

**立法會**  
**Legislative Council**

LC Paper No. CB(1)38/10-11

(These minutes have been seen by  
the Administration)

Ref : CB1/SS/9/09

**Subcommittee on Country Parks (Designation)  
(Consolidation) (Amendment) Order 2010**

**Minutes of the fourth meeting held on  
Monday, 27 September 2010, at 10:45 am  
in Conference Room B of the Legislative Council Building**

**Members present** : Hon Tanya CHAN (Chairman)  
Hon WONG Yung-kan, SBS, JP  
Hon Miriam LAU Kin-ye, GBS, JP  
Hon Emily LAU Wai-hing, JP  
Hon KAM Nai-wai, MH  
Hon Cyd HO Sau-lan  
Hon CHAN Hak-kan  
Hon IP Wai-ming, MH  
Hon Albert CHAN Wai-yip

**Member attending** : Hon Ronny TONG Ka-wah, SC

**Public Officers  
attending** : Agenda item II

Mr Joseph SHAM Chun-hung  
Assistant Director of Agriculture, Fisheries and  
Conservation

Mr LEUNG Chi-hong  
Senior Country Parks Officer of Agriculture, Fisheries  
and Conservation

Dr Ellen CHAN Ying-lung  
Assistant Director of Environmental Protection

Mr Lawrence LAU Ming-ching  
Principal Environmental Protection Officer  
Environmental Protection Department

Mr Tommy LAI Kwok-leung  
Senior Environmental Protection Officer  
Environmental Protection Department

Ms Lonnie NG Wah-chi  
Senior Government Counsel  
Department of Justice

**Clerk in attendance :** Ms Debbie YAU  
Chief Council Secretary (1)6

**Staff in attendance :** Mr KAU Kin-wah  
Assistant Legal Adviser 6

Mr Franco KWONG  
Council Secretary (1)1

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Action

**I Confirmation of minutes**

(LC Paper No. CB(1)2821/09-10 -- Minutes of meeting held on  
29 July 2010)

The minutes of the meeting held on 29 July 2010 were confirmed.

**II Meeting with the Administration**

(LC Paper No. CB(1)2647/09-10(01) -- List of follow-up action arising  
from the discussion at the  
meeting on 13 July 2010

LC Paper No. CB(1)2849/09-10(01) -- List of follow-up actions arising  
from the discussion at the  
meeting on 29 July 2010

LC Paper No. CB(1)2849/09-10(02) -- Administration's response to  
CB(1)2849/09-10(01)

Submissions issued since last meeting

LC Paper No. CB(1)2774/09-10(01) -- Submission from a resident of  
Tseung Kwan O Plaza (Chinese  
version only)

LC Paper No. CB(1)2849/09-10(03) -- Administration's response to CB(1)2774/09-10(01)

LC Paper No. CB(1)2849/09-10(04) -- Submission from Le Prestige Guest Services Centre, LOHAS Park (Chinese version only)

LC Paper No. CB(1)2849/09-10(05) -- Administration's response to CB(1)2849/09-10(04))

2. The Subcommittee deliberated (Index of proceedings attached at **Appendix**).

Follow-up actions required to be taken by the Administration

3. The Subcommittee requested the Administration to:

- (a) consider allocating additional resources to provide free full-body vehicle washing services for more private refuse collection vehicles (RCVs);
- (b) explore other measures to accommodate those loaded private RCVs requiring overnight parking near the South East New Territories (SENT) Landfill, e.g. providing enclosed parking lots for these RCVs at the two public car parks near the LOHAS Park to park overnight, or designating an area near or within the SENT Landfill for the purpose;
- (c) provide detailed information on the initial findings of the e-nose monitoring at the SENT Landfill and Ocean Shores;
- (d) consider subsidizing private waste collection operators in retrofitting their RCVs with metal tailgate cover and wastewater sump;
- (e) provide information on the outcome of an independent survey on odour intensity conducted by tertiary students during the summer of 2007; and
- (f) provide the paper considered by the Country and Marine Parks Board on designation of potential sites as part of the Clear Water Bay Country Park.

Motion

4. In view of that the persistent odour problem in Tseung Kwan O remained unresolved, Ms Miriam LAU moved the following motion:

"本小組委員會要求行政長官廢除《2010年郊野公園(指定)(綜合)(修訂)令》。"

"That this Subcommittee requests the Chief Executive to repeal the Country Parks (Designation) (Consolidation) (Amendment) Order 2010."

The motion was seconded by Ms Cyd HO. The Chairman put the motion to vote. All members present voted for the motion. The Chairman declared that the motion was carried. The Administration was requested to provide its response to the motion at the next meeting.

*(Post-meeting note: The wording of the motion was circulated to members vide LC Paper No. CB(1)2918/09-10(01) on 28 September 2009.)*

Date of next meeting

5. Members agreed to hold the next meeting on Monday, 4 October 2010, at 10:45 am.

**III Any other business**

6. There being no other business, the meeting ended at 12:55 pm.

Council Business Division 1  
Legislative Council Secretariat  
13 October 2010

**Proceedings of the fourth meeting of  
the Subcommittee on Country Parks (Designation) (Consolidation) (Amendment) Order 2010  
on Monday, 27 September 2010, at 10:45 am  
in conference Room B of the Legislative Council Building**

Time marker	Speaker	Subject(s)	Action required
000000 – 000100	Chairman	<p>The Chairman's introductory remarks</p> <p>Confirmation of minutes of meeting on 29 July 2010 (CB(1)2821/09-10))</p>	
000101 – 002457	Chairman Administration	<p>The Administration briefed members on its response (CB(1)2849/09-10(02)) to the concerns raised at the meeting on 29 July 2010 and reported the findings of the e-nose monitoring in the South East New Territories (SENT) Landfill and Ocean Shores. It also highlighted that: -</p> <p>(a) at the request of the Environmental Protection Department (EPD), the Food and Environmental Hygiene Department (FEHD) agreed to consider including more specific provisions in the outsourced contracts requiring their contractors to provide metal tailgate cover and wastewater sump tanks in the refuse collection vehicles (RCVs) under their contracts;</p> <p>(b) the design of the full-body vehicle washing facility at the landfill was completed. Prior to its commissioning, the SENT Landfill contractor had since early September 2010 set up an interim facility to provide free manual vehicle-body cleaning service to private RCVs visiting the SENT Landfill;</p> <p>(c) at the recommendation of the Agriculture, Fisheries and Conservation Department (AFCD), the Country and Marine Parks Board (CMPB) agreed at the meeting on 21 September 2010 to include the upper slope above the Tai Au Mun Road of about 15 hectares (ha) into the boundary of the Clear Water Bay Country Park (CWBCP); and</p> <p>(d) according to the initial findings of the e-nose monitoring at Ocean Shores, the odour thereat seemed to be related to sewage.</p>	
003949 – 004919	Chairman Ms Miriam LAU Administration Assistant Legal Adviser (ALA)	<p>In response to Ms Miriam LAU's concerns, the Administration advised that while the Housing and Environmental Hygiene Committee of the Sai Kung District Council (SKDC) appreciated EPD's efforts taken to abate the odour problem at Tseung Kwan O (TKO), the stance of SKDC's objection to the proposed extension of the SENT Landfill remained unchanged.</p> <p>Discussion on the feasibility of repealing the Amendment Order.</p>	

Time marker	Speaker	Subject(s)	Action required
004920 – 005745	Chairman Ms Emily LAU Administration	<p>Ms Emily LAU was disappointed that despite the odour problem in TKO remained unresolved and the objection of SKDC and local residents, the Administration had introduced the Amendment Order and appointed 1 November 2010 as the commencement date. She indicated that Members belonging to the Democratic Party could hardly give their support to the Amendment Order.</p> <p>The Administration highlighted the Government's initiatives on waste reduction and recycling in the "Policy Framework for the Management of Municipal Solid Waste (2005-2014)". If the 5 ha of land from CWBCP could not be excised for landfilling purpose, RCVs using the SENT Landfill would need to go farther to dispose of refuse at the other two strategic landfills.</p>	
005746 – 010642	Chairman Ms Cyd HO Administration	<p>Ms Cyd HO was disappointed to note that not much progress had been made in the past two months to combat the odour problem in TKO. She expressed the following concerns:-</p> <ul style="list-style-type: none"> <li>(a) potential fire hazards associated with some unknown waste assignments/ compositions (e.g. flammable waste) carried by those loaded private RCVs staying overnight at the landfill, if any, were also present during day time; and</li> <li>(b) additional resources should be allocated to provide free full-body vehicle washing services for more private RCVs, having regard that these RCVs usually underwent such washing only once a year before annual check-up.</li> </ul> <p>The Administration responded that:-</p> <ul style="list-style-type: none"> <li>(a) it would explore other measures to accommodate those loaded private RCVs requiring overnight parking further away from LOHAS Park; and</li> <li>(b) the said fire risks during day time was much lower as the waste in RCVs would have been checked and disposed of.</li> </ul>	The Administration to provide information as requested in paragraph 3(a) and 3(b) of the minutes.
010643 – 011335	Chairman Mr Ronny TONG Administration	<p>Mr Ronny TONG expressed concern about the proposed encroachment of CWBCP and the persistent odour problem in TKO, and agreed that the Subcommittee should consider repealing the Amendment Order. While the findings of the e-nose monitoring in Ocean Shores helped prove the genuine concern of TKO residents, the Administration should investigate whether the odour came from RCVs running in the vicinity. On the design and management of RCVs, he expressed the following concerns:-</p> <ul style="list-style-type: none"> <li>(a) specific provisions could be included in the contracts requiring the outsourced contractors to retrofit the RCVs and ensure their safety; and</li> <li>(b) enclosed parking lots for loaded RCVs should be provided at the two public car parks near the LOHAS Park;</li> </ul> <p>The Administration responded that the odour at Ocean Shores could come from other sources such as the drainage system and</p>	The Administration to provide information as requested in paragraph 3(b) of the minutes.

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		sewerage system as well as those within the residential developments.	
011336 – 011856	Chairman Mr CHAN Hak-kan Administration	<p>Mr CHAN Hak-kan considered that the Government's initiatives under the Policy Framework had failed to manage the municipal solid waste (MSW). He agreed that concrete measures should be drawn up to reduce the odour at Ocean Shores as the source had already been identified by the e-nose monitoring.</p> <p>The Administration advised that while no conclusion had been drawn from the initial findings of the e-nose monitoring, the source of odour at Ocean Shores did not appear to be related to RCVs as they normally used Wan Po Road to access the SENT Landfill.</p>	The Administration to provide information as requested in paragraph 3(c) of the minutes.
011857 – 012559	Chairman Mr IP Wai-ming Administration	<p>Mr IP Wai-ming considered that EPD was not sincere in addressing the concerns of the local residents, as evidenced by its inclination to imply that the SENT Landfill was not the source of odour. He said that if the odour problem remained unresolved, Members belonging to the Hong Kong Federation of Trade Unions would not give their support to the Amendment Order. He enquired whether the Administration would consider subsidizing private waste collection operators in retrofitting their RCVs.</p> <p>The Administration highlighted the Government's commitment in managing MSW in Hong Kong, and stressed that many TKO residents and students had changed their view about landfills after they visited the SENT Landfill under the outreach programme for TKO District. In response to Mr IP, the Administration undertook to follow up with the waste collection trade on Government's subsidy in retrofitting private RCVs.</p>	The Administration to provide information as requested in paragraph 3(d) of the minutes.
012600 – 013113	Chairman Mr Albert CHAN Administration	<p>Mr Albert CHAN expressed grave concern that the Administration had not taken any actions to address the odour problem until the proposed SENT Landfill extension project was put forward. The measures of providing free full-body vehicle washing for RCVs and the additional flushing and sweeping of Wan Po Road were some examples. He urged the Administration to implement the measures even if the Amended Order was eventually repealed.</p> <p>The Administration clarified that the SENT Landfill extension would still proceed even if the Amendment Order was repealed and the 5 ha of land would not be excised for landfilling purpose. In that event, the Administration assured members that it would continue to implement the said measures.</p>	
013114 – 013954	Chairman Mr KAM Nai-wai Administration	<p>Mr KAM Nai-wai expressed concerns about the proposed encroachment of CWBCP and the persistent odour problem in TKO. He requested the Administration to address the concerns raised in the submission from a resident of Tseung Kwan O Plaza (CB(1)2774/09-10(01)).</p> <p>The Administration referred to its response</p>	The Administration to provide information as requested in paragraph 3(e) of the minutes.

Time marker	Speaker	Subject(s)	Action required
		<p>(CB(1)2849/09-10(03)) and highlighted that:-</p> <p>(a) the current air quality monitoring network in Hong Kong was adequate in providing full range of data covering the lowest to the highest air pollution areas;</p> <p>(b) the staff from the regional office of the EPD would conduct individual investigation on each complaint case to try to trace the source of odour. If considered necessary, follow-up actions would be provided;</p> <p>(c) the waste collection trade strongly objected to the suggestion of shortening the operation hours of the SENT Landfill from 11:00 pm to 10:30 pm or 10:00 pm. The Administration would continue to discuss with the trade on the matter; and</p> <p>(d) the Town Planning Board would consider representations on amendments to the draft Tseung Kwan O Outline Zoning Plan in November 2010.</p> <p>In response to Mr KAM's suggestion of conducting odour surveys during July to September, the Administration undertook to provide information on the outcome of a independent survey on odour intensity conducted by tertiary students during the summer of 2007.</p>	
013955 – 014523	Chairman Administration	<p>Discussion on the findings of the e-nose monitoring at the SENT Landfill and Ocean Shores.</p> <p>In response to the Chairman, the Administration advised that CMPB had considered a total of 40 ha in the area along Tai Au Mun Road and agreed to designate 15 ha, which did not involve any private lands, for inclusion into the boundary of CWBCP if 5 ha of land from the country park would be excised for landfill purpose.</p>	The Administration to provide information as requested in paragraph 3(f) of the minutes.
014524 – 014623	Chairman Clerk ALA	Discussion on the procedures in repealing the Amendment Order.	
014624 – 015322	Chairman Ms Miriam LAU Ms Cyd HO Ms Emily LAU Mr Ronny TONG	<p>Ms Miriam LAU indicated that she would later move a motion urging the Chief Executive to repeal the Amendment Order. She said that if the CE would not do so, she would request the Subcommittee to repeal it. Ms Cyd HO and Ms Emily LAU supported her view.</p> <p>Ms Miriam LAU further pointed out that residents in Ocean Shores had been lodging complaints about odour problem for some 10 years whereas drainage problem within the development only emerged since last year. Separately, Ms LAU said that she could help the Administration liaise with the waste collection trade on the design and management of RCVs.</p> <p>Ms Cyd HO cautioned that if there was fire concern associated with overnight parking of loaded RCVs, they should not be</p>	



Time marker	Speaker	Subject(s)	Action required
		<p>allowed to park near residential developments.</p> <p>Ms Emily LAU urged the Administration to arrange loaded RCVs to park near the SENT Landfill overnight and to subsidize the retrofitting of private RCVs.</p>	
015323 – 015424	Chairman Administration Mr Ronny TONG	The Administration indicated that EPD would explore further measures with regard to overnight parking arrangement for loaded RCVs and follow up the suggestion of subsidizing the retrofitting of private RCVs.	
015425 – 015547	Chairman ALA Ms Miriam LAU Clerk Ms Emily LAU Mr Ronny TONG	Discussion on the legislative procedures and timetable.	
015548 – 015739	Chairman Ms Miriam LAU Ms Cyd HO Ms Emily LAU	<p>Motion moved by Ms Miriam LAU.</p> <p>Date of next meeting</p>	The Administration to provide information as requested in paragraph 4 of the minutes.