

**For discussion
on 18 March 2008**

**LEGISLATIVE COUNCIL
PANEL ON ENVIRONMENTAL AFFAIRS**

**Proposed Additional “Designated Areas”
Under the Noise Control Ordinance (Cap. 400)**

PURPOSE

This paper seeks Members’ views on the proposal to update the “Designated Areas” under the Noise Control Ordinance (NCO).

BACKGROUND

2. Noisy construction activities conducted in populated built-up areas would affect more people than conducted in less populated areas. The NCO provides for the Secretary for the Environment to establish certain populated built-up areas as “Designated Areas” by notice published in the Gazette.

3. Under the NCO, construction works using powered mechanical equipment can be carried out between 7 pm and 7 am, or at any time on a general holiday (“the restricted hours”) only with a valid Construction Noise Permit (CNP). However, for CNP applications to conduct construction works using the five kinds of “specified powered mechanical equipment” (i.e. handheld breaker, bulldozer, handheld vibratory poker, dump truck and concrete lorry mixer) in the “Designated Areas”, the noise limits required will be 15dB(A) more stringent than those required in “non-Designated Areas”. For a list of “prescribed construction work” such as hammering, erection or dismantling of formwork or scaffolding, etc., they can be conducted during the restricted hours in the “Designated Areas” only with valid CNPs which normally can be obtained only with the use of quiet construction methods or substantial barriers to protect the affected noise sensitive receivers from construction noise.

4. The “Designated Areas” were first established in January 1996. In 2001, taking into account the developments over the years, the then Secretary for the Environment and Food expanded the “Designated Areas” to the existing coverage marked red on the maps at **Annex**.

THE PROPOSAL

5. In view of the developments in Hong Kong since 2001, it is appropriate now to further expand the coverage of the "Designated Areas" to include newly developed populated built-up areas; areas where development has been actively taking place and population intake is expected to commence within the coming few years; and other populated built-up areas in the territory not yet covered. Some areas adjoining the existing “Designated Areas” which form parts of the communities have also been identified for inclusion.

6. We propose that the locations marked blue on the maps at **Annex** be established as “Designated Areas”. The proposal will provide communities in the new “Designated Areas” with the same protection against construction noise under the NCO as those in the existing “Designated Areas”.

CONSULTATION

7. 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.

8. The Hong Kong Construction Association Ltd (HKCA) had no objection to the proposed additional “Designated Areas” but suggested that construction works in the new “Designated Areas” should be exempted if the contracts involved had already been awarded or tenders closed before the implementation date. The Mass Transit Railway Corporation (MTRC), while expressing support for a quiet environment, sought clarification on the methodology and demarcation for “Designated Areas”. MTRC also considered it premature to establish as “Designated Areas” those locations where active development was only expected to take place in the next few years. The Hong Kong Institution of

Acoustics (HKIOA) welcomed the proposal, but expressed concern over the impact on ongoing construction works.

9. We have carefully considered these views and have responded separately to the concerns/suggestions raised. We propose that the new “Designated Areas” will come into effect from 1 January 2009 so as to allow time for the construction industry to get prepared. Moreover, to address the concerns raised by some stakeholders with regard to new developments, we have only included as new “Designated Areas” those locations where the population intake of new residential blocks has already taken place or is expected to take place in the next few years.

10. We consulted the Advisory Council on the Environment on our proposal on 14 February 2008 and obtained their support.

ENVIRONMENTAL IMPLICATIONS

11. 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 280,000 residents will benefit from the implementation of the proposal.

PUBLIC REACTION

12. As the proposal will mitigate construction noise impact on residents, the community at large is expected to welcome the proposal.

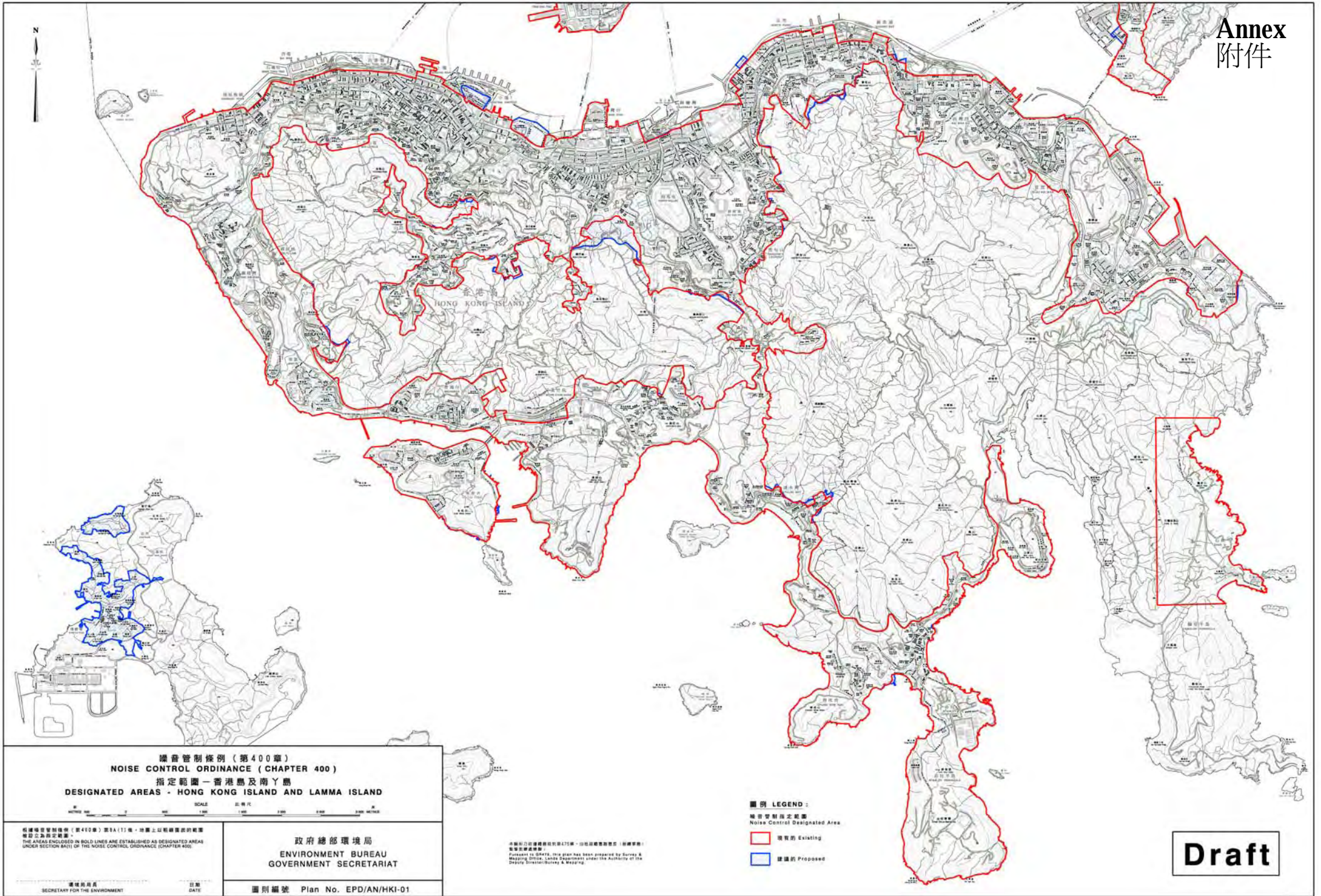
IMPLEMENTATION

13. 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

14. Members’ views are sought on the proposal in paragraph 6.

Environmental Protection Department
March 2008



噪音管制條例 (第400章)
NOISE CONTROL ORDINANCE (CHAPTER 400)
指定範圍 - 香港島及南丫島
DESIGNATED AREAS - HONG KONG ISLAND AND LAMMA ISLAND

根據噪音管制條例 (第400章) 第3A(1)條，地圖上以粗線劃出的範圍
被訂立為指定範圍。
THE AREAS ENCLOSED IN BOLD LINES ARE ESTABLISHED AS DESIGNATED AREAS
UNDER SECTION 3A(1) OF THE NOISE CONTROL ORDINANCE (CHAPTER 400)

環境局局長
SECRETARY FOR THE ENVIRONMENT

政府總部環境局
ENVIRONMENT BUREAU
GOVERNMENT SECRETARIAT

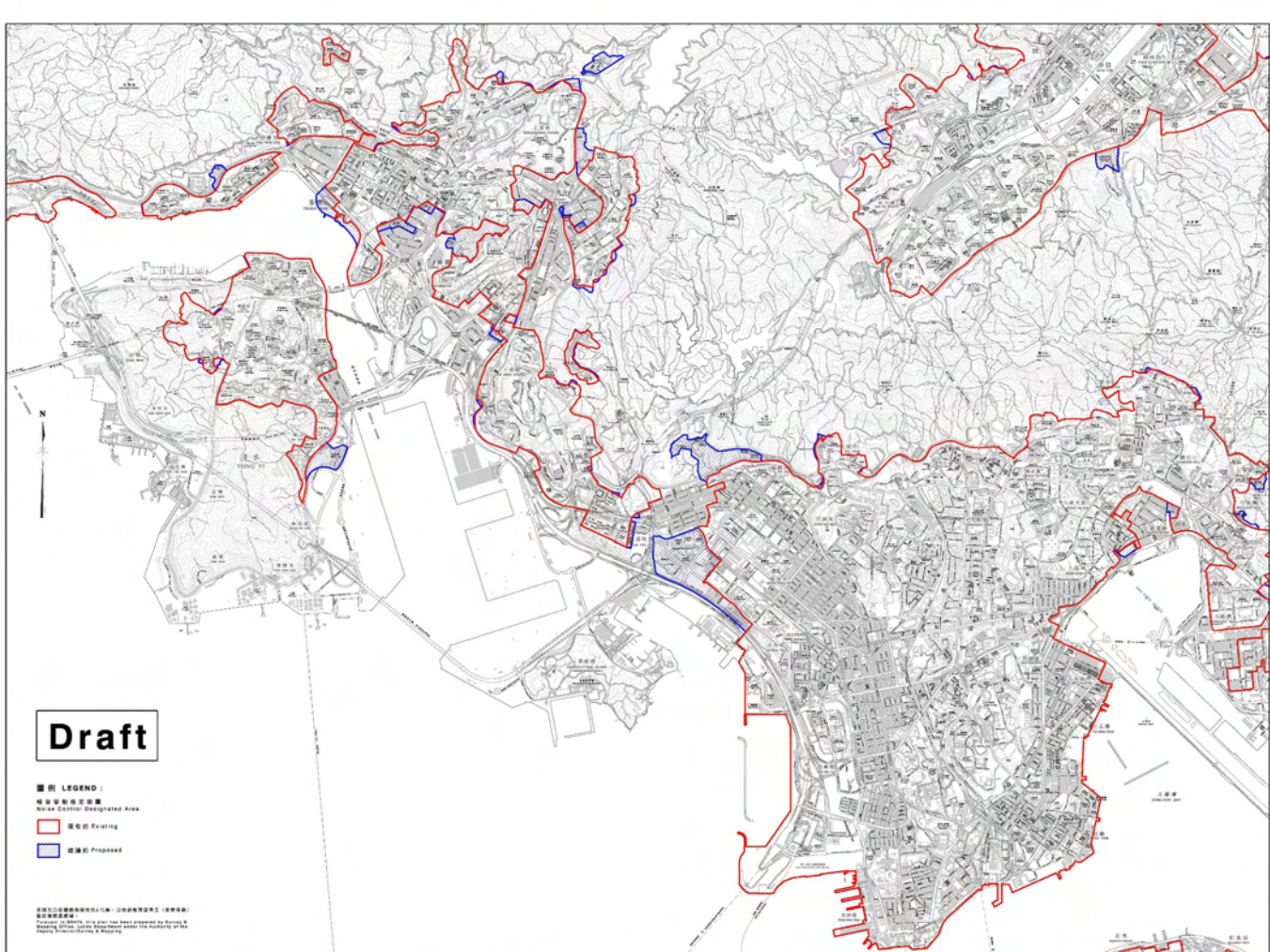
圖則編號 Plan No. EPD/AN/HKI-01

本圖則乃根據環境局第475號「地籍測量辦事處」的圖則製成。
Prepared to O4475, this plan has been prepared by Survey &
Mapping Office, Lands Department under the Authority of the
Deputy Director: Survey & Mapping.

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

▭ 現有的 Existing
▭ 建議的 Proposed

Draft



Draft

- 圖例 LEGEND :**
- 噪音管制指定地區
Noise Control Designated Area
 - 現時的 Existing
 - 建議的 Proposed

根據《空氣污染管制條例》(第311章)第4(1)條，根據上述經劃定區域的範圍
制定上述指定地區

根據《空氣污染管制條例》(第311章)第4(1)條，根據上述經劃定區域的範圍
制定上述指定地區

噪音管制條例 (第400章)
NOISE CONTROL ORDINANCE (CHAPTER 400)
 指定範圍—九龍西、葵涌、荃灣及青衣
DESIGNATED AREAS - KOWLOON WEST, KWAI CHUNG, TSUEN WAN AND TSING YI

政府總部環境局
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圖則編號 Plan No. EPD/AN/K&T-01



環境局長
SECRETARY FOR THE ENVIRONMENT

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圖例 LEGEND :

噪音管制指定區域
Noise Control Designated Area

現時的 Existing

建議的 Proposed

此圖乃根據香港法例第113條，由地政總署繪製。如有更改，恕不另行通知。
Produced by DSD. This map has been prepared by Survey & Mapping Office, Land Information System under the authority of the Survey (Control) Ordinance & Mapping.

根據噪音管制條例 (第400章) 第4(1)條，本署正法例修訂指定九龍東及將軍澳指定範圍為指定區域。
Under section 4(1) of the Noise Control Ordinance (Chapter 400), the Government is proposing to designate certain areas in Kowloon East and Tseung Kwan O as designated areas.

噪音管制條例 (第400章)
NOISE CONTROL ORDINANCE (CHAPTER 400)
指定範圍 九龍東及將軍澳
DESIGNATED AREAS - KOWLOON EAST AND TSEUNG KWAN O

環境局局長
SECRETARY FOR THE ENVIRONMENT

日期
DATE

政府總部環境局
ENVIRONMENT BUREAU
GOVERNMENT SECRETARIAT

圖則編號 Plan No. EPD/AN/K&NT-02

0 500 1000 1500 2000 2500 METERS



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圖例 LEGEND:

- 指定管制地區範圍
Noise Control Designated Area
- 已獲通過地區
Approved Existing
- 待處理地區
To be Processed

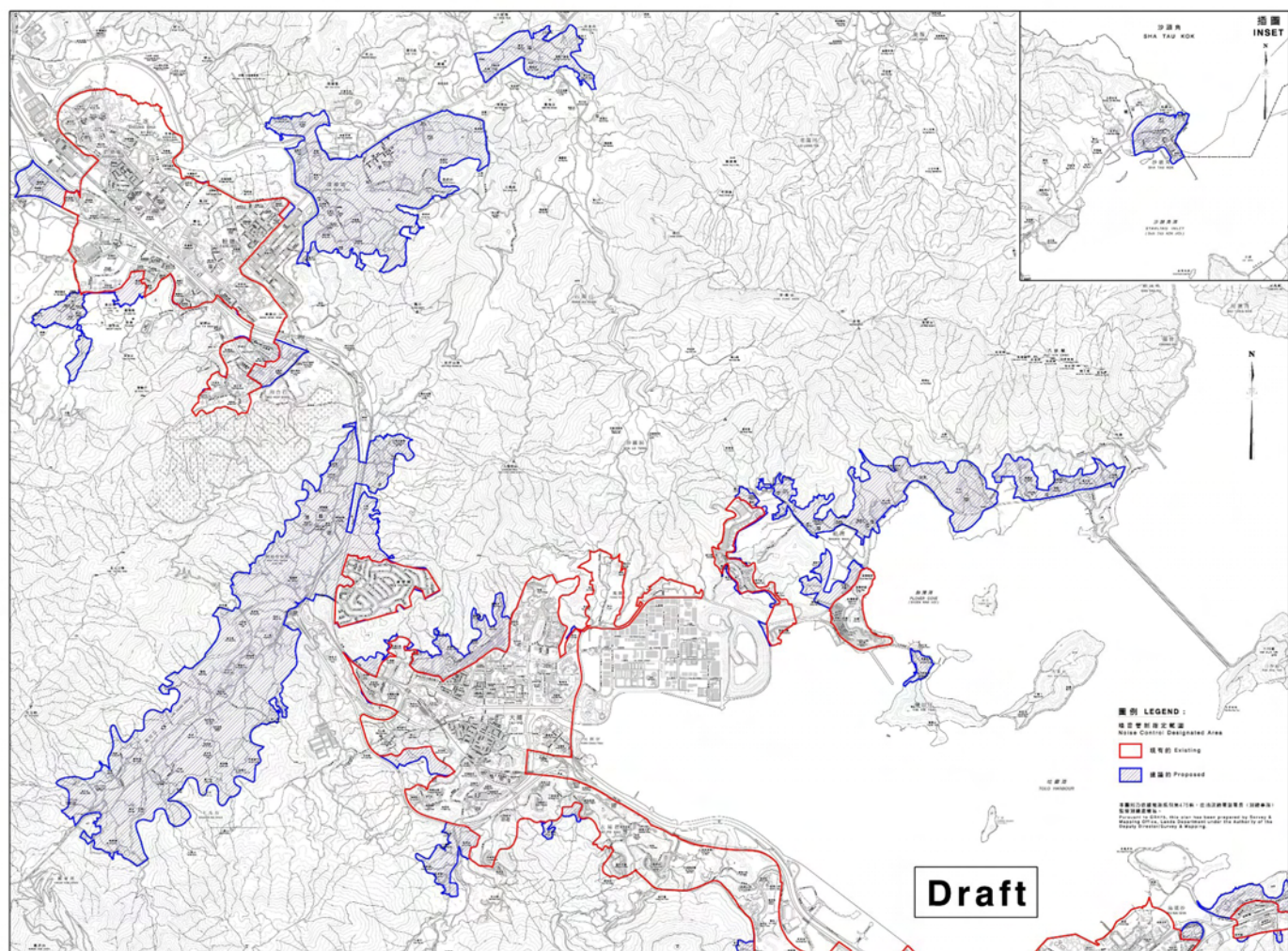
此圖乃根據《環境噪音管制條例》(第400章)第4(1)條，根據土地用途及人口密度，將指定地區劃分為指定管制地區及待處理地區。
This map is prepared in accordance with the provisions of Section 4(1) of the Noise Control Ordinance (Chapter 400) for the purpose of designating areas as designated areas and areas to be processed.

此圖乃根據《環境噪音管制條例》(第400章)第4(1)條，根據土地用途及人口密度，將指定地區劃分為指定管制地區及待處理地區。
This map is prepared in accordance with the provisions of Section 4(1) of the Noise Control Ordinance (Chapter 400) for the purpose of designating areas as designated areas and areas to be processed.

后海灣 (深圳灣)
DEEP BAY (SHENZHEN BAY)

噪音管制條例 (第400章)
NOISE CONTROL ORDINANCE (CHAPTER 400)
指定範圍一元朗、天水圍、米埔、石圍及古洞
DESIGNATED AREAS - YUEN LONG, TUN SHUI WAI, MAI PO, SHEK KONG AND KWU TUNG

0 100 200 300 400 500 600 700 800 900 1000



圖例 LEGEND :
 指定管制區之範圍
 Noise Control Designated Area

現有之 Existing
 建議之 Proposed

本圖由地政總署地籍測量處(地籍)及地政總署地政處(地政)聯合編製。圖中所有資料均根據地籍測量處(地籍)及地政總署地政處(地政)的資料編製。圖中所有資料均根據地籍測量處(地籍)及地政總署地政處(地政)的資料編製。

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根據《噪音管制條例》(第400章)第34(1)條、附屬法例及有關條文的範圍
 指定管制區之範圍
 Noise Control Designated Area UNDER SECTION 34(1) OF THE NOISE CONTROL ORDINANCE (CHAPTER 400)

噪音管制條例 (第400章)
NOISE CONTROL ORDINANCE (CHAPTER 400)
指定範圍一大埔、粉嶺、上水及沙頭角
DESIGNATED AREAS - TAI PO, FANLING, SHEUNG SHUI AND SHA TAU KOK

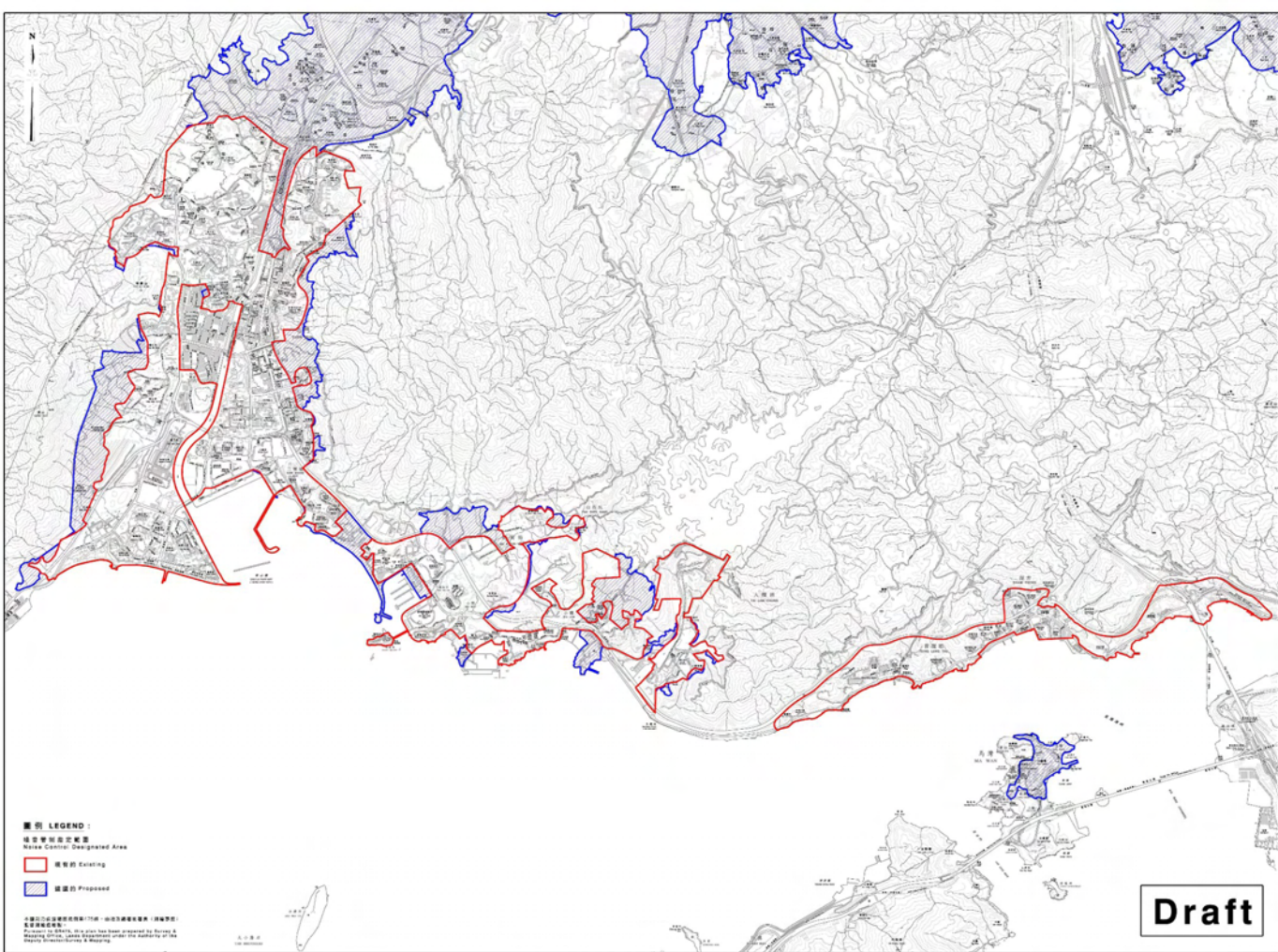
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環境局長
 SECRETARY FOR THE ENVIRONMENT

政府總部環境局
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圖則編號 Plan No. EPD/AN/NT-02

10/11/05



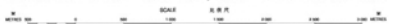
圖例 LEGEND:
 噪音管制指定區
 Noise Control Designated Area
 現有指定區
 Existing
 建議指定區
 Proposed

此圖乃根據環境保護條例(第400章)第400A條及環境保護條例(第400章)第400B條製作的。
 This map is prepared in accordance with section 400A and section 400B of the Noise Control Ordinance (Chapter 400).

根據環境保護條例(第400章)第400A條，地圖上已將擬議的指定區
 THE AREAS DESIGNATED OR PROPOSED AS DESIGNATED AREAS
 UNDER SECTION 400A OF THE NOISE CONTROL ORDINANCE (CHAPTER 400)

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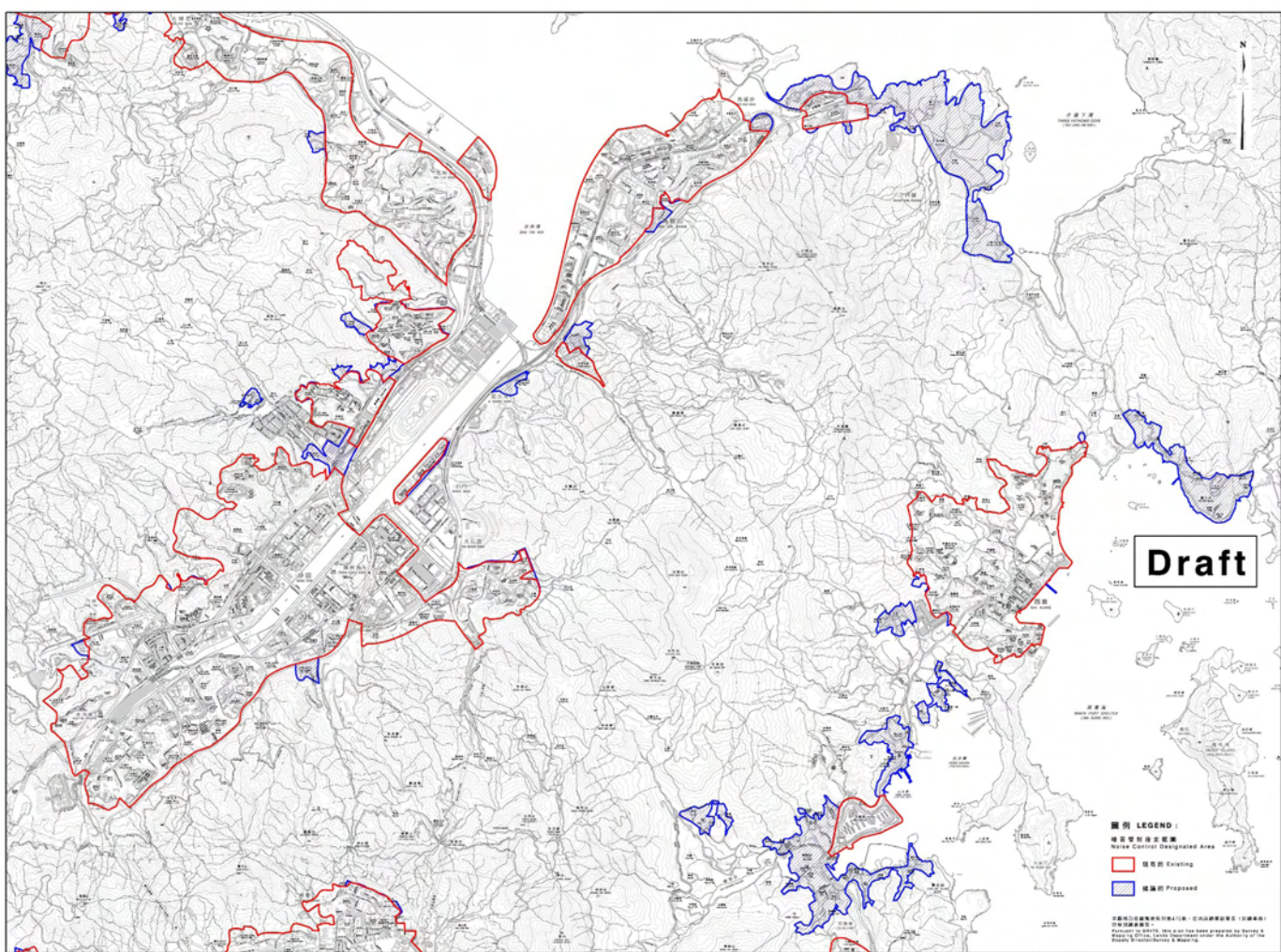
**噪音管制條例 (第400章)
 NOISE CONTROL ORDINANCE (CHAPTER 400)
 指定範圍——屯門、深井及馬灣
 DESIGNATED AREAS - TUEN MUN, SHAM TSENG AND MA WAN**



環境保護局 SECRETARY FOR THE ENVIRONMENT
 日期 DATE

政府總部環境局
 ENVIRONMENT BUREAU
 GOVERNMENT SECRETARIAT

圖則編號 Plan No. EPD/AN/NT-03



Draft

- 圖例 LEGEND:**
 噪音管制指定範圍
 Noise Control Designated Area
- 現有範圍 Existing
 - 擬議範圍 Proposed

本圖則以電腦繪圖方式編製，其圖則與原圖無異。
 This map is computer-generated and is identical to the original map.
 繪圖日期: 2014年11月
 Date: 11/2014

根據環境影響評估條例(第161章)第4(1)條，有關土地用途規劃圖則
 須予公眾展示。
 UNDER SECTION 4(1) OF THE ENVIRONMENT IMPACT ASSESSMENT ORDINANCE
 (CHAPTER 161), THE ABOVE MENTIONED PLANNING MAPS ARE
 TO BE OPEN FOR PUBLIC INSPECTION.

環境局局長
 SECRETARY FOR THE ENVIRONMENT

日期
 DATE

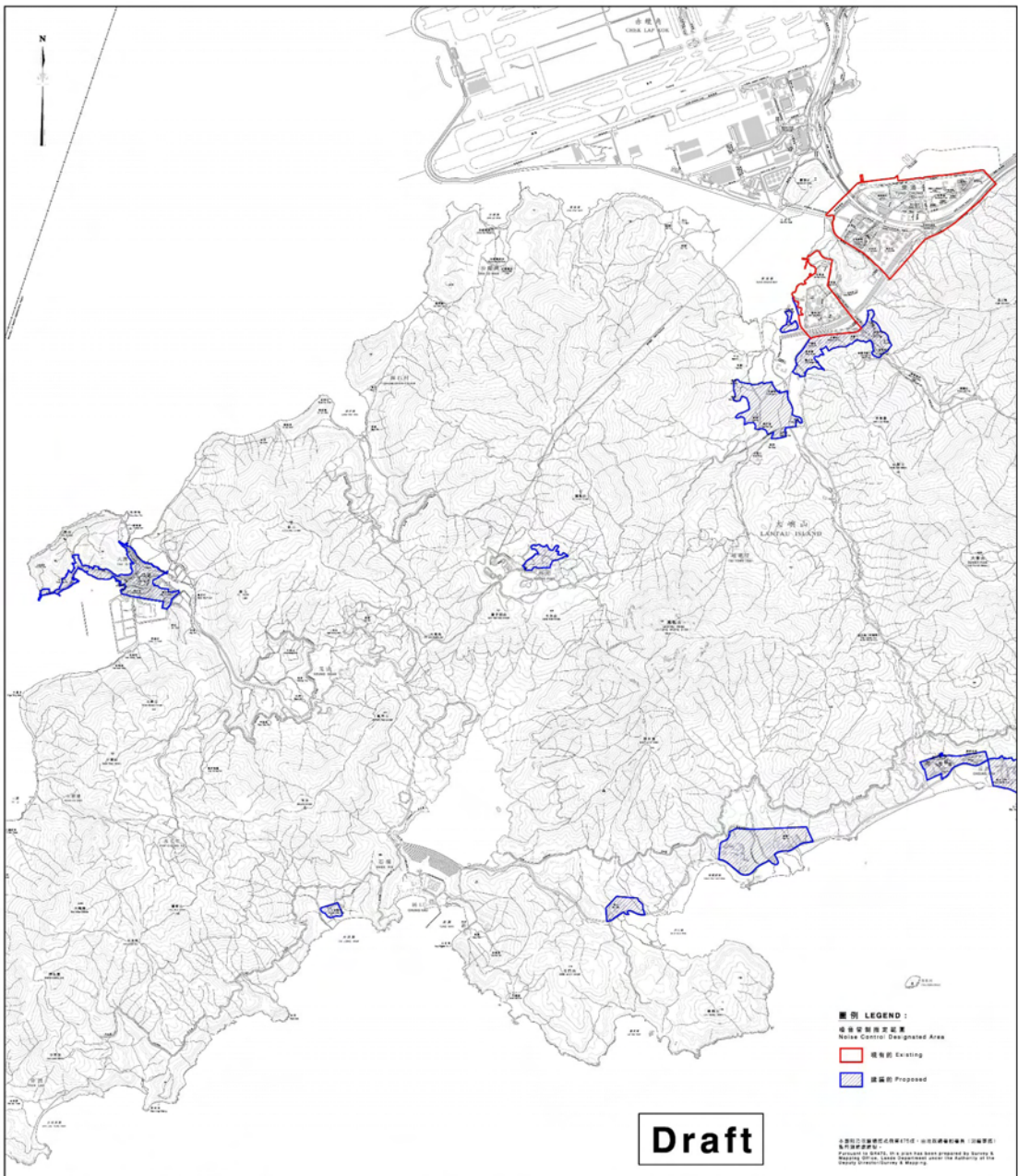
噪音管制條例 (第400章)
 NOISE CONTROL ORDINANCE (CHAPTER 400)
 指定範圍—沙田、馬鞍山及西貢
 DESIGNATED AREAS - SHA TIN, MA ON SHAN AND SAI KUNG

比例尺
 SCALE

0 1000 2000 3000 4000 5000 6000 7000 8000 9000 10000
 公尺
 METRE

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圖則編號 Plan No. EPD/AN/NT-04



- 圖例 LEGEND :**
- 噪音管制指定區
Noise Control Designated Area
 - 現有的 Existing
 - 建議的 Proposed

Draft

此圖以電腦輔助方式繪製，惟其準確程度，尚難斷定。
This map is drawn by computer, but its accuracy cannot be guaranteed.

根據噪音管制條例 (第403章) 第4(1)條，(附屬) 法例，訂立有關噪音管制
指定區之附屬法例。
THE AREA INCLOSED IN BOLD LINE ARE ESTABLISHED AS DESIGNATED AREAS
UNDER SECTION 4(1) OF THE NOISE CONTROL ORDINANCE (CHAPTER 403).

**噪音管制條例 (第403章)
NOISE CONTROL ORDINANCE (CHAPTER 403)
指定範圍 - 大嶼山西
DESIGNATED AREAS - LANTAU ISLAND WEST**

政府總部環境局
ENVIRONMENT BUREAU
GOVERNMENT SECRETARIAT

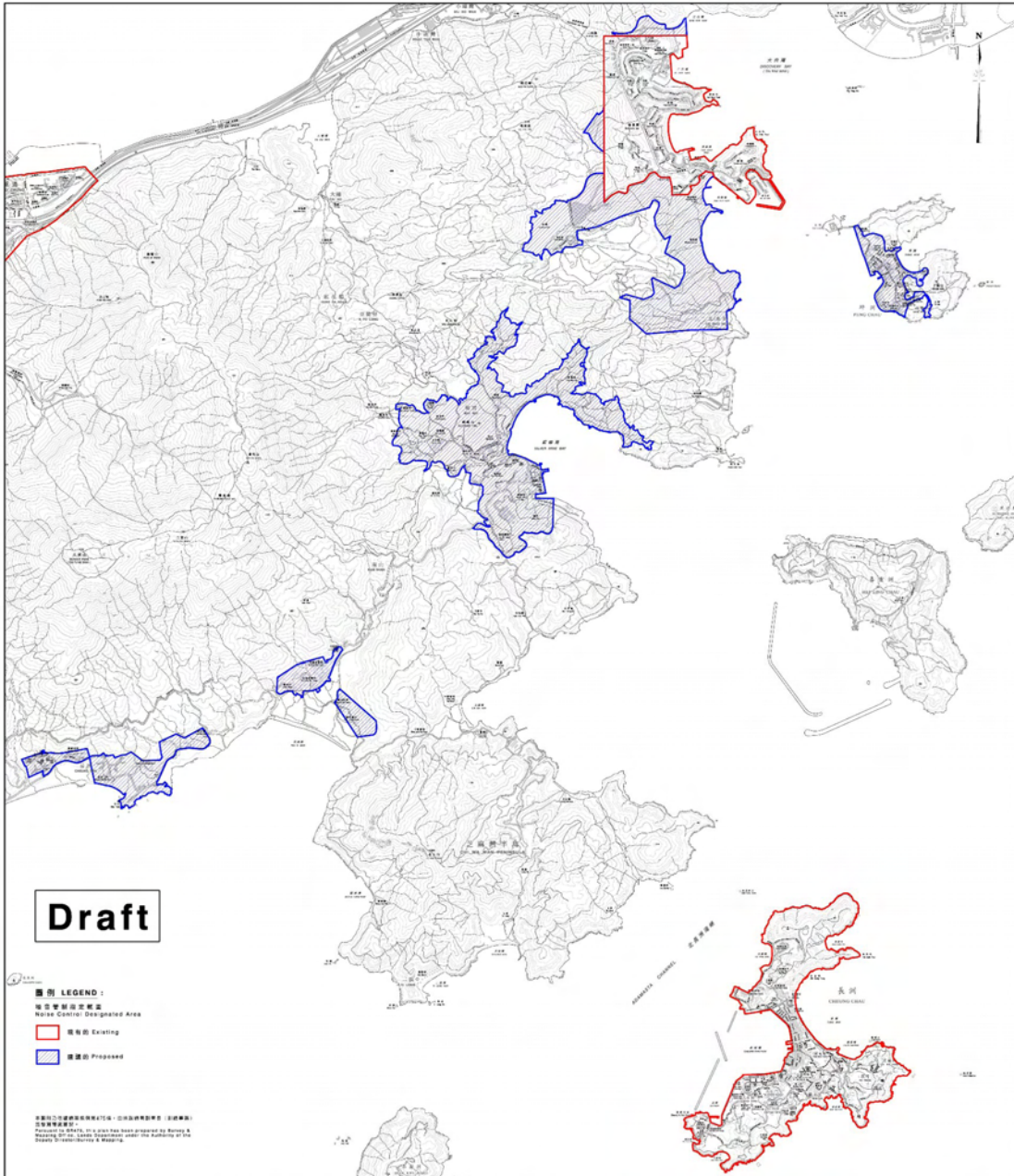
環境局局長
SECRETARY FOR THE ENVIRONMENT

日期
DATE

SCALE 比例尺
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圖則編號 Plan No. EPD/AN/NT-05

NO. 7/12/05



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- 圖例 LEGEND:**
- 噪音管制指定範圍
Noise Control Designated Area
 - 現有區 Existing
 - 建議區 Proposed

此圖係由土地測量處根據第400條《噪音管制條例》(第400章)及有關圖則編製。
 Prepared by MATS, in accordance with the Ordinance (Chapter 400) and relevant maps.

根據噪音管制條例 (第400章) 第4(1)條，地圖2.1以粗線劃出的範圍
 被指定為指定區。
 THE AREAS ENCLOSED IN BOLD LINE ARE ESTABLISHED AS DESIGNATED AREAS
 UNDER SECTION 4(1) OF THE NOISE CONTROL ORDINANCE (CHAPTER 400).

噪音管制條例 (第400章)
NOISE CONTROL ORDINANCE (CHAPTER 400)
指定範圍 - 大嶼山東、坪洲及長洲
DESIGNATED AREAS - LANTAU ISLAND EAST, PENG CHAU AND CHEUNG CHAU

政府總環境局
 ENVIRONMENT BUREAU
 GOVERNMENT SECRETARIAT

圖則編號: _____
 SECRETARY FOR THE ENVIRONMENT
 日期: _____
 DATE

SCALE 尺 1:100,000
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圖則編號 Plan No. EPD/AN/NT-06