

**For discussion
on 8 May 2001**

**LEGISLATIVE COUNCIL
Panel on Environmental Affairs**

**Proposed Additional “Designated Areas”
Under the Noise Control Ordinance**

PURPOSE

This paper seeks Members’ views on the proposal to establish a number of newly developed areas as “Designated Areas” under the Noise Control Ordinance (NCO).

BACKGROUND

2. Under the NCO, a construction works company has to obtain a Construction Noise Permit from the Noise Control Authority (“the Authority”) in order to carry out general construction work using powered mechanical equipment between 7 pm and 7 am, or at any time on a general holiday (“the restricted hours”). The validity of the permits usually ranges from a few days to a maximum of six months. The Authority will apply more stringent criteria when assessing applications for the permits where the applicant proposes to carry out “prescribed construction work”, i.e. noisy manual work, or use “specified powered mechanical equipment” within “Designated Areas”. “Designated Areas” are populated areas and are established by the Secretary for the Environment and Food by way of notice in the Gazette. Before the Environment and Food Bureau was set up, the former Secretary for Planning, Environment and Lands (SPEL) was responsible for establishing “ Designated Areas” under the NCO. In January 1996, the former SPEL issued the first such Gazette notice establishing the locations marked red on the map at Annex as “ Designated Areas”. Many new residential areas that have been developed since then call for an update.

THE PROPOSAL

3. It is proposed that the locations marked green on the map at Annex be established as “Designated Areas”.

CONSULTATION

4. We have consulted the trades concerned (including trade associations, public utility companies and railway operators) and professional bodies on the proposal. They were generally supportive.

5. Indicating its appreciation of the need to minimise the construction noise impact on populated areas, the Hong Kong General Building Contractors Association did not object to the proposal. The Hong Kong Construction Association indicated that they had no objection to the proposal provided that the construction works already started and are being carried out in the new “Designated Areas” would not be affected. The Mass Transit Railway Corporation (MTRC) agreed with the need for an update to take account of new residential developments, but was opposed to establishing as “Designated Areas” those locations the new residential blocks at which have yet to start taking in population.

6. We have carefully considered these views. We propose to establish the new “Designated Areas” marked green at Annex with effective from 1 December 2001 so as to give the construction industry a grace period to make the necessary preparations. The new “Designated Areas” exclude locations where the new residential blocks are not expected to start taking in population for at least three years. These should address the concerns of the construction industry and MTRC without compromising the well being of residents. As a routine arrangement, we will review the need for establishing more “Designated Areas” once every three years. During the interims, we will closely monitor new residential developments and other construction works, and conduct ad hoc reviews if the situation so warrants.

7. We have consulted the Advisory Council on the Environment on our proposal and obtained its support of the proposed additions.

ENVIRONMENTAL IMPLICATIONS

8. The proposal will provide residents in the new “Designated Areas” with the same protection as those in the existing “Designated Areas”. It is estimated that more than 150,000 residents will benefit from the implementation of the proposal.

ECONOMIC IMPLICATIONS

9. The control on “prescribed construction work” and use of “specified powered mechanical equipment” in “Designated Areas” is not new and has been implemented for more than four years. As can be seen from Annex, the proposal involves the addition of only a number of small pockets of land to a large area already established as “Designated Areas”. Most construction works are carried out outside the restricted hours. Moreover, since a grace period will be given to the construction industry, we expect that the impact of the proposal on the construction industry would be small.

PUBLIC REACTION

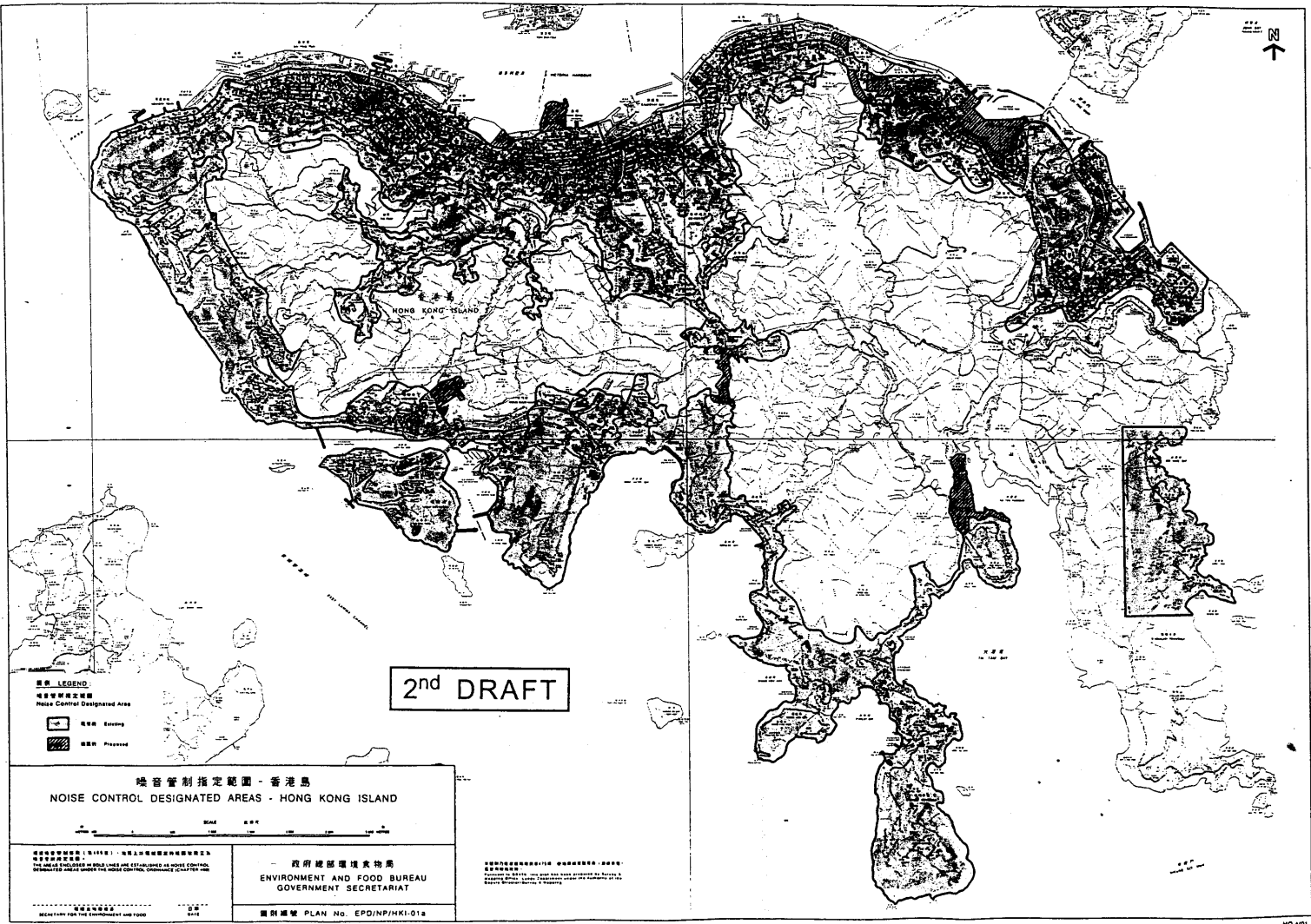
10. As the proposal will reduce construction noise impact on residents, we expect the community to welcome the proposal.

IMPLEMENTATION

11. We aim to introduce the proposed additional “Designated Areas” to the Legislative Council by way of a subsidiary legislation within this current session.

ADVICE SOUGHT

12. Members’ views are sought on the proposal.



2nd DRAFT

圖例 LEGEND
 噪音管制指定範圍
 Noise Control Designated Area

噪音管制指定範圍 - 香港島
 NOISE CONTROL DESIGNATED AREAS - HONG KONG ISLAND

此圖所繪之指定範圍，係根據《噪音管制條例》(第400章)第10條訂立。
 THE AREAS ENCLOSED BY BOLD LINES ARE ESTABLISHED AS NOISE CONTROL DESIGNATED AREAS UNDER THE NOISE CONTROL ORDINANCE (CAP 400:10).

政府環境及食物局
 ENVIRONMENT AND FOOD BUREAU
 GOVERNMENT SECRETARIAT

此圖所繪之指定範圍，係根據《噪音管制條例》(第400章)第10條訂立。
 THE AREAS ENCLOSED BY BOLD LINES ARE ESTABLISHED AS NOISE CONTROL DESIGNATED AREAS UNDER THE NOISE CONTROL ORDINANCE (CAP 400:10).

環境及食物局
 SECRETARIAT FOR THE ENVIRONMENT AND FOOD

圖則編號 PLAN No. EPD/NP/HKI-01a



2nd DRAFT

圖例 LEGEND:
 噪音管制指定範圍
 Noise Control Designated Area

—— 現有
 Existing

--- 擬議
 Proposed

此圖乃根據環境條例第175條，由環境保護署編製。(油蔴地)
 This plan has been prepared by the Secretary for the Environment and Food, under the authority of the Secretary for the Environment and Food.

根據噪音管制條例(第400章)，地圖上以粗線圍起的範圍被設立為噪音管制指定範圍。
 THE AREAS ENCLOSED IN BOLD LINES ARE ESTABLISHED AS NOISE CONTROL DESIGNATED AREAS UNDER THE NOISE CONTROL ORDINANCE (CHAPTER 400).

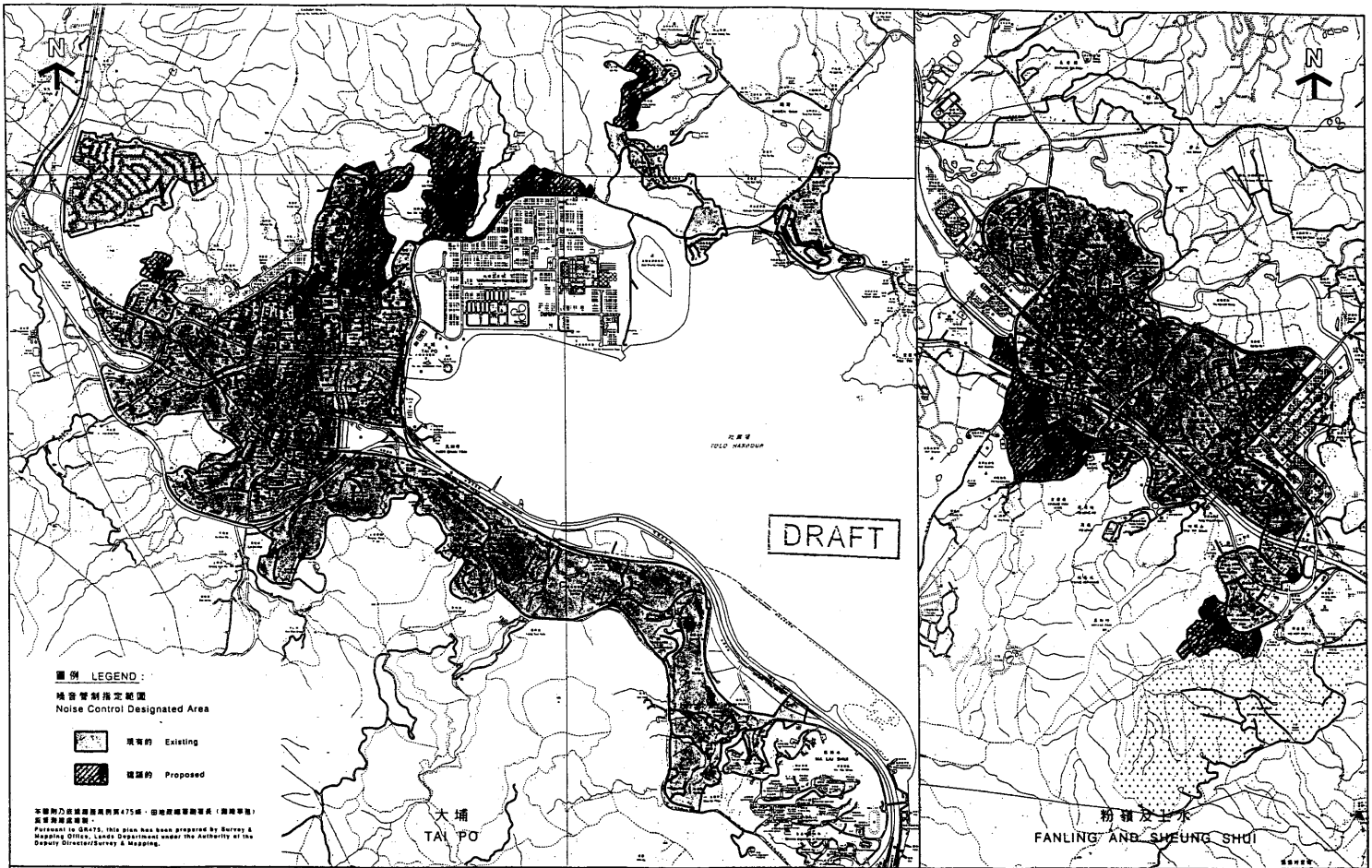
SECRETARY FOR THE ENVIRONMENT AND FOOD 日期
 DATE

噪音管制指定範圍 - 九龍
 NOISE CONTROL DESIGNATED AREAS - KOWLOON



政府總部環境食物局
 ENVIRONMENT AND FOOD BUREAU
 GOVERNMENT SECRETARIAT

圖則編號 PLAN No. EPD/NP/KLN-01a



圖例 LEGEND:

噪音管制指定範圍
Noise Control Designated Area

- 現有的 Existing
- 建議的 Proposed

本圖乃根據第475條 - 土地測量條例 (附屬條例) 製成。
 Pursuant to 475, this plan has been prepared by Survey & Mapping Office, Lands Department under the authority of the Deputy Director/Survey & Mapping.

根據噪音管制條例 (第400章) - 地圖上以粗線圍定的範圍被設立為噪音管制指定範圍。
 THE AREAS ENCLOSED IN BOLD LINES ARE ESTABLISHED AS NOISE CONTROL DESIGNATED AREAS UNDER THE NOISE CONTROL ORDINANCE (CHAPTER 400).

噪音管制指定範圍 - 大埔、粉嶺及上水
 NOISE CONTROL DESIGNATED AREAS - TAI PO, FANLING AND SHEUNG SHUI

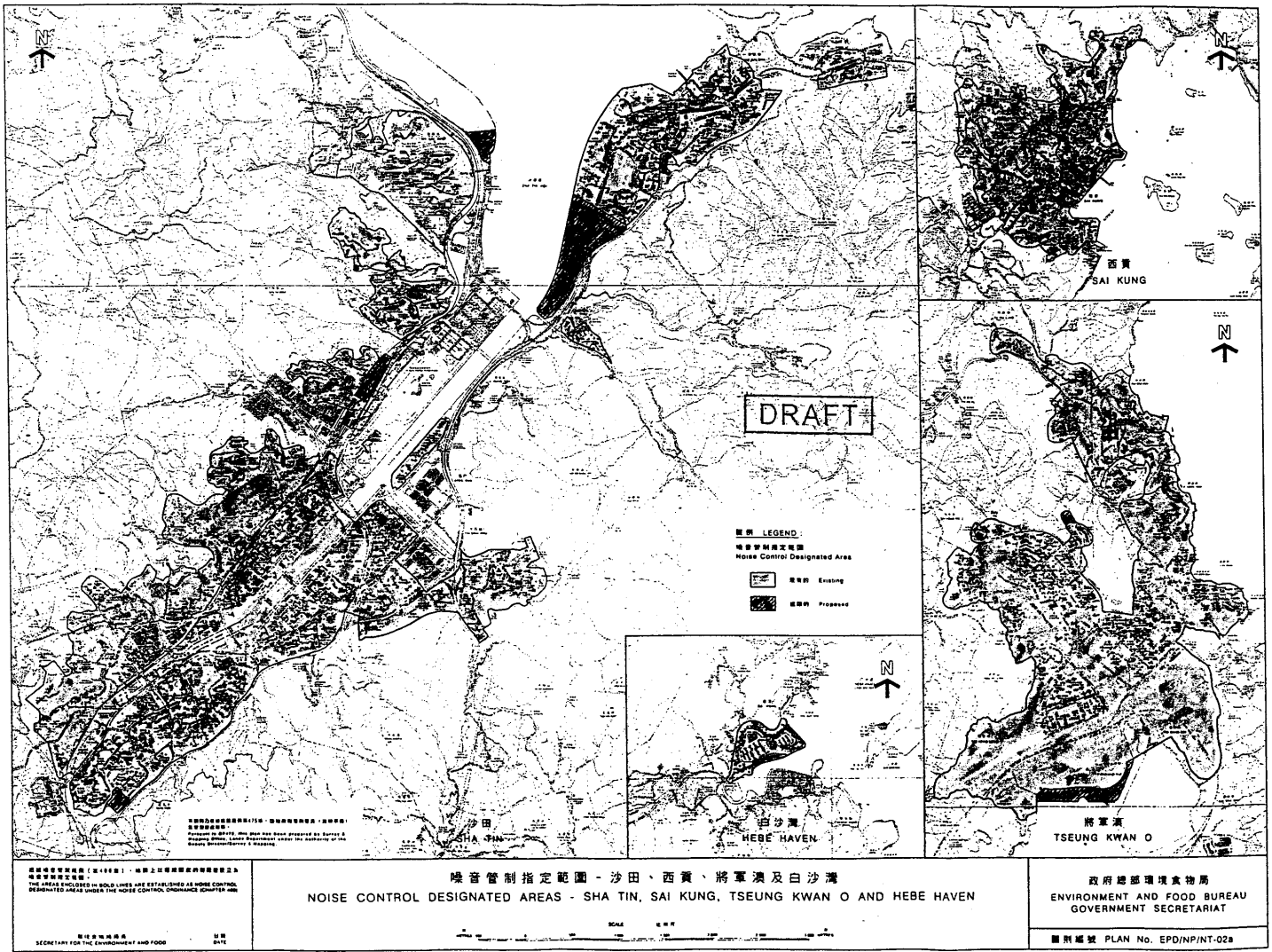
政府總部環境食物局
 ENVIRONMENT AND FOOD BUREAU
 GOVERNMENT SECRETARIAT

環境食物局局長
 SECRETARY FOR THE ENVIRONMENT AND FOOD

日期
 DATE



圖則編號 PLAN No. EPD/NP/NT-01a

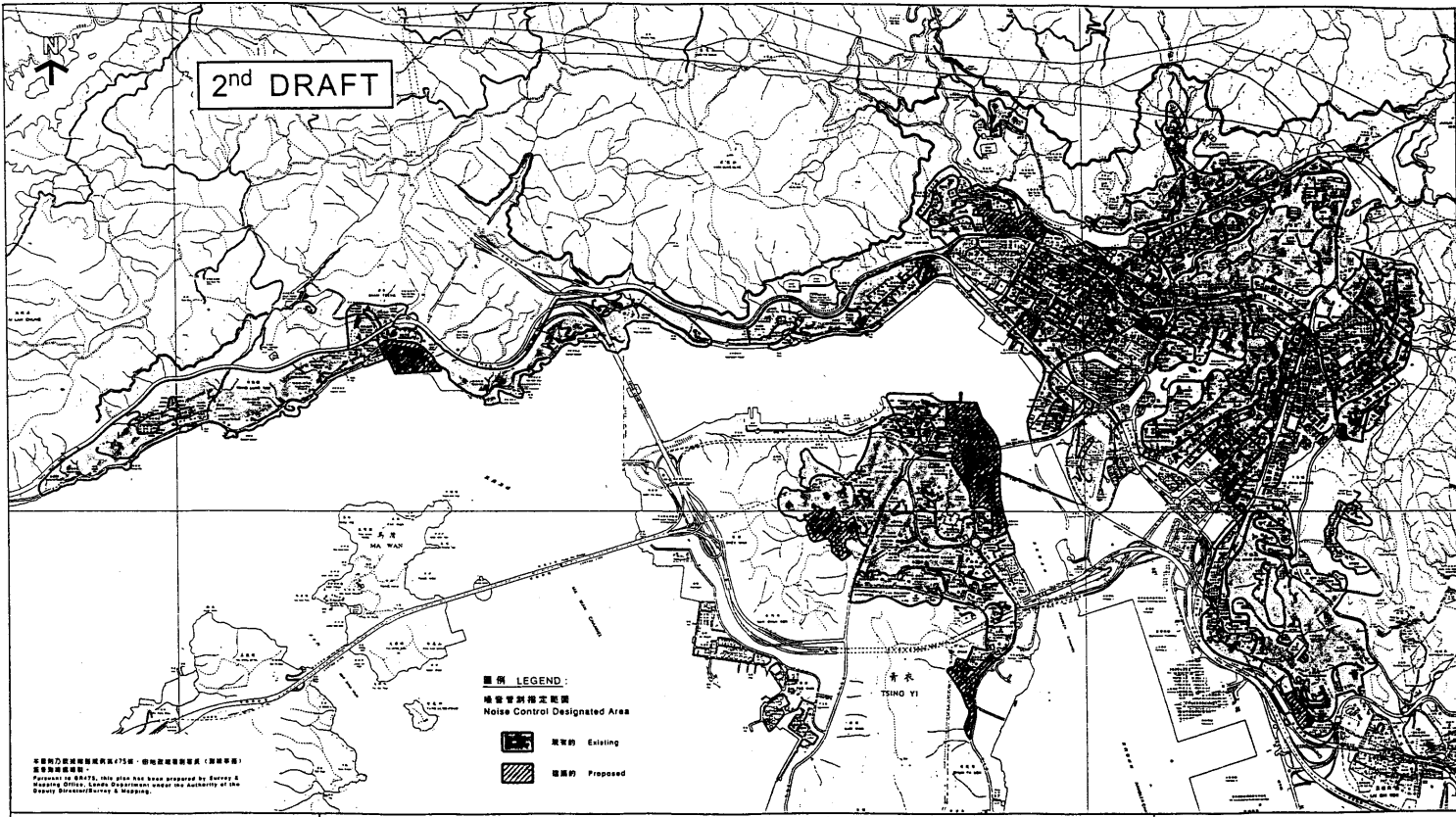


此圖係根據《噪音管制條例》(第400章)第15(1)條訂立。此圖上所有指定噪音管制範圍均屬擬定。
 THE MAP IS DRAFT. THE MAP HAS BEEN DRAFTED BY SURVEY & MAPPING OFFICE, UNDER SUPERVISION OF THE ASSISTANT SECRETARY FOR THE ENVIRONMENT AND FOOD.
 環境及食物局秘書長
 DATE

噪音管制指定範圍 - 沙田、西貢、將軍澳及白沙灣
 NOISE CONTROL DESIGNATED AREAS - SHA TIN, SAI KUNG, TSEUNG KWAN O AND HEBE HAVEN

SCALE 1:50,000

政府總部環境食物局
 ENVIRONMENT AND FOOD BUREAU
 GOVERNMENT SECRETARIAT
 圖則編號 PLAN No. EPD/NP/NT-028



2nd DRAFT

圖例 LEGEND:
 噪音管制指定範圍
 Noise Control Designated Area

—— 現有的 Existing
 - - - - 建議的 Proposed

本圖乃根據環境保護條例第475條，由地政總署製成（測繪事宜）
 此圖係根據： Prepared as 475E, this plan has been prepared by Survey & Mapping Office, Lands Department, under the authority of the Deputy Director(Survey & Mapping).

根據噪音管制條例（第400章），地圖上以粗線圍起的範圍被設立為
 噪音管制指定範圍。
 THE AREAS ENCLOSED IN BOLD LINES ARE ESTABLISHED AS NOISE CONTROL DESIGNATED AREAS UNDER THE NOISE CONTROL ORDINANCE (CHAPTER 400).

噪音管制指定範圍 - 荃灣及葵青
 NOISE CONTROL DESIGNATED AREAS - TSUEN WAN AND KWAI TSING

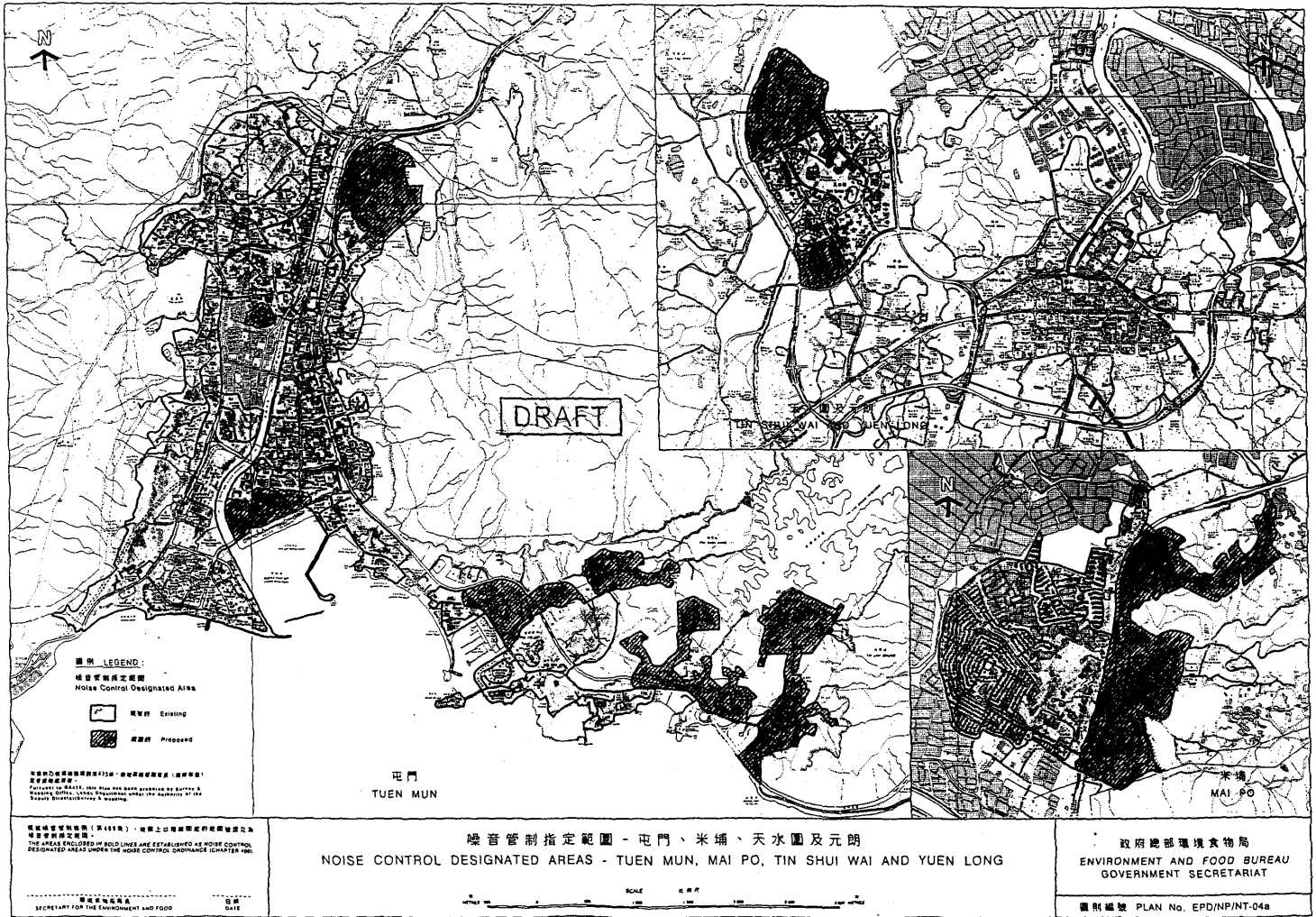
政府總部環境食物局
 ENVIRONMENT AND FOOD BUREAU
 GOVERNMENT SECRETARIAT

圖則編號 PLAN No. EPD/NP/NT-03a

環境食物局局長
 SECRETARY FOR THE ENVIRONMENT AND FOOD

日期
 DATE





圖例 LEGEND:
 噪音管制指定範圍
 Noise Control Designated Area

- 現有的 Existing
- 擬議的 Proposed

此圖乃根據環境影響評估條例第21B條，由環境影響評估局，於1998年11月15日，向環境影響評估局局長呈交。此圖已由環境影響評估局局長，於1998年11月15日，向環境影響評估局局長呈交。

此圖乃根據環境影響評估條例第21B條，由環境影響評估局，於1998年11月15日，向環境影響評估局局長呈交。此圖已由環境影響評估局局長，於1998年11月15日，向環境影響評估局局長呈交。

環境影響評估局
 SECRETARY FOR THE ENVIRONMENT AND FOOD

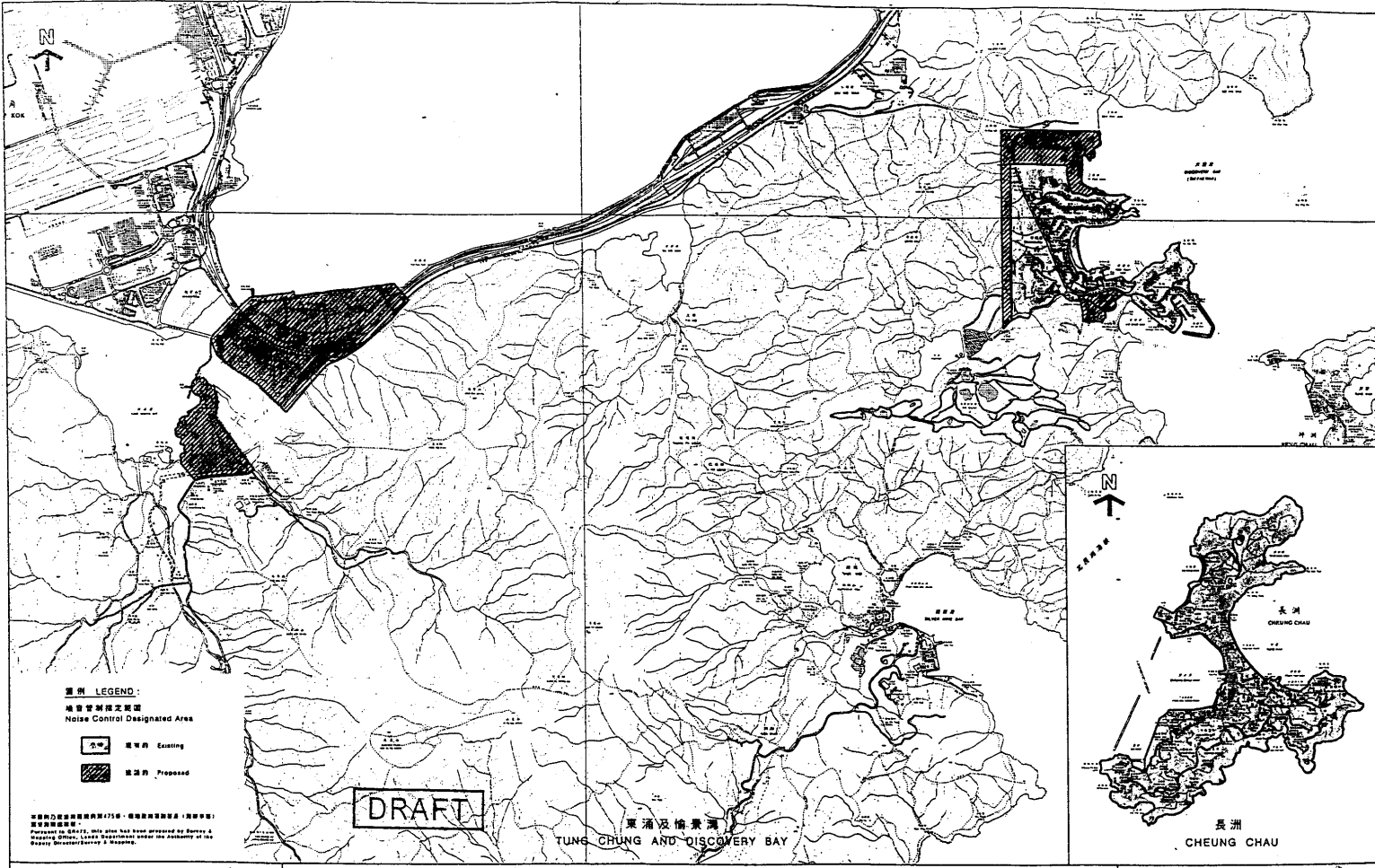
日期
 DATE

噪音管制指定範圍 - 屯門、米埔、天水圍及元朗
 NOISE CONTROL DESIGNATED AREAS - TUEN MUN, MAI PO, TIN SHUI WAI AND YUEN LONG

SCALE
 1:50,000

政府總部環境食物局
 ENVIRONMENT AND FOOD BUREAU
 GOVERNMENT SECRETARIAT

圖則編號 PLAN No. EPD/NP/INT-04a



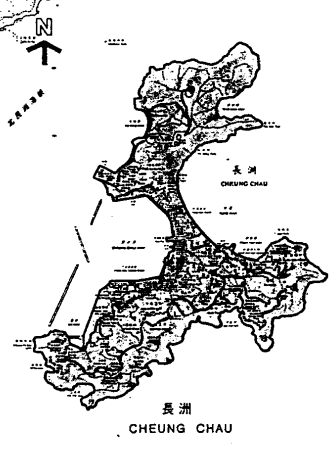
圖例 LEGEND:
 噪音管制指定範圍
 Noise Control Designated Area

- 現有的 Existing
- 擬議的 Proposed

此圖乃根據環境噪音條例(第400章)及噪音管制條例(第403章)而編製。
 Prepared in 1987, this plan has been approved by the Secretary for the Environment and Food, Government Secretariat.

DRAFT

東涌及愉景灣
 TUNG CHUNG AND DISCOVERY BAY



長洲
 CHEUNG CHAU

根據噪音管制條例(第403章) - 根據上述條例編製的範圍被定為噪音管制指定範圍。
 THE AREAS ENCLOSED BY SOLID LINES ARE ESTABLISHED AS NOISE CONTROL DESIGNATED AREAS UNDER THE NOISE CONTROL ORDINANCE (CHAPTER 400).

噪音管制指定範圍 - 長洲、東涌及愉景灣
 NOISE CONTROL DESIGNATED AREAS - CHEUNG CHAU, TUNG CHUNG AND DISCOVERY BAY

政府總部環境食物局
 ENVIRONMENT AND FOOD BUREAU
 GOVERNMENT SECRETARIAT

圖則編號 PLAN No. EPD/NP/NT-05

環境及食物局局長
 SECRETARY FOR THE ENVIRONMENT AND FOOD

