

立法會

Legislative Council

LC Paper No. CB(1)783/16-17
(These minutes have been seen
by the Administration)

Ref : CB1/PL/EA

Panel on Environmental Affairs

Minutes of meeting
held on Monday, 27 February 2017, at 2:30 pm
in Conference Room 3 of the Legislative Council Complex

Members present : Hon Tanya CHAN (Chairman)
Dr Hon Junius HO Kwan-yiu, JP (Deputy Chairman)
Hon LEUNG Yiu-chung
Hon Tommy CHEUNG Yu-yan, GBS, JP
Hon Jeffrey LAM Kin-fung, GBS, JP
Hon WONG Ting-kwong, SBS, JP
Hon CHAN Hak-kan, BBS, JP
Dr Hon Priscilla LEUNG Mei-fun, SBS, JP
Hon Paul TSE Wai-chun, JP
Hon LEUNG Kwok-hung
Hon Steven HO Chun-yin, BBS
Hon Frankie YICK Chi-ming, JP
Hon WU Chi-wai, MH
Hon MA Fung-kwok, SBS, JP
Hon Charles Peter MOK, JP
Hon CHAN Chi-chuen
Hon Kenneth LEUNG
Hon KWOK Wai-keung
Hon Dennis KWOK Wing-hang
Dr Hon Fernando CHEUNG Chiu-hung
Dr Hon Elizabeth QUAT, JP
Hon Martin LIAO Cheung-kong, SBS, JP
Dr Hon CHIANG Lai-wan, JP
Ir Dr Hon LO Wai-kwok, SBS, MH, JP

Hon Andrew WAN Siu-kin
Hon CHU Hoi-dick
Hon SHIU Ka-fai
Hon HUI Chi-fung
Hon Kenneth LAU Ip-keung, MH, JP
Hon KWONG Chun-yu
Hon Nathan LAW Kwun-chung
Dr Hon YIU Chung-yim

Member attending : Hon Claudia MO

Members absent : Hon LEUNG Che-cheung, BBS, MH, JP
Hon HO Kai-ming

Public Officers attending : **For item IV**

Ms Christine LOH, JP
Under Secretary for the Environment

Ms Daisy LO
Assistant Director (Water Policy)
Environmental Protection Department

Mr Anthony FOK
Principal Environmental Protection Officer (Sewerage
Infrastructure)
Environmental Protection Department

Mr Michael FONG
Assistant Director/Projects and Development
Drainage Services Department

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

Mr Ricky LI
Chief Engineer/Electrical and Mechanical Projects
Drainage Services Department

For item V

Ms Christine LOH, JP
Under Secretary for the Environment

Mrs Alice CHEUNG, JP
Deputy Director of Environmental Protection (3)
Environmental Protection Department

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

Mr Dave HO
Principal Environmental Protection Officer (Mobile
Source)
Environmental Protection Department

Mrs Lilian LEUNG
Principal Executive Officer (VALID & Licensing)
Transport Department

Mr Alfred LAM
Chief Engineer/Transport Planning
Transport Department

For item VI

Ms Christine LOH, JP
Under Secretary for the Environment

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

Mr Louis CHAN
Principal Environmental Protection Officer (Regional
Assessment)
Environmental Protection Department

Mr Joe FONG
Principal Environmental Protection Officer (Regional
South)
Environmental Protection Department

Mr Albert LEE
Project Manager/Hong Kong-Zhuhai-Macao Bridge
Hong Kong Project Management Office
Highways Department

Mr Aaron BOK
Regional Highway Engineer/New Territories
Highways Department

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

Staff in attendance : Ms Anki NG
Senior Council Secretary (1)1

Mr Jason KONG
Council Secretary (1)1

Miss Mandy POON
Legislative Assistant (1)1

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I. Confirmation of minutes

(LC Paper No. CB(1)504/16-17 — Minutes of the meeting held
on 19 December 2016)

The minutes of the meeting held on 19 December 2016 were confirmed.

II. Information papers issued since last meeting

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

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(LC Paper No. CB(1)586/16-17(01) — Referral from the Public Accounts Committee on issues relating to "Government's efforts in managing municipal solid waste" (the referral memorandum and an extract of the relevant report))

III. Items for discussion at the next meeting

(LC Paper No. CB(1)574/16-17(01) — List of follow-up actions

LC Paper No. CB(1)574/16-17(02) — List of outstanding items for discussion)

3. Members agreed to discuss the following items at the next regular meeting scheduled for Monday, 27 March 2017 at 2:30 pm:

- (a) implementation arrangements for municipal solid waste charging; and
- (b) progress of Government's efforts on nature conservation and marine conservation and legislative proposal to phase out the local trade in ivory.

IV. Upgrading of Kwun Tong Preliminary Treatment Works and Sewage Pumping Station

(LC Paper No. CB(1)574/16-17(03) — Administration's paper on "4394DS — Upgrading of Kwun Tong Preliminary Treatment Works and 4413DS — Enhancement works for Kwun Tong Sewage Pumping Station")

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Briefing by the Administration

4. With the aid of a power-point presentation, the Assistant Director/Projects and Development, Drainage Services Department ("AD/P&D/DSD") briefed members on the Administration's proposal to upgrade the works projects 4394DS and 4413DS to Category A for (a) increasing the treatment capacity of the Kwun Tong Preliminary Treatment Works ("KTPTW") to cope with the additional sewage flow after completion of various ongoing and planned developments in its catchment area, and (b) enhancement works for the Kwun Tong Sewage Pumping Station ("KTSPS"), including constructing an underground sewage balancing facility ("balancing facility") at the site of KTSPS to regulate excessive preliminarily treated sewage from KTPTW during extreme peak flow periods, and a new plant house with landscaped deck for public enjoyment to improve the environmental performance of the projects.

(Post-meeting note: A set of the power-point presentation materials was circulated to members vide LC Paper No. CB(1)615/16-17(01) on 27 February 2017.)

Discussion

5. The Chairman reminded members that in accordance with Rule 83A of the Rules of Procedure ("RoP"), they should disclose the nature of any direct or indirect pecuniary interest relating to the funding proposal before they spoke on the item. She also drew members' attention to RoP 84 on voting in case of direct pecuniary interest.

Project scope and capital costs

6. Mr Kenneth LEUNG, Mr Martin LIAO and Dr YIU Chung-yim requested the Administration to clarify the project scope of 4413DS, and provide a breakdown of the total capital cost involved.

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7. AD/P&D/DSD advised that the project scope of 4413DS, as detailed in paragraph 2 of the Administration's paper (LC Paper No. CB(1)574/16-17(03)), included (a) a balancing facility with a capacity of 16 000 m³ at KTSPS, (b) a plant house with landscaped deck to enclose KTSPS and the balancing facility ("plant house"), (c) deodorization facilities, and (d) other ancillary works, at an estimated cost of \$1,054.4 million in money-of-the-day prices. In September 2016 prices, the estimated costs for the balancing tank, landscaping works, deodorization facilities, and plant house with ventilation system and other ancillary works were about \$300 million, \$70 million, \$35.6 million and \$200 million respectively. Other costs

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included resident site staff cost, project management fee and contingency provision, etc. He explained that in-situ enhancement works projects were usually more complicated and costly. The Administration would provide more details on the project scope and breakdown of the total capital cost for both projects in the paper to be submitted to the Public Works Subcommittee.

8. Mr Kenneth LEUNG asked whether the Harbour Area Treatment Scheme ("HATS") Stage 1 tunnel system, which conveyed preliminarily treated sewage from KTPTW and KTSPS to the Stonecutters Island Sewage Treatment Works, would be able to accommodate the additional sewage flow due to the increased treatment capacity of KTPTW.

9. AD/P&D/DSD said that the drop shaft connecting KTPTW and the HATS Stage 1 deep tunnel, instead of the deep tunnel itself, would no longer be able to cope with the extreme peak flow of the preliminarily treated sewage from KTPTW, and it was therefore necessary to construct the balancing facility at KTSPS to regulate the excessive preliminarily treated sewage from KTPTW during the latter's peak flow periods. In response to Mr Kenneth LEUNG's further question, AD/P&D/DSD advised that the capacity of the balancing facility was comparable to the volume of six and a half Olympic-sized swimming pools.

Deodorization systems

10. Ir Dr LO Wai-kwok expressed support for the Administration's proposal, and saw it beneficial that the rooftop of the plant house would be constructed as a landscaped deck and pleasure ground for public enjoyment. Noting that the deodorization systems at KTPTW would be upgraded and new deodorization systems would be provided in KTSPS, he enquired about the effectiveness of the deodorization technology used in the Stonecutters Island Sewage Treatment Works, and whether the same technology would be applied to the projects under discussion.

11. AD/P&D/DSD replied that the Administration had conducted evaluation and confirmed the effectiveness of the deodorization systems in the Stonecutters Island Sewage Treatment Works. The same technology would be applied to the deodorization systems of KTPTW and KTSPS. According to the Environmental Impact Assessment study conducted for the proposed works, the odour impact of KTPTW and KTSPS on users of the landscaped deck and surrounding areas would be mitigated to an acceptable level with the deodorization systems in place. In response to Mr Martin LIAO's question, AD/P&D/DSD affirmed that the Drainage Services Department ("DSD") would be responsible for the daily operation and maintenance of KTPTW and KTSPS, and relevant recurrent expenditure

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would be included in DSD's financial provision.

Pedestrian facilities

12. Mr WU Chi-wai expressed support for the Administration's proposal. He asked about the provision of facilities, if any, to segregate pedestrians and vehicles at Wai Yip Street with a view to facilitating public access to the proposed landscaped deck at KTSPS. As the upgraded KTPTW would be set back from its existing boundaries by 15 m on the southwestern side and 3 m on the southeastern side to make room for a new promenade section and pedestrian passage respectively, Mr WU asked if these new facilities would enable uninterrupted pedestrian connection between the Kwun Tong Promenade and King Yip Street, and maintain a continuous harbourfront in the area.

13. AD/P&D/DSD explained that the King Yip Street nullah, which was located between KTPTW and KTSPS, would be revitalized for public enjoyment and renamed Tsui Ping River under a separate project. DSD had been maintaining close communication with the Energizing Kowloon East Office to study the pedestrian planning in the area, with a view to improving overall connectivity of the pedestrian network and achieving segregation of pedestrians and vehicles. The Civil Engineering and Development Department was studying the feasibility of constructing a pedestrian bridge that would connect the promenade at Kwun Tong and Cha Kwo Ling across the future Tsui Ping River.

Rooftop of the plant house

14. Mr WU Chi-wai and Mr Kenneth LEUNG suggested that the Administration should consider installing photovoltaic panels on the rooftop of the plant house to harness renewable energy for the use of KTSPS and/or KTPTW. If a landscaped deck was to be built, Mr WU considered that the Administration should plant more trees instead of solely relying on cultivation of climbing plants to achieve vertical greening thereat.

15. The Under Secretary for the Environment ("USEN") and AD/P&D/DSD responded that the Administration would endeavour to enhance the visual appearance of KTSPS, and trees would be planted on the landscaped deck. In line with commitment under the Hong Kong's Climate Action Plan 2030+ to incorporate renewable energy technologies in government buildings wherever practicable, the Administration would explore the possibility of installing photovoltaic panels at appropriate locations on the landscaped deck in question, subject to other considerations such as the potential glaring impact on traffic at the adjoining Kwun Tong

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Bypass, visitors to the landscaped deck and neighbouring residents.

16. Dr YIU Chung-yim asked about the timetable for the construction of the landscaped deck. He opined that the Administration should consider constructing a temporary deck-over structure at the plant house site so that the landscaped deck could be built and opened to the public as early as possible, before completing the works of the balancing facility underneath. AD/P&D/DSD advised that the Administration planned to complete the construction of the balancing facility by end 2021. It was envisaged that the landscaped deck could be completed and open to the public by end 2022. Early completion of the landscaped deck was not desirable as it stood about 10 m above ground, rendering later construction work underneath to be difficult and costly.

Concluding remarks

17. The Chairman concluded that members were supportive of the proposal, and raised no objection to the Administration's submission of the proposal to the Public Works Subcommittee for consideration.

V. Promoting the use of electric vehicles

(LC Paper No. CB(1)574/16-17(04) — Administration's paper on "Promoting the Use of Electric Vehicles"

LC Paper No. CB(1)574/16-17(05) — Background brief on "Promotion of green vehicles" prepared by the Legislative Council Secretariat)

Briefing by the Administration

18. USEN briefed members on the Administration's policy and key measures to promote the use of electric vehicles ("EVs") in Hong Kong. In view of the increased acceptance of EVs among vehicle buyers in Hong Kong, coupled with the improved coverage of ancillary facilities such as the public EV charging network, the Administration considered it timely to adjust the first registration tax ("FRT") concession for electric private cars, which would be capped at \$97,500 from 1 April 2017 to 31 March 2018 ("revised FRT waiver"), after the expiry of the current full waiver on 31 March 2017. FRT for electric commercial vehicles would still be waived

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in full in the same period. At the invitation of the Chairman, the Deputy Director of Environmental Protection (3) ("DDEP(3)") explained the legal provisions to be relied on to effect the FRT concessions in 2017-2018 (which would no longer require passing of a resolution positively by the Legislative Council ("LegCo")), as set out in paragraph 12 of the Administration's paper (LC Paper No. CB(1)574/16-17(04)).

Discussion

Environmental benefits of using electric vehicles

19. Given that both the manufacturing process of EVs and power generation for charging these vehicles contributed to carbon emission, Mr Kenneth LAU queried the common claim that EVs generated zero emission. He also observed that Singapore did not actively promote the use of EVs.

20. The Assistant Director (Air Policy) ("AD(AP)") explained that EVs had no tailpipe emissions and hence replacement of conventional vehicles by EVs could help improve roadside air quality. Power generation for EVs caused less air pollution impact to the public than combustion in conventional vehicle engines because (a) emission control systems in power plants were more comprehensive and efficient than those on vehicles, (b) emissions from power plants were dispersed at high levels, and (c) EVs' fuel efficiency was much higher. As the proportion of natural gas in the fuel mix for power generation in Hong Kong would be increased gradually for reducing carbon emission, the energy consumption of EVs would also cause lesser adverse impact on the overall air quality.

Admin

21. Mr Kenneth LAU requested the Administration to provide supplementary information and statistics on carbon emission arising from the manufacturing, charging and energy consumption of EVs, under defined parameters such as travelling distance and charging time.

First registration tax concession for electric private cars

Development in the electric private car market

22. Mr Kenneth LEUNG, Mr Martin LIAO, Mr HUI Chi-fung and Mr Andrew WAN expressed grave reservation about the revised FRT waiver, with which only electric private cars at a price of \$200,000 or below would be fully exempted from FRT. Mr HUI was worried that the new arrangement would discourage vehicle manufacturers and suppliers from putting more electric private car models to market. As road transport accounted for over

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half of the carbon monoxide emission in Hong Kong, Mr WAN considered that the Administration should re-instate the full FRT waiver for electric private cars, with a view to reducing use of fossil fuels on roads and improving roadside air quality. Mr WU Chi-wai sought the reasons for capping the revised FRT waiver at \$97,500. The Deputy Chairman, on the other hand, expressed concern whether the existing or revised FRT waiver might amount to an advantage to EV manufacturers and vendors, and lead to unfair competition in the automotive industry.

23. USEN, DDEP(3) and AD(AP) emphasized that the Administration's policy was to promote the use of public transport and discourage private car ownership, in order to achieve the dual purpose of reducing road traffic congestion and improving air quality. In case private cars were to be purchased, the Administration would encourage buyers to opt for EVs instead of conventional ones. Under the above premises, FRT waiver for EVs were intended to reduce the price premium between EVs and conventional vehicles and to support the adoption of EV technologies in Hong Kong. The FRT waiver arrangement was reviewed regularly having regard to the state of development of EV technologies and the prevailing market conditions, and it should not be seen as a permanent measure. It was observed that in recent years, due to the advancement of EV technologies, car manufacturers had been able to put to market electric private car models with prices, reliability and driving performance that were increasingly competitive with those of conventional cars. In Hong Kong, choices of mid-range electric private cars (i.e. those priced between \$300,000 and \$400,000) that could satisfy ordinary transport needs had become more common. This latest development in the market called for a good balance between promoting the use of electric private cars and stemming the excessive growth of the private car fleet, when considering the FRT concession for electric private cars. Capping the waiver for electric private cars at \$97,500 was considered reasonable in the light of the latest prices of these vehicles. It should be noted that the tax concession scheme for environment-friendly petrol private cars was terminated in 2015 due to the general advancement of emission control technologies of petrol private cars. There was also a similar arrangement for EV-related tax concessions in the United States ("US"), where the tax credit to taxpayers would phase out for a manufacturer's EVs when the manufacturer's EV production in US reached 200 000.

Policy objectives

24. Mr Martin LIAO sought clarification on whether reduction of the FRT concession for electric private cars was a measure to contain private car growth. Mr Kenneth LEUNG, Mr HUI Chi-fung, Mr Andrew WAN and Mr WU Chi-wai requested the Administration to clarify its policy objectives

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in respect of the FRT waiver and promotion of EVs. They criticized that the revised FRT waiver appeared to be retrogressive and contradicting other ongoing measures to promote wider adoption of EVs. Reducing the FRT concession for electric private cars would only drive buyers to choose conventional private cars, and would not help contain private car growth and improve roadside air quality, if measures targeting at reducing petrol and diesel private cars were not implemented concurrently, such as imposing heavier FRT on these vehicles. Besides, the objective to contain vehicle growth could be pursued in other contexts, and not necessarily through adjusting FRT concessions. Referring to a statistical analysis, Mr LEUNG remarked that there appeared to be no strong correlation between EV growth and private car growth in the past years. Dr YIU Chung-yim shared the view that reducing the FRT concessions on electric private cars would only further dampen public incentives to purchase EVs when EV charging facilities at existing private housing estates were still lacking. Mr LIAO pointed out that the rapid growth of EVs in percentage terms in recent years could be attributable to a low comparison base effect. He also queried if the Administration had conducted an in-depth analysis on the potential impact of the revised FRT waiver on roadside air quality.

25. USEN, DDEP(3) and AD(AP) pointed out that despite the revised FRT waiver, there was still a substantial FRT differential between electric private cars and conventional private cars. Owners of electric private cars also enjoyed other advantages, such as a lower annual vehicle licence fee and savings from higher fuel efficiency of EVs. As commercial vehicles were the major source of roadside air pollution accounting for about 95% of vehicular emissions of nitrogen oxides and respirable suspended particulates, the Administration accorded priority to replacing convention commercial vehicles with electric ones, and hence retained full FRT waiver for electric commercial vehicles.

Luxury electric private cars

26. Dr Fernando CHEUNG and Mr LEUNG Kwok-hung supported reducing the FRT concession for electric private cars while maintaining the full waiver for electric commercial vehicles. Dr CHEUNG considered it reasonable to cap the FRT waiver for electric private cars as he observed that over 60% of electric private cars registered in Hong Kong in 2014-2015 were luxury sports EVs priced above \$600,000. Considering the substantial revenue forgone as a result of FRT exemption, it was unjustified to "subsidize" the purchase of luxury EVs through a full FRT waiver. Mr HUI Chi-fung suggested the Administration conduct an analysis of the income levels of EV buyers and the prices of newly registered EVs, with a view to assessing the impact of the revised FRT waiver. Mr Andrew WAN opined

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that it would be difficult to define "luxury EVs". To address concern about possible abuse of the FRT waiver on purchase of luxury EVs, the Administration might consider offering full FRT waiver for electric private car buyers who did not own another EV or private car.

27. Taking note of members' views and suggestions, USEN and DDEP(3) remarked that during the examination of the proposed resolution to extend the FRT exemption for EVs in 2014 by the relevant Subcommittee, there was discussion on whether it was equitable to extend the full FRT waiver for all types of EVs, including luxury EVs. It was noted that some members of the Subcommittee held grave concerns about the granting of FRT exemption to purchasers of luxury EVs. USEN and DDEP(3) stressed that the Administration would review the FRT waiver arrangement regularly having regard to the prevailing market conditions.

Other issues

Charging facilities for electric vehicles

28. Dr YIU Chung-yim relayed the trade's concern about the difficulties in installation of EV chargers in existing private housing estates, especially in seeking permission from the owners' corporation/property management company to install requisite facilities in common areas of those estates.

29. AD(AP) responded that the Administration was aware of the difficulties encountered by current/prospective EV owners in installing charging facilities at their parking spaces, particularly when the installation involved works in common areas of a building/housing estate. As observed, it generally took time to foster consensus among the parties involved to resolve complex issues including compliance with the deed of mutual covenant. To address these problems, the Environmental Protection Department ("EPD") had established a dedicated team and a hotline to provide relevant information and technical support to parties and individuals who were interested in installing EV charging facilities. There were also companies providing packaged EV charging services, which resembled the provision of broadband internet services. The Administration would continue to maintain communication with property management companies with a view to enhancing their knowledge and acceptance of EV charging technologies.

Adoption of electric/hybrid vehicles by transport trades

30. Ir Dr LO Wai-kwok considered the growth in the number of licensed electric commercial vehicles (from 63 in end 2013 to 96 in end 2016

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excluding special purpose vehicles) grossly disappointing. He asked about whether this was due to a lack of suitable EV models in the market, and the measures to promote the use of electric commercial vehicles.

31. AD(AP) said that the Administration endeavoured to promote the use of electric commercial vehicles through measures such as the FRT waiver for EVs and the Pilot Green Transport Fund ("PGTF"). However, commercial adoption of EVs was still constrained by factors including long charging time, low energy density, heavy weight and high cost of EV batteries, as well as limited choices of electric commercial vehicle models in the market.

32. AD(AP) further said that PGTF also subsidized the purchase of hybrid commercial vehicles by the transport sector, but choices of suitable models in the market were still limited. As hybrid commercial vehicles could operate using diesel and their batteries did not need external charging, the transport trades had less reservation about using them. Nevertheless, the fuel economy of a hybrid commercial vehicle would depend on the operation routes.

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33. At the request of Ir Dr LO Wai-kwok, AD(AP) undertook to provide information on the number of registered hybrid commercial vehicles as at end 2016 and the number of newly registered hybrid commercial vehicles in each of the past three years.

34. Mr CHU Hoi-dick referred to the submission from Clean Air Network (LC Paper No. CB(1)616/16-17(01)) which expressed concern about the lack of a strategic framework and implementation timetable for the use of zero-emission buses in Hong Kong. He asked about the Administration's targets in this regard, and the promotion of electric taxis.

35. AD(AP) replied that the Administration endeavoured to promote the use of electric buses, and had fully subsidized franchised bus companies to procure 36 single-deck electric buses for trial. Five of those electric buses had been in operation for over a year. At the same time, some non-franchised bus companies had also tried out electric buses. The performance of electric buses under trial was unsatisfactory taking into account their frequent breakdowns and the long charging time. As for double-deck electric buses, there had yet to be a ready supply of suitable models for trial in Hong Kong due to the limited driving range of existing models and the high energy consumption of the air conditioning systems on buses in summer.

36. USEN and AD(AP) further advised that as taxis in Hong Kong usually operated round-the-clock in two shifts, and considering the long charging time of around four hours a day for EVs, electric taxis did not suit

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the operational mode of the trade. The problem of long charging time could only be resolved in the long run by advancement of EV battery technologies.

Containing private car growth

37. Mr CHU Hoi-dick and Dr Fernando CHEUNG considered that the Administration should step up its efforts in controlling the growth of private cars in Hong Kong. The Deputy Chairman enquired if the Administration would consider introducing a quota system to limit the size of the local private car fleet.

38. USEN responded that the purpose of reducing the FRT concession for electric private cars was not to rein in private car growth and the issue had to be tackled holistically through inter-bureau coordination. She understood that the Transport and Housing Bureau would continue to follow up the recommendations put forward by the Transport Advisory Committee in the Report on Study of Road Traffic Congestion in Hong Kong ("the Report"), including those targeted at controlling private car growth.

39. The Chief Engineer/Transport Planning, Transport Department supplemented that the growth in the number of private cars and road space usage by private cars, which was around 4% and 3% per annum respectively in the past 10 years, was unsustainable. On alleviating road traffic congestion, some of the measures recommended in the Report had been/would be implemented, such as increasing the fixed penalty charges for congestion-related traffic offences. Where appropriate, the Administration would make reference to overseas experiences and put forward more proposals on road traffic management for public consultation.

40. The Chairman said that members might further discuss issues relating to the overall strategy and measures to contain vehicle growth at future meetings of the Panel on Transport. The Deputy Chairman added that, to facilitate discussion of these matters in future, the Transport and Housing Bureau should provide information to LegCo on its long-term road traffic planning, including planning parameters such as road capacity and number of public parking spaces.

Motion

41. The Chairman referred members to the following motion moved by Mr HUI Chi-fung:

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"鑑於政府應鼓勵市民駕駛電能車以達致環保的目標，政府應致力提升電能私家車佔整體私家車數目的比例。本會要求政府維持豁免電能私家車首次登記稅的現有安排。"

(Translation)

"As the Government should encourage the public to drive electric vehicles for the purpose of environmental protection, the Government should be committed to increasing the proportion of electric private cars in the overall number of private cars. The Panel requests that the Government should maintain the existing arrangement of waiving the first registration tax for electric private cars."

42. The Chairman decided that the proposed motion was directly related to the agenda item. Members had no objection to the Panel dealing with the motion. Dr Fernando CHEUNG and Mr LEUNG Kwok-hung said that they did not support the motion, as they considered that the full FRT waiver had been abused on the purchase of luxury EVs in the past.

43. The Chairman put the motion to vote. Of the members present, five voted in favour of the motion, three voted against, and one abstained. The Chairman declared that the motion was carried.

(Post-meeting note: The wording of the motion passed was issued to members vide LC Paper No. CB(1)621/16-17(01) on 28 February 2017 and the Administration was requested on even date to provide a written response on the motion.)

VI. Issues arising from the collapse of seawalls in the Hong Kong-Zhuhai-Macao Bridge Hong Kong Link Road project

(LC Paper No. CB(1)592/16-17(01) — Letter dated 20 February 2017 from Hon Dennis KWOK Wing-hang (Chinese version only)

LC Paper No. CB(1)610/16-17(01) — Administration's paper on "Reclamation Works of the Hong Kong-Zuhai-Macao Bridge Hong Kong Link Road Project"

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LC Paper No. CB(1)610/16-17(02) — Background brief on "Collapse of seawalls in the Hong Kong-Zhuhai-Macao Bridge Hong Kong Link Road project" prepared by the Legislative Council Secretariat)

Briefing by the Administration

44. With the aid of a powerpoint presentation, the Regional Highway Engineer/New Territories, Highways Department ("RHE/HyD") briefed members on (a) the reclamation works and the non-dredged reclamation method in respect of the Hong Kong-Zhuhai-Macao Bridge Hong Kong Link Road ("HKLR") Project, (b) the alleged collapse of the seawall being constructed for the reclamation area in the HKLR Project involving relatively larger extensions (5 m to 10 m towards the sea) of the seawall at two locations on 26 October and 6 November 2014 ("the Seawall Incidents"), and (c) another alleged collapse of the seawall section near the aeronautical lights at the South Runway of the Hong Kong International Airport in late 2014 or so. RHE/HyD also explained the environmental monitoring mechanism under the relevant Environmental Permit ("EP"), and efforts made by HyD (i.e. the project proponent) and EPD in ensuring the environmental mitigation measures stipulated in the EP had been implemented effectively, including installation of silt curtains to contain sediment dispersion within the works area. Following the Seawall Incidents, the contractor had carried out remedial measures at their own cost to strengthen the affected sections of seawall. Details of the briefing were set out in LC Paper Nos. CB(1)610/16-17(01) and CB(1)615/16-17(02).

(Post-meeting note: A set of the power-point presentation materials was circulated to members vide LC Paper No. CB(1)615/16-17(02) on 27 February 2017.)

Discussion

Environmental monitoring and notification of environmental incidents

45. The Deputy Director of Environmental Protection (1) ("DDEP(1)") advised that according to the Environmental Impact Assessment ("EIA") Report approved by EPD in October 2009, the reclamation works of the HKLR Project would affect 37 hectares of seabed, and the seabed area in

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question was of low ecological value. The construction of a temporary rockfill platform for building the seawall, as well as the seabed affected by the reclamation permanently and temporarily, were within the approved scope of the EP. Before commencing the reclamation works, HyD had conducted a water quality baseline monitoring in nearby waters in accordance with the requirements under the Environmental Impact Assessment Ordinance (Cap. 499) ("EIAO"). The data were used to derive two indicators, namely the "Action Level" and "Limit Level", for monitoring the water quality during the works period. The Limit Level and the Action Level were set at the 99th percentile and 95th percentile of the maximum baseline water quality level respectively. As the Action Level was set at the 95th percentile of the baseline level, occasional exceedance of the Action Level under the normal situation was anticipated. Its purpose was preventive. If the water quality monitoring data exceeded the "Action Level", the contractor would be required to carry out remedial actions to prevent the quality of the environment from deteriorating. If the data exceeded the "Limit Level", the works causing the exceedances should not proceed without any appropriate remedial action being taken. Among the many water quality monitoring stations, EPD had made reference to the data obtained from the two marine water monitoring stations closest to the reclamation area (i.e. IS(Mf)6 and IS7) for determining whether the impact on water quality due to the reclamation works of the HKLR Project had met the required standards.

46. DDEP(1) further advised that EPD had been vetting the Environmental Monitoring and Audit ("EM&A") Reports submitted regularly by HyD as well as conducting surprise on-site inspections to monitor, among others, the water quality closest to the works area, and to ensure all environmental mitigation measures stipulated in the EP had been implemented effectively. Past inspections and environmental monitoring data showed that the silt curtains were functioning effectively and water quality at the waters closest to the works area had not exceeded the Limit Level, including during the period when the Seawall Incidents occurred. Meanwhile, EPD was seeking further information from HyD and the contractor to verify whether the seabed area of the reclamation works, including the temporary toe-loading-platforms constructed outside the seawall, had violated the requirements of the EP or any environmental laws. USEN and DDEP(1) said that at the present stage, there was no evidence suggesting that there was any such contravention.

47. Ms Claudia MO and Mr KWONG Chun-yu enquired whether HyD had informed EPD, or whether EPD was aware, of the Seawall Incidents in October and November 2014 immediately after their occurrence. Ms MO expressed concern whether HyD might have intended to cover up the Seawall Incidents by not disclosing them to EPD or the public until the matter was

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recently exposed by the media. Mr CHAN Chi-chuen said that at the meeting of the Panel on Transport held on 24 February 2017, HyD advised that the resident site staff engaged by HyD had observed the Seawall Incidents but HyD did not consider it necessary to inform EPD or the public about the Incidents. Mr CHAN and Ms MO expressed concern whether the notification mechanism and the environmental monitoring data in the EM&A Reports submitted by HyD were sufficient for EPD to monitor and follow up timely and effectively incidents that might potentially have an adverse impact on the environment. Mr CHU Hoi-dick asked whether the Seawall Incidents should have been recorded in the EM&A Reports or EPD's on-site inspection reports.

48. DDEP(1) advised that EPD had not received reports on the Seawall Incidents. The relevant EP had stipulated the types of environmental incidents that required immediate notification to EPD, including, for example, matters that involved deterioration of water and air quality in the works area. In vetting the EM&A Reports and conducting on-site inspections, EPD would focus on the environmental performance of the relevant works, implementation of the environmental mitigation measures, and any contravention of the stipulated EP requirements. The Seawall Incidents were not within the scope of matters requiring notification to EPD and the environmental monitoring data following the Incidents had not shown any abnormalities. As no adverse impact on the environment had been observed, the Incidents were not within the scope of the on-site inspections either.

49. Mr Dennis KWOK opined that the Seawall Incidents reflected inadequacy of the existing mechanism for monitoring the environmental impacts arising from works projects as EPD had not been informed of the Incidents at all for consideration of taking follow-up or enforcement actions if necessary. He urged the Administration to conduct a comprehensive review of EIAO. For example, technical guidelines and criteria for EIA procedures set out in the Technical Memorandum should be reviewed. DDEP(1) advised that he did not consider the EIA mechanism ineffective in the Seawall Incidents. The purpose of the EIA mechanism was to protect the environment and the Incidents had not caused any adverse impact on the environment. EPD had regularly reviewed the mechanism to enhance its effectiveness and efficiency.

50. Ms Claudia MO enquired about the assessment of the environmental impact caused by the Seawall Incidents, in particular the impact on the habitat for Chinese White Dolphins ("CWDs") in nearby waters. Mr KWONG Chun-yu opined that the Incidents might have an adverse impact on CWDs since, according to some surveys, there appeared to be fewer sightings of these precious species in nearby waters from the same

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period. DDEP(1) pointed out that the Agriculture, Fisheries and Conservation Department had confirmed that even before commencement of the HKLR Project, CWDs were not frequently observed in the waters within the works area. USEN advised that CWDs usually refrained from approaching aquatic areas near construction and reclamation sites. Reduction in the number of CWDs in the waters near the HKLR Project might not necessarily be the result of the Seawall Incidents. At the request of Ms MO, the Administration agreed to provide information on whether the Seawall Incidents had any adverse impact on the environment and the CWD habitat in nearby waters.

51. Noting from media report showing individual aerial photographs of the reclamation works in September 2014 to January 2015, Mr KWONG Chun-yu expressed concern whether another collapse of seawall had occurred at that time near the aeronautical lights at the South Runway of the Hong Kong International Airport as speculated by the media. The Project Manager/Hong Kong-Zhuhai-Macao Bridge Hong Kong Project Management Office, Highways Department ("PM/HZMB/HyD") advised that the aerial photographs in question showed the normal construction of the temporary rockfill platform, installation of stone columns, and construction of temporary seawall. The "dark areas" in the photograph of January 2015 referred to by the media were actually parts of the temporary rockfill platform exposed above the water surface, and not images of seawall collapse.

Scope of reclamation works and seabed loss

52. Mr CHU Hoi-dick queried whether the gazetted boundary for the foreshore and/or seabed affected by the proposed reclamation works in the HKLR Project was too extensive to allow for unduly large extensions of seawalls. Mr CHU also enquired about the possible consequences should the reclamation works result in seabed loss exceeding the approved limit. The Chairman enquired about the immediate measures that could be taken by EPD in such circumstances.

53. PM/HZMB/HyD advised that the Limit of the foreshore and/or seabed affected by the reclamation works, as stipulated in the gazetted documents, was set at 100 m outbound of the proposed seawall. Both the reclamation works and the temporary rockfill platform were within this Limit. The rockfill platform was a temporary measure and would be removed upon completion of the reclamation works. DDEP(1) explained that if the reclamation works resulted in seabed loss beyond the approved limit, depending on the actual circumstances, the contractors could be held liable for contravention of EIAO. If the contravention had given rise to significant impact on the environment, the relevant works might be suspended.

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Admin 54. In reply to the Chairman, DDEP(1) clarified that the "37 hectares of seabed loss" in question was referring to 27 hectares and 10 hectares of permanent and temporary seabed loss respectively, which were reflected in the EIA Report. At the request of Mr Dennis KWOK, the Administration agreed to provide a copy of the relevant page(s) of the EIA Report.

55. The Chairman expressed concern about the alleged use of the extended reclaimed land by the contractor as part of its works site, and the complete consolidation of the two locations of seawall extensions after the Seawall Incidents which seemed to have formed "new reclamation area". PM/HZMB/HyD advised that after the Seawall Incidents, the contractor had proposed to enlarge the temporary rockfill platform at the location in front of the seawall to strengthen its stability and ensure that the seawall could be constructed at the original design location. The enlarged temporary rockfill platform was still within the 10 hectares of temporary seabed loss mentioned in the EIA Report. He stressed that the temporary rockfill platform was not "new reclamation area" as reported by the media.

Admin 56. At the request of the Chairman, the Administration agreed to explain, with reference to and provision of the relevant parts of the EP and EIA Report, gazetted plans and/or other related documents of the HKLR Project, whether and how the areas of permanent and temporary seabed loss, as well as permanent and temporary reclamation works under the Project were defined, approved/legitimized, and reflected in those documents.

(To allow sufficient time for discussion, the Chairman extended the meeting for 15 minutes beyond the appointed ending time.)

Concluding remarks

57. The Chairman advised that if necessary, the Panel would hold a joint-meeting with the Panel on Transport to follow up on issues relating to the Seawall Incidents.

VII. Any other business

58. There being no other business, the meeting ended at 5:42 pm.