

立法會
Legislative Council

LC Paper No. CB(1) 1772/03-04
(These minutes have been seen
by the Administration)

Ref: CB1/BC/4/03/2

**Bills Committee on
Waste Disposal (Amendment) (No. 2) Bill 2003**

**Minutes of the second meeting
held on Wednesday, 28 April 2004, at 12:45 pm
in Conference Room A of the Legislative Council Building**

Members present : Dr Hon LAW Chi-kwong, JP (Chairman)
Hon LEE Cheuk-yan
Hon Miriam LAU Kin-yee, JP
Hon Emily LAU Wai-hing, JP
Hon CHOY So-yuk
Hon Abraham SHEK Lai-him, JP
Hon LI Fung-ying, JP
Hon Michael MAK Kwok-fung
Hon Albert CHAN Wai-yip
Hon LEUNG Fu-wah, MH, JP

Member absent : Hon Audrey EU Yuet-mee, SC, JP

**Public officers
attending** : Environment, Transport and Works Bureau

Ms Doris CHEUNG
Deputy Secretary (Environment and Transport) E1

Mrs Teresa WONG
Principal Assistant Secretary (Environment and Transport) E2

Ms Joyce HO
Assistant Secretary (Environment and Transport) E2

Environmental Protection Department

Dr Ellen CHAN
Assistant Director (Waste Facilities)

Mr Edmond HO
Principal Environmental Protection Officer (Waste Policy & Services)

Civil Engineering Department

Mr Michael LEUNG
Senior Engineer/Port Works

Department of Justice

Miss Shandy LIU
Senior Government Counsel

Attendance by invitation : HK, KLN & NT Grab Mounted Lorries Association Ltd

Mr YEUNG Kai-kei
Director

Hong Kong Construction Sub-Contractors Association

Mr TSE Chun-yuen
Chairman

Greenpeace China

Mr Kevin MAY
Campaigner (Toxic)

Friends of the Earth (HK)

Mr Edwin LAU
Assistant Director

Hong Kong Construction Association

Ir Derek ZEN
Member

Motor Transport Workers General Union

Mr KONG Wing-shing
Executive Officer

Business Environment Council

Mr Barry KWONG
Manager - Sustainable Strategies

Working Group on Construction Waste,
Provisional Construction Industry Co-ordination Board

Ir David D C WESTWOOD
Member

Hong Kong Dumper Truck Drivers Association

Mr HO Hung-fai
Secretary

Hong Kong Waste Management Association

Mr James P C TAM
Vice Chairperson

Green Power

Dr CHENG Luk-ki
Division Head, Scientific Research and Conservation

Hong Kong Institution of Engineers

Ir Dr Grey C Y WONG
Vice President

Hong Kong Waste Disposal Industry Association

Mr LAU Wai-hung
Chairman

Conservancy Association

Dr NG Cho-nam
Director

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

Staff in attendance : Mr Stephen LAM
Assistant Legal Adviser 4

Mrs Mary TANG
Senior Council Secretary (1)2

Miss Mandy POON
Legislative Assistant 4

The Chairman informed members that he had just received a request from Mr Abraham SHEK to join the Bills Committee. As request for late membership on grounds other than indisposition or absence from Hong Kong had to be decided by the Bills Committee, the Chairman sought members' view on whether Mr SHEK's request should be acceded to. Members subsequently agreed to accept Mr SHEK's late membership.

I. Confirmation of minutes

(LC Paper No. CB(1) 1634/03-04 -- Minutes of the meeting held on 14 April 2004)

2. The minutes of the meeting held on 14 April 2004 were confirmed.

II. Meeting with deputations and the Administration

Meeting with deputations

- (a) HK, Kowloon & NT Grab Mounted Lorries Association Ltd
(LC Paper No. CB(1) 1636/03-04(01) -- Submission from Association
(Chinese version only))
- (b) Hong Kong Construction Sub-Contractors Association
- (c) Greenpeace
(LC Paper No. CB(1) 1653/03-04(01) -- Submission from Greenpeace
(English version only))
- (d) Friends of the Earth
(LC Paper No. CB(1) 1636/03-04(02) -- Submission from Friends of
the Earth)
- (e) Hong Kong Construction Association
(LC Paper No. CB(1) 1636/03-04(03) -- Submission from the
Association (English version
only))
- (f) Motor Transport Workers General Union

- (g) Business Environment Council
(LC Paper No. CB(1) 1636/03-04(04) -- Submission from the Council)
- (h) Working Group on Construction Waste under Provisional Construction Industry Coordination Board
(LC Paper No. CB(1) 1636/03-04(05) -- Submission from the Board)
- (i) Hong Kong Dumper Truck Drivers Association
(LC Paper No. CB(1) 1669/03-04(01) -- Submission from the Association (Chinese version only))
- (j) Hong Kong Waste Management Association
(LC Paper No. CB(1) 1636/03-04(06) -- Submission from the Association (English version only))
- (k) Green Power
(LC Paper No. CB(1) 1669/03-04(02) -- Submission from Green Power (Chinese version only))
- (l) Hong Kong Institution of Engineers
(LC Paper No. CB(1) 1636/03-04(07) -- Submission from the Institution (English version only))
- (m) Hong Kong Waste Disposal Industry Association
(LC Paper No. CB(1) 1636/03-04(08) -- Submission from the Association (English version only))
- (n) Conservancy Association
(LC Paper No. CB(1) 1636/03-04(09) -- Submission from the Association)

Written submissions from organizations not attending the meeting

- (LC Paper No. CB(1) 1636/03-04(10) -- Submission from the Advisory Council on the Environment (English version only)
- LC Paper No. CB(1) 1636/03-04(11) -- Further submission from the Advisory Council on the Environment (English version only)
- LC Paper No. CB(1) 1636/03-04(12) -- Submission from the Hong Kong General Chamber of Commerce (English version only)

- LC Paper No. CB(1) 1636/03-04(13) -- Submission from the Hong Kong Association of Property Management Companies Ltd (English version only)
- LC Paper No. CB(1) 1636/03-04(14) -- Submission from the Hong Kong Kowloon Taxi & Lorry Owners' Association Ltd (Chinese version only)
- LC Paper No. CB(1) 1653/03-04(02) -- Submission from the Real Estate Developers Association of Hong Kong (English version only)

Meeting with the Administration

- (LC Paper No. CB(1) 1497/03-04(03) -- Assistant Legal Adviser's letters dated 31 December 2003 to the Administration and the latter's reply
- LC Paper No. CB(1) 1636/03-04(15) -- List of follow-up actions arising from the discussion on 14 April 2004
- LC Paper No. CB(1) 1636/03-04(16) -- Administration's response to LC Paper No. CB(1) 1636/03-04(15)
- LC Paper No. CB(1) 1636/03-04(17) -- Assistant Legal Adviser's letter dated 20 April 2004 to the Administration)
3. The Committee deliberated (Index of proceedings attached at **Annex A**).
4. The Administration was requested to -
- (a) provide written response to deputations' views; and
 - (b) further consult the trades on the levels of waste disposal charges.
5. The meeting ended at 2:30 pm.

**Proceedings of the meeting of the
Waste Disposal (Amendment) (No. 2) Bill 2003
Meeting on Wednesday, 28 April 2004, at 12:45 pm
in Conference Room A of the Legislative Council Building**

Time marker	Speaker	Subject(s)	Action required
000000 - 000206	Chairman Mr Abraham SHEK Ms Miriam LAU Mr Albert CHAN	Introductory remarks and the Bills Committee's acceptance for late membership of Mr Abraham SHEK; Confirmation of minutes of the meeting held on 14 April 2004 (LC Paper No. CB(1) 1634/03-04)	
000207 - 000722	Chairman Ir Dr Grey CY WONG, Hong Kong Institution of Engineers (HKIE)	Expression of views (LC Paper No. CB(1) 1636/03-04(07))	
000723 - 000926	Mr YEUNG Kai-kei, H.K. KLN & NT Grab Mounted Lorries Association Ltd (GMLA)	Expression of views (LC Paper No. CB(1) 1636/03-04(01))	
000927 - 001056	Mr TSE Chun-yuen, Hong Kong Construction Sub- contractors Association	Expression of views - (a) support for the Bill; and (b) whether principal contractors or workers should be held responsible for the disposal of waste	
001057 - 001533	Mr Kevin MAY, Greenpeace China	Expression of views (LC Paper No. CB(1) 1653/03-04(01))	
001534 - 002130	Mr Edwin LAU, Friends of the Earth (FOE)	Expression of views (LC Paper No. CB(1) 1636/03-04(02))	

Time marker	Speaker	Subject(s)	Action required
002131 - 002636	Ir Derek ZEN, Hong Kong Construction Association (HKCA)	Expression of views (LC Paper No. CB(1) 1636/03-04(03))	
002637 - 002750	Mr KONG Wing-shing, Motor Transport Workers General Union	Expression of views - (a) transport workers should not be involved in the charging regime; and (b) need for clear guidelines in determining the waste content	
002751 - 003033	Mr Barry KWONG, Business Environmental Council	Expression of views (LC Paper No. CB(1) 1636/03-04(04))	
003034 - 003235	Ir David DC WESTWOOD, Working Group on Constructional Waste, Provisional Construction Industry Co-ordination Board (PCICB)	Expression of views (LC Paper No. CB(1) 1636/03-04(05))	
003236 - 003720	Mr HO Hung-fai, Hong Kong Dumper Truck Drivers Association (HKDTDA)	Expression of views (LC Paper No. CB(1) 1669/03-04(01))	
003721 - 004010	Mr James PC TAM, Hong Kong Waste Management Association (HKWMA)	Expression of views (LC Paper No. CB(1) 1636/03-04(06))	
004011 - 004423	Dr CHENG Luk-ki, Green Power (GP)	Expression of views (LC Paper No. CB(1) 1669/03-04(02))	
004424 - 004823	Mr LAU Wai-hung, Hong Kong Waste Disposal Industry Association	Expression of views (LC Paper No. CB(1) 1636/03-04(08))	

Time marker	Speaker	Subject(s)	Action required
004824 - 005050	Dr NG Cho-nam, Conservancy Association (CA)	Expression of views (LC Paper No. CB(1) 1636/03-04(09))	
005051 - 005303	Chairman Administration	Administration thanked deputation's support for the polluter pays principle and noted their urge for early implementation of the construction waste disposal charging scheme. Administration's response to deputations' views	

Time marker	Speaker	Subject(s)	Action required
005304 - 011610	<p>Ms Emily LAU Ir Derek ZEN, HKCA Mr James PC TAM, HKWMA Mr HO Hung-fai, HKDTDA Mr Kevin MAY, Greenpeace China Mr Edwin LAU, FOE Dr CHENG Luk-ki, Green Power Ir David DC WESTWOOD, PCICB</p>	<p>Discussion on measures to prevent indiscriminate demolition of buildings and illegal disposal of waste -</p> <ul style="list-style-type: none"> (a) devices could be installed to track down movement of waste lorries; (b) penalty provisions should be introduced to deter indiscriminate demolition; (c) whether dumping of fill materials in private land with approval of owners should be regarded as illegal disposal; (d) recent survey indicated support for reduction of waste and imposition of punitive measures against indiscriminate demolition; (e) incentive and disincentive schemes should be introduced to encourage waste reduction; (f) major construction projects should be registered with the Administration to ensure proper disposal of construction waste; (g) owners of agricultural land, which had been used for landfilling purpose, should be required to apply for a change in land use; and (h) illegal disposal of waste at agricultural land could be prevented by restricting entry of waste lorries to such land 	

Time marker	Speaker	Subject(s)	Action required
011611 - 011710	Chairman Administration	Administration's explanation on the landfilling activities at Lam Tsuen - (a) the land owner claimed that land filling on site was for agricultural use and land filling in "Agriculture" zone does not breach the relevant statutory plan; and (b) enforcement actions would be taken against any contravention of existing ordinances	
001711 - 012000	Miss CHOY So-yuk	(a) Need for control over landfilling activities in agricultural land; (b) Measures should be taken against fly-tipping; and (c) Concerns raised by Hong Kong Dumper Truck Drivers Association should be addressed	The Administration to provide written response to deputations' views
012001 - 012200	Mr Abraham SHEK	Need for the Administration to further consult the trades on the levels of waste disposal charges	The Administration to further consult the trades on the level of waste disposal charges
012201 - 012223	Chairman Administration	Explanation on the levels of waste disposal charges	

Time marker	Speaker	Subject(s)	Action required
012224 - 013339	Ms Miriam LAU Mr HO Hung-fai, HKDTDA Ir Derek ZEN, HKCA Mr YEUNG Kai-kei, GMLA	Discussion on the draft reference table for determining the content of waste at landfills, sorting facilities and public fill reception facilities - (a) need for clear guidelines in determining the waste content to avoid transport workers being denied of access to reception facilities by site staff; and (b) practical difficulties in separating inert and non-inert materials	
013340 - 013652	Mr Albert CHAN	(a) Need for provision of sorting facilities in each district to facilitate recycling; and (b) Concern that the waste disposal charging scheme would aggravate the problem of illegal disposal of waste in agricultural land	
013653 - 014035	Mr LEE Cheuk-yan Ir Derek ZEN, HKCA	Discussion on whether construction contractors or waste haulers should be held liable for illegal disposal of waste - (a) non-compliance of waste disposal plans by some waste haulers who chose to dump waste in private land for whatever reasons; and (b) device could be installed to track down movements of waste lorries	

Time marker	Speaker	Subject(s)	Action required
014036 - 014056	Chairman Miss CHOY So-yuk Ms Emily LAU	Invitation of further views on the Bill from deputations and need for the Administration to respond to views expressed	

Council Business Division 1
Legislative Council Secretariat
10 May 2004