

**Advisory Council on the Environment
Waste Management Subcommittee**

Notes of the 18th Meeting Held on 2 June 2008

Present

Prof. Poon Chi-sun (Chairman)
Mr. Edwin Lau
Dr. Ng Cho-nam
Mr. Tsang Kam-lam
Dr. Yau Wing-kwong
Mr. Te Chi-Wang (Secretary)

Absent with Apologies

Mr. James Graham
Prof. Howard Huang
Dr. Man Chi-sum
Mr. Simon Wong

In Attendance

Mr. Albert Lam	Deputy Director of Environmental Protection
Mr. Alfred Lee	Assistant Director of Environmental Protection (Waste Management Policy)
Mr. Vincent Tang	Assistant Director of Environmental Protection (Nature Conservation & Infrastructure Planning)
Mr. Steven Wong	Senior Environmental Protection Officer
Dr. Cherie Lee	Environmental Protection Officer

Action

Welcome

1. The Chairman welcomed Mr Albert Lam, Deputy Director of Environmental Protection, who attended the Subcommittee meeting for the first time.

Agenda Item 1: Confirmation of Minutes of the Last Meeting

2. The draft minutes of the 17th meeting held on 3 March 2008 were confirmed without amendment.

Agenda Item 2: Matters Arising

Public Education Programme

3. The Secretary reported that the Environment and Conservation Fund Committee (ECFC) deliberated the “Save Food Project” by Greeners Action in March, and suggested that the proposal should cover more food outlets, particularly major fast food chains. Members agreed that the proposal was a good initiative worth supporting and that Greeners Action should be encouraged to re-submit their proposal, taking into account the suggestion of the ECFC.

[Post-meeting Notes: Greeners Action would re-submit their proposal to the ECFC in September 2008.]

Agenda Item 3: Pilot Plant Development of Biodegradable Waste Treatment Facility (Paper WMSC 03/08)

4. Mr. Vincent Tang briefed Members on the latest development of the Organic Waste Treatment Facilities (OWTF) for the treatment of biodegradable waste from commercial and industrial sources. In particular, a pilot plant based on “aerobic method” would be commissioned in mid-2008 for trial, and the information collected would be used for the detailed planning and design of the OWTF.
5. A Member suggested that “anaerobic method” could perhaps be explored as well in the light of its advantage in energy-input requirement and production of bio-gas. Two Members concurred with a Member, noting that the two methods could be adopted at the same time for comparison study. Mr. Steven Wong, however, pointed out that the Department had decided *not* to adopt the “anaerobic method” for trial due to major concerns over safety control, particularly with respect to bio-gas hazards. Mr. Vincent Tang added that both “aerobic” and “anaerobic” methods were generally well proven, and the focus of the trial was more on the broader perspective of organic waste collection, organic waste handling, outlets for the compost products, etc.
6. On ‘aerobic methods’, A Member further suggested the need for

continuous supply of “bulking agents”. On the design of the plant, A Member recommended putting the “screening treatment” after the “composting treatment” with reference to a similar plant in San Francisco.

7. The Chairman supported the proposed pilot plant. In particular, he highlighted the need to closely monitor the effectiveness of different source separation arrangements, the carbon-nitrogen ratio of organic waste inputs, and the toxicity of the compost products.
8. In response to a Member’s enquiry, Mr. Vincent Tang said that food waste treatment by operators of food courts and shopping malls would also be encouraged as it helped achieve the objective of waste reduction.

Agenda Item 4: Progress of Key Initiatives in the “Policy Framework for the Management of Municipal Solid Waste (2005-2014)” (Paper WMSC 04/08)

9. Mr. Alfred Lee briefed Members on the progress of key initiatives in the “Policy Framework”. In particular, he noted that the Building (Refuse Storage and Material Recovery Chambers and Refuse Chutes) (Amendment) Regulation 2008 was gazetted on 16 May 2008. Subject to approval of the LegCo, the new requirements would take effect from 1 December 2008 onwards. In parallel, the Product Eco-responsibility Bill (PER Bill) was being scrutinized at a Bills Committee. The PER Bill adopted a framework approach, which would provide a legal foundation for implementing producer responsibility schemes for various products. The environmental levy on plastic shopping bags would be the first scheme under the Bill. On the Integrated Waste Management Facilities, Mr. Vincent Tang reported that the detailed engineering and EIA studies for the two sites identified would commence in 2008, while public engagement work and liaison with relevant District Councils were ongoing.
10. On producer responsibility schemes, A Member informed the Subcommittee that major green groups, including Conservancy Association, Friends of the Earth, Green Power and Greeners Action, had jointly issued a letter to the LegCo supporting early passage of the PER Bill. Meanwhile, they also requested that

the producer responsibility schemes for the remaining five priority products in the “Policy Framework” should also be legislated within current tenure of the Administration. Mr. Albert Lam responded that the Secretary of Environment had taken note of the views of the green groups. In fact, the framework legislative approach adopted by the PER Bill had clearly underlined the Administration’s commitment to introducing PRS’s beyond the one on plastic shopping bags. That said, as changes in waste management and disposal practices might necessitate corresponding changes in the priority for introducing individual PRS’s or even the introduction of PRS’s for other products not currently envisaged, it would not be practicable to commit to an implementation timeframe for other producer responsibility schemes at this stage. The Chairman appreciated the needs for flexibility given the constant changes in waste management practice. Nevertheless, he urged the Administration to proceed with the preparatory work of other producer responsibility schemes as a matter of priority. He suggested that the Administration could update the Subcommittee on the latest development in relation to packaging materials and beverage containers at the next meeting.

Secretary

11. A Member asked about the pilot trial by Green Island Cement on incinerating municipal solid waste at a cement plant. Mr. Vincent Tang responded that the technology adopted by the pilot trial was not proven on a mass scale. In addition, the effect of additional emissions on air quality had yet to be studied. Mr. Albert Lam added that Green Island Cement could continue to pursue their pilot plant as long as the air quality and other requirements could be fully met. However, the Administration had the responsibility to ensure the provision of a reliable waste treatment plant in a timely manner to meet the public need.

Any Other Business

Depositing of Inert Construction and Demolition Materials on Private Land

12. Mr. Alfred Lee briefed Members on the concerns expressed by the LegCo Panel on Environmental Affairs over the depositing of inert construction and demolition (C&D) materials on private land. To address these concerns, EPD would take the lead in

establishing a comprehensive database for shared use amongst relevant Departments so that the depositing of inert C&D materials could be closely monitored, and where necessary, enforcement actions be taken at the earliest opportunity. The Panel would also like the Administration to explore the feasibility of legislative amendments, particularly with respect to the Waste Disposal Ordinance (WDO), the Environmental Impact Assessment Ordinance (EIAO) and the Town Planning Ordinance (TPO).

13. A Member considered that the depositing of inert C&D materials on private land was essentially a planning issue, which should be best tackled through amendments to the TPO. For instance, controls in urban and rural areas, particularly green belts and conservation zones, could be further strengthened. He noted that the depositing of inert C&D materials might not cause environmental problems *per se*, and hence could *not* be effectively addressed through the WDO. A Member supported amendments to the TPO as a longer-term solution. In the near term, A Member suggested that the trip-ticketing system presently implemented for public works projects could be extended to private projects to monitor the depositing of the C&D materials. The Chairman supported a Member's suggestion, and noted that initial focus could be on private projects of large scale and those involved demolition or construction of buildings.

[Post-meeting Note: A written submission on the subject was made to the LegCo Panel on Environmental Affairs (Annex). The Chairman attended the Panel meeting on 30 June 2008 on behalf of the ACE.]

Agenda Item 5: Date of Next Meeting

14. The next meeting had been scheduled for 22 September 2008.

ACE Waste Management Subcommittee
Secretariat
June 2008

Depositing of Inert Construction and Demolition Materials on Private Land

Views of the Advisory Council on the Environment

- The Advisory Council on the Environment (ACE) shares the public concern over the depositing of inert construction and demolition (C&D) materials on private land. In particular, such depositing of inert C&D materials could become an eyesore in the rural area, and be found incompatible with the surrounding natural environment.
- The ACE supports an inter-departmental approach in addressing the potential problems arising from the depositing of inert C&D materials on private land. Such potential problems could cut across areas of planning, land uses, environmental protection, drainage and public hygiene; and joint enforcement efforts by relevant departments are necessary. The proposed information sharing through a database is welcomed
- The ACE notes the suggestion of amending the Waste Disposal Ordinance (WDO) to address the problem. However, given their inert nature, C&D materials are *not* necessarily wastes and their depositing may *not* create environmental problems that can be tackled by environmental legislation, including the WDO.
- The ACE considers that the primary issues arising from the deposition of C&D materials are adverse impacts on landscape, incompatible land uses, water pollution and drainage interferences from their erosion and the potential safety threat to the neighbouring land users. As such, the ACE suggests that the Town Planning Ordinance (TPO) should be suitably amended to enhance planning and land use controls both in urban areas and rural areas, and particularly in green belts and conservation zones, where existing controls are often found to be inadequate.
- Noting that the amendments to the TPO and/or WDO would be a longer term solution, the ACE considers that the existing trip-ticketing system could be extended from public works projects to major private works projects (e.g. projects involving construction and demolition of buildings) to track the movement of inert C&D materials so that some control on the final deposition of the materials can be implemented.

- The ACE considers that the level of penalty on convicted cases should be more severe to impose sufficient deterrent effect, in particular on environmentally sensitive areas where environmental degradation was caused and difficult to be restored.
- The ACE suggests that reference be made to overseas regulatory frameworks and practices in handling the depositing of inert C&D materials on private land.