

立法會

Legislative Council

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Report of the Panel on Environmental Affairs for submission to the Legislative Council

Purpose

This report gives an account of the work of the Panel on Environmental Affairs during the Legislative Council session 2000-01. It will be tabled at the meeting of the Council on 27 June 2001 in accordance with Rule 77(14) of the Rules of Procedure of the Council.

The Panel

2. The Panel was formed by a resolution passed by the Council on 8 July 1998 and as amended on 20 December 2000 for the purpose of monitoring and examining Government policies and issues of public concern relating to environmental and conservation matters. The terms of reference of the Panel are at **Appendix I**.

3. The Panel comprises 18 members, with Prof Hon NG Ching-fai and Hon Cyd HO Sau-lan elected as Chairman and Deputy Chairman respectively. The membership list of the Panel is at **Appendix II**.

Major Work

Harbour Area Treatment Scheme

4. The Panel had met five times in this session to closely monitor the progress of the Harbour Area Treatment Scheme (HATS) (formerly known as the “Strategic Sewage Disposal Scheme”). In the light of the public concern on the delay in HATS Stage I from mid-1997 to end of 2001 as a result of the unilateral suspension of tunnelling works by the contractor in mid-1996 and the continued criticism of the preferred treatment level and of reliance on large treatment plants and discharge arrangements, the Government had appointed a new International Review Panel (IRP) in April 2000 to re-examine subsequent stages of HATS taking into account the experience gained from HATS Stage I. The Panel noted that IRP had recommended

that Hong Kong should go for a higher level of wastewater treatment with a short and low dilution outfall, and that Biological Aerated Filters (BAF) treatment should be provided to all HATS flows. According to IRP, BAF were one of the new, compact and space-saving technologies which had become a popular alternative to traditional sewage treatment systems because of their high-rate treatment characteristics, flexible operation, small footprint and zero-pollution. In determining the technical and economic viability of the options put forward by IRP, the Administration had undertaken to conduct trials and studies before drawing conclusions on these options.

5. To ascertain the viability of using BAF technology in Hong Kong, the Panel decided that an overseas duty visit be conducted to understand overseas experience in sewage treatment. A delegation comprising four members of the Panel visited a number of prominent sewage treatment plants using BAF technology in London, Hamburg, Herford, Cologne, Wiesbaden and Paris during the period from 4 to 12 April 2001. At the meeting on 21 June 2001, members of the delegation briefed the Panel on its report on overseas experience in sewage treatment. The delegation concurred in principle with IRP that BAF technology was viable for Hong Kong in view of its compactness and small land area requirement. The treatment units could be stacked up to three levels or built underground. However, pilot plant study and water quality analysis should be carried out to determine the type of BAF treatment process to be adopted taking into account the salinity of sewage in Hong Kong resulting from the use of seawater for flushing. Decentralization rather than centralization of treatment process in Stonecutters Island was more preferable. They held the view that the Government should also consider the merits of various tendering options having regard to factors such as financial viability, technical and contractual risks and operational efficiency. It should also explore the feasibility of privatizing the operation of sewage treatment plants to achieve savings.

6. Given the lack of agricultural land for disposal of sewage sludge in Hong Kong, the delegation considered that incineration might be a possible way out. In fact, incineration was commonly adopted in Europe. With the advancement in technology, flue gas generated from incineration could be treated not only to meet but surpass the stringent emission and odour standards prescribed by the European Union. In considering the feasibility of sludge incineration in Hong Kong, the Government should also explore how best the by-products such as energy and ash generated from incineration could be utilized. It might need to review the overall energy policy taking into account the imminent expiry of the franchise of Hong Kong Electric Company Limited and CLP Power Limited with a view to integrating the green energy generated from incineration.

Trade Effluent Surcharge Scheme

7. The Trade Effluent Surcharge (TES) Scheme had aroused much public concern in this session. At the meeting on 3 April 2001, the Panel discussed the impact of TES on the trades. At present, TES was charged according to the strength and volume of effluent discharged. Members however had reservation on the use of Chemical Oxygen Demand as the parameter for the strength of effluent and the

application of generic values for effluent strength to all trades. They also expressed concern on the lengthy appeal procedures against TES. Noting that the Administration was considering ways to revise the proposals on reassessment of Chemical Oxygen Demand, members urged that it should consult the trades before making any decision.

Water quality improvement

8. On control of disposal of livestock wastes into rivers and coastal waters, members were disappointed that the Administration had not been able to resolve the problem. The Administration's advice was that enforcement actions had been difficult as unscrupulous livestock keepers tried to get round the law by discharging livestock waste in the middle of the night to nearby streams through concealed discharge points. Besides, they had various means to detect the presence of enforcement officers in ambush control. Notwithstanding, members remained of the view that more vigorous actions should be carried out to overcome the enforcement difficulties.

Air quality

9. The deteriorating air quality in Hong Kong was a major concern of the Panel. As such, members supported the implementation of the five-year improvement plan, under which measures such as adopting stringent diesel and vehicle emission standards; replacing in-use diesel vehicles with cleaner alternatives where practicable; retrofitting in-use diesel vehicles with filtering devices and catalytic converters; promoting better vehicle maintenance; and enhancing enforcement against smoky vehicles would be put in place to control vehicle emissions. They however held the view that apart from enforcement actions, consideration should also be given to providing financial incentives to encourage the switch to the use of more environmental friendly vehicles. Injection of extra funding would be required to attain improvement in air quality within a shorter time frame.

10. At a joint meeting with the Panel on Transport, the Panel was briefed on the progress of the improvement plan. Members noted with concern the slow progress of the programme on installation of particulate reduction devices. They considered that the Administration might need to increase the one-off grant for diesel oxidation catalyst to expedite the installation programme. On control of emissions from franchised buses, the Administration's advice was that all existing buses running on Euro-engine would be retrofitted with diesel catalyst by mid-2001 while new buses would be required to comply with the prevailing Euro emission standard. Apart from switching to ultra low sulphur diesel in 2001, franchised bus companies would put in place measures such as avoiding introducing new long haul bus routes to the central business areas; implementing bus-bus interchange scheme; and rationalizing bus stops in busy areas to help reduce pollution levels. As regards the use of bio-diesel in local vehicles, members noted that suppliers of various types of bio-diesel derived from vegetable oils, animal fats or used oils from domestic households would be invited to participate in the trial before a standard specification could be formulated so that no

further tests would be required for new types of bio-diesel. In addition, legislative amendment had been made to strengthen enforcement on illicit fuel.

11. Together with the Panel on Transport, the Panel received a briefing on the proposal to control idling engine as an additional measure to reduce vehicle emission. According to the Administration, it had appealed to drivers for turning off their idling engines. Consideration was being given to formalizing guidelines with the transport trade on the control of idling engines as a first step. It would assess the effectiveness of these guidelines before deciding on the need for regulatory measures, including the introduction of enforcement legislation. The majority of members however held the view that the adoption of an advisory approach using published guidelines should only be intended as an interim measure; the use of enforcement legislation should be the way forward in the long term. On the ambient air pollution problem, members noted the report of the Hong Kong/Guangdong Joint Working Group on Sustainable Development and Environmental Protection set up for the purpose of enhancing cooperation in cross boundary environmental issues between Hong Kong and Guangdong. They also noted that both sides had planned to host meetings in turn on a regular basis to review the implementation of various projects and explore new areas for cooperation.

Vapour recovery of dry-cleaning machines

12. While supporting the Administration's proposal to reduce emission of perchlorethylene (PCE) from dry-cleaning machines, members considered that financial assistance should be provided to the operators with a view to expediting the respective grace periods for modification or replacement of vented and non-vented machines. The Administration's advice was that given the low ambient level of PCE, the emission of PCE from drying machines did not pose an immediate threat to public health. The proposed control scheme was a precautionary measure. There was no overriding urgency for modifying or replacing all existing machines that did not meet the standard. In response to the request of the Panel, the Administration provided a copy of the report of research study conducted by the Hong Kong Productivity Council on the modification, compliance checking and surveys of existing dry-cleaning machines.

Waste management

13. In view of the anticipated shortfall in public filling capacity and landfills, members stressed the need for waste reduction and recycling, particularly in respect of construction and demolition (C&D) waste which had doubled the amount in 1989. According to the Administration, a number of measures would be implemented to address the problem relating to management of C&D materials. These included setting up permanent sorting facilities together with C&D materials recycling facilities or barging points for the separation of inert C&D materials from wastes; encouraging the construction industry to adopt construction methods and materials that reduced C&D materials at source by offering suitable incentives such as fast tracking plan processing and open commendation to those building projects with high scores in

minimizing C&D materials ; requiring contractors of all public works projects to prepare and implement Waste Management Plans; reusing inert C&D materials in reclamation projects; recycling hard materials; establishing temporary fill banks to stockpile C&D materials until new reclamation projects were available for accommodating these materials; and introducing landfill charging as an economic incentive for waste producers to reduce and reuse/recycle C&D materials. While welcoming the measures to manage C&D materials in the coming years, members remained concerned about the accommodation of inert C&D materials in the long term. They noted that the Administration had commissioned a study to explore alternatives in the management of C&D materials and requested that the Panel be briefed on the outcome of the study which was expected to complete in mid-2002.

14. The impact of the storage of radioactive waste in the air-raid shelter at Queen's Road East in Wanchai on the health of students of the Wah Yan College had aroused much public concern. Despite the Administration's assertion that the radioactive wastes would pose no safety hazard, members insisted that these wastes should be removed from their existing storage because the stress arising from concern about the effect of radiation could be detrimental to the psychological well-being of the students and their parents to the extent that their health would be affected. On the disposal of the wastes, members noted that the Administration was negotiating with the Mainland authorities on the technical feasibility of storing the wastes in a purpose-built facility in the Mainland. They urged that the Administration should expedite the negotiation on transfer of wastes to the Mainland on the one hand and plan for the construction of a purpose-built storage facility in Hong Kong on the other pending a decision on the transfer.

Noise control

15. Together with the Panel on Transport, the Panel received a briefing on the new policy to address traffic noise impact of existing roads. Under the new policy, engineering solutions which included retrofitting of barriers and enclosures as well as resurfacing with low noise material would be implemented where practicable at existing excessively noisy roads. In the event that engineering solutions were impracticable or engineering solutions alone were inadequate in reducing the noise to an acceptable level, non-engineering solutions, including traffic management measures such as restraining heavy vehicles from using certain roads at certain times, would be explored on a case-by-case basis.

16. To ascertain the effectiveness and possible impact of the new policy, 17 deputations had been invited to express their views at a joint meeting on 7 February 2001. It was noted that the transport trade was strongly opposed to the introduction of traffic management measures to restrain heavy vehicles from using certain roads at certain times as this would seriously hamper the operation of the trade and in turn would affect the livelihood of drivers. Notwithstanding, the trade would welcome a trial ban on speed limit as a short-term measure to reduce traffic noise.

17. To mitigate the impact of excessive traffic noise from existing roads on residents nearby, members urged the Administration to re-consider the idea of installing double-glazed windows and air-conditioning for the residents taking into account the financial implications. Efforts should be made to expedite engineering solutions, including the retrofitting and resurfacing programme where practicable. Consideration should be given to constructing highways using insitu construction instead of pre-cast components to reduce the number of expansion joints and to using new noise-absorbing surfacing materials to fill the uneven joints so as to reduce wheel-passing noise. The Administration should also consider providing financial assistance to the transport trade to improve the design of the latching mechanism of container vehicles which was believed to create loud bangs when passing expansion joints. Enforcement against sounding of horns in silent zones, speeding, converting of motor vehicles to high-speed vehicles and car racing should also be stepped up to reduce traffic noise. The Administration was requested to provide a progress update on subject in due course.

Protection of wetlands

18. While appreciating the Administration's efforts in preserving wetlands, members considered that zoning a piece of wetland on private land as a conservation area without any compensation to the landowner concerned was unfair. They held the view that compensation should be offered to landowners not only to take account of the market price of the lands but also their intangible value. Consideration should also be given to compensating fishermen whose fish ponds were classified as sites of ecological value since they would be prohibited from putting nets around the fish ponds to prevent birds from flying in to eat the fish. Members stressed that more support should be provided to those who relied on their wetlands to make a living. This would encourage them to conserve the wetlands rather than selling them to developers. Education should also be stepped up to enhance public awareness of the importance of wetlands and the need to conserve endangered bird species. As the Administration would draw up recommendations on new conservation measures for public consultation in 2001, members suggested that it should spell out in the consultation papers the reasons for having a wetland conservation policy and the arguments for and against the policy. Various options for development within the vicinity of wetlands should also be included in the consultation paper for consideration by the community.

Study on Sustainable Development for the 21st Century

19. At a joint meeting with the Panel on Planning, Lands and Works, the Panel examined the findings of the Study and the proposed establishment of a Sustainable Development Unit (SDU). It was noted that bureaux and departments would be required to include in their submissions of policy proposals a statement on sustainability implications. SDU would analyze their reports and provide advice on the sustainability implications of the proposals for consideration by the Chief Secretary for Administration and the Chief Executive in Council before making a final decision on the proposals. Given the importance of sustainable development,

members held the view that education should be stepped up to enhance community participation in promoting the concept of sustainable development. In view of the limited resources in Hong Kong, SDU should also consider the strategy for sustainable development on a regional basis so that Hong Kong and the adjacent areas could complement each other. The Administration was requested to brief members on the work progress of SDU in due course.

Appointment of members of the Advisory Council on the Environment

20. Members emphasized the need to ensure representativeness of members of the Advisory Council on the Environment (ACE) given its important role. They did not agree with the Administration that uploading of confirmed minutes of ACE meetings onto the website of the Environment and Food Bureau was sufficient to facilitate public understanding of the work of ACE, particularly when the names of ACE members were deleted from the minutes. Members held the view that efforts should be made to enhance the transparency of ACE. To this end, the Panel passed a motion at its meeting on 5 June 2001 requesting the Administration to take effective measures to increase the transparency of ACE, including opening up meetings and announcing the criteria for appointment of membership. The Administration was also requested to advise on the attendance rate of ACE members and the occasions at which they had declared interest at ACE meetings over the past years.

Others

21. The Panel was briefed on a number of funding and legislative proposals, including the proposed amendments to Waste Disposal (Refuse Transfer Station) Regulation and Noise Control Ordinance as well as the addition of Noise Control Designated Area. It also received a briefing on the Report of the Hong Kong Special Administrative Region of the People's Republic of China in the light of the International Covenant on Economic, Social and Cultural Rights in respect of environmental protection issues.

22. From October 2000 to June 2001, the Panel held a total of 19 meetings, including four joint meetings with the Panel on Transport and one with the Panel on Planning, Lands and Works.

Legislative Council Secretariat

15 June 2001

**Legislative Council
Panel on Environmental Affairs**

Terms of Reference

1. To monitor and examine Government policies and issues of public concern relating to environmental and conservation matters.
2. To provide a forum for the exchange and dissemination of views on the above policy matters.
3. To receive briefings and to formulate views on any major legislative or financial proposals in respect of the above policy areas prior to their formal introduction to the Council or Finance Committee.
4. To monitor and examine, to the extent it considers necessary, the above policy matters referred to it by a member of the Panel or by the House Committee.
5. To make reports to the Council or to the House Committee as required by the Rules of Procedure.

**Legislative Council
Panel on Environmental Affairs**

Membership list

Chairman	Prof Hon NG Ching-fai
Deputy Chairman	Hon Cyd HO Sau-lan
Members	Ir Dr Hon Raymond HO Chung-tai, JP Hon Martin LEE Chu-ming, SC, JP Hon Bernard CHAN Hon WONG Yung-kan Hon Mrs Miriam LAU Kin-ye, JP Hon Emily LAU Wai-hing, JP Hon CHOY So-yuk Hon LAW Chi-kwong, JP Hon Abraham SHEK Lai-him, JP Hon Henry WU King-cheong, BBS Hon Tommy CHEUNG Yu-yan, JP Hon Michael MAK Kwok-fung Hon Albert CHAN Wai-yip Dr Hon LO Wing-lok Hon LAU Ping-cheung Hon Audrey EU Yuet-mee, SC, JP (Total : 18 Members)
Clerk	Miss Becky YU
Legal Adviser	Ms Bernice WONG
Date	9 February 2001