

立法會
Legislative Council

LC Paper No. CB(1) 1798/03-04
(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 third meeting
held on Monday, 3 May 2004, at 4:30 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 Albert CHAN Wai-yip
Hon Audrey EU Yuet-mee, SC, JP

Members absent : Hon Michael MAK Kwok-fung
Hon LEUNG Fu-wah, MH, 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

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

I. Meeting with the Administration

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|------------------------------------|----|---|
| (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) 1684/03-04(01) | -- | List of follow-up actions arising from the discussion on 28 April 2004) |

The Committee deliberated (Index of proceedings attached at **Annex A**).

2. The Administration was requested to -
 - (a) advise details of the proposed trial on the Waste Disposal Charging Scheme and to arrange a mock trial for members of the Bills Committee before passage of the Bill;
 - (b) advise whether there are existing provisions requiring waste haulers to cover their loading compartments during transportation under the Road Traffic Regulation;
 - (c) consult the relevant bureaux/departments on measures to prevent indiscriminate demolition of buildings and report to the Bills Committee; and
 - (d) provide the draft Waste Disposal (Charges for Waste Disposal) Regulation and Waste Disposal (Designated Waste Disposal Facility) (Amendment) Regulation for consideration by members of the Bills Committee before passage of the Bill.

3. The meeting ended at 5:45 pm.

Council Business Division 1
Legislative Council Secretariat
12 May 2004

**Proceedings of the meeting of the
Waste Disposal (Amendment) (No. 2) Bill 2003
Meeting on Monday, 3 May 2004, at 4:30 pm
in Conference Room A of the Legislative Council Building**

Time marker	Speaker	Subject(s)	Action required
000000 - 000412	Chairman	Introductory remarks and discussion on the Administration's response to the list of follow-up actions arising from discussion at the meeting on 14 April 2004 (LC Paper No. CB(1) 1636/03-04(16))	
000413 - 000639	Administration Chairman	Comparison between Hong Kong and overseas countries on the charging mechanism for landfills and the fee levels	
000640 - 001122	Ms Emily LAU Administration	<p>Explanation on measures to determine content of waste -</p> <p>(a) the dividing line for acceptance of waste at landfills or sorting facilities should be set at 20% Net Weight/ Gross Vehicle Weight; for example, if this was greater than 20%, it would not be allowed to enter the landfills for waste disposal;</p> <p>(b) closed circuit televisions would be installed to facilitate viewing of the waste loads from the top; and</p> <p>(c) advice from the Department of Justice and the Independent Commission Against Corruption (ICAC) would be incorporated into the guidelines to guard against possible abuse of the system</p>	

Time marker	Speaker	Subject(s)	Action required
001123 - 001610	Chairman Ms Emily LAU Ms Miriam LAU	Need to address waste haulers' concerns about operational difficulties in implementing the Waste Disposal Charging Scheme (the Scheme) e.g. disputes over content of waste giving rise to queuing at gates of reception facilities	
001611 - 002117	Administration	Administration's agreement to - (a) continue to liaise with the trades on the determination of waste content; (b) conduct a trial before actual implementation of the Scheme; and (c) take measures to ensure that waste haulers carrying the same waste load would not be turned away twice by different reception facilities	
002118 - 002447	Administration	Explanation on the empirical approach in the determination of waste content	

Time marker	Speaker	Subject(s)	Action required
002448 - 002914	Chairman Ms Miriam LAU Administration	<p>Members' concerns -</p> <p>(a) need for details of the proposed trial on the Scheme; and</p> <p>(b) need for further consultation with waste haulers to address their concerns about disputes over determination of waste content based on weight which might be affected by heavy rain</p> <p>Administration's response -</p> <p>(a) sorting facilities would be located in close proximity to landfills to facilitate operation; and</p> <p>(b) the trades would be further consulted on the determination of waste content</p>	The Administration to advise details of the proposed trial on the Scheme
002915 - 003425	Chairman Ms LI Fung-ying Administration	<p>Member's request that all affected trades should be apprised of the details of the implementation of the Scheme</p> <p>Administration's response-</p> <p>(a) Operational guidelines to be worked out in consultation with ICAC and Department of Justice; comments from the trades would be taken into account before finalizing the guidelines; and</p> <p>(b) trial to be conducted before actual implementation of the Scheme</p>	

Time marker	Speaker	Subject(s)	Action required
003426 - 003539	Chairman Administration	<p>Measures to address waste haulers' concern that they might not be able to act according to waste producers' directions to dispose of the waste load at the less expensive sorting facilities if they were turned away by the site operators -</p> <p>(a) reference table on the determination of waste content would be worked out; and</p> <p>(b) a note would be issued to waste haulers indicating clearly if their waste loads had to be re-directed to other reception facilities</p>	
003540 - 003750	Chairman Ms Miriam LAU Administration	<p>Consultation with waste haulers -</p> <p>(a) waste haulers had accepted that all payment for disposal of construction waste should be made through billing accounts; and</p> <p>(b) further consultation would be conducted on the determination of waste content</p>	

Time marker	Speaker	Subject(s)	Action required
003751 - 004519	Ms Emily LAU Ms Miriam LAU Administration	<p>Members' concerns -</p> <p>(a) need for a mock trial on the Scheme for members of the Bills Committee; and</p> <p>(b) need for waste haulers to cover their loading compartments during transportation</p> <p>Administration's response -</p> <p>(a) submission of chits in triplicate at reception facilities;</p> <p>(b) requirement for covering loading compartments during transportation would be looked into; and</p> <p>(c) visit to landfills could be arranged but a mock trial on the charging arrangement could best be carried out when the computer system had been upgraded for the purpose</p>	<p>The Administration to</p> <p>(a) arrange a mock trial on the Scheme for members of the Bills Committee before passage of the Bill; and</p> <p>(b) advise whether there are existing provisions requiring waste haulers to cover their loading compartments during transportation under the Road Traffic Regulation</p>
004520 - 004749	Chairman Ms Emily LAU	Need for punitive measures against indiscriminate demolition	

Time marker	Speaker	Subject(s)	Action required
004750 - 005111	Administration	Administration's response - (a) the three levels of disposal charges would provide deterrence against indiscriminate demolition; and (b) punitive measures for indiscriminate demolition, such as disallowing future participation in land auctions, would be outside scope of the Bill	The Administration to consult the relevant bureaux/departments on measures to prevent indiscriminate demolition of buildings and report to the Bills Committee
005112 - 005321	Ms Miriam LAU	Concern about implications of punitive measures against indiscriminate demolition on - (a) renovation of new developments; and (b) demolition of buildings with short piles	
005322 - 005721	Chairman Miss CHOY So-yuk	Punitive measures should be imposed against indiscriminate demolition involving major construction projects, including demolition of buildings with short piles	
005722 - 005724	Administration	Implications of imposing punitive measures against indiscriminate demolition would need to be considered carefully as this might be seen to be intervening in business activities	

Time marker	Speaker	Subject(s)	Action required
005725 - 010319	Miss CHOY So-yuk Chairman Administration	Differentiation between domestic and construction waste - (a) definition of construction and inert waste to be provided in the regulations; (b) the Scheme mainly targeted at construction/renovation projects which generated large quantities of construction waste	
010320 - 010419	Ms Emily LAU	Implementation of punitive measures against indiscriminate demolition, such as disallowing participation in land auctions, should be considered by the Lands Department	
040420 - 011249	Chairman Administration Ms Miriam LAU Ms Emily LAU	Need for draft regulations to be examined by the Bills Committee	The Administration to provide the draft Waste Disposal (Charges for Waste Disposal) Regulation and Waste Disposal (Designated Waste Disposal Facility) (Amendment) Regulation for consideration by members of the Bills Committee before passage of the Bill
011250 - 011516	Chairman Miss CHOY So-yuk Ms Emily LAU	Need to address concerns about illegal disposal of waste at private agriculture land as implementation of the Scheme might aggravate the problem	

Time marker	Speaker	Subject(s)	Action required
011517 - 011536	Ms Emily LAU Administration Chairman	Time table for introducing regulations - (a) regulations should be introduced immediately after passage of Bill; and (b) regulations should best be introduced after the proposed trial on the Scheme	
011537 - 011636	Ms Miriam LAU	Need for clear guidelines on what should be regarded as illegal disposal as landfilling activities were sometimes required by landowners such as leveling their sites to facilitate operation of the logistics trade	
011637 - 011720	Chairman	Date of next meeting	