

立法會
Legislative Council

LC Paper No. CB(1)906/20-21

(These minutes have been seen
by the Administration)

Ref : CB1/PL/EA

Panel on Environmental Affairs

Minutes of meeting
held on Monday, 22 March 2021, at 2:30 pm
in Conference Room 1 of the Legislative Council Complex

Members present : Hon Vincent CHENG Wing-shun, MH, JP (Chairman)
Hon Paul TSE Wai-chun, JP (Deputy Chairman)
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 KWOK Wai-keung, JP
Hon Elizabeth QUAT, BBS, JP
Ir Dr Hon LO Wai-kwok, SBS, MH, JP
Dr Hon Junius HO Kwan-yiu, JP
Hon SHIU Ka-fai, JP
Hon Kenneth LAU Ip-keung, BBS, MH, JP
Hon Tony TSE Wai-chuen, BBS, JP

Members attending : Hon Michael TIEN Puk-sun, BBS, JP
Hon LAU Kwok-fan, MH

Public Officers attending : **For item IV**

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

Mr Bruno LUK
Deputy Director of Environmental Protection (Special
Projects)
Environmental Protection Department

Ms Iris LEE
Assistant Director (Waste Management Policy)
Environmental Protection Department

Mr Stephen SIU
Principal Environmental Protection Officer (Waste
Strategy Development)
Environmental Protection Department

For item V

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

Mr CHEN Che-kong, JP
Assistant Director (Water Policy)
Environmental Protection Department

Ms Katherine KOH
Principal Environmental Protection Officer (Sewerage
Infrastructure)
Environmental Protection Department

Mr LEUNG Wing-yuen
Assistant Director/Sewage Services
Drainage Services Department

Mr CHOI Chun-ming
Principal Project Coordinator/Special Duty
Drainage Services Department

Ms HO Ka-yee
Chief Engineer/Consultants Management
Drainage Services Department

For item VI

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

Ms Bella MUI
Assistant Director (Nature Conservation)
Environmental Protection Department

Mr Simon CHAN
Assistant Director (Conservation)
Agriculture, Fisheries and Conservation Department

Mr CHAN Tsz-tat
Assistant Commissioner (Intelligence and
Investigation)
Customs and Excise Department

Clerk in attendance : Ms Angel SHEK
Chief Council Secretary (1)1

Staff in attendance : Mr Jason KONG
Senior Council Secretary (1)1

Miss Bowie LAM
Council Secretary (1)1

Miss Mandy POON
Legislative Assistant (1)1

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I. Confirmation of minutes

(LC Paper No. CB(1)670/ — Minutes of the meeting held on
20-21 25 January 2021)

The minutes of the meeting held on 25 January 2021 were confirmed.

II. Information papers issued since last meeting

2. Members noted that the following paper had been issued since the last meeting:

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LC Paper No. CB(1)616/ — Letter dated 18 February 2021 provided
20-21(01) by the Administration on the Waste
Blueprint for Hong Kong 2035 (Chinese
version only)

3. Noting that the Administration had recently announced the Waste Blueprint for Hong Kong 2035, which set out waste management strategies and targets, Mr Tony TSE considered that the Administration should report to the Panel the outcomes of its periodic reviews of and updates to those strategies and targets in a timely manner.

4. In connection with the proposals of retrofitting noise barriers discussed at the Panel meeting on 22 February 2021, Mr Tony TSE suggested that the Administration should provide information on how it would improve the cost-effectiveness of traffic noise mitigation projects; as well as the number of contractors approved for noise barrier retrofitting projects, so as to demonstrate whether there was effective competition in the market.

5. The Chairman remarked that at the above meeting, the Panel had requested the Administration to elaborate on the feasibility of reducing the capital costs of the projects concerned at the relevant meeting(s) of the Public Works Subcommittee ("PWSC"). Should members have further questions regarding the projects, they could raise the questions at the PWSC meeting(s). The Chairman also commented that the Administration should provide to the Panel and/or PWSC as many details as possible regarding the cost components and cost-effectiveness of environmental infrastructure projects in general.

(Post-meeting note: At the Panel meeting on 22 February 2021, members requested the Administration to provide supplementary information on enhancements (if any) made over the years to the designs, materials and maintenance procedure of noise barriers, and how such enhancements had improved the noise reduction effectiveness and/or reduced the construction/maintenance cost of noise barriers. The Administration's written response was circulated to members on 15 March 2021, vide LC Paper No. CB(1)678/20-21(02).)

III. Items for discussion at the next meeting

(LC Paper No. CB(1)672/ — List of follow-up actions
20-21(01)

LC Paper No. CB(1)672/ — List of outstanding items for discussion)
20-21(02)

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6. Members agreed to discuss the following items at the next regular meeting scheduled for Monday, 26 April 2021, at 2:30 pm:

- (a) review of the Eighth Technical Memorandum for Allocation of Emission Allowances for Power Plants; and
- (b) Roadmap on the Popularisation of Electric Vehicles.

IV. Public consultation on a producer responsibility scheme on plastic beverage containers

LC Paper No. CB(1)672/ — Administration's paper on "Public
20-21(03) consultation on a producer responsibility
scheme on plastic beverage containers"

LC Paper No. CB(1)672/ — Background brief on "Producer
20-21(04) Responsibility Scheme on plastic
beverage containers" prepared by the
Legislative Council Secretariat

LC Paper No. CB(1)693/ — Submission from Green Power (Chinese
20-21(01) version only))

7. The Chairman drew members' attention to two submissions tabled at the meeting.

(Post-meeting note: The two submissions tabled at the meeting were issued to members on 22 March 2021, vide LC Paper Nos. CB(1)710/20-21(01) and (02). A submission received after the meeting was issued to members on 23 March 2021, vide LC Paper No. CB(1)717/20-21(01).)

Briefing by the Administration

8. The Secretary for the Environment ("SEN") advised that the Government had launched a public consultation on the proposed introduction of a producer responsibility scheme ("PRS") on plastic beverage containers ("PPRS" in short). The key elements of the proposed scheme included: (a) application of reverse vending machines ("RVMs") as appropriate for efficient recovery of used containers and facilitating rebate provision; (b) requiring certain retail stores selling pre-packaged beverages in plastic containers to serve as designated return points for used containers; (c) setting up a rebate arrangement to encourage the public to return used containers;

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(d) imposing a levy at the beverage supplier level to fund the operation of the scheme; and (e) introducing licensing control to ensure proper recycling and treatment of waste plastic beverage containers. To complement PPRS, the Government also rolled out a one-year pilot scheme to test out the practical application of RVMs in Hong Kong ("the pilot scheme").

9. With the aid of a PowerPoint presentation, the Assistant Director (Waste Management Policy) briefed the Panel on the key features of PPRS.

(Post-meeting note: The PowerPoint presentation materials were circulated to members on 22 March 2021, vide LC Paper No. CB(1)709/20-21(01).)

Discussion

Objectives and expected benefits of the producer responsibility scheme

10. Ms Elizabeth QUAT supported in principle the expeditious implementation of PPRS. Dr Junius HO and Mr Kenneth LAU expressed support for the implementation of the scheme to require relevant parties in the supply chain of plastic-bottled beverages, especially beverage manufacturers/suppliers, to take up the eco-responsibilities. Mr LAU urged the Administration to step up publicity and public education to ensure the scheme's effectiveness and enhance public awareness of the importance of environmental protection.

11. Mr Tony TSE said that he was supportive of the general direction of PPRS. He sought explanation on how the "polluter pays" principle would be manifested in the scheme.

12. SEN explained that PPRS sought to require all relevant stakeholders in the supply chain of plastic-bottled beverages, including manufacturers, importers, retailers and consumers, to share the responsibility for the collection, treatment, recycling and proper disposal of end-of-life products according to the "polluter pays" principle. The Administration recognized that publicity and public education would play a pivotal role in driving behavioural change towards waste generation and disposal. The pilot scheme being implemented in tandem with the public consultation could enhance public awareness of PPRS, and enable members of the public to gain first-hand experience of clean recovery of used containers through RVMs.

13. Mr KWOK Wai-keung said that he was inclined to support the implementation of PPRS, given that existing PRSs had achieved certain results in waste reduction. He hoped that PPRS's implementation could also help

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create job opportunities in relevant fields.

14. SEN responded that job opportunities would be created through the implementation of PPRS. For example, a Rebate System Administrator and various Return Network Operators would be appointed through open tender for the operation of the scheme under the proposed framework.

15. Mr KWOK Wai-keung and Mr Kenneth LAU asked about the target recycling rate of plastic beverage containers after the implementation of PPRS.

16. SEN and the Deputy Director of Environmental Protection (Special Projects) ("DDEP(SP)") responded that the key factors influencing the recycling rate of plastic beverage containers would include the rebate level under PPRS and the coverage of the network of return points for used containers. The Administration would explore the feasibility of setting a target recycling rate at a later stage having regard to the outcomes of the public consultation, overseas experiences, etc. According to the Administration's study, the recycling rates of plastic beverage containers ranged generally from about 60% to 90% in places with similar PRSs.

Scope of coverage

17. Mr Tony TSE asked about the rationale behind the proposed scope of PPRS's coverage, i.e. plastic-bottled beverage products with container volume ranging from 100 ml to 2 litres.

18. DDEP(SP) explained that the proposed scope covered about 99% of plastic-bottled beverage products distributed in Hong Kong. To enable the verification of eligible containers by RVMs, each container should bear a barcode and other features (such as a designated recycling logo). There might be technical difficulty for RVMs to read and verify these features on very small containers (say those with a volume below 100 ml). On the other hand, the current design of RVMs available in Hong Kong could not accept containers exceeding 2 litres in volume generally.

19. Ms Elizabeth QUAT expressed concern that after the implementation of PPRS, some beverage manufacturers/suppliers might switch to beverage containers of other materials that were not subject to recycling levy but those materials might be less recyclable than plastics.

20. SEN responded that in respect of reducing waste beverage containers, priority was currently given to plastic beverage containers because the entering of waste plastics into the marine environment had a significant impact on the marine ecosystem, and the recycling industry for plastic containers was better

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developed than those for containers made of other materials (such as drink pouches made of composite materials). The Administration would study the feasibility of promoting the recycling of other types of containers through PRSs at a later stage.

Rebate level

21. Members noted that the proposed recycling levy had two components: (a) the recycling fee, to be calculated based on the litre-volume of beverage products, and (b) the rebate, to be offered to the public on return of used containers at return points. Based on the initial guesstimates on the recycling fee projected by the government-appointed consultant, if the rebate level was set at \$0.1 per container, the recycling levy would be around \$0.5 to \$0.65 per 500-ml container (i.e. the recycling fee component would account for around \$0.4 to \$0.55). In response to a question from Mr Michael TIEN, DDEP(SP) affirmed that the recycling fee level would be calculated independently of the rebate level.

22. Mr Michael TIEN, Mr KWOK Wai-keung, Ms Elizabeth QUAT and Dr Junius HO expressed concern that the proposed rebate level at \$0.1 per container might not provide sufficient incentive for the return of used containers.

23. SEN responded that the Administration maintained an open attitude towards the rebate level, and the proposed level at \$0.1 per container served as a starting point for discussion. He pointed out that Singapore was also implementing a trial scheme for the application of RVMs, and the rebate offered per returned container was even less.

24. Mr Michael TIEN suggested that the rebate for each returned container should be increased to at least \$0.5 under PPRS. However, as a uniform rebate level would be applied to all eligible containers, and beverage manufacturers/suppliers or retailers were likely to transfer the additional costs arising from the recycling levy to consumers, the rebate would have a higher impact on lower-priced products percentage-wise. He therefore asked whether the Administration would consider cushioning the impact through providing subsidies for the rebate, so that the proportion of the overall recycling levy to the original retail price of a beverage product could be maintained within a certain limit, say not more than 10%.

25. SEN responded that the Administration would carefully consider all relevant factors when determining the rebate level. In other places with similar PRSs, it was not a common practice to provide government subsidy for the rebate.

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26. Ms Elizabeth QUAT sought justifications for introducing a rebate system instead of a deposit-refund system (also commonly referred to as "deposit-and-return" system).

27. DDEP(SP) responded that whether the take-back service would be provided manually or by means of RVM might not be an issue of concern to members of the public returning used containers, so long as an instant rebate/refund would be offered. However, from the administrative perspective, a deposit-refund system would entail more complicated clearing system and accounting challenges (especially for small and medium enterprises), considering that plastic-bottled beverages were usually consumed on the go, and used containers might not be returned to the same stores where the beverages were purchased from.

Designated return points

28. Mr SHIU Ka-fai said that The Hong Kong Retail Management Association opposed the proposal of mandating retail stores to serve as designated return points for used plastic beverage containers, and suggested that the Administration should promote the products' recovery primarily through public education instead. The major reasons were as follows:

- (a) some retailers who had voluntarily tested out recovery arrangements for used plastic beverage containers found that the operating and opportunity costs involved would be disproportionally high due to the expensive rentals in Hong Kong;
- (b) the storage and transportation of used containers might give rise to environmental hygiene problems, and the rebate arrangement might attract some people (such as scavengers) to bring a large quantity of used containers collected elsewhere to a retail store; and
- (c) results of a poll conducted by an organization showed that, in respect of the preferred location for depositing used plastic beverage containers, 56% of the respondents preferred domestic premises, 18% preferred doing so when going out, and only 11% opted for retail stores.

29. Mr SHIU Ka-fai also opined that if the proposed municipal solid waste ("MSW") charging scheme was successfully implemented, generation of MSW in general would be reduced significantly, rendering it unnecessary to impose a mandatory take-back scheme at the retail level for used plastic beverage

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containers.

30. As plastic-bottled beverages were usually consumed on the go and waste plastic containers so generated were dumped haphazardly throughout the territory, Mr KWOK Wai-keung considered that certain types of facilities with high foot traffic, such as shopping centres, should be required to serve as designated return points for used plastic beverage containers.

31. SEN and DDEP(SP) responded that the Administration endeavoured to establish a reasonably convenient network of designated return points. Many retailers in Hong Kong were small and medium enterprises with rather limited shop space. It did not seem practicable to require all retailers to provide the take-back service. It was therefore proposed that only stores operating at a certain scale, say with retail floor area of not less than 200 sq m, be required to provide the take-back and rebate redemption services (if pre-packaged plastic-bottled beverages were sold at those stores). The Administration would continue to explore the options for designated return points and discuss with the retail sector the arrangements. In the public consultation document, members of the public were also invited to indicate their preferred types of locations for the take-back and rebate redemption services.

Reverse Vending Machine Pilot Scheme

32. Mr Michael TIEN asked about the implementation progress of and experience gained from the pilot scheme. Mr KWOK Wai-keung considered that the geographical coverage of RVMs under the pilot scheme was rather limited.

33. DDEP(SP) advised that the Administration planned to install 60 RVMs in phases at different locations under the pilot scheme. Since the launch of the pilot scheme in January 2021, 40 RVMs had commenced operation, which had received over 400 000 plastic beverage containers so far. Based on the experience gained from the initial phase of implementation, the Administration considered that the \$0.1 rebate per container could incentivize, to some extent, the return of used plastic beverage containers. To enhance public awareness of the RVMs, ambassadors were assigned to promote the pilot scheme and assist the public in the proper use of the RVMs.

34. Mr Tony TSE sought further information on the average daily quantity of containers recovered by the RVMs under the pilot scheme, and how the Administration would further promote the use of those RVMs.

35. SEN and DDEP(SP) responded that the first two batches of RVMs (20 RVMs in each batch) commenced operation in January and February 2021

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respectively. On average, each RVM recovered about 400 to 500 containers daily; and the best-performing RVM could recover over 1 000 containers daily. Noting that the daily quantities of containers recovered were lower than the design capacity of the RVMs, the Administration would continue to study ways to further promote their utilization.

Complementary waste plastics reduction measures

36. Mr SHIU Ka-fai and the Chairman pointed out that some people had a genuine need to consume pre-packaged beverages. They urged the Administration to implement other measures such as enhancing the provision of water dispensers in public places to reduce the consumption of plastic-bottled beverages, and encouraging beverage manufacturers/suppliers to use greener packaging materials and/or packaging designs for beverages.

37. SEN advised that the Administration had been implementing measures to reduce the consumption of plastic-bottled beverages for waste reduction, including the installation of more water dispensers at government venues. The Administration would continue to promote the use of environmentally friendly packaging designs and service arrangements by beverage manufacturers/suppliers. Some of the green measures adopted or being explored by the industry included thinner bottles, bottles with more recycled contents, providing non-detachable caps to the bottles (which could facilitate the recycling of plastic caps together with the bottles), and the provision of beverage refilling services. In the PPRS consultation document, members of the public were invited to give suggestions on promoting eco-packaging designs.

38. DDEP(SP) supplemented that the purpose of PPRS was not to completely eliminate the use of plastic packaging for beverages, but to encourage the public to think twice before using plastics, better utilize plastics' life spans, and join hands in taking up the eco-responsibilities for the use of plastic beverage containers. It was expected that with the introduction of the recycling levy, some manufacturers/suppliers would find ways to improve the packaging designs of their beverage products in order to make the products more environmentally friendly and cost-competitive.

39. As plastic beverage containers only accounted for around 5% of waste plastics disposed of at landfills daily, Mr Tony TSE called on the Administration to promote the reduction and recycling of other types of waste plastics through other measures.

40. Mr KWOK Wai-keung pointed out that the Mainland would progressively phase out some plastic products, such as disposable tableware made of expanded polystyrene and non-degradable plastic bags. He asked

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whether the Administration had plans to implement similar measures. As food delivery was becoming more and more popular, he considered that the Administration should step up efforts to promote the use of reusable tableware.

41. SEN advised that the Administration had been working with some major operators in the catering trade in reducing the provision of disposable tableware to customers. More and more catering operators had adopted the practice of providing disposable tableware only on customers' requests. As mentioned in the Waste Blueprint for Hong Kong 2035, the Administration would consult the public on the phased regulation of disposable plastic tableware, and would explore the need to regulate other single-use plastics.

Local recycling industry for waste plastics

42. Mr Michael TIEN remarked that there had been media reports that source-separated waste plastics collected in housing estates were mixed with other waste by private waste collectors and eventually landfilled, which indicated that local waste plastics recycling was unprofitable. He asked how the Administration would promote the sustainable development of the local recycling industry for waste plastics.

43. Mr Kenneth LAU asked about the existing and potential recycling outlets of waste plastics generated in Hong Kong. As the Mainland and some Southeast Asian countries had tightened restrictions on import of waste and recyclables, he was concerned that plastic beverage containers recovered through PPRS would be eventually landfilled due to the lack of recycling or export outlets.

44. SEN responded that the local recycling industry had been adversely affected by the decline of global market prices for many recyclables and the Mainland's tightening of import control on recyclables. To tackle the problem, the Administration had assumed a more proactive role in the recovery and recycling of major types of recyclables, including waste plastics, food waste and waste paper, with a view to promoting the sustainable development of the recycling chains. In respect of plastics recycling, a tenant of EcoPark was building a plant for recycling plastic beverage containers into food-grade raw materials, which could be used for re-manufacturing of plastic beverage containers. The recycling plant was expected to be commissioned in 2021, and there should be overall sufficient capacity in Hong Kong to absorb all plastic beverage containers recovered after the implementation of PPRS. Moreover, through the Recycling Fund and other initiatives (such as free collection service for waste plastics from non-commercial and non-industrial sources), the Administration had been supporting the upgrade of recycling operations for waste plastics, which could help ensure sufficient local or export outlets for the

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recycled materials/products.

45. Dr Junius HO suggested that the Administration arrange a duty visit to waste-to-resources/energy facilities for members, with a view to enhancing members' understanding on the environmental and economic benefits of such facilities. SEN said that the Administration would consider Dr HO's suggestion.

Conclusion

46. The Chairman concluded that members supported in principle the general direction of PPRS. He reminded the Administration to heed members' views and suggestions when formulating the detailed implementation proposal.

V. North District, Lamma Island and Lantau sewerage, and the construction and rehabilitation of sewage rising mains in Yuen Long, Tai Po Kau and Yau Tong

(LC Paper No. CB(1)672/ — Administration's paper on North District,
20-21(05) Lamma Island and Lantau Sewerage,
and the Construction and Rehabilitation
of Sewage Rising Mains in Yuen Long,
Tai Po Kau and Yau Tong)

Briefing by the Administration

47. With the aid of a PowerPoint presentation, the Assistant Director/Sewage Services, Drainage Services Department ("AD/SS/DSD") briefed the Panel on the proposed upgrading of the following projects to Category A:

- (a) 4409DS – North East New Territories sewerage system upgrade, at an estimated cost of \$825.8 million in money-of-the-day ("MOD") prices;
- (b) 4355DS – Outlying Islands sewerage stage 2 – Lamma village sewerage phase 2, package 2 at an estimated cost of \$502.9 million in MOD prices;
- (c) 4353DS – Outlying Islands sewerage, stage 2 – extension of sewerage system to other unsewered villages in Mui Wo at an estimated cost of \$135.7 million in MOD prices;

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- (d) 4417DS – Construction and rehabilitation of trunk sewage rising mains in Yuen Long at an estimated cost of \$886.3 million in MOD prices;
- (e) 4419DS – Construction and rehabilitation of sewage rising mains in Tai Po Kau at an estimated cost of \$107.6 million in MOD prices; and
- (f) 4420DS – Construction and rehabilitation of trunk sewage rising mains in Yau Tong at an estimated cost of \$621.1 million in MOD prices;

as well as the trenchless construction method and the cured-in-place-pipe lining technology to be adopted for some of the construction and rehabilitation works concerned.

(Post-meeting note: The PowerPoint presentation materials were circulated to members on 22 March 2021, vide LC Paper No. CB(1)709/20-21(02).)

Discussion

General issues

48. The Chairman, Ms Elizabeth QUAT, Mr Tony TSE and Ir Dr LO Wai-kwok expressed support for the proposals of constructing and rehabilitating sewerage systems, which could improve environmental hygiene and water quality as well as reduce the risk of pipe blockage.

49. In response to Mr Tony TSE's question, AD/SS/DSD advised that the standard design life of sewage rising mains was normally 25 years, and that of mechanical and electrical equipment in sewage pumping stations ("SPSs") was normally 15 years.

50. Dr Junius HO enquired about the cost breakdowns of the projects in question. The Under Secretary for the Environment ("USEN") advised that in accordance with the established practice, the cost breakdowns would be provided in the relevant papers to be submitted to PWSC.

4409DS – North East New Territories sewerage system upgrade

51. Mr LAU Kwok-fan noted that the proposed scope of works under 4409DS included the construction of sewage rising mains as well as construction or upgrading of several SPSs in the vicinity of Ta Kwu Ling. As

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some villages in Ta Kwu Ling were still relying on individual and simple on-site facilities for sewage treatment and disposal, he asked whether the Administration would consider providing branch sewers to connect those villages to the public sewerage system in tandem with the implementation of 4409DS.

52. USEN advised that the Administration had plans to provide branch sewers to connect 15 unsewered villages in Ta Kwu Ling to the public sewerage system after completion of 4409DS. Relevant feasibility studies had already commenced. As requested by Mr LAU Kwok-fan, USEN undertook to provide supplementary information on the timetable for the provision of village sewerage systems to those unsewered villages for members' reference before the Administration proceeded to seek PWSC's support for 4409DS.

(Post-meeting note: The Administration's written response was circulated to members on 27 April 2021, vide LC Paper No. CB(1)836/20-21(02).)

53. In response to Mr Tony TSE's question relating to the reconstruction of two SPSs at Sha Ling and Tong Fong, AD/SS/DSD advised that the existing SPS at Sha Ling would be demolished and a new one with higher capacity would be constructed on another site. The Drainage Services Department ("DSD") would discuss with the Lands Department the future use of the existing site of Sha Ling SPS at a later stage.

54. Mr LAU Kwok-fan and Dr Junius HO asked whether after the completion of 4409DS, the sewerage systems in the area would be able to cope with additional sewage flow arising from the New Territories North ("NTN") new development area ("NDA") (if the relevant development proposals were pursued upon completion of an ongoing study).

55. Dr Junius HO further asked whether it would be more cost-effective in the long-run to construct a sewage treatment works ("STW") in the vicinity of Ta Kwu Ling to cope with the sewage treatment demand arising from NTN NDA, instead of constructing additional rising mains for conveying the sewage to the Shek Wu Hui Effluent Polishing Plant as proposed.

56. Mr Tony TSE expressed concern how the Administration would ensure that land resources allocated for sewerage facilities would be utilized to the full to cope with projected population growth.

57. USEN advised that as a standard procedure, sewerage infrastructure planning was incorporated into the planning for NDAs in the early stage. The design parameters of sewerage facilities included the projected population data

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issued by the Planning Department (projected data up to 2041 was currently used). The Administration had already obtained funding approval for the phased redevelopment of Shek Wu Hui STW into Shek Wu Hui Effluent Polishing Plant to increase the facility's handling capacity, so that it could cope with additional sewage treatment demand arising from the Kwu Tung North and Fanling North NDAs and other planned new developments in the North District. The Civil Engineering and Development Department would plan and construct sewers associated with the NDAs in conjunction with the road system. As regards the proposed developments in NTN, if the feasibility of relevant development proposals was confirmed, the Administration would conduct planning and engineering studies for the required infrastructure, including sewerage infrastructure, according to the established practice.

4355DS – Outlying Islands sewerage stage 2 – Lamma village sewerage phase 2, package 2

58. Dr Junius HO asked why the ratio of capital cost to ultimate population served of 4355DS was higher than those of the other five projects in question.

59. The Chairman enquired whether it would be feasible to reduce the capital cost of 4355DS, which he considered was on the high side. He sought information on the alternatives considered by the Administration, and whether such alternatives included the construction of a new STW near Tai Wan To or Hung Shing Ye (instead of conveying the sewage to the existing Yung Shue Wan STW as proposed).

60. USEN responded that the majority of areas between Tai Yuen and Hung Shing Ye of Lamma Island were still unsewered, and there was a sewage trickling filter in operation for over 20 years at Hung Shing Yeh Beach used for treating sewage generated by visitors before discharge into Hung Shing Ye Bay. Extension of the public sewerage system to these areas could help improve environmental hygiene, reduce the amount of pollutants discharged into the nearby stream courses and marine waters, and further protect the water quality of the bathing beach. The Administration had studied the option of constructing a new STW near Tai Wan To or Hung Shing Ye and found that it would be less cost-effective than the current proposal. The major reasons were as follows:

- (a) Yung Shue Wan STW was close to Tai Yuen, from where sewage would be conveyed under the proposal. The majority of the rising mains and gravity sewers proposed were within village areas for connecting individual premises to the public sewerage system, which would need to be constructed regardless of the villages' distances to the closest STW. In other words, reducing the distances between an STW and the villages concerned (say by

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constructing a new STW closer to the villages) could achieve rather limited cost savings;

- (b) it was estimated that the construction of a new STW would require additional capital cost of around \$100 million to \$200 million, as well as additional operating cost; and
- (c) Yung Shue Wan STW had spare capacity to handle sewage generated in the village areas concerned.

4420DS – Construction and rehabilitation of trunk sewage rising mains in Yau Tong

61. As the sewage rising mains to be constructed or rehabilitated under 4420DS lay underneath some major roads, the Chairman called on the Administration to carry out the works as efficiently as possible in order to minimize their impact on nearby residents.

62. USEN responded that the Administration would employ trenchless technologies as far as possible under the proposed project to reduce traffic impact and inconvenience to the public. However, trenchless construction methods generally required more time compared to traditional open-trench methods. DSD would carry out the works as efficiently as possible and continue to explore the possibility of compressing the project timeline.

Sewerage strategy and application of new technologies

63. Dr Junius HO asked about Hong Kong's overall sewerage strategy. USEN advised that:

- (a) the coverage of Hong Kong's public sewerage system, reaching over 93% of the population, ranked among the best in the world. With the implementation of the Harbour Area Treatment Scheme, which collected sewage from both sides of Victoria Harbour for treatment at the Stonecutters Island STW, the water quality of Victoria Harbour had significantly improved in recent years;
- (b) however, there were still residual pollution discharges to some coastal waters of Victoria Harbour. Dry weather flow interceptors were being installed to tackle the problem, with a view to improving the water quality of nearshore waters;
- (c) there were about 1 030 villages in Hong Kong, and the current village sewerage programme covered about 550 villages (which

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were larger villages, or whose sewage discharges were more likely to cause water pollution due to proximity to water bodies). The sewerage systems for 258 villages had been completed and that of 59 were under construction. The Administration would implement the remaining projects progressively subject to availability of resources;

- (d) sewerage infrastructure planning was incorporated into the planning for NDAs in the early stage. Therefore, sewage generated from NDAs would be treated properly before disposal, and was unlikely to give rise to environmental concerns; and
- (e) there were about 1 800 km of underground sewers in Hong Kong, of which 180 km were sewage rising mains. Many of these rising mains had been in service for many years and were of single-pipe design, with the risk of pipe burst increasing over the remaining usage life. Depending on the extent of ageing and deterioration, the Administration would rehabilitate aged rising mains progressively and upgrade them to twin-pipe system in order to enhance their operational reliability and prevent pollution caused by leakage.

64. Ir Dr LO Wai-kwok suggested that the Administration should step up publicity on its application of new technologies in public works projects. Ms Elizabeth QUAT considered that the Administration should strengthen collaboration with the innovation and technology sector and/or provide funding support for the research and development of new technologies for improving the construction, monitoring, maintenance and rehabilitation methods for the sewerage systems, so as to increase the durability of the systems and enable early detection of repair needs.

65. AD/SS/DSD advised that routine inspection of sewerage systems was conducted through closed-circuit television surveys, and maintenance works were arranged as necessary based on the survey results. DSD would engage universities and research institutes in the identification of new technologies for enhancing the inspection and preventive maintenance of the sewerage systems and seek to further strengthen collaboration with the innovation and technology sector in this regard.

Conclusion

66. The Chairman concluded that the Panel supported the Administration's submission of the proposals to PWSC for consideration.

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VI. Briefing on the proposed Members' Bill to amend the Organized and Serious Crimes Ordinance to strengthen the combat against illegal wildlife trade

(LC Paper No. CB(1)594/ — Letter dated 3 February 2021 from
20-21(01) Hon Elizabeth QUAT on her proposed Members' Bill which seeks to amend the Organized and Serious Crimes Ordinance (Cap. 455) to strengthen the combat against illegal wildlife trade (enclosing the draft Bill and related Legislative Council Brief)

LC Paper No. CB(1)693/ — Submission from WWF-Hong Kong
20-21(02)

LC Paper No. CB(1)693/ — Submission from Environmental
20-21(03) Investigation Agency UK (English version only)

LC Paper No. CB(1)704/ — Submission from Wildlife Justice
20-21(01) Commission (English version only)

LC Paper No. CB(1)704/ — Submission from Society for the
20-21(02) Prevention of Cruelty to Animals (HK) (English version only)

LC Paper No. CB(1)704/ — Submission from Hong Kong Wildlife
20-21(03) Trade Working Group)

Briefing by Ms Elizabeth QUAT

67. The Chairman invited Ms Elizabeth QUAT to brief members on her proposed Members' Bill, which sought to add certain offences under the Protection of Endangered Species of Animals and Plants Ordinance (Cap. 586) ("PESAPO") to Schedule 1 to the Organized and Serious Crimes Ordinance (Cap. 455) ("OSCO").

68. Ms Elizabeth QUAT pointed out that in 2018 and 2019, the authorities seized over 649 tonnes of endangered species cargoes, valued at \$207 million in total. In 2019, the volume of endangered species seized in Hong Kong was equal to about one-third of that in the Mainland. The above indicated that although the maximum penalties for some wildlife crimes under PESAPO had

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been increased substantially in 2018, Hong Kong had remained a transit hub for illegal trade in endangered species. It was observed that the majority of offenders convicted for wildlife crimes were only couriers who carried the goods for third parties, and members of transnational crime syndicates who orchestrated the wildlife crimes were not pursued and prosecuted. She therefore proposed the Bill for strengthening the authorities' investigation and enforcement powers, with a view to combating illegal trade in endangered species more effectively. It was expected that the following effects could be achieved by adding the relevant PESAPO offences to Schedule 1 to OSCO:

- (a) the enforcement agencies could utilize the powers under section 4 of OSCO to gain access to materials related to the investigation of wildlife crimes;
- (b) the court could confiscate the proceeds of wildlife crimes; and
- (c) the court could pass enhanced sentences for wildlife crimes charged under PESAPO when they were related to organized crimes.

Ms QUAT also said that the proposed Bill had gained the support of many local and overseas organizations in wildlife conservation, including the 16 members of the Hong Kong Wildlife Trade Working Group.

69. The Chairman invited the Administration to explain its position on the proposed Bill. USEN advised that the Administration supported any proposal for strengthening the enforcement agencies' powers in combating wildlife crimes for better protection of endangered species, and maintained an open attitude towards the proposed Bill.

Discussion

70. Dr Junius HO said that he supported in principle the proposed amendments to OSCO for combating organized crimes of illegal trade in endangered species. He sought elaboration on the prosecution procedure for offences under PESAPO, and how to ensure that the penalty faced by a convicted person would be proportionate to the seriousness of the offence.

71. USEN and the Assistant Director (Conservation), Agriculture, Fisheries and Conservation Department responded that offences under PESAPO relating to wildlife trade were triable either summarily or on indictment. An offender was liable to a fine of \$5 million and to imprisonment for two years on summary conviction, and to a fine of \$10 million and to imprisonment for 10 years on conviction on indictment. Based on the findings of investigations,

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the enforcement agencies would consult the Department of Justice whether the suspects should be prosecuted summarily or on indictment. Generally speaking, cases involving individuals bringing into Hong Kong small volumes of scheduled species would be prosecuted summarily. In each prosecution case, the Administration would explain the seriousness of the offence in the court documents for the court to take into account when considering the appropriate penalty.

72. The Assistant Commissioner (Intelligence and Investigation), Customs and Excise Department ("AC(II)/C&ED") added that according to the definition in OSCO, an organized crime "means a Schedule 1 offence that (a) is connected with the activities of a particular triad society; (b) is related to the activities of 2 or more persons associated together solely or partly for the purpose of committing 2 or more acts, each of which is a Schedule 1 offence and involves substantial planning and organization; or (c) is committed by 2 or more persons, involves substantial planning and organization and involves (i) loss of the life of any person, or a substantial risk of such a loss; (ii) serious bodily or psychological harm to any person, or a substantial risk of such harm; or (iii) serious loss of liberty of any person". If the proposed Bill was passed, less serious cases of violation of PESAPO were unlikely to fall within the definition of organized crime in OSCO.

73. The Chairman expressed support for the proposed Bill, as he considered that there was a need to strengthen the Administration's enforcement capability. He asked about the trend in illegal trade in endangered species, the number of prosecution cases in recent years, and the difficulties encountered by the Administration in taking enforcement actions.

74. USEN and AC(II)/C&ED responded that there were 745 and 659 cases involving endangered species in 2018 and 2019 respectively. In 2018, the Agriculture, Fisheries and Conservation Department ("AFCD") and the Customs and Excise Department ("C&ED") instituted 221 and nine prosecutions respectively for cases involving violation of PESAPO. The numbers of prosecutions instituted by AFCD and C&ED in 2019 were 226 and four respectively. To successfully prosecute a person for violating PESAPO, the prosecution must prove that the person had knowingly imported/exported/re-exported or arranged to import/export/re-export the controlled species into Hong Kong. As the consignees of illegal endangered species cargoes were usually shipping and logistics companies which arranged for re-export of the cargoes on the instructions of third parties, it was sometimes difficult to gather sufficient evidence to prove the mens rea of the consignees and track down the masterminds of the wildlife crimes if they were located in other jurisdictions.

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Conclusion

75. The Chairman concluded that the Panel supported in principle the proposed Members' Bill.

VII. Any other business

76. There being no other business, the meeting ended at 5:02 pm.

Council Business Division 1
Legislative Council Secretariat
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