

OFFICIAL RECORD OF PROCEEDINGS

Thursday, 10 June 1993

The Council met at half-past Two o'clock

PRESENT

THE PRESIDENT

THE HONOURABLE JOHN JOSEPH SWAINE, C.B.E., LL.D., Q.C., J.P.

THE CHIEF SECRETARY

THE HONOURABLE MRS ANSON CHAN, C.B.E., J.P.

THE FINANCIAL SECRETARY

THE HONOURABLE NATHANIEL WILLIAM HAMISH MACLEOD, C.B.E., J.P.

THE ATTORNEY GENERAL

THE HONOURABLE JEREMY FELL MATHEWS, C.M.G., J.P.

THE HONOURABLE ALLEN LEE PENG-FEI, C.B.E., J.P.

THE HONOURABLE MRS SELINA CHOW LIANG SHUK-YEE, O.B.E., J.P.

THE HONOURABLE HUI YIN-FAT, O.B.E., J.P.

THE HONOURABLE MARTIN LEE CHU-MING, Q.C., J.P.

THE HONOURABLE NGAI SHIU-KIT, O.B.E., J.P.

THE HONOURABLE SZETO WAH

THE HONOURABLE TAM YIU-CHUNG

THE HONOURABLE ANDREW WONG WANG-FAT, O.B.E., J.P.

THE HONOURABLE LAU WONG-FAT, O.B.E., J.P.

THE HONOURABLE MARTIN GILBERT BARROW, O.B.E., J.P.

THE HONOURABLE MRS MIRIAM LAU KIN-YEE, O.B.E., J.P.

THE HONOURABLE LAU WAH-SUM, O.B.E., J.P.

DR THE HONOURABLE LEONG CHE-HUNG, O.B.E., J.P.

THE HONOURABLE MRS ELSIE TU, C.B.E.

THE HONOURABLE PETER WONG HONG-YUEN, O.B.E., J.P.

THE HONOURABLE ALBERT CHAN WAI-YIP

THE HONOURABLE VINCENT CHENG HOI-CHUEN, J.P.

THE HONOURABLE MOSES CHENG MO-CHI

THE HONOURABLE MARVIN CHEUNG KIN-TUNG, J.P.

THE HONOURABLE CHEUNG MAN-KWONG

THE HONOURABLE CHIM PUI-CHUNG

REV THE HONOURABLE FUNG CHI-WOOD

THE HONOURABLE TIMOTHY HA WING-HO, M.B.E., J.P.

THE HONOURABLE MICHAEL HO MUN-KA

DR THE HONOURABLE HUANG CHEN-YA

DR THE HONOURABLE LAM KUI-CHUN

DR THE HONOURABLE CONRAD LAM KUI-SHING, J.P.

THE HONOURABLE LAU CHIN-SHEK

THE HONOURABLE LEE WING-TAT

THE HONOURABLE ERIC LI KA-CHEUNG, J.P.

THE HONOURABLE MAN SAI-CHEONG

THE HONOURABLE HENRY TANG YING-YEN, J.P.

THE HONOURABLE TIK CHI-YUEN

DR THE HONOURABLE SAMUEL WONG PING-WAI, M.B.E., J.P.

DR THE HONOURABLE PHILIP WONG YU-HONG

DR THE HONOURABLE YEUNG SUM

THE HONOURABLE ZACHARY WONG WAI-YIN

DR THE HONOURABLE TANG SIU-TONG, J.P.

THE HONOURABLE ROGER LUK KOON-HOO

THE HONOURABLE ANNA WU HUNG-YUK

ABSENT

THE HONOURABLE DAVID LI KWOK-PO, O.B.E., J.P.

THE HONOURABLE PANG CHUN-HOI, M.B.E.

THE HONOURABLE EDWARD HO SING-TIN, O.B.E., J.P.

THE HONOURABLE RONALD JOSEPH ARCULLI, J.P.

THE HONOURABLE MRS PEGGY LAM, O.B.E., J.P.

THE HONOURABLE JAMES DAVID McGREGOR, O.B.E., I.S.O., J.P.

THE HONOURABLE FREDERICK FUNG KIN-KEE

THE HONOURABLE SIMON IP SIK-ON, J.P.

THE HONOURABLE EMILY LAU WAI-HING

THE HONOURABLE FRED LI WAH-MING

THE HONOURABLE STEVEN POON KWOK-LIM

THE HONOURABLE JAMES TO KUN-SUN

THE HONOURABLE HOWARD YOUNG, J.P.

THE HONOURABLE CHRISTINE LOH KUNG-WAI

IN ATTENDANCE

THE CLERK TO THE LEGISLATIVE COUNCIL

MR CLETUS LAU KWOK-HONG

PURSUANT TO STANDING ORDER 4AA, HIS EXCELLENCY THE GOVERNOR, THE RIGHT HONOURABLE CHRISTOPHER FRANCIS PATTEN, ATTENDED TO ADDRESS THE COUNCIL AND TO RECEIVE QUESTIONS.

PRESIDENT: Would Members please remain standing for the Governor?

CLERK: His Excellency the Governor.

PRESIDENT: The Governor will address the Council. Thereafter, Members may put questions to the Governor.

GOVERNOR: Mr President, Honourable Members, we spend a great deal of our time in this Council discussing constitutional matters. And rightly so. They are, of course, extremely important.

But so too are other subjects — not least the subject of our environment, which is arguably the most important of all. World Environment Day last Saturday reminded us all that we have this planet on trust — not to plunder, but to protect and preserve.

I made plain my personal commitment to our environment in my policy speech last October. I feel strongly about it. I am keen that when I leave Hong Kong, the territory should be in a better environmental state than when I arrived as Governor almost a year ago. We have already made some progress. Let me give you some examples. Since last July, we have:

- shut down the air polluting incinerator in Kennedy Town, much to the relief of local residents;
- implemented statutory controls on chemical waste and opened the largest chemical waste treatment facility in Asia;
- begun detailed design of the high priority programme for new sewerage, which will cut pollution in the harbour in due course by 70%;

we have also:

- speeded up the programme for protecting schools affected by excessive levels of noise;
- introduced controls on the noisiest construction equipment like compressors and hand-held rock-breakers;
- awarded the contract for the western New Territories landfill;
- opened the Island East Refuse Transfer Station;

- declared two further water control zones;
- launched the Energy Efficiency Advisory Committee education campaign; and
- made sure that all policy proposals and public works projects are vetted environmentally.

We have also made it a requirement that all Executive Council papers with environmental implications must include an environmental assessment. And of course we continue to take account of the conclusions of full environmental impact assessments (EIA). These have a very practical impact. The proposal to dredge Mirs Bay, for example, was abandoned after the EIA showed it would do grave ecological damage.

So we have made a start. And our programmes are gathering pace. But some of the strategic programmes — for sewage and solid waste, for example — will take several years to complete. Some in the community are impatient for earlier results. This is understandable.

In the coming months, therefore, I want the Government to do more, across the board.

In particular, I want us to concentrate on:

One, cleaning up the New Territories. There can be no excuse for the growing eyesore of scrap metal and rubbish dumps that clutter an ever wider area. We have got to contain them. We will bring forward proposals in the autumn on this issue.

Two, tackling air pollution. You can up to a point choose which water to drink. But we all have to breathe the same air. We have made good progress — SO₂ levels are down 40% in the last three years, and are down 90% in the worst places. But we can do more, and we must do more.

Three, preventing pollution in the first place. I want us to look imaginatively at ways of cutting down on pollution, at waste minimization, at tighter emission controls, at better public education.

Honourable Members are aware that we will be publishing the second review of the 1989 White Paper on the Environment later this year.

This will be a very important document. I want us to use it to chart an environmental agenda to take Hong Kong into the next century, and to build on the green foundations that were laid in the 1989 White Paper. We used that White Paper to tackle the urgent legacy of years of neglect and decline. Now we must move on, and work together — Government, business, the community — to give Hong Kong a world class environment to match the world

class city we have become. I will want to say more about this in my policy address to this Council in October.

There is one dimension that I have not mentioned, and that is the importance of co-operation with Guangdong. Environmental problems know no boundaries. They require regional solutions. The Secretary for Planning, Environment and Lands has established a link with his opposite number in Guangdong and they are beginning to look at this issue together. I hope we will be able to work closely with our colleagues in Guangdong on these matters in the future. Without effective co-operation, the value of our own efforts would be seriously diminished.

We are — as a community — rightly proud of our economic success. For some in our community, it has brought great luxury. But if we were to carry on as if the environment did not matter, it would be a luxury that none of us could afford.

Government cannot do everything. The Environmental Protection Department have a major struggle on their hands. They will need the help and support of the whole community. And cleaning up our act will require some sacrifice. Environmental protection does not come cheaply. It is right and fair that those who pollute more should have to pay more.

In truth, we have no alternative but to try even harder to protect our environment, above all in Hong Kong, where 6 million of us share a speck of the planet with each other — and with as many visitors — each year.

I hope Members of this Council — and our community outside it — will give every support to the campaign to make Hong Kong a cleaner, better place to live in today and for Hong Kong's children to inherit tomorrow. I am happy to take questions.

PRESIDENT: The Question Time this afternoon will be devoted to matters relating to the environment.

Members may now put questions to the Governor. A Member who has asked a question may, for the purpose of elucidation only, ask a short follow-up question. Mr Marvin CHEUNG.

MR MARVIN CHEUNG: *Governor, can you please explain to the Council why other countries which have high environmental standards, such as Japan, Singapore and Sweden, can operate environmentally acceptable incinerators in a cost-efficient manner and yet the Hong Kong Government has consistently maintained that such facilities are not appropriate for Hong Kong?*

GOVERNOR: I do not think that it is sensible to regard the disposal of waste as presenting a stark choice between, on the one hand, incineration and, on the other hand, landfill. The truth is that even with incineration you need landfill and even with landfill you will almost certainly need a certain amount of incineration. But I do think that Hong Kong presents particular problems and that we have — and this is largely a question of decisions taken in the past — got the balance right in facing our own particular problems. Two problems which particularly affect us here in Hong Kong are height restrictions and a large community living in a small geographical area. So if you are trying to site incinerators, you need to site them in fairly remote areas of Hong Kong, and that produces problems of transport of waste to those sites. I think, in those circumstances, that it is right for us to have depended, as we have, on landfill, but I repeat we will need more incineration. We will need incineration for waste like medical waste. We will also, I am sure, need some incineration capacity to cope with other forms of waste in the years ahead. I would just add that the costs, as I understand it, of disposal to landfill are much lower than the costs of incineration. And I would also add that I think that the Honourable Member would find quite a few members of the community, particularly those living near incinerators, would object to the construction of new incinerators, just as people understandably object to the opening up of landfill.

PRESIDENT: Mr Peter WONG.

MR PETER WONG: *Thank you, Mr President. Mr Governor, now that the legal advice on the propriety of the Government's action over the temporary borrowing of 18 hectares of Clear Water Bay Country Park for the said landfill was that the Country Parks Ordinance does not apply to the Crown, thereby cutting out the ability of the concerned public to object, is it the wish of this government of yours to continue with this double standard?*

GOVERNOR: I am perfectly content to review the operation of the Country Parks Ordinance if we need to tighten up some aspects of that Ordinance and if that is the view of this Council to do so. The general conservation legislation applies as much to the Government and public authorities as it does to private. But in relation to land use in the country parks, I think the Honourable Member is right to say that the Government is "out" with regulations which would apply to a private owner. I do not honestly think that that is the main issue to arise from the controversy about that landfill, but I would be perfectly happy to deal with questions on that proposed landfill from the Honourable Member or from others.

PRESIDENT: Mr LAU Wong-fat. I am sorry, I have overlooked. Mr Peter WONG has a follow-up.

MR PETER WONG: *Thank you, Mr President. Mr Governor, does this mean that you are willing to look at all the other environmental legislation as regards the binding of the Crown, because the Government really is the largest polluter in Hong Kong, and whether we like it or not, that is a fact?*

GOVERNOR: I would dispute that allegation which is, I think, more easily said than argued with evidence. But if the honourable gentleman has evidence I would be very happy to consider it. My answer means what it said. The Honourable Member asked in particular about the Country Parks Ordinance and I replied that we would be happy to consider the terms of that Ordinance. And as far as other legislation on pollution and environmental matters is concerned, I think overwhelmingly that binds the Government as it binds private sector operators and so it should. The Government obviously has to give a lead. In doing so, that sometimes involves expense and I am sure that the Legislative Council recognizes that.

MR PETER WONG: *I am quite content with that answer, Mr Governor.*

PRESIDENT: Mr LAU Wong-fat.

MR LAU WONG-FAT (in Cantonese): *Mr Governor, recently some officials from the Chinese environmental authorities remarked that since the sewage treatment programme launched by the Hong Kong Government involved huge costs and its works straddled 1997, there should be negotiations with the Chinese Government. What is your response to this?*

GOVERNOR: I have got no doubt that if we were to complete our total sewage strategy it will take beyond 1997 and the Government of the SAR will be faced with a number of tasks after 1997. But I do not think this Council would regard it as sensible for us to leave the job for the SAR to pick up with the undoubted consequence of the quality of water in our harbour and around our shores becoming even worse. That is why we have launched the free standing priority programme for collection and treatment and partial disposal of sewage which will be completed before 1997. The work will be completed before 1997 and the costs will be met before 1997 and that programme, as I said in my opening statement, should reduce the pollution in the harbour by about 70%. That programme is, I think, a programme which the community wants us to embark on as rapidly as possible. I very much hope that the Government of the SAR will build on the programme which we should have completed by 1997 but I cannot make any commitment to that, nor, I am sure, would Chinese officials wish to say that we should not do as much as possible before that year.

PRESIDENT: Mr NGAI Shiu-kit.

MR NGAI SHIU-KIT: *Governor, what action does the Government propose to prevent further water quality deterioration in North Lantau and adverse effects on the Chinese white dolphin?*

GOVERNOR: Obviously the work that we do over the next four years to put in place the first stages of a proper sewage treatment strategy for Hong Kong will bring benefits to North Lantau as they will to other areas. It is also the case that the implementation of water control zones right across the territory will raise the quality of our water as well. As for the impact on particular species of marine life, I would be very happy to answer the Honourable Member in a letter following this discussion. (Annex I) I am afraid I cannot give him the answer on that particular form of sea life this afternoon.

PRESIDENT: Follow-up, Mr NGAI?

MR NGAI SHIU-KIT: *Governor, will the Government upgrade the Tung Chung and Urmston Road sewage treatment works before adverse impacts occur?*

GOVERNOR: I will certainly look into that matter for the Honourable Member and let him know what the response is. (Annex II)

PRESIDENT: Rev FUNG Chi-wood.

REV FUNG CHI-WOOD (in Cantonese): *Mr Governor, Victoria Harbour was scheduled to be designated as a water control zone this year. But, unfortunately, the schedule has to be postponed again. According to the earliest planning, the designation was timed in 1991 and it is now postponed and will be carried out in three phases, that is, 1995, 1996 and 1997, before it is entirely designated as a water control zone. Does this indicate that the Administration has yet to commit itself to environmental protection? Will you consider taking some measures to bring forward the designation of Victoria Harbour as a water control zone?*

GOVERNOR: We are proceeding with the designation of water control zones as rapidly as we can. There is no point in designating a zone and not being able to police the regulations which ensure a rise in the quality of water in that particular area. We have designated, as the Honourable Member will know, recently water control zones in the east and the west and we took the view that we could not include part of the district which the Honourable Member

represents and that that would have to await the establishment of a water control zone in Victoria Harbour. We will try to ensure that in that designation we deal first with the area in which the Honourable Member is particularly concerned. I have made a habit of checking whether we are moving as rapidly as we can and whether the constraints on progress are financial. I am assured that we are moving as rapidly as we can, that the constraints are not financial, that the constraints are those of having enough people to implement the regulations and to make the water control zones really effective. So I am afraid the Honourable Member will have to be a little patient. If we can make more progress, we will.

PRESIDENT: Dr Conrad LAM.

DR CONRAD LAM (in Cantonese): *Mr President, I should like to draw the Governor's attention, through you, to an environmental problem which is of grave concern to the Wong Tai Sin District Board and residents of the district. I believe, the Governor, having been there before, is aware of two very famous places in Wong Tai Sin, that is, the Wong Tai Sin Temple which "answers every prayer" and the notorious Kai Tak nullah. A group of district board members will talk to us this afternoon about the problems of Kai Tak nullah. The Environmental Affairs Panel has, in fact, had a number of discussions on the Kai Tak nullah in Wong Tai Sin, since the establishment of the district board. The government officials concerned also agree that the nullah is giving out strong noisome smell, posing an environmental hazard to the neighbourhood and affecting water quality at Kowloon Bay as well. The most important question now is finance. Some officials admitted that turning this open nullah into an underground nullah would not only bring about improvements to the environment and a reduction in noisome smell, but ease traffic congestion. Yet, they have no idea, other than confirming that it is technically feasible, as to how to secure the necessary funds to carry out the conversion works. We hope that the Governor will discuss with the officials concerned and find out whether the necessary funding is very considerable and whether the costs are justified in terms of environmental improvement?*

GOVERNOR: First of all, the Honourable Member is quite right to draw attention to the smell caused by that nullah. All too often, as the Honourable Member will know, it is the first thing which greets visitors to Hong Kong and I do not think it gives them an ideal welcome to the fragrant harbour. So the sooner we can take action to deal with that noisome, noxious smell the better. I am sure everybody involved, not only in representing residents but in representing the tourist industry, would agree with that. We have, I think the Honourable Member knows, increased substantially the funds available for district boards for local works, in particular for local environmental works. We have pretty well doubled those funds for this year. But obviously, in the case of the Kai Tak nullah, the costs of dealing with the problem are very

considerable indeed. I would like to check, if I may, how that nullah will be affected by the early stages of the high priority programme on sewage and waste water, because I think that the impact of that programme in Kowloon should help to affect the nullah in an environmentally benign way. (Annex III) If I am wrong about that, I will come back to the Honourable Member. And I will also look at the question of covering the nullah which may, as the Honourable Member said, help to deal with the smell. But the overall important thing is to separate sewage and waste water and to ensure that we do not have too many noxious fluids in the open air, creating a smell and creating an environmental hazard.

PRESIDENT: Mr Henry TANG.

MR HENRY TANG: *Thank you, Mr President. Governor, as we all know, diesel vehicle emission is a major cause of air pollution here in Hong Kong. Would you tell us whether the Government will impose more stringent emission standards on diesel vehicle emission soon?*

GOVERNOR: It is our intention to introduce tougher standards — I think they are called EURO-1 standards — on heavy diesel vehicles which should have, I think, a significant impact on diesel emissions. We also want to go rather further than that. We want to try to improve and tighten up testing standards. And, speaking for myself and speaking for the Government, I would like us to encourage some of those who at present run diesel vehicles when they replace them to move over to vehicles which use unleaded petrol. So I think by those three individual routes — first of all, tightening up on the emission standards; secondly, tightening up on testing; and thirdly, persuading those who run fleets of vehicles when they buy new ones to move from diesel to unleaded petrol — I hope in those three ways we can have a significant impact on our air quality here in Hong Kong.

PRESIDENT: Follow-up, Mr TANG?

MR HENRY TANG: *Thank you, Mr President. Governor, I own a diesel station wagon. I want to know when I should get rid of it. Do you have a time schedule for the phasing out process which you have outlined earlier?*

GOVERNOR: I am not quite sure how large the Honourable Member's wagon is, but I can tell him that we will be.....

MR HENRY TANG: *It is a seven-passenger station wagon.*

GOVERNOR: I do not have that large a family. *(Laughter)*

MR HENRY TANG: *I do. (Laughter)*

GOVERNOR: We will be introducing the so-called EURO-1 standard, an advanced emission standard for large diesel vehicles, together with the introduction of a higher quality automotive diesel fuel with a reduced sulphur content from 0.5% to 0.2% in 1995. I think that will be dealing with rather larger diesel vehicles than even the estate car owned by the Honourable Member. But maybe when he is changing over — I do not know how often he buys a new car — he would consider buying a car which ran on unleaded petrol.

PRESIDENT: Mr MAN Sai-cheong.

MR MAN SAI-CHEONG: *Mr President, environmental impact assessment has been mandated in many developed countries, such as the United States, to investigate the extent of environmental degradation and impact on public health when a project is to be built. In Hong Kong, however, EIA only focuses on siting, construction and operation of major development projects or projects which may be located in sensitive environments. Can the Governor inform us whether the Hong Kong Government would consider broadening the application of EIA and whether this assessment can be made mandatory?*

GOVERNOR: I think we are making rather more progress with environmental impact assessment than the Honourable Member was suggesting. We now are undertaking EIAs on all our major projects and in some cases — for example, the proposal that we should dredge in Mirs Bay — it was the application of EIA which deterred us from doing so. I am very happy to look at how we can broaden EIAs and make them more effective if that is the direction in which the community thinks we should work. In my experience, the first thing to do is to establish that one is carrying out EIAs in all the cases that they are required and doing so in a way which is effective and internally consistent. Quite a few of the EIAs that I have seen in the past have failed in that respect. But if the Honourable Member has particular proposals on how we should develop this very important and rather sophisticated instrument, I would be happy to look at them.

MR MAN SAI-CHEONG: *Follow-up, Mr President. My second question is whether we are going to make this EIA a mandatory requirement?*

GOVERNOR: That is certainly something which this Council may have a view about when we come to discuss in due course bringing our legislation on land use planning up to date. I think the two are closely related and the Council may wish to write into that legislation that projects above a certain scale require a particular form of EIA, but I think that would be the best context in which to consider that issue.

PRESIDENT: Dr Samuel WONG.

DR SAMUEL WONG: *Governor, what is your view on the excessive, and mostly unnecessary, use of plastic bags and would you agree to make them expensive artificially so that people would not throw them away that readily?*

GOVERNOR: I think that all of us who have seen plastic bags floating across our harbour or decorating some of our beaches, even in the most distant parts of the territory, would sympathize considerably with the Honourable Member. But I believe that the question of plastic bags is part of a rather larger question and that is the extent to which excessive packaging creates environmental problems. Some communities have dealt with this issue. It has happened in Germany, for example, by putting a substantial financial burden on those manufacturers or retailers who use excessive packaging. I do not think we are at quite that stage in Hong Kong and I do not think that would be welcome in the community. But I hope that everybody, as customers, will make clear what their environmental preferences are and I hope that we will not feel it necessary that every purchase we make everywhere should be accompanied by a plastic bag.

PRESIDENT: Dr Philip WONG.

DR PHILIP WONG (in Cantonese): *Mr Governor, I am an out-and-out enthusiastic diver and I admire very much the beauty of marine life and natural scenery. I have always been in support of the cause of environmental protection and measures which would be conducive to environmental protection and beautify Hong Kong. Today I would like to raise a question in relation to our urban environment. In the urban areas, it is a common sight that streets are lined with suspended or posted propaganda posters, bills and banners put up by certain political groups. This kind of political literature has increased in number and stayed there longer in these days without being taken down. Some of them are found to be on display for months and even for years. They are so*

weatherbeaten that they indeed become an eyesore and have an appalling effect on the environment. Do you think that this will undermine our tourism? Would the Administration take any measures to rectify the situation?

GOVERNOR: I must say that in the days when people used to put up posters with my name or face on them I used to take the view that my posters were environmentally benign and other peoples' posters were environmentally hostile. It may be that others take the same view. I hope that all parties or individuals — and perhaps this is something we should bear in mind with coming elections over the horizon — who are campaigning will recognize that if they are serious about the environment one thing they could usefully do shortly after the election campaign is over is to go round and take down all the posters and boards which they enthusiastically put up in the preceding two or three weeks. I think that would be something which they could very usefully do, quite apart from the fact that for those who lose, the sooner, I am sure, they are able to stop reminding people of the fact the better. It is important to look beyond political campaigning as well. I think fly posting and graffiti can have an appalling effect on the environment. Fortunately, and long may it remain so, Hong Kong has largely, though not entirely, avoided the appalling sin of scrawling all over walls which we see in too many European and North American urban areas. I hope we can go on avoiding that here. I think that by and large we show rather greater respect for our physical environment than is the case elsewhere and I hope that young people will continue to do that.

PRESIDENT: Ms Anna WU.

MS ANNA WU: *Thank you, Mr President. Governor, I wonder if you can tell us what are the areas on which co-operation can be sought from Guangdong. Can you, perhaps, highlight some of the priorities?*

GOVERNOR: I think that one of the most important priorities is in dealing with water pollution. And I commend a very useful seminar that was held under, I think, the auspices of the British Council which dealt largely with that issue a few months ago, bringing together experts from Guangdong, experts from Hong Kong and experts from Europe as well. All environmental problems have, in a sense, a local cause, but environmental problems are the aggregate of local causes either on the regional or on the global level. It would not make very much sense if we managed to clean up all our own waters at considerable expense over the next few years but found that pollution coming down from the Pearl River and coming down the Pearl River estuary was negating some of the good effects that we have had from our own investment. Equally, it is true that air pollution is an issue that has to be dealt with regionally and not just by one community sitting behind its border. A third area where the whole Legislative Council recognizes that we need to co-operate is over the exchange of

information and the taking of precautions in relation to the development of nuclear power stations, and that is an issue that we are discussing with the Guangdong authorities, as the honourable lady will, I am sure, know at the moment. So those are three areas where co-operation is essential and they are three areas where I hope that we will be able to see very effective co-operation in the next few years so that one of the fastest growing places in the world, the Pearl River estuary and the Pearl River borders, does not become an environmental hazard.

PRESIDENT: Mr TAM Yiu-chung.

MR TAM YIU-CHUNG (in Cantonese): *Mr Governor, you mentioned in your opening remarks just now that in the past year you saw great progress in the environment of Hong Kong and you quoted the shutting down of the incinerator in Kennedy Town as an example. But have you noticed that marine life on the seabed of our harbour was seriously damaged in the past year to the extent that some of the fish species in local waters are in danger of dying out for decades? Furthermore, we will have to pay a lot of compensation to the affected fishermen to tide them over. Last month I left Hong Kong for Taiwan. On my way back to Hong Kong, I observed from the plane that some dredgers were in operation and they turned the blue sea into brownish slurry. Mr Governor, are you planning to go to the site to observe, examine or inspect such serious environmental damage inflicted in the course of past year? Has the Administration done anything wrong administratively and what remedial measures can be put in place?*

GOVERNOR: The Honourable Member has raised an issue which is of quite proper concern to a lot of people and not only the fishing families who have seen their principal means of income substantially reduced. But what the Honourable Member is doing is pointing to a difficult choice which we have to make in Hong Kong. I doubt whether there are many Members, if any at all, in this Council who would argue against the land reclamations which are helping to ensure that we cope with one of the main constraints on our economic development, that is, a shortage of land. We all know what has quite properly been done and we all know what remains to be done in the next few years. Dredging, even though it has some of the consequences to which the Honourable Member referred, is, I think, less environmentally damaging than taking soil from the land. And I think we would be getting probably more complaints if we were doing that than we are getting from dredging. The Honourable Member will know that we have conducted studies of the impact of dredging or potential dredging before it takes place, and that has enabled us to both restrict dredging and to monitor it closely. We have introduced, for example, in relation to the work that is taking place in East Lamma, a number of pretty tough regulations to make sure that environmental damage is not caused. But there is damage to marine life and that does have an effect on fishermen's

livelihood. Therefore, we have introduced, as this Council knows, compensation arrangements for fishermen. Fishermen have talked to me about those compensation arrangements and they have talked to the Council which, I think, debated them very fully in the Finance Committee. So we have responsibilities, we have obligations to those fishing families to try to help them during what is a difficult period, but I do not think that we are going to be able to develop Hong Kong in the way that all of us want without some continuing dredging, at least for the next few years.

MR TAM YIU-CHUNG (in Cantonese): *Mr President, I have a follow-up question. As a matter of fact, I am not against reclamation, nor am I against offering compensation to the fishermen. But have we done enough in assessing the environmental impacts before the project takes place? For instance, is it really necessary for us to carry out dredging in our seabed? Could we buy marine sand from neighbouring regions or are there other alternatives that would significantly mitigate the impacts on marine life?*

GOVERNOR: Well, it is always a challenging question to be asked whether we have done enough, and I do not want to sound complacent. I hope that we have done enough. What I would be very happy to do, for example, is to send the Honourable Member a full list of all the strict parameters which some of the recent dredging operations have had to observe, so that he knows the consequences of the assessments that we make of the likely impact of dredging activities. The Honourable Member said that there are other possibilities for finding the solid, inert material for reclamation. That is perfectly true. But the Honourable Member should, perhaps, bear in mind how some alternatives could affect cost and that some alternatives would be no more environmentally friendly or no less environmentally friendly than what we are doing at the moment. It is not an easy decision. I hope we have got it right and I can assure the Honourable Member that we will continue to make careful environmental assessments and to police dredging when it takes place as carefully as possible.

PRESIDENT: Dr C H LEONG.

DR LEONG CHE-HUNG: *Thank you, Mr President. Governor, you mentioned that you are moving towards designating water control zones and you rightly put it that it would take time. But are you aware of the fact that in the last few years there has been almost a threefold increase in Hepatitis A in Hong Kong? And we all know that Hepatitis A is a result of contamination of food, mainly seafood and shellfish. Are there any sort of short-term measures that the Government would do to ensure that the pollution of our coastal waters could be controlled on this particular issue? And I do feel that this is more important than the white dolphins. Thank you.*

GOVERNOR: Well, I do not want to be unfair to the white dolphins, but I agree that we need to think even more about our own health and the health of our children. I think we have to face the rather depressing fact that it is going to take us some time and a good deal of expenditure to stabilize our water quality, let alone to start to see an improvement. But the expectation is that the High Priority Programme, on which we are now embarked at a cost of over \$7 billion, should reduce the problems in our harbour by 70%. Whether, when that happens by 1997 or shortly afterwards, people will feel that they can return to swimming in the harbour is a nice question I will leave to others. There are not many short-term measures that one can take, I think, outside that programme, though we do what we can and we will press ahead with collection and treatment and partial disposal as rapidly as we can. The total cost of dealing with our sewage and waste water problems is about \$17 billion, but we will not be able to move on to the oceanic outfall, for example, until we have dealt with the collection and early stages of treatment.

PRESIDENT: Mrs Elsie TU.

MRS ELSIE TU: *Thank you, Mr President. Governor, from the answer you gave to Mr Marvin CHEUNG, I had the impression — and I would like to ask you, Governor, to confirm that impression — that you are unaware that the latest type of incinerator can reduce waste, recycle metals, and produce its own power for operation and it does not produce the dangerous methane gas found in landfills. Maybe, Governor, you would some time visit the one in Japan which is right in the middle of a very busy built-up area and which produces no environmental problems. If you are convinced, maybe you would join us in the Legislative Council and Urban Council in persuading the Environmental Protection Department to try that kind of incinerator.*

GOVERNOR: I am not unaware of the important role of incineration and indeed, as I am sure the honourable lady would concede, I said that we would need incineration in Hong Kong. For example, I made it perfectly clear that we would need to use incinerators for dealing with medical and some other wastes. The point that I made is that even the most modern incinerator first of all requires you still to have some landfill because you are still left with residue at the end of incineration, and I also pointed out that there were particular problems in Hong Kong, such as the closeness of our urban community, that I do think would make siting difficult, even for a very modern piece of equipment. And I also think one has to take account of height restrictions in a community like this — for all sorts of reasons, not least our siting of a new airport — so that when we have looked in the past at sites for incinerators, we have been looking at fairly remote areas where you run into problems of transportation which themselves produce environmental problems. So I do not believe that it is right, as I said earlier, to think that the choice is entirely one between landfill and incineration. I think what one has to do is to strike a

proper balance and I hope with the construction of refuse transfer stations and with the use of new landfill sites we will have managed to do that.

If I can add two other points in replying to the honourable lady's important question. First of all, we do — the honourable lady is entirely right — have to look at our old and existing landfill sites to make sure that we do not run into the problems of methane buildup and leachate to which she referred. And we are at present looking at our old and existing sites to ensure that we do not have those sort of problems, because the honourable lady will know from her experience of some of the disasters that have occurred, particularly because of the buildup of methane. Secondly, we have to look at how the landfill sites are used. I am sure the whole of this Council would only want us to use landfill sites where it was essential; where one can deal with inert material in other ways, one should do so, and there are particular problems caused by the amount that is dumped in landfill sites by the construction industry. It poses us some problems which will in due course really require the construction industry to separate inert from other sorts of waste on site, so that we can deal with inert material on public dumps which can be then used, for example, for reclamation and will not require as much sand or mud to be taken from our seabeds.

PRESIDENT: Mrs TU, you have a follow-up?

MRS ELSIE TU: *If I may just follow up, Mr President. Governor, I am quite aware that landfills are necessary in any case but we are running short of landfills. And I do not agree that the new type of incinerator needs to be in a remote area. I think if you were to visit the one in Singapore and the one in Japan you would find that there is no environmental problem and siting in a remote area is not necessary.*

GOVERNOR: I will of course — provided nobody accuses me of trying to internationalize waste as a result (*Laughter*) — be perfectly happy to visit incinerators and incinerating capacity in Japan and Singapore. In my experience, it is quite difficult, even with the most modern equipment, to convince residents of a neighbourhood that living next door to an incinerator is not going to cause them any environmental problems. I have had the experience of trying to convince people of that in the past and I have not always found it an entirely downhill business. So I do think one has to take account of the concerns of residents about this matter, even though the honourable lady is entirely right to say that the technology of incineration has moved on hugely in the last few years.

PRESIDENT: Mr Albert CHAN.

MR ALBERT CHAN (in Cantonese): *Mr Governor, regarding environmental problems in Hong Kong, I think the noise generated by the Kai Tak Airport is the most serious and long-standing one, given that some 350 000 people living in the vicinity of the airport runway have to endure the noise over 10 hours everyday. It is their hope that with the completion of the new airport, they would no longer have to live with the noise. However the Sino-British row over the financing of the airport is still rumbling on and many issues remain outstanding. It appears that the relocation of the airport may have to be delayed. Will you, Mr Governor, inform this Council what you are doing right now and how you will endeavour to seek a solution to the financing problem in order that these 350 000 people would be free of the noise nuisance after 1997?*

GOVERNOR: Well, what I am doing right now is answering questions in the Legislative Council, and if that makes a contribution to sorting out our remaining difficulties then nobody would be more pleased than me. The Honourable Member who knows so much about this subject is entirely right to underline the environmental, not just the economic and commercial, importance of getting the new airport completed. I would like to see that as soon as possible. It is one of the greatest civil engineering projects in the world, indeed it is one of the greatest civil engineering projects ever undertaken anywhere by anyone, and if there is one community which can bring it in rapidly, on time, below cost, in the most effective imaginable way, it is this community which, though it is full of people who are very happy to take advice from others, does not on the whole have many examples to look to around the world of other people doing these things better than we have managed them. We have been involved in a lengthy series of discussions with our Chinese colleagues to try to resolve the problems of agreeing a financing package for the airport. In the meantime we have got ahead with such work as we can do before an overall agreement is reached, and we have done a great deal of work and all that work is being done on time and within cost. I hope that we will move more rapidly to an agreement within the context and within the terms of the Memorandum of Understanding; nobody could want that to happen more than me. I do not think anybody can doubt our sincerity or our constructive attempts to solve these problems. I hope that they can be solved. I certainly think that everyone in Hong Kong wants to see that happen and is astonishingly patient at the fact that it has not happened already.

PRESIDENT: Mr CHIM Pui-chung. Last question.

MR CHIM PUI-CHUNG (in Cantonese): *It has been 11 months and one day since the Governor came to Hong Kong to take office. I personally object to his political reform proposals, but I am in support of greening and beautifying Hong Kong. Judging from how he has just handled the questions raised by the 15 Members in today's sitting, I indeed find it beyond doubt that the Governor is a learned man. Now my question is: Hong Kong, in terms of economic achievements, is on a par with its three counterparts of the Four Little Dragons in Asia but, in terms of the quality of the streets, we understand that the territory is not in the same class as Singapore and it is not doing as well as other advanced countries like Canada and Australia. Since it is the responsibility of the Governor to tell the Urban Council to do better (and it is very easy for him to do so), will he ask the Urban Council to deploy more resources to make the streets of Hong Kong cleaner so that people from other parts of the world will have better impressions of Hong Kong's physical environment?*

GOVERNOR: The Honourable Member is quite right to say that one of the first impressions that visitors get of any community is the quality of its streets and the care which people take of their urban environment. I think that we had better recognize that the first responsibility for the environment, in that sense, belongs to the people of Hong Kong. Litter is not put there by some unknown malign hand; it is put there by all our hands; it is put there by smokers who are, according to most independent surveys — and I do not wish to insult any smokers present in the Chamber — among the worst litterers because of cigarette stubs and empty packets; it is put there by people who drop the wrappings from food they buy in the streets; it is there from people who drop their plastic bags which fetch up floating in the harbour or decorating the beaches of the territory and not just the streets. So there are a collection of guilty parties and they may not number altogether 6 million but they at least number a proportion of 6 million. In order not to have litter, there is one very simple yet both necessary and sufficient condition, and that is that people should not drop litter. And I hope that we can begin by better public education about how awful litter is. We do a lot of things much, much better than other people, but I do not think we are yet as good as some about litter, though in my experience we are better than the United Kingdom about litter, but that is no great shakes — I can assure this Legislative Council. I will certainly be happy to talk to the Urban Council about what more we can do together — Government and Urban Council — to deal with the litter problem. But I suspect that some of the most distinguished representatives of the Urban Council would begin by agreeing with me that the first thing to do was to stop people dropping it in the first place. I hope that whenever any of us see anybody dropping litter we very politely tap them on the shoulder and ask them whether they have lost something. *(Laughter)* It sometimes introduces one to new and meaningful social relationships. *(Laughter)* It is certainly a very good way, I think, of stopping littering and I hope we can all do it.

PRESIDENT: The Governor will take a special question from Mr LAU Chin-shek.

MR LAU CHIN-SHEK (in Cantonese): *Mr Governor, I would like to ask a question about working conditions. Last week, 12 workers were killed in a serious industrial accident in a construction site in Java Road, North Point. Mr Governor, you have also visited the scene afterwards and remarked that the prosperity of Hong Kong should not be built on the blood and lives of workers. What concrete and effective measures will you take to substantially improve industrial safety in the territory in order to protect the lives of workers so that they can work in safe environment conditions?*

GOVERNOR: I would like, to begin with, just to remind the Council how serious the problem is. We had about 66 industrial fatalities last year, 48 of those fatalities were in the construction industry. I think I am right in saying that there is five times as large a chance of having an accident in the construction industry as there is in industry as a whole and that there is a 30% chance of actually having an accident in any one year in the construction industry. Now those figures are simply not acceptable in a civilized community like this. It is not essential in order to build — as we have to build in order to achieve our rates of economic growth — to have people running those sort of appalling risks. We have to work together in order to deal with the problem. It is partly, as I think the Honourable Member would concede, a matter of public education. It is partly a matter of getting both employers and employees serious about safety at work. Why did people crowd into already overcrowded lifts? Well, maybe we will learn as a result of the investigations that are being taken forward. But I strongly suspect that the day that accident took place in North Point one could have found many other lifts equally overcrowded in other parts of the territory. So public education is important. One way that we would know that public education was actually having some effect is if when we passed construction sites we saw all those working on them wearing helmets, which, alas, is not my experience or, I guess, that of many Members of the Legislative Council here. Secondly, we do have to work with both unions and employers to ensure that there is in place a sensible set of safety regulations in the construction industry and in other industries. And we have to make sure that where those regulations are ignored, there are substantial penalties for those who ignore them. The Honourable Member will know that the Commissioner of Labour has been looking at penalties with a view to increasing a number of them and that is something that we must carry forward even more energetically. So we shall have to look at safety regulation and we shall have to look at public education and we will have to look at penalties. I hope that the whole community will make it clear that it is not acceptable in one of the greatest communities in the world with first world living standards to go on settling for third world safety standards at the workplace. That is not an acceptable way for us to behave and I think that overwhelmingly that is the view of this community.

Adjournment and next sitting

PRESIDENT: In accordance with Standing Orders I now adjourn this sitting until Wednesday 30 June 1993.

Adjourned accordingly at fourteen minutes to Four o'clock.

WRITTEN ANSWERS**Annex I****Written answer by the Governor to Mr NGAI Shiu-kit's question**

I understand that the Chinese white dolphin is sometimes seen in the waters off North Lantau. Although our information on this species is limited, we are not aware of any particular reason why it should not be able to live in these waters. The animal is believed to frequent the Pearl River Delta, where suspended solids are no less than those off North Lantau. As part of the environmental impact assessment of the North Lantau sewage outfall project, the Territory Development Department carried out a short study of the impact of the outfall on the species. However, this study came to no firm conclusions. A more thorough research project to monitor the presence of Chinese white dolphins, and their reaction to major construction works in the North Lantau area and to the newly commissioned Urmston Road sewage outfall, is therefore being considered.

As Members may know, the waters off North Lantau fall within the North Western Water Control Zone, which was declared in 1992 under the Water Pollution Control Ordinance. Under the Ordinance, the Director of Environmental Protection has a statutory responsibility to ensure that water quality objectives established for the zone are met; one of the purposes of the water quality objectives is to protect marine life. To meet this responsibility he needs to monitor the water quality in the area and to control any discharges that would pollute these waters. I am glad to say that the Environmental Protection Department's monitoring activities have found no evidence of a persistent and widespread deterioration of water quality in the area.

Annex II**Written answer by the Governor to Mr NGAI Shiu-kit's question**

With regard to the Urmston Road and the Tung Chung (North Lantau) sewage treatment works, the Urmston Road treatment works was commissioned in March this year and the Tung Chung treatment works is planned for commissioning in 1996-97, to tie in with the North Lantau Development. Treated effluent from the Urmston Road treatment works is discharged via a long submarine outfall into the waters off North Lantau; the same arrangement is proposed for the Tung Chung sewage treatment works. The level of treatment, and the locations of both outfalls, have been carefully determined after detailed studies involving the use of sophisticated mathematical models. These arrangements are considered adequate to comply with the established water quality objectives, at least in the initial years. Although we do not see any

WRITTEN ANSWERS — *Continued*

need to upgrade these treatment works at this time, sites have been reserved should it be necessary to upgrade them in future.

Annex III**Written answer by the Governor to Dr Conrad LAM's question**

The Government is very much aware of the odour problem in Kai Tak nullah caused by water pollution in the area, an issue addressed by the Secretary for Planning, Environment and Lands, in a reply to a recent Legislative Council Question. He explained what the Government is doing in East Kowloon to provide early relief to water pollution in the nullah. His written reply to the question (Question 14) is reported in Hansard for the sitting of 9 June. The works will bring a significant improvement to the pollution problem in Kai Tak nullah.

As for decking the nullah, this would be difficult because open nullahs are essentially hydraulic structures for discharging stormwater during rainstorms. Regular inspection and desilting is necessary and these works would be difficult and expensive under a decked nullah. In addition, a covered channel would retain hydrogen sulphide, a gas which is potentially dangerous to the public and maintenance staff, and corrosive to any such structure.

On balance, therefore, the Government does not plan to cover Kai Tak nullah, but would expect early improvement to the odour problem with the phased commissioning of the sewerage works in East Kowloon.