree conservation should be heightened. Greening is more than planting more trees and shrubs; caring and maintenance is equally important, yet there has been little in the Green Master Plans on protecting or improving the condition of existing trees, especially Old and Valuable Trees. This should be rectified, such as expanding existing planters opening up more paving for root development.

126. Illegal dumping: She Shan Tsuen

In 2004, ten hectares of farmland in She Shan Tsuen was used for land-filling activities. The waste piled up to half the height of a lamp-post. Although the Legco followed the case, nothing could be done because every one of the government department refused to take up responsibility. The ravished farmland has not been restored until now. While CA complained to the Office of the Ombudsman in April 2005, the replying letter in October stated that the Administration was not empowered by law or administrative mechanism to take enforcement action, although the Bureaux and Departments concerned has followed up the case closely.

Although the Administration in February 2005 stated that laying of soil should not exceed 1.2m on agricultural land, the problem of fly-tipping has yet to be solved. In recent year, even pieces of land near areas of high ecological value like Mai Po Wetland, Long Valley, Shing Mun Country Park, Ting Kok Mudflat and Pui O were affected.

Note: New Territories Small Houses began to appear on these unauthorized land-filling areas in She Shan Tsuen in 2008.

127. SENT Landfill extension

When the South East New Territories (SENT) Landfill was constructed in 1993, the government “temporarily borrowed” 18 hectares of land from the Country Park, to the dismay of green groups. The borrowed land was to be restored, but before any signs of that happening, the Environmental Protection Department announced further plans to convert 15 hectares in Tseung Kwan O Area 137 together with 5 hectares of land from the Clear Water Bay Country Park for the SENT Landfill Extension.

CA could not accept continuous encroachment into the Country Parks, and registered its opposition to the EPD in a letter on 15 June 2007. While not dismissing the need to tackle the waste problem, CA put the blame on the government’s lack of foresight, inaction and procrastination in implementing the badly needed waste reduction and recycling measures.

It was a fact that the Country Park boundary had been breached before but the right way forward should have been to reinstate the Country Park or compensate elsewhere for the loss, rather than continual encroachment into traditional sensitive “no go” areas. For CA, the Country Park boundaries are inviolable and any further encroachment must be vehemently opposed lest there should be a domino effect. The waste problem should be resolved by sustainable solutions such as implementation of appropriate policies and integrated waste management strategies not by indiscriminate expansion of disposal facilities.

128. Incinerators

Incinerators get a bad name in Hong Kong. The three old generation incinerators (Lai Chi Kok, Kennedy Town and Kwai Chung), built in late 1960s and 70s, were exemplary works of visual encroachment and something slightly better than open burning. In the “Waste Disposal Plan for Hong Kong” published by the then Planning, Environment and Lands Branch in 1989, the Government announced its decision to build three “strategic landfills” to handle the waste problem and close down all incinerators. The burners were decommissioned in the 1990s but the structures were not dismantled until recently.

Given the lukewarm support to the recycling industry (see 36. Waste Management Policy), it was hardly surprising when the Administration resurrected the plan to build a super incinerator in “A Policy Framework for the Management of Municipal Solid Waste (2005-2014)” as the three landfills would be full within ten years.

The Policy Framework does have some merits, like the plan of implementing waste charging based on the amount of garbage thrown away. However, the targets set in the Policy Framework are extremely conservative. What it means is that we need to burn up to 5 700 tons of rubbish everyday in the year 2015.

In CA’s 2007 policy submission, we push the idea of creating a circular economy in Hong Kong. The emphasis should be on integrating the citizen-wide practice of reduce, re-use and recycle, with the emerging job-creating industries of waste management and recycling. The Eco-Park in Tuen Mun is only a feeble attempt in developing the waste management industry, and efforts must be stepped up.

CA thinks that as bulk reduction facilities will eventually have to be constructed, more controversial facilities such as the commonly understood “incinerators” can be integrated into the waste management infrastructure, but first it should be made part of a progressive and sustainable waste strategy. No local community will want to be a dumping ground for waste facilities; on the other hand, modern sustainable waste management infrastructure that creates jobs and contribute to the society and economy should be welcomed by the community.

129. Lantau Concept Plan

In early 2005, the Government, without going through the proper planning procedure, came up with a Concept Plan for Lantau Consultative Digest (the Plan). The Plan proposed high intensity developments, including theme parks, logistic parks and housing estates on Northern Lantau Island and lower intensity developments like resort villages on Southern Lantau Island. CA was of grave concerns regarding this Plan. In February 2005, CA submitted comments to the Financial Secretary who was assigned to oversee this Plan. CA cautioned that from every perspective, including core values, procedure and the substance, the Plan violated the principles of sustainable development.

CA urged the Government to revise its approach to the future development of Lantau, and adopt a ‘conservation first’ principle, with the following detailed concerns.

The Plan bypasses the formal planning procedure

It is a common practice that planning concepts go through various stages of consultation, and that any proposed project is only developed after thorough consultation. Planning studies related to Lantau, such as “South West New Territories Recommended Development Strategy” and “Hong Kong 2030”, are still in progress. However, many of the proposals in the Plan have never been mentioned during the consultations on these studies. The many ‘parachute’ proposals creates suspicion that the Plan did bypass the formal planning procedure.

The Plan aims for development, not conservation

The main purpose of the Plan is ‘development first’, and conservation appears only as a cosmetic element. The Plan stresses that to ‘utilize’ the development potential of Lantau, even for the conservation elements the proposals aim to ‘maximize’ the recreation and tourism potential of the island’s green areas. It is clear that the core value of the Plan is ‘development first’. Matters are made worse by the selection of sites, whereby the development is concentrated on green-field and reclamation sites rather than brown-field sites.

In our opinion, without a change to the core values, the proposed conservation measures will only be cosmetic and the real conservation of Lantau will not materialize.

Lack of assessment studies for the proposed facilities and projects

Many facilities proposed in the Plan have not passed any environmental impact assessment or sustainability review, neither have there been any assessment of the carrying capacity of the effected area. In this situation, the public can hardly make a fair judgment whether these facilities meet the requirements of sustainable development. Further, there are no alternative options included for each of the proposed facilities, which significantly limits the choices available to the public and the quality of the feedback.

CA urges the Government to conduct environmental impact assessments for each proposed facilities and projects, and to complete carrying capacity studies for each

affected area. Each development should only be included after completion of the detailed assessments and the public has been fully consulted on each.

There are no active conservation measures included in the Plan

The Plan talks a lot about how to develop Lantau, but there were no new active conservation plans proposed. CA is disappointed with the lack of active conservation measures. Several years ago, and together with other green groups, CA has proposed to the Government measures to strengthen the conservation of Lantau. The ‘Conservation Strategy for Lantau’ calls for the preservation of more than half of the land in Lantau and all the streams and rivers in the low lands.

CA urges the Government to respond to the green groups long-standing demands and adopt a full-scale conservation plan for Lantau immediately.

Lantau North (Extension) Country Park cannot be regarded as a new conservation measures

Though the Plan mentions the extension of the Proposed Lantau North (Extension) Country Park, this is an old commitment and remedial measure agreed with the “Port and Airport Development Plan”. This was gazetted in 2001 but the implementation has been frozen for years. Therefore, this should not be regarded as a new conservation measure, and should not be used as a new compensation measure against for any of the new proposed developments.

CA demands that the Government adopts all the promised conservation measures, such as the Proposed Lantau North (Extension) Country Park and the establishment of the Marine Park including the Soko Islands. These measures should not be regarded as mitigation for the proposed developments. For the developments, any damage to the environment should be avoided, and failing to do so, then specific new measures should be provided to mitigate any such damage.

The ecology of South Lantau

Many areas in South Lantau have a rich ecological value. There are mangroves in Pui O Wan with full of water birds and amphibians. The Romer’s Tree Frog has been recorded at nearby Cheung Sha, Tong Fuk and Shui Hau. CA is concerned whether the proposed developments of the Plan will have a negative impact to the environment of these.

CA condemns the lack of plans for the improvement of the ecology of the South Lantau, and demands that the Government includes proposals for the preservation of the ecology of South Lantau before the starting of any development plans in the region.

Population Boom

According to the figures listed out in the consultation paper, there will be a dramatic growth in the population of Lantau from 88,000 in mid 2004 to 267,000 in the near future. For example, the population of Tai O is expected to more than double, and in Tung Chung, the population size will increase more than 3 times. This is substantial growth. However, the Plan does not mention the impact and any measures taken to deal with this.

In our opinion, the expected population growth will much pressure on the resources and create more pollution. The Government should inform the public and provide clear plans to meet the needs of the increased population.

Comments on the proposed facilities:

Third Theme Park in Hong Kong ---- Hong Kong will soon have 2 theme parks and the Plan does not provide sound grounds for building a third theme park demonstrating whether it is financially or environmentally sustainable.

Proposed Logistic Parks and Container Terminal 10 ---- The building of the proposed Logistic Parks should be considered together with the proposal for Container Terminal 10, in order to avoid any overlap. Further, the Government should provide details on the development of proposed Logistics Parks.

Eco-Tour Centre ---- The proposed center is simply cosmetic. There is no substantial improvement of the environment.

Holiday Village/ Resorts ---- The proposed sites have a limited carrying capacity limited and the establishment of resorts will definitely aggravate traffic, which means that more roads will need to be built.

Golf Course ---- Golf course is an unsustainable project with a large eco-footprint.

Strategic Road ---- Before construction, a thorough study is required first of the impact on Lantau as a whole.

Proposed Container Terminal 10

Last but not the least, Container Terminal 10 was proposed to be built around the marine area near Tai O. This will have a great impact on the environment of Lantau. However, the Plan never mentions this and instead other logistic facilities are proposed.

First, CA questions the needs for building another container terminal in Hong Kong and we are deeply concern about its impact on the environment. CA urges the Government to conduct a thorough environmental impact assessment of the proposed Container Terminal 10 and Logistic Park before making any decision.

Conclusion

To date, Lantau has escaped development and has provided a green zone for an intensely developed Hong Kong. However, the proposed development in the Plan will permanently end the peaceful character of Lantau.

Lantau is a virgin land with great spiritual value for the Hong Kong people of every generation, and we should avoid an irreversible impact on the island for short-term economic benefits. It is wrong to reap political gains by vandalism. The planning of future Lantau should be 'conservation first', and not be driven by an unwarranted 'development first' Concept Plan.

Further to this, CA wrote again to the Chief Executive in the 2005 Policy Address submission. CA called on the Chief Executive to abandon the ill-conceived Lantau Concept Plan and direct the Planning Department to revert to a conservation-based re-planning of Lantau Island, in accordance with prevailing principles in strategic and territorial planning.

Lantau is the last “wild place of Hong Kong”, even though there is already a new airport, the most polluted new town, and Disney theme park in or alongside the Island. But this “wild place” cannot be sustainable if we continue to throw in sporadic mega-developments – a logistics park, a new container port, another new town, a super-highway to Macau and Zhuhai, a golf course, another theme park, a race track, a natural gas terminal, etc.

Lantau Island is still a natural treasure of Hong Kong, but if it is destroyed, it can never be re-created. Piecemeal development projects – such as those suggested by the Lantau Concept Plan – should have no place. The key to Lantau planning is not the “sustainable development of Lantau” itself – with a hidden emphasis on “development”. Rather, Lantau plays an important part in the “sustainable development of Hong Kong” as a whole. From the point of view of Hong Kong as a whole, the strategic planning context for Lantau must be one based on conservation. The planners should see to it that there must be an agreed Conservation Plan for Lantau, *before* any further development. That must be the starting point in the re-planning, or proper planning, of Lantau.

On 28th February 2007, CA, together with other green groups, i.e., Green Lantau Association, Living Island Movement and Clear The Air, submitted another position paper on Lantau Concept Plan which carried three main messages:

- We believe and advocate that before proceeding with any further development, there must be drawn up and agreed a Conservation Plan for Lantau.
- We believe that in order to engage meaningfully, there must be full and complete disclosure of relevant information.
- We believe that the future of Lantau is far too important to be treated in a perfunctory manner. A new initiative is required to involve all parties in developing a coherent and sustainable vision for Lantau. The existing ‘consultation’ should be only the start of a meaningful engagement. There is no urgency. We must get this right.

Lantau Island is a jewel in our crown which once destroyed, can never be recreated. Piecemeal economic development should have no place in the consideration. Truly sustainable strategies which are founded in conservation must be the way forward. We urge the Administration to reconsider the Concept Plan as presented, and with community involvement to develop a coherent future for Lantau which is demonstrably sustainable.

The Government did not make any responses to our comments but in January 2008, the long overdue North Lantau Country Park Extension was gazetted.

130. Wanchai Mega Tower

The 66-storey Hopewell Centre was the first mega-tower of Wanchai when it was completed in 1980. But if its developer Sir Gordon Wu had his way, it would be dwarfed by a 94-storey hotel, the true Mega Tower as it later came to be called.

Approved in 1994 by the Town Planning Board, the 2,200-room hotel was to be built on a site between Kennedy Road, Queen's Road East and the historic Ship Street, a large part of the area being wooded slopes. Despite the approval, the developer Hopewell Holding owned only less than half of the land and had to acquire the rest before the development could go ahead. Furthermore, the approval was subject to planning gains committed by Hopewell, including surrender of several pieces of land for open space development and preservation of Nam Koo Terrace, a historic house.

It took Hopewell another ten years to acquire the small lots near Ship Street, but half of the site still belongs to the government. Then, in 2004, it submitted an application to the Town Planning Board for two towers to be erected, each more than 60 storeys. The Town Planning Board's Metro Planning Committee rejected it in July 2004 as the visual and traffic impacts were both unacceptable. The developer went on to apply for a review to be heard by the full Board.

Needless to say, the Mega Towers – now in the plural – met with strong objection from the public, especially residents of Wanchai. To its credit the developer was very open with the application, publishing detailed information for public consumption and helping organize public forums to debate its case.

Led by Betty Ho, CA submitted a rezoning request to the Town Planning Board in September 2004 as a proposal to resolve the stand-off. CA started by summarizing the objections to the Mega Tower development:

- First, the “wall effect” created by the two huge blocks was unacceptable. It was incompatible with the Kennedy Road neighbourhood as well as destructive of the character of “Old Wanchai”. CA warned that if the Board approved the Mega Towers, it “risks becoming the Destroyer of the Wanchai as we know it.”
- Secondly, the two towers would generate huge additional demand on traffic which the already congested Kennedy Road could hardly absorb, not to speak of the worsening air quality hazards.
- Thirdly, the development would necessitate large scale felling of mature trees, including 100-year-old banyan trees merging with the pre-war stonewall, in what was the largest woodland in Wanchai. For these the covered open space would be a very poor replacement. The development would deprive Wanchai residents of a useful and functional visual and spiritual relief.
- Fourthly, CA objected to the development on social justice grounds as half of the land belonged to the Government, including roads, open space and the existing wooded slope area. As inner Wanchai was a congested area which would be further aggravated by the planned urban renewal schemes, the government land should remain as open space and green belt to mitigate the urban congestion for the benefit of the public, rather than just a single developer.

CA's proposal was to limit the development right to what was allowed on the developer's own lots. This could be achieved either by zoning all the government-owned land as Greenbelt, or specifying a maximum development intensity of the whole site which was half of that proposed by the developer. The practical effect would be to half the size of the development originally proposed. That would still remain a sizeable development but it was considered a win-win solution as it satisfied the community aspirations for lower density and more public space without jeopardising the landowner's development right.

The case caught the attention of the Legislative Council which decided to convene a "case conference". So the Town Planning Board decided to defer a decision until after the LegCo hearing was held, even though it duly held the review on 10 December 2004 and heard Hopewell present an improved scheme with number of storeys reduced to 58, less tree felling and more open space.

The LegCo conference held on 20 December casted doubt on the development and questioned the impact on trees and traffic, as well as the use of the government land.

On 23 February 2005 CA wrote to Town Planning Board to request the Board to reject the application. The Board came to a decision two days later to reject the application. Although CA's rezoning request was also rejected, the Town Planning Board's decision was hailed as a victory for civil society and for good sense in planning.

But Hopewell vowed to come back. In a surprise move, instead of appealing against the Board's decision, it revived the 14-year old application – the original 94-storey Mega Tower – in 2008, on the ground that development already commenced with the submission of the building plan long ago. Thus Hopewell did not have to go back to the Town Planning Board; all that it would need would be for the government to agree to exchange land with it, i.e. to let Hopewell acquire the remaining half of the public land. On 1 April 2008, Hopewell consulted the Development and Transport Sub-committee of the Wanchai District Council about a proposed road improvement on Kennedy Road and Queen's Road East in preparation for the Mega Tower project. The revival of an outdated plan which had been judged clearly incompatible with Wanchai caused much indignation. Besides the transport and environmental impacts, whether or not government would be right to exchange land with Hopewell to expedite the development has remained a hotly contested issue. In September 2008, CA put in another rezoning request to the Town Planning Board proposing to turn the government land into Greenbelt so as to reduce the scale of the development. As of the end of 2008, the case was still being debated.

131. Tsz Shan Monastery

A Monastery seemed an unlikely developer to be opposed by green groups, so when CA and local residents in Tai Po objected to the Tsz Shan Monastery project in Tung Tsz in May 2005, it was not the temple or the planned giant Buddha which CA found fault with. It was, rather, the huge car park with 140 parking space for 140 cars and 18 coaches which CA found problematic. That amounted to a capacity for 2,000 people. The development itself would cover 4.68 hectares with a building area of 5,000 square metres, a scale rather like a mini-theme park rather than a place for spiritual meditation.

The highlight of the new Monastery structure would be a 76 meter high “Guan Yin Statue”. Questions were raised as to whether this would spoil the skyline and produce light flooding, creating unacceptable impact to the tranquil rural environment. In addition, 452 trees would be felled to form land for the construction.

As the application was deferred by the Town Planning Board, the Association responded to a request by the Monastery to meet and discuss the application. This took place on 3 November 2005, at which CA was shocked to be informed that the original plan for the car park had been only one-third of the scale of the final proposal, and the applicant had amended its plan only at the request of Transport Department for the purpose of providing for the “worse case scenario”.

CA wrote to the Town Planning Board objecting to Transport Department’s requirement for more transport facilities, especially when it had been made very clear, both in the planning intention and by the applicant itself, that the proposed Tsz Shan Monastery was not meant for large numbers of visitors. Peak demand during festivals times should be dealt with through crowd control and special arrangement of public transport; a huge car park in rural Tai Po would simply be a mistake.

True to the spirit of a caring religious institution, the Monastery agreed to scale down the parking facilities to one-third of the proposal, to comprise 47 private car parking spaces, 6 parking spaces for coaches, 5 parking spaces for motorbikes, 3 parking spaces for mini-buses, 3 parking spaces for taxis and 2 cargo loading areas for trucks. A promise was also made to minimize the environmental impacts of the new structure.

All would have been well, except that Transport Department objected to the revised, scaled-down proposal and insisted on a large-scale car park. On 2 June 2006, the Rural and New Town Planning Committee of the Town Planning Board approved the project with, regrettably, the big car park as proposed by Transport Department.

132. Sham Chung

Sham Chung is a valley surrounded by hills on three sides. It is blessed with a remarkable diversity of habitats, including freshwater marsh, abandoned wet agricultural land, mangrove stand, woodland, Fung Shui woods and natural stream course, which drains into the coastal mudflat at Sham Chung Wan. The area was noted for being rich in fish species, especially a large population of the rare Black Paradise Fish, and is one of the twelve priority sites under the government's New Conservation Policy in November 2004.

However, over the years the marsh land has been progressively destroyed. From 1999, close to half of the mangrove forest was bulldozed and filled to create a lawn. In May 2004, news broke that a private developer had submitted a proposal directly to the Office of the Chief Executive in November 2003 proposing to develop the area into a golf resort. CA wrote to the Chief Executive expressing concern over any breach of due procedure.

The underlying issue was that Sham Chung was not part of the Country Park, nor was it governed by any land use plan, hence CA made a submission to the Town Planning Board in July 2004 requesting that a Development Permission Plan be drawn up for Sham Chung. The DPA zoning would comprise mostly Coastal Protection Area, Conservation Area, Agriculture and Village, with the primary aim to provide buffer and protection for the existing habitats and the surrounding Country Park and maintain the rural character, while allowing passive recreational uses.

CA's request was agreed by the Town Planning Board which prepared and published a draft plan in February 2006. CA submitted a representation in April 2006 welcoming the draft DPA plan and proposing to tighten some of the zoning by designating the stream "Site of Special Scientific Interest", rezoning "Agriculture" to "Green Belt", expanding the "Coastal Protection Area" as well as reducing the area of "Village." CA's representation also noted, "At present the whole area has been razed and become what in all appearances is to be a golf course. However, such a 'golf course' would be illegal as it has not gone through the necessary statutory requirements such as EIA study and environmental license; legally, therefore, it can only be regarded as 'grassland'. Such a strategy of 'destroy first, develop later', must not be condoned, and the DPA as a planning mechanism must not become a tool to legitimize such questionable and unethical destruction of our ecologically valuable sites."

Besides its own submission, CA also objected to another representation by the developer to create a new Other Specified Uses (Recreation & Tourism-related Uses) zoning. The representations were considered by the Town Planning Board in July 2006. The more stringent controls proposed by CA were not accepted, but at least government's original zonings were upheld and Sham Chung was subject to proper planning control.

But the DPA is temporary by nature. CA continued to engage with Planning Department on the preparation of the Outline Zoning Plan for Sham Chung, advocating a conservation-first approach although not ruling out some small-scale development.

Throughout 2007 and 2008, further meetings between CA and the government and occasionally with the developer gave further credence to press reports of plans to develop a resort in the area. In the summer of 2008, developer Sun Hung Kai submitted a rezoning request under Section 12A of the Town Planning Ordinance which would enable an eco-tourism project with 40% site coverage comprising 60 structures to be developed. CA submitted an objection to the rezoning, complaining that the nature and scale of the development would ruin the rural character of the site and that the application would set a disastrous precedent of condoning the act of “destroy first, develop later.”

Later the same developer submitted another Section 16 application for ecological restoration of the Coastal Protection Area. CA submitted a representation pointing out that although the application was moving in the right direction of restoration and recovery, the scale and scope was too limited and should have been extended to the core area of the valley which had been destroyed. CA also formulated a “roadmap” for Sham Chung’s future conservation and development, including the following steps:

1. A conservation plan to re-instate and restore the stream and freshwater marsh of Sham Chung
2. A monitoring programme, after concrete results were achieved from the conservation plan
3. After the ecology of the freshwater ecosystems have been restored successfully, longer term management options under the New Nature Conservation Policy of the HK SAR Government may be considered.

133. Hei Ling Chau Superprison

Concern over prison overcrowding gave rise to the idea of a “Superprison” to house 15,000 prisoners in the same complex. A firm proposal was developed in June 2001 for a \$15 billion structure on 120 hectares of land, either in Hei Ling Chau near Lantau Island, or in Kong Nga Po near the border. To address concerns expressed by the Legislative, the proposal was scaled down in 2002 to a facilities for 7,220 inmates on 76 hectares. With that concession the government plan almost went through – only to be finally derailed by civil society opposition.

After government had made up its mind about Hei Ling Chau as the preferred location, commissioned, a consultant was commissioned to conduct a feasibility study in 2003. CA decided to boycott the consultation in 2004, condemning it as a “sham consultation” as no alternative had been offered.

In view of Hei Ling Chau’s ecological significance and the lack of a land use plan, CA proceeded in June 2004 to request the Town Planning Board to prepare a statutory plan for Hei Ling Chau and the nearby Sunshine Island. CA argued that Hei Ling Chau had its unique history as a “Healing Island”, a former leprosarium. Ecologically, it is home to various flora and fauna including rare species such as the Bogadek’s Burrowing Lizard. It is also part of the outlying islands of South Lantau which should be reserved for conservation and recreation. Hence CA suggested that a Development Permission Area Plan be drawn up mainly to designate the land as Greenbelt, with some for Government, Institution or Community uses. CA also wrote to the Advisory Council on the Environment in July urging the Council to defer discussion on the Superprison until a proper planning context had been established through a land use zoning plan.

While CA ploughed through the statutory process, residents of Lantau and Lamma joined together in a group called “Living Island Movement” to oppose the Superprison. Then a series of events happened in quick succession. On 8 October 2004, the Town Planning Board rejected CA’s request to prepare a statutory plan. Meantime the Living Islands Movement was planning a high-profile “floating rally” for 17 October 2004 to oppose the Superprison, but even before the rally took place, on 12 October the Legislative Council was told that the Security Bureau (SB) had decided to shelve the project and would no longer need to ask LegCo for funding.

134. Hung Hom Peninsula

Only in Hong Kong would this happen: to demolish 2,500 brand new flats right after they are built. That was the Hunghom Peninsula on the South East Kowloon waterfront.

And it was because of another only-in-Hong Kong: the government zoned the prime waterfront site for a public housing scheme (technically, private housing with public subsidy under the Home-Ownership Scheme), had it built by a private developer, then did a policy U-turn to stop the scheme right after the flats were built (November 2002), and sold the whole development at what some regarded as dirt-cheap price to the original partner (February 2004) who then announced that they would bulldoze the site and rebuild it for luxury housing (March 2004).

Perhaps the government rather than the developer was the ultimate culprit but the message of bare greed – to build and immediately destroy just for profit – was too much to take for green groups. CA and Friends of the Earth, Greenpeace, Green Power and Worldwide Fund for Nature jointly sent a joint petition on 25 March 2004 to New World Development and Sun Hung Kai Properties, the joint developers for the project, protesting against the intended demolition.

For the green groups, the demolition would generate waste of at least 200,000 tonnes requiring more than \$20 million to manage, a blatant breach of producer-responsibility and polluter-pay principles. But they did not apportioned blame to the developers yet but to the government: “The whole incident makes a mockery of the HKSAR Government’s long-term vision of Hong Kong’s sustainable development. The confusion and inconsistencies of the HKSAR Government’s housing policy, without any due consideration given to possible environmental consequence, are the direct cause of this environmentally unjustifiable re-development which may lead to demolition of seven brand-new residential buildings.” Despite that, the green groups called on the developers to exercise their corporate social responsibility and to re-think their re-development plan. They did give a warning of calling for a boycott of the developers’ flats should the demolition go ahead.

Adding to the statement, CA coordinated a signature campaign in April 2004 against what CA described as an act that would make Hong Kong a “city of greed and wastefulness”. It also took advantage of the campaign to urge the Legislative Council to pass the landfill charging legislation to implement the polluter-pay principle.

But the call fell on deaf ears and the green groups were outraged when on 29 November developer the developers announced that they had decided to proceed with demolition. The joint campaign intensified and under the leadership of Friends of the Earth a joint press conference involving some 30 community groups was held on 8 December condemning the decision, with CA supporting it by staging a petition outside LegCo to urge Legislators to oppose the redevelopment. Two days later, on 10 December 2004 the developers reversed their decision and announced that they would not demolish the buildings, to the relief of the green groups. The decision was welcomed by CA and FoE led a “Family Environmental Walk for a Bright Future of Hunghom Peninsula” on 12 December. The developers then proceeded to refurbish the flats.

135. Bonsai Garden at Stanley

The Conservancy Association received a complaint in April 2004 from the Kwan Yin Temple in Stanley about a Housing Department project to construct a “Bonsai Arboretum”, a kind of centre for horticultural art, in the Ma Hang Headland. The project would include a large car park right in front of the temple’s entrance and the construction of the Arboretum would necessitate large scale tree felling – 542 out of 1,047 trees as CA later found out.

CA spent a few months trying to negotiate with Housing Department and the developer, but to no avail. The project had the support of the District Council and the developer was reportedly a Chinese family keen on the Bonsai art and contributing to the development as a social contribution rather than a for-profit operation. CA was willing to facilitate a acceptable solution but did not find much help from the government project proponent, the Housing Department. A local newspaper broke the story on 4 October.

Representatives of CA and Director of Housing Leung Chin-man met on 6 October at which Mr Leung promised that he would adopt an “open attitude” towards the project and wanted a tripartite working group comprising the Housing Authority, CA and the developer to be formed. Accordingly, a tripartite meeting was held on 19 October, at which Housing Department explained that all clearance had been obtained for tree felling. However, Hung Wing Tat of CA put forward a few principles in the design of the Arboretum, namely, that its prime objective should be to preserve the natural habitat, including the woods; the arboretum should be designed to fit in with the current landscape and vegetation of the area rather than to remove everything on site; the new structures should be well justified; and mature trees should not be damaged. CA also suggested full public engagement in developing the park.

The project proponent later withdrew from the plan, and Housing Authority decided to transform the headland into a community park with nature conservation as its main theme. With the participation of CA, two community workshops were organised in late 2006 and early 2007. The park would be developed with a greater emphasis on retaining the natural landscape. It is expected to be completed in 2010.

136. Lung Mei Beach

Throughout 2006 and 2007 the Tai Po District Council was pushing the Administration to undertake a plan to turn a natural beach in Lung Mei near the Plover Cover Reservoir into a bathing beach. CA was opposed to the project.

The government did complete an environmental impact assessment for the project which found “no long term unacceptable impacts on the environment”. The beach and nearby riverbed habitats would be permanently lost but they were considered of “low ecological value”. But CA disagreed with the EIA report. CA’s Peter Li photographed a variety of marine species on Lung Mei overnight, such as sea stars, urchins and crabs and the rare northern dragonet which were of moderate to high ecological value. In any case, CA could not accept that whole habitats could be wiped out just for a dubious and unsustainable project, even if the species were not endangered.

The project is unsustainable because Lung Mei is not suitable as a bathing beach. In 2007 the water quality in Lung Mei Beach was unsuitable for swimming during the bathing season (March to September) – 81% of the time the water quality was poor or very poor. Although the project anticipated 60% of the private sewers to be re-connected to the public sewer, still the EIA report itself acknowledged that the water quality would be poor or very poor 38% of the time. This translated into 51 days with poor beach water quality endangering the health of about 800 swimmers. With a construction cost of \$130 million and the operation and maintenance cost still unknown, the project was clearly unsustainable from both the economic and environmental point of view.

Furthermore, Lung Mei Beach is adjacent to Ting Kok wetland, a Site of Special Scientific Interest (SSSI). The impact of human disturbance to Ting Kok would be considerable.

In January 2008 the Advisory Council on the Environment endorsed the Lung Mei project EIA report with the condition that further information should be provided to confirm the ecological status of Lung Mei Beach.

137. LNG Terminal at Soko Islands

China Light and Power (CLP) proposed to develop a Liquefied Natural Gas (LNG) terminal receiving terminal on Soko Islands, south of Lantau in 1 September 2006.

CLP claimed that the existing source of natural gas off Hainan Island , i.e., Yacheng, which runs by pipeline to Hong Kong, would run out early next decade. An LNG terminal to supplement the shortage is required to meet the government's 2010 emission targets. CLP submitted the Environmental Impact Assessment (EIA) report to the government on 19 October 2006 and the report was approved by the Environmental Protection Department (EPD) on 3 April 2007.

CA was of an opinion that meeting the 2010 emission targets might not necessarily require to construct the LNG terminal on Soko Islands. On supply of clean fuel, the government should mandate flue-gas desulphurization (FGD) as a requirement for all coal-fired power generation. It should also set out clearly the preference for natural gas, and commit to conducting a detailed feasibility study on securing sustainable supply for LNG. In the latter case, sustainability means looking beyond electricity power generation and consumption, but taking a broader view of LNG as a central facility to fulfill our energy needs (including that of motor vehicles). It also means looking beyond Hong Kong's boundary for possible solutions, although an LNG terminal within Hong Kong must not be precluded as an option. It does mean, however, that Soko Islands, a committed site for the extension of the Marine Park and an established site of ecological importance, must be excluded from the possible sites for LNG terminal.

CA wrote to the Legislative Council to express our following viewpoints:

- The installation of FGD to reduce emissions should be accorded with priority by CLP; this would meet the 2010 emission reduction targets;
- The Administration is responsible for mapping out a long-term sustainable energy policy taking into account the need for development of power infrastructure in the Pearl River Delta Region;
- The water near the Soko Islands are of high ecological value and the habitat of the Chinese White Dolphins and Finless Porpoise; we are dissatisfied with delay in demarcating the Soko Islands as marine park which has been agreed by the Chief Executive in Council as early as 2002; and
- Both the administration and CAPCO have the responsibilities to identify other sites or options to avoid affecting the Soko Islands.

By August, 2008, the Government announced that a energy MOU was signed with the Central Government in Beijing. Beijing agreed to guarantee supply of LNG to Hong Kong in the coming 50 years. CA welcomed the MOU a letter of endorsement was written to the Environmental Bureau head, Edward Yau. CLP was then forced to give up the plan on Soko Islands.

138. “Smart Cool”

One of the hallmarks of the Hong Kong business executive is the ability to don the full jacket and tie in the steamiest summer heat. However, a survey conducted by CA in June 2006 found that more than 80% of the respondents thought Hong Kong should imitate Japan and other East Asia countries to discard the jacket and tie at work; nearly 70% agreed that clothing with sleeves and collars should be considered appropriate at work and for formal meetings. The survey also found that after nearly a year of promotion by the Government of an air-conditioning temperature of 25.5°C, 51.5% of the respondents had such a policy in their workplace, but only 31.2% had put that policy into practice.

On 30 June CA announced a “Smart Cool Dress Down 夏日輕裝 Campaign” asking companies to adopt a “light dress code” for summer. CA also made a public call on the Chief Executive and the government minister to set an example to adopt the Smart Cool dress code, especially on 7 July, the “Small Heat” in the Chinese calendar. The” campaign generated community-wide discussion and on 7 July, CA stepped up the pressure with another public statement making the same call and lamenting at the total silence from the government.

It turned out that there was a reason for the government’s non-response. Three days later, on 10 July the Chief Executive announced in the Legislative Council Questions and Answers Session that the Administration would encourage civil servants to dress casual in summer. That would enable the 25.5°C air-conditioning temperature to be realistically enforced. True to his words, the Chief Executive began to abandon his bow tie during summer. Later, on 25 July, he launched the “Action Blue Sky” adding other energy conservation initiatives.

CA was glad that its advice had been heeded although it was never acknowledged by the government.

139. Idling engines

The Government issued a consultation paper on “A proposal to ban idling vehicles with running engines” in early 2008. It was proposed that if a driver does not switch off the engine of his vehicle when it is idle, he commits a contravention and will be issued with a fixed penalty ticket unless it is exempted. The exempted vehicles include (a) vehicles which stop at the roadside for active boarding or alighting and (b) the first two taxis at a taxi stand and the first two PLBs at a PLB stand; (c) taxis, PLBs or buses at their designated stops or stands either on-street or at termini; (d) vehicles remaining motionless because of traffic conditions; (e) security transit vehicles operated by a security company; (f) vehicles which are required to run their engines for some ancillary purpose other than providing air-conditioning for comfort; (g) vehicles of disciplinary forces and other emergency vehicles while engaged in operational activities, including training activities and (h) vehicles engaged in a parade or any other event authorized by the Transport Department.

Thirty eight transport trade organizations covering taxi, light buses and coaches presented at the Legislative Council’s Environmental Affairs Panel. They complained the often switch on and off the engine would damage their engines and asked for full exemption from this proposed legislation. CA was one of the two organizations that supported this legislation and in its submission, CA expressed the following:

1. CA welcomes the long-delayed proposal. The issue of banning idling engine has been discussed in the community for the last 7 years and even with the continuous efforts of NOGs to call upon voluntary actions of vehicle operators, there has been little progress in reducing exhaust emissions from idling engines.
2. The main problems of emissions of idling vehicles are the health implications to people who are exposed to roadside environment, in particular to those who work long periods by the roadside daily, for example, the newspaper sellers. The special topographical and form of urban environment of Hong Kong aggravate the health impact of idling vehicles. The tower building blocks by the roadside hinder the dispersion of the vehicle exhaust emissions which accumulate to unacceptable concentration levels (i.e., exceeding the air quality objectives). Compounded with high pedestrian flows in the urban areas of Hong Kong, the scale of threat to human health becomes acute.
3. It has been well researched and documented that exhaust emissions from vehicles are toxic and carcinogenic. Long term exposure to these emissions have a much higher charge of contracting breathing illnesses and even lung and other related cancers. While Government spends billions of dollars on providing medical care to combat these illnesses, CA is of an opinion that prevention is always better than cure. Any possibility to curb vehicle emissions should then be sought.
4. Idling vehicles with running engines usually support the air-conditioning while the drivers and passengers are waiting in the vehicles and thus provide comfortable in-cabinet cool environments which can be easily enjoyed in the nearby shops, malls and restaurants in Hong Kong. Thus most of the time, it is un-necessary.
5. As pointed out in the consultation paper, Hong Kong is not the first one seeking measures to ban idling vehicles with running engines; many cities in the US, UK, Canada, Japan and Singapore have already had similar measures. In implementing this measure, these cities allow exemptions to certain types of vehicles in very

special circumstances; nonetheless, providing cooling comfort is never an excuse for exemption.

6. CA agrees to provide exemption to vehicles of disciplinary forces, other emergency vehicles and vehicles which have their engines idling for genuine operational needs. No exemption should be granted to other types of vehicles, in particular to commercial vehicles which simply keep the engines running for air-conditioning. Government should however consider provide more shaded parking spaces. Planting more trees at taxi and PLB stands is certainly a good practice to cool down the temperature in these places in the summer.
7. CA strongly supports the overall control framework as laid out in paragraphs 6.1 and 6.2 of the consultation paper. The exemptions provided in paragraph 6.2 are reasonable and adequate. There should have no residual power of exemption. The ban should be applied throughout the territory in all times, including summer.
8. CA does not object to providing a grace period of 3 months for help drivers to get used to the new statutory requirement after the enactment of the relevant legislation.
9. For protecting the health of Hong Kong people, CA earnestly urges the Legislative Council to endorse this legislation as soon as possible.

Whilst we strongly support the early enactment and enforcement of this legislation, we would stress that banning idling vehicles is only one - and quite a small one - of the many efforts that is required to tackle pollution. To have the legislation passed is only one small part towards discharging their duties as government and lawmakers towards a better environment for Hong Kong. We continue to have high expectations of both the government and the legislature in taking drastic but much-needed actions to curb air pollution.

Outside the Legislative Council, the government received 76.8 per cent of the 1349 people polled in a survey agreed to a law requiring idling engines to be tuned off. Although the public's view is clear but under the very strong protest of the transport trade organizations, the government still has not made a decision on this legislation at the time of writing.

140. Climate Change

CA has the longest history of being involved with the United Nations Framework Convention on Climate Change (UNFCCC) (dating back to 1992 Rio), Conference of the Partners, COP2 (Geneva), COP3 (Kyoto), COP6 (Hague) and WSSD (Jo'burg).

In advocacy, CA submitted a paper to the Environmental Panel, Legislative Council in May 2007, summarizing CA's view and recommendations on Hong Kong's strategy to cope with climate change.

CA reckons that Hong Kong does not need to do anything if we simply follow the Kyoto Protocol (reduce GHG emissions by an average of 5% below 1990 levels by 2008-2012). But Hong Kong should not shun its responsibility as a cosmopolitan city which consumed huge amounts of resources and energy from over the world to keep our lives going as well as economy growing. Indeed, Hong Kong should press ahead the following:

Setting local GHG emissions target

In fact, we have no reason to feel complacent: both our energy consumption and GHG emissions have been on the rise since 2000. Hong Kong should shoulder its responsibility to keep GHG emission to a minimum and adopt a "Kyoto-plus" policy. Since the Hong Kong SAR Administration and the Guangdong Provincial Government agreed to reduce four major pollutants by 2010, using 1997 as the base year, 1997 could also be used as the base year for GHG emissions reduction.

Implement a CO₂ Emission Trading Scheme

The latest IPCC report pointed out that "integrating air pollution abatement and climate change mitigation policies offers potentially large cost reductions compared to treating those policies in isolation." Implementation of measures to reduce Green House Gas emissions will also reduce that of other air pollutants such as SO₂, NO_x and RSP, but not the other way round. As such, CA suggested including CO₂ emission in the Emission Trading Pilot Scheme for Thermal Power Plants in the Pearl River Delta Region.

It should be note that SO₂, though an air pollutant, contributes to a net cooling effect in the form of aerosol. Of course it is important to cut down SO₂ emission in the region, but if there is no provision to cap CO₂ at the same time, the problem of local warming will only exacerbate, as SO₂ promote cloud formation which reflects heat, and because of its comparatively short lifetimes, the concentration in the atmosphere decreases much faster than that of CO₂.

Proactive Compensation Scheme-Zero Damage to the Environment

Avoidance of habitat damage and environmental degradation should be the guiding principle when planning infrastructure. But when it is not feasible, damage to the environment should be kept to minimum, preferably zero. Although the present Environmental Impact Assessment process includes evaluation of gaseous emission, it pertains more to air quality impact than GHG emissions. As large scale transport infrastructure such as highways and the logistic park will general large amount of GHG,

we suggest that a proactive compensation scheme such as tree planting should be implemented to offset the emissions.

Auditing Offset Programs

As “carbon offset” is becoming a lucrative business in many places, it is a matter of time when it will reach Hong Kong. We suggest that all offset programs must be duly audited by an independent and authorized agent.

Response Strategy

Besides developing mitigation policies to reduce greenhouse gases emissions, the Administration should also formulate a response strategy to prevent or reduce the degree of the adverse effect of climate change.

Disaster Management

It is expected that climate change and global warming will lead to more unstable and even chaotic climate. The rising sea level, higher possibility of sea surge, flooding and the potential of the visit of super-typhoon might increase the risk of natural disasters.

Preparation and coordination of related departments with the government during the disaster moment ought to be improved to cope with the warming world.

Higher Energy Demand and Heat Stress

Warmer temperatures and higher humidity would result in greater use of air-conditioning and thus higher energy demand. An increase of the ambient temperature by 1°C would the electricity consumption by 9.02%, 3.13% and 2.64% in the domestic, commercial and industrial sectors respectively. Moreover, higher annual temperatures could lead to an increased incidence and severity of warm temperature extremes, leading to increased occurrences of heat stress and discomfort, particularly among the elderly, the sick and those without access to air-conditioning.

Urban planning might take the issue of climate change into consideration. By increasing amount of greenery, lowering urban density, enhancing air ventilation in urban area, and promoting more efficient management of end-use of electricity would help to minimize the demand of energy.

In terms of campaigns, CA has pioneered "dress down campaign" which the government has adopted; and we also advocated a car-free day in September 2007. We did a simple attitude survey in May 2007. There were 588 respondents. 98.3% of the respondents agreed that climate change is a serious environmental problem; 85.7% reckoned that the government has not done enough to tackle climate change; 72.62% said that they would be willing to pay more electricity bill to reduce CO2 emissions and 84.52% would be willing to pay to plant trees in order to offset the CO2 emissions. On 7 July 2007, CA held a low carbon symposium. Private sectors, NGOs and academics were invited to discuss the climate change issues and our strategy to alleviate this world problem in the spirit of shared responsibility. The report of this 777 low carbon symposium was then submitted to the Chief Executive in November 2007. CA urged the CE to take actions including a) to adopt a carbon-neutral policy for all infrastructure

development; b) to include CO2 in the emission trading scheme in Pearl River Delta and c) to revitalize all natural river streams and carry out an intensive tree planting programme to alleviate the heat-island effects that we are facing.

CA has a public position of "HK as a low-carbon city", with "low-carbon lifestyle". CA itself announced that we would be a carbon-neutral organization (though we haven't got a system to audit for that)