

立法會
Legislative Council

LC Paper No. CB(1) 1582/03-04
(These minutes have been seen
by the Administration)

Ref : CB1/PL/EA/1

Panel on Environmental Affairs

**Minutes of meeting held on
Monday, 22 March 2004, 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)
Hon Martin LEE Chu-ming, SC, JP
Hon LAU Kong-wah, JP
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
Hon LAU Ping-cheung
Hon Audrey EU Yuet-mee, SC, JP

Members absent : Dr Hon David CHU Yu-lin, JP
Hon WONG Yung-kan
Dr Hon LO Wing-lok, JP

**Public officers
attending** : **For item IV**

Environment, Transport and Works Bureau

Dr Sarah LIAO
Secretary for the Environment, Transport and Works

Mr Keith KWOK
Deputy Secretary (Works)1

Mr Thomas CHOW
Deputy Secretary (Environment and Transport) E2

Action

Miss Margaret FONG
Deputy Secretary (Environment and Transport) T1

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

Staff in attendance : Mrs Mary TANG
Senior Council Secretary (1)2

Miss Mandy POON
Legislative Assistant 4

I. Confirmation of minutes

- (LC Paper No. CB(1) 1213/03-04 — Minutes of the meeting held on 23 February 2004
LC Paper No. CB(1) 1304/03-04 — Minutes of the joint meeting with the Panel on Planning, Lands and Works held on 23 February 2004)

The minutes of the joint meeting with the Panel on Planning, Lands and Works and that of the regular meeting held on 23 February 2004 were confirmed.

II. Information paper issued since last meeting

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

- LC Paper No. CB(1) 1180/03-04 — Submission from the HK Public Light Bus Owner & Driver Association expressing concerns about the viability of liquefied petroleum gas light buses

III. Items for discussion at the next meeting

- (LC Paper No. CB(1) 1309/03-04(01) — List of follow-up actions
LC Paper No. CB(1) 1309/03-04(02) — List of outstanding items for discussion)

3. Members agreed to discuss the following items at the next regular meeting scheduled for Monday, 26 April 2004, at 2:30 pm -

Action

- (a) Progress on trials and studies for the Harbour Treatment Scheme; and
- (b) Waste oil from vessels.

(Post-meeting note: According to the Administration, item (a) was not ready for discussion at the next meeting. With the concurrence of the Chairman, the item was subsequently replaced by “Measures to prevent and minimize production of construction and demolition materials by private construction works”.)

4. The Chairman reminded members that the joint meeting with the Panel on Planning, Lands and Works to continue discussion on the “Impact of construction works on rivers in Hong Kong” would be held on 23 March 2004 at 4:30 pm. She also reminded members of the informal meeting with green groups to be held on the same day at 3:30 pm.

IV. Staffing proposal of the Environment, Transport and Works Bureau

(LC Paper No. CB(1) 1309/03-04(03) — Paper provided by the Administration)

5. The Secretary for the Environment, Transport and Works (SETW) briefed members on the Administration’s proposal to rationalize the directorate structure of the Environment and Transport Branch (ETB) of the Environment, Transport and Works Bureau (ETWB). With effect from 1 July 2004, a new post of Permanent Secretary for the Environment, Transport and Works (Environment) (PSE) to be ranked at Administrative Officer Staff Grade A (AOSGA)(D6) would be created to take charge of the environment portfolio, including the nature conservation schedule. The present Administrative Officer Staff Grade A1 (AOSGA1)(D8) post of Permanent Secretary for the Environment, Transport and Works (Environment and Transport) (PSET) would be re-titled as Permanent Secretary for the Environment, Transport and Works (Transport) (PST) and its duties would be re-distributed to oversee the transport portfolio. The Administration planned to submit the proposal for consideration by the Establishment Subcommittee (ESC) at its meeting on 28 April 2004.

6. The Deputy Secretary for Environment, Transport and Works (Works)1 (DSETW(W)1) said that the creation of the new permanent post of PSE would be offset by the deletion of the permanent post of Director of Civil Engineering (D5) upon the amalgamation of the Civil Engineering Department (CED) and Territory Development Department (TDD) with effect from 1 July 2004. The total savings in notional annual salary cost at mid-point and full annual average staff cost were about \$26 million and \$40 million respectively. It would also result in the deletion of nine directorate posts (two of which were vacant posts) and 57 non-directorate posts. The Deputy Secretary for Environment, Transport and Works (Environment and Transport) E2 (DSETW(ET)E2) added that as the purviews of the two departments straddled across the Housing, Planning and Lands Bureau and ETWB, the savings attributable to ETWB would be around \$12 million. The Administration planned to use only \$1.95 million in notional annual

Action

salary cost at mid-point (\$2.87 million in full annual average staff cost) for the creation of the PSE post. A separate paper on the proposed amalgamation would be submitted for consideration by ESC at its meeting on 28 April 2004.

7. Ms Emily LAU opined that details of the proposed amalgamation should have been set out in the paper. While supporting the proposed amalgamation to achieve savings, she did not agree to the use of savings to create new posts, in particular, directorate posts. The proposed creation of the new permanent post of PSE would not only result in expansion of staff establishment but also recurrent expenses given the high annual staff cost. Besides, it was at variance with Government's goal of reducing public expenditure. SETW explained that with the rising public expectation on the environment front, more needed to be done at the policy level. At present, ETB was committed to promulgating a more comprehensive nature conservation policy and implementing an enhanced programme that would better achieve nature conservation objective. It had been tasked to implement a new regional air quality management plan in collaboration with the Guangdong Provincial Government with the objective of achieving by 2010 the regional emission reduction targets agreed by the two sides. It would also need to take forward initiatives relating to the "polluter-pays" principle. These would include the Harbour Area Treatment Scheme and legislation governing the disposal of construction and demolition waste as well as clinical waste. To help steer these policy initiatives to fruition, it was considered necessary to create a new post of PSE to take charge of the environment portfolio.

8. Noting that the post of PSET had not been filled since the departure of the former PSET, Ms Emily LAU enquired about the arrangement on deployment of staff and the directorate structure of ETWB. SETW advised that at present, DSETW(ET)E2 and the Deputy Secretary for Environment, Transport and Works (Environment and Transport) T1 (DSETW(ET)T1) were each doubling up 50% of the duties of PSET, taking charge of the environment and transport portfolios respectively. For the past months, ETWB was working on a tight staffing situation and had only been able to deal with the more urgent issues. In response to Ms LAU's further question on the ranking of DSETW(ET)E2 and DSETW(ET)T1 posts, DSETW(ET)E2 advised that the former was ranked at D3 level while the latter at D4 level. Both were receiving allowances for doubling up the duties of PSET based on a fixed formula.

9. The Chairman said that Members of the Democratic Alliance for Betterment of Hong Kong agreed that more resources should be earmarked for the protection of the environment. She however pointed to the need to appoint the right person to take up the post of PSE as the incumbent's stance would have a direct bearing on the implementation of environmental initiatives. By way of illustration, the proposed traffic management measures at Texaco flyover had been put to an end before commencement. SETW explained that the incident referred to was not intentional. She said that while it was her responsibility to set out the environment and transport policies, it was PSET's role to take forward policy initiatives. However, given the wide scope of the environment and transport portfolios, it was difficult for the incumbent to cope with all of them. There was hence a need to create a new post of PSE to take charge of the environment portfolio.

Action

10. Noting that the proposal to put both the environment and transport portfolios under one Permanent Secretary was initiated by the Administration with a view to achieving a better balance between the two portfolios, Ms Miriam LAU questioned the rationale for separating these portfolios now. She was concerned about the constant changes to the organizational structure of ETB, particularly within a short time frame. She also expressed reservations at the use of savings from the amalgamation of CED and TTD for the creation of a new PSE post. She pointed out that many departments had been reducing their service levels in order to achieve the target efficiency savings of 11%. A typical example was the proposed closure of one of the written test centres for driving licences of the Transport Department which would have caused much inconvenience to the public. As such, consideration should be given to retaining the services of these departments where resources permitted rather than using the savings to create a new PSE post to ease the workload. Besides, the problem of not being able to take forward environmental initiatives could not be resolved through the creation of the post.

11. SETW advised that upon the implementation of the Accountability System, she had taken charge of the environment, transport and works portfolios which were serviced by over 20 000 staff. To achieve greater efficiency and productivity, some changes in the organizational structure were necessary to make better use of resources. It was against this background that CED and TDD were amalgamated to allow integration of civil engineering and territorial development services following the completion of most of the development work for new towns and slope stability works. Meanwhile, more efforts were needed to implement policy initiatives under the environment portfolio to meet the rising public expectations. Additional human resources were also required to maintain liaison with Mainland authorities on cross-border issues relating to environment and transport. She added that the Administration would endeavour to avoid reducing service levels on the one hand and to identify means to improve the services through technological advancement on the other.

(The Chairman left the meeting at this juncture and Ms Cyd HO took over the chair.)

12. While agreeing that additional resources would be required to implement new policy initiatives, the Chairman questioned if the same amount of resources would be needed on a recurrent basis after the initiatives had been put in place. SETW said that continuous efforts were necessary in taking forward environmental initiatives such as those relating to producer responsibility and polluter-pays principle. With increased environmental awareness and rising public expectation, more long-term improvements in air, water and waste quality management as well as nature conservation were needed. On the transport side, although the merging of Mass Transit Railway Corporation Limited and the Kowloon-Canton Railway Corporation would be a one-off arrangement, other issues, in particular those relating to cross-border traffic would take a much longer time to resolve. DSETW(ET)T1 supplemented that to deal with the legislative and operational arrangements associated with the merging of Mass Transit Railway Corporation Limited and the Kowloon-Canton Railway Corporation, two supernumerary directorate posts (one at D3 and one at D2 level) were proposed to be created for a period of two years. The costs would be met from savings within ETWB. In relation to the Hong Kong-Zhuhai-Macau Bridge project, two supernumerary directorate posts (one at

Action

D3 and one at D1 level) were also proposed to be created under the Highways Department for about six years. The costs of which would be met from savings from the proposed amalgamation of CED and TDD. Separately, a D1 post within the Highways Department would be re-deployed to assist in the project. All four supernumerary posts would be deleted upon completion of the assignments.

13. While opposing to the use of savings from the amalgamation of CED and TDD to create the new PSE post, Mr Henry WU said that he would support the use of ETWB's own savings for the creation of the post. SETW said that Directors of Bureaux should be given the flexibility to use the savings derived from restructuring to create new posts. Otherwise, there would be little incentive for restructuring and redeployment. Given the significant increase in the responsibilities of PSET on both the environment and transport fronts, a new post was necessary to share out the workload after the restructuring of ETWB. She added that more details on the savings from restructuring of ETWB would be provided in the submission to ESC. As regards the existing staffing support of ETB, DSETW(ET)E2 advised that the environment sub-branch was currently serviced by three Principal Assistant Secretaries (PASs) while the transport sub-branch by seven PASs. All PASs in the transport sub-branch were fully engaged and would unlikely be able to be redeployed to assist in the environment portfolio. Besides, a PAS from the transport sub-branch had already been transferred to the environment sub-branch to serve as the Administrative Assistant to SETW.

14. Given that the existing duties of PSET would be shared out between PSE and PST, Mr Henry WU questioned the rationale for pitching the PST post at D8 level. He said that it would be more logical to pitch the post at D6 level, in line with the new PSE post. SETW explained that as most of the Permanent Secretaries were pitched at D8 level, she considered it justified that the PST post, which would take charge of an expanding transport portfolio, should also be pitched at D8 level. At members' request, the Administration undertook to provide a comparison of duties between the existing PSET post and the two PST and PSE posts as well as a more detailed organizational chart of ETB showing more levels of the hierarchy.

Admin

15. Ms Emily LAU shared members' concerns on the need for one or two Permanent Secretary(ies) to take charge of the environment and transport portfolios and the need to pitch the PST post at D8 level. She also pointed out that under the prevailing economic situation where the Government was suffering from a fiscal deficit, the public was very sensitive about any proposal to create additional posts, in particular directorate posts, within the Government. The Administration should therefore endeavour to downsize its establishment rather than using the savings achieved to create new posts. Besides, any changes to the directorate of bureaux would deviate from the establishment as agreed under the Accountability System.

16. SETW said that the savings achieved through the Accountability System had already been explained by the Secretary of Constitutional Affairs when the System was first implemented. The savings achieved from the amalgamation of CED and TDD were separate from that of the Accountability System. Apart from those earmarked for the creation of the PSE post, such savings would be returned to the centre rather than

Action

remaining within the envelope of ETWB. She added that it would be much easier to cut direct expenditure across the board but this would not serve the purpose of maximizing resources. It was through the process of restructuring and redeployment, as in the case of the proposed amalgamation, that the dual purposes of cost reduction and maximization of resources could be achieved. As such, some degree of flexibility should be accorded to the Directors of Bureaux as incentive to encourage restructuring.

17. Dr LAW Chi-kwong said that Members of the Democratic Party would support the proposed rationalization of directorate structure of ETWB as it would facilitate timely and effective implementation of approved policies. He added that details of creation and deletion of posts should more appropriately be dealt with by ESC.

18. For record purpose, the Chairman said that members had diverse views on the proposal.

V. Any other business

19. There being no other business, the meeting ended at 3:45 pm.

Council Business Division 1
Legislative Council Secretariat
22 April 2004