

立法會
Legislative Council

LC Paper No. CB(1) 2183/07-08
(These minutes have been seen
by the Administration)

Ref : CB1/PL/EA/1

Panel on Environmental Affairs

Minutes of meeting
held on Monday, 26 May 2008, at 2:30 pm
in Conference Room A of the Legislative Council Building

Members present : Hon Audrey EU Yuet-mee, SC, JP (Chairman)
Hon Emily LAU Wai-hing, JP (Deputy Chairman)
Ir Dr Hon Raymond HO Chung-tai, SBS, S.B.St.J., JP
Hon Martin LEE Chu-ming, SC, JP
Hon SIN Chung-kai, SBS, JP
Hon WONG Yung-kan, SBS, JP
Hon Howard YOUNG, SBS, JP
Hon LAU Kong-wah, JP
Hon Miriam LAU Kin-yee, GBS, JP
Hon CHOY So-yuk, JP
Hon LEE Wing-tat
Hon Jeffrey LAM Kin-fung, SBS, JP
Hon CHEUNG Hok-ming, SBS, JP
Hon Mrs Anson CHAN, GBM, JP

Members attending : Hon Mrs Selina CHOW LIANG Shuk-yee, GBS, JP
Hon WONG Kwok-hing, MH

Public officers attending : **For item IV**

Environmental Protection Department

Mr Carlson K S CHAN
Deputy Director of Environmental Protection (3)

Mr Benny WONG
Assistant Director (Air Policy)

Mr MOK Wai-chuen
Principal Environmental Protection Officer (Mobile
Source Control Group)

For item V

Environmental Bureau

Mr Elvis AU
Principal Assistant Secretary for the Environment (Energy) 2

Electrical and Mechanical Services Department

Mr Alfred SIT
Assistant Director / Energy Efficiency

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

I. Confirmation of minutes

(LC Paper No. CB(1) 1594/07-08 — Minutes of the meeting held on
28 April 2008)

The minutes of the meeting held on 28 April 2008 were confirmed.

II. Information paper issued since last meeting

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

III Items for discussion at the next meeting

- (LC Paper No. CB(1) 1595/07-08(01) — List of follow-up actions
 LC Paper No. CB(1) 1595/07-08(02) — List of outstanding items for discussion)

3. The Chairman said that the Secretary for the Environment wished to invite members of the Environmental Affairs Panel (EA Panel) to visit the Tai Lam Country Park to observe the progress of tree planting work in country parks. The visit was meant to address Mr Albert CHAN's concern raised at the special meeting of the Finance Committee to examine the Estimates of Expenditure on 7 April 2008 regarding the need for greening measures to improve the landscape in Hong Kong. In view of members' hectic work schedule in May and June 2008, it was decided that the earliest possible time for the visit was in July 2008.

4. Members agreed to discuss the following subjects at the next regular meeting scheduled for Monday, 23 June 2008, at 2:30 pm -

- (a) Sewage projects - 125DS Tolo Harbour sewerage of unsewered areas, 329DS Upgrading of the Pillar Point Sewage Treatment Works, 332DS Lam Tsuen Valley Sewerage, 339DS North District sewerage, stage 1 phase 2C and stage 2 phase 1, and 337DS, 344DS and 356DS East Kowloon sewerage - packages 1, 2, 3 and 4; and
- (b) Progress of development of EcoPark.

5. The Chairman reminded members that the Panel on Development would be discussing the "Review of the measures to promote green features in building developments" at its regular meeting scheduled for Tuesday, 27 May 2008, at 2:30 pm and the EA Panel had been invited to join the discussion. She also reminded members of the special EA Panel meeting to be held on Monday, 30 June 2008, at 8:30 am to continue discussion on "Measures to tackle fly-tipping".

IV. Banning idling vehicles with running engines

- ((LC Paper No. CB(1) 1595/07-08(03) — Administration's paper on banning idling vehicles with running engines
 Ref: EP150/V6/2 — The Legislative Council Brief
 LC Paper No. CB(1) 283/07-08(03) — Administration's paper on public consultation on banning idling vehicles with running engines
 LC Paper No. CB(1) 283/07-08(04) — Paper on control of idling engines prepared by the Legislative Council Secretariat (Background brief)
-

LC Paper No. CB(1) 519/07-08(34)	— Administration's response to members' concerns raised at the meeting on 26 November 2007
LC Paper No. CB(1) 519/07-08(35)	— Hon Miriam LAU's letter dated 4 December 2007 to the Administration
LC Paper No. CB(1) 519/07-08(36)	— Administration's response to LC Paper No. CB(1) 519/07-08(35)
LC Paper No. CB(1) 594/07-08(08)	— Administration's response to members' concerns raised at the special meeting on 8 January 2008
LC Paper No. CB(1) 907/07-08(01)	— Summary of views on the proposal to ban idling vehicles with running engines
LC Paper No. CB(1) 1601/07-08(01)	— Administration's response to members' concerns raised at the special meeting on 16 January 2008)

6. The Deputy Director of Environmental Protection (3) (DDEP(3)) briefed members on the findings of consultation on the proposal to ban idling vehicles with running engines ("idling engines") and highlighted the issues being considered in the course of finalizing the proposal.

7. Referring to the submission from the Motor Transport Workers General Union (the Union) which was tabled at the meeting, Mr WONG Kwok-hing noted that the Union, which represented large numbers of workers of the transport trades, was strongly opposed to the proposed ban on idling engines. The Union was also disappointed that it had not been consulted on the proposal, and that its submission dated 31 March 2008, which was signed by over 5 000 transport workers objecting to the proposed ban, had not been reflected in the consultation findings of the report. He therefore questioned why the Administration could have reached the conclusion that the transport trades in general did not object to the proposed ban on idling engines.

8. DDEP(3) said that the Administration maintained close liaison with the transport trades on the proposed ban over the past few months. In general, they did not object to the proposed ban on idling engines but many of them, notably operators of non-franchised buses (such as tourist coaches), taxis and public light buses had requested for further exemptions to cater for their operational needs. The Assistant Director of Environmental Protection (Air Policy) (ADEP(AP)) supplemented that the Administration had met with the Union on the proposed ban, and that the Union's submission was one of the 13 written submissions received from the transport trades. The Administration would be meeting with the transport trades again in the next few months to exchange views on the details of the proposed ban. The Principal Environmental Protection Officer (Mobile Source Control Group) added

Admin

that the Administration noted the views of the Union as set out in its submission and would maintain dialogue with the Union with a view to addressing its concerns. At the Chairman's request, the Administration undertook to provide the number of signatures collected during the consultation period which had indicated objection to the proposed ban on idling engines.

Buses and coaches

9. Mr Howard YOUNG believed that the opposition from tourist coaches was not the majority view because tour operators had required coach drivers to turn off the air-conditioning when passengers were not on board a long time ago. However, he would support that for the comfort of passengers, air-conditioning should be turned on when they were on board. He pointed out that the proposal of allowing boarding only when all passengers were ready which was put forward by the some respondents was not practical because there were often passengers who were late and this might have kept all other passengers waiting outside the coach. DDEP(3) said that feedback of the tourist industry supported that coach drivers should not turn on the air-conditioning for their own comfort while their vehicles were idling and waiting for passengers.

10. Ms Miriam LAU opined that there was practical compliance difficulty of school bus drivers, who had to make many stops when picking up students from their homes. It would cause much discomfort to students on board the buses if the air-conditioning had to be switched off while waiting. Franchised buses would also have difficulties in complying with the proposed ban because most of their windows were sealed, making it impractical to turn off the air-conditioning. Besides, there were vehicles which had to run their engines for some ancillary purposes. She hoped that these vehicles and others which were omitted in the consultation could be included in the finalized proposal. DDEP(3) noted that there was request for exemption for buses and coaches with sealed windows on grounds that compliance with the ban might result in poor ventilation for passengers inside the coaches. He said that the Administration would need to consider carefully the views collected and assess possible options from the perspective of genuine requirement and the effectiveness of the ban before finalizing the proposal.

11. Given the operational difficulties of the transport trades in complying with the proposed ban, Ms Emily LAU urged the Administration to meet with the trades more frequently in an attempt to resolve their concerns and to identify a mutually acceptable solution. Since the ventilation problem associated with sealed windows of buses and coaches was the main cause of compliance difficulties, she asked if consideration could be given to encouraging the transport trades to procure buses and coaches with windows which could be opened. DDEP(3) said that the Environmental Protection Department had to discuss with the Transport Department on the need to specify that buses and coaches to be imported should be installed with movable windows.

Red minibuses

12. Mr Howard YOUNG enquired about the practical difficulty in exempting the first two Red minibuses (RMBs) for each route at an RMB stand. DDEP(3) explained that RMB stands were designed for use by RMBs going to different destinations without "specified routes". As RMBs of different routes would all wait in turns at different lanes, as in the case at Mongkok RMB stands, there would be practical difficulty in exempting the first two RMBs for each route.

Taxis

13. Ms Miriam LAU said that the transport trades supported the need to protect the environment. However, they were concerned that the proposed ban would unduly affect the operations of the trades. She pointed out that neither the original proposal of exempting the first two taxis and those in a moving queue from the proposed ban nor the proposed extension of the exemption to the first five taxis were practical to cater for the unpredictable arrival pattern of passengers. With the implementation of the proposed ban, taxi drivers would likely circumvent the ban by circulating on the roads rather than waiting at the taxi stands. She stressed that the request for exemption of the transport trades from the proposed ban aimed at addressing the operational difficulties of the trades and not for the comfort of drivers. She hoped that the Administration would take heed of the difficulties of the transport trades and consider granting exemptions as appropriate. To better understand the operational requirements of the transport trades, the Administration should visit the taxi, red minibus and bus stands.

Commercial vehicles equipped with turbochargers

14. Noting that certain commercial vehicles equipped with turbochargers had to keep the engines running for a short period after the vehicles stopped, Ms Miriam LAU asked if the Administration would consider putting in place a grace period arrangement for these vehicles, as in the case of the Canadian municipalities. DDEP(3) said that the Administration was looking into possible options to cater for the need of these vehicles, including the provision of a grace period of about two to three minutes for these vehicles.

Way forward

15. Mr LEE Wing-tat said that the public was frustrated over the slow progress of implementation of the proposed ban on idling engines which had undergone repeated rounds of consultation, including the current one. Hence, a decision had to be made on the proposal, which was well supported by the general public and would bring about much needed improvement to roadside air quality. While agreeing that some degrees of sacrifice had to be made for the sake of the environment, he accepted that exemptions should be granted to some transport trades to meet their operational needs. Expressing similar concern, Mr Jeffrey LAM said that he supported the policy intent

of the proposed ban, but this should not undermine the operation of the transport trades. Given the many concerns about compliance difficulties raised by the trades, he expressed doubt that the Administration could be able to work out by late 2008 a mutually acceptable solution taking into account of the trades' concerns. Mr LEE also questioned the practicality of the Administration's plan to finalize the control scheme by end 2008 and introduce the new legislation in the first half of 2009 for implementation within 2009. DDEP(3) said that the Administration was committed to proceeding with the ban on idling engines. It would maintain dialogue with the affected trades with a view to working out an acceptable proposal by late 2008 so that the new legislation could be introduced into the Legislature in the first half of 2009 for implementation within 2009.

16. Mr Martin LEE said that it was not possible to work out a proposal that would be acceptable to all. As there was a price to be paid for protecting the environment, all the Administration could do was to consult all stakeholders and try to address their concerns as far as practicable. Eventually, a decision on whether the proposal should be taken forward had to be made. Opportunity should be taken to teach the children the need to turn off the engines and air-conditioning while vehicles were idling. Passengers should wait for pick-up by drivers and not the other way round. He also considered it unfair to set a low threshold of \$320 for penalty tickets for idling engines when tickets for illegal parking at restricted zones were currently set at \$450. DDEP(3) took note of Mr LEE's views. He said that publicity would be stepped up to encourage the public to switch off their engines while their vehicles were idling.

17. Miss CHOY So-yuk supported the early implementation of the proposed ban. To avoid further delay on the ban, consideration could be given to excluding certain types of vehicles from the ban in the initial phase. The exemptions could be reviewed one year after implementation of the ban. DDEP(3) said that while there were conflicting opinions from the trades and the community, it was hoped that a generally acceptable proposal could be worked out. The Administration would endeavour to resolve the operational difficulties faced by the trades in complying with the ban.

18. Mr SIN Chung-kai supported the early implementation of the long overdue ban as a means to address the problem of global warming, which was a responsibility of each and every member of the community. As part of strong governance, the Administration should take positive measures to implement the ban without further delay. He failed to understand why coach drivers in Hong Kong were not required to turn off the air-conditioning while vehicles were idling as their overseas counterparts. Students traveling by school bus should be made aware of the objective of the proposed ban to protect the environment at an early stage. Signs should be posted inside the cabins of buses and coaches notifying passengers about the need to comply with the statutory ban on idling engines. On the suggestion of exempting certain types of vehicles, he said that this had to be carefully assessed based on operational needs.

19. Despite the general support for the principle of the proposed ban on idling engines, Mrs Selina CHOW stressed the need to overcome the enforcement difficulties. The Administration should maintain dialogue with the trades in an attempt to resolve their compliance difficulties. She did not consider it appropriate to apply the ban across the board to all vehicles, irrespective of their operational requirements. With enhanced public education and increasing pressure to control idling engines, drivers would be inclined to switch off the engines of their vehicles while idling. She therefore shared Miss CHOY So-yuk's view that a phased approach should be adopted for the ban with exemptions for certain types of vehicles in the initial phase. Consensus should be sought on the subsequent phases of the ban, taking into account the progress of implementation. DDEP(3) took note of members' concerns.

V. Public consultation on mandatory implementation of Building Energy Codes

(LC Paper No. CB(1) 1595/07-08(04) — Administration's paper on public consultation on mandatory implementation of Building Energy Codes

LC Paper No. CB(1) 504/07-08(01) — Consultation document on the mandatory implementation of the Building Energy Codes

LC Paper No. CB(1) 647/07-08(14) — Paper on building energy efficiency prepared by the Legislative Council Secretariat (Background brief)

20. The Principal Assistant Secretary for the Environment (Energy) 2 (PAS(EG)2) briefed members on the results of the consultation exercise of the proposed mandatory implementation of Building Energy Codes (BECs) promulgated by the Electrical and Mechanical Services Department (EMSD).

21. Miss CHOY So-yuk welcomed the proposal, and hoped that the mandatory implementation of BECs could be extended to cover more building developments in view of its benefits. She enquired about the codes of practices to be promulgated on the energy efficiency standards, adding that there were a number of measures, such as green rooftops and vertical greening, which could be applied to improve energy efficiency. She also supported that incentives should be introduced to promote energy conservation. PAS(EG)2 said that since the introduction of the voluntary Hong Kong Energy Efficiency Registration Scheme for Buildings (HKEERSB) in 1998, EMSD had issued four codes of practices on energy efficiency standards of fixed building services installations, namely, lighting, air-conditioning, electrical, lifts & escalators, and a code of practice on overall building energy performance. These codes of practices would be updated from time to time with a view to improving the energy efficiency performance of buildings. The Assistant Director/Energy Efficiency (AD/EE) added that the codes of practices aimed at providing the minimum energy efficiency standards for electrical and mechanical installations in buildings. By way of illustration, the BEC on lighting would provide for the lighting power

Admin

densities of various indoor areas and the number of lighting control points. At members' request, the Administration undertook to provide the number of certificates of compliance issued under the voluntary HKEERSB.

22. Miss CHOY So-yuk enquired about the percentage of commercial buildings which were able to comply with the latest energy efficiency standards. She also enquired about the penalty for non-compliance with BECs. PAS(EG)2 advised that up to November 2007, EMSD had issued certificates of compliance to service installations in 791 building venues under the voluntary HKEERSB. Given that there were about 500 to 600 new buildings being completed each year, the participation rate of the voluntary scheme had not been high. He added that the Administration aimed at introducing the relevant legislation on the mandatory scheme into Legislative Council in 2009. There would be penalty provisions for non-compliance with BECs, and the Director of Electrical and Mechanical Services would be the enforcement authority for the mandatory scheme.

23. Mr LEE Wing-tat enquired about the percentage of energy savings which could be achieved through the proposed mandatory implementation of BECs. He also suggested that statutory organizations and major business corporations should be asked to submit information on their electricity consumption and energy efficiency measures to EMSD. PAS(EG)2 said that the annual energy savings expected to be achieved in a typical commercial building through the proposed mandatory implementation of BECs would be between 10% to 15%. He added that some commercial buildings in Hong Kong had voluntarily submitted their annual electricity consumption figures and a benchmark system was subsequently developed and made available on EMSD's website. As for government departments, they were required to follow the guidelines on energy efficiency standards issued by EMSD and to compile reports on their environmental performance on an annual basis.

24. Given the high energy consumption of commercial buildings, Mr LEE Wing-tat suggested that owners and occupiers of these buildings should be required to set higher energy efficiency standards, and to adopt more energy efficient measures in an attempt to achieve greater energy savings. Consideration should also be given to requiring corporations which consumed large amount of electricity in their operations, such as the MTR Corporation Limited, to conduct energy audits once every five years instead of 10 years. PAS(EG)2 confirmed that the Administration had approached trade associations encouraging them to adopt energy efficiency standards that were higher than statutory requirements. On the suggestion of conducting energy audits once every five years instead of 10 years, PAS(EG)2 said that under the proposed mandatory scheme, building owners were required to apprise their occupants outcome of the energy audits, which would also be made available for public reference. The building owners would need time to implement the recommended actions arising from energy audits. Besides, the service lives of energy efficient installations were usually more than 10 years. Hence, it would be more worthwhile to conduct energy audits every 10 years.

25. Ms Emily LAU opined that more should be done to promote the conduct of energy audits, including the use of the Environment and Conservation Fund (ECF) to provide the necessary funding support. She also enquired about the availability of technical experts in conducting energy audits. PAS(EG)2 said that EMSD had been advocating the conduct of energy audits in the past years. Apart from government departments which had been taking the lead in conducting energy audits, a number of corporations had also been performing energy audits. Hence, there was no shortage of expertise in this field. On the cost of energy audits, PAS(EG)2 said that this would depend on the size of the buildings, and the number of energy efficiency installations to be audited. Meanwhile, applications for funding from ECF, relating to energy efficiency projects, had been received. AD/EE supplemented that the average cost of an energy audit for a commercial building which consumed 500 000 units of electricity per year would be around \$50,000 to \$60,000.

26. Miss CHOY So-yuk opined that apart from conducting energy audits for existing buildings, consideration should also be given to introducing design standards that would improve energy efficiency performance of new buildings, such as specifications on the thickness of walls, choice of construction materials, and facing of buildings etc. PAS(EG)2 said that the energy efficiency standards and requirements in BECs had taken into account local needs and circumstances and incorporated good engineering practices.

27. Mrs Anson CHAN noted that as a result of the consultation exercise, government buildings and buildings in the public sector as well as major educational buildings were being considered for inclusion under the proposed mandatory scheme. She sought details about the educational buildings to be included. PAS(EG)2 explained that in the public consultation exercise conducted earlier in the year, there was general support that, apart from covering new commercial buildings and the communal areas of new residential and industrial buildings in both the private and public sectors, the proposed mandatory scheme should be extended to include other government buildings and buildings in the public sector, as well as major educational buildings, the latter of which would cover schools/educational institutes administered by private education providers.

28. Mrs Anson CHAN was of the view that existing buildings should be encouraged to improve their energy efficiency performance not only when there were major retrofitting works, but on an ongoing basis. PAS(EG)2 confirmed that apart from major retrofitting works, existing buildings would also be encouraged to improve their energy efficiency when replacing their building service installations.

29. The Chairman enquired about the energy efficiency standards being adopted for the lighting systems of commercial buildings, because some buildings had kept their lights on overnight, particularly those advertising signboards mounted on their outer walls, which had caused light nuisance and was a constant source of complaint from affected residents. The problem had remained unresolved as no government department was tasked to deal with the problem. She asked if the

implementation of the proposed mandatory scheme could help address the problem of light pollution. Her concern was shared by Miss CHOY So-yuk. AD/EE explained that while there were standards on lighting power densities, there was no standard governing the duration of lighting of commercial buildings, having regard to their different operational needs. PAS(EG)2 added that under the BECs on lighting installations, building owners were required to install energy efficient lighting installations. New commercial buildings were also required to conduct energy audits once every 10 years in an attempt to reduce electricity consumption.

VI. Any other business

30. There being no other business, the meeting ended at 4:30 pm.

Council Business Division 1
Legislative Council Secretariat
17 July 2008