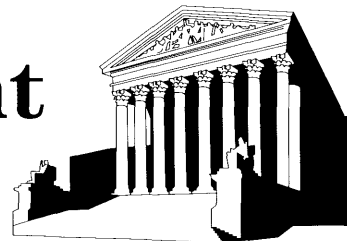


Sustainable Development



The Public Consultation Report on Sustainable Development in Hong Kong for the 21st Century has lately been released. This month J.A. McInnis looks at the Report and its local and international background.

Local Background

Interest in sustainable development issues in Hong Kong may be traced to a gradual awareness that past levels of growth as we have known them can no longer continue without paying proper regard to the socio-economic and environmental consequences that follow on from them. Ten years ago an admission was made in this regard with the release of the White Paper *Pollution in Hong Kong – A Time to Act*. Since that time a comprehensive pollution control regime and legislative framework has been enacted. However, despite the fact that these controls have been put in place, at times they have come into conflict with other planning objectives for housing, roads and infrastructure.

These conflicts were recognised in the latest reviews of the above White Paper, as well as the *Territorial Development Strategy* (TDS). Both of these reviews were published in 1996 and have lately been reaffirmed by the Final Report of the TDS in 1998. The TDS made clear for the first time, the necessity to link growth to wider public concerns. This marks a departure from attitudes in the past which have tended to view growth and protection of the environment as mutually exclusive. Fortunately, for the past few years, this view has begun to change. More and more people have come to see the environment as a scarce resource rather than a free or unlimited one. Both government and the local population have come to understand that deteriorating air and water quality will adversely impact not only growth and development, but also quality of life, health and wellbeing.

Sustainable development is about taking these and other important considerations into account in future growth and planning.

SUSDEV 21

The process in Hong Kong began formally on September 1, 1997 when the Government launched the *Study on Sustainable Development for the 21st Century* or SUSDEV 21.

SUSDEV 21 will become a five-stage process up to the year

2000 comprising:

- (1) defining sustainable development;
- (2) consulting the public;
- (3) establishing baseline conditions for the economy, society and environment relative to sustainability;
- (4) developing an improved decision-making framework; and
- (5) further consulting the public on final recommendations.

The release of the *Public Consultation Report* follows the close of the first phase of the public consultation, and completion of the second of the five-stage process.

International Background

Discussion regarding, and research into, sustainable development on the international front is relatively new. Most work has been done during the last few years by individual countries, but one of the true leaders in the process thus far has been the United Nations. With the hosting of the *Conference on Environment and Development* in Rio de Janeiro in June 1992 sustainable development entered the vocabulary of many countries and became part of formal UN policy. Delegates to the *Rio Conference* agreed upon a set of basic principles and elements to serve as a framework for the consideration and elaboration of environmental issues for the 21st century. The framework became known as *Agenda 21* and sets out 25 key principles at the core of sustainable development. All of the principles are relevant to Hong Kong, but readers' attention is drawn to seven in particular:

- humans are at the heart of sustainable development;
- the right to development must respect the developmental and environmental needs of present and future generations;
- to achieve sustainable development, environmental protection shall be an integral part of the development process;
- nations should reduce and eliminate unsustainable means of production and consumption and promote appropriate demographic policies;
- laws on liability and compensation for victims of pollution and other environmental damage will be developed;

- authorities should encourage the internalisation of environmental costs in pricing goods and services by using appropriate economic instruments;
- environmental impact assessment shall be used to judge the merits of projects with the potential to significantly affect the environment; and
- countries and people shall co-operate fully to fulfil the principles of sustainable development and to develop international law with respect to it.

It can be seen from these principles that people are central to the concept of sustainable development. While rights to development *per se* are still protected, they have become qualified rights that have to be considered in the context of, and against, these other principles. Law will play a leading role in regulating future development and perhaps for the first time the public will be given a meaningful stake in the process through the environmental impact assessment and other procedures as well. There will be new costs associated with development, and price tags will be placed on the use of scarce resources. Developers will not be able to pass all of these costs along to consumers. Population size or demographics will become an even larger issue that may yet qualify the recent Court of Final Appeal ruling on the right of abode.

The Public Consultation Report

The Report makes clear that at present only a very small minority

appreciate the issues and concepts surrounding sustainable development. With this perspective it can be understood that one of the purposes behind the Report was to inform the public and raise awareness as much as to discern the public's priorities. Attitudes were explored through various survey techniques to yield a series of key concerns. These ultimately pertained to the economy, health, natural resources, social infrastructure, biodiversity, cultural vibrancy, environmental quality and mobility.

While it is evident that sustainability means different things to different people and constituencies, and thus there is some divergence among them, there was also considerable convergence in many central areas. From the key concerns and their priorities will begin the development of guiding principles and indicators or baseline conditions for the economy, society and environment relative to sustainability.

In conclusion, and most importantly, the Report reveals that support for sustainable development in Hong Kong once understood by the population is very high and as such can provide a true foundation upon which it can advance. ■ AAC

J A McInnis is an Associate Professor of Law at the Faculty of Law at the University of Hong Kong and is the author of Hong Kong Construction Law.

SUBSCRIBE NOW

Save up to 33% on the newsstand price

The pioneer trade magazine for architects, contractors and designers in Asia, is a one stop guide for construction equipment and product supplies. It provides you with the latest news, views and exhibition coverage.

**Subscribe now to
Asian Architect
and Contractor**

ASIAN ARCHITECT AND CONTRACTOR SUBSCRIPTION ORDER FORM HONG KONG SUBSCRIPTIONS

- One Year (12 issues) - HK\$280 Macau (12 issues) - HK\$350
 Two Years (24 issues) - HK\$550 Macau (24 issues) - HK\$680

Overseas Subscriptions

- One Year (12 issues) - US\$75 - (including airmail postage)
 Two Years (24 issues) - US\$140 - (including airmail postage)
 Payment enclosed HK\$ _____ US\$ _____
 Please debit my Credit card AMEX MASTERCARD VISA

Card No. _____ Exp. Date. _____

Name _____ Signature _____

Please send my subscription copy to:

Name (Mr/Mrs/Ms) _____

Company Name _____ Title _____

Address _____

Tel: _____ Fax: _____