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**Public Works Subcommittee of the Finance Committee
of the Legislative Council**

**Minutes of the 11th meeting
held in Conference Room 1 of the Legislative Council Complex
on Wednesday, 7 May 2014, at 8:30 am**

Members present:

Ir Dr Hon LO Wai-kwok, BBS, MH, JP (Chairman)
Hon LEUNG Che-cheung, BBS, MH, JP (Deputy Chairman)
Hon James TO Kun-sun
Hon CHAN Kam-lam, SBS, JP
Hon TAM Yiu-chung, GBS, JP
Hon Abraham SHEK Lai-him, GBS, JP
Hon WONG Kwok-hing, BBS, MH
Hon Cyd HO Sau-lan
Hon CHAN Hak-kan, JP
Hon CHAN Kin-por, BBS, JP
Dr Hon LEUNG Ka-lau
Hon IP Kwok-him, GBS, JP
Hon Alan LEONG Kah-kit, SC
Hon Albert CHAN Wai-yip
Hon Michael TIEN Puk-sun, BBS, JP
Hon James TIEN Pei-chun, GBS, JP
Hon Frankie YICK Chi-ming
Hon WU Chi-wai, MH
Hon Gary FAN Kwok-wai
Hon MA Fung-kwok, SBS, JP
Hon Charles Peter MOK
Hon CHAN Han-pan
Dr Hon Kenneth CHAN Ka-lok
Hon CHAN Yuen-han, SBS, JP

Hon Alice MAK Mei-kuen, JP
Dr Hon Fernando CHEUNG Chiu-hung
Dr Hon Helena WONG Pik-wan
Dr Hon Elizabeth QUAT, JP
Dr Hon CHIANG Lai-wan, JP
Hon Christopher CHUNG Shu-kun, BBS, MH, JP
Hon Tony TSE Wai-chuen

Member attending:

Hon Frederick FUNG Kin-kee, SBS, JP

Member absent:

Hon Emily LAU Wai-hing, JP

Public officers attending:

Mr YEUNG Tak-keung	Deputy Secretary for Financial Services and the Treasury (Treasury) ³
Mr WAI Chi-sing, JP	Permanent Secretary for Development (Works)
Mr Thomas CHOW Tat-ming, JP	Permanent Secretary for Development (Planning and Lands)
Ms Anissa WONG, JP	Permanent Secretary for the Environment
Ms Jasmine CHOI Suet-yung	Principal Assistant Secretary for Financial Services and the Treasury (Treasury) (Works)
Mr WONG Kam-sing, JP	Secretary for the Environment
Ms Christine LOH Kung-wai, JP	Under Secretary for the Environment
Mr Howard CHAN Wai-kee, JP	Deputy Director (2) Environmental Protection Department
Dr Ellen CHAN Ying-lung, JP	Assistant Director (Environmental Infrastructure) Environmental Protection Department
Mr Elvis AU Wai-kwong, JP	Assistant Director (Nature Conservation and Infrastructure Planning) Environmental Protection Department

Clerk in attendance:

Ms Sharon CHUNG

Chief Council Secretary (1)6

Staff in attendance:

Mr Andy LAU

Assistant Secretary General 1

Mr Fred PANG

Senior Council Secretary (1)8

Mr Frankie WOO

Senior Legislative Assistant (1)3

Ms Christy YAU

Legislative Assistant (1)7

Action

The Chairman advised that together with the four unfinished items carried over from the meeting of 16 April 2014, there were six funding proposals on the agenda for the meeting for upgrading six items to Category A, which, if endorsed, would involve a total funding allocation of \$22,470.3 million. If these six proposals were approved, the cumulative number of items approved by the Public Works Subcommittee ("PWSC") in the 2013-2014 session would be 22 while the total amount of funding approved would be \$59,083.8 million, of which \$55,332.9 million was related to capital works projects.

2. The Chairman said that, according to the Administration, excluding the six items on the agenda for the current meeting, it was anticipated that 24 more items, involving a proposed funding allocation of about \$25,230 million, would be submitted to PWSC for consideration in the current session.

Application for late membership

3. The Chairman referred members to Mr CHAN Kin-por's letter dated 16 April 2014 putting forward his application for late membership. A copy of the letter had been issued to members vide LC Paper No. PWSC63/13-14 on 28 April 2014. He advised that, according to Paragraph 4B of the PWSC Procedure, a request for late membership on grounds other than indisposition or absence from Hong Kong should be put to the Subcommittee. The Subcommittee should accept such applications only when sufficient grounds had been provided. The Chairman sought members' views on Mr CHAN's application.

4. Mr Albert CHAN enquired about the reasons put forward by Mr CHAN Kin-por for making the application for late membership. Mr CHAN Kin-por said that he could not join the Subcommittee earlier on

because he had been occupied with other work. However, after reshuffling his work schedule and considering that the work of PWSC was important to the development of Hong Kong, he decided to put up a request for joining the Subcommittee.

5. Mr Albert CHAN cast doubt on whether the reasons given by Mr CHAN constituted sufficient grounds for the Subcommittee to accept his application. He was concerned that if the Subcommittee decided to accept the application, the decision might be legally challenged. He suggested that the legal adviser should be invited to give advice on the meaning of "sufficient grounds" under Paragraph 4B of the PWSC Procedure.

6. Mr TAM Yiu-chung recalled that at the meeting on 19 March 2014, the Subcommittee had considered the application for late membership put forward by Mr James TIEN and members were in support of the application. He considered the view that the decision to accept Mr CHAN's application might be legally challenged was an over-concern.

7. Mr Tony TSE said that as Mr CHAN had all along taken part in the business of LegCo actively, he would welcome Mr CHAN's participation in the work of the Subcommittee. As the Subcommittee had accepted Mr TIEN's application for late membership, based on the same consideration, Mr CHAN's application should be accepted.

8. Mr IP Kwok-him said that Members should be encouraged to take part in Council business actively. Since Mr CHAN had explained why he could not join the Subcommittee in the past and that he would manage to find time to participate in the work of PWSC in future, he would welcome Mr CHAN to join the Subcommittee.

9. Mr Gary FAN enquired whether there would be any change to the required quorum for the Subcommittee's meetings in the event that the Subcommittee accepted Mr CHAN Kin-por's application for late membership. At the invitation of the Chairman, the Clerk advised that there would be no change to the required quorum, i.e. six members including the Chairman.

10. Mr Albert CHAN clarified that he would welcome Mr CHAN Kin-por to join the Subcommittee. He said that his concern was whether the reasons provided by Mr CHAN Kin-por should be regarded as sufficient grounds, and whether the Subcommittee's decision to accept Mr CHAN's application based on the reasons would give rise to any legal issue in future.

11. The Chairman said that members should consider on their own whether the application made by Mr CHAN Kin-por should be supported.

If members so requested, he would put the question to vote.

12. At the request of Mr Albert CHAN, the Chairman put the question of whether to accept Mr CHAN Kin-por's application for late membership to vote. Ten members voted for the question, no member voted against it and two members abstained. Mr Albert CHAN requested to put in record that he had abstained from voting. The Chairman declared that the Subcommittee accepted Mr CHAN Kin-por's application.

Head 705 – Civil Engineering

**PWSC(2014-15)6 164DR Southeast New Territories landfill
extension**

**PWSC(2014-15)7 177DR Development of integrated waste
management facilities phase 1**

13. The Chairman reminded members that in accordance with Rule 83A of the Rules of Procedure ("RoP") of the Legislative Council ("LegCo"), they should disclose the nature of any direct or indirect pecuniary interests relating to the funding proposals under discussion at the meeting before they spoke on the item. He also drew members' attention to Rule 84 of RoP on voting or withdrawal in case of direct pecuniary interest.

14. The Chairman advised that the Subcommittee had commenced the discussion on PWSC(2014-15)6 and PWSC(2014-15)7 at the previous meeting on 16 April 2014. He suggested that, pursuant to the arrangement adopted at the previous meeting, the Subcommittee would have a joint discussion on the two items but would vote on them one by one. Members raised no objection to the suggestion.

15. The Chairman further advised that at the meeting on 16 April 2014, Mr Gary FAN and Mr Albert CHAN had forwarded 13 proposed motions, which were tabled at the meeting, to him. When considering whether the motions proposed by members according to Paragraph 32A of the PWSC Procedure were directly related to the agenda item, he had made reference to the terms of reference of the Subcommittee as well as the relevant discussion paper. He said that the proposal of PWSC(2014-15)6 was to seek the Subcommittee's endorsement to make recommendation to the Finance Committee ("FC") the upgrading of 164DR to Category A at an estimated cost of \$1,993 million in money-of-the-day ("MOD") prices for the extension of the Southeast New Territories ("SENT") Landfill. The funding proposal was subject to the approval of FC. He understood that members might wish to include in the Subcommittee's recommendation to FC, if made, some

specific views on the proposal. As such, he considered that the proposed motions were directly related to the agenda item under discussion. The Chairman said that the motions would be dealt with one by one after the joint discussion on the two items.

16. Mr Gary FAN enquired about the procedure for dealing with the motions at the meeting. At the invitation of the Chairman, the Clerk advised that pursuant to Paragraph 32A of the PWSC Procedure, a member might move a motion without notice to express a view on the item if the motion was considered by the Chairman as directly related to the agenda item and agreed by a majority of members that it should be proceeded forthwith.

Impacts of the operation of the Southeast New Territories Landfill on the local residents

17. Mr Frederick FUNG and Mr Gary FAN were concerned about the number of trees to be affected by the SENT Landfill extension project. Mr FAN enquired on the measures to be taken by the Administration to compensate for the tree loss. Assistant Director (Environmental Infrastructure), Environmental Protection Department ("AD(EI)/EPD"), replied that as mentioned in the relevant Environmental Impact Assessment ("EIA") report, the proposed landfill extension would require the removal of trees occupying about 14.7 hectares ("ha") of land. To compensate for the loss, the Administration proposed to provide 17 ha of woodland within the landfill upon the completion of the landfill extension works.

[At the juncture, some people made noise in the public gallery. The Chairman asked them to keep quiet.]

18. Mr Gary FAN said that since the two EIA reports in connection with the SENT Landfill had been issued in 2003 and 2005 respectively, the population in Tseung Kwan O ("TKO") had continued to grow and there had been more and more residential developments such as the Lohas Park in the vicinity of the landfill. However, the dust emission and odour problems in the area near the landfill remained unresolved. He enquired whether the Administration would conduct a re-assessment on the air quality in the area in the light of the latest guidelines of the World Health Organization ("WHO") with respect to PM2.5.

19. AD(EI)/EPD replied that when conducting the relevant EIAs, the Administration had taken into account the future residential developments in TKO Area 86, where the Lohas Park was currently located. Moreover, the Administration had conducted a detailed assessment on the impact of the extension of the landfill on public health, with reference to the relevant guidelines issued by WHO. At the landfill, the Administration carried out

the monitoring of 39 volatile organic compounds on an ongoing basis. The results were all along in full compliance with the international standard.

[At the juncture, some people shouted in the public gallery. The Chairman asked them to keep quiet. He said that he would take appropriate action if they interrupted the meeting.]

20. Dr Elizabeth QUAT said that although the Administration would implement 13 measures to address the odour impact of the SENT Landfill as well as the nuisances caused by vehicles travelling to and from the landfill, local residents were concerned when they could see the effect of those measures. The Secretary for Environment ("SEN") responded that while everyone had his/her responsibility to take in meeting Hong Kong's needs in terms of public hygiene and waste disposal, the Administration had been making its best efforts to address local concerns over the impact of the operation of waste treatment facilities. In TKO, to address community concerns on the odour problem, the Administration would designate the proposed SENT Landfill as one which only accepted construction waste for disposal. As a result, it was expected that the number of vehicle trips going to the landfill daily would drop from about 1 000 to about 500. To step up the monitoring of air quality, the Administration had been measuring PM_{2.5} at Wan Po Road in TKO since September 2013 and the results showed that the 24-hour average PM_{2.5} level measured was similar to those recorded at the general air quality monitoring stations elsewhere in Hong Kong. A general air quality monitoring station would be established in TKO and this would include the measurement of PM_{2.5} on a regular basis. The measures that had already started included the installation of a closed-circuit television system in TKO to combat illegal fly-tipping. Since early December 2013, the Administration had identified 10 suspected fly-tipping cases. Furthermore, about half of the refuse collection vehicles ("RCVs") in the territory had been equipped with a metal tailgate cover and waste water sump tank in compliance with the relevant legal requirements.

21. Mr Gary FAN said that as observed in a recent visit made by members of the Sai Kung District Council to TKO Area 137, the leachate dripping problem of RCVs remained unresolved. He opined that the Administration should seek funding approval from FC for the extension of the SENT Landfill only after all the RCVs had been equipped with metal tailgate covers and waste water sump tanks.

22. AD(EI)/EPD replied that following FC's approval in November 2013 for the proposal to provide a one-off subsidy to assist private RCV owners to retrofit their vehicles for meeting the new equipment standards under the relevant legislation, the Administration had invited the industry to apply for

the subsidy in January 2014. Under the subsidy scheme, 90 RCVs had been retrofitted with the new equipment, i.e. metal tailgate covers and waste water sump tanks, and the retrofitting works for 77 RCVs were in progress. She advised that, of the 530 RCVs in the territory, 240 had been retrofitted with the new equipment including about 150 Government vehicles. As 30 September 2014 was the deadline for application for the subsidy and about 200 privately owned RCVs had not been retrofitted with the new equipment, the Administration would continue to liaise with the industry to remind them to carry out the retrofitting works as soon as possible.

23. Mr James TIEN said that he was sympathetic with the Administration on the handling of the waste problem, which had not been actively addressed by the Governments of previous terms. However, if the Administration had not yet secured the support of the local communities for the proposed extension of the SENT Landfill, Members belonging to the Liberal Party would object to the implementation of the project.

[At the juncture, some people shouted in the public gallery. Mr James TIEN requested the Chairman to keep the order. The Chairman reminded the observers to keep quiet. He said that if they interrupted the meeting, he would have to order that they be removed from the public gallery.]

Construction waste disposed of at landfills

24. Mr Gary FAN said that according to paragraph 7 of PWSC(2014-15)6, some 2 320 tonnes of construction waste were being disposed of at the SENT Landfill each day, which accounted for about 67% of the overall construction waste disposed of daily at the three landfills in Hong Kong. He enquired about the Administration's timetable for the review on the Construction Waste Disposal Charging Scheme. He opined that the current disposal charges were too low to provide enough incentives for the business sector to reduce the generation of construction waste. Mr Frederick FUNG expressed similar views and considered that the Administration should increase the disposal charges.

25. SEN replied that the Administration had effectively reduced the amount of construction waste disposed of at landfills. He advised that, of the construction waste generated in Hong Kong, an overwhelming majority was suitable for reuse and was not disposed of at landfills. As a large number of infrastructure works projects were underway, the Administration would step up its efforts in monitoring the generation of construction waste. Deputy Director (2), Environmental Protection Department ("DD(2)/EPD") said that a review on the charging arrangements of the Construction Waste

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Disposal Charging Scheme was in progress. Construction waste was currently delivered to various waste facilities including public fill reception facilities, construction waste sorting facilities, and landfills. The review would cover the charging levels for the use of these waste disposal facilities. At the request of Mr Gary FAN, the Administration would provide the timetable for the review of the charges for disposal of construction waste.

[At the juncture, some people yelled in the public gallery. The Chairman asked them to keep quiet and reminded them that if they interrupted the meeting, he would order that they be removed from the public gallery.]

26. Considering that infrastructure projects such as the construction of the Hong Kong section of the Guangzhou-Shenzhen-Hong Kong Express Rail Link, the Hong Kong-Zhuhai-Macau Bridge and the Liantang/Heung Yuen Wai Boundary Control Point were underway and that the Administration would proceed with the North East New Territories New Development Areas project as well as the development of artificial islands, Dr Fernando CHEUNG enquired whether the overall quantity of construction waste would increase in future 10 years. AD(EI)/EPD replied that the total amount of construction waste generated would continue to increase. She added that most of the construction waste generated by the projects mentioned by Dr CHEUNG could be re-used as fill materials in reclamation or other construction works. Only the remaining construction waste which had been mixed with non-inert materials such as renovation waste would be disposed of at landfills. The Administration would continue to liaise with the industry on the reduction of construction waste.

Capacity of the Southeast New Territories Landfill

27. Dr Fernando CHEUNG recalled that at the meeting on 16 April 2014, he had pointed out that since 2001, the Administration had kept changing their estimation on when the SENT Landfill would be exhausted. He queried about the basis for the different estimation and whether the estimation was only used as a tactic to provide justifications for the plan to extend the SENT Landfill.

[At the juncture, some people made noise in the public gallery. The Chairman asked them to keep quiet. He reminded them not to interrupt the meeting.]

28. AD(EI)/EPD replied that the estimation on the year of exhaustion of the SENT Landfill was subject to constant review. Changes to the estimation would be made when appropriate. In its paper submitted to the

Panel on Environmental Affairs ("EA Panel") in May 2013, the Administration had advised that as at the end of 2011, the remaining capacity of the SENT Landfill was 8 million cubic metres. In February 2014, the Administration had set out in its paper to EA Panel that the remaining capacity had been reduced to 7 million cubic metres as at end of 2012. As at the end of 2013, the remaining capacity had dropped to 5.4 million cubic metres. She explained that in assessing the anticipated year of exhaustion of the landfill, certain planning assumptions had been made. In view of the fact that in the past three years, the annual waste disposal quantity at the SENT Landfill was between 1.7 million and 1.9 million tonnes, the Administration had estimated that the SENT Landfill would be exhausted in about three years only if the annual waste disposal quantity remained constant in future.

[At the juncture, some people shouted in the public gallery. The Chairman asked the observers in the public gallery to keep quiet. He said he would order that they be removed from the gallery if they interrupted the meeting.]

29. Mr Gary FAN queried, given that the SENT Landfill would not exhaust its capacity in the next three and a half years, why the Administration had previously claimed that the city would be surrounded by waste shortly. In response to Dr Fernando CHEUNG's enquiry about the Administration's latest estimation on the year of exhaustion of the SENT Landfill, AD(EI)/EPD advised it was anticipated that the landfill would be exhausted by 2015. She explained that in the past two years, the overall quantity of waste generated in Hong Kong had been increasing at a rate of about 4%. Given that various infrastructure projects were underway, there would also be a moderate increase in the quantity of construction waste in future. In planning the landfill extension, allowance would be made for an annual increase of about 2.5% in the quantity of municipal solid waste ("MSW").

[At the juncture, some people shouted in the public gallery. The Chairman asked them to keep quiet and reminded them that if they interrupted the meeting, he would take appropriate action according to the relevant rules and procedures.]

30. Mr Frederick FUNG echoed the view of Dr Fernando CHEUNG that the Administration had kept changing its estimation on the year of exhaustion of the SENT Landfill. He cast doubt about the accuracy of its latest estimation.

[At the juncture, some people made noise in the public gallery. The Chairman asked them to keep quiet. He said that he had repeatedly

reminded the observers that they should not interrupt the meeting.]

31. AD(EI)/EPD replied that in assessing the anticipated year of exhaustion of the landfill, the Administration had taken into account various factors such as the rate of increase of the generation of waste, population growth, actual quantity of waste that had been delivered to the landfill in the past few years and waste reduction efforts, etc.

32. Mr Gary FAN said that the Administration had failed to achieve the target set out in "A Policy Framework for the Management of Municipal Solid Waste (2005-2014)" published in 2005, i.e. to reduce the amount of MSW by 1% per annum up to the year 2014. He pointed out that the quantity of MSW in 2005 was almost the same as that in 2012. An anticipated increase in construction waste in future reflected that the Administration had performed poorly in taking forward its waste reduction initiatives. He opined that if the Administration had the determination to reduce waste and had adopted an effective approach to reducing waste at source, the capacities of the landfills would take longer to be exhausted. As such, it would be difficult for the public to accept the Administration's proposal to extend the SENT Landfill.

[At the juncture, some people shouted in the public gallery. The Chairman asked them to keep quiet.]

33. AD(EI)/EPD responded that the daily waste disposal quantity at the landfills was about 13 800 and 14 300 tonnes in 2012 and 2013 respectively, representing a slight increase of about 3.3% over the past two years. The daily construction waste disposal quantity had increased from 3 439 tonnes in 2012 to 3 590 tonnes in 2013, representing a moderate increase of about 4.4%. Despite Hong Kong's population and economic growth during these two years, the increase in the quantity of MSW was about 3%, a moderate increase due to the efforts in reducing waste.

34. Dr Elizabeth QUAT enquired whether the Administration would make any new proposals to further extend the SENT Landfill in future in the event that the present funding proposal was approved by FC. SEN replied that in the "Hong Kong: Blueprint for Sustainable Use of Resources 2013-2022" ("the Action Blueprint"), the Administration had mapped out a comprehensive waste management strategy for the coming 10 years. In the longer run, the waste management system in Hong Kong had to evolve in the direction of reducing direct landfilling of MSW. As regards whether Hong Kong should adopt "zero landfill waste" as a target, the Administration would need to carry out relevant studies and initiate public discussions on the subject.

[At the juncture, some people shouted in the public gallery. The Chairman said that he had repeatedly reminded the observers in the gallery to keep quiet. He reminded them that if they interrupted the meeting, he would have to order that they be removed from the gallery.]

Integrated waste management facilities phase 1

35. Mr Frederick FUNG and Mr CHAN Han-pan were concerned about the measures to control the emission of the proposed incinerator. In response to Mr CHAN's enquiry about the purpose of providing pollution control and environmental monitoring facilities as part of the proposed integrated waste management facilities ("IWMF") phase 1, Assistant Director (Nature Conservation and Infrastructure Planning), Environmental Protection Department ("ADEP(NC&IP)"), advised that apart from conducting regular on-site monitoring in future, the Administration planned to provide monitoring facilities in Cheung Chau and South Lantau to keep track of the air quality during the operation of the incinerator. The monitoring results would be made public on the internet.

36. Noting that the Administration planned to export the surplus electricity of about 480 million kWh² generated by the proposed IWMF phase 1, Mr CHAN Han-pan opined that the surplus electricity should benefit the residents in Cheung Chau and Lantau, who lived near the facilities. ADEP(NC&IP) replied that instead of providing the electricity generated from waste-to-energy facilities as direct subsidies, overseas countries usually provided in-situ community facilities for the betterment of the nearby residents and the Administration would make reference to this practice.

37. Mr Albert CHAN was concerned about the impact of the reclamation works to be carried out as part of the IWMF project on finless porpoises. He enquired about the measures to be taken by the Administration to protect the habitat of this rare species and to ensure that finless porpoises would not disappear from Hong Kong waters. ADEP(NC&IP) replied that the Administration had looked into the issue in the relevant EIA study including site surveys. He advised that finless porpoises were mostly found in the southern waters of Hong Kong, such as the areas near Po Toi Island, in summer and autumn, and near South Lantau, Lamma Island, Cheung Chau and Soko Islands in winter and spring. Unlike the Chinese White Dolphin, which was mainly found in the western waters of Hong Kong near the Pearl River Estuary, finless porpoises were distributed in different areas of Hong Kong waters and could also be found in the South China Sea. As such, he did not consider that the species would disappear from Hong Kong waters as

a result of the reclamation works. He said that the Administration would put in place stringent measures to control and monitor the ecological impact of the reclamation works associated with the development of IWMP phase 1. Such measures would include scheduling of acoustically-disturbing construction works outside the months with peak finless porpoise occurrence, the provision of buffer zone control and restriction on vessel speed, etc. Moreover, the Administration would designate a marine park of about 700 ha in size in the waters between Shek Kwu Chau and Soko Islands to conserve the marine ecology.

38. Mr James TO enquired about the distance between the Shek Kwu Chau treatment and rehabilitation centre and the proposed IWMP phase 1. He considered it necessary for the Administration to allay public concerns over the impact of the operation of the proposed facilities, such as the emissions from the incinerator. ADEP(NC&IP) advised that the nearest blocks in Shek Kwu Chau treatment and rehabilitation centre was about 150 to 200 metres away from the boundary of the proposed reclaimed site to be constructed for accommodating the incinerator, and was about 400 to 450 metres away from the incinerator's stack. Under Secretary for the Environment ("USEN") said that she had met the management of the centre several times to answer their queries and would continue to maintain dialogue with them to address their worries. To address public concerns, the Administration would closely monitor the emission performance of the incinerator. The monitoring results would be made public.

39. Mr James TIEN said that the Administration should have a long-term strategy for solving the waste problem. He stressed the importance of taking forward actively the initiative of reducing waste at source. Incineration could be used to dispose of the non-recyclable waste. Landfilling was only for the non-combustible waste. He said that successful experience in some overseas cities like Tokyo showed that provision of incineration facilities at the district level was practicable for tackling the waste problem. Although there were controversies over the proposed development of IWMP phase 1 and the selection of the location for the facilities, Members belonging to the Liberal Party would support the adoption of incineration technologies to treat waste.

40. Mr CHAN Han-pan held the view that, to demonstrate its efforts in reducing and recycling waste before feeding it into incineration facilities, the Administration should provide automatic sorting and recycling facilities near the proposed site for IWMP phase 1. In response, ADEP(NC&IP) advised that the Administration had conducted a study in 2002 on the feasibility of providing mechanical waste sorting facilities in Hong Kong but the result showed that the space required to provide such facilities was much larger

than that for an incinerator. Moreover, the effectiveness of these facilities in volume reduction of waste was much lower than that of an incinerator. However, mechanical sorting and recycling facilities would be provided at the site for demonstration purposes. In the long run, the Administration would consider the feasibility of providing mechanical sorting and recycling facilities where appropriate. DD(2)/EPD said that the Administration would take into account Mr CHAN's suggestion when conducting a territory-wide long-term strategic planning study on waste management facilities aimed to be brought forward in 2014.

Waste management initiatives

41. Mr Gary FAN enquired whether the Administration had any plan to take forward the waste management initiatives proposed by local green groups, including the prohibition of disposal of recyclable waste at landfills and development of waste-to-energy facilities. USEN replied that the Administration would brief members of EA Panel in one or two months on the Administration's waste recovery and recycling initiatives, including the operation of the Recycling Fund. In the past discussions with local green groups, the Administration had also explained to them the plans to take forward these initiatives.

42. Dr Kenneth CHAN referred to the supplementary information provided by the Administration in the paper PWSC 69/13-14 in connection with the two funding proposals. He expressed disappointment that the Administration had not accepted members' suggestion made at the meeting on 16 April 2014 on inviting representatives from the Food and Environmental Hygiene Department and the Housing Department to attend the meetings of PWSC and FC to discuss the proposals. Dr CHAN said that local green groups were concerned whether the Administration would continue to pursue the six waste management initiatives proposed by them after obtaining FC's approval for the funding proposals. As the Administration had yet to make an undertaking to address the green groups' concerns, Members belonging to the Civic Party would continue to object to the two proposals.

[At the juncture, some people made noise in the public gallery. The Chairman asked the observers in the gallery to keep quiet. He said that he had repeatedly reminded them that if they interrupted the meeting, he would order that they be removed from the public gallery.]

43. Mr Frederick FUNG opined that the Administration so far had not formulated a comprehensive plan setting out the timetable, road map and

resource requirements for the implementation of waste management and treatment initiatives. He held the view that waste disposal at landfills was not an ideal solution for the waste problem in Hong Kong. Of the 1 500 tonnes of food waste generated daily, 23% were disposed of at landfills, which was a rate much higher than that in Seoul. He considered that the Administration had performed poorly in implementing the initiatives on waste separation at source, waste reduction and recycling.

[At the juncture, some people made noise in the public gallery. The Chairman asked them to keep quiet. He reminded them that they should not interrupt the meeting.]

44. SEN replied that he did not consider it appropriate to make a direct comparison between the waste disposal rates of Hong Kong and Seoul. While quantity-based waste charging had yet to be implemented and was still under discussion in Hong Kong, the Government of the Republic of Korea had taken action at an early stage to pursue waste reduction initiatives. He said that the Administration had put in place the Action Blueprint setting out the targets, policies and action plans for waste reduction and management for the coming 10 years. He welcomed members' suggestions on how the Administration could ensure that public hygiene would be adequately safeguarded while the existing landfills would be exhausted shortly, and no new waste disposal facilities would be provided.

[At the juncture, some people yelled in the public gallery. The Chairman asked them to keep quiet and not to interrupt the meeting.]

45. Dr Fernando CHEUNG said that although the Administration had issued various documents setting out its plans to pursue different waste management initiatives to address the waste problem, such as waste reduction at source, waste recovery and recycling, there was little progress in the implementation. The Administration had issued the "Monitoring of Solid Waste in Hong Kong - Waste Statistics for 2012" report in January 2014 and admitted that there was a need to enhance the MSW recovery rate estimation having regard to the significant fluctuation in the figures of the recovered waste plastic in the past several years. He considered that if the Administration could not address the problem of inaccurate recovery rate estimation, the public would have no confidence in the Administration achieving the waste recovery target of 55% by 2022.

46. SEN replied that the Administration would strive to improve the accuracy of recovery rate estimation. Consultants had been engaged to look into the matter. To enhance the waste recovery rate, a series of measures would be introduced shortly. Relevant figures showing the progress of the

waste recovery initiatives would be made public on a regular basis. The Administration would strive to achieve the target of reducing the per capita MSW disposal rate by 40% by 2022, as set out in the Action Blueprint.

47. Mr Gary FAN said that at the meetings of EA Panel on 22 and 28 March 2014, about 70% of the deputations attending the meetings objected to the proposals on the extension of the three landfills and the development of IWMF phase 1. While about 10% of the land in TKO was being used for treating MSW generated in Hong Kong, the Administration should stop putting the burden of addressing the territory-wide MSW problem on TKO residents. Moreover, members of the public had shown their willingness to help tackle the waste problem by giving support to the proposed quantity-based MSW charging scheme. He criticized that while waste reduction and recycling had been discussed for more than a decade, the Administration had made little progress on these initiatives. He questioned about the Administration's timetable for implementing the producer responsibility schemes for various products including packaging materials, plastic containers, drink containers, vehicle tyres, wood waste, etc.

48. SEN replied that quantity-based MSW charging was one of the most important initiatives to address the waste problem in Hong Kong. The Administration was conducting trial schemes to gain solid experience before taking forward the initiative. The Council for Sustainable Development had completed the second-stage public engagement on the initiative and was analyzing the public feedback received. The legislation for the extension of the Environmental Levy Scheme on Plastic Shopping Bags to all retail outlets had been enacted and would come into force on 1 April 2015. The Administration would introduce the producer responsibility scheme for waste electrical and electronic equipment and planned to seek funding approval from FC in due course. As regards the producer responsibility scheme for glass beverage bottles, the Administration had spelled out clearly in the Action Blueprint the relevant timetable for the implementation.

49. Mr Gary FAN opined that the Administration should put the waste reduction initiatives into action shortly, say, by 2017, before the exhaustion of the SENT Landfill, and examine their effectiveness in order to decide whether it still needed to proceed with the proposed landfill extension. In response, SEN advised that in light of past experience, it would take time for the Administration to proceed with the relevant legislative proposals for implementing waste reduction initiatives and to discuss with LegCo Members on the proposals. In view of the limited capacity of the existing landfills, it was not practicable to wait until the implementation of these initiatives had started before taking forward the extension of the SENT landfill. Mr FAN remained of the view that the Administration should submit the relevant

legislative proposals for the waste reduction initiatives in a timely manner for LegCo's scrutiny.

50. Dr Elizabeth QUAT enquired whether there was any fallback option in the event that the present funding proposals were rejected by the Subcommittee or FC. In response, SEN said that to tackle the waste problem, it was common in overseas countries to maintain certain end of pipe waste disposal facilities. In Europe, while half of the waste would be recovered for recycling, another half would be delivered to landfills for disposal or fed into incinerators. Similar practices were adopted in Singapore and Korea. He advised that the development of waste treatment facilities such as incinerators and landfills, though inevitably arousing concerns among the affected communities, were an indispensable part of the Administration's long-term plan to address the waste problem and to safeguard public hygiene. Plenty of time had been spent on formulating and discussing the "three landfills and one incinerator" proposal. It was necessary for the Administration to pursue the proposal and no other options could serve as a substitute.

51. Mr Albert CHAN opined that before putting forward the "three landfills and one incinerator" proposal, the Administration had not undertaken any systematic and strategic studies and had not conducted a comprehensive consultation on the proposal. For instance, the Administration had not discussed with the public the number, the scale and the locations of the incineration facilities required. He held the view that the Administration's approach of bundling the discussions on landfill extension and development of IWMF phase 1 was a strategy for securing the funding approval of FC for the "three landfills and one incinerator" in one go. He considered it misleading for the Administration to advise that the "three landfills and one incinerator" proposal was the only option to tackle the waste problem in Hong Kong.

West New Territories Landfill

52. Dr Kenneth CHAN said that according to media reports, a meeting of the Tuen Mun District Council in April 2014 had been held without a quorum after some councilors had walked out when SEN was about to explain the West New Territories ("WENT") Landfill extension plan. He asked SEN to advise whether the Tuen Mun District Council was supportive of the plan.

53. The Chairman said that the question raised by Dr Kenneth CHAN was not related to the agenda items. However, he would exercise his discretion to invite the Administration to answer Dr CHAN's question. SEN replied that at the meeting, the Tuen Mun District Council had requested the

Administration to provide supplementary information in writing on the proposed extension of the WENT Landfill. Dr Kenneth CHAN said that although the funding proposal on the extension of the WENT Landfill had been endorsed by the Subcommittee, the Administration had to seek FC's approval later on. In view of the grave concerns of the local communities in Tuen Mun on the extension plan, members' discussion with the Administration on the subject should continue.

Meeting arrangement

54. Mr James TIEN enquired how the Chairman would handle the situation in which a member kept on putting up questions one round after another at the meeting. The Chairman said that he understood the concern of Mr TIEN that it was impossible to allow a member to ask questions endlessly. It was the practice of the Subcommittee to allow members to ask questions and the Chairman would reduce a member's speaking time in his/her next round of questions on the same agenda item. He noticed that some of the questions put up by members were repeated ones.

Withdrawal of the two funding proposals

55. Mr Gary FAN enquired whether the Administration would consider withdrawing the two funding proposals, i.e. PWSC(2014-15)6 and PWSC(2014-15)7, in view of their controversial nature so that the Subcommittee could proceed to discuss other proposals on the agenda. SEN replied that it was not appropriate to postpone the discussion on the two proposals as the extension of the SENT Landfill and the development of IWMP phase 1 were important issues of wide public concern.

Motions proposed by members

56. The Chairman said that apart from the 13 proposed motions (Nos. 0001 to 0013) that had been forwarded to him at the meeting of 16 April 2014, he had received at the meeting five more proposed motions (Nos. 0014 to 0018), which had been tabled, from Mr Gary FAN. He said that the five proposed motions were similar to the other 13 in nature and would be dealt with in the same way.

(Post-meeting note: A soft copy of the wording of the proposed motions Nos. 0009 to 0018 had been circulated to members by email on 8 May 2014.)

57. The Chairman said that pursuant to Paragraph 32A of the PWSC Procedure, he would invite members to consider whether a proposed motion

should be proceeded forthwith. If the Subcommittee decided that the proposed motion should be proceeded forthwith, he would invite members and the Administration to speak on the motion before putting the motion to vote.

58. Dr Kenneth CHAN raised a point of order. He said that the first 13 motions proposed by Mr Gary FAN and Mr Albert CHAN had been forwarded to the Chairman at the meeting on 16 April 2014. He queried whether they should be regarded as motions without notice and whether these motions should be dealt with according to Paragraph 32A of the PWSC Procedure. The Chairman said that the meeting was a continuation of the meeting on 16 April 2014, at which the proposed motions had been forwarded without notice.

59. Mr Gary FAN echoed the concern of Dr CHAN. He held the view that as the first 13 proposed motions had been forwarded to the Chairman at the meeting on 16 April 2014, they should not be regarded as motions without notice for the present meeting. He continued that, as the Chairman had ruled that the proposed motions were directly related to the agenda item under discussion, members should be allowed to express views on the motions. He considered it important to remind the Administration that even if the funding proposals were finally endorsed by the Subcommittee, they were not supported unconditionally.

60. The Chairman reiterated that the meeting was a continuation of the previous meeting. Although the proposed motions mentioned by Mr Gary FAN had been forwarded to him at the meeting on 16 April 2014, they should not be regarded as motions with notice served merely because the Subcommittee had not completed the discussion on the relevant agenda item at the previous meeting.

Proposed motion numbered 0001

61. The Chairman put to vote the question that proposed motion numbered 0001 be proceeded forthwith. As requested by Mr Albert CHAN, the division bell was rung for five minutes before members' voting on the question. The question was voted down by a majority of members.

Motion on shortening the duration of the ringing of the division bell

62. Mr IP Kwok-him moved that in the event of further divisions being claimed in respect of any motions or questions under the same agenda item, the Subcommittee would proceed to each of such divisions immediately after the division bell had been rung for one minute.

63. Mr Gary FAN said that members should be given sufficient time to discuss and consider each proposed motion carefully before it was put to vote. As such, in the event of further divisions being claimed in respect of any motions or questions under the same agenda item, the Subcommittee should continue to proceed to each of such divisions after the division bell had been rung for five minutes.

64. The Chairman put the motion proposed by Mr IP Kwok-him to vote. Mr Albert CHAN requested a division and the voting bell was rung for five minutes before members' voting on the motion.

65. Mr IP Kwok-him referred to Paragraph 46 of the FC Procedure and enquired whether the voting bell should be rung for only two minutes.

[At the juncture, some people made noise in the public gallery. The Chairman asked the observers in the gallery to keep quiet. He said that he would take appropriate action if they interrupted the meeting.]

[To allow sufficient time for discussion, the Chairman said that the meeting would be extended to 10:45 am.]

66. At the invitation of the Chairman, Assistant Secretary General 1 ("ASG1") advised that pursuant to the PWSC Procedure, the Subcommittee should proceed to each of the divisions immediately after the division bell had been rung for five minute. If the motion proposed by Mr IP Kwok-him to shorten the duration of the ringing of the division bell from five minutes to one minute had been carried, the Subcommittee should then proceed to each of the divisions immediately after the division bell had been rung for one minute. ASG1 continued that after LegCo had moved to the LegCo Complex, and pursuant to the decision of FC on 4 November 2011, the provisions in bracket and shown in italics in Paragraphs 40 and 40A of the PWSC Procedure were temporarily suspended. During the suspension of such provisions, the Subcommittee applied an interim arrangement under which each division should be held forthwith immediately after the division bell had been rung for five minutes.

67. Based on the voting result, the Chairman declared that the motion was carried.

Proposed motions numbered 0002 to 0009

68. The Chairman took turn to put to vote the questions that proposed motions numbered 0002 to 0009 be proceeded forthwith. As requested by

members, the division bell was rung for one minute before members' voting on individual questions. All questions were voted down by a majority of members.

Proposed motion numbered 0010

69. The Chairman put the question on whether proposed motion numbered 0010 should be proceeded forthwith to vote. Mr Gary FAN requested a division and the voting bell was rung for one minute. Mr FAN read out the proposed motion.

[At the juncture, some people shouted in the public gallery. The Chairman ordered that they be removed.]

70. Based on the voting result, the Chairman declared that the Subcommittee would not proceed forthwith proposed motion numbered 0010.

(Post-meeting note: The wording of proposed motion numbered 0010 as read out by Mr Gary FAN at the meeting was not the same as the wording provided in the written form. At the meeting on 13 May 2014, the Chairman put again the question on whether proposed motion numbered 0010 should be proceeded forthwith to vote.)

71. The Chairman said that as there was little time left at the meeting to deal with the other proposed motions, the unfinished business would be carried forward to the next meeting scheduled for 9:00 am on 13 May 2014.

Any other business

72. There being no other business, the meeting ended at 10:42 am.