

(Translation)

LEGCO QUESTION NO.11

(Written Reply)

Date of sitting : 4 December 2002

Asked by : Hon Frederick FUNG

Replied by : Secretary for the Environment, Transport and Works

QUESTION:

Will the Government inform this Council:

- (a) of the current number of shops on the ground floor of residential buildings in Hong Kong being used for vehicle repairs;
- (b) whether the operation of vehicle repairs has to be licensed before; if so, of the licensing conditions and the number of licences issued in each of the past three years; if not, the reasons for that;
- (c) of the number of complaints received by the authority in each of the past three years about the nuisance caused by garages to the public's life and to the living environment as well as the details of follow-up actions taken in such cases;
- (d) whether it has drawn up any safety code for vehicle repairs in order to reduce their impact on residential areas; if it has, of the details and the measures in place to ensure that operators comply with the code; if not, the reasons for that; and
- (e) whether it has considered providing places, such as vacant industrial building blocks, to put together garages which currently operate in shops on the ground floor of residential buildings, so that they can operate at one location and thus reduce their nuisances to residential areas?



REPLY:

Madam President,

- (a) We estimate that about 600 shops on the ground floor of residential buildings in Hong Kong are being used for vehicle repair operations.
- (b) Currently these vehicle repair operations are not required to be licensed. However, they are subject to controls under various environmental ordinances including the Air Pollution Control Ordinance, the Noise Control Ordinance, the Water Pollution Control Ordinance and the Waste Disposal Ordinance. They also have to comply with the requirements in other ordinances related to safety including the Gas Safety Ordinance, the Fire Services Ordinance, the Dangerous Goods Ordinance and the Factories and Industrial Undertakings Ordinance. The above ordinances safeguard the interests of members of the public, particularly those living in the neighbourhood of these vehicle repair operations.
- (c) We do not have a central record of public complaints against these vehicle repair operations. The Environmental Protection Department (EPD) received 426, 462, and 376 complaints against environmental nuisances caused by such operations in 1999, 2000 and 2001 respectively. EPD had investigated these complaints and, where they were substantiated, the Department had required the concerned operators to mitigate the nuisances. In some cases, it had taken prosecutions against the operators where environmental ordinances were contravened. As regards complaints against other nuisances not related to the purview of work of EPD such as fire hazards, excessive storage of dangerous goods, obstruction of public places, industrial safety and public hygiene problems, the Fire Services Department, the Police, the Labour Department or the Food and Environmental Hygiene Department had investigated them and taken suitable enforcement actions against the operators under the relevant legislation as appropriate.

- (d) The Administration has not drawn up a safety code specifically for vehicle repair operations. However, we have published general codes of practice and guidelines setting out safety precautions that should be taken for hazardous processes. The "Code of Practice on Safety and Health at Work for Gas Welding and Flame Cutting" and the "Code of Practice on Safety and Health at Work for Manual Electric Arc Welding" are examples of these that are applicable to vehicle repair operations.
- (e) As in the case of other business operations, we believe that the decision on where vehicle repair operations should be located should best be left to individual operators who will take into account market demand. As mentioned in (b) above, various existing ordinances will keep any nuisance caused by these operations under control and safeguard the interests of members of the public.

