

立法會
Legislative Council

LC Paper No. CB(1)959/04-05
(These minutes have been seen
by the Administration)

Ref : CB1/PL/EA/1

Panel on Environmental Affairs

**Minutes of meeting held on
Monday, 24 January 2005, at 2:30 pm
in Conference Room A of the Legislative Council Building**

Members present : Hon CHOY So-yuk (Chairman)
Hon Emily LAU Wai-hing, JP (Deputy Chairman)
Ir Dr Hon Raymond HO Chung-tai, S.B.St.J., JP
Hon Martin LEE Chu-ming, SC, JP
Hon CHEUNG Man-kwong
Hon WONG Yung-kan, JP
Hon LAU Kong-wah, JP
Hon Miriam LAU Kin-yee, GBS, JP
Hon Albert CHAN Wai-yip
Hon Audrey EU Yuet-mee, SC, JP
Hon LEE Wing-tat
Hon Jeffrey LAM Kin-fung, SBS, JP
Dr Hon KWOK Ka-ki
Hon Patrick LAU Sau-shing, SBS, JP

Member attending : Hon WONG Kwok-hing, MH

**Public officers
attending** : **For item IV**

Environment, Transport and Works Bureau

Mr K K KWOK
Permanent Secretary for the Environment, Transport and
Works (Environment)

Ms Doris CHEUNG
Deputy Secretary for the Environment, Transport and Works
(Environment) 1

Mrs Teresa WONG
Principal Assistant Secretary for the Environment, Transport
and Works (Environment) 2

Civil Engineering and Development Department

Mr T F LEUNG
Chief Engineer/Fill Management

For item V

Environment, Transport and Works Bureau

Mr K K KWOK
Permanent Secretary for the Environment, Transport and
Works (Environment)

Ms Doris CHEUNG
Deputy Secretary for the Environment, Transport and Works
(Environment) 1

Mrs Teresa WONG
Principal Assistant Secretary for the Environment, Transport
and Works (Environment) 2

Environmental Protection Department

Dr Ellen CHAN
Assistant Director (Waste Facilities)

For item VI

Environment, Transport and Works Bureau

Mr Roy TANG
Deputy Secretary for the Environment, Transport and Works
(Environment) 2

Mr TSE Chin-wan
Principal Assistant Secretary for the Environment, Transport
and Works (Environment) 3

Environmental Protection Department

Mr Louis CHAN Pin-lin
Office-in-charge (Noise Planning)

Highways Department

Mr CHOW Chun-wah
Chief Engineer/Major Works 3-2

Clerk in attendance : Miss Becky YU
Chief Council Secretary (1)1

Staff in attendance : Mrs Mary TANG
Senior Council Secretary (1)2

Miss Mandy POON
Legislative Assistant (1)4

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I. Confirmation of minutes

- (LC Paper No. CB(1) 731/04-05 — Minutes of the joint meeting with the Panel on Planning, Lands and Works held on 16 November 2004
- LC Paper No. CB(1) 732/04-05 — Minutes of the special meeting held on 22 November 2004
- LC Paper No. CB(1) 733/04-05 — Minutes of the meeting held on 21 December 2004)

The minutes of the joint meeting with the Panel on Planning, Lands and Works held on 16 November 2004, the special Panel meeting held on 22 November 2004 and the regular Panel meeting on 21 December 2004 were confirmed.

II. Information paper issued since last meeting

2. Members noted that the following information papers had been issued since the last meeting -

- (LC Paper No. CB(1) 726/04-05 — An update on the research project regarding the installation of a waste co-combustion power generation facility by the Green Island Cement Company Limited
- LC Paper No. CB(1) 765/04-05 — Submission from a member of the public objecting against the construction of incinerators in Hong Kong)

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III. Items for discussion at the next meeting

- (LC Paper No. CB(1) 735/04-05(01) — List of follow-up actions
LC Paper No. CB(1) 735/04-05(02) — List of outstanding items for discussion)

3. Members agreed to discuss the following items proposed by the Administration at the next regular meeting scheduled for Monday, 28 February 2005, at 2:30 pm -

- (a) Euro IV emission standards for new light duty motor vehicles; and
- (b) Management of municipal solid waste in Hong Kong.

On item (b), Ms Emily LAU said that the Administration should be requested to include in the information paper its stance on the use of incineration to treat municipal waste as the alleged construction of an incineration facility in Tseung Kwan O had aroused strong opposition from the residents. The Chairman said that depending on the discussion at the meeting, members might wish to hold a further meeting to receive views on the subject.

4. Mr Albert CHAN said that subsequent to the discussion on “7780TH - Retrofitting of noise barriers on Cheung Pei Shan Road, Tsuen Wan” at the last meeting on 21 December 2004, he paid a site visit to the area and was able to confirm the Administration’s assessment that the noise generated from downhill traffic was indeed noisier than that from uphill traffic along the Cheung Pei Shan Road. He was also satisfied that the proposed retrofitting of noise barriers would reduce the impact of traffic noise on the surrounding community. He therefore would support the early implementation of the project. The Chairman requested Mr CHAN to state his views in a letter for consideration by the Panel.

(Post-meeting note: A letter from Mr Albert CHAN expressing support for the early implementation of the project was circulated vide LC Paper No.CB(1)796/04-05 on 27 January 2005.)

IV. Progress report on the management of construction and demolition materials

- (LC Paper No. CB(1) 735/04-05(03) — Updated background brief on management of construction and demolition materials
LC Paper No. CB(1) 735/04-05(04) — Paper provided by the Administration)

5. The Principal Assistant Secretary for the Environment, Transport and Works (Environment) 2 (PAS/ETW(E)2) briefed members on the progress in implementing measures to tackle the problem of construction and demolition (C&D) materials by highlighting the salient points in the information paper.

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6. Mr CHEUNG Man-kwong expressed concern that the implementation of the Construction Waste Disposal Charging Scheme (the Charging Scheme) was not able to curb the problem of illegal disposal of C&D waste on agricultural land by unscrupulous developers/contractors. The problem of fly-tipping was further aggravated as some landowners had allowed the disposal of C&D waste on their agricultural land for profiteering. As a result, many parts of the New Territories, such as Fung Lok Yuen, Shuen Wan, Hung Shui Kiu and Kam Tin, had become dumping grounds for C&D waste. Some of these sites were said to have stockpiled C&D waste of an area as large as 10 basketball courts, piling up to a height of a lamp post. This had caused unacceptable impact on the surrounding environment. However, the Administration was not able to take any enforcement action if the landowners claimed that the C&D waste was meant for land filling. It was therefore necessary for the Administration to set out clear guidelines to differentiate between land filling and fly-tipping activities in order to plug the loophole. He then enquired about the measures which the Administration would take to tackle the problem of illegal disposal of C&D waste on agricultural land to avoid further damages to the surrounding environment.

7. Sharing similar concern, Ms Emily LAU said that she had received complaints about land filling activities at She Shan Tsuen, Lam Tsuen where an area of 20 hectares of C&D waste was stockpiled. Nine government departments, namely the Buildings Department, Planning Department, Lands Department, Drainage Services Department, Water Supplies Department, Civil Engineering and Development Department (CEDD), Environmental Protection Department (EPD), Food and Environmental Hygiene Department, and Agriculture, Fisheries and Conservation Department had visited the site but none of them had taken up the issue as this fell outside their individual purviews. She therefore considered it necessary for the Administration to explain the regulatory measures which could be applied to control these land filling activities on private land.

8. PAS/ETW(E)2 said that the subject of land filling activities in private agricultural land was discussed during the scrutiny of the enabling legislation for the Charging Scheme. The scale and type of activities on private land is governed by planning legislation. From the environmental protection perspective, the Administration was considering the feasibility of applying provisions under the Environmental Impact Assessment (EIA) Ordinance (Cap. 499) to large scale land filling activities, and had consulted the Advisory Council on the Environment and professional bodies on the proposal. It was hoped that with the concerted efforts of the Housing, Planning and Lands Bureau and the Environment, Transport and Works Bureau (ETWB), land filling activities on private agricultural land could be properly controlled to avoid causing unacceptable impacts to the environment. The Deputy Secretary for Deputy Secretary for the Environment, Transport and Works (Environment)1 (DSETW(E)1) supplemented that a possible option to regulate land filling activities was to revise Schedule 2 of the EIA Ordinance to include land filling areas of not less than two hectares in size and with a depth of filling of not less than 1.2 metres as designated projects under the Ordinance. The option was still under consideration but it was the Administration's intention to effect the proposed

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amendments to Schedule 2 to the EIA Ordinance in parallel with the commencement of the Charging Scheme in the summer of 2005.

9. Mr LEE Wing-tat said that the problem arising from land filling activities in private agricultural land was not new and should have been dealt with by the Lands Department in conjunction with EPD. He questioned the efficacy of the proposed inclusion of land filling activities under the EIA Ordinance as owners could easily evade the control by limiting their land filling activities to an area of less than two hectares. As it was not difficult to differentiate between land filling activities for agricultural purposes and dumping of waste, he urged the Administration to identify more practicable means to resolve the problem without having to resort to the EIA Ordinance. The Chairman echoed that the proposed option was not practicable. As an alternative, consideration should be given to putting in place a central mechanism to control the use of inert C&D materials. Construction projects in need of such materials had to apply to Government for central allocation. This would not only prevent illegal land filling activities but also ensure an adequate supply of unpolluted inert C&D materials for reuse.

10. The Permanent Secretary for the Environment, Transport and Works (PSETW) noted the Chairman's suggestion. He said that judging from past experience, land filling activities were often, associated with applications for changes in land use. In view of members' concern, the Administration would try to work out measures to regulate land filling activities so that they would not cause adverse impact on the environment. Mr LEE Wing-tat said that he was not opposed to legitimate land filling activities, but stressed the need for enforcement actions against any deliberate attempts to evade the law. Illegal disposal of C&D waste was like littering which should be a punishable offence.

11. To ascertain the extent of the problem of fly-tipping, Mr WONG Yung-kan enquired about the number and locality of those sites which had been turned into dumping sites of C&D waste. PAS/ETW(E)2 said that it was difficult to provide information on these sites which were private land and not subject to government control. Nevertheless, the Administration was considering ways to control land filling activities from an environmental perspective. The recent amendments to the Waste Disposal Ordinance (Cap. 354) had strengthened the control against illegal disposal of waste. With the implementation of the Charging Scheme, the relevant enforcement agencies such as EPD, the Food and Environmental Hygiene Department and the Lands Department would step up actions against fly-tipping. In this connection, Mr Martin LEE suggested and members agreed that a visit to She Shan Tsuen, Lam Tsuen be arranged to see the extent of the land filling activities.

12. Ms Emily LAU enquired about the progress in negotiation with the Mainland authorities on the export of public fill for use in reclamation works in the Mainland. The Chief Engineer/Fill Management, Civil Engineering and Development Department (CE/FM,CEDD) advised that the Co-operation Agreement on Cross-boundary Marine Dumping between the State Oceanic Administration (SOA) and ETWB was signed on 31 March 2004. The Administration was actively

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discussing the implementation details with the South China Sea Branch of SOA with a view to identifying reclamation works in the Mainland for reusing public fill generated in Hong Kong. Information on the amount of public fill to be exported and required specifications would be made available. Meanwhile, tender arrangements for the export of public fill to the Mainland would be worked out taking into account the supply and demand for such material in the Mainland. PAS/ETW(E)2 added that the two sides were working on the implementation details such as location of reclamation projects, the amount of public fill to be transported, and the conditions for compliance with the environmental regulations. As regards cost, DSETW(E)1 confirmed that the Mainland would not be required to pay for the public fill. The Chairman held the view that tenders for the export of public fill to the Mainland should also be dispensed with so that this could be provided free of charge to contractors who needed them for reuse in reclamation works in the Mainland.

13. Mr Albert CHAN said that he was opposed to the export of public fill to the Mainland as this was against international convention to export waste to other places for treatment and disposal. He was of the view that the mismatch between supply and demand for public fill arose from a lack of coordination among different policy bureaux. Had proper planning been made on reclamation and excavation works, public fill could have been put to beneficial use, thereby obviating the need for dredging which was both expensive and damaging to the marine environment. He urged the Administration to make proper planning on reclamation works to optimize the use of public fill. He also considered it necessary for the Administration to work out measures against fly-tipping which was rampant in many parts of the New Territories. In reply, PSETW said that it had been the Government's policy to optimize the use of public fill for local reclamation works. By way of illustration, the reclamation works at Penny's Bay were able to use the public fill until 2008. Meanwhile, enforcement would be stepped up against fly-tipping, particularly at country parks. DSETW(E)1 added that the export of public fill to the Mainland would not contravene any international convention as this was not hazardous waste. As requested by the Mainland authorities, CEDD would also ensure that the public fill to be exported would meet with the required specifications.

14. Given the importance of recycling of C&D materials, Mr WONG Kwok-hing noted with concern that the temporary recycling plant in Tuen Mun was operating at half of its capacity due to the inadequate supply of suitable C&D materials for recycling. CE/FM,CEDD said that the temporary recycling plant in Tuen Mun was set up for the processing of hard inert materials for recycling. However, not all C&D materials delivered to the site were hard inert materials and a costly sorting process had to be performed. The plant had been receiving C&D materials from over a hundred public works projects through which hard inert materials were sorted out and recycled. Mr Albert CHAN said that consideration should be given to offering short-term leases at concessionary rates to contractors to set up sorting facilities adjacent to construction sites for sorting and recycling of C&D materials. DSETW(E)1 said that two sites adjacent to the existing landfills in Tseung Kwan O and Tuen Mun had been earmarked for developing sorting facilities and tender would be called for in the next two months. CE/FM,CEDD supplemented that the sorting

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sites in Tseung Kwan O and Tuen Mun occupied areas of three and one hectares respectively.

15. The Chairman enquired about the progress in reviewing the technical viability of widening the application of recycled materials in building works, some of which were restricted under the current provisions of the Buildings Ordinance (Cap.123). CE/FM,CEDD said that the construction industry tended not to use recycled materials in building projects owing to the abundant supply of natural rock materials which were of better quality and less expensive. Notwithstanding, studies were being made on the performance of concrete made from recycled materials which were allowed to be used on works which required a lower strength of concrete, such as road-base and drainage bedding layers. PSETW added that efforts would be made to encourage the wider application of recycled materials in the construction industry.

16. Mr WONG Yung-kan was concerned about the use of soft inert materials in the capping layer of the contaminated mud pits in East Sha Chau, which in his view was detrimental to the marine environment and was threatening the survival of Chinese White Dolphins. His concern was shared by Dr KWOK Ka-ki who pointed out that there were similar problems at Tung Pok Liu. PAS/ETW(E)2 said that due to the suspension of almost all reclamation works, the supply of public fill had far exceeded the demand in recent years. As such, there was a need to find new outlets for the surplus public fill. Only public fill that were uncontaminated, soft inert materials, would be used to replace dredged mud for capping the contaminated mud pits at East Sha Chau. The capping layer was an essential part of the mud pits as it prevented the contaminated mud in the mud pits from dispersing. CE/FM,CEDD supplemented that stringent inspection was being carried out by CEDD and EPD at the reception facilities and only clean excavated soil was delivered to East Sha Chau. At members' request, PAS/ETW(E)2 agreed to provide a report on the environmental impact of dumping activities on the marine ecology at East Sha Chau.

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V. West New Territories Landfill Extensions

(LC Paper No. CB(1) 735/04-05(05) — Paper provided by the Administration)

17. PAS/ETW(E)2 briefed members on the proposal to upgrade part of 5165DR "West New Territories (WENT) Landfill Extensions" to Category A for carrying out the feasibility study on the extensions at an estimated cost of \$32.6 million in money-of-the-day prices. The proposal would be submitted for consideration by the Public Works Subcommittee (PWSC) and the Finance Committee (FC) in February and March 2005 respectively.

18. Mr WONG Kwok-hing noted that the Tuen Mun District Council (TMDC) members and Tuen Mun residents were strongly opposed to the proposed WENT landfill extensions lest these would further aggravate the hygienic problems associated with the operation of landfills, such as an increase in the number of flies. The proposed extensions would also have adverse impact on the ecological value of

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the Tsang Tsui Ash Lagoon which was the habitat of two bird species. He enquired about the measures which the Administration would take to address the hygienic and ecological problems associated with landfill operations.

19. Ms Emily LAU also noted with concern about the impact of the proposed extensions on the Tsang Tsui Archaeological Site (TTAS) in which archaeological relics of late Neolithic period were unearthed. She added that the proposal would unlikely have the support of the Legislative Council (LegCo) in view of the strong objection, which in her view was justifiable since local residents would not welcome the extension of the obnoxious facilities. The Administration would need to continue dialogue with TMDC members and address their concerns before proceeding with the proposal.

20. The Assistant Director of Environment Protection (Waste Facilities) (ADEP(WF)) said that the Administration was aware of the concerns of TMDC members and regular exchanges on waste management strategies were held. EPD had commissioned a strategic EIA study entitled "Extension of Existing Landfills and Identification of Potential New Waste Disposal Sites" between 2000 and 2003. The study concluded that sites for landfill extensions or new landfills had to be identified for long-term waste management. According to the findings of the initial Environmental Impact Assessment (EIA) study, a protected species, Pitcher Plant, *Nepenthes mirabilis*, had been identified in the valley of Tsang Kok Stream inside the WENT A extension site which could be lost due to the landfill development. Nonetheless, this plant species was not unique in Hong Kong and the need for significant mitigation measures was not envisaged. There was however a small area of mixed shrub-land and immature native woodland within the WENT B extension site that might be worth conserving. The ecological value and the cultural heritage of the site as well as the mitigation measures would be fully investigated and defined in a more detailed EIA study. As to the concern about the hygienic conditions of landfills, ADEP(WF) advised that the operation of landfills was subject to stringent operating guidelines and inert capping layers were applied to cover the landfills to prevent the breeding of flies in the area. Members of LegCo and District Councils were welcome to visit the landfills to ascertain the conditions of landfills.

21. Given that a motion against the proposed extensions and the conduct of EIA was unanimously passed in March 2004 by TMDC members, Mr WONG Kwok-hing cautioned that the Administration would be seen as not respecting TMDC if it insisted to proceed with the proposal. DSETW(E)1 stressed that Hong Kong was facing a serious waste management problem. Despite the efforts to reduce and recycle waste, it was estimated that there would still be about four million tonnes of non-recyclable wastes that need to be disposed of each year. Hence, there was an imminent need to extend existing landfills and/or to develop new ones to serve as final repositories for wastes. The initial strategic study had identified potential sites within Hong Kong that were suitable for landfill extensions and development of new landfills. The Advisory Council on the Environment (ACE) was consulted on the study's findings in December 2003. In recognition of the urgent need for more landfill capacity, ACE agreed that the Administration should conduct detailed feasibility studies and EIAs on

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the proposed extension of existing landfills. The proposal of part-upgrading of 5165DR was precisely to seek funding approval for the purpose. The Administration was committed to maintaining full dialogue with TMDC throughout the proposed feasibility study in accordance with the EIA Ordinance.

22. Mr CHEUNG Man-kwong said that Members of the Democratic Party (DP) had reservations over the proposed extensions of the WENT Landfill. Given the unanimous opposition from TMDC members and the lack of measures to address their concerns, it was unlikely that the Administration could secure the support of PWSC when the proposal was submitted in February 2005. He was also concerned about what would become of the relics in TTAS if this was used as an extended landfill. To ascertain the presence of archaeological remains within the site, consideration should be given for the Administration to conduct further studies on the site and to inform TMDC of the findings before proceeding with the proposal. Mr Patrick LAU agreed that further studies were essential to reaffirm the findings of the archaeological investigation conducted under the strategic environmental assessment (SEA) study which indicated that it was unlikely that any further archaeological remains would be found within the site.

23. PSETW advised that as the SEA study only provided some preliminary findings on the impact of the proposed extensions, a more detailed and in-depth EIA study would need to be conducted to assess the ecological and archaeological value of the site and the mitigation measures to be taken. TMDC members would be consulted on the outcome of the findings. ADEP(WF) added that about \$20 million out of the some \$30 million funding under the feasibility study would be earmarked for the conduct of further ground investigation work on TTAS. The investigation work, which involved the drilling of bore holes to find out more about the underground conditions, would be conducted in association with staff of the Antiquities and Monuments Office (AMO).

24. Dr KWOK Ka-ki found it difficult to support the proposal in the absence of adequate archaeological information on the site. In this connection, AMO should be requested to provide a report on TTAS and the means to preserve the relics within the site as the drilling of bore holes might destroy the archaeological remains. He was also not convinced that the Administration should spend some \$30 million on the feasibility study which did not have the support of local residents and would give rise to adverse impact on the ecology and cultural heritage. Instead of expanding the existing landfills, Dr KWOK held the view that the Administration should endeavour to identify alternative waste management options to reduce waste. Mr Patrick LAU echoed that resources should be used in mapping out measures to reduce waste and to improve the service life of existing landfills rather than extending the existing landfills, which would not only attract criticisms but also very time consuming.

25. ADEP(WF) advised that the SEA study undertaken in 2000 had identified measures that could be used to optimize the capacity of existing strategic landfills and to extend their lives. These included compressing of waste to reduce its volume and addition of water to accelerate the biodegradation process. However, these measures

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would have the adverse effect of increasing the generation of landfill gas and leachate. By the end of 2004, the total remaining landfill capacity was 80 million tonnes which was far too low to meet the anticipated need for waste disposal of around 448 million tonnes by 2050. As the proposed extensions would only increase the landfill capacity by 105 million tonnes, there was still a shortfall of about 260 million tonnes. The Administration had to plan ahead and a more detailed EIA study was required to assess the possible impact of using the potential sites identified in the SEA study as new landfills. PSETW added that a number of waste management options were under consideration and members would be consulted on the waste treatment strategies in due course. Meanwhile, more landfill space was required as this was at present the only means of waste disposal.

26. Ms Emily LAU enquired about the viability of the pilot programme on the separation of domestic waste at source launched in August 2004 in reducing domestic waste. PAS/ETW(E)2 said that although separation of waste at source would help reduce the volume of waste, there was still an imminent need to develop more landfill space through provision of new landfills and/or extension of existing landfills. As existing landfills would be depleted in six to 10 years' time if waste continued to grow at the current trend, there was a need to plan ahead, taking into account the long lead time for planning and construction of waste facilities. As such, funding approval had to be sought at the present stage for the conduct of feasibility study on the proposed extensions which would take about two years to complete. On the amount of waste that had been reduced as a result of the implementation of waste reduction measures, PAS/ETW(E)2 advised that about two million tonnes of waste would be reduced per year, which was equivalent to about one-third of the six million tonnes of waste disposed of per year. . Meanwhile, the amount of waste disposed of at landfills had levelled since 2000.

27. The Chairman was not convinced of the Administration's response. She said that waste reduction in Hong Kong should have been much more effective had the Administration been committed to do so. She made reference to the experience in Pu Dong, Shanghai where the waste reduction measures were so successful that it was able to reduce 90% of its waste in 18 months' time, without the need for incineration. She also found it difficult to accept that the WENT A extension site was of low or no ecological value given that a protected species, Pitcher Plant, *Nepenthes mirabilis*, was identified inside the site. Nor could she agree to the findings that it was unlikely to find any further archaeological remains within TTAS. It appeared that the Administration had reached a decision on the proposed extensions, and that the feasibility study was meant to justify such a decision.

28. Mr WONG Yung-kan said that Members of the Democratic Alliance for Betterment of Hong Kong would not support the proposal in view of the strong opposition from TMDC. He added that the Administration had been inconsistent in implementing its policies. While advocating nature conservation on the one hand, it was destroying the natural environment on the other as in the case of the proposed WENT Landfill extensions which would have impact on both the ecological and archaeological values of the site. DSETW(E)1 said that funding was being sought

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only for the conduct of detailed feasibility study on the proposed extensions. She assured members that TMDC would be consulted on the findings of the study.

29. The Chairman asked members if they would support the submission of the proposal to PWSC in February 2005. Mr WONG Kwok-hing opined that it was inappropriate for the Administration to seek funding approval for the proposal despite the objection raised by TMDC. It should secure TMDC's support for the proposal before submission to LegCo. Mr CHEUNG Man-kwong said that DP Members would only agree to the proposal if the Administration undertook to preserve the archaeological value of the sites.

30. PSETW said that the Administration was committed to undertaking community programmes to reduce waste but landfills would still be needed. He noted that LegCo was not prepared to give funding approval for the proposal on account of TMDC's objection, and that the Administration should provide more information on the protection of the ecological and archaeological values of the extension sites. He however pointed out that without the funding approval, the Administration was not able to conduct the feasibility study to identify mitigation measures to address TMDC's concerns.

31. In concluding, the Chairman said that members generally did not support the submission of proposal to PWSC. Meanwhile, members agreed to arrange a visit to WENT Landfill.

(Post-meeting note: The visit originally scheduled for 24 February 2005 was subsequently cancelled due to low attendance.)

VI. Progress of measures to address noise impact of existing roads

(LC Paper No. CB(1) 486/04-05(01) — Paper provided by the Administration

LC Paper No. CB(1) 735/04-05(06) — Referral from Members after meeting with Kowloon City District Council on 4 March 2004 regarding mitigating the noise from the East Kowloon Corridor

LC Paper No. CB(1) 735/04-05(07) — Background brief on measures to address noise impact on existing roads prepared by the Legislative Council Secretariat)

32. The Deputy Secretary for the Environment, Transport and Works (Environment)2 (DSETW(E)2) briefed members on the progress of measures to address noise impact of existing roads by highlighting the salient points in the information paper.

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33. Mr WONG Yung-kan opined that the Administration should expedite the implementation of noise mitigation measures for existing roads and provide a time table for implementation of these measures. He was also disappointed that despite his repeated requests for the provision of noise barriers at the road section in front of Po Ngar Court where some 690 households were affected by traffic noise of over 70 decibels, this 200-metre road section had not been included in the retrofitting programme. Referring to the List of Retrofit Projects and Implementation Schedule in Annex A to the paper, DSETW(E)2 explained that the Administration had identified 36 existing road sections for which preliminary investigation had shown that retrofitting works were technically feasible. Of these, construction works for two projects had already been commenced while funds for other 12 projects had been earmarked. The remaining 22 existing sections were being examined in detail and funding would be sought through the normal resources allocation mechanism under the public works programme, when the need for and technical feasibility of these retrofitting works were confirmed. As regards complaints about traffic noise from the residents of Po Ngar Court, the Principal Assistant Secretary for the Environment, Transport and Works (Environment)3 (PAS/ETW(E)3) said that the Highways Department, Transport Department and EPD had conducted joint study on the feasibility of providing noise barriers in the said road section. The study initially concluded that the installation of noise barriers was technically feasible but more detailed site investigation was required. Funding for the project would be sought through the normal resource allocation mechanism.

34. In response to Mr WONG's further enquiry about the implementation schedule for the remaining 22 road sections, DSETW(E)2 said that the Administration was not able to provide such an implementation schedule as detailed investigation and funding allocation for these retrofitting works had yet to be conducted. On the provision of noise barriers at the road section near Hing Tin Estate, Tseung Kwan O, DSETW(E)2 said that this could not proceed as planned since investigation confirmed that installation of noise barriers in the area was not technically feasible.

35. Mr Patrick LAU opined that priority for the implementation of noise mitigation measures should be accorded to those communities which were exposed to excessive noise impact. Furthermore, the designs of noise barriers should match with the themes of individual districts. By way of illustration, an industrial design should be adopted for the Kwai Chung District having regard to its industrial nature. Ms Miriam LAU added that in planning for noise barriers, the Administration should take into account experience gained from the retrofitting of noise barriers at Tolo Highway, particularly in respect of the aesthetic design of and the need to use transparent materials for the noise barriers. Apart from the provision of noise barriers and resurfacing of roads with low noise surfacing materials, consideration should be given to reducing the number of expansion joints at flyovers, restricting the speed of vehicles as well as stepping up enforcement against conversion of motor vehicles to high-speed vehicles and car racing to reduce traffic noise.

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36. DSETW(E)2 said that the Administration had explained to the Panel on Environmental Affairs (EA Panel) and Panel on Transport (Transport Panel) the guiding principles on the provision of noise barriers. To improve the aesthetics of noise barriers, designs harmonious with the environment which used transparent materials would be adopted after consultation with the relevant District Councils (DCs). The Administration had also taken on board the need to reduce the number of road joints and had included it in the planning for highways such as Route 5. As regards the proposed restriction of speed of vehicles, DSETW(E)2 confirmed that this was sometimes made part of traffic management schemes. However, care had to be taken to strike a balance between mitigation of traffic noise and interest of road users since frequent changes of speed limits along the same road section would not be safe nor convenient for drivers. Ms LAU said that consideration should be given to increasing the related penalty since the converted vehicles tended to emit a lot of noise which was especially disturbing at night time.

37. Ms Emily LAU also emphasized the need for the Administration to take account of the public health costs related to illness arising from frequent exposure to traffic noise. She therefore welcomed the proposed banning of franchised buses and cross-boundary buses from entering the Texaco Road Flyover (TRF) during night time, but questioned why the same was not applicable to the flyovers at Causeway Bay (Ching Fung Street), Hung Hom (Chatham Road) and Tai Kok Tsui. In reply, DSETW(E)2 recalled that the feasibility of several night-time traffic management schemes had been a subject for discussion of the EA Panel and Transport Panel since 2000. In February 2003, members supported the introduction of a trial traffic management scheme to ban vehicles from using TRF during the restriction hours. However, the trial scheme was postponed following the outbreak of Severe Acute Respiratory Syndrome. The Administration revisited the trial this year and conducted a partial restriction banning franchised buses and cross-boundary buses from using TRF. He agreed to follow up with the franchised bus companies and the relevant DCs on the feasibility of introducing traffic management schemes at the other flyovers referred to.

38. The Chairman expressed disappointment at the way in which the trial scheme was implemented. She said that during a site visit to TRF in 2002, members of the EA Panel and Transport Panel had requested for the full closure of TRF during night time. In the end, only a two-month trial scheme where partial restriction banning franchised buses and cross-boundary buses from TRF was implemented. The Administration had also backed down from other trial schemes due to strong objections from the transport trades despite the support from the relevant DCs. By way of illustration, the Kowloon City District Council, Kwai Tsing District Council (KTDC) and affected residents were highly supportive of the full closure of Kowloon East Corridor and TRF respectively on a trial basis. Given that the partial restriction at TRF had been able to reduce the noise level of five decibels, she urged the Administration to put the full closure of TRF to a trial to see what improvements could be achieved. In response, DSETW(E)2 noted the request of DCs but emphasized the need to consult other stakeholders such as the transport trades on the traffic management schemes. He assured members that the Administration would endeavour to balance the interest of all parties.

Action

39. Apart from using low noise material resurfacing and banning heavy vehicles from using flyovers, Ms Emily LAU asked if the Administration would consider providing double-glazed windows for the affected residential units as an additional means to mitigate the noise impact. DSETW(E)2 said that the original trial scheme of banning all vehicles from entering TRF was met with strong oppositions from the goods vehicle, mini-bus and taxi trades as this would cause undue disruption to their businesses in terms of time and fuel costs. As no consensus could be reached with the trades, the Administration conducted a partial restriction banning franchised buses and cross-boundary buses from using TRF after consultation with KTDC. Under the trial scheme, 80 buses out of the 480 heavy vehicles using TRF were diverted to use the at-grade Texaco Road every night. While the Administration would continue discussion with the trades on the implementation of further traffic management schemes, these could not proceed unless consensus was reached with the trades. On the use of low noise material resurfacing, DSETW(E)2 advised that this was constrained by road geometry, in particular low speed local roads, as frequent start-stop movements and a high percentage of heavy vehicles would cause rapid wear and tear, resulting in an uneven road surface and the need for frequent resurfacing, which was not only costly but would also cause more traffic disruption and inconvenience to drivers, pedestrians and shop operators. It was therefore necessary to select suitable road sections for resurfacing. In this connection, the Administration had identified 72 existing road sections for further feasibility studies on their suitability to be resurfaced with low noise surfacing material. Meanwhile, the resurfacing work for 11 of them had been completed. As regards the provision of double-glazed glass windows and air conditioners for affected residents, DSETW(E)2 said that this was not in line with Government policy.

40. Referring to the Low Noise Retrofitting Programme in Annex B to the paper, Mr Martin LEE asked if the priority for retrofitting works for the different phases under the Programme was determined by their geographic locations. DSETW(E)2 said that the priority was set taking into account the intensity of traffic noise and the number of residents being affected. The breakdown of the retrofitting works by locations in Annex B was meant to provide members with a clearer picture of the geographical distribution of the road sections concerned.

VII. Any other business

41. Members agreed that a visit to the WENT Landfill to ascertain the need for the proposed extensions and She Shan Tsuen to observe the environmental nuisance caused by fly-tipping should be arranged. They would be consulted on the possible dates after these had been worked out between the Chairman and the Administration.

42. There being no other business, the meeting ended at 4:35 pm.