

立法會

Legislative Council

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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 (LegCo) session 2007-08. It will be tabled at the meeting of the Council on 2 July 2008 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, 9 October 2002 and 11 July 2007 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 given in **Appendix I**.

3. The Panel comprises 14 members, with Hon Audrey EU and Hon Emily LAU elected as Chairman and Deputy Chairman respectively. The membership list of the Panel is in **Appendix II**.

Major Work

Air

4. The deteriorating air quality remained high on the agenda of the Panel. Outdoor air quality was affected by local and regional air pollution. Local air pollution could be chiefly divided into two sources viz. stationary and mobile. Apart from pursuing various emissions reduction or prevention measures, the Hong Kong Special Administrative Region Government (HKSARG) had been co-operating with the Guangdong Provincial Government (GPG) since 2002 to reduce, on a best endeavour basis, the emissions of four major air pollutants, namely, sulphur dioxide (SO₂), nitrogen oxides (NO_x), respirable suspended particulates (RSP), and volatile organic compounds by 40%, 20%, 55% and 55%, respectively in the Pearl River Delta (PRD) Region by 2010, using 1997 as the base year.

Local air quality

5. The Panel noted that the Administration had introduced a series of measures to reduce air pollution from both stationary and mobile sources. The former was predominantly from power plants, whereas the latter mainly referred to emissions from vehicles.

6. Power plants made up the largest emission source within Hong Kong, accounting for 92% of the total emission of SO₂, and half of that of NO_x and RSP. The situation was further aggravated with the increased use of coal in power generation by power plants over the past few years. The Panel therefore welcomed the Administration's proposal to introduce a new regulatory package for power companies, which included reducing their permitted rate of return on Average Net Fixed Assets to allow for lower electricity tariffs for the benefit of the public, and linking the permitted rate of return to their emission performance, with a view to improving local air quality. Members also supported the Administration's intention to amend the Air Pollution Control Ordinance (Cap. 311) (APCO) to stipulate the emission caps for power companies, and to provide a legal basis for them to meet the emission caps by way of emissions trading.

7. The proposed amendments to APCO were discussed by the Panel on 17 December 2007. There were diverse views on the use of legislative means to enforce the emission caps. Some members cautioned that adopting a high-handed approach would undermine the on-going negotiations on the Scheme of Control Agreement between the Government and the power companies, and set a bad precedent for other sectors. Besides, the imposition of emission caps might increase the cost of electricity generation, which would likely be transferred to consumers. On the other hand, there was concern about the non-inclusion of greenhouse gases (GHG), particularly carbon dioxide (CO₂), in the proposed emission caps. As regards emissions trading, members considered that a pilot scheme should be carried out before the actual implementation of emissions trading as the power companies had indicated that they were not very clear about the implementation details. The Air Pollution Control (Amendment) Bill 2008 was introduced into the Legislative Council (LegCo) on 20 February 2008, and a Bills Committee was formed to scrutinize the Bill.

8. To reduce vehicular emissions, the Administration launched a five-month consultation exercise on 2 November 2007 to seek the public's view on the proposal of banning idling vehicles with running engines territory-wide. Under the proposal, a motorist would commit a contravention if he failed to switch off the engine of his vehicle when it was idled. A fixed penalty ticket with a fine of \$320 would be issued. However, exemptions would be granted under certain specified circumstances. Given the far-reaching implications of the proposed ban, the Panel held three meetings on 26 November 2007, 8 and 16 January 2008 to discuss the proposal. Deputations, including the affected trades and green groups, were invited to express their views at the latter two meetings. While there was general support for the proposed ban from the green groups, the trades were strongly opposed to the proposal as this would unduly affect their operation. It was pointed out that the need to frequently switch

off and restart engines, in order to comply with the ban, would generate more emissions and shorten the life span of the starter and car battery, resulting in an increase in such waste to be disposed of at landfills. There were also certain types of engines which genuinely required idling time during starting and switching off. Coaches with sealed windows had no choice but to keep their engines running while idling to keep the air-conditioning on for the comfort of passengers.

9. In May 2008, the Panel received a briefing on the consultation findings, which revealed that there was broad-based support from the community on the proposed ban. Question was raised on the accuracy of the findings because a major trade association had indicated that their views had not been reflected in the findings. There remained strong opposition from the trades on grounds that the ban would unduly affect their business. While acknowledging that it might not be possible to reach a consensus on the proposed ban, members stressed the need for the Administration to address the trades' concerns and resolve any compliance difficulties. To avoid further delay on the implementation of the ban, consideration could be given to excluding certain types of vehicles from the ban in the initial phase. The Administration should include a list of exemptions in the new legislation on the ban, which was scheduled for introduction into the LegCo within 2009.

10. To further improve roadside air quality, the Administration proposed to introduce an incentive scheme to promote the use of environment-friendly commercial vehicles by way of first registration tax (FRT) concession. The percentage waiver of FRT would range from 30% for light goods vehicles less than 1.9 tonnes permitted gross vehicle weight, 50% for goods vehicles (except van-type goods vehicles not exceeding 1.9 tonnes permitted gross vehicle weight), to 100% for taxis, light buses, non-franchised buses and special purpose vehicles. Given that vehicles were the second largest air emission source in Hong Kong, members held the view that the tax concession should be enhanced to encourage more vehicle owners to replace their more polluting vehicles. However, there was a need for the Administration to ensure that sufficient compliant models were available for owners to choose from, and that vehicle dealers would not exploit the FRT waiver by increasing the sale price of compliant models. They also considered that more proactive measures should be adopted to reduce vehicular emissions. These included setting a definite time frame for the mandatory retirement of polluting vehicles.

11. As emission reduction could be achieved through the use of cleaner vehicle fuels and industrial fuels, the Administration had proposed a number of measures to promote the use of more environment-friendly fuels. These included further reducing the duty rate for Euro V diesel, mandating the use of ultra low sulphur diesel (ULSD) in industrial and commercial processes, promoting the use of biodiesel, and encouraging ferry operators to switch to cleaner fuel.

12. The proposal to reduce the duty rate of Euro V diesel to \$0.56 per litre for a period of two years was discussed by the Panel on 9 November 2007, during which deputations were invited to express their views. While supporting the purpose of the proposed reduction to encourage the switch to the more environment-friendly Euro V diesel, with a view to improving the roadside air quality, members expressed concern

that oil companies might use various excuses to increase the retail price, as shown by previous experience, thereby defeating the purpose of the duty concession. They also urged the Administration to consider providing the concession for an indefinite period to encourage the continued use of more environment-friendly fuels.

13. In December 2007, the Panel received a briefing on the proposal to mandate the use of ULSD in industrial and commercial processes, and to allow the use of other fuels and technologies as an alternative means to reduce emissions. While not opposing to the proposal, members were concerned about the availability of competent examiners to conduct test and certification on the compliance of various emission control alternatives. There was also concern about pollution by emissions from marine vessels, particularly those plying between Hong Kong and the PRD Region, which were not subject to control of the proposal. Members considered that the Administration should take the lead in the control of emissions from vessels in Hong Kong, and that concerted efforts with the Mainland authorities should be made to work out joint measures to control emissions within the PRD Region.

14. On promoting the use of biodiesel, the Panel noted that a fuel with biodiesel content higher than the B5 standard (i.e. blending 5% biodiesel in ULSD) might cause possible corrosion problems to the fuel system of certain incompatible vehicles. Members therefore welcomed the Administration's proposal to introduce a labelling requirement at the selling points of motor vehicle diesel having biodiesel content over 5% to assist car owners in choosing a suitable fuel. They however pointed out that apart from drawing up specifications on the use of biodiesel as motor vehicle fuel, consideration should also be given to working out a plan to facilitate the local manufacturer to develop the biodiesel market.

Regional air quality

15. To achieve the 2010 emission reduction targets, HKSARG and GPG had been pursuing various enhanced control measures under the PRD Regional Air Quality Management Plan. With the rapid economic developments in the PRD Region, the forecast growth in various areas might well have exceeded the estimates made in 2002. The two sides therefore launched the Mid-term Review of the PRD Regional Air Quality Management Plan (Mid-term Review) in November 2006 to jointly examine the forecasts on the regional pollutant emission trends, assess the effectiveness of existing emission reduction measures and, where necessary, formulate additional control measures to further reduce emissions in order to fully achieve the mutually agreed reduction targets by 2010.

16. The Panel held two meetings in January and February 2008 to discuss findings of the Mid-term Review, which projected that the economy, population, electricity consumption and vehicle mileage in the PRD Economic Zone would increase by 509%, 56%, 158% and 319% respectively in 2010 compared with the 1997 levels. To further strengthen control on air pollutant emissions so as to achieve the reduction targets, GPG had agreed to implement additional control measures targeting at various emission sources in the Region. These included installing NO_x removal devices for newly built power plants, tightening emission standards for local

boilers, enhancing cleaner production requirement for VOC-containing products, setting limits on the VOC content of consumer products, tightening control on emissions from local vessels, etc. Given the increasing trend of emissions, members questioned if both HKSARG and GPG were ready and able to introduce additional control measures. They were also concerned that the efforts made by Hong Kong in reducing emissions were not matched with similar efforts by the Mainland. To monitor the progress of achievement of the 2010 emission reduction targets, members considered it necessary for both sides to provide six-monthly reports to the Panel.

17. Given that there were more than 56 000 Hong Kong-owned factories operating in the PRD Region, their production processes and the large amount of energy consumed by their operation contributed to the discharge of air pollutants in the Region. To enhance the environmental performance of Hong Kong-owned factories in the PRD Region, the Administration proposed to provide funding of \$93 million to the Hong Kong Productivity Council (HKPC) to launch a five-year Cleaner Production Partnership Programme for promoting cleaner production (CP) technologies and practices among these factories. The programme would target at industry sectors which had contributed to air pollutant emissions to various extent and most likely to yield positive improvement. Eight industry sectors, namely, textiles, non-metallic mineral products, metal and metal products, food and beverage, chemical products, printing and publishing, furniture and paper/paper product manufacturing, had been initially identified. It was estimated that about 15 000 Hong Kong-owned factories in the PRD Region were in these eight sectors. Key initiatives of the programme included awareness promotion, on-site improvement assessment for about 800 to 1 000 factories, demonstration projects, and verification of the effectiveness of the improvement projects.

18. The proposal was discussed by the Panel on 17 December 2007. While agreeing that more resources should be allocated to promote CP technologies and practices, members were concerned about the effectiveness of the programme in reducing air pollutant emissions, as it only covered a small number of Hong Kong-owned factories in the PRD Region and lasted for a limited period of five years. They considered that further assistance, possibly in the form of a matching grant, should be provided to assist industries in improving their environmental performances. The Administration was also requested to report the progress of the programme to the Panel annually.

Global warming and climate change

19. The volume of GHG emissions in Hong Kong was about 44.8 million tonnes CO₂-equivalent (CO₂-e)¹ in 2005, accounting for about 0.2% of the global GHG emissions. The level of GHG emissions per capita in Hong Kong was around 6.5 tonnes in recent years. Hong Kong's carbon intensity, as measured in terms of GHG emissions per unit of Gross Domestic Product (GDP), was 27.6 kilograms per HK\$1,000 of GDP in 2005. The energy sector, mainly electricity generation, was the

¹ CO₂-equivalent is a metric measure used to compare the emissions from various GHG based upon their global warming potential (GWP). The CO₂-equivalent for a gas is derived by multiplying the tonnes of the gas by the associated GWP.

major source of GHG emissions, accounting for over 60% of the total local GHG emissions. The transport sector, contributing to about 16% of the total emissions, was the second largest emission source. In support of the international efforts in reducing GHG, the Administration had been pursuing a string of measures since the 1990s. These included encouraging the power companies to take various measures to optimize the use of liquefied natural gas (LNG) for power generation and to implement demand side management to promote energy efficiency and conservation, reducing power consumption within the Government, promoting the application of the Building Energy Codes (BECs), introducing a mandatory Energy Efficiency Labelling Scheme for certain products, promoting the use of renewable energy (RE), promoting the use of cleaner vehicles, etc. In addition, the Administration would conduct a comprehensive and up-to-date study to assess the likely impacts of climate change on Hong Kong, taking into account the findings of major international studies on climate change, particularly the Intergovernmental Panel on Climate Change.

20. The Panel received a briefing on the Government's efforts in addressing climate change at its meeting on 28 January 2008, during which representatives of the Advisory Council on the Environment (ACE) were invited to exchange views with members. Given that power generation was the largest source of GHG, some members considered it necessary for the Administration to work out the emission reduction targets on GHG, particularly CO₂, for the power companies. They did not agree with ACE that it was not opportune at this stage to impose a cap on CO₂ emission on power plants on grounds of technical constraints and fuel mix consideration. Other members however accepted that power companies would have difficulties in complying with the CO₂ emission cap if there were no effective means to reduce such emission during power generation. To tackle the problem of global warming, concerted efforts from the community as a whole were required to reduce emissions. As regards the study on climate change, members stressed the need to ensure transparency in the appointment of consultants for the study. The setting of a timetable for emission targets for GHG should also be considered during the study.

Energy efficiency and conservation

21. Being a commercial city with limited industrial operations, Hong Kong had greater potential to reduce GHG emissions and address the growing concerns of local air quality by promoting energy efficiency in buildings. The Panel therefore welcomed the Administration's proposal of launching a three-month consultation on the proposed mandatory implementation of BECs, which covered four key types of building services installations, namely, lighting, air-conditioning, electrical as well as lift and escalator, for new commercial buildings and the communal areas of new residential and industrial buildings in both the private and public sectors as well as major retrofitting works in existing buildings. It was expected that the implementation of the proposal would result in energy saving of 2.8 billion KWh in the first decade, contributing to a reduction in CO₂ emission of 1.96 million tonnes. Although an additional outlay in the region of 3% to 5% of the building construction cost may have to be incurred, this could achieve about 10% to 15% annual saving in energy bills. The proposal was discussed by the Panel at its meeting on 28 January 2008, during which deputations were invited to express their views.

While there was general support for the proposal, members held the view that the scope of the mandatory scheme should be extended to cover existing buildings and Government facilities, such as hospitals and schools, under the mandatory scheme. Consideration should be given to updating and tightening the energy efficiency standards more often and shortening the 10-year period for energy audits. The Administration should also address public concerns about excessive lighting from advertisement signboards.

22. In May 2008, the Panel received a briefing from the Administration on the results of the consultation exercise, which indicated that the vast majority of views received supported the proposed mandatory implementation of BECs. Members were pleased to note that the Administration had taken on board their views to include government buildings and buildings in the public sector in the mandatory scheme, and to require existing buildings to improve energy efficiency whenever there were major retrofitting works. Given the general support, members urged the Administration to expedite the legislative procedure for the necessary legislation which was scheduled for introduction into the Legislature in 2009. Meanwhile, efforts should be made to enhance public awareness on the importance of energy saving.

Waste management

Management of municipal solid waste

23. In December 2005, the Administration published "A Policy Framework for the Management of Municipal Solid Waste (2005-2014)". The Policy Framework set out a comprehensive strategy consisting of a series of tried and proven policy tools and measures to tackle the waste problem ahead and to achieve the targets of waste avoidance (to reduce the amount of municipal solid waste (MSW) generated in Hong Kong by 1% per annum up to the year 2014), reuse, recycling and recovery (to increase the overall recovery rate of MSW to 45% by 2009 and 50% by 2014) as well as bulk reduction and disposal of unavoidable waste (to reduce the total MSW disposed of in landfills to less than 25% by 2014). The way forward on MSW management for the next decade from 2005 to 2014 placed emphasis on community participation and the "polluter-pays" principle. In February 2008, the Panel received a briefing on the progress of the key initiatives in the Policy Framework, including the site selection for the development of the Integrated Waste Management Facilities (IWMF), and the proposed mandatory provision of refuse storage and material recovery room on each floor of new residential buildings.

24. IWMF with incineration as the core technology was one of the measures set out in the Policy Framework. It aimed at substantially reducing the volume of unavoidable waste, thereby extending the life span of the existing landfills and their extension. The two potential sites which had been identified for developing IWMF were Tsang Tsui Ash Lagoons and Shek Kwu Chau. Some members considered the use of incineration to tackle the MSW problem was a retrogressive step. Measures, such as MSW charging, should be implemented to encourage reduction, reuse and recycling of MSW as far as possible. Besides, the provision of IWMF with a treatment capacity of 3 000 tonnes per day (tpd) would give rise to environment impacts, particularly on the fishery resources at Shek Kwu Chau. Other members

held the view that the use of landfills for disposal of MSW was not sustainable, and that non-polluting incinerators should be used as a means of waste treatment. However, the Administration should provide more information on the thermal technology to be adopted at IWMF. Given that obnoxious facilities, including cement factories, steel mills, power plants and aviation fuel facility, were concentrated in a few districts, members considered it necessary for the Administration to provide other wanted facilities, such as swimming pools and sports stadium, for the betterment of these districts.

25. A major problem encountered in implementing the source separation of domestic waste programme in the majority of domestic buildings was the lack of space for placing waste separation facilities. To facilitate the recovery of recyclable materials, the Administration proposed to amend the Building (Refuse Storage and Material Recovery Chambers and Refuse Chutes) Regulation (Cap. 123H) to mandate the provision of refuse storage and material recovery room on every floor a mandatory requirement for new domestic buildings and the domestic part of new composite buildings, with certain exemptions for small-scale developments and buildings intended for use as hostels, guest-houses etc. While supporting the policy intent of the proposal, some members expressed concern that some developers might abuse the arrangement and use the additional space for other purposes, as in the case of the exemption of verandahs and open spaces from the calculation of gross floor area as a means to promote environmental building designs. They considered that the Administration should ensure that the space allocated for refuse storage and material recovery facilities should only be used for the purpose and not any other purposes for the benefit of developers. There was also a need for the owners' corporation and/or property management companies to encourage residents to separate and dispose of their waste properly in the waste separation facilities.

26. To foster the development of the recycling and environmental industry and encourage investment in more advanced technologies and value-added process, the Policy Framework recommended the establishment of the EcoPark to provide long-term land at affordable costs for processing of recyclable materials collected from local sources. The progress of development of EcoPark was discussed at the Panel meeting in June 2008. Members expressed concern about the modus operandi of the EcoPark, particularly the eligibility criteria, which were too stringent and restrictive to attract potential tenants. While welcoming the improvement measures being considered by the Administration, they held the view that an overhaul on the policy on EcoPark should be conducted with reference to the Science Park.

Depositing of inert construction and demolition materials on private land

27. Since the implementation of the charging scheme for the disposal of construction waste at landfills, sorting facilities and public fill facilities in December 2005, there was an increase in the number of complaint cases on fly-tipping activities. Some government land in rural areas had become dumping sites for waste whereas private landowners whose land had suffered from fly-tipping had to pay for the removal of the waste.

28. In the light of the rampant land filling activities at Shing Mun Road and Shek Wu Wai Sun Tsuen, the Panel held two meetings on 11 April and 16 May 2008 to discuss measures to tackle the problem. Members pointed out that these two incidents were only tip of an iceberg, and that there were many places in the territory which were facing similar or perhaps more serious problem of fly-tipping under the disguise of land filling activities. The prevalence of land filling activities on private land in the New Territories was partly attributed to the restriction for development imposed by the Government, particularly for land with high ecological value. In order to facilitate development of their land, the landowners concerned would allow land filling activities with a view to destroying the biodiversity of the land. To curb the problem, consideration should be given to allowing land exchange or transfer of plot ratio for the landowners so that ecologically sensitive areas could be preserved. While land filling activities with consent of the landowners and conducted in accordance with the relevant legislation were not disallowed under the law, members considered that action should be taken if such activities had caused nuisance to the residents nearby. They were disappointed that there was no designated department to coordinate efforts on enforcement actions against these activities. The Panel passed the following motion at the meeting on 11 April 2008 –

"That, with regard to the issue of disposal of waste materials on private land, the Panel on Environmental Affairs urges the Chief Secretary for Administration to expeditiously convene an inter-departmental meeting with the Environment Bureau, Development Bureau, as well as all other relevant government departments, and to come up with a proposal for resolving the problem of disposal of waste materials on private land. The Administration is also requested to submit a report on the matter to the Panel on Environmental Affairs within one month."

29. The Panel was subsequently informed, at its meeting on 16 May 2008, that the Environment Bureau had been tasked to coordinate efforts of relevant bureaux and departments in examining how best the concerns as set out in the motion could be addressed, including the need for introducing legislative changes. Following an initial review of the relevant legislation, some preliminary legislative options had been drawn up. These included authorization prior to depositing of inert construction and demolition (C&D) materials on private land, legislative control through environmental impact assessment, planning control on the depositing of inert C&D materials, and trip-ticketing system for C&D waste. A database capturing cases of depositing of C&D materials on private land gathered from routine inspection and complaints received by all relevant departments would also be set up to better monitor the situation and address the potential problems. Given the increasing public concern and calls for Government action to control depositing of C&D materials on private land, irrespective of whether this was permitted under relevant planning and land use control, members generally supported that the preliminary legislative options should be further pursued. Deputations were also invited to express their views on these options at the Panel meeting on 30 June 2008.

Sewage

30. Following a trade-specific survey of the strength of sewage of all trades under the Trade Effluent Surcharge (TES) Scheme in 2007, the Administration proposed to revise the generic chemical oxygen demand (COD) values and rates of TES according to the results of the survey, and make adjustments to achieve full recovery of the operating costs of sewage services attributable to treating trade effluent. The proposal was discussed at the Panel meeting on 18 March 2008, during which deputations were invited to express their views. The Panel noted that the restaurant trade generally welcomed the proposed reduction of the TES rates, but considered that the rates should be further adjusted downward. A clear and transparent mechanism in deriving the generic COD value should also be put in place. While supporting the application of polluter-pays principle to recover cost in relation to the provision of sewage services, members were concerned about the charging mechanism of TES as reflected by the high successful rate of appeals. Besides, the high appeal cost might deter restaurants, particularly smaller restaurants, from lodging appeal as they might not be able to recover the cost even if the appeal was successful. To provide incentive to these smaller restaurants to lodge appeals, the Administration was urged to consider including in the subsidiary legislation to be introduced a provision for the award of the cost of appeal to the successful appellants.

Nature conservation

31. The Panel received a briefing on the proposal of injecting \$1 billion into the Environment and Conservation Fund on 26 November 2007. The proposal aimed at expanding the scope of programmes supported under the Fund to broaden partnership with different sectors in the community, enhancing community's participation and encouraging cross boundary collaboration in environment and conservation matters. While not opposing to the proposal, members emphasized that the proposed funding should be gainfully used for more worthwhile projects, such as those relating to energy efficiency and nature conservation rather than promotional projects. To ensure the cost-effectiveness of the funded projects, project proponents should be required to set specific targets and quantifiable indicators on the environmental gains of the projects. The related funding proposal was subsequently submitted and approved by the Finance Committee on 11 January 2008.

32. In November 2004, the Administration announced the new nature conservation policy (NNCP) to regulate, protect and manage natural resources that were important for the conservation of biological diversity of Hong Kong in a sustainable manner. Under NNCP, 12 priority sites had been identified for enhanced conservation under a scoring system drawn up by an Expert Group with membership comprising key academics with expertise in ecology and major green/interest groups. Two measures, namely, Pilot Scheme for Management Agreements (MA)² and

² Under MA, non-government organizations (NGOs) may apply for funding from the Government for entering into management agreements with the landowners. NGOs will provide landowners with financial incentives in exchange for management rights over their land or their co-operation in enhancing conservation of the sites concerned.

Public-private Partnership (PPP)³, were adopted for the conservation of these ecologically important sites. The progress of implementation of NNCP was discussed at the meeting on 28 April 2008. The Panel noted that the three MA pilot projects launched in end 2005 were progressing well. Of the five applications received under PPP, only one appeared to be worth pursuing. Members were disappointed that the Administration had not been proactive in pursuing PPP. To encourage more PPP applications, they considered that more efforts should be made to resolve the conflict between nature conservation and development rights of private landowners through measures, such as in-situ and non in-situ land exchange.

Noise

33. The noise impact of existing roads had all along been one of the major concerns of the Panel. In April 2006, the Administration published a draft comprehensive plan setting out the enhanced measures to tackle road traffic noise in Hong Kong. The Panel received a briefing on the progress of these measures in April 2008. Members held the view that a territory-wide survey on the feasibility of retrofitting noise barriers along existing road sections/flyovers should be conducted with a view to including more road sections in the noise barrier retrofitting programme in future. To reduce the noise generated as a result of vehicles running over rugged road surface with road joints, consideration should be given to using in-situ building method for construction of flyovers to ensure a smooth road surface. Further actions should be contemplated to prevent illegal tampering of vehicles and control indiscriminate use of horns by drivers. The Administration should also expedite the consultation exercise with stakeholders, including the Real Estate Developers Association, on the feasibility of disclosing noise information in property sales brochures.

Others

34. The Panel was briefed on the construction of advance disinfection facilities at Stonecutters Island Sewage Treatment Works, provision of sewerage facilities at Tai Po Tai Wo Road, Mang Kung Uk in Port Shelter, Tolo Harbour, Lam Tsuen, North District, and Central and East Kowloon, revision of fees and charges under Noise Control Ordinance (Cap. 400) and Merchant Shipping (Prevention and Control of Pollution) (Charges for Discharge of Polluting Waste) Regulation (Cap. 413I), and proposed additional "Designated Areas" under the Noise Control Ordinance (Cap. 400).

35. From October 2007 to June 2008, the Panel held a total of 16 meetings.

Council Business Division 1
Legislative Council Secretariat
26 June 2008

³ Under PPP, developments at an agreed scale will be allowed at the less ecologically sensitive portion of a site provided that the developer undertakes to conserve and manage the rest of the site that is ecologically more sensitive on a long-term basis. In order to provide potential proponents with the required flexibility, proposal involving non-in situ land exchange for development with full justifications may also be considered, but they have to be examined and approved by the Executive Council on a case-by-case basis.

**Legislative Council
Panel on Environmental Affairs**

Terms of Reference

1. To monitor and examine Government policies and issues of public concern relating to environmental matters, conservation and sustainable development.
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 for 2007-2008 session

Chairman Hon Audrey EU Yuet-mee, SC, JP

Deputy Chairman Hon Emily LAU Wai-hing, JP

Members Ir Dr Hon Raymond HO Chung-tai, SBS, S.B.St.J., JP
Hon Martin LEE Chu-ming, SC, JP
Hon SIN Chung-kai, SBS, JP
Hon WONG Yung-kan, SBS, JP
Hon Howard YOUNG, SBS, JP
Hon LAU Kong-wah, JP
Hon Miriam LAU Kin-yee, GBS, JP
Hon CHOY So-yuk, JP
Hon LEE Wing-tat
Hon Jeffrey LAM Kin-fung, SBS, JP
Hon CHEUNG Hok-ming, SBS, JP
Hon Mrs Anson CHAN, GBM, JP (since 14 December 2007)

(Total : 14 Members)

Clerk Miss Becky YU

Legal Adviser Miss Winnie LO

Date 25 April 2008