

立法會
Legislative Council

LC Paper No. CB(1)399/17-18
(These minutes have been seen
by the Administration)

Ref : CB1/PL/EA

Panel on Environmental Affairs

**Minutes of policy briefing cum meeting
held on Monday, 30 October 2017, from 10:45 am to 1:30 pm
in Conference Room 1 of the Legislative Council Complex**

- Members present** : Hon Tanya CHAN (Chairman)
Dr Hon Junius HO Kwan-yiu, JP (Deputy Chairman)
Hon LEUNG Yiu-chung
Hon WONG Ting-kwong, GBS, JP
Hon CHAN Hak-kan, BBS, JP
Hon Steven HO Chun-yin, BBS
Hon Frankie YICK Chi-ming, SBS, JP
Hon WU Chi-wai, MH
Hon Kenneth LEUNG
Hon KWOK Wai-keung, JP
Hon Dennis KWOK Wing-hang
Dr Hon Elizabeth QUAT, BBS, JP
Hon Martin LIAO Cheung-kong, SBS, JP
Ir Dr Hon LO Wai-kwok, SBS, MH, JP
Hon CHUNG Kwok-pan
Hon CHU Hoi-dick
Hon SHIU Ka-fai
Hon HUI Chi-fung
Hon Kenneth LAU Ip-keung, BBS, MH, JP
- Members absent** : Dr Hon Priscilla LEUNG Mei-fun, SBS, JP
Hon CHAN Chi-chuen
Hon CHAN Han-pan, JP

Action

**Public Officers
attending : For item III**

Mr WONG Kam-sing, GBS, JP
Secretary for the Environment

Mr TSE Chin-wan, BBS, JP
Under Secretary for the Environment

Mr Donald TONG, JP
Permanent Secretary for the Environment/
Director of Environmental Protection

Mr Vincent LIU, JP
Deputy Secretary for the Environment

Mr Elvis AU, JP
Deputy Director of Environmental Protection (1)
Environmental Protection Department

Mrs Vicki KWOK, JP
Deputy Director of Environmental Protection (2)
Environmental Protection Department

Mrs Alice CHEUNG, JP
Deputy Director of Environmental Protection (3)
Environmental Protection Department

Mr Donald NG
Deputy Director of Environmental Protection (4)
Environmental Protection Department

For item IV

Mr WONG Kam-sing, GBS, JP
Secretary for the Environment

Mr Donald NG
Deputy Director of Environmental Protection (4)
Environmental Protection Department

Mrs Vicki KWOK, JP
Deputy Director of Environmental Protection (2)
Environmental Protection Department

Action

Mrs Alison LAU
Assistant Director (Special Duties)
Environmental Protection Department

Mr David WONG, JP
Assistant Director (Environmental Compliance)
Environmental Protection Department

Mr FORK Ping-lam
Assistant Director (Operations)³
Food and Environmental Hygiene Department

Clerk in attendance : Miss Cindy HO
Chief Council Secretary (1)1

Staff in attendance : Ms Anki NG
Senior Council Secretary (1)1

Mr Joey LO
Senior Council Secretary (1)8

Mr Jason KONG
Council Secretary (1)1

Miss Mandy POON
Legislative Assistant (1)1

Action

I. Information papers issued since the meeting on 17 July 2017

Members noted that the following papers had been issued since the meeting on 17 July 2017:

(LC Paper No. CB(1)1438/16-17(01) — Information paper on "Ex-gratia Payment for Phasing Out Pre-Euro IV Diesel Commercial Vehicles — Special Arrangement for Euro II Diesel Public Light Buses" provided by the Administration

Action

LC Paper No. CB(1)86/17-18(01) — Letter dated 12 October 2017 from Hon HUI Chi-fung suggesting issues to be considered by the Panel in the 2017-2018 session (Chinese version only))

II. Items for discussion at the next meeting

(LC Paper No. CB(1)126/17-18(01) — List of outstanding items for discussion)

2. Members agreed to discuss the following items at the next regular meeting scheduled for Monday, 27 November 2017, at 2:30 pm:

- (a) expansion of Sha Tau Kok Sewage Treatment Works and provision of village sewerage in Tong To, Lei Yue Mun Village and Peng Chau; and
- (b) measures to assist the recycling industry to meet the Mainland's tightened requirements for import recyclables.

III. Briefing by the Secretary for the Environment on the Chief Executive's 2017 Policy Address

(LC Paper No. CB(1)75/17-18(01) — Administration's paper on "2017 Policy Address — Policy initiatives of Environment Bureau: Environmental protection")

Relevant papers

Address by the Chief Executive at the Legislative Council meeting on 11 October 2017 (*issued on 11 October 2017*)

The 2017 Policy Agenda booklet (*issued on 11 October 2017*)

Action

3. With the aid of a power-point presentation, the Secretary for the Environment ("SEN") briefed members on the key environmental initiatives in the Chief Executive ("CE")'s 2017 Policy Address.

(Post-meeting note: A set of the power-point presentation material was circulated to members vide LC Paper No. CB(1)146/17-18(01) on 31 October 2017.)

Discussion

Combating climate change

4. Dr Elizabeth QUAT expressed concern about the challenges posed by the extreme weather conditions due to climate change and the Administration's preparedness to respond to climatic events such as exceptional heavy rain and wind as well as landslide risk. The Under Secretary for the Environment ("USEN") responded that the Environment Bureau ("ENB") would continue to coordinate the efforts of various bureaux and departments ("B/Ds") in implementing the enhanced climate change work plan under the Steering Committee on Climate Change chaired by the Chief Secretary for Administration. In addition, the Climate Change Working Group on Infrastructure was actively pursuing studies to review the design standards and the resilience of critical infrastructure of works departments to enhance resilience against extreme weather.

Renewable energy and energy saving

5. Mr CHAN Hak-kan pointed out that the proportion of renewable energy ("RE") to electricity demand in Hong Kong was expected to be about 1% to 2% only, which was too low when compared to a contribution target of about 10% from RE sources in European countries and the United States. Mr CHAN and Mr CHU Hoi-dick enquired whether a contribution target from local RE sources would be set. Mr WU Chi-wai further enquired about the breakdown by various local RE sources contributing to the RE target and the relative contribution by different stakeholders, including the two power companies, the Government and the public.

6. SEN responded that different methods had been adopted to promote power generation from clean energy source, including RE, and the key measures to promote RE development were included in the "Hong Kong's Climate Action Plan 2030+" ("the Action Plan"). The Government had been taking the lead in using floating photovoltaic ("PV") panel systems in local reservoirs for power generation and introducing RE projects in government buildings. The Administration was also discussing with the two power companies in the

Action

context of the new Scheme of Control Agreements ("SCAs") to further promote the development of RE in the community (e.g. use of rooftop areas for PV power generation). He explained that the RE targets set by overseas jurisdictions were generally high as they largely depended on energy sources such as hydropower and geothermal energy, which were not applicable to the situation in Hong Kong. In Hong Kong, for wind power generation, major contribution came from the two power companies. For waste-to-energy generation, the Government made the major contribution while for solar energy generation, the Government, the two power companies and the public would make their contributions.

Research
Office

7. At the request of Mr WU Chi-wai, the Administration agreed to provide information on the estimated percentage of contribution by different stakeholders in the development of RE and the relevant measures to be taken to ensure effective contribution by relevant stakeholders. The Chairman also requested the Research Office to study the overseas experience in the implementation of Feed-in Tariff ("FiT") and RE development for the Panel's reference.

8. The Deputy Secretary for the Environment ("DSEN") supplemented that the three major potential sources of RE in Hong Kong were solar power, wind power and waste-to-energy. Under the Action Plan, it was estimated that Hong Kong had about 3% to 4% of realisable RE potential arising from wind, solar and waste-to-energy that could be exploited between now and 2030, and that the energy contribution from each of the abovementioned RE sources would be about 1% to 1.5%. In addition, the Electrical and Mechanical Services Department had been conducting studies on the potential, barriers and constraints of PV installation on rooftops and facades of buildings.

Admin

9. The Deputy Chairman considered that the Administration should promote the installation of PV devices on rooftops of village houses in the New Territories and explore ways to assist owners of village houses in such installation. He requested the Administration to seek clarification on the size specifications for erection of such facilities under the Buildings Ordinance (Cap. 123) and to consider launching a pilot scheme in selected villages in order to assess its effectiveness. Mr Kenneth LAU added that members of the Heung Yee Kuk had been consulted and the majority of them were in support of the installation of such facilities for RE development in village houses. DSEN said that the proposal required discussion and consultation among relevant departments. He said that the Administration would continue to take the lead to develop RE, as well as promote small-scale distributed RE projects conducted by the community. Among other measures, FiT would be introduced in the next regulatory period of SCAs to encourage the private sector and the community to consider investing in distributed RE.

Action

10. Mr HUI Chi-fung enquired about the measures to be introduced to encourage the community to invest in distributed RE, with a view to increasing public participation. Mr Kenneth LEUNG enquired about the major considerations of the Administration and the prime factor in determining the FiT rate(s).

11. DSEN responded that with the introduction of FiT in the next regulatory period, the private sector and the community would be encouraged to consider investing in distributed RE as the power generated could be sold at a rate higher than the normal electricity tariff rate to cover the cost of their investments in the RE systems and their power generation. At the same time, RE Certificates would be sold by power companies. Through these RE Certificates, the community could show its support for RE. The power companies would also facilitate and improve the distributed RE connection arrangements. In setting the FiT rate(s), the Administration would take into account factors including the cost of investments in the distributed RE systems and those of generation, the attractiveness of the rate(s) in providing sufficient incentives to encourage the private sector and the community to invest in distributed RE, and the overall tariff impact. Among other considerations, providing sufficient incentives to encourage investment in distributed RE would be the prime factor in determining the FiT rate(s).

12. Mr Kenneth LEUNG enquired about the timetable and details regarding the implementation of large scale floating solar farms at impounding reservoirs in Hong Kong, and whether the Administration had plans to develop more of such facilities on other available surface such as the rooftops of flyovers, restored landfills and large scale rock slopes. SEN advised that the pilot floating solar power systems at Shek Pik Reservoir and Plover Cove Reservoir would each run for about a year. A consultancy study was being conducted to review the technical findings in respect of the pilot projects and study the feasibility and strategy of implementation of floating solar farms on a larger scale at other impounding reservoirs in Hong Kong. The study would be completed by end of 2017. SEN supplemented that as stated in CE's Policy Address published in January 2017, the Government had earmarked \$200 million for the provision of RE installations at government buildings, venues and community facilities. The Administration would explore further on the potential locations for installation of solar panels.

13. Mr CHU Hoi-dick enquired whether tax incentives or financial subsidy would be offered for community participation in RE development. DSEN advised that under the Inland Revenue Ordinance (Cap.112), a deduction under profit tax for 20% of the capital expenditure incurred on the acquisition of eligible environmentally-friendly installations (including RE installations) would be provided in each of the five consecutive years starting from the year

Action

of purchase. The Administration also expected that the payback period of the capital investment in RE installations under the FiT scheme would be shorter than it was at present.

Promoting the use of electric vehicles

14. Noting that the number of registration of new electric vehicles ("EVs") had dropped significantly in the past few months since the reduction of the First Registration Tax ("FRT") waiver for electric private cars, the Chairman enquired about the measures to be taken by the Administration to further promote the use of EVs to meet the target set out in the Hong Kong Planning Standards and Guidelines as revised by the Planning Department in 2011, i.e. 30% of private cars being EVs or hybrids by 2020. She also enquired about the details for increasing the charging speed of public chargers in Hong Kong, and the Administration's plan in enhancing the charging facilities in view of the Ombudsman's direct investigation regarding the Government's planning and arrangements for ancillary facilities for EVs.

15. SEN advised that EV owners should perform daily charging of their EVs by using charging facilities at their home, workplace or other suitable places (including dedicated charging locations provided by car dealers). Public charging facilities were supplementary in nature. EV owners should not rely on public charging facilities for charging their EVs on a daily basis. The Administration would implement a set of measures to upgrade the charging speed of government owned public chargers to faster ones. The Deputy Director of Environmental Protection (3) ("DDEP(3)") supplemented that public chargers were supplementary facilities to enable EVs to top up their batteries to complete their journeys at times of occasional needs. Since April 2011, concessions had been granted on gross floor area for car parks in new buildings if they were "EV charging-enabling" to encourage developers to put in place the necessary charging infrastructure at the building construction stage. Some local private companies were also providing one-stop EV charging services including installation of charging facilities and provision of charging services at EV owners' car parks in collaboration with owners' corporations of buildings. The Administration had been upgrading government owned standard chargers to medium chargers which could increase charging speed by 60%. At the request of the Chairman, the Administration agreed to provide the timetable and details for increasing the charging speed of about 1 700 public chargers for EVs in Hong Kong.

Admin

16. Dr Elizabeth QUAT and Mr CHU Hoi-dick enquired whether any target year had been set for phasing out the use of conventional vehicles. Dr QUAT expressed concern about the reduction in concession of FRT for electric private cars had driven owners to purchase diesel private cars instead. She and

Action

Mr HUI Chi-fung enquired whether the Administration would re-instate full waiver of FRT for electric private cars or provide other tax incentives for purchasing EVs. Mr WU Chi-wai enquired whether the Administration would consider providing economic or tax incentives to car owners for replacing their diesel private cars by electric ones, including a scheme similar to the ex-gratia payment scheme for phasing out pre-Euro IV diesel commercial vehicles.

17. SEN responded that the international experience on the targets set for the replacement of conventional vehicles should be considered in a proper context. He was given to understand that many of these places were actually not totally replacing conventional vehicles with EVs, but only replacing the mostly polluted diesel vehicles. Regarding reduction of the FRT concessions for electric private cars, the cap at \$97,500 was comparable to other developed countries such as Norway. The Administration would review the FRT waiver arrangement for electric private cars and announce the results before the expiry of the current arrangements in March 2018. As the major air pollutants came from diesel commercial vehicles, the Administration had provided ex-gratia payment to incentivize diesel commercial vehicle owners to replace their vehicles. The Administration would give thoughts to members' suggestion and explore measures to encourage the replacement of conventional private cars with electric ones.

18. Mr HUI Chi-fung enquired about the role and progress of work of the Steering Committee on the Promotion of Electric Vehicles ("the Steering Committee") established by the Government in April 2009 and chaired by the Financial Secretary. The Chairman enquired whether ENB had been consulted on reducing the FRT concession for electric private cars before its implementation. SEN responded that the Steering Committee discussed and made recommendations on the strategies and measures to promote the use of EVs in Hong Kong. Relevant B/Ds including ENB and the Environmental Protection Department ("EPD") were responsible for supporting the work of the Steering Committee and were involved in the formulation of policies in this area.

19. Mr Frankie YICK considered that it was reasonable to cap the waiver at \$97,500 in order to promote the wider use of electric private cars at more affordable prices. He took the view that car manufacturers should put on to the market electric private car models with competitive prices in order to promote the wider use of EVs. In response to Mr YICK's suggestion that a recycling levy should be collected for handling waste car batteries and waste tyres as currently there was no recycling operators to handle the disposal of such products, SEN agreed that while promoting the wider use of EVs, the Administration should map out the recycling strategies for such waste products in the long run.

Action

Air quality

20. In view of the review of the Air Quality Objectives ("AQOs"), Mr CHU Hoi-dick enquired whether the Administration would consider amending the Air Pollution Control Ordinance (Cap. 311) to impose a statutory duty on the Government to attain the current AQOs. SEN responded that from a broader perspective, the Administration had formulated different indicators to assess the effectiveness of its policies and responsible officials would be held accountable. He said that there could be further discussion in this area in future.

21. Regarding the Administration's proposal to mandate vessels to use compliant fuel within Hong Kong waters starting from 1 January 2019 for improving air quality, Mr Frankie YICK enquired about possible extension of the Port Facilities and Light Dues Incentive Scheme ("the Incentive Scheme") which would expire on 31 March 2018, and possible increase in the percentage of waiver under the Incentive Scheme. At present, waiver provided under the Incentive Scheme could only offset about 35% to 50% of the additional fuel cost of Ocean Going Vessels ("OGVs"), while the reduction offered by nearby Mainland ports could offset up to 75% of the additional fuel cost. DDEP(3) responded that the Administration took note of the trades' concerns on the need to maintain the competitiveness of Hong Kong port vis-à-vis neighbouring ports in the Pearl River Delta region. The Administration would monitor the developments and would review the need for extension of the Incentive Scheme before its expiry on 31 March 2018.

22. Regarding the Pilot Scheme on Green Ferry and Green Government Vessels, Mr Frankie YICK enquired whether the Administration would consider providing subsidies to working vessels, including fishing vessels, to incentivize vessel owners to replace their vessel engines with new ones which complied with the prevailing emission standards. DDEP(3) responded that in controlling marine emissions, OGVs were the primary target of the pilot scheme and the Administration would consider whether there were other appropriate measures after evaluating the effectiveness of the current pilot scheme.

23. Mr Kenneth LAU enquired about the measures taken by the Administration to improve indoor air quality ("IAQ") and to reduce possible spread of infectious diseases through the indoor air-conditioning systems, in particular at schools and homes for the aged. DDEP(3) responded that although IAQ was not subject to statutory control at present, guidance notes for the management of IAQ in premises such as offices, etc. had been issued to provide for methods to measure indoor air pollutant levels and improve IAQ. Representatives of premises including offices and shopping malls were invited every year to participate in a certification scheme to assess the relevant pollutant

Action

levels in such premises and to share methods for improvement of IAQ. As the World Health Organization had issued new standards for assessing IAQ, the Administration was considering whether any improvement measures could be introduced in Hong Kong under such standards. DDEP(3) also advised that common problems found in air-conditioning systems were contamination of pipes/ducts with mould, and the Administration was preparing guidance notes for the regular removal of mould from the air-conditioning systems.

Waste management

24. Noting that food waste constituted a substantial part of domestic municipal solid waste ("MSW") in Hong Kong but no complementary support measures on domestic food waste recycling would be introduced alongside the implementation of MSW charging, Mr LEUNG Yiu-chung enquired about the possible measures and incentives to assist and encourage property management companies of public housing estates to enhance food waste recycling. SEN said that there was no complementary measure on recycling of domestic food waste when Taipei City started to implement MSW charging, and the strategy on food waste management adopted in other cities (e.g. Milan) had started with the recycling of food waste in commercial and industrial establishments where the sources of generation were more centralized. Multi-pronged strategies would be implemented in Hong Kong to enhance food waste reduction and recycling in the community.

25. Referring to paragraph 19 of the Administration's paper (LC Paper No. CB(1)75/17-18(01)), Mr HUI Chi-fung enquired whether a target would be set on the quantities of recyclables to be collected in the community and the role of the new outreaching teams to help the community in practising waste reduction and recycling. SEN responded that the Administration would roll out pilot schemes in a few districts before extending the outreaching service to other districts. To enhance recycling, the Administration would step up efforts to increase community awareness about the importance of proper source separation of waste and keeping the recyclables clean, and the direct bearing of such necessary practices on their recyclability and recycling value.

26. Mr Steven HO said that no effective follow-up measures had been taken by the Administration to support the sustainable development of the local recycling industry following the consultancy study commissioned in 2013 to explore possible means to assist the industry. As most of the recyclables in Hong Kong would be exported to the Mainland, he suggested that the Administration should strengthen collaborative efforts with the Mainland authorities in order to obtain early information on relevant Mainland policy changes that might impact on the local recycling industry. He urged the

Action

Administration to inform the recycling trade as early as possible once there were any changes in order to facilitate the necessary preparatory work.

27. Ir Dr LO Wai-kyok considered that promoting waste reduction at source, clean recycling as well as sustainable development of the recycling industry were pivotal to the effective implementation of MSW policy measures. It would be necessary to enhance regional cooperation with the Mainland regarding policy and measures on import recyclables and to provide assistance to the local recycling industry for sustainable development. He enquired about the Administration's plan to assist the upgrade of the current operation mode of the local recycling industry.

28. The Deputy Director of Environmental Protection (2) ("DDEP(2)") responded that to meet the Mainland's tightened requirements for import recyclables, the Administration would continue to streamline the application procedure and enhance the operation of the Recycling Fund, and to drive the recycling industry towards quality and efficient business operations for its sustainable development. In parallel, the Government would continue to formulate suitable land support measures, for example, at public cargo working areas, for waste recovery and recycling activities. The Administration would examine the feasibility of incubating a local recycled product manufacturing industry, for example, in the EcoPark, with a view to reducing Hong Kong's reliance on export to dispose of recyclables. A market sounding-out survey relating to the development of a recycled paper manufacturing plant in the EcoPark was being conducted and, subject to the outcome of the survey, the Administration would consider making suitable tender arrangements. The Administration would keep exploring diversified outlets for different types of recyclables, and keep the trade informed of possible recyclables outlets through briefing sessions held in conjunction with the Advisory Committee on Recycling Fund.

29. Referring to the arrangements in Taipei City which provided price subsidies in respect of different recyclables, Mr WU Chi-wai enquired whether Hong Kong would adopt a similar measure. He stressed the value of waste plastics recyclables and questioned the need to adopt a producer responsibility scheme ("PRS") in the disposal of waste plastics. SEN responded that the subject matter could be revisited by the Panel subject to further study on relevant issues.

30. Mr SHIU Ka-fai enquired about the number of applications for e-waste disposal licences received by the Administration since June 2017 pursuant to the regulatory control on abandoned waste electrical and electronic equipment under the Promotion of Recycling and Proper Disposal (Electrical Equipment and Electronic Equipment) (Amendment) Ordinance 2016. He said that some

Action

recycling operators were gravely concerned whether they were able to fulfill the licensing requirements within the application timeframe. The Deputy Director of Environmental Protection (4) ("DDEP(4)") responded that having taken into account the views of Subcommittee members of the Legislative Council on the relevant subsidiary legislation and some representatives of the recycling trade as well as other relevant considerations, the Administration had adjusted the implementation timetable and planned to commence the disposal licensing control, import and export permit control and landfill disposal ban in December 2018. Since June 2017, the Administration had received about five to six applications for e-waste disposal licences. Mr SHIU requested the Administration to step up publicity and provide information on relevant application procedures to the recycling trade.

31. In response to Mr CHU Hoi-dick's suggestion about implementing measures to phase out the use of plastic bottled water in Hong Kong in order to lower the impact on the environment, SEN said that EPD had commenced a study to explore how to implement a PRS on suitable waste plastic containers, mainly those containing beverages or personal care products, and would further consider relevant issues.

32. Mr Steven HO expressed concern that the CE's 2017 Policy Address had no mention of any measures to protect agricultural land against pollution or vandalism or conduct of consultancy studies on illegal land filling and dumping activities. He urged the Administration to strengthen enforcement actions against such activities. Mr CHU Hoi-dick enquired whether the Administration would conduct a review of the Waste Disposal Ordinance (Cap. 354) in this regard. In addition, as enforcement actions against illegal land filling and fly-tipping activities were mostly penalizing drivers of the dumper trucks and the land owners instead of the waste producers and the contractors, Mr CHU enquired whether enforcement actions could be taken against waste producers and dumpers at source. SEN responded that the Administration had been monitoring illegal land filling and fly-tipping activities through the use of modern technology, and relevant details could be further discussed in future Panel meetings.

Nature and countryside conservation

33. Mr SHIU Ka-fai noted that under the Protection of Endangered Species of Animals and Plants (Amendment) Bill 2017, no compensation would be provided to ivory traders on phasing out the local ivory trade. He suggested the Administration consider, on the ground of protection of private ownership, compensating the traders or buying back from the traders the ivory stockpile in their possession for establishing an iconic museum for ivory arts in Hong Kong. SEN responded that relevant issues had been discussed on many occasions and

Action

the Administration's position was that no compensation nor ex-gratia payment should be provided to the trade in order to send a clear message to the international community and the local ivory trade that poaching of elephants and smuggling of illegal ivory into Hong Kong would not be compensated.

34. Mr Kenneth LAU considered that the Administration should provide more resources and take the lead in revitalizing village architectural environment and conserving the precious cultural resources. He enquired about the scope of work of the new Countryside Conservation Office ("the Office") to be set up under EPD as announced in the CE's 2017 Policy Address and the types of projects to be funded given that the Government had earmarked \$1 billion for the Office to carry out its conservation work. Noting that an advisory committee would be set up to advise on the funding applications received by the Office and monitor the implementation progress of the funded projects, Mr LAU opined that the Administration should consider engaging representatives of the rural committees and rural residents in its composition.

35. SEN advised that overseas experience showed that successful countryside conservation required support from the local community and sectors such as relevant green groups and universities, as well as the involvement of the Government. The proposed advisory committee would comprise stakeholders from different sectors of the community, including the rural sector and rural representatives. The priority task of the Office was to implement a series of diversified and innovative activities and programmes to enhance the countryside revitalization efforts at Lai Chi Wo and to implement an ecological conservation project at Sha Lo Tung. The Office would review the implementation and effectiveness of the projects from time to time and progressively extend its efforts to other remote countryside areas. DDEP(2) supplemented that the Office would collaborate with non-governmental organizations in carrying out its work and interact with local villagers to conduct multi-disciplinary and innovative conservation and revitalization activities. Also, the Office would, as appropriate, promote eco-tourism and other related sustainable local economic activities, and carry out minor improvement works to rehabilitate the ecological, cultural and architectural environment, including improvement in road works, lighting systems, waste recycling and disposal facilities.

Water quality and marine pollution

36. Mr LEUNG Yiu-chung expressed concern about water quality, the marine refuse problem, and the inter-departmental efforts in tackling marine refuse. SEN responded that a host of measures were implemented to improve water quality and reduce odour problems near coastal waters. The Permanent Secretary for the Environment supplemented that EPD had set up a working group with the relevant departments, including the Leisure and Cultural

Action

Services Department, the Food and Environmental Hygiene Department, the Marine Department and the Agriculture, Fisheries and Conservation Department in stepping up efforts in cleaning marine refuse, including measures to reduce refuse entering the marine environment during typhoon seasons or vessel accidents. The Administration had also collaborated with the relevant Mainland authorities to introduce a notification and alert system on marine refuse entering Hong Kong waters. In addition, EPD had stepped up collaboration with non-governmental organizations and green groups to enhance publicity and educational efforts on tackling the marine refuse problem.

Excessive external lighting and noise pollution

37. Dr Elizabeth QUAT expressed concern about implementing concrete measures to regulate and control excessive external lighting and noise pollution, which had not been specifically addressed in CE's 2017 Policy Address. In particular, the recent street performances at Mong Kok pedestrian precinct had drawn wide public attention on the control of noise pollution. She enquired about the measures implemented on excessive external lighting and noise control and urged the Administration to step up efforts for implementing further regulatory measures if necessary. Mr SHIU Ka-fai enquired about enforcement actions taken by the Administration against noise pollution in public places, for example, using loud-speakers for broadcasting musical street performances at the recent Mong Kok pedestrian precinct.

38. USEN advised that the Administration had launched the Charter on External Lighting ("the Charter") in 2016 to minimize light nuisance and energy wastage. Properties and shops had signed up to the Charter to switch off lighting with decorative, promotional or advertising purposes that affected the outdoor environment during preset times, and excessive external lighting had been reduced since the launch of the Charter. The Administration was assessing the effectiveness of the Charter and would continue to explore other measures to regulate and control excessive external lighting if necessary. Regarding environmental noise disturbance, various factors such as the society's acceptance of noise level, etc. would affect one's perception and response to environmental noise. The issue was not a mere pollution problem and required inter-departmental co-operation for consolidated responsive actions. The Administration would balance the society's level of acceptance of noise in public places with individuals' responses to environmental noise disturbances. Dr Elizabeth QUAT said that the Administration should devise concrete measures to address the problem given its potential effect on public health. She requested the Panel to discuss relevant issues at a future meeting.

Admin

Action

39. The Deputy Director of Environmental Protection (1) supplemented that enforcement actions against noise pollution arising from street performances had been taken by the Police under the Noise Control Ordinance (Cap. 400). The Police would conduct on-site inspections and take appropriate actions such as giving warnings upon receiving complaints or issuing summonses for enforcement. For example, over 20 summonses had been issued during the recent Mong Kok pedestrian precinct incident.

Motions

40. After discussion, Mr Kenneth LEUNG moved the following motion:

"本會肯定環保署改善維港水質的工作及努力，並敦促局方儘快展開及完成「淨化海港計劃第二期乙」計劃。"

(Translation)

"This Panel recognizes the work and efforts of the Environmental Protection Department in improving the water quality of Victoria Harbour, and urges the Bureau to commence and complete Stage 2B of the Harbour Area Treatment Scheme as soon as possible."

41. The Chairman put the motion to vote. At the request of Mr LEUNG, the Chairman ordered a division. Of the members present, eight voted in favour of and no member voted against the motion. The Chairman declared that the motion was carried. The voting results of individual members were as follows:

For

Ms Tanya CHAN (Chairman)

Dr Junius HO (Deputy Chairman)

Mr CHAN Hak-kan

Mr Frankie YICK

Mr Kenneth LEUNG

Mr CHU Hoi-dick

Mr SHIU Ka-fai

Mr HUI Chi-fung

42. The Deputy Chairman then moved the following motion:

"本會促請政府部門加強協調，在新界丁屋大力推動太陽能發電計劃，特別善用現時發展局訂定的19項"家居適意設施"的第七項安裝太陽能板方面，釐清安裝規格，特別是高架高度為>2.5米，而所佔覆蓋面積>35平方米。另外，政府應爭取先行設置樣板或示範裝置，以便加強鼓勵社區考慮投資分布式可再生能源設備。"

Action

(Translation)

"This Panel urges government departments to strengthen coordination in vigorously promoting the use of solar energy for electricity generation in small houses in the New Territories, in particular, make good use of solar panel installations, which is the seventh of the 19 "household amenity features" currently identified by the Development Bureau, and clarify the specifications for installing them, especially those with elevated structures at a height of more than 2.5 metres and covering an area of more than 35 square metres. In addition, the Government should first seek to provide a sample or model of the installations, with a view to further encouraging the community to consider investing in distributed renewable energy generation equipment."

43. The Chairman put the motion to vote. As all members present at the meeting voted for the motion, the Chairman declared that the motion was carried.

44. Mr HUI Chi-fung then moved the following motion:

"為提高電動車在登記車輛中的比例，本會促請政府上調現時電動私家車首次登記稅寬免額的上限及提供「一換一」經濟優惠，以提供誘因吸引市民轉購電動私家車，促進電動車市場的長遠發展。"

(Translation)

"In order to increase the proportion of electric vehicles ("EV") among registered vehicles, this Panel urges the Government to raise the current cap on the first registration tax concession for electric private cars and offer financial concessions for "one-for-one" replacement, so as to provide incentives for people to switch to purchasing electric private cars and promote the long-term development of the EV market."

45. The Chairman put the motion to vote. Of the members present, six voted in favour of the motion and two members abstained. The Chairman declared that the motion was carried.

Action

(*Post-meeting note:* The wording of the motions passed were issued to members vide LC Paper Nos. CB(1)151/17-18(01) to (03) on 31 October 2017 and the Administration was requested to provide a written response on the motions.)

IV. Implementation arrangements for municipal solid waste charging

(LC Paper No. CB(1)126/17-18(02) — Administration's paper on "Implementation of municipal solid waste charging"

LC Paper No. CB(1)126/17-18(03) — Updated background brief on "Introduction of municipal solid waste charging in Hong Kong" prepared by the Legislative Council Secretariat)

Briefing by the Administration

46. SEN briefed members on the proposed modifications to the implementation arrangements for MSW charging as follows:

- (a) the scope of application of pre-paid designated garbage bags would be extended to cover MSW disposed of by private waste collectors ("PWCs") whose refuse collection vehicles were equipped with rear compactors (referred to as "RCVs");
- (b) PWCs using other types of waste collection vehicles that were not equipped with compactors (referred to as "non-RCVs") would need to pay a gate fee at refuse transfer stations ("RTSs") and landfills based on the weight of MSW disposed of; and
- (c) the transitional "bin-counting" arrangement, which was originally proposed for buildings using the Food and Environmental Hygiene Department's direct waste collection services, would be removed from the MSW charging proposal (the details were provided in paragraph 15 of the Administration's paper (LC Paper No. CB(1)126/17-18(02)).

Action

Discussion

Effectiveness of quantity-based waste charging in reducing waste

47. While expressing support for measures that would be effective in achieving the "polluter pays" principle, Mr CHAN Hak-kan considered that the Administration should adopt a carrot-and-stick approach in implementing MSW charging. He suggested introducing economic incentives to drive behavioural changes in waste generation and hence reduce the overall waste disposal. In this regard, he suggested that consideration should be given to providing rebates on utility charges or government rates to individual households based on the amount of waste reduced. Mr SHIU Ka-fai asked whether raising revenue for the Government was one of the purposes of MSW charging.

48. Mr HUI Chi-fung supported the removal of the "bin-counting" arrangement as he considered that the revised proposal accorded better with the "polluter pays" principle. He shared the view that a carrot-and-stick approach would be more effective in reducing waste compared with the implementation of MSW charging alone, and suggested that designated garbage bags could be provided to individuals free-of-charge as a reward for waste reduction.

49. Mr CHU Hoi-dick also concurred with the view that the Administration should consider providing other incentives to help drive the requisite behavioural change. However, he considered that such incentives should be related to the amount of recyclables collected instead of waste reduced in order to encourage waste recycling.

50. SEN and the DDEP(4) explained that the introduction of MSW charging in Hong Kong was not intended to raise government revenue, but to induce behavioural changes to reduce waste and promote recycling. The proposed charging arrangement was in line with the "polluter pays" principle as the charge payable by a waste producer would be proportional to the quantity of waste he/she would dispose of. In other words, waste producers would be financially incentivized to reduce waste. The Administration considered that providing a financial reward based on the amount of waste reduced did not accord with the "polluter pays" principle. Also, an incentive scheme based on the amount of recyclables collected might not be desirable, as this might inadvertently encourage consumers to purchase disposable products such as plastic bottled water. Nevertheless, to promote recycling, various Community Recycling Centres, which were operated by non-governmental organizations with funding support from the Environment and Conservation Fund ("ECF"), and Community Green Stations currently distributed gifts and souvenirs to members of the public for the recyclables they brought to these centres. Such efforts would continue.

Action

51. Mr SHIU Ka-fai pointed out that some wastes generated by commercial and industrial ("C&I") establishments, such as packaging waste and diners' leftovers, were unavoidable and beyond the control of retail or food business operators. As such, he queried the logic for applying the same charging mechanism to both the domestic and C&I sectors, and was sceptical of the effectiveness of MSW charging in reducing waste from C&I sources.

52. SEN responded that experiences of cities where quantity-based waste charging was implemented had shown that waste charging was effective in reducing waste from both domestic and C&I sources. It was expected that MSW charging in Hong Kong could in the long run change customer preferences, which would then encourage manufacturers, wholesalers, retailers and service providers to reduce waste in the process of delivering products and services to customers.

Support for resource recovery and recycling

53. Mr CHAN Hak-kan, Mr HUI Chi-fung and Mr CHU Hoi-dick opined that, in conjunction with the implementation of MSW charging, the Administration should allocate additional resources to support recycling and the development of the local recycling industry. For this purpose, the Administration should either ring-fence the revenue from MSW charging, or increase overall government expenditure on related programmes. Mr HUI also asked about the revenue to be generated to the Government in the Administration's estimation.

54. Mr CHU Hoi-dick considered that the Administration should explore how to step up efforts to promote waste reduction at source. In this connection, he suggested that the Administration should (a) implement producer responsibility schemes on major product categories and issue guidelines on environment-friendly product packaging expeditiously; (b) retrofit refuse collection points to serve the additional functions of resource recovery and environmental education; and (c) enhance support for recycling of domestic food waste.

55. Mr KWOK Wai-keung welcomed the removal of the bin-counting arrangement from the implementation proposal for MSW charging which would help address the concerns expressed by the waste collection trade. He enquired how the Administration would enhance support for source separation and recovery of domestic waste, including food waste.

Action

56. In response to the above members' views and concerns, SEN and DDEP(4) said that MSW charging would not enable the Administration to recover all costs incurred in the provision of waste collection and disposal services. Spending on the promotion of recycling should not be pegged with the revenue that might be generated from MSW charging; and over the years, the Government had been putting in substantial resources in promoting recycling. It had been announced in the CE's 2017 Policy Address that the Administration would step up efforts in supporting waste reduction at source and clean recycling to complement the implementation of MSW charging. Relevant initiatives included, among other things, the setting up of an outreaching team to reach out to the 18 districts and provide residents and property management companies with on-site guidance and assistance to practise proper waste source separation and clean recycling.

57. SEN said that, according to the experiences of other cities, while the successful implementation of waste charging was underpinned by a range of complementary measures, such measures were developed progressively over a period of time. In preparation for the introduction of MSW charging in Hong Kong, a Steering Group on the Modification of Recycling and Refuse Collection Facilities in Public Places ("Steering Group") had been set up to review the existing designs and distribution of recycling bins, litter containers and refuse collection points, and to recommend modifications to those facilities as appropriate. In response to Mr CHU Hoi-dick's enquiry on when the Steering Group would report its recommendations to the public, SEN advised that the Steering Group had commissioned a consultancy study to review and recommend the designs of recycling and refuse collection facilities, and the consultant would conduct public engagements in 2018 to solicit public views on this issue.

58. Regarding food waste, DDEP(2) advised that the Administration was developing a network of Organic Resources Recovery Centres ("ORRCs") in accordance with the strategies for food waste reduction, recovery and recycling set out in "A Food Waste & Yard Waste Plan for Hong Kong 2014-2022". ORRCs would initially receive and treat food waste from C&I establishments, which was more readily separated at source for subsequent collection and transport. The Administration envisaged that when the first three phases of ORRCs came into operation with a combined food waste handling capacity of 800 tonnes per day, the ORRC network would be able to begin receiving domestic food waste for recycling. In this connection, the Administration had recently commissioned a consultancy study with a view to developing a territory-wide collection and delivery plan for both C&I and domestic food waste. Apart from the above, the Administration would continue to promote reduction and source separation of domestic waste through various schemes and

Action

funding support by ECF. Currently, ECF provided funding support to residential estates and schools to undertake projects to promote waste reduction, food waste recovery and waste recycling in the community.

Charging level of gate fee

59. Mr Frankie YICK welcomed the Administration's proposal to extend the scope of application of pre-paid designated garbage bags, which would obviate the need for PWCs with RCVs to apportion MSW charges with their clients. He pointed out that at present, due to the charging differential between waste disposal at RTSs and landfills, many PWCs were inclined to use landfills to dispose of the waste they collected, causing traffic congestions in the surrounding areas of some landfills. As waste collected by non-RCVs would be subject to a gate fee under the revised implementation proposal for MSW charging, he suggested that a uniform rate for the gate fee should be adopted so as to encourage PWCs to use the waste disposal facilities nearest to them.

60. DDEP(4) explained that the use of urban RTSs by PWCs was currently subject to a charge of \$30 per tonne of waste, while no charge was required for disposing of MSW at landfills. To avoid overloading the RTSs, the Administration intended to maintain the existing charging differential of \$30 per tonne between waste delivered to urban RTSs and to landfills for disposal after the implementation of MSW charging. On this basis, MSW disposed of at the four urban RTSs and the North West New Territories Transfer Station would be charged at \$395 per tonne; and MSW disposed of at other RTSs and landfills would be charged at \$365 per tonne.

Admin 61. On Mr Frankie YICK's request, the Administration undertook to provide supplementary information on: (a) the existing charges per tonne of waste at different RTSs, and the reasons for setting the charges at different levels; and (b) whether the Administration would consider aligning the gate fee per tonne of waste for all RTSs and landfills after the implementation of MSW charging, and the reason if the Administration considered otherwise.

(Post-meeting note: The Administration's response was circulated to members on 14 December 2017, vide LC Paper No. CB(1)357/17-18(02).)

Compliance facilitation and enforcement

62. Mr CHAN Hak-kan, Mr Steven HO, Mr SHIU Ka-fai and Mr KWOK Wai-keung expressed concerns that the implementation of MSW charging would aggravate fly-tipping and give rise to charge evasion as well as abuse of litter containers in public places. Mr HO enquired whether the Administration

Action

would provide additional manpower resources to step up enforcement actions. Mr KWOK sought details of the compliance facilitation measures described in paragraph 12 of the Administration's paper (LC Paper No. CB(1)126/17-18(02)), including whether surveillance cameras would be installed at fly-tipping black spots, and how the Administration would strike a balance between monitoring compliance and privacy protection.

63. SEN responded that to enforce MSW charging, fixed penalty tickets at \$1,500 each would be issued to non-compliant waste producers intercepted on-the-spot. On measures to facilitate compliance, DDEP(4) advised that among other things, the Administration would develop mobile applications for members of the public to report cases of non-compliance, and would explore the application of technology, e.g. installation of global positioning system on RCVs, to track and deter the disposal of non-compliant MSW. DDEP(4) said that the Administration would continue to enhance enforcement actions jointly with other B/Ds and would step up educational and publicity efforts. A preparatory period of around a year would be in place before the relevant legislation came into effect, when publicity efforts would be intensified. A "phasing-in period" would be put in place in the first six months after the implementation of MSW charging to allow time for waste producers to get accustomed to the charging requirements and change their behaviours gradually.

64. The Chairman suggested that consideration could be given to producing videos on good practices and smart tips for experience sharing among households in light of the results of the pilot scheme on MSW charging in residential buildings conducted by EPD. She also requested the Administration to consider drawing up practical guides and tips on waste reduction and recycling for public reference.

65. DDEP(4) said that to help the public adapt to the charging arrangements, the Administration would provide practical guides and tips developed with reference to the experiences gained from the community involvement projects on MSW charging supported by ECF. Moreover, the Administration would prepare Best Practice Guides for the reference of property management companies and frontline cleaners.

66. Mr KWOK Wai-keung enquired whether a person would commit an offence under the MSW charging scheme in the scenario where there were leaks of waste from the designated garbage bag the person used. DDEP(4) replied that suitable defence for non-compliance with the requirements of MSW charging would be included in the relevant legislative proposal to cater for the situation.

Action

Admin 67. At the request of Mr SHIU Ka-fai, the Administration was requested to provide information on its enforcement actions against fly-tipping, including in particular the number of fixed penalty tickets issued to fly-tippers intercepted in the vicinity of Braemar Hill, a fly-tipping black spot, in the past few years.

(Post-meeting note: The Administration's response was circulated to members on 14 December 2017, vide LC Paper No. CB(1)357/17-18(02).)

Distribution of designated garbage bags

68. Mr CHU Hoi-dick queried how the Administration would prevent shortage of supply of designated garbage bags at the sales points. In addition, to reduce the use of plastic bags in Hong Kong, he suggested that the Administration should encourage retailers to provide designated garbage bags to customers in lieu of their own plastic shopping bags. Mr KWOK Wai-keung made a similar suggestion.

69. SEN and DDEP(4) stressed that the Administration would endeavour to make it easy for the public to purchase designated garbage bags of various sizes at convenient locations. A network of about 4 000 sales points including supermarkets and convenience stores was planned to be established, and vending machines might be set up in rural villages and at other suitable places. Making reference to the experience of Taipei City, the Administration would explore with authorized retailers selling designated bags in lieu of their own plastic shopping bags to reduce the overall consumption of plastic bags.

Concluding remarks

70. In response to the Chairman's enquiry on the implementation timetable, SEN advised that the Administration planned to introduce an amendment bill to amend the Waste Disposal Ordinance (Cap. 354) as soon as practicable. Taking into account the time required for scrutiny of the bill and the preparatory period of some 12 months, it was envisaged that MSW charging could be implemented towards the end of 2019 at the earliest. The Chairman requested the Administration to ensure that the existing MSW collection and disposal system could readily absorb the impact of MSW charging, including the possible increase in workload arising from the disposal of bulky waste items by members of the public shortly before the commencement of MSW charging.

Action

V. Any other business

Subcommittee on Refuse Collection and Resource Recovery

(LC Paper No. CB(1)27/17-18 — Report of the Subcommittee on Refuse Collection and Resource Recovery)

71. Members noted the report on the work of the Subcommittee on Refuse Collection and Resource Recovery in the 2016-2017 session, and agreed that the Subcommittee should be dissolved.

72. There being no other business, the meeting ended at 1:27 pm.

Council Business Division 1
Legislative Council Secretariat
29 December 2017