

立法會
Legislative Council

LC Paper No. CB(1)499/13-14
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by the Administration)

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Panel on Environmental Affairs

Minutes of meeting
held on Monday, 28 October 2013, at 2:30 pm
in Conference Room 1 of the Legislative Council Complex

Members present : Hon CHAN Hak-kan, JP (Deputy Chairman)
Hon LEE Cheuk-yan
Hon James TO Kun-sun
Hon Vincent FANG Kang, SBS, JP
Hon CHAN Kin-por, BBS, JP
Hon Albert CHAN Wai-yip
Hon Claudia MO
Hon Steven HO Chun-yin
Hon Frankie YICK Chi-ming
Hon WU Chi-wai, MH
Hon Gary FAN Kwok-wai
Hon Charles Peter MOK
Hon CHAN Han-pan
Dr Hon Kenneth CHAN Ka-lok
Hon Kenneth LEUNG
Hon Dennis KWOK
Dr Hon Helena WONG Pik-wan
Ir Dr Hon LO Wai-kwok, BBS, MH, JP
Hon Christopher CHUNG Shu-kun, BBS, MH, JP
Hon Tony TSE Wai-chuen

Members attending : Hon Tommy CHEUNG Yu-yan, SBS, JP
Hon WONG Kwok-hing, BBS, MH
Hon CHAN Yuen-han, SBS, JP
Hon KWOK Wai-keung
Dr Hon Fernando CHEUNG Chiu-hung

Members absent : Hon Cyd HO Sau-lan (Chairman)
Hon WONG Ting-kwong, SBS, JP
Dr Hon Elizabeth QUAT, JP

Public Officers attending : **For item III**

Mr WONG Kam-sing, JP
Secretary for the Environment

Mr Albert LAM, JP
Deputy Director of Environmental Protection (2)
Environmental Protection Department

Dr Ellen CHAN
Assistant Director (Environmental Infrastructure)
Environmental Protection Department

Ms Michelle AU
Political Assistant to Secretary for the Environment

For item IV

Mr WONG Kam-sing, JP
Secretary for the Environment

Mrs Dorothy MA
Principal Assistant Secretary for the Environment
(Energy)

Task Force on External Lighting

Dr Albert CHAU
Chairman

Ir Simon CHUNG
Convenor of the Working Group on Technical
Standards and Parameters for External Lighting

Mr Alfred LEE
Convenor of the Working Group on Publicity and
Public Engagement on External Lighting

Mr Mason HUNG
Member

Mr Edwin LAU
Member

Mr Ellis WONG
Member

Attendance by invitation : For item IV

Green Sense

Ms YU Hin-pik
Project Officer

Designing Hong Kong

Mr TSANG Lok-him

Democratic Alliance for the Betterment and Progress
of Hong Kong

Mr CHIU Man-leong
Deputy Spokesperson of Environmental Affairs

Hong Kong Catering Industry Association

Mr Tony TAM
Vice Chairman

The Federation of Hong Kong and Kowloon Ballroom
and Night Club Merchants

Mr LEE Hung
Spokesman

Entertainment Business Rights Concern Group

Ms Lilian CHAN
Chairman

Friends of the Earth (HK)

Mr CHU Hon-keung
Senior Environmental Affairs Manager

Nam Wah Neonlight and Electrical Mfy Ltd

Mr TAM Ho-hon
Director

Labour Party

Mr MAK Tak-ching
Community Officer

Community and Construction Professionals'
Development Centre

Ir Dr WONG King
Chief Executive

Institution of Dining Art

Mr Ricky AU
Committee Member

Individual

Mr CHEUNG Kwok-keung
Sai Kung District Council member

Greeners Action

Mr Angus HO
Executive Director

Civic Party

Mr CHENG Tat-hung
District Developer

Travel Industry Council of Hong Kong

Mr Paul LEUNG
Deputy Chairman

Hong Kong General Chamber of Commerce

Mr Nicholas BROOKE, SBS, JP, PPRICS, FHKIS,
RPS
General Committee Member

Individual

Mr CHEUNG Sze-leung
Outreach Officer and Science Instructor
The University of Hong Kong

The Association of Accredited Advertising Agencies
of Hong Kong

Mr Phillip KAN
Representative

Hong Kong Federation of Restaurants & Related
Trades

Mr TAM Hop-sing
Chief Executive Officer

Chartered Institution of Civil Engineering Surveyors

Dr Brenda YIP
Member

Clerk in attendance : Ms Miranda HON
Chief Council Secretary (1)1

Staff in attendance : Miss Lilian MOK
Senior Council Secretary (1)1

Miss Mandy POON
Legislative Assistant (1)1

The Deputy Chairman chaired the meeting in the absence of the Chairman.

I. Information papers issued since last meeting

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

(LC Paper No. CB(1)1694/12-13(01) — Submission from the Director of Lvfear Green Technology Investment Corporation regarding construction waste recycling

LC Paper No. CB(1)1699/12-13(01) — Referral arising from the meeting between Legislative Council Members and Eastern District Council members on 27 June 2013 regarding the pollution problem at the Aldrich Bay Typhoon Shelter (Chinese version only) (Restricted to Members)

LC Paper No. CB(1)1703/12-13(01) — Administration's "Report on the Completion of the First Five-Year Term of the Cleaner Production Partnership Programme")

II. Items for discussion at the next meeting

(LC Paper No. CB(1)107/13-14(01) — List of follow-up actions

LC Paper No. CB(1)107/13-14(02) — List of outstanding items for discussion)

3. The Deputy Chairman informed members that he and the Chairman had met with the Secretary for the Environment ("SEN") on 17 October 2013 to discuss the work plan of the Panel in the 2013-2014 session. Pursuant to the discussion, the work plan of the Panel was reflected in the "List of outstanding items for discussion" as set out in LC Paper No. CB(1)107/13-14(02). Members

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were welcome to put forth any item for discussion by the Panel in the 2013-2014 session.

4. Members agreed to discuss the following items as proposed by the Administration at the next regular meeting scheduled for Monday, 25 November 2013, at 2:30 pm -

- (a) Public Engagement on "Municipal Solid Waste Charging"; and
- (b) Report on Public Consultation on a Producer Responsibility Scheme on Glass Beverage Bottles.

III. Legislative amendments relating to the "Waste Diversion Plan" for the Southeast New Territories Landfill

(LC Paper No. CB(1)107/13-14(03) — Administration's paper on "Administrative and Legislative Measures Relating to the 'Waste Diversion Plan' for the Southeast New Territories Landfill"

LC Paper No. CB(1)107/13-14(04) — Background brief on "Legislative amendments relating to the 'Waste Diversion Plan' for the Southeast New Territories Landfill" prepared by the Legislative Council Secretariat)

5. Members noted the submission from 終極關閉將軍澳堆填區大聯盟 tabled at the meeting (LC Paper No. CB(1)177/13-14(01)).

6. With the aid of a power-point presentation, the Deputy Director of Environmental Protection (2) ("DDEP(2)") briefed members on the proposed improvement measures to the existing waste collection system.

(Post-meeting note: A set of the power-point presentation materials was circulated to members vide LC Paper No. CB(1)176/13-14(01) on 28 October 2013.)

Use of refuse transfer stations

7. Mr Steven HO welcomed the proposed improvement measures to address the odour nuisances arising from the Southeast New Territories ("SENT") Landfill. However, he considered it unfair to the residents living in the vicinity of the Northeast New Territories ("NENT") Landfill and the West New Territories ("WENT") Landfill as these two landfills would have to shoulder a higher share of odorous waste when the SENT Landfill would only receive odourless waste after the funding for its extension was approved. Mr Christopher CHUNG shared Mr HO's views.

8. DDEP(2) advised that the Administration had been closely assessing the remaining capacity of the SENT Landfill. According to the latest projections, the existing SENT Landfill would almost be completely exhausted by end of 2015. After the SENT Landfill ceased to receive municipal solid waste ("MSW"), a number of refuse collection vehicles ("RCVs") would have to divert MSW to alternative landfills or waste disposal facilities. The Food and Environmental Hygiene Department ("FEHD") would have to arrange to re-route its refuse collection services in order to make way for the MSW diverted from the SENT Landfill. Private waste collectors ("PWCs") were also making their diversion plans. The Administration expected that more MSW would be transferred to refuse transfer stations ("RTSs") for compaction before they were delivered to landfills. Since the Shatin Transfer Station ("STTS") and the West Kowloon Transfer Station ("WKTS") were located close to the SENT Landfill, PWCs would tend to use these two RTSs. Some other PWCs might consider using the Island East Transfer Station ("IETS") and the Island West Transfer Station ("IWTS"). For these four RTSs which served the most affected areas, the Administration proposed to charge a low service fee at \$30 per tonne of waste (which was the current fee level for WKTS and the lowest in the RTS system) delivered by PWCs to provide incentives to them for using these RTSs.

9. Dr Fernando CHEUNG expressed concern that PWCs would face a significant increase in their operating costs as they had to arrange additional RCV routes to transport the MSW diverted from the SENT Landfill to other landfills and pay a charge if they chose to use the RTS service. Miss CHAN Yuen-han and Mr Frankie YICK shared similar views that PWCs might be reluctant to pay for the use of RTSs. Mr WU Chi-wai echoed that the Administration should review the RTS charging strategy so as to attract more PWCs to use the RTS service to reduce the volume of MSW. Mr Gary FAN also urged the Administration to provide the necessary incentives to promote the use of RTSs for MSW collection and compaction. For example, the Administration might consider allowing PWCs to use RTSs free of charge in order to maximize the utilization of RTSs.

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10. SEN explained that it was an established policy that the use of an RTS by PWCs was subject to a fee. Although PWCs used to dispose of waste at landfills free of charge, some of them had been delivering waste to RTSs to avoid travelling a long distance to landfills. As such, the proposed rate reduction for RTSs would be an effective economic measure to promote the use of RTSs. It would also reduce the overall transportation cost caused by the long haulage of RCVs.

11. DDEP(2) supplemented that the three strategic landfills, together with the seven RTSs, formed a network to deal with the large quantities of MSW generated every day. While most of the MSW going through RTSs was collected by FEHD, most RTSs at strategic locations had been opened to PWCs to reduce the vehicle emissions and environmental problems associated with the long haulage of waste by RCVs from the waste source to landfills. If the SENT Landfill no longer accepted MSW, a considerable number of RCVs would have to divert the MSW they collected to other waste disposal facilities. The Administration therefore proposed to open up STTS for use by PWCs and lower the service fee of the four RTSs in the SENT Landfill neighbourhood to encourage PWCs to take up their unused capacities. However, taking into consideration the slim margin of RTS capacity on the whole, the Administration decided that it was not appropriate to further lower the RTS service fee or allow PWCs to use RTSs free of charge.

12. Mr LEE Cheuk-yan queried whether the proposed fee reduction for RTSs would incentivize PWCs to use RTSs. SEN stressed that the Administration had been monitoring the capacity of RTSs and did not aim to make any profit from providing RTS service to PWCs. As WKTS was reaching its full capacity, the Administration did not recommend any fee reduction for it. Rather, the Administration proposed to charge a low fee at \$30 per tonne of waste (which was the current fee level for WKTS) for the other three RTSs in the vicinity of the SENT Landfill in order to achieve a balanced distribution of waste to RTSs. The Administration did not propose to reduce the service fees for other RTSs as they were far from the SENT Landfill and might not help much in coping with the MSW diverted from the SENT Landfill. DDEP(2) supplemented that the Administration's intention was to encourage PWCs to fully utilize those RTSs with more unused capacity by lowering the RTS fee. However, the use of a particular RTS by PWCs was entirely voluntary and the trade would make their own plans of waste collection services. The Administration would continue to discuss with the waste collection trade to assist them in making the necessary adjustments to their RCV routes and collection schedules in order to achieve the proposed waste diversion.

13. Mr WU Chi-wai proposed that the Administration should set up more refuse collection points ("RCPs") with waste compaction equipment in different

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districts. DDEP(2) responded that waste compaction equipment might be provided in RCPs managed by FEHD subject to the design and conditions of individual RCPs.

Traffic and environmental impacts of the Waste Diversion Plan

14. Noting that some RCVs would have to travel longer distance to deliver MSW to other landfills for disposal after the SENT Landfill accepted only odourless waste, Dr Fernando CHEUNG was concerned about the traffic and environmental nuisances associated with the transportation of waste. He queried whether the Administration had carefully examined the traffic and environmental impacts of the Waste Diversion Plan ("WDP"). Mr WU Chi-wai also expressed concern about the environmental nuisance arising from the re-routing of the waste collection services provided by FEHD in some districts.

15. SEN responded that the Administration had been working closely with the waste collection trade on improving the design and operation of RCVs to address the various environmental nuisances that might arise in the transportation of waste. A pilot scheme to retrofit different models of RCVs to make them fully enclosed to reduce odour emission and enhance their environmental performance had been carried out. At present, all of FEHD's RCVs and most of those operated by its contractors had already met the proposed equipment standards. The Environmental Protection Department would also maintain close communication with FEHD to ensure the smooth implementation of WDP, in particular the re-routing of FEHD's waste collection services, and to increase waste transport by sea to reduce the traffic nuisance caused by RCVs moving on roads.

16. Dr Helena WONG was gravely concerned about the diversion of the large quantities of waste from the SENT Landfill to RTSs nearby for compaction and onward transportation to other landfills. She pointed out that some waste disposal facilities in West Kowloon, such as WKTS, were very close to residential developments. She criticized the Administration for poor urban planning which allowed residential developments to be located in close proximity to waste management facilities.

17. Mr Frankie YICK also expressed concern that after the SENT Landfill received only odourless waste, a number of RCVs would have to find their ways to RTSs for compaction, leading to a sudden increase in the quantities of waste going through the RTS network. Under these circumstances, RCVs, with their loads of refuse, might have to wait outside RTSs for a longer time for waste compaction, thereby causing odour nuisance.

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18. SEN responded that the RTSs were limited by their design capacity and the MSW diverted from the SENT Landfill would take up only the unused capacity of the four RTSs in the vicinity. As such, WKTS would not receive MSW exceeding its design capacity even after the SENT Landfill ceased to receive odorous waste. The Assistant Director of Environmental Protection (Environmental Infrastructure) ("ADEP(EI)") added that WKTS was reaching its full capacity and no fee reduction would be introduced for it. The Administration was now proposing to lower the service fee for the other three RTSs in the vicinity of the SENT Landfill at \$30 per tonne of waste (which was the current fee level for WKTS) in order to achieve a balanced distribution of waste to RTSs and promote the use of RTSs for MSW collection. The Deputy Chairman urged the Environment Bureau to collaborate with other government bureaux/departments ("B/Ds") on the planning and distribution of waste management facilities to avoid locating residential developments in the vicinity of RTSs or landfills.

19. Mr Albert CHAN enquired whether the Administration had assessed how far the environmental nuisances, in particular the odour concern, caused by the operation of the three strategic landfills could be alleviated after implementing the proposed improvements to the existing waste collection system. SEN advised that the use of a particular RTS by PWCs was entirely voluntary and could hardly be predicted. It was therefore difficult for the Administration to assess the effectiveness of WDP at this stage. Nevertheless, the Administration would provide some relevant information for members' reference.

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20. While expressing support for maximizing the utilization of RTSs, Mr Tony TSE considered that it was incumbent upon the Administration to step up the management of RTSs and minimize the potential traffic and environmental problems associated with WDP. DDEP(2) responded that waste delivered to RTSs would be compacted into purpose-built containers for transportation by road or sea to landfills, which would reduce the overall transportation cost and minimize the problems of odour and leachate during transportation. The Administration would work closely with the contractors to ensure that RTSs' operation would be efficient and environmentally satisfactory.

21. The Deputy Chairman expressed concern as to whether the remaining capacities of RTSs were adequate for compacting the waste collected by PWCs before they were transferred to landfills for disposal, and whether the adjacent road network of the existing RTSs would be able to cope with a higher traffic load when an increased number of RCVs was going to make multiple collection and disposal trips each day. The Deputy Chairman was also concerned about the nuisance associated with the transportation of waste, in particular the odour problem, on account of the additional RCV routes to be arranged to achieve waste diversion. He pointed out that the diversion of more than 200 vehicular

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loads to the NENT Landfill would add great pressure to the busy Sha Tau Kok Road. He also wanted to confirm if the Tolo Highway and Sha Tau Kok Road would be free from the hygienic nuisances.

22. SEN advised that the management strategy for MSW was based on the three strategic landfills and a network of RTSs located near the urban areas where most of the waste generated. However, as Tseung Kwan O ("TKO") developed, newly erected residential buildings had become increasingly close to the SENT Landfill and more and more local complaints about the environmental nuisance caused by the operation of the SENT Landfill had been received. To address the odour nuisances arising from the SENT Landfill which had been affecting TKO residents, the Administration proposed WDP to share out waste management responsibilities across districts, apart from implementing a basket of odour management measures. ADEP(EI) added that the Administration would maintain close communication with the waste collection trade to ensure the smooth implementation of WDP.

Construction of new waste management facilities

23. Mr Christopher CHUNG commented that WDP Plan did not resolve the environmental nuisance arising from the operation of the three strategic landfills. In fact, the waste diverted from the SENT Landfill would create pollution problems in other districts. The nuisance associated with the transportation of waste still remained a major cause of concern. Trying out new routes of waste collection to achieve MSW diversion would also be disturbing to local residents. Instead of implementing the improvement measures under WDP, Mr CHUNG urged the Administration to proactively identify suitable sites in different districts for developing new RTSs and food waste treatment facilities.

24. SEN reiterated that each RTS had its own design capacity and the MSW diverted from the SENT Landfill would only take up the unused capacity of RTSs. The traffic impact of WDP would be manageable as traffic assessment had been conducted for RTSs. In view of the limited service lives of the three landfills and the lead time required for developing new RTSs and food waste treatment facilities, the Administration considered it necessary to introduce the proposed improvement measures to the existing waste collection system to address residents' concerns about the environmental nuisances caused by the SENT Landfill.

25. Ir Dr LO Wai-kiwok expressed concern that the remaining capacities of the three landfills would be exhausted one by one in the near future. He considered that more efforts should be made to maximize the service lives of the landfills through waste reduction and recycling. Noting that many households in Seoul, South Korea used domestic food waste treatment machines to process

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their food waste at home, Ir Dr LO enquired whether the Administration would consider setting up on-site food waste treatment facilities in residential estates to process food waste such that the odorous smell and size of food waste would be significantly reduced before delivery to landfills. He opined that education and promotion programmes should be launched to enhance public awareness of proper waste management. The Administration should also ensure that PWCs would handle waste carefully to prevent leachate dripping or waste spattering from their RCVs during the transfer of refuse. SEN responded that as set out in the "Hong Kong Blueprint for Sustainable Use of Resources 2013-2022", the Administration would adopt a multi-pronged approach to waste management. A series of measures had been outlined in the Blueprint to respond to Hong Kong's waste challenges in a collaborative manner.

26. Mr Vincent FANG said that he had reservation about WDP. He opined that the Administration should proactively explore the feasibility of setting up food waste treatment facilities in residential estates and commercial/industrial buildings so that odorous food waste would not be mixed with other rubbish for collection and disposal at landfills. While acknowledging that food waste would give rise to odour and hygiene problems, SEN said that it would not be easy to separate and collect food waste at source due to the relatively limited space in most housing estates, making it difficult to install dedicated food waste collection facilities. This notwithstanding, the Administration had launched a food waste recycling scheme to provide funding support to participating housing estates to install treatment facilities for food waste separation and recycling. With the foregoing, SEN considered WDP a comprehensive approach to address the odour concern arising from the SENT Landfill and the unsatisfactory hygienic conditions of some RCVs.

27. Noting that RTSs could reduce the amount of MSW delivered to landfills and help minimize the associated environmental nuisance, Miss CHAN Yuen-han urged the Administration to explore the provision of more RTSs in various districts for receiving and compacting MSW before they were transferred to landfills for disposal. SEN responded that the Administration would improve the planning and development of RTSs in the long run. While it would take time to explore the feasibility of building more RTSs in the territory, FEHD would re-route its collection services such that more FEHD-collected MSW would go through the North Lantau Transfer Station, IETS and IWTS when the SENT Landfill received only odourless waste. The Administration would also mobilize the spare capacity of some RTSs for use by PWCs to handle the increased quantities of waste.

Retrofitting of RCVs

28. Noting that the Administration planned to roll out a subsidy scheme to assist the waste collection trade to retrofit their RCVs, Mr Frankie YICK enquired whether the Administration would extend the nine-month subsidy application period to allow more time for RCV owners to carry out retrofitting works of their vehicles. DDEP(2) responded that the Administration would provide adequate time for PWCs to retrofit their RCVs and to revise the terms and conditions pertaining to the waste collection schedules and routes in the contracts signed with their clients. From the experience of the pilot scheme to retrofit RCVs, the Administration considered the nine-month subsidy application period adequate. The Administration would make adjustments as and when necessary.

29. Mr Albert CHAN expressed concern as to whether the subsidy scheme to retrofit RCVs would give rise to any "transfer of benefits" to the waste collection trade. DDEP(2) responded that the Administration had all along been implementing improvement measures for RCVs. Before the Administration announced its intention to assist private RCV operators to retrofit their serving RCVs, FEHD had been updating the requirements on the RCVs used under its collection contracts to meet the proposed equipment standards when the contracts were due for re-tender. At present, most of the RCVs owned by the Government and waste collection contractors of FEHD had been retrofitted with metal tailgate covers. The Administration had also been encouraging private RCV owners to retrofit their vehicles to avoid nuisance arising from their operation. However, lukewarm response was received. To enhance the environmental performance of private RCVs, the Administration proposed to launch the subsidy scheme to assist private RCV operators to equip their vehicles with adequate devices. The funding proposal would be submitted to the Finance Committee ("FC") for approval.

30. Dr Helena WONG indicated support for the retrofitting of RCVs with metal tailgate covers and waste water sump tanks to avoid nuisance arising from their operation. Mr Vincent FANG also expressed support for the retrofitting proposal and urged the Administration to closely monitor the retrofitting process to ensure that all private RCVs would meet the proposed equipment standards. SEN assured members that the Administration would closely monitor the retrofitting process and had engaged the Electrical and Mechanical Services Department to provide engineering and technical support for the subsidy scheme.

31. Mr Tony TSE supported the retrofitting of RCVs and enquired whether the Administration would consider developing a set of technical specifications for RCVs for compliance by the waste collection trade in the long run. DDEP(2)

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reiterated that under the proposed scheme, all RCVs would be equipped with a fully enclosed metal tailgate cover and a waste water sump tank. With these features, the environmental performance of RCVs could be enhanced and many environmental nuisances in the neighbourhood could be minimised. Most of the government RCVs and those owned by FEHD's waste collection contractors had already been retrofitted with covers. The Administration planned to extend the retrofitting to private RCVs. Upon the funding approval of FC, the Administration would be subsidizing the retrofitting of all RCVs as early as possible.

32. Mr Gary FAN expressed support for subsidizing the retrofitting of RCVs and requested the Administration to review the effectiveness of the scheme in enhancing the overall environmental performance of RCVs. Taking into consideration that TKO residents were seriously affected by the nuisances associated with the operation of the SENT Landfill, Mr FAN strongly urged for the permanent closure of the SENT Landfill. As for the NENT Landfill and the WENT Landfill, although they were further away from residential areas and the environmental impact of their extension would be less intrusive to nearby residents, the Administration should closely monitor the implementation of the proposed improvement measures to restore public confidence in landfill management before re-submitting the funding application of the three landfill extension proposals to the Legislative Council in the first quarter of 2014.

33. In response, SEN highlighted that the growing amount of waste generated was challenging to Hong Kong and the need for landfills as part of the waste management hierarchy should not be neglected. In this connection, each district in the territory should fairly share the burden of waste disposal. The Administration would monitor the implementation of WDP to address the community concerns on air quality, odour and dust arising from the SENT Landfill, and continue to co-operate closely with relevant B/Ds in taking forward the proposed improvement measures to the existing waste collection system. He reiterated that a multi-pronged approach was adopted to reduce waste at source and promote source separation, especially with respect to food waste.

Concluding remarks

34. The Deputy Chairman concluded that members were generally supportive of the subsidy scheme on the retrofitting of RCVs, and there was no objection for the retrofitting proposal to be submitted to FC for consideration.

IV. Receiving public views on the Document for Engaging Stakeholders and the Public issued by the Task Force on External Lighting

(LC Paper No. CB(1)40/13-14(01) — Document for Engaging Stakeholders and the Public issued by the Task Force on External Lighting

LC Paper No. CB(1)107/13-14(05) — Administration's paper on "Task Force on External Lighting Engagement of Stakeholders and the Public"

LC Paper No. CB(1)107/13-14(06) — Updated background brief on "External lighting in Hong Kong" prepared by the Legislative Council Secretariat

LC Paper No. CB(1)151/13-14(03) — Submission from Mr Edwin LAU (English version only)

35. SEN briefed members on the progress of work undertaken by the Task Force on External Lighting ("the Task Force") in dealing with the light nuisance and energy wastage caused by excessive external lighting. He said that the Task Force, which was set up in August 2011, had studied the technical standards and parameters as well as implementation approaches adopted by overseas regulatory regimes in tackling the problems associated with external lighting, and visited locations in Hong Kong where external lighting had been the subject of complaints. It was of the view that the requirement to switch off external lighting of decorative, promotional or advertising purposes affecting the outdoor environment after a preset time was the appropriate way forward for Hong Kong. To encourage the public to participate in the deliberations on the recommendations of the Task Force, a public engagement process was being held until 18 November 2013. The Task Force would consider the views received carefully before drawing up recommendations for the Administration's consideration.

36. Dr Albert CHAU, Chairman of the Task Force ("C/TFEL"), briefed members on the recommendations of the Task Force on the way forward to regulate external lighting. He said that as Hong Kong was a densely populated city with highly mixed development, the Task Force considered it not practicable to develop a lighting zoning system for the territory, under which different locations and areas were categorized into various lighting zones. The Task Force also observed that light trespass was very common in Hong Kong

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due to the close proximity of commercial and residential premises. However, it might not be always practicable to identify the contributing lighting sources in a fair and objective manner. Having reviewed all the technical parameters adopted by overseas regulatory regimes to regulate external lighting, the Task Force concluded that the requirement to switch off external lighting after a preset time ("the switch-off requirement") would be the most tenable option. C/TFEL further advised that the Task Force's proposal on the switch-off requirement, including the following issues, was set out in the "Document for Engaging Stakeholders and the Public" ("the Document") –

- (a) the appropriate preset time;
- (b) scope of the switch-off requirement and exemptions to be granted;
and
- (c) the implementation approach.

37. At the Deputy Chairman's invitation, 20 deputations/individuals expressed their views on issues raised in the Document. A summary of the views of the deputations/individuals is in the **Appendix**.

38. Members also noted the following submissions from deputations/individuals not attending the meeting –

- (LC Paper No. CB(1)151/13-14(05) — Submission from a member of the public (Chinese version only)
- LC Paper No. CB(1)151/13-14(06) — Submission from The Federation of Hong Kong Hotel Owners (English version only)
- LC Paper No. CB(1)151/13-14(07) — Submission from The Hong Kong Institution of Engineers (English version only)
- LC Paper No. CB(1)158/13-14(02) — Submission from The Hong Kong Institute of Housing (English version only)

LC Paper No. CB(1)177/13-14(04) — Submission from Hong Kong Professionals and Senior Executives Association (Chinese version only)

Discussion

39. The Deputy Chairman thanked the deputations/individuals for attending the meeting and shared their views on the subject. He summarized that in general, the deputations/individuals were concerned about the following –

- (a) how to strike a balance between the need to minimize the adverse impact of external lighting on the public's daily life and the operational needs of the business sectors;
- (b) if legislation was to be introduced to control external lighting, consideration should be given to adopting measures to mitigate the impact on the affected industries and businesses; and
- (c) the details of the more than 200 complaints about external lighting received by the Administration every year and whether there were repeated complaints against the same lighting source.

40. In response to the Chairman's enquiry about the complaints against external lighting, the Principal Assistant Secretary for the Environment (Energy) ("PAS/Env(Energy)") advised that since 2009, the Environmental Protection Department had been receiving around 200 complaints against light nuisance each year. All the complaints were separate cases caused by different lighting sources and there was no repeated complaint against the same source.

41. Mr Mason HUNG, Member of the Task Force, said that he was also serving on the Hong Kong Tourism Board. From a tourism point of view, external lighting promoted tourism and helped beautify Hong Kong, being a cosmopolitan city and the Pearl of the Orient. He opined that external lighting installations should not be required to be switched off before the midnight, lest the tourist industry, retail business and catering industry would be affected. He also suggested that the switch-off requirement should be implemented in phases to allow adequate time for owners/operators of external lighting installations to make corresponding adjustments to their lighting policies. Besides, the Task Force should explore light pollution control measures, such as lowering lighting intensity, particularly for commercial operations on the second floor and third floor, to mitigate light nuisance to residents nearby.

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42. Mr Edwin LAU, Member of the Task Force, presented the views detailed in his submission in LC Paper No. CB(1)151/13-14(05). He said that in view of the wide public concern about light pollution and the continuous increase in the number of complaints against light nuisance in the community, Mr LAU strongly urged the Administration to introduce legislative control on lighting installations. To strike an appropriate balance between the need to preserve the spectacular night scene of Hong Kong on one hand and the need to tackle the problems of light nuisance and energy wastage on the other, exemptions should be granted to certain types of business or lighting installations.

43. Mr WONG Kwok-hing agreed with Mr Edwin LAU that the Administration should proactively introduce legislative control on excessive external lighting. However, in view of the lead time required for legislation, he suggested that a voluntary charter scheme whereby owners/operators of external lighting installations pledged to switch off their lighting installations at a preset time could be implemented first. As regards the specific time for switching off external lighting, Mr WONG supported that the time be set at 11 pm to 7 am. Lighting intensity should also be regulated. Mr WONG also shared the views of the representative of the Nam Wah Neonlight & Electrical Mfy Ltd that legislation could provide a comprehensive and clear guidance on the operation of lighting installations.

44. Ms Claudia MO pointed out that the issue of external lighting involved a wide range of stakeholders and the public's views were divergent. While acknowledging the impact of regulating external lighting on relevant trades, Ms MO urged for the implementation of legislative control on excessive external lighting which should be the way forward in achieving the right balance among different forms of lighting. She further enquired about the timetable for legislation and future enforcement actions. SEN responded that the Administration had not decided whether to legislate for the control of excessive external lighting. The Task Force would give careful consideration to the comments received before finalizing its recommendations for the Administration's consideration.

45. Mr Tommy CHEUNG said that the catering industry did not support introducing legislative control on external lighting. He criticized that there was inadequate consultation with relevant trades and the public and stakeholders were only given limited time to voice their views and concerns. He also commented that the Task Force had already taken a stance and the Document pre-empted the need for both policy and legislative control on excessive external lighting. Mr CHEUNG expressed concern that over-regulation on external lighting would adversely affect the business environment, particularly for the small and medium enterprises. In his view, the implementation of light

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pollution control measures, such as using lighting with appropriate shields and lowering lighting intensity, would be more effective than legislation in mitigating light nuisance to residents nearby.

46. Ir Dr LO Wai-kiwok pointed out that members of the Task Force had diverse views on whether or not to legislate for the control of external lighting, reflecting the complexity of the issues involved. Nevertheless, the majority view tended to support the regulation of external lighting while balancing the operational needs of the business sectors. In response to Ir Dr LO's enquiry about setting a standard on the lighting intensity of advertisement signboards, Ir Simon CHUNG, Convenor of the Working Group on Technical Standards and Parameters for External Lighting ("Convenor/WGTSPeL"), advised that there was not any universally adopted technical parameters to regulate the lighting intensity of advertisement signboards. He considered that when light nuisance was caused by multiple signboards, it might not be practicable to identify the contributing lighting sources and apportion the amount of light received by a receptor among these sources in a fair and objective manner. As such, the Task Force recommended the implementation of the switch-off requirement to regulate external lighting, including that emitted from advertisement signboards.

47. Mr KWOK Wai-keung said that although there were different views on the introduction of legislative control on external lighting, most members of the community would support that shop operators should switch off their advertisement signboards after business hours. He opined that effective light pollution control measures, including adjusting the aiming angles and lowering lighting intensity, should be implemented to mitigate light nuisance. Advertisement signboards on higher levels should also be regulated as they stood a high chance of causing persistent nuisance to building premises nearby. As light nuisance could be caused by reflected glare which was common in buildings with glass curtain walls, consideration should be given to taking appropriate mitigating measures to reduce the impact of reflected glare. In response to Mr KWOK's enquiry about the charter scheme, Convenor/WGTSPeL explained that the implementation details of the charter scheme would largely be based on the best practices set out in the Guidelines on Industry Best Practices for External Lighting Installations ("the Guidelines") issued in 2012.

48. Dr Kenneth CHAN enquired about the enforcement actions taken by the Administration against light nuisance complaints. PAS/Env(Energy) responded that owners/operators of lighting installations were requested to make reference to the Guidelines when planning their external lighting projects and managing the daily operation of their lighting installations. Dr Kenneth CHAN doubted the effectiveness of the voluntary approach being adopted by the Administration

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to handle external lighting problems. He was of the view that enforcement actions would not be effective in the absence of a legal framework to regulate excessive external lighting.

49. C/TFEL acknowledged that the issue of external lighting attracted a wide range of response from the community and there were diverse views on the regulation of external lighting in Hong Kong. The Task Force would try its best to strike a proper balance between the operational needs of the business sector and the need to minimize the adverse impact of external lighting on the daily life of the public. It would consider the views received during the public engagement process and make recommendations on the way forward for consideration by the Administration. SEN added that the Administration would carefully study the Task Force's recommendations and decide on the appropriate way forward.

V. Any other business

50. There being no other business, the meeting ended at 5:35 pm.

Council Business Division 1
Legislative Council Secretariat
13 December 2013

Panel on Environmental Affairs

Meeting on Monday, 28 October 2013, at 2:30 pm

Public Consultation on the Document for Engaging Stakeholders and
the Public issued by the Task Force on External Lighting

Summary of views and concerns expressed by deputations/individuals

No.	Name of deputation/individual	Major views and concerns
1.	Green Sense	<ul style="list-style-type: none"> • presentation of views as set out in submission (LC Paper No. CB(1)177/13-14(02))
2.	Designing Hong Kong	<ul style="list-style-type: none"> • light nuisance from outdoor advertisement signboards had been affecting the daily life of residents in the vicinity; • expressed support for legislation to regulate external lighting; • exemption might be granted to certain types of lighting installations upon application; and • the preset time should be from 11 pm to 7 am
3.	Democratic Alliance for the Betterment and Progress of Hong Kong	<ul style="list-style-type: none"> • presentation of views as set out in submission (LC Paper No. CB(1)177/13-14(03))
4.	Hong Kong Catering Industry Association	<ul style="list-style-type: none"> • presentation of views as set out in submission (LC Paper No. CB(1)165/13-14(01))
5.	The Federation of Hong Kong & Kowloon Ballroom and Night Club Merchants	<ul style="list-style-type: none"> • presentation of views as set out in joint submission (LC Paper No. CB(1)165/13-14(02))
6.	Entertainment Business Rights Concern Group	<ul style="list-style-type: none"> • presentation of views as set out in joint submission (LC Paper No. CB(1)165/13-14(02))
7.	Friends of the Earth (HK)	<ul style="list-style-type: none"> • presentation of views as set out in submission (LC Paper No. CB(1)151/13-14(01))

No.	Name of deputation/individual	Major views and concerns
8.	Nam Wah Neonlight & Electrical Mfy Ltd	<ul style="list-style-type: none"> • expressed support for legislation to regulate external lighting; • the operating hours of different lighting installations should be further discussed; and • light pollution control measures, such as lowering lighting intensity and using lampshade to divert lighting downwards to avoid glare, should be introduced to reduce excessive external lighting
9.	Labour Party	<ul style="list-style-type: none"> • welcomed the conduct of the public engagement exercise to collate public views on the way forward to tackle the problem of excessive external lighting; • excessive external lighting had been affecting the daily life of residents in the vicinity and causing environmental impact on the ecology; • advertisement signboards with flashy lights at roadsides would pose danger to road users; and • expressed support for legislation to regulate external lighting
10.	Community & Construction Professionals' Development Centre	<ul style="list-style-type: none"> • engineering professionals could help the business sector to mitigate the possible light nuisance problems and minimize energy wastage while not affecting their normal business operations; • publicity and community education should be stepped up to enhance public awareness of excessive external lighting; • suggested implementing a charter scheme whereby owners of external lighting installations pledged to switch off their lighting installations at a preset time; and • exemption might be granted to decorative lightings during festive seasons
11.	Institution of Dining Art	<ul style="list-style-type: none"> • presentation of views as set out in submission (LC Paper No. CB(1)151/13-14(02))
12.	Mr CHEUNG Kwok-keung, Sai Kung District Council member	<ul style="list-style-type: none"> • presentation of views as set out in submission (LC Paper No. CB(1)151/13-14(04))
13.	Greeners Action	<ul style="list-style-type: none"> • presentation of views as set out in submission (LC Paper No. CB(1)165/13-14(03))

No.	Name of deputation/individual	Major views and concerns
14.	Civic Party	<ul style="list-style-type: none"> • light nuisance from outdoor advertisement signboards had been affecting the daily life of residents in the vicinity; • suggested implementing a charter scheme first and introducing legislation to regulate excessive external lighting afterwards; • the preset time should be from 11 pm to 7 am; • external lighting of decorative, promotional or advertising purposes should be switched off after a preset time; • exemption might be granted to certain types of lighting installations, excluding advertisement signboards with flashy lights; • publicity and community education should be stepped up to enhance public awareness of excessive external lighting; and • review of the electricity tariff structure should be conducted to reduce energy wastage caused by excessive external lighting
15.	Travel Industry Council of Hong Kong	<ul style="list-style-type: none"> • advertisement lighting was vital to the tourist trade, retail business and catering industry in Hong Kong and hence should not be required to be switched off until midnight; and • it was not feasible to draw up a lighting zoning map due to the high density of buildings and co-existence of commercial and residential buildings in Hong Kong
16.	Hong Kong General Chamber of Commerce	<ul style="list-style-type: none"> • presentation of views as set out in submission (LC Paper No. CB(1)158/13-14(01))
17.	Mr CHEUNG Sze-leung, Outreach Officer and Science Instructor, The University of Hong Kong	<ul style="list-style-type: none"> • owners should adjust the angle of their lighting installations to avoid nuisances from spilled light, and use lampshade to divert lighting downwards to avoid glare; • excessive external lighting had been causing environmental impact on the ecology and would pose danger to public health; and • a broad definition of "light pollution" should be provided.

No.	Name of deputation/individual	Major views and concerns
18.	The Association of Accredited Advertising Agencies of Hong Kong	<ul style="list-style-type: none"> • had reservation on the proposal of introducing legislation to regulate external lighting; • only non-essential lights in districts with little or no commercial activities should be switched off at an earlier time • the pre-set time should be from the 12:00 midnight to 7 am; and • the light level for sign boards after 12:00 midnight should be dimmed and/or regulated
19.	Hong Kong Federation of Restaurants & Related Trades	<ul style="list-style-type: none"> • relevant industries (e.g. restaurants and catering industries) and stakeholders were not sufficiently represented in the Task Force on External Lighting ("the Task Force"); • light nuisance and energy wastage were two separate issues that should not be mixed up; • the Task Force had already taken a stance and the "Document for Engaging Stakeholders and the Public" was not objective enough to facilitate the public to discuss the issue of external lighting; and • a comprehensive assessment on the impact of regulating external lighting should be conducted
20.	Chartered Institution of Civil Engineering Surveyors	<ul style="list-style-type: none"> • excessive external lighting had been causing environmental impact on the ecology, affecting the daily life of residents in the vicinity and might cause emotional impacts • advertisement signboards with flashy lights at roadsides would pose danger to road users; • different operating hours for different lighting installations should be set; • light pollution control measures, such as lowering lighting intensity, using lampshade to divert lighting downwards to avoid glare, and adjusting the angle of their lighting installations to avoid nuisances from spilled light, should be introduced to reduce excessive external lighting; and • publicity and community education should be stepped up to enhance public awareness of excessive external lighting