

立法會
Legislative Council

LC Paper No. CB(1)674/14-15
(These minutes have been seen
by the Administration)

Ref : CB1/PL/EA/1

Panel on Environmental Affairs

**Minutes of policy briefing cum meeting
held on Monday, 26 January 2015, at 2:00 pm
in Conference Room 3 of the Legislative Council Complex**

Members present : Hon CHAN Hak-kan, JP (Chairman)
Dr Hon Kenneth CHAN Ka-lok (Deputy Chairman)
Hon James TO Kun-sun
Hon TAM Yiu-chung, GBS, JP
Hon Vincent FANG Kang, SBS, JP
Hon WONG Ting-kwong, SBS, JP
Hon Cyd HO Sau-lan, JP
Hon CHAN Kin-por, BBS, JP
Dr Hon Priscilla LEUNG Mei-fun, SBS, JP
Hon Paul TSE Wai-chun, JP
Hon Albert CHAN Wai-yip
Hon Michael TIEN Puk-sun, BBS, JP
Hon Steven HO Chun-yin
Hon Frankie YICK Chi-ming
Hon WU Chi-wai, MH
Hon Charles Peter MOK, JP
Hon Kenneth LEUNG
Hon KWOK Wai-keung
Hon Dennis KWOK
Dr Hon Elizabeth QUAT, JP
Hon Christopher CHUNG Shu-kun, BBS, MH, JP
Hon Tony TSE Wai-chuen, BBS

Members attending : Hon WONG Kwok-hing, BBS, MH
Hon SIN Chung-kai, SBS, JP

Members absent : Hon CHAN Han-pan, JP
Ir Dr Hon LO Wai-kwok, BBS, MH, JP

Public Officers attending : **For item IV**

Mr WONG Kam-sing, JP
Secretary for the Environment

Ms Christine LOH, JP
Under Secretary for the Environment

Ms Anissa WONG, JP
Permanent Secretary for the Environment/
Director of Environmental Protection

Mr Vincent LIU, JP
Deputy Secretary for the Environment

Mr TSE Chin-wan, JP
Deputy Director of Environmental Protection (1)
Environmental Protection Department

Mr Howard CHAN, JP
Deputy Director of Environmental Protection (2)
Environmental Protection Department

Mr Andrew LAI, JP
Deputy Director of Environmental Protection (3)
Environmental Protection Department

For item V

Ms Christine LOH, JP
Under Secretary for the Environment

Miss Amy YUEN
Assistant Director (Water Policy)
Environmental Protection Department

Mr CHENG Hung-leung
Assistant Director/Projects & Development
Drainage Services Department

Mr KWOK Ping-keung
Chief Engineer/Consultants Management
Drainage Services Department

Mr WONG Sui-kan
Acting Chief Engineer/Sewerage Projects
Drainage Services Department

For item VI

Ms Christine LOH, JP
Under Secretary for the Environment

Mr Samson LAI
Assistant Director (Waste Management Policy)
Environmental Protection Department

Dr Alain LAM
Principal Environmental Protection Officer
(Waste Management Policy)
Environmental Protection Department

Clerk in attendance : Ms Shirley CHAN
Chief Council Secretary (1)1

Staff in attendance : Miss Lilian MOK
Senior Council Secretary (1)1

Ms Mandy LI
Council Secretary (1)1

Miss Mandy POON
Legislative Assistant (1)1

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I. Confirmation of minutes

(LC Paper No. CB(1)452/14-15 — Minutes of the meeting held on 24 November 2014)

The minutes of the meeting held on 24 November 2014 were confirmed.

II. Information papers issued since last meeting

2. Members noted that the following papers had been issued since the last meeting –

(LC Paper No. CB(1)473/14-15(01) — Letter dated 5 January 2015 from Dr Hon Elizabeth QUAT on handling of imported waste (Chinese version only)

LC Paper No. CB(1)474/14-15(01) — Letter dated 20 January 2015 from Hon Dennis KWOK on designation of low emission zones at busy corridors (Chinese version only))

3. Referring to the letters dated 5 and 20 January 2015 respectively from Dr Elizabeth QUAT and Mr Dennis KWOK proposing the Panel to discuss the handling of imported waste and designation of low emission zones ("LEZs") at busy corridors, the Chairman advised that the item of imported waste had been included in the Panel's list of outstanding items for discussion. As regards the designation of LEZs at busy corridors, it would be discussed under the subject of "Progress of air quality improvement measures" which had been scheduled for discussion in the regular meeting for March 2015 tentatively.

III. Items for discussion at the next meeting

(LC Paper No. CB(1)454/14-15(01) — List of follow-up actions

LC Paper No. CB(1)454/14-15(02) — List of outstanding items for discussion)

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4. Members agreed to discuss the following items at the next regular meeting scheduled for Wednesday, 25 February 2015, at 8:30 am –

- (a) Extension of the Cleaner Production Partnership Programme;
- (b) PWP Item No. 5183DR – Refurbishment and upgrading of Sha Tin transfer station; and
- (c) Municipal solid waste charging.

IV. Briefing by the Secretary for the Environment on the Chief Executive's 2015 Policy Address

(LC Paper No. CB(1)436/14-15(01) — Administration's paper on "2015 Policy Address — Policy initiatives of Environment Bureau: Environmental protection"

Relevant papers

Address by the Chief Executive at the Legislative Council meeting on 14 January 2015

The 2015 Policy Agenda booklet

5. With the aid of a power-point presentation, the Secretary for the Environment ("SEN") briefed members on the environmental initiatives in the Chief Executive ("CE")'s 2015 Policy Address and the progress of the on-going initiatives.

(Post-meeting note: A set of the power-point presentation materials was circulated to members vide LC Paper No. CB(1)485/14-15(01) on 26 January 2015.)

Light pollution

6. Noting that there had been increasing public concerns about light nuisance, Mr WONG Kwok-hing enquired about the progress that the Administration had made so far to regulate external lighting in Hong Kong. Mr WU Chi-wai also expressed concern about the problem of light nuisance caused by the Eastern Harbour Crossing to the residents of Yau Lai Estate.

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7. The Deputy Secretary for the Environment ("DSEN") responded that the Administration had set up the Task Force on External Lighting ("the Task Force") to study light nuisance and energy wastage caused by excessive external lighting. After conducting a public engagement on the regulation of external lighting in Hong Kong in the second half of 2013, the Task Force was consolidating the views received during the public engagement process and would make recommendations on the way forward for consideration by the Administration. In response to complaints against light nuisance, the Environmental Protection Department ("EPD") would reflect complainants' concerns and appeals to the responsible parties of the lighting installations or the companies concerned and offer advice as appropriate for consideration of relevant parties or companies.

Noise pollution

8. Mr WONG Kwok-hing noted with concern that many people in Hong Kong were exposed to traffic noise. He enquired whether and how the Administration would mitigate the noise impacts of existing roads. The Deputy Director of Environmental Protection (1) ("DDEP(1)") responded that EPD was addressing two sources of traffic noise. One was from new roads, the other from existing roads. Some 40 existing road sections with noise exceeding 70 dB(A) had been identified as technically feasible for retrofitting noise barriers and had been included in the public works programme for implementation. Amongst them, 21 road sections noise barriers retrofitting works were under planning. To minimize the traffic noise impact of existing roads on nearby residents, the Highways Department ("HyD") had applied low noise road surfacing materials on suitable road sections. EPD had also been liaising with relevant government departments on the alignment of new roads at the planning stage with a view to minimizing the population exposed to traffic noise from new roads. To explore new measures to tackle road traffic noise, the Government was testing new low noise road surfacing materials as well as the use of acoustic windows at new public housing units.

9. In response to Mr WU Chi-wai's enquiry about the installation of acoustic windows in residential buildings, DDEP(1) advised that EPD was working with the Housing Department to study the viability of installing acoustic windows to protect residents of building blocks close to busy road sections from excessive traffic noise. For example, the mock-up flats of the Hong Kong Housing Authority in San Po Kong had been installed with acoustic windows. EPD would test and review how well these windows could reduce noise level arising from adjacent roads and railway facilities before promoting such installation in future public housing developments. Mr WONG Kwok-hing urged EPD to bid for more financial resources for noise barriers retrofitting works.

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Nature conservation and Environmental Impact Assessment ("EIA")

10. Noting that a lot of major infrastructure projects were under construction or planning near Lantau Island (e.g. the Hong Kong-Zhuhai-Macao Bridge ("HZMB") local projects), Mr Dennis KWOK expressed concern about the cumulative impacts of these projects on marine ecology and doubted whether the proposed mitigation measures were sufficient to protect marine life, in particular the Chinese White Dolphins ("CWDs") within the Hong Kong waters. Mr KWOK further pointed out that under the EIA mechanism, the proponent of a designated project was required to prepare an EIA report in accordance with the Study Brief and the Technical Memorandum issued under the Environmental Impact Assessment Ordinance (Cap. 499) ("the TM-EIAO"). However, the TM-EIAO had not been reviewed since it was promulgated in 1997. He commented that the TM-EIAO was outdated and did not provide sufficient information and guidelines for project proponents to conduct a comprehensive marine ecological assessment on their designated projects.

11. DDEP(1) responded that HyD, which was the project proponent of the HZMB local projects, had engaged an Independent Environmental Checker to conduct comprehensive environmental monitoring and audit to ensure that the projects were designed, constructed and operated in accordance with the recommendations contained in the EIA report. The Independent Environmental Checker would notify the Director of Environmental Protection ("DEP") if any non-compliance was identified. EPD and the Agriculture, Fisheries and Conservation Department ("AFCD") would also conduct ad-hoc site inspections. Although there was a drop in the number of CWDs near the project boundary, the dolphin population at the western part of Hong Kong waters, according to AFCD, remained stable. To protect CWDs, construction works would be suspended upon sighting of any CWDs within 250 meters of the works site.

12. DDEP(1) further advised that the TM-EIAO issued by EPD specified the assessment method and criteria that needed to be followed by the proponent of a designated project in an EIA study. When the environmental standards and requirements under other environmental ordinances were tightened up, the corresponding decisions under the EIAO would take that into account. In this connection, updated assessment method and criteria would be adopted in EIA studies. For example, when the new Air Quality Objectives implemented in 2014, they became the benchmark for conducting air quality impact assessment in an EIA study.

13. Dr Elizabeth QUAT sought elaboration on the development of Sai Wan in which the enclave had been incorporated into the Sai Kung East Country Park. The Permanent Secretary for the Environment advised that with the support of the Country and Marine Parks Board, AFCD was working with non-

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governmental organizations and local communities to formulate a management plan for Sai Wan with aims to improve the living environment of villagers, provide a place for country park-compatible recreational activities and enhance nature conservation. The Administration would update the Panel on the latest progress of the development of Sai Wan in due course.

Marine emissions

14. Dr Elizabeth QUAT enquired how the Administration would reduce marine emissions. The Deputy Director of Environmental Protection (3) ("DDEP(3)") responded that the Administration planned to introduce legislation to mandate ocean-going vessels ("OGVs") to switch to cleaner fuels while berthing in Hong Kong waters and the relevant legislative proposals would be submitted to the Legislative Council ("LegCo") in March 2015 tentatively. In addition, the Air Pollution Control (Marine Light Diesel) Regulation, which had been approved by LegCo, capped the sulphur content of locally supplied marine light diesel at 0.05% to reduce emissions from local vessels with effect from 1 April 2014.

15. Mr WU Chi-wai sought elaboration on the latest progress of installing onshore power ("OSP") facilities at the Kai Tak Cruise Terminal ("KTCT") to reduce emissions from vessels and improve air quality in the coastal areas. DDEP(3) advised that EPD had entrusted the Electrical and Mechanical Services Department ("EMSD") to engage a consultant to study the technical feasibility of installing OSP facilities at KTCT in November 2013 having regard to the relevant international standards and the technical requirements. The consultant had completed the study and EPD was examining the study report and considering relevant issues for installing OSP. The Administration expected to report to the relevant Panels of LegCo on the findings and recommendations in a few months' time.

Waste management

16. Apart from the three strategic landfills, the Integrated Waste Management Facilities Phase 1, the Organic Waste Treatment Facilities Phase 1 and the Sludge Treatment Facility, Dr Elizabeth QUAT asked if the Administration had any plans to develop other environmental infrastructure projects to tackle the problem of waste in Hong Kong. The Deputy Director of Environmental Protection (2) ("DDEP(2)") responded that the Administration would carry out a strategic study on the planning of future waste treatment facilities which would include the study of different waste treatment technologies to meet the longer term needs. It was expected that the strategic study would commence in mid 2015 and take about one and a half years to two years to complete.

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17. Referring to "Hong Kong: Blueprint for Sustainable Use of Resources 2013-2022" ("the Waste Blueprint"), Mr KWOK Wai-keung enquired whether the target of reducing the per capita waste disposal level of municipal solid waste ("MSW") by 20% by 2017 could be achieved. He also expressed concern that waste recycling operations might cause environmental nuisance to nearby residents. DDEP(2) responded that the Waste Blueprint had mapped out a full range of initiatives on waste reduction, recycling, recovery, treatment and landfilling for the coming years up to 2022, which included MSW charging and different producer responsibility schemes ("PRs"). If the various waste management initiatives were completed on schedule, the Administration was confident that the targets set out in the Waste Blueprint could be achieved.

18. On recycling front, DDEP(2) said that the Administration would continue to engage the general public to reduce, separate and recycle waste. Promotion activities would be organized jointly with green groups, property management trade and other related parties with focus on clean recycling. There was also environmental legislation in place to regulate and minimize the environmental nuisance caused by different recycling operations. Subject to the funding approval from LegCo, a Recycling Fund would be launched to promote the recovery and recycling of waste by facilitating the upgrading of the operational capabilities, environmental performance and efficiency of the recycling industry.

19. Mr Albert CHAN criticized the Administration for its lack of resolve in implementing mandatory source separation of waste. He commented that the waste management schemes and programmes in the Waste Blueprint were carried out in a disconnected manner and were not cost-effective in tackling the problem of growing wasteload in Hong Kong. SEN responded that the Waste Blueprint had outlined a comprehensive strategy to tackle the waste management problem in Hong Kong with a clear target, concrete action plan and a timetable. Different waste management experts had been engaged to formulate the environmental policies and initiatives in the Waste Blueprint.

Promotion of green buildings and energy saving

20. Noting that the Administration had set a new energy saving target of 5% saving in electricity consumption for government buildings in the next five years from 2015-2016 to 2019-2020 and would take into account the element of sustainability in the design and construction of public facilities, Dr Elizabeth QUAT enquired whether and how the Administration would encourage the private sector to adopt green elements and use green materials in building construction. Mr Tony TSE shared Dr QUAT's views that extra incentives such as tax concessions should be provided to private sector to encourage wider adoption of green building and energy-saving measures.

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21. SEN acknowledged the importance of promoting green buildings in reducing construction waste generation and enhancing building energy efficiency. In 2006, the Government had introduced the construction waste disposal charging scheme which required construction waste producers to pay charges for disposal of their construction waste. Since then, Hong Kong saw a marked decrease in the quantity of construction waste being disposed of at landfills. To maintain the effectiveness of the charging scheme in waste reduction, a review of the charging levels based on the "polluter pays" principle was underway. In the meantime, the Environment Bureau ("ENB") had been working with the Development Bureau ("DevB") and the Construction Industry Council to promote green construction within the construction industry. For example, the Administration was promoting the use of recycled construction materials in public works projects and encouraged the construction industry to use precast units. It would also set out its policies on and chart the way forward for promoting energy efficiency and green buildings in the first half of 2015.

22. DSEN supplemented that the Administration had a range of policies and measures to manage demand of new and existing buildings for energy through legislation and incentives. For instance, the Buildings Energy Efficiency Ordinance (Cap. 610) had been fully implemented since September 2012 to require new buildings and buildings undergoing major renovation to comply with minimum energy efficiency standards under the Building Energy Codes. All commercial buildings were also required to conduct an energy audit once every 10 years. Moreover, gross floor area concessions would be granted to buildings with green features etc.

23. Ms Cyd HO enquired how the Administration would encourage private companies to conduct carbon audits on their business operations. The Under Secretary for the Environment ("USEN") responded that the Government had been taking positive actions to engage private and public organizations in carbon reduction actions and adopting regular carbon auditing practices. She noted that more and more large corporations, in particular listed companies, had been participating in carbon auditing and disclosing relevant information on their carbon performance. Some of these large corporations had also signed a voluntary charter, pledging to improve their carbon management. USEN reiterated that the Administration would set out its policies on and chart the way forward for promoting energy efficiency and green buildings in the first half of 2015 and subject to the agreement of respective private companies, their carbon footprint information and carbon management practices would also be disclosed.

Air quality

24. Mr Albert CHAN criticized that ENB had failed to play a co-ordinating role in spearheading inter-departmental efforts in improving Hong Kong's

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overall air quality. He expressed concern that the proposed major infrastructural projects in Tung Chung would seriously aggravate air pollution problem in the district, thus affecting the health of Tung Chung residents. He urged the Administration to publish a composite index of air quality to monitor the overall ambient air quality in Hong Kong and facilitate relevant government bureaux/departments ("B/Ds") to analyse and address the problems of marine emissions, vehicle emissions and aircraft pollution in a comprehensive and co-ordinated manner.

25. USEN responded that EPD had compiled an emission inventory for six key air pollutants from different sources including power plants, vessels, motor vehicles, aviation and other fuel combustion sources every year. The emission inventory provided essential information on the levels of air pollutant emissions and the Administration would base on the inventory to develop relevant air quality management strategies and emission control measures.

Trial of electric buses

26. Noting that the Administration was fully subsidizing the franchised bus companies to procure six double-deck hybrid buses and 36 single-deck electric buses for trial on a number of routes, Mr Kenneth LEUNG enquired how the Administration would encourage the bus operators to use hybrid and electric buses on a much larger scale in order to tackle roadside air pollution at busy corridors.

27. DDEP(3) responded that all the hybrid buses had started operation by end of 2014 while the electric buses would commence operation progressively starting from mid 2015. The duration of the trial period would be two years. Subject to the operational efficiency and performance of hybrid and electric buses under local conditions, ENB and the Transport and Housing Bureau ("THB") would further examine with the franchised bus companies the possibility of wider application of such buses in Hong Kong, taking into account the affordability for the bus companies and passengers. EPD would update the Panel on the latest progress of the trial scheme and the assessment results when ready.

Air quality in the Pearl River Delta region

28. Given that China and the United States ("US") had issued the China-US Joint Announcement on Climate Change ("the Joint Announcement") in early November 2014, Mr Kenneth LEUNG enquired whether ENB would review the common policy objectives, measures and modes of co-operation drawn up with the Pearl River Delta ("PRD") region in respect of carbon emission reduction and climate change adaptation and if so, the details and specific tasks

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to be undertaken.

29. DDEP(3) responded that Hong Kong and Guangdong Province had been collaborating to improve regional air quality. In 2012, Hong Kong and the Guangdong Environmental Protection Department had jointly endorsed a new regional air pollutant emission reduction plan which set out specific emission reduction targets in respect of four key air pollutants for 2015 and emission reduction ranges for 2020. In respect of carbon emission, USEN supplemented that under the Joint Announcement, China targeted to peak carbon dioxide emissions (i.e. to reach highest carbon dioxide total emissions) in around 2030. The Joint Announcement had provided impetus to the sustained actions by Hong Kong and Guangdong in reducing greenhouse gas emission. To tie in with the 21st Conference of the Parties to the United Nations Framework Convention on Climate Change (commonly known as "COP 21") to be held in Paris, France in December 2015, which would have detailed deliberation on measures for mitigation of climate change, in particular carbon emission reduction, the Administration would announce the climate change strategy for Hong Kong later.

30. DDEP(3) further advised that EPD, in collaboration with the Economic and Information Commission of Guangdong Province, had launched a Cleaner Production Partnership Programme in 2008 to encourage and facilitate Hong Kong-owned factories in both Hong Kong and the PRD region to adopt cleaner production technologies and practices, thereby making a contribution to improving the regional environment, in particular air quality. In the light of the encouraging environmental benefits brought by the programme and positive feedback from the industries, the Administration had earmarked \$150 million to extend the programme for five years from 2015 to 2020. The Panel would be briefed on the proposal in the regular meeting for February 2015.

31. Referring to the Ten Air Pollution Prevention and Control Measures in the Mainland promulgated by the State Council in September 2013, Ms Cyd HO enquired whether the Administration would incorporate heavy pollution weather into its ad hoc contingency management plan and put in place contingency measures to alleviate the level of pollution during heavily polluted weather, for example, temporarily suspending incineration activities and restricting heavily polluted vehicles from running on roads.

32. DDEP(3) responded that air quality had always been high on the agenda of the Government. In late December 2013, the Administration launched the Air Quality Health Index ("AQHI") which was a health risk-based index to estimate the short-term health risk caused by air pollution and provide timely and useful air pollution information to the public. Health advice would be given to people with different degrees of susceptibility to air pollution when AQHI

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reached high or above categories. An inter-departmental mechanism had been established to help relevant government departments take the necessary precautionary measures if AQHI reached 10+ for more than one day. The contingency measures included spraying haul roads with water to reduce generation of fugitive dust, cutting back on burning coal in power generation units and temporarily suspending the operation of the Chemical Waste Treatment Centre ("CWTC"). To reduce roadside air pollution, DDEP(3) advised that the Administration had been implementing an incentive-cum-regulating approach to phase out all pre-Euro IV diesel commercial vehicles ("DCVs") by end of 2019.

Setting up of low emission zones

33. Dr Priscilla LEUNG enquired about the latest progress in setting up LEZs in Causeway Bay, Central and Mong Kok. She also asked about the progress of relocating the Mong Kok Office of the Water Supplies Department ("WSD"). DDEP(3) responded that since franchised buses were one of the major sources of roadside air pollution, setting up LEZs by restricting access to low-emission franchised buses could bring improvement to roadside air quality. The Administration had been working with the franchised bus companies to set up LEZs in Causeway Bay, Central and Mongkok by end of 2015. Requirements had been included in the three new bus franchises granted in 2012 requiring bus operators to acquire the most environmentally-friendly buses in terms of vehicle exhaust emissions that were technologically-proven and commercially available when buying new buses. The Administration was considering whether or not the Mong Kok Office of WSD would be relocated to New Territories West. Nonetheless, the relocation proposal was a preliminary idea, details of which were to be discussed by relevant B/Ds.

34. Mr SIN Chung-kai enquired whether the Administration would consider extending the scope of restriction of access to LEZs from franchised buses to all other vehicles, in particular those heavily polluting DCVs, to further improve the air quality of these zones. On the same question, the Chairman opined that consideration should be given to setting up LEZs in other districts, such as Kwun Tong, Tung Chung and Sham Shui Po, to restrict highly polluting vehicles from running on busy corridors.

35. USEN responded that since the launch of the incentive-cum-regulatory scheme for retiring pre-Euro IV DCVs in March 2014, over 21 000 vehicles had been scrapped by end of December 2014. The phasing-out scheme had so far made good progress. If the scope of restriction of access to the three LEZs was extended to all other vehicles at this stage, some vehicle owners might not be able to use their vehicles to earn a living in these zones, thus affecting their business operations. SEN supplemented that franchised buses running on the

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three LEZs currently accounted for about 80% of the emission of nitrogen oxides ("NO_x") in these busy corridors. Banning the entry of non-low emission buses into the three LEZs could significantly reduce the roadside concentration of NO_x, thereby improving the roadside air quality.

36. USEN further advised that franchised buses were plying different routes and travelling to and from different districts. Low-emission buses serving the three LEZs would also pass through other districts. The setting up of the three LEZs would therefore in turn help reduce vehicular pollution in other districts. USEN also pointed out that some districts in Kowloon were vulnerable to marine emissions. To reduce marine emissions, there would be a new legislation to control emissions from OGVs. The Administration would also create a pedestrian-friendly environment in Kowloon East to help reduce motorized trips.

37. Mr Michael TIEN expressed concern about whether the three franchised bus companies would be able to acquire adequate number of low-emission buses to serve the three LEZs by end of 2015. DDEP(3) responded that the Kowloon Motor Bus Company Limited had estimated that they could deploy sufficient low-emission buses within LEZs before end of 2015. The latest estimate of the Citybus Limited ("CTB") and the New World First Bus Services Limited ("NWFB") was that due to the possible delay of the new rail lines on Hong Kong Island, the slower than expected implementation of bus route rationalization and the increase in demand for low-emission buses in other districts, about 87% of their buses in LEZs would be low-emission buses by end of 2015. EPD was examining with CTB and NWFB all possible alternatives for achieving the LEZ target as soon as possible.

38 In response to Mr Michael TIEN's further enquiry about the phasing out of heavily polluting tour coaches, DDEP(3) reiterated that the Administration had been implementing an incentive-cum-regulating approach to phase out all pre-Euro IV DCVs including goods vehicles, light buses and non-franchised buses by end of 2019 to reduce roadside air pollution. While over 21 000 pre-Euro IV DCVs had been scrapped by end of December 2014, it was anticipated that all DCVs of pre-Euro and Euro I standards would have been phased out by end of 2016. The incentive-cum-regulatory scheme was implemented in phases to allow adequate time for the vehicle scrapping trade and vehicle suppliers to tackle the surge of demand brought about by the scheme.

Use of electric vehicles ("EVs")

39. Mr Tony TSE sought elaboration on how the Administration would promote the use of EVs on a wider scale to reduce vehicle emissions. He

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opined that as the number of EVs in Hong Kong would continue to increase, the Administration should step up its efforts to assist property management companies and car park operators in the installation of charging points at their car parks so as to meet the increasing demand for EV charging services. Consideration should also be given to promoting the use of green public transport (e.g. trams).

40. SEN assured members that ENB had been in collaboration with DevB and THB to explore opportunities of using urban planning and design solutions in new districts together with a low emission transport system for better air quality. DDEP(3) advised that an extensive network of charging facilities was critical to promoting the wider use of EVs. At present, there were about 1 100 standard EV charging points in Hong Kong, covering all 18 districts in various types of buildings. In addition, over 100 medium charging points had been set up in 2014 in various districts to shorten the charging time. The Administration had also been encouraging property developers, property management companies and car park operators to set up charging facilities. Since April 2011, concessions on gross floor areas had been granted to car parks which were "EV charging-enabling" with an aim to foster a sustainable built environment. Since the installation of charging facilities might involve technical issues, EMSD had established a hotline to provide technical advice and support to relevant stakeholders and individual EV owners to install EV chargers. Guidelines had also been issued on the arrangements and technical requirements in setting up EV chargers.

41. In response to the Chairman's enquiries about the planning and provision of green transport infrastructure in new development areas ("NDAs"), DDEP(3) advised that ENB had been working with relevant B/Ds to explore the feasibility of incorporating green technology in the design of NDAs. For example, charging stations for electric buses would be provided in the New Territories North East NDAs. Electric buses would also be operated in the new Kai Tak Development area.

Use of bicycles

42. Mr WU Chi-wai enquired whether ENB would adopt a more proactive role in encouraging the public to use bicycles as a means of transport in Hong Kong with a view to promoting low-carbon lifestyle. He also opined that land use planning should be people-focused so that more pedestrian walkways would be created to reduce the need for motor vehicles. Mr Tony TSE echoed that the Administration should promote non-motorized transport and improve the pedestrian facilities where appropriate.

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43. DDEP(3) advised that ENB had been communicating with the Planning Department and DevB about the planning and management of green transport in Hong Kong. As stated in the 2015 Policy Address, the Administration would develop the concept of "walkable" Kowloon East in the Kowloon Bay and Kwun Tong Business Areas to improve the pedestrian environment and address traffic issues.

Water quality

44. Given that water pollution problem touched upon different policy areas and required cross-bureaux/departmental efforts to tackle, Dr Priscilla LEUNG expressed concern about the co-ordination work between different B/Ds in formulating long-term proposals for improving the water quality of Victoria Harbour and promoting a water-friendly culture.

45. DDEP(1) responded that the Administration would seek funding in 2015 to commission a study on the quality of coastal waters of Victoria Harbour, with the long-term objective of enhancing its leisure and amenity value. A Study Steering Group with members from EPD and relevant departments such as Drainage Services Department, Food and Environmental Hygiene Department and Home Affairs Department, etc., would be formed to oversee the study and consolidate the efforts of the departments concerned.

V. 272DS – Port Shelter sewerage, stage 2 and 408DS – Yuen Long effluent polishing plant

(LC Paper No. CB(1)454/14-15(03) — Administration's paper on "272DS – Port Shelter sewerage, stage 2 and 408DS – Yuen Long effluent polishing plant")

46. With the aid of a power-point presentation, the Assistant Director of Drainage Services/Projects & Development ("ADDS/P&D") briefed members on the Administration's proposals to upgrade parts of the following two sewerage projects to Category A –

- (a) 272DS - Port Shelter sewerage, stage 2; and
- (b) 408DS - Yuen Long effluent polishing plant.

(Post-meeting note: A set of the power-point presentation materials was circulated to members vide LC Paper No. CB(1)485/14-15(02) on 26 January 2015.)

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408DS – Yuen Long effluent polishing plant ("YLEPP")

47. Noting that under 408DS, the Administration proposed to increase the treatment capacity of the Yuen Long Sewage Treatment Works ("YLSTW") from 70 000 cubic metres ("m³") per day to 150 000 m³ per day through in-situ reprovisioning and that the proposed reprovisioning works would cost about \$7 billion to \$10 billion (a preliminary estimate), Mr Michael TIEN queried the cost-effectiveness of the arrangement. He enquired if the Administration had considered other alternatives to save cost, such as identifying suitable land for construction of a new sewage treatment works ("STW") to cater for the increase in sewage in Yuen Long areas.

48. Pointing out that the part of 408DS proposed for upgrading to Category A was for engaging consultants to carry out an investigation study, design and associated investigation works for YLEPP, Mr Tony TSE suggested that the Administration should also evaluate the cost-effectiveness of the in-situ reprovisioning of YLSTW in the proposed investigation study.

49. ADDS/P&D responded that apart from enhancing the treatment capacity of YLSTW, it was necessary to concurrently upgrade YLSTW to an effluent polishing plant with tertiary treatment level so as to reduce the residual pollution loading of the treated effluent to Deep Bay. The in-situ reprovisioning proposal would save the need of additional land for the expansion. USEN considered that it would be more practicable to enhance the treatment capacity and upgrade the treatment standard of YLSTW from secondary to tertiary level having regard to the difficulties in identifying land suitable for construction of a new STW. The Assistant Director of Environmental Protection (Water Policy) supplemented that the alternative option of constructing a new STW on another site to deal with the increase in sewage would not avoid the need to demolish the existing STW for upgrading the treatment standard. Nevertheless, the Administration already studied the feasibility of constructing a new STW in a cavern but no suitable sites could be identified in Yuen Long areas. The proposed in-situ reprovisioning of YLSTW was the most feasible and cost-effective option.

50. Mr Tony TSE asked whether YLSTW had currently reached its maximum treatment capacity of 70 000 m³ per day, and how YLSTW would handle the increase in sewage before completion of relevant upgrading works. ADDS/P&D advised that the proposed increase by about 80 000 m³ per day in treatment capacity was meant to cater for the long-term housing development as well as village sewage projects in Yuen Long District. It was envisaged that YLSTW was able to cope with the increase in sewage before completion of relevant upgrading works.

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Concluding remarks

51. The Chairman concluded that members supported the submission of the two sewerage project proposals to the Public Works Subcommittee for consideration.

(The Chairman left the meeting at this juncture and the Deputy Chairman took the chair.)

VI. Producer Responsibility Scheme on Waste Electrical and Electronic Equipment

(LC Paper No. CB(1)454/14-15(04) — Administration's paper on "Producer Responsibility Scheme on Waste Electrical and Electronic Equipment"

LC Paper No. CB(1)454/14-15(05) — Updated background brief on "Mandatory producer responsibility scheme for waste electrical and electronic equipment" prepared by the Legislative Council Secretariat)

52. USEN introduced the latest development of the implementation of the mandatory PRS on waste electrical and electronic equipment ("WEEE") in Hong Kong, including the necessary legislative proposals for establishing the statutory regulatory framework.

Legislative proposals for introducing the PRS on WEEE

53. Ms Cyd HO sought elaboration on the legislative arrangements for the implementation of the proposed mandatory PRS on WEEE. The Assistant Director of Environmental Protection (Waste Management Policy) ("ADEP(WMP)") responded that the Product Eco-responsibility Ordinance (Cap. 603) ("the PERO") and the Waste Disposal Ordinance (Cap. 354) ("the WDO") would be amended to provide for the statutory regulatory framework for the proposed mandatory PRS on WEEE. In line with the "polluter pays" principle, the recycling fees would be imposed at full cost recovery basis taking into account the development and operation costs for the WEEE Treatment and Recycling Facility ("WEEETRF"). The levels of fees would be prescribed in a

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subsidiary legislation for approval of LegCo in due course after awarding the contract to the future WEEETRF operator.

54. In response to the Deputy Chairman's enquiry about the legislative timetable, USEN advised that the Administration was finalizing the necessary legislative amendments to the PERO and the WDO and planned to submit the legislative proposals to LegCo for scrutiny in March 2015 tentatively.

55. Noting that recycling fees would be collected from suppliers of regulated electrical equipment, Ms Cyd HO enquired who would be regarded as "suppliers" under the proposed mandatory PRS on WEEE. ADEP(WMP) responded that the manufacturers and importers who distributed regulated electrical equipment to the local market would be regarded as suppliers of regulated electrical equipment and were required to register as a "registered supplier" under the proposed mandatory PRS on WEEE.

56. Mr Paul TSE pointed out that Hong Kong did not have a strong industrial base and most of the manufacturers of the five types of regulated electrical equipment were operating outside Hong Kong's jurisdiction. The arrangement that the recycling fees would be collected from suppliers, instead of manufacturers, of regulated electrical equipment under the proposed mandatory PRS on WEEE might defeat the purpose of PRS which sought to engage stakeholders including manufacturers to share responsibility for the treatment or disposal of end-of-life products. Moreover, since Hong Kong only had a few recyclers who were treating some of the proposed regulated WEEE and much of the WEEE was exported, Mr TSE expressed concern that Hong Kong was too small to justify a viable commercial recycling operation for WEEE, given the significant capital and recurrent costs incurred and the volatility of the volume of WEEE that would be treated locally. He enquired whether Singapore had implemented a PRS on WEEE similar to the one proposed for Hong Kong.

57. ADEP(WMP) responded that there was no PRS on WEEE implemented in Singapore. In Europe, member states of the European Union had progressively introduced legislation to regulate the handling of WEEE while in the Asia Pacific region, mandatory schemes to manage WEEE had been implemented in Japan, South Korea and Taiwan. Since these countries had a strong industrial base, the manufacturers of electrical and electronic equipment were forthcoming to fund and operate local WEEE treatment plants on a commercial basis. ADEP(WMP) also acknowledged that Hong Kong lacked such a strong industrial base and an end-of-life fee was not very feasible in the community. It was therefore unlikely that local manufacturers would take a significant role in promoting and managing the collection and treatment of WEEE. Under these circumstances, the Administration considered that collecting the recycling fees from suppliers of regulated electrical equipment

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could achieve a proper balance among different considerations.

Charging of recycling fees

58. In response to Ms Cyd HO's enquiry on the level of recycling fees, ADEP(WMP) explained that under the "polluter pays" principle, the Administration sought to recover the full costs of the mandatory PRS on WEEE and the level of recycling fees would reflect the extent of treatment required. When determining the levels of the recycling fees, the estimated capital and operating costs of the proposed WEEETRF would be taken into account.

59. Ms Cyd HO further expressed concern that if the percentage of the recycling fees to be shouldered by different stakeholder groups such as manufacturers, importers, distributors, retailers and consumers was not stipulated expressly in the relevant legislation, a major if not entire part of the fees might ultimately be borne by consumers. Mr Charles Peter MOK shared Ms HO's views that the mandatory PRS on WEEE might be tantamount to shifting the cost of the overall collection and treatment of WEEE to the general public and consumers might be overcharged by retailers of regulated electrical equipment.

60. ADEP(WMP) advised that the Administration had engaged the trades in detailed discussion on the collection of the recycling fees. Two charging options had been envisaged. The first option was that importers and distributors of regulated electrical equipment would act as the agents for collecting the recycling fees which would then have to be paid when their products were brought into Hong Kong for sale. Alternatively, retailers would collect the fees from consumers at the point of sale when a transaction was completed. Taking into account the views collected from the trades, their modes of operation and administrative convenience, the Administration considered that collecting the recycling fees from registered suppliers after the relevant regulated electrical equipment had been distributed in Hong Kong could achieve a proper balance among different considerations.

61. ADEP(WMP) further said that to facilitate identification of regulated electrical equipment which was covered under the mandatory PRS with the recycling fees paid or to be paid by the relevant registered suppliers, a registered supplier and a seller were required to, for each item of regulated electrical equipment distributed, provide a recycling label of the appropriate type as would be specified by DEP. To better inform consumers, a seller was also required to issue a proper receipt specifying the fee amounts which had been or would be paid to the Government by registered suppliers. The same arrangements would apply to parallel imported regulated electrical equipment. However, if the product was not for sale but for personal use only, it would not

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be covered under the proposed mandatory PRS on WEEE. There would be penalties for non-compliance. Nonetheless, the sharing of the recycling fees among different stakeholder groups would be determined entirely by market forces.

Collection and recycling of regulated electrical equipment

62. Ms Cyd HO expressed concern about how the Administration could ensure a proper and efficient collection of regulated electrical equipment. She was worried that sellers of regulated electrical equipment might not make the necessary arrangements for the collection and recycling of regulated electrical equipment.

63. ADEP(WMP) explained that under the proposed mandatory PRS on WEEE, sellers of regulated electrical equipment would be required under the PERO to arrange for removal services. They were required to submit a removal service plan to DEP for approval, in which specifying that for every piece of new regulated electrical equipment purchased by a consumer, an equivalent old product could be removed from a premise designated by the consumer for proper disposal at no extra charge to the consumer. While the sellers did not have to provide the collection and treatment services direct, each seller had to specify collection and recycling services provider(s) in the removal service plan and make necessary arrangements for the service provider(s) to provide the removal services. Suitable operational criteria might be prescribed in future legal provisions on removal services for broad consistency.

64. Ms Cyd HO opined that the Administration should consider providing incentives to consumers, such as cash rebates, so as to encourage them to use the removal services. The Deputy Chairman echoed that the Administration should step up publicity and public education to prepare the community for the mandatory PRS on WEEE and enhance public understanding of the collection and recycling services.

Scope of regulated electrical equipment

65. While expressing support for introducing a statutory regulatory framework for the PRS on WEEE, Mr Tony TSE pointed out that some WEEE such as electrical appliances and computers contained hazardous components that were harmful to the environment and human health if not properly treated or disposed of. The Administration should be mindful of the hazardous nature of WEEE. He enquired whether the five types of electrical equipment to be regulated under the proposed mandatory PRS on WEEE accounted for about 85% of the total weight of WEEE generated locally.

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66. ADEP(WMP) responded that the five types of regulated electrical equipment accounted for some 85% of the total WEEE generation by weight in Hong Kong annually. At present, the handling, collection, treatment and disposal of chemical waste, including monitors and televisions with cathode ray tubes as well as rechargeable batteries in bulk, were subject to regulation and required a waste disposal licence under the WDO to ensure that chemical waste was managed properly, thereby minimizing danger to public health or risk of pollution to the environment. For other types of WEEE, they were less hazardous comparatively.

67. Mr Charles Peter MOK expressed support for the mandatory PRS on WEEE. However, he pointed out that the novelties in the functions and designs of mobile phones, notebook computers and tablet computers might make it difficult for the Administration to define in clear terms the scope of regulated electrical equipment. For example, under the proposed mandatory PRS on WEEE, computers including tablets would be regulated while a smart phone which functioned like a personal computer would not be so. He further pointed out that the term "computer" had different definitions in different existing Ordinances. In section 161 of the Crimes Ordinance (Cap. 200) which aimed at combating acts of "access to computer with criminal or dishonest intent", the term "computer" could include equipment with some embedded computing abilities such as mobile phones. Against this backdrop, Mr MOK urged the Administration to provide clear definitions for each of the five types of regulated electrical equipment in the relevant legislation to avoid ambiguous interpretation.

68. ADEP(WMP) responded that the legislative proposals for implementing the mandatory PRS on WEEE would clearly stipulate the definitions of regulated electrical equipment. The Administration had made reference to the Mandatory Energy Efficiency Labelling Scheme which covered washing machines, refrigerators and air conditioners. As for "computer", a specific definition would be given for the purpose of the PRS, instead of relying on other existing definitions. Further discussion on the scope of the regulated electrical equipment could be pursued later when a bills committee was formed to examine the legislative proposals for the mandatory PRS on WEEE. The Administration would consider the need of extending the scope of the regulated electrical equipment at a later stage after accumulating further experience.

The proposed WEEETRF

69. Noting that the disposal of regulated e-waste on land or in premises with an area of not more than 100 square metres ("m²") would not be required to obtain a waste disposal licence under section 16 of the WDO, Mr Tony TSE expressed concern whether some private WEEE recyclers might undertake the

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treatment process on a small scale such that their operation would not be subject to the proposed licensing control.

70. Citing the proposed WEEETRF which covered an area of about three hectares at the Eco Park in Tuen Mun as an example, ADEP(WMP) advised that local WEEE processing facilities required large operation space in order to carry out proper treatment and recycling of WEEE which involved various dismantling, detoxification and recovery processes. The proposed licensing control which required e-waste recyclers to obtain a waste disposal licence if their storage sites or premises for regulated e-waste were over 100m² could effectively bring most e-waste recycling operations under control. However, taking into consideration that some e-waste recyclers were undertaking part of the treatment process, for example, simple dismantling of regulated e-waste for logistic handling and such process was conducted on a small scale and did not cause adverse environmental impacts, the Administration proposed that disposal of regulated e-waste on land or in premises with an area of not more than 100m² would not be required to obtain a waste disposal licence with an aim to avoid undue impact on the operations of these recyclers.

71. Mr Kenneth LEUNG enquired about the energy consumption of the proposed WEEETRF and how the toxic and hazardous substances removed from WEEE would be handled. ADEP(WMP) advised that the removal of the toxic and hazardous substances from WEEE would be handled manually and large-scale machines would be deployed to facilitate subsequent treatment processes, such as shredding. Since the treatment and recycling of WEEE would not involve sophisticated material recovery process, the proposed WEEETRF would not consume much energy. ADEP(WMP) further reiterated that the handling, collection, treatment and disposal of chemical waste which contained toxic and hazardous substances were subject to regulation. There were competent facilities in CWTC in Tsing Yi to handle most of such chemical waste. Rechargeable batteries would however be sent to competent facilities overseas (e.g. Japan or South Korea) for treatment and such export of waste was allowed under the Basel Convention.

Concluding remarks

72. The Deputy Chairman concluded that while the proposed mandatory PRS on WEEE would only apply to specific types of regulated e-waste, the Administration should continue to support the proper recycling of non-regulated e-waste. Regular checks and inspections should be conducted to ensure that the treatment process carried out by some private e-waste recyclers exempted from obtaining a waste disposal licence was conducted in environmentally sound manner. The Administration should also ensure that regulated e-waste would not be disposed of at landfills upon the implementation of the proposed

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mandatory PRS on WEEE. Given that the proposed mandatory PRS on WEEE sought to recover the costs for waste collection, recycling processes and other management and administrative matters, the charging system including the details of the recycling fees and the fee collection mechanism should be clearly set out in the relevant legislation.

VII. Any other business

73. There being no other business, the meeting ended at 5:00 pm.

Council Business Division 1
Legislative Council Secretariat
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