

立法會
Legislative Council

LC Paper No. CB(1) 1737/05-06
(These minutes have been seen
by the Administration)

Ref : CB1/PL/EA/1

Panel on Environmental Affairs

Minutes of meeting
held on Monday, 22 May 2006, at 2:30 pm
in Conference Room A of the Legislative Council Building

Members present : Hon CHOY So-yuk, JP (Chairman)
Hon Emily LAU Wai-hing, JP (Deputy Chairman)
Hon Martin LEE Chu-ming, SC, JP
Hon CHEUNG Man-kwong
Hon SIN Chung-kai, JP
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

Member attending : Hon WONG Kwok-hing, MH

Public officers attending : **For item IV**

Environmental Protection Department

Dr Malcolm BROOM
Assistant Director (Water Policy)

Mr David CHAN
Ag Senior Environmental Protection Officer
(Water Policy Division)

Drainage Services Department

Mr TSUI Wai
Assistant Director / Projects and Development

Mr MAK Ka-wai
Chief Engineer / Consultants Management

Mr CHAN Pak-keung
Chief Engineer / Sewerage Projects

For item V

Environmental Protection Department

Mr TANG Kin-fai
Assistant Director (Waste Management Policy)

Civil Engineering and Development Department

Mr HON Chi-keung
Deputy Head of Civil Engineering Office
(Project and Environmental Management)

Mr IP Kwai-hang
Chief Engineer / Fill Management

Transport Department

Mr KWAN Chi-wai
Chief Engineer / Traffic Engineering (HK)

For item VI

Environmental Protection Department

Mr Benny WONG
Assistant Director (Environmental Compliance)

Mr Conrad LAM
Principal Environmental Protection Officer (Regional
Office - South)

Mr Simon HUI
Principal Environmental Protection Officer (Regional
Assessment)

Economic Development and Labour Bureau

Miss Winnie CHENG
Chief Manager (Tourism) Special Duty

Agriculture, Fisheries and Conservation Department

Dr F Y WONG
Assistant Director (Country and Marine Parks)

MTR Corporation Ltd

Dr Glenn H FROMMER
Sustainability Development Manager

Mr Lam CHAN
Public Relations Manager
(Community Communications)

Skyrail-ITM (Hong Kong) Ltd

Mr David LOADER
Executive General Manager
(Cableway Operations)

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

Action

- I. Confirmation of minutes**
(LC Paper No. CB(1) 1482/05-06 — Minutes of the meeting held on
24 April 2006)

The minutes of the meeting held on 24 April 2006 were confirmed.

II. Information paper issued since last meeting

2. Members noted that no information papers had been issued since last meeting.

III. Items for discussion at the next meeting

(LC Paper No. CB(1) 1483/05-06(01) — List of follow-up actions

LC Paper No. CB(1) 1483/05-06(02) — List of outstanding items for discussion)

3. Members agreed to discuss the following items at the next meeting scheduled for Monday, 26 June 2006, at 2:30 pm -

- (a) Proposed Mandatory Energy Efficiency Labelling Scheme;
- (b) 338DS – Improvement and upgrading of the sewerage systems in Sha Tin/Ma On Shan New Town; and
- (c) A draft comprehensive plan to tackle road traffic noise in Hong Kong

Regarding item (c), the Chairman informed members that the Research and Library Services Division of the LegCo Secretariat would complete the research report on “Mitigation measures against road traffic noise in selected places” soon. An informal meeting would be held to discuss the report, after which this would be forwarded to the Administration for consideration. The report would be discussed at the next meeting.

(Post-meeting note: A copy of the draft research report was circulated to members under LC Paper No. CB(1) 1591/05-06 and the informal meeting to discuss the report had been scheduled for Friday, 2 June 2006, at 10:00 am. On the advice of the Chairman, the regular meeting on 26 June 2006 had been re-scheduled for Monday, 3 July 2006, at 4:30 pm.)

IV. Provision of sewerage in Ting Kau and Sham Tseng and engagement of consultants for sewerage works in Yuen Long and Kam Tin

(LC Paper No. CB(1) 1483/05-06(03) — Paper provided by the Administration)

4. The Assistant Director of Drainage Services/Projects and Development (ADDS/PD) gave a power-point presentation on the following three projects which would be submitted to the Public Works Subcommittee (PWSC) with a view to seeking the Finance Committee’s funding approval in due course -

- (a) **52DS** “Ting Kau sewerage stage 2” at an estimated cost of \$65 million to provide public sewerage to the unsewered areas in Ting Kau;
- (b) **126DS** “Sham Tseng sewerage stage 3” at an estimated cost of \$45 million to provide public sewerage to the unsewered areas in Sham Tseng and Tsing Lung Tau; and
- (c) **235DS** “Yuen Long and Kam Tin sewerage and sewage disposal” at an estimated cost of \$28 million to engage consultants to undertake site investigations and surveys, an adoptive review and detailed design for provision of public sewerage facilities in the Northwest New Territories.

(Post-meeting note: A set of the power-point presentation materials was circulated under LC Paper No. CB(1) 565/05-06(01).)

5. Noting that the Environmental Impact Assessment (EIA) study on the environmental impacts arising from the construction and operation of the proposed sewerage works at Ting Kau and Sham Tseng was completed as early as August 1995, Ms Audrey EU questioned the validity of the findings and the justifications for the long lead time for the provision of sewerage to the unsewered areas, the delay of which might have contravened the existing environmental and hygiene legislation. She also sought information on the number of villages in the New Territories which had yet to be provided with sewerage connections. Sharing similar views, the Chairman said that there was a need to conduct new EIA studies for sewerage projects before their implementation.

6. ADDS/PD said that the proposed sewerage works at Ting Kau and Sham Tseng were included in the comprehensive EIA study conducted in August 1995. Given the extensive scope of the sewerage works, these had to be completed by stages starting with the sewage treatment works (STW) to be followed by main sewers and village sewerage. The Chief Engineer/Consultants Management (CE/CM) added that although the comprehensive EIA study was first conducted in 1995, most of the findings and recommendations were still valid as there had not been much change in environmental conditions since then. There was close liaison between the Drainage Services Department (DSD) and the Environmental Protection Department on the implementation of sewerage works and EIA studies were updated to take account of latest developments. Standard mitigation measures on noise and dust etc were proposed for the smaller scale village sewerage projects and the measures were still valid and effective. The sewerage projects for Ting Kau and Sham Tseng originated from the Tsuen Wan Sewerage Master Plan which commenced in February 1996 with a two-year reclamation project to provide land for STWs. STWs and a number of sewerage connection projects were completed to serve developments in the surrounding areas and several sections of trunk sewers were being implemented together with the widening of Castle Peak Road. With the completion of the

remaining Ting Kau sewerage stage 2 and Sham Tseng sewerage stage 3, all the previously unsewered areas of Ting Kau, Sham Tseng and Tsing Lung Tau would be covered by public sewers. There were also other sewerage projects to be progressively implemented in the rural areas in the New Territories, including those in the North District and Yuen Long areas.

7. The Assistant Director of Environmental Protection (Water Policy) (ADEP(WP)) supplemented that when the EIA Ordinance (Cap. 499) came into operation in 1998, transitional arrangements were provided for the validity of findings of EIA studies carried out before its enactment. On the long lead time for sewerage connections in rural areas, he explained that there was a need to prioritize public resources in the implementation of sewerage improvement projects given the large number of such projects in the New Territories. For village sewerage projects, priority had been given to sewerage projects in eastern half of the New Territories to protect and maintain the high quality of the clean waters in Sai Kung and improve water quality in the semi-enclosed Tolo Harbour. He stressed that the Government had not contravened any environmental legislation in the implementation of the Ting Kau and Sham Tseng sewerage projects.

8. Ms Emily LAU shared members' concern about the slow progress of sewerage projects. She also considered it unfair that the Administration should accord priority to the protection of Tolo Harbour while neglecting the needs of the Tsuen Wan community for quality beaches. She further pointed out that the long lead time for completion of the sewerage projects at Tsuen Wan and Kwai Chung had indeed seriously affected the water quality of Tsuen Wan beaches. Noting from the Administration's information paper that the pollution problems caused by the discharge of sewage from Ting Kau, Sham Tseng and Tsing Lung Tau into local waters would be alleviated after completion of the projects and subsequent connection of the village houses to the public sewers, Ms LAU enquired if the closed Tsuen Wan beaches could be re-opened for the enjoyment of the public.

9. In response, ADEP(WP) clarified that many sewerage projects had also been implemented on the western side of the New Territories. In fact, a lot of improvement works had been carried out in the Tuen Mun area which had helped to prevent the pollution of the beaches there. For example, Castle Peak Beach which had been closed for many years had been re-opened in 2005 as a result of the improvement in beach conditions. As regards the beaches in Tsuen Wan, he said that the water quality problem was partly due to pollution of local origin and partly due to the influence of the discharge of Harbour Area Treatment Scheme (HATS) Stage 1 sewage from the Stonecutters Island Sewage Treatment Works. In order for the beaches to be re-opened for swimming, both the village sewerage programme and the disinfection of the HATS effluent had to go forward. Ideally, they should dovetail to allow the re-opening of the beaches. Ms Emily LAU expressed regret that the Administration had under-estimated the impact of HATS on the water quality of beaches in Tsuen Wan. She would therefore fully support the early implementation of the village sewerage projects, including the three proposals under discussion.

10. The Chairman enquired about the operation of the newly commissioned Sham Tseng Sewage Treatment Works (STSTW). ADDS/PD said that the facility, which adopted Chemically Enhanced Primary Treatment (CEPT) with disinfection using ultraviolet light, had been operating well but had yet to reach its design capacity. The Chairman queried why the new STSTW should adopt CEPT and not secondary treatment as in the case of the Sai Kung STW. Sharing similar concerns, Mr WONG Yung-kan enquired about the impact of the discharge from STSTW on the surrounding waters. CE/CM said that the level of treatment to be adopted for different STWs would be largely dependent on the dispersion ability of the receiving waters. As indicated by the EIA study, the water currents at the intended discharge location of STSTW were sufficiently strong to allow dilution of the discharged effluent. To ensure acceptable levels of water quality, an extended submarine outfall of over 150 metres had been constructed to convey treated effluents from STSTW to the discharge location which was far away from the beaches. On the *E Coli* level of the receiving waters, ADEP(WP) said that the licensed standard for *E Coli* at STSTW was 4 000 counts per 100mL after ultraviolet disinfection. At members' request, the Administration undertook to provide the levels of *E Coli* and other pollutants at the discharge location and the surrounding beaches.

Admin

11. Given the high level of *E Coli* in the beach waters, Mr Albert CHAN was concerned about the health risks which swimmers at the closed beaches in Ting Kau were exposed to, particularly at the Sham Tseng beaches where the pollution level was alarming. He stressed the need for the Administration to closely monitor the effect of the discharge of STSTW which was not evident at this stage since it had just come into operation and had yet to reach its full capacity as many sewerage connections were still pending. Mr CHAN also expressed concern about the unit cost of about \$20,000 per person for providing the public village sewerage system, which was much higher than that of about \$3,000 per person for the installation of independent sewage treatment facilities for some remote villages. The sewerage connection costs would be even higher for the more remote villages. The effectiveness of providing the public sewerage system was also questionable, particularly when sewerage connections could not be effected for some of the village houses which still had to discharge their sewage through soakaway systems, thereby causing pollution to the watercourses. Given the high cost incurred, he requested that a review of the provision of public sewerage systems to unsewered villages be made to assess the cost-effectiveness of the programmes taking into account the number of villages involved, the construction costs and the timetable for implementation. The subject should also be followed up by the Panel on Environmental Affairs. The Chairman requested the Administration to provide information on the policy and planning for providing sewage collection and treatment facilities in the unsewered villages in Hong Kong.

Admin

12. ADDS/PD said that in view of the topographical conditions and the population density, a lot of manpower resources would be required for the Ting Kau sewerage stage 2 and Sham Tseng sewerage stage 3 projects, which had accounted for

the relatively higher unit costs of about \$20,000 per person. CE/CM, DSD added that the local sewage treatment facilities (i.e. communal septic tanks and absorption fields) installed in a few of the remote villages in Northeast New Territories could only be employed in areas with sufficient space and suitable soil and groundwater conditions. He also clarified that the unit cost of \$3,000 per person for a communal septic tank and absorption field only covered its installation costs. Additional cost was required for the provision of sewerage systems for conveying sewage to the communal septic tank, and the total cost was between \$10,000 and \$20,000. He said that in deciding on the type of sewerage facilities to be implemented, DSD and its consultants would assess each case on its own merits and select the most cost-effective treatment method.

13. Mr Albert CHAN was concerned that despite the provision of public sewers, residents were reluctant to make connections from their village houses to the sewers. He was aware that there were quite a number of illegal connections which conveyed sewage to the storm water drains. He considered it necessary for the Administration to impose stricter measures in enforcing connections to the public sewers so that the sewage could be conveyed to STSTW for treatment. Ms Emily LAU echoed that the public sewers and STSTW would serve no useful purpose if residents did not make the necessary sewerage connections. She opined that consideration could be given to providing assistance to the villagers in the connection arrangements or seeking reimbursements from them after the connections were made by the Administration. Cooperation should also be sought from the Heung Yee Kuk where necessary.

14. ADEP(WP) said that there were many factors affecting connection to the public sewers, including the technical feasibility of making sewerage connections in private land. Given the general connection rates of 75% to over 90% in mature village areas, it was anticipated that the connection rate of the two projects would be around 70%. Residents would be more willing to join the scheme once they saw the benefits of connections in improving the environmental and sanitary conditions. For those areas in Sham Tseng which could not be connected, plans were made to construct intercepting sewers to collect and transfer sewage flows from the villages to the main sewers. CE/CM added that the connection rate would be much higher if the topography of the villages allowed public sewers to be laid within the vicinity of the village houses. ADDS/PD supplemented that public sewers were usually provided as close to the private lot boundary as possible, so as to minimize the sewerage connection works required for the private owners. DSD staff would try to refrain from entering private premises to make the sewerage connections for the owners as this would create a lot of problems.

15. Concluding the discussion, the Chairman said that while the Panel had no objection on the submission of the three proposed projects to PWSC for consideration, the Administration would need to provide the information as requested by members on the level of sewage treatment at Sham Tseng and the impact on the surrounding water bodies.

V. 93DR – Chai Wan Public Fill Barging Point

(LC Paper No. CB(1) 1483/05-06(04) — Paper provided by the Administration)

16. The Assistant Director of Environmental Protection (Waste Management Policy) (ADEP(WM)) briefed members on the Administration's proposal to upgrade PWP Item 93DR "Chai Wan Public Fill Barging Point" (CWPFBP) to Category A at an estimated cost of \$102.7 million in money-of-the-day prices. The proposal would be submitted for consideration by the Public Works Subcommittee (PWSC) in due course.

17. Noting that there were concerns on the traffic impact of the establishment of CWPFBP on the Chai Wan areas and the need for installation of mechanical covers for dump trucks to mitigate air impacts and ensure road safety, Ms Miriam LAU asked if the proposal had had the support of the Works and Development Committee and the Traffic and Transport Committee of the Eastern District Council (EDC), given that the Administration's paper only indicated that the two committees had no objection to the project. ADEP(WM) said that the Administration had protracted discussions with EDC on the proposed construction of CWPFBP. EDC had finally agreed to the proposal on condition that the Administration would carry out some minor road improvement works to improve the traffic arrangements, actively pursue the installation of mechanical cover for dump trucks and regularly report to EDC the progress of the installation of covers.

18. Ms Miriam LAU further enquired about the anticipated increase in the number of dump truck trips after the commissioning of CWPFBP. The Chief Engineer/Traffic Engineering (HK) said that based on the Civil Engineering and Development Department (CEDD)'s estimate on the amount of public fill to be transported to CWPFBP, there would be about 600 dump truck trips per day (or about 70 to 80 trips per hour during peak periods) which would unlikely have a serious impact on the traffic in the Chai Wan areas. To address EDC members' concerns about the increase in traffic at the adjacent Ka Yip Street, which was the loading area for the nearby factories, the Transport Department had agreed to carry out minor road improvement works in the area.

19. Mr Albert CHAN questioned the design of CWPFBP. He held the view that much needed road space would be saved if Ka Yip Street could be used for the queuing of dump trucks. The Chief Engineer/Fill Management (CE/FM,CEDD) said that taking into account the site and geographical constraints, as well as the need to reduce traffic impact on Ka Yip Street, it was decided that dump trucks should queue up within CWPFBP. The maximum number of dump trucks which could queue up at the northern site of CWPFBP would be about 40 to 50. The Deputy Head of Civil Engineering Office (Project and Environmental Management) (DHCEO) added that the present design would allow more than 90 vehicles to queue up within CWPFBP for their turn for disposal without causing disruption to the traffic at Ka Yip Street where a lot of loading/unloading activities took place.

20. Ms Miriam LAU noted that the Environment, Transport and Works Bureau (ETWB) had recently promulgated a Technical Circular requiring all public works contracts with contract sum of \$20 million or more to use dump trucks equipped with mechanical covers for delivery of construction and demolition (C&D) materials under the Pay for Environment Scheme. She enquired if the said requirement would be applicable to contracts of less than \$20 million. In order to control dust emissions associated with the transport of C&D materials, Ms LAU considered it necessary that dump truck operators should be required to cover their loads, and that appropriate enforcement actions should be taken against non-compliance.

21. ADEP(WM) said that there was a general requirement for dump trucks to cover their loads. Under the Technical Circular issued by ETWB, all public works capital contracts with contract sum of \$20 million or more would be required to use dump trucks equipped with mechanical covers for the delivery of C&D materials. As over 80% of public works contracts were of contract sum exceeding \$20 million, most of the dump trucks in the territory would need to be equipped with mechanical covers if they were engaged in these contracts. It was hoped that with the commissioning of CWPFBP in 2008, almost all dump trucks would be equipped with mechanical covers.

22. Ms Miriam LAU was concerned that dump trucks not used for contracts over \$20 million would not be equipped with mechanical covers. While acknowledging that there was legislation requiring dump trucks to cover their loads, she pointed out that this had not been strictly enforced. With the establishment of CWPFBP which was located in a densely populated area, there was a need to ensure that the requirement for covering of dump trucks should be strictly adhered to for the benefit of residents. Expressing similar concern, Ms Emily LAU agreed that all loads on dump trucks should be covered to prevent dust emissions, and that enforcement actions should be taken against non-compliance. She also failed to see why the requirement for mechanical covers for dump trucks would only apply to works contracts worth \$20 million or more. While supporting sea transport for public fill to reduce road traffic, she sought elaboration on the existing enforcement mechanism against dump truck operators who failed to cover their loads.

23. ADEP(WM) explained that under the dust control requirements set out in the Schedule to the Air Pollution Control (Construction Dust) Regulation (Cap 311) (the APC Regulation), where a vehicle leaving a construction site was carrying a load of dusty materials, the load should be covered by clean impervious sheeting to ensure that the dusty materials did not leak from the vehicle. Staff of the Environmental Protection Department (EPD) would take steps to ensure that such a requirement was complied with. The provision of mechanical covers for dump trucks would better serve the purpose of preventing dust emissions.

24. The Chairman enquired if enforcement actions, such as denial of entrance, would be taken at the barging points against dump truck operators who failed to cover their waste loads. DHCEO clarified that there were separate dust control requirements under the APC Regulation and the Technical Circular issued by ETWB. While the APC Regulation required all vehicles carrying C&D materials to be covered when leaving the construction sites, the Technical Circular required public works contracts with contract sum of \$20 million or more to use dump trucks equipped with mechanical covers for delivery of C&D materials. As about 80% of works contracts in value would exceed \$20 million in the foreseeable future, it was expected that most of the dump trucks would be equipped with mechanical covers in about two years' time. Moreover, CEDD staff would alert EPD on non-compliance with the Regulation to see whether appropriate enforcement actions could be taken. ADEP(WM) added that EPD would trace the origin of the loads and if evidence showed that the dump trucks were not covered when leaving the construction sites, appropriate enforcement actions would be taken in accordance with the APC Regulation. EPD staff would also conduct inspections at construction sites (about 4 000 inspections a year) and would take enforcement against non-compliance with environmental legislation.

25. For the purpose of dust control, Ms Emily LAU requested the Administration to require all dump trucks to cover their loads throughout their trips and not only when they were leaving construction sites. ADEP(WM) said that it was reasonable to request truck loads entering the barging points to be covered and he agreed that EPD would discuss with CEDD on ways to ensure compliance.

26. Given the many complaints about non-action of the Administration against nuisance associated with dust emissions from dump trucks carrying C&D materials, Mr SIN Chung-kai said that members were more concerned about the actions to be taken to ensure that waste loads were covered. DHCEO explained that subsequent to the issuance of the Technical Circular, provisions would be included in the terms of contract requiring dump trucks to be used in the delivery of C&D materials to be equipped with mechanical covers. An adverse report on the contractor would be made if it failed to comply with the requirement. Mr SIN was concerned that such a requirement was only applicable to public works contracts and not private contracts. DHCEO said that once dump trucks had been engaged for public works contracts worth \$20 million or more, they would have to be equipped with mechanical covers as required under the Technical Circular. Such covers would naturally be retained for all future use regardless of whether the trucks would be undertaking public or private works contracts.

Admin

27. Ms Audrey EU requested the Administration to provide the legal provisions as well as the Technical Circular governing the covering of dump trucks as it appeared that enforcement could only be taken at the time when the trucks were leaving the construction sites. Mr SIN Chung-kai also enquired about the number of prosecutions against non-compliance with the requirement for covering of dump trucks engaged in the delivery of C&D materials in the past three years.

Admin

ADEP(WM) explained that the provision of covers for vehicles carrying dusty materials from construction sites was a legal requirement under the APC Regulation whereas the requirement for dump trucks to be equipped with mechanical covers for contracts worth \$20 million or more was a new administrative measure promulgated under the Technical Circular. He nevertheless agreed to provide, before submitting the proposal to PWSC, the number of prosecutions taken in the past three years against non-compliance, adding that the number of complaints about nuisance associated with dust emissions from dump trucks received by EPD were quite few.

28. Mr LEE Wing-tat was not convinced of the Administration's response as he had also received many complaints from members of the public regarding the nuisance associated with dump trucks with uncovered waste loads travelling along expressways. He stressed that it was the Administration's duty to uphold the law and enforce against any non-compliance, and hence actions should be taken against uncovered dump trucks. Given that there were problems which remained unresolved, and that the Administration had yet to explain its enforcement mechanism and provide prosecution statistics, Mr LEE said that he could not support the submission of the proposal to PWSC at this stage. ADEP(WM) explained that enforcement mechanisms were in place to ensure compliance with the APD Regulation at constructions sites, and that the number of complaints about dust emissions from dump trucks were very few.

29. The Chairman said that she would only support the proposal if the Administration undertook to take enforcement against uncovered dump trucks entering CWPFBP. She added that there might be a need to amend the existing legislation such that enforcement would not only be taken against uncovered dump trucks leaving construction sites but also when traveling on streets or entering barging points. ADEP(WM) said that staff stationed at CWPFBP would ensure that there was no breach of requirement under the APC Regulation, and that enforcement would be taken if there was sufficient evidence. The Administration would also follow up on members' suggestion to refuse dump trucks from entering barging points if they were not equipped with covers. He further agreed to address members' concerns in the Administration's submission to PWSC.

Admin

30. While supporting the use of barging points to facilitate delivery of public fill by sea, Mr WONG Yung-kan enquired if measures were put in place to prevent overloading of the barges and whether the barges were equipped with a cover to prevent spillage of public fill, particularly in times of rain. CE/FM said that at present, all public fill generated from Hong Kong Island was handled at the temporary barging facilities at Quarry Bay which were scheduled to close in early 2008. The timely construction of CWPFBP was therefore required. The operation of CWPFBP would be similar to that of the temporary barging facilities at Quarry Bay. The number of truck loads for delivery by each barge would be set with reference to its designed capacity. While it was not practicable to provide a cover for the barge load of public fill in view of its size, water would be sprinkled on the fill materials to reduce dust emissions. Moreover, no spillage of mud water from the barges would be allowed even in times of heavy rain.

31. Mr Albert CHAN said that the Construction Waste Charging Scheme had given rise to fly-tipping and illegal disposal problems. While he was supportive of the provision of CWPFBP which would allow for sea transport of public fill, he was concerned about the possible recurrence of illegal dumping associated with delivery of public fill by barges, which was rampant in the past. He hoped that more effective actions could be taken to prevent illegal dumping.

32. The Chairman sought members' views on the way forward. Mr LEE Wing-tat opined that the proposal should be further discussed at a Panel meeting before submission to PWSC. Mr LAU Kong-wah enquired about the implications of a delayed submission to PWSC. ADEP(WM) said that if the project was not submitted to PWSC before the end of the current legislative session, the tendering and the construction of the project would have to be delayed. As a result, CWPFBP could not be delivered in time to replace the temporary barging facilities at Quarry Bay which was scheduled to close in early 2008 due to expiry of land lease. Mr Albert CHAN said that the Administration should have consulted the Panel earlier. ADEP(WM) said that time was required to consult EDC. Ms Miriam LAU noted that the major concern of members was the requirement to cover waste loads which was not a part of the project. Therefore, she considered it necessary for the Panel to follow up issues, including the environmental nuisance associated with the delivery of C&D materials by dump trucks, the need to impose requirement for cover for truck load, and whether there was sufficient legal back-up for enforcement against the non-provision of cover, except when the vehicle was leaving the construction site, at a forthcoming meeting.

33. Mr LEE Wing-tat proposed that a special meeting be held to further discuss the project before it was submitted to PWSC. The Chairman put Mr LEE's proposal to the vote. Four members voted for the proposal while three members voted against it. The Chairman ordered that a special meeting be convened to discuss the project.

(Post-meeting note: A special meeting had been scheduled for 13 June 2006 at 2:30 pm to discuss the Chai Wan Public Fill Barging Point. On the advice of the Chairman, the item on "Proposed Mandatory Energy Efficiency Labelling Scheme" was brought forward from the regular meeting on 26 June 2006 to allow sufficient time for discussion of the remaining items.)

VI. Proposals to reduce the environmental impacts of the Tung Chung Cable Car Project on the ecology of Ngong Ping

(LC Paper No. CB(1) 1161/05-06(01) — Proposals to reduce the environmental impacts of the Tung Chung Cable Car Project on the ecology of Ngong Ping submitted by the Office of the Hon Albert CHAN (Chinese version only)

- LC Paper No. CB(1) 1300/05-06(08) — Paper provided by the Administration
- LC Paper No. CB(1) 1333/05-06(01) — Submission from the EagleOwl On Lantau (English version only)
- LC Paper No. CB(1) 1483/05-06(05) — Paper provided by the Administration)

34. The Chairman advised that this item was a continuation of the discussion at the last meeting on 24 April 2006.

35. At the Chairman's invitation, the Sustainability Development Manager, MTR Corporation Ltd (SDM/MTRCL) gave a power-point presentation on the measures to be taken by the MTR Corporation Ltd (MTRCL) and the Administration in the prevention of hill fire associated with the Tung Chung-Ngong Ping Cable Car Project (CCP) and the Country Parks respectively.

(Post-meeting note: A set of power-point presentation materials was circulated to members under LC Paper No. CB(1) 1565/05-06(02).)

36. Mr WONG Kwok-hing asked if MTRCL had taken on board members' suggestions of installing mesh, closed circuit televisions (CCTVs), smoke detectors etc, within the cable car cabins as measures to prevent hill fire. SDM/MTRCL said that MTRCL was just as concerned as members about the need to adopt fire prevention measures to protect passengers and the environment. It would be looking into the applicability of mesh, CCTVs and smoke detectors and would be assessing passengers' response during the testing and commissioning stage of the cable car in June 2006, during which MTRCL would be able to fine tune its fire prevention measures and to observe people's behaviour to see what should be put in place before the dry season. Mr WONG considered it necessary for MTRCL to provide an undertaking on the adoption of fire prevention measures to allay members' concerns about hill fire.

37. Referring to the submission from the Eagle Owl on Lantau (LC Paper No. CB(1) 1333/05-06(01)), Ms Audrey EU requested MTRCL to respond to the concerns raised. Given the recent experience with the Hong Kong Wetland Park, Ms EU pointed out that the posting of signage might not be effective in the prevention of smoking. She then enquired about the experience of other countries on fire preventive in cable car systems. Mr Albert CHAN also thanked Mr Paul MELSOM, author of the submission from Eagle Owl on Lantau, for revealing the problem and assisting him in the preparation of a study on the proposals to reduce the environmental impacts of CCP on the ecology of Ngong Ping. He questioned why the problem had not been raised by other environmental groups. Given the abundance of combustible grass and ferns in Ngong Ping, the fire risk posed by cigarette butts being thrown out of cable cars was very high. Having regard to the dire consequences of hill fire, which might even affect the operation of the Chek Lap Kok Airport nearby, he supported the installation of partial mesh in cable car cabins to

prevent cigarette butts from being thrown out of the cabin without affecting ventilation. Fire fighting equipments and firebreaks should also be provided to facilitate emergency rescue. He opined that the incident had reflected maladministration on the part of MTRCL and the lack of supervision on the part of the Administration, both of which should be held accountable in the event of hill fires. Mr CHAN also expressed dissatisfaction at the lack of measures taken by MTRCL to protect and conserve the rare *Enkianthus quinqueflorus* during transplant, which had resulted in a high mortality rate of 60%. The Agriculture, Fisheries and Conservation Department and the Environmental Protection Department had also failed to discharge their duties in the protection of such rare species of plants. He demanded that more efforts should be made for its propagation.

38. The Executive General Manager (Cableway Operations) Skyrail-ITM (Hong Kong) Ltd said that the design of CCP was similar to those adopted by other countries. As regards the transplant of *Enkianthus quinqueflorus*, SDM/MTRCL said that transplantation was necessary because construction works were carried out in the area where this rare species of plants were located. It was unfortunate that the transplantation had resulted in a high mortality rate for the plant mainly due to the unusual draught in the winter. A propagation programme for producing seedlings of *Enkianthus quinqueflorus* by tree cutting and seed germination was implemented. While the proposed provision of firebreaks would be looked into by the EIA group, he drew members' attention to the unanimous objection to the provision by green groups. Besides, fire-beaters and fire-hoses were already provided in each of the tower sites.

39. Mr SIN Chung-kai said that he was opposed to the installation of mesh as this would obstruct the scenic view outside and would not be welcome by passengers who wished to take photographs during the ride. He remained of the view that the installation of CCTVs was a more effective deterrent. Given the common use of CCTVs in elevators, there should not be any violation of personal privacy as long as a written warning was posted. Besides, the video recordings would provide the necessary evidence for enforcement against non-compliance. He was disappointed that MTRCL had made no progress or commitment on the provision of fire prevention measures since the last meeting on 24 April 2006. He asked if the representatives from MTRCL would resign if hill fires did occur in the absence of fire prevention measures. SDM/MTRCL said that he would not postulate on hypothesis of what might or might not happen. He stressed that MTRCL had been looking at the fire prevention system and the associated difficulties during the last month. One of the difficulties was the absence of power supply in cable cars for the provision of CCTVs. MTRCL had explored the possibilities of using back-up batteries and solar panels, but found that these would have impacts on the interior and capacity of the cabin. He assured members that MTRCL would take into account the concerns raised by members and would be working with the Fire Services Department on the fire prevention strategy.

VII. Any other business

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

Council Business Division 1
Legislative Council Secretariat
16 June 2006