

立法會
Legislative Council

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**Report of the Panel on Environmental Affairs
for submission to the Legislative Council
1999-2000**

Purpose

This report gives an account of the work of the Panel on Environmental Affairs for tabling at the meeting of the Legislative Council (LegCo) on 21 June 2000 in accordance with Rule 77(14) of the Rules of Procedure of the Legislative Council.

The Panel

2. The Panel was formed by resolution of the Council on 8 July 1998 for the purpose of monitoring and examining Government policies and issues of public concern relating to environmental and conservation matters. As the Government had assumed the responsibility for the provision of municipal services upon the dissolution of the two Provisional Municipal Councils on 1 January 2000, the Legislative Council passed a resolution on 26 January 2000 to expand the terms of reference of the Panel to cover environmental hygiene issues. The current terms of reference of the Panel are in **Appendix I**.

3. Hon Christine LOH and Hon HUI Cheung-ching were elected Chairman and Deputy Chairman of the Panel respectively. With the re-opening of Panel membership in February 2000, the Panel now comprises 20 members. The membership list of the Panel is in **Appendix II**.

4. To provide dedicated attention to the wide range of environmental hygiene matters, a Subcommittee on matters relating to environmental hygiene was set up under the Panel in February 2000. The Subcommittee comprises six members of the Panel and is chaired by Dr Hon TANG Siu-tong.

Major work

5. During the 1999-2000 session, the Panel pursued vigorously the issues of air quality, sewerage treatment, Dongjiang water quality, waste reduction

and management, noise pollution, environmental conservation and the environmental impact of major development and transport proposals. Numerous joint meetings were also held with the Panel on Transport, Panel on Health Services, and Panel on Planning, Lands and Works to discuss matters of common concern.

Air quality

6. The deteriorating air quality in Hong Kong was of great concern. The Panel considered that reduction of air pollution was important for protection of public health. Noting that the respirable suspended particulates level of Hong Kong was exceptionally high, and that diesel powered vehicles were the main source affecting road side air quality, members urged the Administration to formulate proposals and expedite actions to control vehicle emissions. During joint meetings held with the Panel on Transport, members strongly requested the Administration to provide concrete timetable for implementing the various initiatives as pledged in the Chief Executive's Policy Address. Among other measures proposed, members pressed for early introduction of cleaner alternatives to diesel vehicles, imposition of more stringent fuel and emission standards, promotion of proper vehicle maintenance and good driving techniques, higher penalty for smoky vehicles, and restraint on road use.

7. In response to members' concerns, the Administration provided a report on the control on vehicle emissions and discussed with members the progress and timetable for implementation of the improvement measures. The vast majority of members were in support of the proposed measures, in particular the increase of the fixed penalty for smoky vehicles from \$450 to \$1,000, and the incentive schemes for taxi owners to switch to liquefied petroleum gas (LPG) vehicles. Members noted that the Administration would provide subsidies to assist the trade to install diesel catalytic converters or particulate traps. However, for effective operation of these schemes, members urged the Administration to ensure availability of sufficient LPG filling capacity, standardization of emission tests and provision of maintenance manuals for the trade. To provide greater deterrence against smoky vehicles, some members suggested heavier penalty for repeated offenders.

8. Some members also pointed out the problem of diesel vehicle drivers refilling their vehicles in the Mainland where the sulphur content of the fuel was ten times that of the diesel in Hong Kong. To combat the problem of illegal use of marked oil by vehicles, the Administration had introduced the Dutiable Commodities (Amendment) Bill 1999 to strengthen enforcement in this respect. Members also wanted to see significant improvement in enforcement by the Customs and Excise Department, and the Administration to give further thoughts on how to encourage drivers crossing the border back to Hong Kong to buy the cleaner fuel upon their return.

9. On the Indoor Air Quality (IAQ) Management Programme, the Panel suggested the Administration conduct an early review on the need for legislation on the IAQ and smoking ban, and to extend the IAQ to public transport facilities. Furthermore, members also proposed reviewing the present building requirements for residential units, hospitals and offices. For example, more windows could be provided instead of relying on air-conditioning. Some members were of the view that there should be a dedicated task force for enforcing the smoking ban in shopping arcades and other public places.

Quality of Dongjiang water

10. In July 1999, the Panel further discussed with the Administration the quality of Dongjiang water in the light of the research findings of the Open University of Hong Kong. Members expressed grave concern that there were signs of pollution from domestic, agricultural and industrial sources at the downstream of Dongjiang, as evidenced by the presence of harmful chemicals and metals in water samples, and carcinogenic substances in river sediments. While supporting the construction of a closed aqueduct for the water supply system through Wei Zhou, members urged the Administration to take a more proactive approach to ensure that the quality of Dongjiang water would meet the stipulated standard in the water supply agreement.

11. To enable the Panel to compare the water control measures of Dongjiang water with those in overseas countries, the Panel had requested the LegCo Secretariat to conduct a research study on such measures in Sydney, New York City and Singapore. Members noted from the LegCo Secretariat research report that the price of water for Hong Kong was almost four times that of Singapore, and that remedy and penalty clauses were provided for in the water supply agreements in places such as Sydney. Some members expressed disappointment that, when negotiating the Loan Agreement with Guangdong in 1998, the water authorities in Hong Kong did not strive for better terms to ensure that the water supplied was of the same quality as the national and provincial standard of 1988, and to provide for flexibility and remedy in the water supply agreement. Members were dissatisfied that Hong Kong had purchased water of a lower quality at a high price. They also pointed out that if the raw water could meet the safety standard, it could substantially reduce the need for water treatment in Hong Kong since the treatment itself could have harmful effects on health.

12. The Administration had responded that it had made vigorous efforts to ensure water quality, and that the raw water supplied to Hong Kong generally met the safety standard and was treatable. The Guangdong Province had also put in much efforts and investment to improve the sewerage treatment plants and to implement environmental protection measures in the water transfer areas. According to the Administration, Dongjiang water generally met the 1983

standard of the Environmental Quality Standard for Surface Water. The Administration expected that there would be further improvement in water quality upon completion of the closed aqueduct for water transfer in 2003 and implementation of the various environmental improvements by Guangdong. The Panel took note of the strong criticisms of the Public Accounts Committee on the mismanagement on negotiating water supply with the Guangdong authorities, as well as various attempts to hide relevant information.

13. For the long term benefits of Hong Kong, members suggested that the Administration should explore alternative water sources. The Panel also considered that negotiation for better water quality in the water supply agreement with the Guangdong Authority would need to be raised from merely a technical to a political level between the Government of Hong Kong Special Administrative Region and the Guangdong authorities.

Strategic Sewage Disposal Scheme

14. In view of the substantial investment in the Strategic Sewage Disposal Scheme (SSDS) and the engineering problems in the deep tunnelling works during Phase I of SSDS, members had urged the Administration to seriously review the overall strategy for sewage disposal and the feasibility of other alternatives. A few members also suggested a review on the merits of a distributed system as against the proposed centralized system, and the possibility of withholding some of the planned sewage projects pending a decision on the future direction of SSDS.

15. Members noted that a six-member international review panel (IRP) had been appointed by the Administration to carry out a review of the SSDS. At the request of members, a meeting was held in May 2000 for the Panel to exchange views with IRP members during the latter's first round of visits in Hong Kong. The Panel urged the Administration and the IRP that they should not feel any need to defend the Administration's previous option if they felt that other methods would be better. The IRP also conducted a public hearing to gauge the views of the community on the SSDS Review. The IRP expected to make recommendations before the end of 2000.

Noise pollution

16. Concerning the impact of traffic and construction noise, the Panel had discussed with the Administration the regulatory and control measures on noise nuisance caused by construction activities and road traffic.

17. Members were of the view that the problem of noise pollution and its adverse impact on public health had not received sufficient attention within the Administration. The Panel urged the Administration to make proactive efforts to prevent or reduce traffic noise impact with better land use and transport

planning, as well as implementation of noise mitigation measures such as construction of noise barriers for both new and existing roads near residential developments.

18. The Administration had responded that proposals for new roads and major extensions were already subject to the Environmental Impact Assessment (EIA) process and implementation of noise abatement measures at source. To reduce the traffic noise impact of existing roads on nearby residents, suitable sections of existing highways had already been resurfaced with low noise material. A territory-wide study was being conducted on the technical feasibility of retrofitting noise barriers on existing roads. Moreover, the Administration had planned to implement a new strategy to provide transport infrastructure and services in an environmentally acceptable manner.

19. The Panel had expressed support for early legislative measures to control excessive noise in industrial/commercial premises and at construction sites. In this respect, members requested the Administration to phase out noisy percussive piling methods and to tighten control of construction noises and noises generated from pumping station, ventilation systems and renovation works within buildings during daytime and public holidays. In response, the Administration advised that the construction industry was being consulted on the formulation of a new Code of Practice. The Noise Control (Amendment) Bill 2000 also proposed to hold the management of a body corporate responsible for noise offences arising from construction and commercial/industrial activities. In this connection, members urged the Administration to brief Members on the outcome of the consultation with the construction industry and to accord priority to the Noise Control (Amendment) Bill. The Panel regretted that the Administration did not choose to give that Bill priority and so the Bill would have to wait for the next legislative term for scrutiny.

Clinical Waste Control Scheme and incineration in general

20. Treatment of clinical waste continued to be a subject of serious concern. Members had strongly requested the Administration to conduct an objective evaluation of the health risks of dioxin emissions arising from the use of the Chemical Waste Treatment Centre (CWTC) in Tsing Yi, as well as the feasibility of alternative technology for clinical waste management. The Panel noted that the Administration had subsequently engaged a consultant and an independent reviewer to study the dioxin levels in Hong Kong.

21. In May 2000, the Panel discussed the review findings with the dioxin experts and the green groups. While the dioxin experts had found that the dioxin emissions in Hong Kong were within internationally acceptable standards, there was a gap in information on the dietary intake of dioxin in Hong Kong. The Administration had indicated that a food monitoring programme would be carried out. However, the programme might not serve

the purpose of measuring the dioxin level in Hong Kong because most food consumed in Hong Kong were imported and the sources varied frequently. Members urged the Administration to conduct a detailed EIA before taking a decision. Some members were of the view that the Administration should regularly monitor the dioxin emission level of CWTC and include penalty and remedy clauses in the contract for exceeding dioxin levels. Members noted the Administration's interest to explore building two large incinerators in Hong Kong.

22. Members reminded the Administration that incineration was not the only option for waste treatment. They urged the Administration to seriously explore segregation and recycling the waste.

Construction and demolition waste

23. In view of the continual increase of construction and demolition waste and shortage of public filling capacity, the Panel requested the Government to explore ways to further reduce construction and demolition waste and to advance the planned reclamation projects to receive more public fills. Members noted that an inter-departmental working group had been set up to review the legislation and construction practices with a view to reducing construction and demolition waste and encouraging segregation and re-cycling of construction and demolition materials.

24. As the construction industry was considering new construction technology and building standards to reduce construction and demolition waste in the private sector, members considered that similar efforts should be made by the public sector. Since the Hong Kong Housing Authority was responsible for a major part of the public works projects, members suggested that the quality of Home Ownership Scheme (HOS) units should be upgraded in order to reduce the need for owners to carry out large-scale decoration. There were also proposals that options should be provided for prospective owners of HOS flats to choose the type or colour of fitments. The Administration had undertaken to consider members' suggestions.

Energy efficiency and initiatives

25. The Panel received a briefing from the Administration on the energy efficiency and conservation initiatives for 2000-2001. As the transport and commercial sector were now the major energy users, the Administration was examining ways to encourage wider use of transport systems operated on electricity as this was more energy-saving. Members also noted that the Administration would encourage greater energy efficiency through infrastructure improvements, promotion of energy saving products and introduction of regulation for energy efficiency. However, in view of the current fragmentation of policy responsibilities on energy consumption and

energy efficiency, the Panel strongly suggested that the Administration should formulate a comprehensive and coordinated energy policy in Hong Kong.

26. Most members supported a wider use of water-cooled air-conditioning systems to achieve energy saving. They also urged the Administration to take early action to regulate the 12 000 existing illegal cooling towers and to remove any dangerous structures.

Environmental hygiene

27. The Subcommittee on matters relating to environmental hygiene had sought a briefing from the Administration on the policy objectives and performance targets of the various environmental hygiene services provided by the new administrative structure. These included food business licensing, regulation of hawkers and markets, street cleansing, toilet facilities, crematoria service and pest control. The Subcommittee noted that the Administration's review to align the fees and charges and market stall rental adjustment policies of the two former Provisional Municipal Councils would be carried out by the end of 2000 or in early 2001. The Subcommittee also held detailed discussions with the Administration on the proposals to streamline restaurant licensing, and the improvements to hawker control and crematoria services. Issues relating to the hygiene standards in public toilets and toilets in restaurants were also discussed in June 2000.

Fees and charges

28. The Administration had consulted the Panel on the proposed adjustment of fees and charges for certain services related to environment, conservation and energy efficiency. While supporting the principle of cost recovery for these environmental protection items, some members suggested that incentive and penalty schemes should also be introduced to encourage environmental protection.

29. Members noted that certain fees would be reduced as a result of lower costs following the productivity enhancement programme. Responding to some members' suggestion that excessive fees collected during previous years should be refunded, the Administration had advised that since backpayment was not required for under-charged items, there would not be refund of payments. As fee levels were normally reviewed every four years, it had not been possible to adjust the fees during the period.

Other issues

30. The Panel had followed up the discussion on EIA findings for the development of Hong Kong Disneyland. In addition, the Administration had consulted the Panel on the designation of country parks and marine parks,

protection of wetland, upgrading of sewerage projects to Category A of the Public Works Programme, and proposed legislation for the control of fuel standards, vehicle emissions and noise pollution.

31. From July 1999 to June 2000, the Panel held a total of 27 meetings, 12 of which were joint meetings held with other Panels. The Panel also held two informal meetings, one with the Advisory Council on the Environment and the other with the Hong Kong Business Coalition on the Environment. A visit was also made to observe the management of construction and demolition waste at two public works construction sites at Tsing Yi and Kai Tak.

Legislative Council Secretariat

17 June 2000

Legislative Council

Panel on Environmental Affairs

Terms of Reference

1. To monitor and examine Government policies and issues of public concern relating to environmental and conservation matters, and environmental hygiene.
2. To provide a forum for the exchange and dissemination of views on related policy matters.
3. To receive briefings and to formulate views on any major legislative or financial proposals in the relevant policy area prior to their formal introduction to the Council or Finance Committee.
4. To examine and to report on any major issues of wide public concern in the relevant policy area as referred by the Council or House Committee or as raised by the Panel itself.

LegCo Panel on Environmental Affairs

Membership List

- Hon Christine LOH (Chairman)
Hon HUI Cheung-ching (Deputy Chairman)
Ir Dr Hon Raymond HO Chung-tai, JP
Hon Martin LEE Chu-ming, SC, JP
* Hon Fred LI Wah-ming, JP
Prof Hon NG Ching-fai
Hon Margaret NG
Hon Ronald ARCULLI, JP
Hon CHEUNG Man-kwong
* Hon CHAN Wing-chan
* Dr Hon LEONG Che-hung, JP
Hon Mrs Sophie LEUNG LAU Yau-fun, JP
* Hon WONG Yung-kan
Hon LAU Kong-wah
Hon Mrs Miriam LAU Kin-yee, JP
Hon Emily LAU Wai-hing, JP
* Hon CHOY So-yuk
Hon Andrew CHENG Kar-foo
Hon LAW Chi-kwong, JP
* Dr Hon TANG Siu-tong, JP

(* Also members of the Subcommittee on matters relating to environmental hygiene)

Total : 20 Members

Date : 10 February 2000