

**For discussion
2 June 2000**

LC Paper No. 2178/99-00(03)

**Legislative Council
Panel on Environmental Affairs**

Problem of Noise Pollution

Purpose

This paper briefs Members on the relevant control measures on the noise nuisance generated by construction activities and road traffic, as well as the control of noise levels on vehicular access in villages.

Control Measures on Construction Noise

2. Noise generated by construction activities is controlled by means of “Construction Noise Permit” system under the Noise Control Ordinance. Under the system, a construction noise permit is required during the restricted hours, i.e. 7 p.m. to 7 a.m. on weekdays and the whole day on holidays. The permits are, however, normally issued only if the construction noise in residential areas can be kept within 65 dB(A) up to 11:00 pm in the evenings and throughout the day on holidays, and 50 dB(A) from 11:00 pm to 7:00 am. In addition, percussive piling is prohibited under the Ordinance during the restricted hours. A permit which limit the duration to 3 to 5 hours only will be required for works conducted outside the restricted hours in populated areas.

3. Meanwhile, to plan against unacceptable construction noise levels, all new designated projects are required under the Environmental Impact Assessment (EIA) Ordinance to have detailed assessments on, inter alia, potential noise impact in the construction stage. Appropriate mitigation measures which can keep the resultant noise levels within all relevant standards should be proposed and implemented as far as practicable. The whole EIA process is highly transparent. The public has access to all key

EIA documents including the final EIA reports which specify the projected environmental impacts and the proposed mitigation measures of the projects. The Advisory Council on the Environment (ACE) has also been consulted on the EIA reports. Comments from the public and ACE are taken into account before the reports and the recommendations are approved by the Director of Environmental Protection.

4. The Professional Persons Environmental Consultative Committee which comprises representatives from professional organizations related to the construction trade including the Hong Kong Construction Association, the Hong Kong Institute of Architects, Hong Kong Institution of Engineers, the Hong Kong Institute of Planners, the Hong Kong Institute of Surveyors, and the Real Estate Developers Association of Hong Kong has issued a Practice Note for Professional Persons in 1993. The Note sets out the assessment criteria and requirements relating to construction noise not currently controlled under the Noise Control Ordinance. It serves as a guide to engineers and others in meeting the requirement, of the relevant professional institution, to take full account of environmental matters in the exercise of their professional duties.

5. As one of the policy objectives set out in the 1999 Policy Address, the Administration is also reviewing the need for tightening the control of daytime construction noise. We aim to complete the review in 2000-2001 and will brief the Legislative Council on the findings once available.

Control Measures on Traffic Noise of New Roads

6. It is the established practice requiring proponents of new roads, major extensions or improvements to existing roads to go through the Environmental Impact Assessment (EIA) process to assess and evaluate the impact of the proposed projects on both the existing and planned sensitive uses, and to propose and implement practicable mitigation measures to be applied on roads to abate the traffic noise impacts.

7. All practicable direct technical measures on the new roads or major extensions are required to be implemented before any indirect mitigation

measures on sensitive receivers are to be considered. Direct technical measures on the roads include alignment adjustment, earth berm, barrier, enclosure and low noise surface material. After the adoption of all practicable measures at source, if the residual noise impacts are envisaged to exceed the established criteria, the proponent of the new road should examine the potential environmental constraints and mitigation measures of planned sensitive receivers. These measures include setback, building disposition and podium structure. The practicality and feasibility of these mitigation measures will be evaluated and confirmed during the EIA process.

8. The proponent of the new road would also need to provide acoustic insulation and air-conditioning to protect existing institutional buildings (such as schools) and residential dwellings from residual noise impacts after adoption of direct mitigation measures on the road.

9. Any new sensitive uses proposed after the EIA of a road project has been completed will be dealt with through the planning process, having regard to the development constraints imposed by the roads.

10. Acoustic insulation may help to provide an acceptable noise level indoor when windows of the premises are kept closed. However, this would deprive people the choice of an open-window life style. Only upon exhausting all practicable direct technical measures, acoustic insulation and air-conditioning will be considered as the “last resort” to abate the residual noise impact. This acoustic installation as the “last resort” practice is applicable to both the EIA process for new road proposals and the planning process for residential development proposed after the EIA of a road project.

11. Based on the findings of the Strategic Environmental Assessment conducted as part of the Third Comprehensive Transport Study in 1999, the Administration has formulated a new transport strategy. The main objective of the strategy is to provide transport infrastructure and services in an environmentally acceptable manner to ensure the sustainable development of Hong Kong. A multi-faceted approach was adopted by the new strategy incorporating better integration of transport and land use planning; better use

of railways as the backbone of our passenger transport system; better public transport services and facilities; better use of advanced technologies in transport management and better environmental protection. The Government will implement a number of measures to mitigate the impact of traffic activities based on the strategy. Some of these measures will help to mitigate the traffic noise impact as well.

Control Measures on Traffic Noise of Existing Roads

12. To bring immediate relief to the residents affected by traffic noise of existing roads, the Administration has already resurfaced all suitable sections of existing highways with low noise material. The entire programme was completed in 1999 and low noise material is applied to all new high-speed roads as a standard practice. We will continue to adopt the best available material for application on road surface to reduce traffic noise.

13. Apart from that, we have also put in place regulations to require vehicles to comply with stringent European and Japanese noise emission standards on first registration in Hong Kong. We will continue to monitor international development and ensure that our standards are in line with the most stringent standards in other developed countries.

14. There is no government policy requiring the retrofitting of direct mitigation measures such as roadside barriers or enclosures to redress traffic noise impacts from existing roads at present. We are now formulating the criteria for and details of an implementation programme based on the findings of a territory-wide study commissioned by the Environmental Protection Department on the technical feasibility of retrofitting noise barriers and enclosures on existing roads. We will brief the Legislative Council on the programme once it is finalized.

Vehicular Access in Villages

15. Noise from heavy vehicles using vehicular access in villages to access various commercial/industrial uses in villages such as car park or container trailer and tractor park is the main source of noise problem in such

rural access roads. Many of these commercial/industrial uses are ‘existing uses’ which are tolerated under the Town Planning Ordinance, ‘unauthorized development’ or sites operating under the planning permission of the Town Planning Ordinance. The Administration will exercise proper land use control to stop the spread of non-conforming uses and take enforcement action against any unauthorized developments.

16. The Administration will also examine proposals to implement traffic noise management measures such as banning or restricting heavy vehicles from passing through the vehicular access in villages on a case by case basis, taking into account the various existing constraints and the views of the parties affected.

Environment and Food Bureau
May 2000