

**立法會**  
***Legislative Council***

LC Paper No. CB(1) 328/02-03  
(These minutes have been seen  
by the Administration)

Ref : CB1/PL/EA/1

**Panel on Environmental Affairs**

**Minutes of meeting held on  
Thursday, 31 October 2002, at 2:30 pm  
in Conference Room A of the Legislative Council Building**

**Members present** : Hon CHOY So-yuk (Chairman)  
Hon Cyd HO Sau-lan (Deputy Chairman)  
Dr Hon David CHU Yu-lin, JP  
Ir Dr Hon Raymond HO Chung-tai, JP  
Hon Martin LEE Chu-ming, SC, JP  
Hon SIN Chung-kai  
Hon WONG Yung-kan  
Hon LAU Kong-wah  
Hon Miriam LAU Kin-yee, JP  
Hon Emily LAU Wai-hing, JP  
Dr Hon LAW Chi-kwong, JP  
Hon Henry WU King-cheong, BBS, JP  
Dr Hon LO Wing-lok  
Hon LAU Ping-cheung  
Hon Audrey EU Yuet-mee, SC, JP

**Non-Panel Members :** Hon Albert HO Chun-yan  
**attending** Hon LEE Cheuk-yan  
Hon LI Fung-ying, JP

**Attendance by** : Environment, Transport and Works Bureau  
**invitation**  
  
Dr Sarah LIAO  
Secretary  
  
Mrs Rita LAU  
Permanent Secretary (Environment)

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Mr Donald TONG  
Deputy Secretary (Environment)1

Mr Thomas CHOW  
Deputy Secretary (Environment)2

**Clerk in attendance** : Miss Becky YU  
Chief Assistant Secretary (1)1

**Staff in attendance** : Ms Pauline NG  
Assistant Secretary General 1

Mrs Mary TANG  
Senior Assistant Secretary (1)2

Miss Mandy POON  
Legislative Assistant 4

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**I Confirmation of minutes**  
(LC Paper No. CB(1) 93/02-03 — Minutes of the meeting held on  
10 October 2002)

The minutes of the meeting held on 10 October 2002 were confirmed.

**II Information paper issued since last meeting**

2. Members noted the following information paper which had been issued since last meeting.

LC Paper No. CB(1) 90/02-03 — Referral from Members after meeting with Sha Tin District Council on 13 June 2002 regarding the problems arising from the disposal of expanded polystyrene (plastic foam)

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**III Items for discussion at the next meeting**

- (LC Paper No. CB(1) 154/02-03(01) — List of follow-up actions  
LC Paper No. CB(1) 154/02-03(02) — List of outstanding items for discussion)

3. Referring to the list of outstanding items for discussion tabled at the meeting, the Chairman advised that the work schedules were drawn up in consultation with the Deputy Chairman and the Secretary for the Environment, Transport and Works (S/ETW) during an informal meeting on 29 October 2002. She stressed that the agreed list of discussion items would be tentative and would have to be reviewed and updated to meet the need of the Administration and the Panel.

4. Members agreed that the following items would be discussed at the next meeting of the Panel scheduled for Monday, 25 November 2002, at 2:30 pm -

- (a) Second progress report on the trials and studies for Harbour Area Treatment Scheme; and
- (b) Environmental improvement of Shing Mun River.

Mr WONG Yung-kan enquired if item (b) could be expanded to cover pollution problems arising from reclamation works at the Science Park along the Tolo Harbour. As the subject fell outside the scope of item (b), the Chairman proposed and Mr WONG agreed to raise the subject at the next meeting should he consider that it warranted further discussion.

5. Members also agreed to visit the Stonecutters Island Sewage Treatment Works to observe the compact sewage treatment technology pilot plant trials for the Harbour Area Treatment Scheme.

*(Post-meeting note : The visit was scheduled for 19 November 2002 but was subsequently cancelled due to low participation rate of members.)*

**IV Briefing by the Secretary for Environment, Transport and Works**

- (LC Paper No. CB(1) 154/02-03(03) — Curriculum Vitae of S/ETW  
LC Paper No. CB(1) 154/02-03(04) — Register of Interests of S/ETW  
LC Paper No. CB(1) 154/02-03(05) — Paper provided by the Administration)

6. S/ETW briefed members on the future direction and priority areas of work on environmental protection for the 2002/03 legislative session by highlighting the salient points in the information paper circulated under LC Paper No. CB(1) 154/02-03(05).

Amalgamation of policy portfolios of Environment, Transport and Works

7. Ms Audrey EU asked if the amalgamation proved to be a better arrangement. S/ETW confirmed that the amalgamation had improved operational efficiency since issues straddling the three portfolios could be resolved more effectively. This had also allowed for greater co-ordination and co-operation as illustrated in some of the greening projects.

8. Ms Emily LAU expressed disappointment that the Administration had reneged on its promise of establishing a separate Permanent Secretary post to oversee the Environment portfolio. Consequent upon the setting up of the accountability system, members were informed that the Permanent Secretary for the Environment portfolio had to take charge of the transport portfolio as well, albeit the proposed arrangement had yet to be endorsed by the Establishment Subcommittee (ESC). S/ETW said that in terms of workload, it would be more justified for the Permanent Secretary to take charge of both the Environment and Transport portfolios. Besides, it was difficult to clearly delineate the responsibilities of individual officers given that the policy portfolios of the Environment, Transport and Works Bureau (ETWB) were inter-related. To this end, a restructuring process had taken place within ETWB to enhance co-ordination among its officers with a view to maximizing the benefits of amalgamation. As a result, the environment aspect could be looked into in formulating transport and works policies. The Permanent Secretary (Environment) (PS(E)) added that since environment and transport policies needed to be well co-ordinated, it would be more effective for one Permanent Secretary to take charge of the two policy portfolios, leaving the remaining Works portfolio to the other Permanent Secretary. In fact, such redeployment had already taken effect and the relevant proposal would be submitted to ESC/FC for consideration in due course.

9. Given the importance of environmental protection, Ms LAU reiterated her dissatisfaction over the present redeployment which was at variance with the Administration's original undertaking and the established practice. PS(E) explained that as the legislative session was due to end soon after the accountability system was introduced, the Administration did not have a chance to formally put forward the proposed reshuffling of duties between the two Permanent Secretaries. However, she had explained the proposed re-deployment to Members and had gained their support. The necessary formalities for the redeployment would be completed shortly. As for the overall deployment of the 16 Permanent Secretary posts, the Administration had undertaken to report back to ESC before 30 June 2003. Also, a progress report would be submitted to the Legislative Council on the accountability system after its implementation for six months. Through the Chair, the Assistant Secretary General 1 affirmed that unlike creation or deletion of directorate posts resulting from the accountability system, redeployment of existing posts did not require prior approval of the Legislature. Notwithstanding, any proposal for redeployment had to be submitted for consideration by ESC as soon as practicable.

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10. Ms Cyd HO enquired about the progress of amalgamation between ETWB and its departments, which was expected to complete within 12 months after the introduction of the accountability system. S/ETW clarified that it was not mandatory for bureaux to amalgamate with their departments. Consideration was being given to re-organizing the different departments to avoid overlapping of responsibilities and to improve operational efficiency and effectiveness. By way of illustration, total water management for potable water, waste water and recycled water would require re-organization of duties among the Water Supplies Department, Drainage Services Department and Environmental Protection Department (EPD).

11. Ms HO further enquired about the new initiatives that S/ETW would introduce under the accountability system and how new environmental technologies could be taken forward. S/ETW advised that a review of the operation of the Environmental Campaign Committee would be carried out with a view to optimising the use of the available resources in taking forward environmental projects. Regular consultation with Members, green groups and the public would be conducted to gauge their views on the latest environmental developments.

12. On Dr LAW Chi-kwong's enquiry about the division of labour within the Government in overseeing marine ecology and conservation, S/ETW explained that fisheries fell under the purview of the Health, Welfare and Food Bureau (HWFB) while floating refuse and marine parks were within the ambit of ETWB. PS(E) added that as the Agriculture, Fisheries and Conservation Department (AFCD) was responsible for both agriculture and fisheries as well as nature conservation, it would report to HWFB on the former and ETWB on the latter. While the collection of refuse within marine and country parks was the responsibility of AFCD, co-operation among the Marine Department, Food and Environmental Hygiene Department and AFCD was required in dealing with floating refuse. Meanwhile, effort was being made with the Drainage Services Department to reduce floating refuse at source.

13. Mr LAU Kong-wah hoped that with the amalgamation of the Environment, Transport and Works portfolios under the same bureau to balance transport and environment needs, the controversy over the protection of wetlands in Long Valley in the light of the Lok Ma Chau Spur Line Project would not recur. As regards the Spur Line Project, Mr LAU expressed concern that it would lead to a loss of wetlands, and that the additional \$2 billion spent on the tunnel option would be wasted. He enquired whether S/ETW, as a director of the Kowloon Canton Railway Corporation, was privy to information on the tendering of the tunnel project and if so, whether she was confident that the project would not lead to a loss of wetlands. In reply, S/ETW said that environmentalists regarded the Long Valley incident as unfortunate. They considered that it had stemmed from the lack of communication and the unwillingness to compromise on a chosen rail alignment, resulting in litigation and confrontation. In the end, both the environment and the project proponent were set to lose. The project was indeed not a good example of a well planned infrastructure project that met environmental needs. She added that while Long Valley was not ranked high in conservation value nor a fragile piece of wetland which demanded a high degree of

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protection, stringent conditions had been set out in the Environmental Permit for the project. Consequent upon the incident, consideration was being given to requiring project proponents to carry out environmental impact assessment at an early stage to identify any insurmountable environmental constraints. This would obviate the need for the Administration to impose environmental requirements at a later stage. Green groups would also be involved in the environmental monitoring of the projects to ensure compliance of such requirements. Ms Audrey EU remarked that there might be a need to review the Environmental Impact Assessment Ordinance (Cap. 499) in the light of the Long Valley incident.

Improving air quality

14. On ***emission trading***, Ir Dr Raymond HO sought elaboration on the concept which had been highly advocated by the Administration. S/ETW said that ETWB was preparing a paper on emission trading which would be made available to the public at the Government website. The paper would include examples of successful applications of emission trading policy in overseas countries. Under the concept of emission trading, emission credits could be given to facilities that could lower their pollution loads to a level below the statutory permissible limits. These credits could be traded on a voluntary basis with other facilities that could not meet the prescribed emission standards. This would provide an alternative to industrialists who did not wish to invest in emission control processes. Emission trading could prove to be more cost effective if implemented within districts of different economic structures. In countries such as the United States, emission trading was believed to have cut the control costs by US\$2.5 billion and was found to be a great success. Following the success of the pilot schemes on emission trading in the Mainland, consideration was being given by the Central Government to apply the pilot schemes to more places within the country.

15. While acknowledging the successful experience of emission trading in some countries, Ir Dr HO noted that some Hong Kong industrialists had expressed concern that they would be subsidizing their counterparts in the Mainland if emission trading was to be implemented. Consumers were also worried about increase in electricity charges as the two power companies had already indicated that emission trading would increase their operating costs. This would have a negative impact on the economy of Hong Kong. He questioned whether emission trading should be adopted in Hong Kong given that most of the pollution in the Pearl River Delta Region did not arise from Hong Kong. S/ETW agreed that there were difficulties that need to be overcome in implementing emission trading. Consideration would be given to conducting pilot schemes within Hong Kong, Guangdong and Macau before a decision on a comprehensive scheme was made.

16. On ***roadside pollution***, Ms Audrey EU enquired about the measures that would be put in place to tackle pollution problem arising from the long queue of empty buses along busy commercial districts. S/ETW agreed to the need to reduce roadside pollution and informed members that the Administration intended to conduct a study

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on the emission load of buses with a view to assessing the impact on roadside air quality and the optimum number of buses that should be allowed to run along busy districts. At present, the number of buses running along the Central District had been reduced by 13% but the improvement in road air quality had yet to be seen. Bus companies would also be encouraged to use less polluting vehicles for busy districts. The Administration would consult relevant District Councils and the public on the proposed measures to reduce roadside pollution.

17. On *indoor air quality* (IAQ), Dr LO Wing-lok sought information on the Administration's plan to improve IAQ. S/ETW advised that EPD had been working on the IAQ Management Programme for the past years. Draft guidance notes on IAQ control were issued to the property management companies for both Government and private buildings for their participation in the voluntary IAQ Certification Scheme, which was based on a set of IAQ objectives. Meanwhile, publicity campaigns and education programmes were conducted to promote public awareness on the control of IAQ. As regards the impact of smoking on IAQ and the need for a further smoking ban, S/ETW affirmed that smoking would adversely affect IAQ and some advanced countries had already implemented a total smoking ban. As an international city, there was no reason why a total smoking ban could not be implemented in Hong Kong.

Waste management

18. On *incineration*, Mr LEE Cheuk-yan noted that the Green Island Cement Company (GICC) would launch a pilot project to turn its cement plant in Tuen Mun to a waste burning facility. In view of Tuen Mun residents' concern over the associated health implications, Mr LEE enquired if the Administration would take steps to prevent GICC from implementing the project. Expressing similar concern, Mr Albert HO asked whether the Administration had plans to build an incinerator in Tuen Mun despite the strong opposition from the residents. He also sought S/ETW's views on the Stockholm Convention (SC).

19. S/ETW advised that the objective of SC was to eliminate the production of Persistent Organic Pollutants, including dioxins. It was however not meant to ban the use of incineration technology. In fact, dioxin problem mainly arose from the use of old incinerators. Modern incinerators which were designed to meet international environmental standards could properly control emission of dioxins and other pollutants. As such, she would accept incineration as a means of waste management if the facility could meet the required international standards. Besides, other waste treatment processes would also generate toxic substances. The public should not be biased against incineration which was but one of the treatment technologies using combustion. Moreover, it would be possible to further avoid generation of dioxins during incineration by removing plastic waste from other wastes for recycling before incinerating the rest of the wastes. S/ETW said the Government was still examining the various technology proposals in waste treatment and urged the public to maintain an open mind on all options at this stage. Ir Dr Raymond HO and

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Mr LAU Ping Cheung shared S/ETW's views on incineration, adding that the incinerators they saw during their overseas duty visit to Europe in April 2001 were of a very high standard and did not pose any emission problems to the neighbourhood. In this connection, Mr LAU opined that more information on the latest incineration technology should be made available to the public to allay their concerns about incineration.

20. As regards the GICC's Integrated Co-Combustion Cement Production Facility, S/ETW explained that this was a research project jointly undertaken by GICC and the Department of Chemical Engineering, Hong Kong University of Science and Technology (HKUST), and was partly funded by the Innovation and Technology Fund. The purpose of the trial was to incorporate waste treatment processes into cement manufacturing facilities which were under-utilized as a result of the flagging construction industry. As the cement manufacturing facilities could maintain a constant high temperature of about 1400°C through the use of silicates, it could effectively prevent reformation of dioxins. The research project had been under study for a long time and GICC was in the process of applying for a licence for the operation of the pilot plant. The Administration would be examining the project and its environmental implications and members of the public would be given an opportunity to give their views on this application. Researchers of HKUST were expected to explain the research project to the public. PS(E) supplemented that GICC had applied for the pilot plant to undergo a trial of four months. As part of the legal mechanism, the application had to go through a statutory consultation process. Factors such as environmental and health implications, levels of emission etc would be examined in detail by EPD before a decision on the application would be made.

21. On *domestic waste*, Mr LAU Ping-cheung asked if the same polluter-pays principle applicable to construction and demolition (C&D) waste under the proposed Landfill Charging Scheme would similarly apply to domestic waste. S/ETW advised that at present, the disposal of domestic waste was subsidized by the Government. While agreeing that the polluter-pays principle should apply to all waste as an incentive for waste reduction and recycling, the Administration would prefer to implement landfill charging for C&D waste first and gradually extend to other wastes after the scheme gained momentum.

22. On *creation of job opportunities through the recycling industry*, S/ETW said in response to Mr LEE Cheuk-yan that the Administration was keen to establish green industries as these would not only serve to protect the environment but also result in the creation of job opportunities. It was however necessary to recognize the constraints in Hong Kong such as the dense population in Hong Kong and the possible nuisance that might be associated with recycling operations, as in the case of composting of organic waste. The Government would nevertheless try out new recycling ideas by conducting a pilot scheme on separation of wet and dry waste in a few housing estates for around 12 months next year. The dry waste collected would be taken to the Islands East Refuse Transfer Station for sorting and about 20 staff would be required to undertake this project.



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Quality of Dongjiang water

23. Ir Dr Raymond HO noted with concern the recent controversy over S/ETW's statement about the quality of Dongjiang water and the possible consequences if the water intake point was to be moved 100 metres upwards every year, which had led to denouncement by the Guangdong authorities. S/ETW said that the statement she made about Dongjiang water was in English. Some misunderstanding had arisen when the statement was translated to Chinese. She clarified that the water pollution she was referring to was near Shek Ma River where she visited some time ago. If no improvements were made to this section of Dongjiang, the water intake point would have to be moved 100 metres upstream every year. It was necessary to protect the upstream water sources from depletion or else the river flow and its flushing effect would be reduced, thereby adversely affecting the water quality of Dongjiang.

Conservation

24. Responding to Mr WONG Yung-kan's enquiry on the conservation policy, S/ETW advised that priority had been given to conserving sites with high ecological values. The Administration was working on a baseline survey on the biodiversity of the sites with a view to assessing their ecological values and the need to maintain and conserve these habitats. She agreed with Mr WONG on the need for sustainable development and involvement of stakeholders in the conservation plans.

Noise pollution

25. Ms Miriam LAU noted that the traffic noise of over 600 roads in Hong Kong had exceeded the statutory limits. While the problem for new road developments could be resolved at the planning stage through the provision of noise barriers or double-glazed windows, it had proven to be more difficult for existing roads having regard to the technical difficulties involved in erecting noise barriers. Traffic management measures such as road closure at night time to reduce the noise impact were also found not feasible in some sections of roads. Besides, such measures would have a negative impact on the transport trade. She enquired about the Administration's plans to resolve the problem. S/ETW advised that in a busy city like Hong Kong, the problem of traffic noise was unavoidable. The statutory limits for road traffic noise in Hong Kong were comparable to the high standards adopted in most developed countries. Where noise barriers were not considered a desirable solution to tackle the problem, EPD and the Highways Department would be tasked to identify better means to reduce road traffic noise in the design of new roads. These would include the provision of double-glazed windows where noise barriers were technically infeasible and the use of low-noise materials for the paving of roads despite that as a result these roads would be less durable and require more maintenance. Closure of roads and prohibition of heavy vehicles using certain sections of roads during restricted hours would also be considered where appropriate. The Administration would adopt an open approach and keep in view the latest technology

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in resolving the problem of road traffic noise.

Implications of the forthcoming cut in operating expenditure

26. Noting that all Directors of Bureaux were required to achieve a saving of 1.8% in the operating expenditure in 2003-04, Dr LO Wing-lok enquired about the types of services which would be affected as a result of the re-prioritization of work. S/ETW assured members that ETWB and its departments would try to achieve the savings without compromising the quality of services. By way of illustration, the tightening of emission standards for imported vehicles as well as studies on measures to reduce the emission load from the bus fleet in Hong Kong would proceed as planned while no additional financial incentives would be introduced to encourage the switch from diesel to liquefied petroleum gas public light buses.

Registration of interests

27. Referring to the Register of Interests of Members of the Executive Council (LC Paper No. CB(1)154/02-03(04)), Ms Emily LAU noted that S/ETW had beneficial interests in shareholdings of three companies, one of which was an overseas company incorporated in Virgin Islands. She asked if S/ETW served as directors to these companies and if so, whether approval had been obtained from the Chief Executive. Ms LAU remarked that as a Principal Official, S/ETW should devote herself in discharging her official duties and should not be engaged as directors of private companies, in particular those overseas companies which did not provide for much transparency in their operation. She pointed out that such engagement was not permitted for principal officials in the British Government. In response, S/ETW confirmed that she had complied with the requirements being set and had obtained the approval of the Chief Executive to serve as unpaid directors of these family-owned companies set up to hold properties and shares.

**V Any other business**

28. There being no other business, the meeting ended at 4:35 pm.

Legislative Council Secretariat

22 November 2002