

立法會  
*Legislative Council*

LC Paper No. CB(1) 1999/02-03

Ref : CB1/PL/EA

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

**Purpose**

This report gives an account of the work of the Panel on Environmental Affairs during the Legislative Council session 2002-03. It will be tabled at the meeting of the Council on 2 July 2003 in accordance with Rule 77(14) of the Rules of Procedure of the Council.

**The Panel**

2. The Panel was formed by a resolution passed by the Council on 8 July 1998 and as amended on 20 December 2000 for the purpose of monitoring and examining Government policies and issues of public concern relating to environmental and conservation matters. The terms of reference of the Panel are at **Appendix I**.

3. The Panel comprises 15 members, with Hon CHOY So-yuk and Hon Cyd HO Sau-lan elected as Chairman and Deputy Chairman respectively. The membership list of the Panel is at **Appendix II**.

**Major Work**

Amalgamation of the Environment, Transport and Works policy portfolios

4. Consequent upon the introduction of the Accountability System of Principal Officials, the policy portfolios of Environment, Transport and Works had been put under one policy bureau. While welcoming the amalgamation which was aimed at improving operational efficiency, particularly in resolving issues straddling the three policy portfolios, members were disappointed that the Administration had reneged on its promise of establishing a separate Permanent Secretary post to oversee the Environment portfolio. The proposed creation of a Permanent Secretary post to take charge of both the Environment and Transport portfolios, together with the creation of one Deputy Secretary post and deletion of three permanent posts were submitted for

consideration by the Panel on 26 May 2003. Members held the view that the existing arrangement for individual bureaux to submit separate staffing proposals on the creation of directorate posts under the accountability system was not desirable. A better approach would be for the Secretary for Constitutional Affairs to coordinate the relevant proposals so that Members could have an overview of the changes to the establishment following the introduction of the accountability system.

### Harbour Area Treatment Scheme

5. In November 2002, the Panel received a briefing on the progress of the trials and studies undertaken to ascertain the feasibility of compact sewage treatment technologies and options for implementation of further stages of the Harbour Area Treatment Scheme (HATS) proposed by the International Review Panel (IRP). It was noted that the Drainage Services Department had awarded three trial contracts to three different contractors in December 2001, with two employing different designs of the Biological Aerated Filter (BAF) technology and one employing Submerged Aerated Filter (SAF) plus denitrification technology. Both BAF pilot plants had been operating very satisfactorily while the SAF plus denitrification plant had to re-establish the nitrification process due to poor media quality. There were also some discrete occurrences of mechanical equipment failure after replacement of the media. Given the potentially high costs of BAF technology due to the need for frequent backwash and the non-satisfactory performance of SAF plus denitrification technology, members opined that efforts should be made to explore other suitable alternative technologies. The Panel considered that the propriety of the IPR's recommendation to centralize treatment at the Stonecutters Island Sewage Treatment Works (SCISTW) should be reviewed having regard to the cost of the compact treatment technologies. The Panel conducted a visit to SCISTW on 25 February 2003 to have an overview of the pilot projects.

### Water quality control

6. The proposal to construct a tertiary treatment plant, public sewers and an effluent export pipeline at Ngong Ping, Lantau Island was discussed by the Panel on 10 April 2003. There were divergent views on the need for the proposed high level of treatment. According to the Administration, the high-level treatment was required to protect the water quality of Shek Pik Reservoir, which was the sole source of water supply for residents in Lantau and other outlying islands. Some members expressed doubt on the justifications to protect Shek Pik Reservoir, which was very old and small with diminishing function given the abundant supply of Dongjian water. Besides, the same degree of protection had not been accorded to other reservoirs in Hong Kong. Other members however held the view that Hong Kong should have its own reservoirs and water sources to reduce the reliance on Dongjian water. They also pointed out that it was the unanimous view of the Panel that tertiary treatment should be applied in new sewage facilities. As regards the treatment technology, question had been raised on the basis upon which the use of Sequencing Batch Reactor technology was arrived at and how this compared with BAF technology in terms of quality of treated effluent, construction cost and recurrent expenditure. On effluent reuse, members considered

that the target reusable rate of 30% to 40% was too low given the high quality of treated effluent after tertiary treatment. Apart from the proposed toilet flushing and landscape irrigation, members considered that more should be done to make better use of the treated effluent, adding that discharging the treated effluent into marine water was at variance with the principle of water conservation and not justified for the need of the more costly tertiary treatment.

7. The Panel received a briefing on the proposed Stage 2 improvement works for Shing Mun River in November 2002. Question had been raised on whether the water quality of the River, after completion of Stage 2 of the improvement works, could be upgraded from the existing rating of “good” to “very good” such that it could meet the required standard for hosting international rowing competition. Members also expressed concern on the sustainability of the improvement works. They cautioned that if the sewerage connection programme for the unsewered villages in the River catchment area could not tie in with the Stage 2 improvement works, pollution from domestic discharges would continue and the needed improvement in water quality could not be achieved. To ascertain the effect of the Stage 1 improvement works, members conducted a site visit to Shing Mun River on 20 November 2003.

#### Air quality

8. Members expressed grave disappointment at the Administration’s decision to shelve the introduction of liquefied petroleum gas (LPG) light vans and light goods vehicles into Hong Kong, which in their view was a policy change in contrary to the Chief Executive’s pledge in his earlier policy address to improve air quality through the introduction of more environmentally friendly vehicles. It was also not convincing for the Administration to use impracticality as an excuse to justify its decision to shelve the conversion programme since the provision of inadequate LPG filling supporting infrastructure only reflected the lack of vision and inconsistency on the part of the Administration in implementing its fuel policy. Given that the fuel market could quickly adjust itself to meet the demand if the existing 68 500 diesel light vans and light goods vehicles were to switch to LPG, members were skeptical that the decision to shelve the switch was attributed to the mounting budget deficit as duty was imposed on diesel but not on LPG.

#### Noise control

9. The Panel held two joint meetings with the Panel on Transport to discuss measures to address traffic noise impact of existing roads. While supporting in principle the five guiding principles for erecting noise barriers, some members remained of the view that noise barriers were not the best solution, and that other engineering and non-engineering measures should be mapped out to abate road traffic noise. On engineering solution, flexible pavement method should be used to reduce the noise generated from vehicles passing over joints commonly found in roads using pre-cast units. The Administration should also keep abreast of the development of new noise reducing technologies. As regards non-engineering solution, consideration should be given to limiting vehicle speed to reduce traffic noise. There were

however divergent views on the use of traffic management schemes, including the trial at Texaco Road Flyover (TRF), to tackle the noise problem. Some members pointed out that the traffic restriction at TRF ran contrary to the newly implemented 24-hour border crossing which was aimed at relieving traffic congestion through encouraging cargo transport after midnight. Given that TRF was one of the main access to the Kwai Chung Container Terminal, any restriction on its use would have impact on the operation of the transport trade. The situation would be further aggravated if traffic restriction was extended to other roads and flyovers after the trial scheme. Other members however supported the ban given the severe impact of traffic noise on the neighbouring community, and on the understanding that vehicles could be diverted to at-grade roads. They however emphasized the need for clear and objective assessment criteria to ascertain the efficacy or otherwise of the trial before deciding on whether it should be further extended to other roads. The proposal of banning all vehicles from entering TRF from midnight to 6 am for a period of two weeks was eventually supported after being put to vote. Members of both Panels conducted a joint site visit to assess the relative difference in noise levels from vehicles passing TRF and through the at-grade road section on 21 October 2002.

10. The proposal to reuse the noise barrier materials recovered from the Tolo Highway in Fanling Highway near Choi Yuen Estate, Fanling Highway near Fanling Centre and Yuen Shin Road near Kwong Fuk Estate was discussed at the joint meeting with the Panel on Transport on 23 June 2003. While supporting the proposal in principle, members considered it necessary for the Administration to consult the relevant District Council on the type, make and colour of noise barriers to be provided at these road section. Efforts should also be made to expedite the retrofitting programme for the remaining 29 road sections.

11. In May 2003, the Panel received a briefing on the draft Codes of Practice (CoP) to be issued under the Noise Control (Amendment) Ordinance 2003 for providing practical guidance on industries on good management practice for preventing violation of the Noise Control Ordinance (Cap. 400). While supporting the early implementation of CoP, members noted with concern that many organizations had commented on the draft CoP. Despite the Administration's explanation that these points were not new and had been addressed during previous meetings with the trade, they urged the Administration to conduct another round of consultation with a view to addressing these concerns. The Panel should be informed of the outcome of consultation in due course.

### Waste management

12. The progress in implementing the measures to tackle the problem of construction and demolition (C&D) waste was discussed at the Panel meeting on 20 December 2002. Concern had been raised on the low utilization rate of the temporary recycling plant at Tuen Mun 38 due to its remote location. To this end, consideration should be given to setting up sorting facilities adjacent to existing landfills to facilitate separation of inert materials from mixed C&D waste. The Administration should also encourage the private sector to actively take part in the

sorting and separation of C&D materials to avoid dumping in the landfills. On the possibility of exporting C&D materials in Hong Kong to other places for reclamation and other purposes, members noted that the Administration had begun dialogue with authorities outside Hong Kong and information on the types of materials to be exported had been given to these authorities for consideration. The Administration had also undertaken to keep the Panel informed of the progress of talks and actions to be taken.

13. The Panel received a briefing on the detailed proposals for the Landfill Charging Scheme (LCS) in April 2003. Instead of imposing a landfill charge on all types of waste in one go, a phased approach would be adopted to target only C&D waste in the first phase. There would be three types of disposal facilities, namely landfills, sorting facilities and public fill reception facilities. Taking into account their capacity and cost, it was proposed that landfills were to receive mixed C&D waste with not more than 50% inert content; sorting facilities to receive waste with more than 50% inert content and public fill reception facilities to accept pure inert public fill. The respective charges were \$125 per tonne for landfills, \$100 per tonne for sorting facilities and \$27 per tonne for public fill reception. According to the Administration, it had no intention to introduce LCS at the present stage when the community was devoted to the fight against Severe Acute Respiratory Syndrome. Besides, it would take time to complete the consultation and legislative processes before LCS could be implemented. While agreeing that efforts should be made to address the trade's concerns, particularly those of waste haulers, members generally considered that the implementation of the long-awaited LCS should not be further delayed on account of their objection.

14. On suspension of payment of landfill charges, members considered it unfair to require waste haulers to provide proof that they had lodged their complaints with the Small Claims Tribunal (SCT) in order to apply for suspension of payment. They pointed out that as waste haulers were remunerated on a waste load basis, the landfill charge in addition to the waste collection charges which they had to bear upfront would likely to give rise to cashflow problems. Besides, they might not have the time and resources to lodge their claims with SCT. Question had also been raised on the small difference of \$25 between sorting and landfill charges, which in members' view did not provide the necessary incentive for waste producers to use the sorting facilities, particularly those whose construction sites were far away from these sites. As regards fly-tipping, members considered that the Administration should review and simplify the existing prosecuting procedures to deter fly-tipping which was expected to increase after the implementation of LCS.

15. The proposal to restore the Pillar Point Valley Landfill (PPVL) was discussed at the meeting on 26 May 2003. While supporting in principle the need for restoration of landfills, concern had been raised on the high cost of post-commissioning works for PPVL which amounted to \$104.1 million for a period of seven years. Members also stressed the need to optimize the use of landfill gas as a source of energy. Instead of flaring the excessive landfill gas produced, consideration should be given to exploring the feasibility of supplying the landfill gas to the China

Light and Power Limited for electricity generation taking into account the capital investment involved in the provision of gas connection system. The Administration should also closely monitor the degree of groundwater infiltration by leachate to prevent pollution.

16. The Panel received a briefing on the progress of measures to promote waste prevention and recovery of municipal waste in Hong Kong in February 2003. On strengthening support for waste separation and recovery, members held the view that apart from waste separation bins, refuse storage chambers and chutes should be provided in residential blocks to enhance waste recovery and separation. Consideration should be given to imposing a landfill charge on domestic waste with a view to containing the growth of domestic waste which was much higher than that of population growth. On Producer Responsibility Schemes, the Administration was urged to seriously consider imposing pre-sale environmental tax on products to cover the future recycling cost. Funding resources should be made available to support research and development of new environmentally friendly products. Efforts should also be made to map out alternatives for disposal of difficult waste, particularly used computers. There was also a need for the Administration to promote public awareness on waste prevention and reduction.

### Energy

17. The “Study on the Potential Applications of Renewable Energy (RE) in Hong Kong” was discussed at the Panel meeting on 6 February 2003. Doubt had been cast on the low projected contributions of wind and solar power as opposed to that of energy-from-waste. Members held the view that the constraints of building wind turbines in urban and rural areas could be overcome if the Administration was committed to developing RE. Given that solar panels were already a well-tested technology, consideration should be given to extending the use of RE to existing Government buildings/facilities such as hospitals which utilized a lot of energy for water heating. Efforts should also be made to include building-integrated photovoltaic (BIPV) panels in projects under construction. On the pricing of power supply, members opined that while it might not be cost-effective in developing RE having regard to the high financial outlay and minimal contribution, there were environmental gains associated with the use of RE. A separate set of policy objectives, apart from cost consideration, should therefore be devised for the development of RE. Together with the Panel on Economic Services, a joint meeting had been held to discuss the development of RE in the context of the 2003 Scheme of Control Agreement Interim Review. The Panel had also conducted a visit to the Wanchai Tower to observe the three types of BIPV panels on 4 February 2003.

### Sustainable development

18. Members welcomed the establishment of the long-awaited Council for Sustainable Development (CSD) so that more concrete proposals on sustainable development could be put forward without further delay. Apart from the preparation of a sustainable development strategy for Hong Kong, CSD should assume a

coordinating role in resolving the conflicting interests of different Government departments. Consideration should also be given for CSD to perform policy audit to ensure that sustainable development objectives were met. On the establishment of the Sustainable Development Fund (SDF), concern had been raised on the possible duplication between SDF and other relevant funds, including the Environment and Conservation Fund. To this end, a clear definition for sustainable development and a set of objective assessment criteria was necessary. The Administration should also review the funding guidelines for SDF applications with a view to clarifying the scope of SDF to include activities/initiatives such as research.

#### District cooling system in South East Kowloon Development

19. The Panel received a briefing on the findings of the study on the implementation of a district cooling system (DCS) at South East Kowloon Development in December 2002. While supporting the use of a more energy efficient DCS, members cautioned about the impact on marine environment as a result of changes in temperature of the receiving waters associated with the operation of DCS. Questions had also been raised on the financial viability of the DCS project given the intensive capital outlay of \$655 million at 2001 price level and the long payback period of over 25 years as well as its adaptability to new air-conditioning technologies. Members were also concerned about the bargaining power of DCS users in terms of fees and quality control.

#### Others

20. The Panel was briefed on the details of incidents associated with the decommissioning of the Cheoy Lee Shipyard at Penny's Bay and the impact of Integrated Co-combustion Cement Production Facility on the environment and the recycling industry.

21. From October 2002 to June 2003, the Panel held a total of 17 meetings, including four joint meetings with the Panel on Transport, one with the Panel on Economic Service and one with the Panel on Planning, Lands and Works. A total of four visits, including one joint visit with the Panel on Transport, had also been conducted.

Council Business Division 1  
Legislative Council Secretariat  
26 June 2003

**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.
2. To provide a forum for the exchange and dissemination of views on the above policy matters.
3. To receive briefings and to formulate views on any major legislative or financial proposals in respect of the above policy areas prior to their formal introduction to the Council or Finance Committee.
4. To monitor and examine, to the extent it considers necessary, the above policy matters referred to it by a member of the Panel or by the House Committee.
5. To make reports to the Council or to the House Committee as required by the Rules of Procedure.



**Legislative Council  
Panel on Environmental Affairs**

**Membership list**

<b>Chairman</b>	Hon CHOY So-yuk
<b>Deputy Chairman</b>	Hon Cyd HO Sau-lan
<b>Members</b>	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  (Total : 15 members)
<b>Clerk</b>	Miss Becky YU
<b>Legal Adviser</b>	Miss Monna LAI
<b>Date</b>	10 October 2002