

**立法會**  
***Legislative Council***

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seen by the Administration)

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**Finance Committee of the Legislative Council**

**Minutes of the 14<sup>th</sup> meeting**  
**held at Conference Room 1 of the Legislative Council Complex**  
**on Friday, 28 November 2014, at 3:00 pm**

**Members present:**

Hon Tommy CHEUNG Yu-yan, SBS, JP (Chairman)  
Hon CHAN Kin-por, BBS, JP (Deputy Chairman)  
Hon Albert HO Chun-yan  
Hon LEE Cheuk-yan  
Hon CHAN Kam-lam, SBS, JP  
Hon LEUNG Yiu-chung  
Dr Hon LAU Wong-fat, GBM, GBS, JP  
Hon Abraham SHEK Lai-him, GBS, JP  
Hon Frederick FUNG Kin-kee, SBS, JP  
Hon Vincent FANG Kang, SBS, JP  
Hon WONG Kwok-hing, BBS, MH  
Prof Hon Joseph LEE Kok-long, SBS, JP, PhD, RN  
Hon Andrew LEUNG Kwan-yuen, GBS, JP  
Hon WONG Ting-kwong, SBS, JP  
Hon Ronny TONG Ka-wah, SC  
Hon Starry LEE Wai-king, JP  
Dr Hon LAM Tai-fai, SBS, JP  
Hon CHAN Hak-kan, JP  
Hon WONG Kwok-kin, SBS  
Hon IP Kwok-him, GBS, JP  
Hon Mrs Regina IP LAU Suk-yee, GBS, JP  
Hon Alan LEONG Kah-kit, SC  
Hon Albert CHAN Wai-yip  
Hon Claudia MO

Hon Michael TIEN Puk-sun, BBS, JP  
Hon James TIEN Pei-chun, GBS, JP  
Hon Steven HO Chun-yin  
Hon Frankie YICK Chi-ming  
Hon WU Chi-wai, MH  
Hon YIU Si-wing  
Hon Gary FAN Kwok-wai  
Hon MA Fung-kwok, SBS, JP  
Hon CHAN Chi-chuen  
Hon CHAN Han-pan, JP  
Dr Hon Kenneth CHAN Ka-lok  
Hon CHAN Yuen-han, SBS, JP  
Hon LEUNG Che-cheung, BBS, MH, JP  
Hon Alice MAK Mei-kuen, JP  
Dr Hon KWOK Ka-ki  
Hon KWOK Wai-keung  
Hon Dennis KWOK  
Dr Hon Fernando CHEUNG Chiu-hung  
Dr Hon Helena WONG Pik-wan  
Dr Hon Elizabeth QUAT, JP  
Hon Martin LIAO Cheung-kong, SBS, JP  
Hon POON Siu-ping, BBS, MH  
Hon TANG Ka-piu, JP  
Dr Hon CHIANG Lai-wan, JP  
Hon CHUNG Kwok-pan  
Hon Tony TSE Wai-chuen, BBS

**Members absent:**

Hon James TO Kun-sun  
Hon Emily LAU Wai-hing, JP  
Hon TAM Yiu-chung, GBS, JP  
Hon Jeffrey LAM Kin-fung, GBS, JP  
Hon Cyd HO Sau-lan, JP  
Dr Hon Priscilla LEUNG Mei-fun, SBS, JP  
Dr Hon LEUNG Ka-lau  
Hon CHEUNG Kwok-che  
Hon Paul TSE Wai-chun, JP  
Hon LEUNG Kwok-hung  
Hon WONG Yuk-man  
Hon NG Leung-sing, SBS, JP

Hon Charles Peter MOK, JP  
Hon Kenneth LEUNG  
Hon Christopher CHEUNG Wah-fung, SBS, JP  
Hon SIN Chung-kai, SBS, JP  
Hon IP Kin-yuen  
Ir Dr Hon LO Wai-kwok, BBS, MH, JP  
Hon Christopher CHUNG Shu-kun, BBS, MH, JP

**Public officers attending:**

Professor K C CHAN, GBS, JP	Secretary for Financial Services and the Treasury
Ms Elizabeth TSE Man-yee, JP	Permanent Secretary for Financial Services and the Treasury (Treasury)
Ms Esther LEUNG, JP	Deputy Secretary for Financial Services and the Treasury (Treasury)1
Mr Alfred ZHI Jian-hong	Principal Executive Officer (General), Financial Services and the Treasury Bureau (The Treasury Branch)
Mr WONG Kam-sing, JP	Secretary for the Environment
Mr Howard CHAN Wai-kee, JP	Deputy Director of Environmental Protection (2)
Dr Ellen CHAN Ying-lung, JP	Environmental Protection Department Assistant Director of Environmental Protection (Environmental Infrastructure)
Mr Lawrence LAU Ming-ching	Environmental Protection Department Principal Environmental Protection Officer (Landfills and Development)
Mr Elvis AU Wai-kwong, JP	Environmental Protection Department Assistant Director (Nature Conservation and Infrastructure Planning)
	Environmental Protection Department

**Clerk in attendance:**

Mr Andy LAU	Assistant Secretary General 1
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**Staff in attendance:**

Ms Anita SIT	Principal Council Secretary 2
Ms Connie FUNG	Acting Legal Adviser
Mr Bonny LOO	Assistant Legal Adviser 3
Mr Derek LO	Chief Council Secretary (1)5
Mr Daniel SIN	Senior Council Secretary (1)7
Mr Ken WOO	Senior Council Secretary (1)5
Mr Raymond SZETO	Council Secretary (1)5
Mr Frankie WOO	Senior Legislative Assistant (1)3
Ms Christy YAU	Legislative Assistant (1)7

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Action

**Item No. 1 – FCR(2014-15)31A**  
**HEAD 705 – CIVIL ENGINEERING**  
**Environmental Protection – Refuse Disposal**  
**164DR – Southeast New Territories Landfill Extension**

**Item No. 2 – FCR(2014-15)32A**  
**HEAD 705 – CIVIL ENGINEERING**  
**Environmental Protection – Refuse Disposal**  
**163DR – Northeast New Territories Landfill Extension**

**Item No. 3 – FCR(2014-15)33A**  
**HEAD 705 – CIVIL ENGINEERING**  
**Environmental Protection – Refuse disposal**  
**165DR – West New Territories Landfill Extension**

**Item No. 4 – FCR(2014-15)34A**  
**HEAD 705 – CIVIL ENGINEERING**  
**Environmental Protection – Refuse Disposal**  
**177DR – Development of integrated waste management facilities phase 1**

The Committee continued the deliberation on items FCR(2014-15)31A to 34A.

Chairman's introductory remarks on procedural matters

2. The Chairman said that he had announced at the previous meeting that the present meeting would proceed to deal with proposed motions from members to be moved under paragraph 37A of the Finance Committee ("FC") Procedure to express views on items under deliberation after four members,

namely, Mr Frederick FUNG, Dr Fernando CHEUNG, Mr Gary FAN and Mr LEUNG Kwok-hung, had finished raising their questions.

3. The Chairman said that he had also announced that members who wished to move motions under paragraph 37A of the FC Procedure should submit them to the Clerk in writing before 5:00 pm on 24 November 2014. The Chairman explained that he announced these two directions to ensure fair, orderly and proper conduct of meeting, and to regulate the proceedings of the meeting in a reasonable and effective manner, so that meeting time would be used efficiently to avoid prolonging the meeting to the extent that the Committee could not exercise its functions properly.

4. The Chairman further explained that he understood 23 pan-democratic members intended to move not more than 500 motions under paragraph 37A of the FC Procedure to express views on the four items under deliberation. The Chairman considered that, with this number of motions that needed to be dealt with, his objectives in conducting FC meetings efficiently could still be achieved. He therefore decided that he would not enforce the two directions that he had announced at the previous meeting.

5. Dr Kenneth CHAN raised a point of order and asked if the Chairman would allow members to raise further questions after the four members had spoken and whether the Chairman would allow members to submit motions under paragraph 37A of the FC Procedure without prior notice. Mr CHAN Chi-chuen raised a similar query. The Chairman said that he had explained his position in his letter to Dr Kenneth CHAN dated 26 November 2014 (issued vide LC Paper No. FC58/14-15(03)). He said that members would still need to wait until all the four members in the speaking queue had finished speaking before they could speak on the items.

6. The Chairman added that members could submit motions proposed to be moved under paragraph 37A of the FC Procedure, if any. However, he reminded members that as Chairman, he had to ensure the orderly and efficient conduct of meetings. If members submitted a large number of motions to the extent that the Committee could not exercise its functions properly, he would have to take a decision on how the meeting should then proceed.

#### Reduction of construction waste

7. Mr CHAN Chi-chuen followed up his earlier query on how the volume of construction waste disposed of in landfills had been reduced following the implementation of the charging scheme. Deputy Director for Environmental Protection (2) ("DDEP(2)") said that in 2000, the daily amount

of construction waste disposed of in landfill was as much as 10 000 tonnes each day. Before the implementation of the construction waste charging scheme, the daily amount was about 6 000 tonnes. DDEP(2) supplemented that, following the implementation of the charging scheme, the amount of waste disposed of in landfills reduced to about 4 000 tonnes a day. He considered that the charging scheme was effective, and the Administration would review the level of charging.

8. DDEP(2) further said that most of the construction waste was generated from public works projects, and that measures had been introduced so that materials in construction sites were reused on site as far as possible or recovered for use as public fill. The Administration had encouraged contractors in private construction sites to implement similar measures. As a result of these efforts, more than 90% of the construction waste had been recovered for use as public fill.

9. Mr Frederick FUNG asked if the Administration would make arrangements for construction waste to be delivered to landfills by sea to reduce refuse collection vehicle ("RCV") traffic. Assistant Director (Environmental Infrastructure) ("AD(EI)") clarified that at present only some fill materials were being delivered to the public fill bank by sea. Construction waste was delivered by vehicles to landfills for disposal. She explained that there were difficulties in identifying suitable locations for provision of barging points by which construction waste could be loaded to barges and carried to landfills by sea.

### Public consultation

10. Dr KWOK Ka-ki criticized the Administration for its reluctance to meet with residents directly affected by the landfill extension and Integrated Waste Management Facilities ("IWMF") phase 1 projects and its failure to honour its pledge to minimize the impact of the three projects. He commented that the proposed landfill extension and IWMF phase 1 would not solve the waste management problem if the Administration could not implement effective measures on waste reduction and recycling.

### Southeast New Territories landfill extension

#### *Landfill liner system and leachate problem*

11. Mr Frederick FUNG noted that about \$343 million was proposed for installation of a landfill liner system in the SENT landfill extension area. He queried whether the high cost installation was effective. He said that

according to some environmental experts, the leachate leaked from the Southeast New Territories ("SENT") landfill had caused red tide in coastal waters near Tseung Kwan O ("TKO"). Mr FUNG also mentioned the incident that leachate from the Northeast New Territories ("NENT") landfill was mixed with rainwater and discharged into the nearby the Kong Yiu Channel. He asked how the Administration would ensure that the liner system would effectively prevent similar leakage of leachate from the SENT landfill.

12. AD(EI) said that neither the red tide nor the discharge to the Kong Yiu Channel was caused by leakage of leachate from the landfills' liner system.

13. Mr Frederick FUNG noted that the environmental impact assessment ("EIA") for the SENT landfill extension works was conducted before the population intake of LOHAS Park. He asked whether a fresh EIA taking into account the increased population in TKO would be conducted. AD(EI) said that the EIA had already taken into account the LOHAS Park development as a sensitive recipient in assessing the impact of the landfill extension project.

#### *Air quality near SENT landfill*

14. Dr Fernando CHEUNG queried whether the air quality monitoring equipment installed at the rooftop of Tai Chik Sha Fire Station could measure accurately the road-side levels of suspended particulates ("PM2.5") generated by dumper trucks carrying construction wastes or fill material to TKO. AD(EI) explained that PM2.5 levels in the territory would be precisely measured by the 12 general air quality monitoring stations in Hong Kong.

#### *Suggested withdrawal of SENT landfill extension*

15. Mr Gary FAN asked if the Administration would withdraw the funding proposal on the SENT landfill extension as the performance of various source-separation of waste and waste recovery measures were unsatisfactory and the Administration had yet to provide a definite timetable for the implementation of quantity-based waste disposal charging scheme and the producer responsibility scheme. Dr Kenneth CHAN made similar comments.

16. Secretary for the Environment ("SEN") said that the "Hong Kong Blueprint for Sustainable Use of Resources 2013-2022" ("the Action Blueprint") released in 2013 had mapped out a comprehensive strategy with targets, policies and action plans for waste management for the coming ten years. The Action Blueprint outlined a timetable and roadmap for implementing progressively municipal solid waste ("MSW") disposal charging scheme and producer responsibility schemes. SEN said that an overall MSW recovery rate of about

40% had been achieved which was comparable to those in the United Kingdom and France. The proposed extension of the three landfills and the development of the IWMF phase 1 were based on the concept of balanced sharing of waste management responsibility by the community. SEN said that the Administration would not withdraw the proposal.

### *Refuse collection vehicles*

17. Mr Frederick FUNG noted that RCVs delivering waste to the SENT landfill were required to be equipped with a metal tailgate cover and a waste water sump tank. He asked if all RCVs had been retrofitted with the required installations and whether the Administration had monitored whether RCVs along Wan Po Road had been properly covered, and whether the conditions had improved.

18. AD(EI) advised that the Administration had proposed, starting from 1 April 2015, RCVs not retrofitted with metal tailgate cover and a waste water sump tank would not be allowed to enter landfills or refuse transfer stations ("RTSs"). At present, most RCVs had completed the retrofitting works, and the remaining RCVs were either about to be retrofitted, scrapped or were not engaged in carrying waste to landfills or RTSs. Staff of the Environmental Protection Department ("EPD") would monitor the situation at the landfill and Wan Po Road.

### Integrated Waste Management Facilities phase 1

19. Mr Albert CHAN said that he had been informed that some of the statements made by the Administration in respect of IWMF phase 1 were misleading. Mr CHAN commented that if this was proved to be the case, the decision on proceeding with the proposal would likely be revoked upon judicial review. Mr CHAN mentioned that there were rumours within the environment industry sector that one infamous company stood a high chance of being awarded the contract for operating IWMF phase 1. The company, which he did not name, appeared to be connected with the incumbent Under Secretary for the Environment ("USEN"). Mr CHAN said that there might be a case of conflict of interest.

20. Assistant Director (Nature Conservation and Infrastructure Planning) said that tendering for the Design-Build-Operate ("DBO") contract for IWMF phase 1 had not started, and so the question of which company might be awarded the DBO contract did not arise in the meantime. DDEP(2) supplemented that in accordance with the established tendering mechanism, tenders for IWMF phase 1 would be vetted by an assessment panel comprising



representatives of EPD and other concerned departments. Recommendations from the assessment panel would be submitted to the Central Tender Board for approval before the contract was awarded. Neither SEN nor USEN would be involved in the process. Mr Albert CHAN commented that the concerned officials could still be able to influence the tendering results by setting conditions and specifications that favoured certain companies.

Motion to adjourn further proceedings of the Committee

21. Mr Albert CHAN moved, without notice, a motion pursuant to paragraph 39 of the FC Procedure that further proceedings of the Committee be then adjourned.

22. The Chairman thereupon put the question on Mr Albert CHAN's motion and directed that members, when speaking on the question, should only speak once for not more than three minutes.

23. At the invitation of the Chairman, Mr Albert CHAN introduced his motion. He criticized that the Administration's environmental policy was flawed and backward. The proposed waste disposal charging scheme would likely be objected by the community and would be difficult to implement. Without mandatory source-separation of waste, the development of IWMF phase 1 would be ineffective.

24. Mr CHAN Chi-chuen, Dr Fernando CHEUNG, Mr Frederick FUNG, Dr Kenneth CHAN and Mr Gary FAN spoke in favour of the motion. In gist, these members argued that the Administration should first implement effective measures to improve source-separation of waste and waste recovery as well as increase recycling rate before embarking on extending the three landfills and develop IWMF phase 1. One member considered that the Administration should reshuffle the agenda item to allow more pressing items affecting people's livelihood to be given priority for consideration by the Committee.

25. Mr CHAN Kin-por, Mr WONG Kwok-hing, Dr CHIANG Lai-wan and Mr KWOK Wai-keung spoke against the motion. They considered that there was urgency in proceeding with the funding proposals to tackle the imminent waste management and disposal problems.

26. As no other member indicated intention to speak, the Chairman invited the Administration to respond. Secretary for Financial Services and the Treasury said that delay in funding approval on public works projects had already caused an escalation of project estimates by \$23 billion. Further delay

would only drive the costs even higher. The Chairman then invited Mr Albert CHAN to give concluding remarks.

27. After Mr Albert CHAN had spoken, the Chairman put the question on Mr CHAN's motion to vote. At the request of Mr Albert CHAN, the Chairman ordered a division and the voting bell was rung for five minutes.

28. The Chairman announced that 12 members voted for and 31 members voted against the motion. The voting results of individual members were as follows –

*For:*

Mr Albert HO Chun-yan	Mr LEE Cheuk-yan
Mr Frederick FUNG Kin-kee	Prof Joseph LEE Kok-long
Mr Albert CHAN Wai-yip	Ms Claudia MO
Mr Gary FAN Kwok-wai	Mr CHAN Chi-chuen
Dr Kenneth CHAN Ka-lok	Dr KWOK Ka-ki
Dr Fernando CHEUNG Chiu-hung	Dr Helena WONG Pik-wan
(12 members)	

*Against:*

Mr CHAN Kam-lam	Dr LAU Wong-fat
Mr Vincent FANG Kang	Mr WONG Kwok-hing
Mr Andrew LEUNG Kwan-yuen	Mr WONG Ting-kwong
Ms Starry LEE Wai-king	Dr LAM Tai-fai
Mr CHAN Hak-kan	Mr CHAN Kin-por
Mr WONG Kwok-kin	Mr IP Kwok-him
Mrs Regina IP LAU Suk-yee	Mr Michael TIEN Puk-sun
Mr James TIEN Pei-chun	Mr Steven HO Chun-yin
Mr Frankie YICK Chi-ming	Mr YIU Si-wing
Mr MA Fung-kwok	Mr CHAN Han-pan
Miss CHAN Yuen-han	Mr LEUNG Che-cheung
Miss Alice MAK Mei-kuen	Mr KWOK Wai-keung
Dr Elizabeth QUAT	Mr Martin LIAO Cheung-kong
Mr POON Siu-ping	Mr TANG Ka-piu
Dr CHIANG Lai-wan	Mr CHUNG Kwok-pan
Mr Tony TSE Wai-chuen	
(31 members)	

29. The Chairman declared that the motion to adjourn further proceedings of the Committee was negatived.

Motions proposed by members pursuant to paragraph 37A of the Finance Committee Procedure

30. The Chairman said that the meeting would then proceed to deal with the proposed motions by members on the item FCR(2014-15)31A. The Chairman put to vote the question that the motion proposed by Mr Frederick FUNG numbered SE006 be proceeded forthwith. As requested by members, the Chairman ordered a division, and the division bell was rung for five minutes. With the agreement of the Chairman, Mr Frederick FUNG read out his motion during the ringing of the division bell. The Chairman declared that the question was negatived.

Motion to shorten the duration of the division bell

31. Mr IP Kwok-him moved without notice under paragraph 47 of the FC Procedure that in the event of further divisions being claimed in respect of any motions or questions under the same agenda item, the Committee should proceed to each of such divisions immediately after the division bell had been rung for one minute.

32. The Chairman proposed the question on Mr IP Kwok-him's motion. Mr Albert CHAN and Mr CHAN Chi-chuen commented that members should take some time to study and consider motions moved by members under paragraph 37A of the FC Procedure. It was therefore not appropriate to shorten the division bell to one minute.

33. There being no further comment from members, the Chairman put the question to vote. At the requests of members, the Chairman ordered a division and the division bell was rung for five minutes. The Chairman announced that 27 members voted in favour of and 11 members voted against the question. The voting results of individual members were as follows –

*For:*

Mr CHAN Kam-lam  
Mr Vincent FANG Kang  
Mr Andrew LEUNG Kwan-yuen  
Mr CHAN Hak-kan  
Mr WONG Kwok-kin  
Mrs Regina IP LAU Suk-yee  
Mr James TIEN Pei-chun  
Mr Frankie YICK Chi-ming  
Mr MA Fung-kwok  
Mr LEUNG Che-cheung

Dr LAU Wong-fat  
Mr WONG Kwok-hing  
Mr WONG Ting-kwong  
Mr CHAN Kin-por  
Mr IP Kwok-him  
Mr Michael TIEN Puk-sun  
Mr Steven HO Chun-yin  
Mr YIU Si-wing  
Mr CHAN Han-pan  
Miss Alice MAK Mei-kuen

Dr Elizabeth QUAT  
Mr POON Siu-ping  
Dr CHIANG Lai-wan  
Mr Tony TSE Wai-chuen  
(27 members)

Mr Martin LIAO Cheung-kong  
Mr TANG Ka-piu  
Mr CHUNG Kwok-pan

*Against:*

Mr Albert HO Chun-yan  
Mr Frederick FUNG Kin-kee  
Ms Claudia MO  
Mr CHAN Chi-chuen  
Dr KWOK Ka-ki  
Dr Helena WONG Pik-wan  
(11 members)

Mr LEE Cheuk-yan  
Mr Albert CHAN Wai-yip  
Mr Gary FAN Kwok-wai  
Dr Kenneth CHAN Ka-lok  
Dr Fernando CHEUNG Chiu-hung

34. The Chairman declared that Mr IP Kwok-him's motion was carried.

35. The Chairman reminded members that the motion to shorten the duration of the division bell from five minutes to one minute would only apply for motions voted upon in respect of the item FCR(2014-15)31A. The duration of division bell to be sounded on motions to be moved in relation to subsequent items FCR(2014-15)32A to 34A would remain five minutes unless a motion under paragraph 47 of the FC Procedure each moved and carried for each of those items.

36. The Chairman also reminded members that after all the proposed motions to be moved under paragraph 37A of the FC Procedure in respect of FCR(2014-15)31A had been dealt with, he would then put the item FCR(2014-15)31A to vote. The Chairman added that he would follow the same procedure for the remaining items FCR(2014-15)32A to 34A.

Motions proposed by members pursuant to paragraph 37A of the Finance Committee Procedure

*Motions moved by Mr Frederick FUNG*

37. The Chairman put to vote the questions, one by one, that the motions proposed by Mr Frederick FUNG numbered SE007 to SE015 be proceeded forthwith. As requested by members, the Chairman ordered a division for each of the proposed motions, and the division bell was rung for one minute for each division. With the agreement of the Chairman, Mr FUNG read out each of his proposed motions during the ringing of the division bell. All the questions were negatived.

*Motions moved by Dr Fernando CHEUNG*

38. The Chairman took turns to put to vote the questions, one by one, that the motions proposed by Dr Fernando CHEUNG numbered SE317 to SE323 be proceeded forthwith. As requested by members, the Chairman ordered a division for each of the proposed motions, and the division bell was rung for one minute for each division. With the agreement of the Chairman, Dr CHEUNG read out each of his proposed motions during the ringing of the division bell. All the questions were negated.

*Motions moved by Mr WU Chi-wai*

39. The Chairman took turns to put to vote the questions, one by one, that the motions proposed by Mr WU Chi-wai numbered SE324, SE325, SE327 to SE329 be proceeded forthwith. As requested by members, the Chairman ordered a division for each of the proposed motions, and the division bell was rung for one minute for each division. With the agreement of the Chairman, Mr WU read out each of his proposed motions during the ringing of the division bell. All the questions were negated.

40. The Chairman declared the meeting was adjourned, and that the meeting would continue to deal with the remaining motions from Mr WU Chi-wai and other members at the next meeting.

41. The meeting was adjourned at 5:00 pm.

Legislative Council Secretariat  
12 May 2015