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**Subcommittee on County parks (Designation)
(Consolidation) (Amendment) Order 2010**

Meeting on 22 June 2010

Background brief

Purpose

This paper provides background information on the County parks (Designation) (Consolidation) (Amendment) Order 2010 and summarizes previous discussions relating to the proposed extension of the South East New Territories (SENT) Landfill to the Clear Water Bay Country Park (CWBCP).

Management of municipal solid waste in Hong Kong

2. To address the serious and imminent waste problem in Hong Kong in a holistic manner, the Administration published "A Policy Framework for the Management of Municipal Solid Waste (2005-2014)" (Policy Framework) in December 2005, which set out a comprehensive waste management strategy for the next ten years with clear targets and timetables. The initiatives in the Policy Framework are related to avoidance and reduction at source, waste recovery and recycling, as well as bulk reduction of waste.

3. At present, Hong Kong relies on three strategic landfills to dispose of municipal solid waste (MSW), viz, the South East New Territories (SENT) Landfill, the North East New Territories Landfill and West New Territories Landfill. According to the Administration, since the launch of the Policy Framework, it is the fifth consecutive year recording reduction in landfill disposal of domestic waste with a cumulative decrease of about 14.5%. The overall landfill disposal of MSW has decreased by 0.9% to about 3.27 million tones. Notwithstanding this, according to the Administration, the three strategic landfills would start to approach their capacity one by one in 2010s and their extension would be necessary.

The proposed extension of the SENT Landfill

4. As it is estimated that the SENT Landfill would be full by around 2013/2014, the Environmental Protection Department (EPD) proposes to expand it by 50 hectares (ha) to extend its lifespan by another six years. The 50 ha extension covers 30 ha of piggy-backing over the existing landfill, 15 ha of the adjoining Tseung Kwan O (TKO) Area 137, and an encroachment of about 5 ha of land of the CWBCP.

5. An Environmental impact assessment (EIA) was conducted to assess the impacts of the SENT Landfill Extension on air quality (including odour), ecology, noise, water quality, waste management, landfill gas hazard as well as visual and landscape aspects due to the proposed Extension. The assessment concluded that, with the implementation of recommended mitigation measures, the anticipated environmental impacts were acceptable and would meet the relevant requirements under the Environmental Impact Assessment Ordinance (EIAO). The EIA Report was approved on 6 May 2008 and the Environmental Permit for the SENT Landfill Extension was granted on 5 August 2008.

Country Parks (Designation) (Consolidation) (Amendment) Order 2010

6. This Order is made by the Chief Executive under section 14 of the Country Parks Ordinance (Cap. 208) after consultation with the Executive Council to amend the Country Parks (Designation) (Consolidation) Order (Cap. 208 sub. leg. B) by replacing the original approved map in respect of CWBCP with a new approved map, i.e. map CP/CWB^D.

7. The Amendment Order is to come into operation on 1 November 2010.

Consultation conducted

Country and Marine Parks Board

8. EPD consulted the Country and Marine Parks Board (CMPB) several times since December 2005 on the encroachment. Considering that landfilling is not compatible with the use of country park land, CMPB recommended the excision of the proposed encroached area from the approved map of the CWBCP. In accordance with the Ordinance, a draft replacement map was prepared by the Country and Marine Parks Authority (CMPA) and made available for public inspection for a period of 60 days with effect from 14 November 2008.

9. During the 60-day period, CMPA received 3 105 objections to the draft map, the major views of which related to excision of certain country park land for landfill purposes,

the Government's policy on waste management and conservation, and the operation of the existing SENT Landfill and the proposed SENT Landfill Extension. The details of these major views, as well as CMPA's representations, are summarized at Annex B to the Legislative Council Brief EP CR 9/25/15.

10. CMPB heard the objections to the draft map in six sessions in March 2009. After taken into account all the views, CMPB considered it appropriate to excise the land to be used for landfill extension purpose in CWBCP and rejected all objections on 30 March 2009. CMPB issued a position statement, at Annex C to the Legislative Council Brief EP CR 9/25/15 to the objectors.

11. In response to CMPB's recommendation, EPD has agreed to implement the following compensatory measures for the loss of 5 ha of country park land –

- (a) ecological enhancement by inter-planting of native species in some 5 ha of exotic woodland in the CWBCP to support various forms of wildlife;
- (b) upgrading of educational displays in the CWBCP Visitor Centre;
- (c) setting up of interpretative signs at Tai Hang Tun to provide better education facilities for park visitors; and
- (d) provision of guided tours at the Visitor Centre for the public.

Sai Kung District Council

12. The Sai Kung District Council (SKDC) was consulted on the proposed SENT Landfill Extension project on a number of occasions since April 2004. SKDC expressed grave concern over the odour, traffic and environmental hygiene problems arising from the operation of the existing SENT Landfill. SKDC set up a dedicated working group to work closely with the EPD on odour control at the existing SENT Landfill.

13. In response to a SKDC member's submission (CB(1)1979/06-07(01)) on the operation of the existing SENT Landfill forwarded by Hon Emily LAU in May 2007, the EPD advised-

- (a) apart from the quality management of the contractor of the SENT Landfill, EPD staff would also closely monitor the performance of the contractor to ensure compliance with the stringent standards of environmental management specified in the contract, and that the operation of the landfill meets the statutory requirements under pollution control ordinances;
- (b) a number of additional measures, including limiting the delivery time of

odorous waste to the landfill, installation of deodorizing equipment, reducing the size of the active tipping area, prompt covering up of waste deposited, provision of thicker cover to the waste, had been taken in 2005 and 2006 to further enhance management and control of the process of waste treatment to reduce the chance of emission during landfilling;

- (c) the number of refuse collection vehicles using the SENT Landfill decreased from 1 700 trips per day in 2004 to 1 400 trips per day in 2007. It was expected that the number of refuse collection vehicle trips patronizing the SENT Landfill after its extension would not increase; and
- (d) SENT Landfill had the highest utilization rate among the three existing landfills as it is located in close proximity to the urban area with a relatively larger catchment area.

14. SKDC's Housing and Environmental Hygiene Committee has been briefed on the latest additional odour control enhancement measures at SENT Landfill on 18 March 2010, including the progress of installation of the electronic odour detection device.

Panel on Environmental Affairs

15. When the environmental impacts associated with the proposed extension of SENT Landfill to CWBCP was discussed at the meeting of the Panel on 27 October 2008, members noted that the proposal did not have the support of the SKDC or Tseung Kwan O residents as the extension would further aggravate the odour nuisance. They also found it difficult to accept that the extension of SENT Landfill would encroach into CWBCP. The Administration was urged to work out a solution to tackle the waste management problem and odour nuisance at the same time.

References

Administration's paper on possible environmental impacts associated with the proposed extension of the South East New Territories Landfill to the Clear Water Bay Country Park
<http://www.legco.gov.hk/yr08-09/english/panels/ea/papers/ea1027cb1-88-6-e.pdf>

Submission on "Possible environmental impacts associated with the proposed extension of the South East New Territories Landfill to the Clear Water Bay Country Park"
<http://www.legco.gov.hk/yr08-09/english/panels/ea/papers/ea1027cb1-88-7-e.pdf>

Paper on management of municipal solid waste in Hong Kong prepared by the Legislative Council Secretariat (updated background brief)
<http://www.legco.gov.hk/yr09-10/english/panels/ea/papers/ea0329cb1-1443-5-e.pdf>

Administration's paper on update on the progress of the key initiatives in the "Policy Framework for the Management of Municipal Solid Waste (2005-2014)"

<http://www.legco.gov.hk/yr09-10/english/panels/ea/papers/ea0329cb1-1443-4-e.pdf>

Legislative Council Brief on Country Parks (Designation) (Consolidation) (Amendment) Order 2010 provided by the Administration

http://www.legco.gov.hk/yr09-10/english/subleg/brief/72_brf.pdf

Legal Service Division Report on Subsidiary Legislation Gazetted on 4 June 2010

<http://www.legco.gov.hk/yr09-10/english/hc/papers/hc0611ls-71-e.pdf>

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