

立法會
Legislative Council

LC Paper No. CB(1)630/15-16
(These minutes have been seen
by the Administration)

Ref : CB1/PL/EA

Panel on Environmental Affairs

Minutes of meeting
held on Monday, 21 December 2015, at 8:30 am
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 Albert CHAN Wai-yip
Hon Steven HO Chun-yin, BBS
Hon WU Chi-wai, MH
Hon Charles Peter MOK, JP
Hon CHAN Han-pan, JP
Hon Kenneth LEUNG
Hon KWOK Wai-keung
Hon Dennis KWOK
Ir Dr Hon LO Wai-kwok, SBS, MH, JP
Hon Tony TSE Wai-chuen, BBS

Members absent : Dr Hon Priscilla LEUNG Mei-fun, SBS, JP
Hon Frankie YICK Chi-ming, JP
Dr Hon Elizabeth QUAT, JP
Hon CHUNG Kwok-pan
Hon Christopher CHUNG Shu-kun, BBS, MH, JP

**Public Officers
attending : For item IV**

Mr WONG Kam-sing, JP
Secretary for the Environment

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

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

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

For item V

Mr WONG Kam-sing, JP
Secretary for the Environment

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

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

Mr CHAN Chi-ming, JP
Deputy Secretary for Development (Works)2
Development Bureau

Mr Peter MOK
Chief Engineer (Fill Management)
Civil Engineering and Development Department

Clerk in attendance : Ms Angel SHEK
Chief Council Secretary (1)1

Staff in attendance : Ms Doris LO
Senior Council Secretary (1)1

Ms Mandy LI
Council Secretary (1)1

Miss Mandy POON
Legislative Assistant (1)1

I. Confirmation of minutes

(LC Paper No. CB(1)247/15-16 — Minutes of the meeting held on 26 October 2015)

The minutes of the meeting held on 26 October 2015 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)227/15-16(01) — Submission from Civic Exchange regarding its views on the 2016 Policy Address and the 2016-2017 Budget (English version only)

LC Paper No. CB(1)228/15-16(01) — Submission from Clean Air Network regarding its views on the review on the Air Quality Objectives (Chinese version only))

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III. Items for discussion at the next meeting

(LC Paper No. CB(1)299/15-16(01) — List of follow-up actions

LC Paper No. CB(1)299/15-16(02) — List of outstanding items for discussion)

3. Members agreed that the next regular meeting scheduled for Monday, 25 January 2016, would be advanced to start from 2:00 pm, and the following items would be discussed at the meeting –

(a) Briefing by the Secretary for the Environment on the Chief Executive's 2016 Policy Address; and

(b) Mandatory Energy Efficiency Labelling Scheme.

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4. Members noted that the item on "Review on the Air Quality Objectives", which was originally scheduled for discussion in end 2015 (under the Administration's proposal in the 2014-2015 legislative session) and had been deferred to January 2016 (as proposed by the Administration at the beginning of the 2015-2016 session), was further deferred to March 2016 according to the Administration's latest proposal. The Administration was requested to advise in writing the reasons for the deferral and the confirmed timing, if any, of briefing the Panel on the item.

(Post-meeting note: The Administration's written response was issued vide LC Paper No. CB(1)388/15-16(01) on 5 January 2016.)

5. Referring to the letter dated 24 November 2015 from Mr Kenneth LEUNG (LC Paper No. CB(1)202/15-16(01)) on review of the Environmental Impact Assessment Ordinance (Cap. 499), which had been forwarded to the Administration on 25 November 2015 for a written response, the Chairman urged the Administration to reply as soon as possible not later than end of January 2016.

(Post-meeting note: The Administration's response was issued vide LC Paper No. CB(1)537/15-16(01) on 3 February 2016.)

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IV. Provision of sewerage in Lantau

(LC Paper No. CB(1)299/15-16(03) — Administration's paper on "381DS – Construction of additional sewage rising main and rehabilitation of the existing sewage rising main between Tung Chung and Siu Ho Wan")

Briefing by the Administration

6. With the aid of a powerpoint presentation, the Assistant Director/Projects and Development, Drainage Services Department ("AD/P&D, DSD") briefed members on the Administration's proposal to upgrade "381DS – Construction of additional sewage rising main ("new rising main") and rehabilitation of the existing sewage rising main ("existing rising main") between Tung Chung and Siu Ho Wan" ("the proposed works") to Category A at an estimated cost of \$1,942.1 million in money-of-the-day prices. He informed members that subject to funding approval of the Finance Committee, the Administration aimed to commence the proposed works in the third quarter of 2016, targeting for commissioning the new rising main in mid-2023 and completing rehabilitation of the existing rising main by end 2025.

7. On the Chairman's enquiry, AD/P&D, DSD supplemented that the new rising main would be laid underground along the Kowloon-bound lane of Cheung Tung Road, and the existing one was along the road shoulder of the Tung Chung-bound lane of Cheung Tung Road.

(Post-meeting note: A set of the power-point presentation materials was circulated to members vide LC Paper No. CB(1)343/15-16(01) on 21 December 2015.)

Discussion

8. 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 proposal under discussion at the meeting before they spoke on the item. He also drew members' attention to Rule 84 of RoP on voting in case of direct pecuniary interest.

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Impact of the proposed works on traffic

9. In view of the alignments of the two rising mains which were both along traffic lanes as well as the long construction period, Ir Dr LO Wai-kwok expressed concern about the potential impact of the proposed works on the traffic of Cheung Tung Road and North Lantau Highway. Mr Kenneth LEUNG enquired about whether the alignments along traffic lanes would in effect prolong the construction time and raise construction costs, and whether the proposed works for the two rising mains would be carried out concurrently. The Deputy Chairman asked if the Administration had considered adopting any advanced technologies or alternative construction methods to minimize the disruption to traffic.

10. AD/P&D, DSD replied that DSD had conducted a Traffic Impact Assessment in respect of the proposed works and consulted the views of the Transport Department, the Hong Kong Police Force and the Highways Department in this regard. While it was affirmed that the proposed works would not affect the traffic on North Lantau Highway, with a view to minimizing disruptions to the traffic on Cheung Tung Road, DSD would put in place mitigating measures, including restricting the number of work fronts along the traffic lane to four and limiting the area of each front, temporary decking over trenches or work pits to re-open traffic lane when no work was being carried out, and implementing other temporary traffic management measures to maintain vehicular flow. He submitted that such mitigating measures would prolong the duration of the construction for the new rising main and also incur more construction costs. He also advised that the rehabilitation works for the existing rising main would not occupy the traffic lane and would be carried out after the completion of the new rising main. On Mr Kenneth LEUNG's further enquiry, AD/P&D, DSD advised that the estimated construction costs had taken into account price adjustments, costs of resident site staff and contingency reserve.

11. AD/P&D, DSD added that DSD had considered different construction methods, including open trench method, trenchless method and deep tunnelling method, for installing the new rising main. Despite a relatively shorter construction time and lesser impact on road traffic, the construction costs involved for adopting the trenchless method and deep tunnelling method were considered too high. Thus, it had decided to adopt mainly the open trench method for installing the new rising main.

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

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Alignment of the new rising main

12. Mr WU Chi-wai suggested the Administration consider other alignment options instead of laying the new rising main underground along a traffic lane so as to obviate the need for extensive road digging which would adversely impact on the traffic. He asked about the feasibility of, for example, putting the new rising main on the ground surface along either sides of Cheung Tung Road, or between Cheung Tung Road and North Lantau Highway. In reply, AD/P&D, DSD advised that DSD had conducted detailed study before making the current alignment proposal of the new rising main, taking into account various factors including the alignment of the existing underground rising main and pipes/ducts for other public utilities.

13. Referring to the proposed provision of common services tunnels ("CSTs") for housing the pipes/ducts of various public utilities in some new town developments, Mr Albert CHAN asked if any CST was provided for in Tung Chung for housing the new rising main for the purpose of facilitating future maintenance/rehabilitation. In response, AD/P&D, DSD advised that at present, there was no CST on Cheung Tung Road for housing the new rising main.

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14. At the request of the Deputy Chairman and Mr WU Chi-wai, the Administration agreed to provide, in its submission to the Public Works Subcommittee ("PWSC") on the proposed works, a comparison of the alignment design (i.e. laid underground along Cheung Tung Road) and construction method to be adopted under the current proposal in respect of the new rising main, *vis-a-vis* alternative alignment designs (for example, exposed on the ground on either sides of Cheung Tung Road, or between Cheung Tung Road and North Lantau Highway) and construction methods, including the respective feasibility, capital costs, cost efficiency, etc.

(The Chairman resumed the chair.)

Maintenance and useful life of the rising mains

15. Mr WU Chi-wai and Mr Kenneth LEUNG enquired about how long could the existing rising main be in use after rehabilitation, and whether further repair works might soon be required in the near future. Mr LEUNG also asked about whether newer type of more durable material would be used for the new rising main. Ir Dr LO Wai-kwok asked if the Administration would adopt new technologies, like the remote sensors/detection technology adopted for the Kai Tak District Cooling System, to continuously monitor the conditions of the rising mains and facilitate their maintenance.

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16. AD/P&D, DSD advised that a rising main would normally need rehabilitation after being in use for 25 years and with proper maintenance, the useful life of a rising main could reach 50 years. Regarding the existing rising main, he explained that it had been in use around the clock for 19 years and was likely in a deteriorating condition given that serious corrosion was found in the existing trunk sewers upstream of the Tung Chung Sewage Pumping Station ("TCSPS") probably due to high hydrogen sulphide ("H₂S") level in the sewage. However, as the existing rising main was the only means for conveying sewage from Tung Chung to the Siu Ho Wan Sewage Treatment Works ("SHWSTW"), it was not viable shutting it down or diverting the sewage away for inspection or maintenance. With the provision of twin rising mains upon completion of the proposed works, inspection and maintenance works for both rising mains could be better facilitated, thus becoming more favourable for prolonging their useful lives. AD/P&D, DSD added that the existing rising main was made of ductile iron pipe ("DIP") with cement lining, while the new one would be made of DIP with polyurethane lining, which was more costly but of higher chemical resistance. DSD would explore the use of appropriate technology to monitor the condition of the rising mains.

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17. Regarding the aforesaid problem of high H₂S level in the sewage, Mr WU Chi-wai expressed concern about the source of H₂S and any remedial measures taken. The Chief Engineer/Consultants Management, DSD ("CE/CM, DSD") responded that high H₂S level was found in the septic sewage coming from the Hong Kong International Airport ("HKIA"). Since detection of the problem, DSD had been working closely with the Airport Authority Hong Kong ("AAHK") to take remedial measures. At the request of Mr WU, the Administration agreed to, in its submission to PWSC on the proposed works, provide further information, including when the said problem was discovered, when and what remedial measures were taken by AAHK, and any deterioration/improvements so far.

Capacity of the rising mains to cater for additional sewage flow from proposed developments in Tung Chung

18. Quoting the example of the Harbour Area Treatment Scheme, a world class sewerage works of a much larger scale spanning over 20 years and involving more complicated tunnelling works and higher construction costs comparing to the proposed works, Ir Dr LO Wai-kwok expressed confidence in the Administration to overcome the technical issues of the proposed works. He strongly supported the proposed works to cater for the anticipated increase in sewage flow arising from the planned housing development of the Tung Chung New Town ("TCNT") Extension, and the planned expansion of the HKIA into a three-runway system. While holding a dissenting view

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against over-development of Lantau and construction of the three-runway system, Ms Cyd HO agreed that the existing sewage rising main was grossly insufficient to meet the growing demand based on the population and visitor number forecasts respectively for HKIA and Tung Chung as a whole. The Administration noted the members' views.

19. Ms Cyd HO sought details on the loading capacities of the existing and new rising mains operating together and separately. She was concerned about whether and how their loading capacities could meet the continued increase in sewage flow, which was projected to reach 2 400 litre per second ("l/s") in 2023 as set out in paragraph 4 of the Administration's paper (LC Paper No. CB(1)299/15-16(03)), and if not, whether the size of the existing and/or the new rising mains, both 1 200 mm in diameter, could be further enlarged to support a higher sewage flow. Sharing similar concern, Mr WONG Ting-kwong asked whether the proposed work schedule, under which the new rising main would commission in mid-2023 and rehabilitation of the existing one would complete by end 2025, could match the rapid development of Tung Chung in the coming years. Mr WONG also expressed concern about the potential impact in case of the failure of the existing rising main in the interim before commissioning of the new one.

20. AD/P&D, DSD replied that the target schedules of population intake of the planned housing development in TCNT Extension and commissioning of the three-runway system would both be in 2023, thus the increased sewage flow there arisen could be met by the commissioning of the new rising main in the same year. He confirmed that DSD had in place contingency plan for urgent maintenance of the existing rising main if it collapsed in the interim.

21. CE/CM, DSD elaborated that the maximum allowable capacity of the existing rising main was 1 840 l/s. With the proposed works, each of the existing and new rising mains under good maintenance condition could deal with a maximum capacity of 3 680 l/s if further pressurized. As such, their loading capacities, either operating together or separately should be able to meet the projected sewage flow. This would also facilitate cross-using (i.e. using only one of the two) of the two rising mains as appropriate with a view to enhancing the sewerage network reliability.

22. Mr Albert CHAN however doubted the practicability of cross using the two rising mains and whether this might amount to an over-provision if one of the rising mains could be left for spare use. He queried whether there was similar provision of twin pipes for cross-using in the sewerage network of any other districts. CE/CM, DSD responded that provision of twin pipes was not widely adopted for sewerage networks in Hong Kong, but it was technically feasible in respect of the two rising mains concerned. He

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elaborated that the rising mains were operating under pressure and their conveying capacities could be increased by raising the pumping pressure. During normal operation, both rising mains would be deployed to deal with the flow. When one of the rising mains required to be shut down for maintenance, the other rising main would still be able to deal with the flow by operating at higher pressure.

23. On further enquiries of Ms Cyd HO and Mr Albert CHAN, the Assistant Director (Water Policy) ("AD(WP)") advised that the existing planned residential population of TCNT was approximately 130 000, and an additional population intake of approximately 140 000 was proposed under TCNT Extension (i.e. covering the planned developments in Tung Chung East ("TCE") and Tung Chung West ("TCW")). In this connection, the sewage flow to be supported by the two rising mains would be 58 000 m³/day in 2023, and further increased by 60 000 m³/day by 2038, taking into account the continued population growth of TCNT plus the new population intake in TCNT Extension, and the growth in visitor number upon the planned commissioning of the three-runway system of HKIA.

24. Expressing doubt over the Administration's rationale for taking forward the proposed works, Mr Albert CHAN queried that the Administration had misrepresented the population growth under TCE and TCW developments, and that the capacity of the new rising main was in fact good only for meeting the increased sewage flow arising from the three-runway system of HKIA but not from TCE and TCW. He took the view that the Administration was indeed jumping the gun by seeking funding under the proposed works to make way for the three-runway system of HKIA. Mr CHAN indicated that he would object to the funding proposal for the proposed works.

25. AD(WP) responded that around two-thirds of the additional capacity provided by the new rising main were to support the additional population intake under TCNT Extension, with the remaining one-third catering for the additional sewage flow arising from the commissioning of the three-runway system of HKIA. She stressed that even without the development of the three-runway system of HKIA in picture, the new rising main would still be indispensable taking into account the additional population intake under TCNT Extension alone.

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26. At members' requests, the Administration agreed to provide, in its submission to PWSC on the proposed works –

- (a) information on the projected population of TCNT (including the planned developments in TCE and TCW) and visitor number of

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HKIA upon commissioning of the additional sewage rising main (i.e. in 2023), and as at the end of the estimated useful life of the existing and new rising mains respectively; and

- (b) information on the sewage conveyance/treatment capacities (in terms of volume of sewage per day) of the existing and new rising mains (when single/both rising main(s) being in use, and under their respective normal and maximum velocities), TCSPS and SHWSTW respectively.

(Post-meeting note: The Administration's response was included in the Administration's submission to PWSC issued vide PWSC(2015-16)59 on 22 February 2016.)

Construction waste management

- Admin 27. At the request of the Deputy Chairman, the Administration agreed to provide supplementary information, apart from those given in paragraphs 12 to 14 of the Administration's paper (LC Paper No. CB(1)299/15-16(03)), on how to monitor the effective implementation of the waste management measures by the contractor of the proposed works.

(Post-meeting note: The Administration's response was issued vide LC Paper No. CB(1)587/15-16 (02) on 22 February 2016.)

Conclusion

28. The Chairman invited members to consider and indicate whether they supported the Administration's submission of the proposal to PWSC for consideration. The Chairman then put the matter to vote. At the request of Mr Albert CHAN, the Chairman ordered a division. Four members voted in favour of the matter, three members voted against it and one member abstained. The Chairman declared that the matter was supported. The voting results of individual members were as follows –

For:

Mr WONG Ting-kwong
Ir Dr LO Wai-kwok
(four members)

Mr KWOK Wai-keung
Mr Vincent FANG

Against:

Ms Cyd HO
Mr WU Chi-wai
(three members)

Mr Albert CHAN

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Abstain:

Mr Charles Peter MOK
(one member)

V. Reduction of construction waste

(LC Paper No. CB(1)299/15-16(04) — Administration's paper on "Review of the Construction Waste Disposal Charging Scheme"

LC Paper No. CB(1)299/15-16(05) — Background brief on "Reduction of construction waste" prepared by the Legislative Council Secretariat

LC Paper No. CB(1)332/15-16(01) — Joint submission from TrailWatch, Local Research Community, WWF Hong Kong, The Conservancy Association, The Hong Kong Bird Watching Society, Designing Hong Kong, Green Power and Greeners Action (Chinese version only)

LC Paper No. CB(1)332/15-16(02) — Submission from The Conservancy Association (Chinese version only))

Briefing by the Administration

29. The Secretary for the Environment ("SEN") briefed members on the Administration's proposal to increase the various charges for disposal of construction waste ("disposal charges") under the relevant Schedules of the Waste Disposal (Charges for Disposal of Construction Waste) Regulation (Cap. 354N). He advised that the proposed increases in the disposal charges were in line with the "polluter pays" principle and the established fees and charges policy under which the ultimate objective was to achieve full cost recovery. Further, he pinpointed the Administration's continuous effort in

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enhancing construction waste management through various complementary measures.

30. SEN put forth for members' consideration the Administration's initial plan to submit the relevant legislative amendments in respect of the proposed increases in the disposal charges for negative vetting by LegCo as soon as practicable within the 2015-2016 legislative session, with a view to implementing the new charges in 2016-2017.

Discussion

Combating illegal land filling and fly-tipping of construction waste

31. Members including Mr CHAN Han-pan, Mr Albert CHAN, Mr KWOK Wai-keung and Mr WU Chi-wai expressed concerns about possible aggravation of the problem of illegal land filling and fly-tipping of construction waste following the increases in the disposal charges, particularly in view of the absence of effective measures by the Administration to combat these problems.

32. On Mr CHAN Han-pan's enquiry, the Assistant Director of Environmental Protection (Waste Management Policy) ("AD(WMP)") advised that regarding cases of illegal land filling or fly-tipping on private and government lands, the number of relevant complaints received in 2012, 2013 and 2014 was 1 690, 1 982 and 1 695 respectively, and the number of successful prosecutions instituted by the Environmental Protection Department ("EPD") in each of the three years was 32, 40 and 44 respectively.

33. Mr CHAN Han-pan and Mr Albert CHAN expressed disappointment about the low prosecution rates. Quoting cases of illegal land filling in the Shing Mun Reservoir area and near Chuen Lung village, Mr CHAN Han-pan criticized the Administration's incompetence in combating such activities. Apart from that, he was also concerned about the environmental and safety issues arising from small-scale fly-tipping of construction waste on rear lanes and rooftops of buildings and urged the Administration to enhance its efforts to resolve such problem. As suggested by the Chairman, Mr CHAN Han-pan agreed to provide further information on black spots of illegal land filling and/or fly-tipping of construction waste to the Administration for its follow-up. Mr CHAN opined that the Administration should have stepped up measures to effectively control and combat illegal land filling and fly-tipping before increasing the disposal charges.

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34. Referring to the case of extensive dumping of construction waste near Pui O beach on Lantau Island which adversely affected the habitat of water buffalos, Mr Albert CHAN criticized that the Administration had turned a blind eye to the case despite media reports and his repeated complaints on the case for over a year. He urged the Administration to address the seriousness of the case and take immediate remedial action. Mr CHAN expressed that he had no confidence in the enforcement capability of the Administration to handle the upsurge of illegal land filling and fly-tipping of construction waste after increasing the disposal charges. For this reason, he indicated that he would object to the proposal to increase the disposal charges.

35. Ir Dr LO Wai-kwok agreed that the Administration should strengthen its efforts in combating illegal land filling and fly-tipping of construction waste. In particular, he urged the Administration to address the serious problem of waste dumping in country parks.

36. In response, the Deputy Director of Environmental Protection (2) ("DDEP(2)") advised that introduction of the disposal charges in 2006 had attained positive results in encouraging the construction industry to adopt various construction waste reduction measures, and in turn contributing to the reduction of mixed construction waste disposed of at landfills from approximately 6 600 tonnes per day ("tpd") in 2005 to around 3 000 tpd in 2014 (i.e. a reduction by more than 50%). That said, the Administration took note of members' concerns and agreed that increases in the disposal charges should be introduced in parallel with enhanced measures for controlling and combating illegal land filling and fly-tipping activities. In this regard, the Administration was exploring options to enhance the existing control using appropriate technologies, including a trial scheme of using surveillance cameras at 12 black spots of fly-tipping, as well as exploring with the trade on the use of positioning technology to help tracking and logging activities of construction waste collection vehicles with a view to deterring fly-tipping. In addition, in cooperation with other departments including the Food and Environmental Hygiene Department, district offices and district councils, EPD had continued to enhance intelligence and information gathering regarding black spots of fly-tipping, erect fencing and barricades at such black spots, and step up enforcement including patrols and ambush operations.

37. Given the large number of black spots of fly-tipping at present, Mr KWOK Wai-keung queried why only 12 black spots had been identified for the trial scheme of installing surveillance cameras. He also asked about the effectiveness of using such devices in combating fly-tipping. DDEP(2) responded that the 12 black spots were only those identified initially for the

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trial scheme. Subject to review of the effectiveness of the trial scheme, the Administration would consider installation at other black spots or problem areas of fly-tipping as appropriate.

38. Mr WU Chi-wai pointed out that some statutory requirements in relation to building inspection and maintenance, like those under the Mandatory Building Inspection Scheme and Mandatory Window Inspection Scheme, would create construction waste. He asked if EPD had liaised with the government bureaux/departments concerned to explore possible means to minimize generation of construction waste from the related works, such as reviewing the prescribed inspection and maintenance schedules to avoid carrying out related works too frequently, or introducing new technologies to reduce construction waste generation.

39. The Deputy Secretary for Development (Works)2 ("DS/DEV(W)2") responded that the works concerned were justified and required for various reasons, such as building safety. Rather than regulating the volume of works, a more effective means of managing the construction waste issue was to encourage reduction of construction and demolition ("C&D") materials. The Construction Industry Council ("CIC") was conducting a consultancy study on construction waste management with a view to facilitating reduction, reuse and recycling of C&D materials.

40. Mr WU Chi-wai further enquired about the effectiveness of the enactment of the Waste Disposal (Amendment) Ordinance 2013 in enhancing control on the depositing of construction waste on private land. AD(WMP) advised that since enactment of the said Ordinance up to 30 September 2015, 35 requests for acknowledgement on owners' permission of the depositing of construction waste on private lots had been received, among which one request was not acknowledged by EPD due to the land lot information provided being inconsistent with the Land Registry's records, and one successful prosecution had been instituted by EPD. DDEP(2) supplemented that as the Ordinance had only come into effect since 2014, the Administration would continue to review its operation and assess its effectiveness in due course.

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41. At the requests of Mr CHAN Han-pan and Mr Albert CHAN, the Administration agreed to provide, upon submission of the relevant legislative proposal, information on cases of illegal land filling/fly-tipping of construction waste, including near Pui O beach on Lantau Island, and on rear lane and rooftops of buildings, etc. in urban areas, with details on the number of complaints received, enforcement actions taken and successful prosecutions made, if any, in each of the past two years.

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Levels of disposal charges

42. Mr KWOK Wai-keung enquired about why the cost recovery rate for the sorting charge (which was proposed to be increased from \$100 per tonne to \$175 per tonne) was only 66% after the proposed increase. In reply, AD(WMP) advised that the full cost of the sorting charge was \$265 per tonne which was even higher than that of the landfill charge (i.e. \$200). Therefore, if the sorting charge was to be set at full cost recovery level, it would discourage the use of sorting facilities, and run contrary to the Administration's objective of encouraging reusing/recycling of mixed construction waste containing more than half by weight of inert construction waste and achieving reduction in landfilled waste.

43. Mr WU Chi-wai suggested that the disposal charges should take into account enforcement costs with a view to enhancing enforcement actions, which would in turn help gain support from the public as the monies collected would be used for enhancing enforcement actions. Referring to the views of a green group, Mr KWOK Wai-keung agreed that the Administration should not just aim at achieving full cost recovery when setting the levels of disposal charges, but should also target at driving behavioural change in the construction sector to encourage reduction, reuse and recycling of C&D materials. He shared the view that enforcement costs could be taken into account for determining the levels of disposal charges.

44. DDEP(2) responded that the overall enforcement costs against fly-tipping and illegal land-filling would typically be funded through general departmental funding and if necessary, additional resources would be sought in accordance with the established resources allocation mechanism within the Government. It was not the Government's intention to require the trades which in this case was the construction sector to fund the overall enforcement costs through the disposal charges. DDEP(2) added that the Administration was committed to further review the disposal charges in future taking into account the implementation of the municipal solid waste charging.

Promotion of construction waste reduction and recycling

45. Ms Cyd HO indicated that she was supportive of taking forward more waste reduction and recycling initiatives. However, it appeared that no substantive measures but only some broad directions on this aspect were mentioned in the Administration's paper. Quoting the example of the works project of Dongdaemun Design Plaza in South Korea where reusable construction materials including non-timber formwork was used, she asked if the Administration would take forward any initiatives to promote the use of more reusable construction materials in public works as well as construction

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works carried out by the private sector.

46. DS/DEV(W)2 advised that for public works, a mechanism was in place amongst the works departments aiming at promoting reuse of C&D materials, under which public works contractors were required to prepare and implement waste management plan. Also, more public works projects had adopted reused materials for site offices and prefabricated units to avoid the generation of additional construction waste. With regard to the private construction sector, he surmised that cost concern would be one of the major hindrances for promoting reusable construction materials. Meanwhile, CIC had started a consultancy study on construction waste management with a view to facilitating reduction, reuse and recycling of C&D materials by the sector.

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47. At members' requests, the Administration agreed to provide, upon submission of the relevant legislative proposal –

- (a) supplementary information, apart from those given in paragraphs 11 and 12 of the Administration's paper (LC Paper No. CB(1)299/15-16(04)), on the specific measures for promoting the reduction, reuse and recycling of construction and demolition materials, including encouraging the use of more reusable materials, such as non-timber formwork, etc. in public works and by the construction industry; and
- (b) the costs of the treatment of construction waste each year (in terms of cost per tonne of construction waste), including land/capital costs involved in the provision of landfill space, etc., and savings each year from using construction waste as a substitute for river sand as filling materials for reclamation/earthworks.

Other issues

48. Referring to the recent incident of waste dump in Shenzhen ("Shenzhen incident") that had created a massive landslide and serious casualties, Mr James TO asked whether the Administration had immediately inspected land filling and waste dumping sites on private and government lands in Hong Kong to ensure that similar incident would not occur in Hong Kong. DDEP(2) and AD(WMP) assured members that fill banks and landfills in Hong Kong were subject to stringent requirements on their designs, locations and treatment facilities, etc., and close monitoring by relevant government departments. Other land filling activities on private lands for the purposes of filling up ponds, levelling off uneven grounds, etc.

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were usually carried out on a small scale, while illegal fly-tipping was usually associated with casual dumping from vehicles in small quantities. The Administration would closely monitor the situation and take appropriate actions in case there was any potential danger arisen from such activities.

Conclusion

49. The Chairman invited members to consider and indicate whether they supported the Administration's proposal for increasing the disposal charges.

(At this juncture, Mr Albert CHAN drew the Chairman's attention that a quorum was not present. The Chairman then directed that the meeting be suspended for five minutes in order to summon members to the meeting. The meeting resumed after a quorum was present.)

50. The Chairman then put the matter to vote. Six members voted for and one member (i.e. Mr Albert CHAN) voted against it. The Chairman declared that the matter was supported. Mr Albert CHAN requested to put on record that he objected to the Administration's proposal.

51. The Chairman requested the Administration to take heed of members' views and concerns, and step up efforts in combating illegal land filling and fly-tipping of construction waste.

VI. Any other business

52. There being no other business, the meeting ended at 10:20 am.