

立法會
Legislative Council

LC Paper No. CB(1) 1355/08-09

(These minutes have been seen
by the Administration)

Ref : CB1/PL/EA/1

Panel on Environmental Affairs

**Minutes of meeting
held on Monday, 23 February 2009, at 2:30 pm
in Conference Room A of the Legislative Council Building**

- Members present** : Hon Audrey EU Yuet-mee, SC, JP (Chairman)
Hon CHAN Hak-kan (Deputy Chairman)
Ir Dr Hon Raymond HO Chung-tai, SBS, S.B.St.J., JP
Hon James TO Kun-sun
Hon LAU Kong-wah, JP
Hon Miriam LAU Kin-yeo, GBS, JP
Hon Albert CHAN Wai-yip
Hon LEE Wing-tat
Hon Jeffrey LAM Kin-fung, SBS, JP
Hon CHEUNG Hok-ming, SBS, JP
Prof Hon Patrick LAU Sau-shing, SBS, JP
Hon KAM Nai-wai, MH
Hon Cyd HO Sau-lan
Hon CHAN Kin-por, JP
Dr Hon Priscilla LEUNG Mei-fun
- Members attending** : Hon WONG Kwok-hing MH
Hon Ronny TONG Ka-wah, SC
- Members absent** : Hon WONG Yung-kan, SBS, JP
Hon Andrew CHENG Kar-foo
- Public officers attending** : **For item IV**
Mr TSUI Wai
Assistant Director/Projects & Development
Drainage Services Department

Mr LEE Tai-kwan
Chief Engineer/Sewerage Projects
Drainage Services Department

Dr YEUNG Hung-yiu
Acting Assistant Director (Water Policy)
Environmental Protection Department

For item V

Mr Edward YAU, JP
Secretary for the Environment

Mr Vincent TANG
Assistant Director (Nature Conservation & Infrastructure Planning)
Environmental Protection Department

Mr Joseph SHAM
Assistant Director (Country & Marine Parks)
Agriculture, Fisheries and Conservation Department

Dr YEUNG Ka-ming
Senior Country Parks Officer (Ranger Service)
Agriculture, Fisheries and Conservation Department

For item VI

Mr Edward YAU, JP
Secretary for the Environment

Mr Jonathan LEUNG
Chief Assistant Secretary (Works) 5
Development Bureau

Mr Graham Martin ROSS, JP
Deputy Director (Specialist) (Lands Administration Office, Headquarters)
Lands Department

Mr TANG Kin-fai
Assistant Director (Environmental Compliance)
Environmental Protection Department

Mr Alfred LEE
Assistant Director (Waste Management Policy)
Environmental Protection Department

Ms Phyllis LI
Acting Assistant Director of Planning /Special Duties
Planning Department

Mr Kelvin CHAN
Acting Chief Town Planner /Central Enforcement and
Prosecution
Planning Department

For item VII

Mr Edward YAU, JP
Secretary for the Environment

Mr Carlson CHAN
Deputy Director of Environmental Protection (3)
Environmental Protection Department

Mr MOK Wai-chuen
Acting Assistant Director (Air Policy)
Environmental Protection Department

Mr Edmond HO
Principle Environmental Protection Officer (Mobile
Source Control)
Environmental Protection Department

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) 806/08-09 — Minutes of the special meeting
held on 15 January 2009)

The minutes of the meeting held on 15 January 2009 were confirmed.

II. Information paper issued since last meeting

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

LC Paper No. CB(1) 822/08-09(01) — Referral regarding the Public-private Partnership Scheme under new nature conservation policy raised at the meeting between Legislative Council Members and Councillors of Heung Yee Kuk on 8 January 2009

III. Items for discussion at the next meeting

(LC Paper No. CB(1) 807/08-09(01) — List of follow-up actions

LC Paper No. CB(1) 807/08-09(02) — List of outstanding items for discussion)

3. Members agreed to discuss the following items proposed by the Administration at the next meeting scheduled for Monday, 30 March 2009, at 2:30 pm -

(a) 5233DS - Sludge Treatment Facilities; and

(b) Proposed extension of the Cartagena Protocol on Biosafety to Hong Kong.

They also accepted Professor Patrick LAU's suggestion to include the latest progress of implementation of the New Nature Conservation Policy, particularly in respect of the Public-private Partnership Scheme in relation to the Sha Lo Tung and Tai Ho projects, in the agenda for the next meeting.

4. In view of the possible environmental impacts on Hong Kong arising from the leakage of sludge from a landfill in Shenzhen, members considered it useful to conduct a visit to the Mainland to facilitate better understanding of the incident. The Clerk was instructed to explore the feasibility of the visit with the relevant authorities in the Mainland.

IV. Provision of sewerage in Yuen Long and Kam Tin

(LC Paper No. CB(1) 807/08-09(03) — Administration's paper on provision of sewerage in Yuen Long and Kam Tin)

5. The Assistant Director/Projects & Development (ADDS/P&D) gave a power-point presentation on the Administration's proposal of upgrading part of the following two projects to Category A –

- (a) 235DS – Yuen Long and Kam Tin sewerage and sewage disposal; and
- (b) 274DS – Yuen Long and Kam Tin sewerage, stage 3.

The related funding proposals would be submitted for consideration by the Public Works Subcommittee (PWSC) in April and June 2009, and for approval by the Finance Committee (FC) in May and June 2009 respectively.

6. Ir Dr Raymond HO supported the early implementation of sewerage projects, which would not only improve the sewerage network of rural districts but also provide the much needed employment opportunities. Hence, more resources should be provided to expedite the delivery of these sewerage projects. Expressing similar views, the Chairman questioned the long time taken for the two projects referred to, particularly in respect of consultation which started as early as 2006. ADDS/P&D said that a lot of efforts were needed to work out the alignment of the sewerage network, and to address the concerns of affected villagers. Notwithstanding, the Administration would endeavour to expedite the sewerage projects as far as practicable.

7. Professor Patrick LAU enquired about the works involved in connecting the village houses to the trunk sewers. ADDS/P&D said that the 235DS project was mainly for the provision of trunk sewers and sewage pumping stations, and that separate funding would be required for public village sewerage in villages at the upstream of trunk sewers for collection of sewage from individual village house. Cost for connection of individual village houses to the reception points, which would be provided under village sewerage projects for each house, would be borne by the owners concerned. The 274DS would be a typical village sewerage project illustrating the provision of sewerage with sewers laying up to the boundary of individual house lots for nine unsewered village areas in Wang Chau of Yuen Long. Consultation with villagers to be served by the project had been held. Professor LAU held the view that the Drainage Services Department (DSD) should provide trunk sewers and village sewers at the same time. This would enable completion of all needed sewerage facilities under one project, and help reduce inconvenience to villagers concerned. He also opined that the sewer network should be extended to cover more unsewered village areas for protection of the environment on the one hand and creation of more job opportunities on the other. ADDS/P&D explained that there were practical difficulties in undertaking the construction works in tandem as the sewerage had to be constructed in stages with the trunk sewers first, and

then extending to village sewers within village areas. Nevertheless, ADDS/P&D agreed that DSD would endeavour to deliver the village sewerage projects at the soonest opportunity.

8. Mr Albert CHAN said that the alignment of sewer connection from village house to the reception points provided under the corresponding village sewerage projects was a subject of much contention, because the cost of connection could vary significantly depending on the distance between village houses and reception points in public village sewers within the village boundaries. He therefore supported the provision of sewer connection to each village house by the Administration. This would ensure connection to the public sewerage system to achieve the needed improvements to the water quality of receiving waters, as otherwise some villagers might chose not to connect to the system if the connection was voluntary. To facilitate better understanding, the Administration was requested to provide a breakdown on the percentage of village houses which had made connection upon provision of the public village sewerage, together with information on the distance between the reception points and the lot boundary of village houses and the reasons for those unable to be connected.

9. Ms Cyd HO shared the concern that some villagers, particularly the elderly and the needy, might not be able to afford the cost of connection to the public sewerage. The sewerage improvements would be futile without the necessary connections. She enquired about the cost of the sewer connection works, whether loans were available to finance the connection works by villagers, and whether measures were in place to ensure that these connections were made. Ir Dr Raymond HO echoed that to resolve the problem associated with non-compliance with sewer connection requirements, consideration should be given to providing villagers with the needed financial assistance to proceed with the connection works. The Acting Assistant Director of Environmental Protection (Water Policy) said that the Environmental Protection Department (EPD) would issue notices to villagers requiring them to make proper connections to the public sewerage. It would also provide technical advice to villagers on the connection arrangements. Meanwhile, villagers would be apprised of the assistance schemes available to them, which included, among others, the Building Maintenance Grant Scheme for Elderly Owners for owners aged 60 or over. At Members' request, the Administration undertook to provide supplementary information on the assistance schemes available to villagers in implementing the sewer connection works, as well as the measures to ensure compliance with sewer connection requirements, before submitting the proposal to PWSC.

10. While supporting the early implementation of the sewerage projects, Mr CHEUNG Hok-ming noted with concern that it would take four years to complete the construction of the trunk sewers under 235DS. In other words, the village sewers for house connection could only commence upon the completion of trunk sewers in mid 2013, which meant that the needed improvement to the environment would have to be delayed for another few years until completion of the network. He enquired

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whether village sewerage works could be carried out in tandem with the construction of trunk sewers. He also enquired about the schedule for delivery of the village sewerage works, which might require an extended land resumption process. ADDS/P&D said that funding application for the village sewerage projects would normally be submitted within the next six to 12 months after commencement of the construction of trunk sewers. If approved, construction of village sewers would commence as soon as practicable for completion in time with the trunk sewers to facilitate timely operation of the sewerage network. It was expected that when the trunk sewers were completed by 2013, the first batch of villages could be connected to the public sewerage. At members' request, the Administration undertook to provide the schedules of delivery for village sewers and sewer connection works and their respective site plans.

11. Mr Albert CHAN was concerned about the odour problem associated with the sewage facilities, as in the case of the existing sewage facility at Lantau Island which was a source of odour nuisance affecting commuters of the Lantau Highway. Ir Dr Raymond HO opined that the problem of odour generation by gravity sewers of insufficient gradient could be dealt with by adopting pumping system to improve their efficiency. ADDS/P&D said that measures would be taken to remove odour from the sewage facilities. In response to Mr WONG Kwok-hing's question on the need to apply greening measures to the trunk sewerage project, ADDS/P&D said that most of the trunk sewers would be constructed along existing roads which were already lined with trees.

12. In concluding, the Chairman said that members did not object to the proposal being submitted for consideration by PWSC, on condition that the information requested by members was provided before the relevant PWSC meeting.

V. Proposal to set up a geopark in Hong Kong

(LC Paper No. CB(1) 807/08-09(04) — Administration's paper on proposal to set up a Geopark in Hong Kong)

13. The Secretary for the Environment (SEN) briefed members on the Administration's proposal to set up a geopark in Hong Kong by highlighting the salient points in the information paper.

14. While supporting the proposal, Mr CHAN Kin-por stressed the need for a comprehensive plan to better conserve and manage the geological landscapes to avoid damages to the geological resources as a result of the expected increase in local and overseas visitors to the geopark. SEN said that the existing legal frameworks under the Country Parks Ordinance (Cap.208) (CPO) and the Marine Parks Ordinance (Cap.476) (MPO) provided for proper management and protection of the geopark. An integrated management approach would also be adopted to enhance geological attractions and promotion of geodiversity. Meanwhile, efforts would be made to

promote geoeducation and geoscience popularization. The Assistant Director (Country & Marine Parks) (AD(CMP)) added that publicity efforts would be made to help the public appreciate the geological treasures and make them aware of the importance of preserving geological resources.

15. Mr WONG Kwok-hing considered that geo-walks should be developed to help visitors to better appreciate the geological landscapes. In addition, measures should be introduced to protect geological resources and prevent visitors from taking away the rocks from the geopark. Sufficient toilet facilities should also be provided for use by visitors. Given that some of the areas in geopark were not easily accessible, Professor Patrick LAU agreed that organized tours should be conducted. SEN agreed to the need for proper management and protection of the geopark. He confirmed that geo-walks and visitor centres would be provided at suitable sites of the geopark to make the visits more informative and interesting. Publicity efforts would be stepped up to promote the geopark to the public. A series of educational activities, such as geological games, geo-education packs, visits to primary and secondary schools and school-based teaching with demonstrations, would be carried out.

16. Ms Cyd HO noted that apart from geological landscapes and geodiversity, geopark sites should also have high archaeological, ecological, historical or cultural value according to the United Nations Educational, Scientific and Cultural Organization. As such, studies on conservation and management should be conducted before developing the geopark in Hong Kong to ensure that these values could be preserved. Care should be taken to avoid using concrete in the geopark as this might damage the geology. There was also a need for proper training of tour guides so that they could induce visitors to appreciate the geology and geomorphologic features during geo-walks. SEN said that while not all archaeological value within the geopark was known at the present stage, efforts would be made to protect the geological resources as far as possible. Training would be provided for tour guides in conducting geo-walks.

17. Ms Cyd HO further questioned the rationale for setting up the visitor centre at Tsiu Hang, which was far away from the geosites. Mr CHAN Hak-kan echoed that as the site had already been used as a nature education centre, it might not have the capacity to accommodate additional visitors of the geopark. A more preferred location would be Pak Shak, Ma On Shan, as suggested by Members belonging to the Democratic Alliance for Betterment and Progress of Hong Kong (DAB). The Senior Country Parks Officer (Ranger Service) (SCPO(RS)) explained that Tsiu Hang was selected because it was easily accessible by the public and also had in the past been handling a large number of visitors.

18. While welcoming the Administration's decision to set up the geopark, which was first put forward by DAB, Mr CHAN Hak-kan was concerned that CPO and MPO mainly provided for the protection of biodiversity and marine habitat, but not for geological resources. SCPO(RS) explained that the regulations under CPO had

provided for the protection of geodiversity and visitors were not allowed to damage the geological features of country parks. Graffiti was also prohibited under MPO as well as other legislation. Mr CHAN further asked whether more areas could be included in the proposed geopark, particularly after it had acquired the national geopark status. Expressing similar view, Mr CHEUNG Hok-ming questioned the rationale for non-inclusion of the disused iron mine at Ma On Shan in the geopark. SEN said that the Administration had identified two regions and eight areas for inclusion in the geopark. These sites were considered unique and representative. Ma On Shan was not chosen because unlike other chosen sites, it was not able to meet the criteria for inclusion. The question of whether more areas should be included under the proposed geopark would be considered at a later stage. As regards the listing of the proposed geopark as a national park, SEN said that the Administration would set out the overall planning for the proposed geopark in its submission to the Mainland authorities. In order for the proposed geopark to be eligible for listing as a national geopark, it had to meet a set of criteria in respect of geodiversity, ecology and overall planning etc. In reply to Mr CHEUNG's enquiry on the timeframe for provision of supporting facilities, such as access roads, ferry piers, viewing towers etc, for the geopark, SEN said that some of these facilities were readily available as most of the geosites were situated within the existing country and marine parks.

19. Mr KAM Nai-wai enquired about the future development of geopark, and whether the setting up of geopark would affect the rights of owners of private land situated within geoparks. SEN advised that there were unlikely any commercial developments within the geopark, and efforts would be made to conserve the geological landscape as far as possible. Mr KAM said that although the setting up of the proposed geopark could attract more visitors to Hong Kong, it might also have a negative effect of bringing more disturbance and damage to the geopark. In order to strengthen its efforts in managing and protecting the geopark, the Administration should enlist the assistance of non-governmental organizations (NGOs) and green groups in the management of geopark, as in the case of the Mai Po Nature Reserve. Consideration should also be given to controlling the number of visitors through means such as restricting the operating hours of the ferry services, as in the case of Tung Ping Chau. AD AFC(CMP) said that as the proposed geopark would cover two regions and eight areas, visitors could have access to these sites by different modes of transport. SEN added that the existing legal framework had provided for the protection of geopark, the management of which would be undertaken by the relevant government departments in accordance with the provisions under CPO and MPO. He nevertheless agreed that NGOs and green groups could assist in organizing activities to promote the geopark.

20. While supporting the setting up of geopark, Mr LEE Wing-tat did not agree that all tourism to the eight geosites should be actively promoted as tourism and nature conservation were indeed contradictory to each other. He was worried that the increase in number of visitors to these sites would bring about irreparable damages, as in the case of Lai Chi Wo where the natural scenery and precious trees had been severely damaged by visitors. Hence, there should be restrictions on the number of

visitors in order to protect and conserve the natural landscape of the geosites. The Administration should also consult environmental groups and conservation specialists on how best these sites could be protected to prevent damages. Mr James TO echoed that the opening up of geopark to tourists on a commercial scale would bring about irreparable damages to the geological resources of the geopark.

21. In reply, SCPO(RS) said that it was not possible to restrict the number of visitors to country parks in Hong Kong. The Administration would endeavour to draw up a comprehensive management plan to accommodate visitors while protecting the more sensitive areas. By way of illustration, boardwalks were provided at Lai Chi Wo to protect the more ecologically sensitive areas. Consultation with environmentalists and geologists had revealed support for the setting up of the geopark. SEN added that there were different views as to whether sites with ecological and geological importance should be opened to tourists. However, any site could be well protected through proper management as in the case of Jiu Zai Gou which was frequented by large number of visitors. The existing legal framework should provide for proper protection and management of the geopark. Geo-walks would also be well designed for the protection of the geological landscapes.

22. Professor Patrick LAU questioned whether the existing legal framework would be sufficient to provide for the protection and management of the geopark. He stressed the need for a comprehensive plan, including whether entrance fees should be charged, to be worked out before the setting up of geopark. Reference should be made to overseas experience such as Jiu Zai Gou in the Mainland. He considered it useful to conduct a visit to the geopark areas so that members could better understand the types of supporting facilities required. Mr Albert CHAN agreed to the need for more comprehensive planning on nature conservation and protection of natural habitat in Hong Kong. Efforts should be made to step up promotional and educational efforts for the purpose. SEN said that most of the geopark areas were within the existing country or marine parks and hence under the protection of CPO and MPO. For areas that fell outside the protected areas, legislative amendments would be made to designate these as special areas or marine parks under the protection of CPO and MPO. SEN said that he was more than happy to invite members to visit the proposed geopark.

23. In concluding, the Chairman said that members generally supported the proposal of setting up a geopark in Hong Kong. To address members' concerns about the possible damages to the geopark as a result of the increase in number of visitors, the Administration should work out a comprehensive plan for the management of geopark, taking into account views of members. As regards the timing for the visit to the geopark, SEN said that this could be arranged some time in the third quarter of 2009 when a comprehensive management plan had been drawn up.

VI. Latest progress of measures to enhance control on the depositing of construction and demolition materials

- (LC Paper No. CB(1) 807/08-09(05) — Administration's paper on latest progress of measures to enhance control on the depositing of construction and demolition materials
- LC Paper No. CB(1) 807/08-09(06) — Paper on depositing of inert construction and demolition materials on government and private land prepared by the Legislative Council Secretariat
- LC Paper No. CB(1) 867/08-09(01) — Hon LEE Wing-tat's letter dated 19 February 2009 requesting additional information on the latest progress of measures to enhance control on the depositing of construction and demolition materials)

24. SEN briefed members on the enhanced control measures against the depositing of construction and demolition (C&D) materials, and the progress of exploring the regulatory options to further control such activities.

25. Mr LEE Wing-tat opined that fly-tipping activities had become more rampant despite the enhanced control measures. He also noted with concern that some depositing activities involving C&D materials had subsequently been approved by the Government for land formation purposes. This might have exacerbated the situation. SEN said that the Environment Bureau had promulgated and issued a new Government circular to all concerned government departments incorporating the procedures for handling public complaints on active land filling activities involving C&D materials. The relevant departments would take actions as appropriate upon receipt of complaints.

26. Mr LEE Wing-tat noted that the hotline for complaints about depositing activities only operated during office hours. Complaints received after office hours would have to be dealt with the following day. The mechanism was not able to deal with illegal depositing activities promptly and effectively as such activities usually took place during night time. SEN said that the Environment Protection Department (EPD) would endeavour to carry out investigation within one working day or as soon as practicable upon receipt of complaints to ascertain the extent of the problem. Other departments would also be requested to take parallel action. Prosecution would be taken as appropriate subject to the availability of witness and sufficient evidence.

27. The Chairman enquired about the number of complaints received on and the enforcement actions taken against fly-tipping activities. The Assistant Director (Environmental Compliance) (ADEP(EC)) said that about 2 700 and 3 100 complaints were received in 2007 and 2008 respectively. The majority of these complaints were related to fly-tipping activities involving depositing of small quantity of waste at road sides, while some 200 cases involved land filling activities on private land. In 2008, EPD had issued 57 fixed penalty notices for illegal deposition of waste, of which 35 involved C&D materials. There were 28 prosecutions under the Waste Disposal Ordinance (Cap. 354) (WDO), of which 16 were related to depositing of C&D materials. The fines involved were usually about several thousand dollars.

28. Mr James TO opined that the existing regulatory regime on fly-tipping and illegal depositing activities, which largely relied on reporting by the public, was passive and not effective in combating the problem. He was skeptical that some of these activities, particularly those on a larger scale, were in fact organized and serious crimes involving syndicates for the purposes of evading charges for disposal of C&D waste or destroying the ecological value of land to allow for building development. He supported that more should be done to investigate these depositing activities. SEN said that he would not rule out the malice of these depositing activities, and in fact some of these activities were conducted with the approval of landowners. When conducting investigation on these depositing activities, EPD would have to ascertain the ownership of the land, whether approval had been obtained from the landowners concerned, and whether such activities had given rise to adverse impact on the surrounding environment. In the case where organized crimes were suspected, EPD would solicit support from the Police.

29. Mr Albert CHAN said that the measures adopted in preventing dumping at sea, whereby active surveillance was carried out on the marine vessels, should provide useful reference in tackling the problem of fly-tipping effectively. Consideration could be given to requiring waste haulers to register their vehicles with EPD to enable more effective monitoring of depositing activities. In the long run, the Government should identify more sites to set up public fill banks for the deposit of inert C&D materials. This could not only help resolve the problem of fly-tipping, but also better utilize the inert C&D materials. SEN said that in consultation with the construction industry, the Administration was examining the feasibility for the trip-ticket system to be voluntarily adopted in private works projects, such that trip tickets would be issued to trucks leaving construction sites to facilitate the industry to monitor waste delivery. The Construction Industry Council would then be consulted on the feasibility and operational implications of the proposal. He added that under the Construction Waste Disposal Charging Scheme, the fee for disposing of inert C&D materials at public fill reception facilities was the lowest to encourage sorting by the trades. Furthermore, inert C&D materials would be re-used as public fill as far as possible.

Proposed setting up of the Subcommittee on Combating Fly-tipping

30. Mr LEE Wing-tat was disappointed at the little progress made in combating fly-tipping despite that the Panel had a number of meetings with the Administration to discuss the issue. He considered it useful to set up a subcommittee to study the problem so that more focused discussion could be held with the relevant government departments. The subcommittee was expected to complete its work in a few months' time and report to the Panel within the current legislative session.

31. The Chairman informed members that the Legislative Council Commission was considering the need to limit the number of subcommittees to be formed under a Panel to not more than one at any one time. Apart from setting up a subcommittee, members could also consider holding a series of special meetings to discuss how to enhance Government's efforts in tackling the problem of fly-tipping. Mr LEE Wing-tat however remained of the view that a subcommittee should be set up to follow up on the subject.

32. As members present at the meeting did not raise any objection to the proposed setting up of a Subcommittee, the Chairman instructed the Clerk to prepare a paper setting out the terms of reference and work plan of the subcommittee for circulation to members of the Panel.

(*Post-meeting note:* A paper on the proposal of setting up the Subcommittee on Combating Fly-tipping was circulated vide LC Paper No. CB(1) 975/08-09 on 4 March 2009).

VII. Banning idling vehicles with running engines

(LC Paper No. CB(1) 807/08-09(07) — Administration's paper on banning idling vehicles with running engines

LC Paper No. CB(1) 807/08-09(08) — Paper on control of idling vehicles with running engines prepared by the Legislative Council Secretariat)

33. SEN said that pursuant to members' request at the Panel meeting on 15 January 2009, the Administration had further consulted the taxi trade on the revised proposal on banning idling vehicles with running engines (idling vehicles). While some members of the taxi trade insisted on a full exemption from the ban, some deputations of the transport trades and green groups expressed support for the revised proposal. Subject to any views that members might have, the Administration would prepare a draft bill for scrutiny by the Legislative Council, which would form the basis of discussion on the proposed ban.

34. Ms Miriam LAU said that taxi drivers had pointed out that the proposed exemption for the first five taxis would not be practicable as others waiting in line would need to frequently re-start their engines. Hence, they had requested for full exemption for all taxi at a taxi stand. Ms Cyd HO also agreed to the need to resolve the practical difficulties associated with the implementation of the proposed ban. By way of illustration, the exemption for the first five taxis at taxi stands might not be practical in some busy districts, such as Pedder Street and Times Square where active boarding and alighting were expected, because the sixth taxi and others waiting in line would have to repeatedly re-start their engines. Consideration should be given to expanding the proposed exemption at taxi stands. Mr WONG Kwok-hing noted that the taxi trades were gravely dissatisfied with the Administration's persistence in pushing forward the proposed ban without having regard to their practical difficulties or providing the necessary exemptions, such as during extremely hot and rainy weather. Neither had the Administration responded to their request for subsidy in retrofitting taxis with electric air conditioning systems. He considered it necessary for the Administration to address these concerns to avoid conflict with the affected trades. Mr CHAN Hak-kan further enquired if studies had been made to ascertain the effect of frequent switching on and off of engines on the performance of vehicles.

35. In response, SEN noted that some taxi drivers had requested for full exemption for the taxi trade from the proposed ban, while others requested for further expansion of the exemption at taxi stands. It would be difficult to implement the ban if full exemption was granted to the taxi trade. Besides, the revised exemption for the first five taxis was considered reasonable since about 60% of taxi stands in Hong Kong could only accommodate five taxis or less. He added that taxis in a moving queue and those with passengers boarding or alighting would be exempted from the ban. On the request for exemption on hot and rainy days, SEN said that in Singapore where a mandatory ban on idling vehicles was in place, there was no exemption when the ambient temperature reached a certain level or when it was raining, though the summer in Singapore might even be hotter and more humid than Hong Kong. As regards retrofitting taxis with electric air-conditioning systems, SEN advised that the Hong Kong Productivity Council was seeking funding support from the Environment and Conservation Fund to conduct feasibility studies in this respect.

36. Given that most taxis in Hong Kong were running on liquefied petroleum gas (LPG) which was more environment-friendly than diesel, Mr CHAN Kin-por sought elaboration on the emission performance of LPG taxis when left idling. He shared the concern of taxi drivers about the impact of lacking continuous air conditioning during hot weather on their health if they had to frequently switch on and off the engines. Therefore, efforts should be made to resolve these concerns before implementing the ban. SEN reiterated that the ban would not be effective if a full exemption was granted to the taxi trade. The Administration had already agreed to expand the proposed exemption from the first two taxis to the first five taxis at a taxi stand. The Acting Assistant Director (Air Policy) added that the emission performance of LPG taxis was comparable to that of petrol cars. However, both LPG and petrol vehicles still emitted pollutants when idling. For instance, the levels of

emissions in respect of carbon monoxide and hydrocarbon when idling were about 20% less than the respective emissions produced when the vehicles were running.

37. Ms Miriam LAU opined that there should be further consultation with the taxi trade with a view to working out practicable solutions to resolve the problems arising from the ban. These included the lack of clear exemptions for red minibuses at minibus stands, and car parking facilities for tourist coaches to facilitate compliance with the ban. The Transport Department should also be consulted on the operation of the transport trades as she did not wish to see the implementation of a legislation which was not workable. SEN explained that the exemption for red minibuses would be basically the same as that for green minibuses, but the question of adequacy of red minibus stands should be pursued outside the context of the proposed ban. The proposed exemption for coaches with one or more passengers on board was meant to address the operational difficulty. While continuous efforts would be made to address the concerns of the affected trades, the Administration held the view that the ban should be implemented without further delay. Subject to any views that members might have, the Administration would work out the implementation details of the ban in the form of a draft bill for consideration by LegCo.

38. Mr LEE Wing-tat said that there was a need for the Administration to listen to the views of the general public and not only the views of the trades. He pointed out that about 60% to 70% of the people in Hong Kong were supportive of the ban. While acknowledging that exemptions should be provided as appropriate to ensure the practicality of the ban, it should not be further delayed due to technical reasons. He also failed to see the need to provide exemptions to coaches when there was only one passenger on board. Sharing similar views, Mr KAM Nai-wai said that there was a price to pay to improve the environment. He was of the view that the ban should not be put on hold because of certain technicalities. He supported that a draft bill should be prepared for scrutiny by LegCo. Meanwhile, efforts should be made to address the concerns and practical difficulties raised by the affected trades.

39. On the legislative timetable for the proposed bill on the ban, SEN said that the draft bill would be submitted for scrutiny by the LegCo within this year.

VII. Any other business

40. There being no other business, the meeting ended at 4:37 pm.