

**Minutes of 999th Meeting of the
Town Planning Board held on 30.11.2011, 1.12.2011,
2.12.2011, 3.12.2011, 7.12.2011, 9.12.2011 and 13.12.2011**

Present

Permanent Secretary for Development
(Planning and Lands)
Mr. Thomas Chow

Chairman

Mr. Stanley Y.F. Wong

Vice-chairman

Mr. K.Y. Leung

Mr. Walter K.L. Chan

Mr. B.W. Chan

Ms. Maggie M.K. Chan

Mr. Raymond Y.M. Chan

Mr. Y.K. Cheng

Mr. Felix W. Fong

Ms. Anna S.Y. Kwong

Professor Paul K.S. Lam

Professor Edwin H.W. Chan

Mr. Rock C.N. Chen

Mr. Timothy K.W. Ma

Dr. Winnie S.M. Tang

Professor P.P. Ho

Professor Eddie C.M. Hui

Dr. C.P. Lau

Ms. Julia M.K. Lau

Mr. Clarence W.C. Leung

Dr. W.K. Lo

Mr. Roger K.H. Luk

Ms. Anita W.T. Ma

Professor S.C. Wong

Ms. Pansy L.P. Yau

Dr. W.K. Yau

Assistant Director (2), Home Affairs Department

Mr. Eric Hui

Director of Lands / Deputy Director (General), Lands Department

Miss Annie Tam / Mr. Jeff Lam

Deputy Director of Environmental Protection

Mr. Benny Wong

Director of Planning

Mr. Jimmy C.F. Leung

Deputy Director of Planning/District

Miss Ophelia Y.S. Wong

Secretary

Absent with Apologies

Dr. James C.W. Lau

Mr. Maurice W.M. Lee

Mr. Laurence L.J. Li

Mr. Stephen M.W. Yip

Principal Assistant Secretary (Transport)

Transport and Housing Bureau
Mr. Fletch Chan

In Attendance

Assistant Director of Planning/Board
Mr. C.T. Ling

Chief Town Planner/Town Planning Board

Ms. Christine K.C. Tse (morning sessions on 30.11.2011 and 7.12.2011, afternoon sessions on 1.12.2011 and 9.12.2011, as well as 2.12.2011, 3.12.2011 and 13.12.2011)

Miss H.Y. Chu (afternoon sessions on 30.11.2011 and 7.12.2011, and morning sessions on 1.12.2011 and 9.12.2011)

Senior Town Planners/Town Planning Board

Ms. Johanna W.Y. Cheng (afternoon session on 30.11.2011)

Ms. Donna Y.P. Tam (morning sessions on 1.12.2011 and 9.12.2011)

Mr. J.J. Austin (afternoon session on 1.12.2011)

Ms. Caroline T.Y. Tang (2.12.2011 and afternoon session on 9.12.2011)

Ms. Amy M.Y. Wu (3.12.2011 and 13.12.2011)

Ms. Maggie M.Y. Chin (afternoon session on 7.12.2011)

Town Planner/Town Planning Board

Ms. Karina W.M. Mok (morning sessions on 30.11.2011 and 7.12.2011)

1. The following Members and the Secretary were present in the morning session on 30.11.2011:

Mr. Thomas Chow

Chairman

Mr. Stanley Y.F. Wong

Vice-chairman

Mr. Walter K.L. Chan

Mr. B.W. Chan

Ms. Maggie M.K. Chan

Mr. Y.K. Cheng

Mr. Felix W. Fong

Ms. Anna S.Y. Kwong

Professor Edwin H.W. Chan

Mr. Rock C.N. Chen

Mr. Timothy K.W. Ma

Dr. C.P. Lau

Dr. W.K. Lo

Mr. Roger K.H. Luk

Professor S.C. Wong

Dr. W.K. Yau

Assistant Director (2), Home Affairs Department

Mr. Eric Hui

Director of Lands

Mr. Jeff Lam

Director of Planning

Mr. Jimmy C.F. Leung

Agenda Item 1

[Open Meeting]

Matters Arising

[The meeting was conducted in Cantonese.]

2. The Secretary reported that there were no matters arising.

[Mr. Timothy K.W. Ma left the meeting temporarily at this point.]

Sai Kung and Islands District

Agenda Item 2

[Open Meeting (Presentation and Question Session only)]

Consideration of Representations and Comments to the Draft

Tseung Kwan O Outline Zoning Plan No. S/TKO/18

Group 2 : R1 (Part) to R2467, R2468 (Part) to R2479,

C1 (Part) to C66, C67 (Part) to C163, C164 (Part) to C166 and C167 (Part) to C205

(TPB Paper No. 8939)

[The hearing was conducted in Cantonese.]

Presentation and Question Session

3. The Secretary said that Mr. Benny Wong, Deputy Director of Environmental Protection, had declared interest in this item as the proposed South East New Territories Landfill Extension (SENTLFX) project was under the purview of the Environmental Protection Department (EPD). Members noted that Mr. Benny Wong had tendered apology for being unable to attend the meeting.

4. Members agreed that sufficient notice had been given to invite all representers and commenters to attend the meeting, and that the hearing of the representations and comments should be proceeded with in the absence of the other representers and commenters who had indicated that they would not attend or did not reply to the invitation

to this meeting.

5. The following representatives of the Planning Department (PlanD), EPD and Transport Department (TD) were invited to the meeting:

- Mr. Ivan M.K. Chung - District Planning Officer/Sai Kung and Islands (DPO/SKIs), PlanD
- Mr. Wilfred C.H. Cheng - Senior Town Planner/Tseung Kwan O (STP/TKO), PlanD
- Mr. Stephen K.S. Lee - Town Planner/Tseung Kwan O (TP/TKO), PlanD
- Dr. Ellen Y.L. Chan, JP - Assistant Director (Environmental Infrastructure), EPD
- Mr. Lawrence M.C. Lau - Principal Environmental Protection Officer (Waste Facilities), EPD
- Mr. Tommy K.L. Lai - Senior Environmental Protection Officer (Waste Facilities), EPD
- Ms. Heidi M.C. Lam] Environmental Protection Officer (Waste Facilities), EPD
- Mr. Wallace Y.M. Yiu]
- Mr. Ma Kwai Loeng - Senior Engineer/Housing and Planning/New Territories East, TD

6. The following representers, commenters and their representatives were invited to the meeting:

R3 (Owners Committee of The Grandiose)

- Mr. Lui Kim Ho - Representer's representative

R5 (Ng Shuet Shan (Sai Kung District Councillor) and the Incorporated Owners of Bauhinia Garden (Tseung Kwan O))

- Mr. Wai Leung Yu]
- Ms. Hung Miu King]
- Mr. Yu Wing Ming] Representer's representatives
- Mr. Lee Yung Kwong]

Mr. Chan Heung Ming]

Mr. Lee Sai On]

R6 (Ocean Shores Owners' Committee)

Mr. Chan Kwok Keung - Representer's representative

R55 (Cheung Shan Shan)

Ms. Cheung Shan Shan - Representer

R202 (Chong Wing Hing)

Mr. Chong Wing Hing - Representer

R203 (name not provided) - Representer

Mr. Cheung Chi Tung

R547 (Leung Shiu Man)

Mr. Leung Shiu Man - Representer

R698 (Ko Hok Han and Choi Wai Cai)

Ms. Fong Kwok Shan] Representer's representatives

Mr. Chan Kwok Keung]

R702 (Chan Lung Tat)

Chan Lung Tat - Representer

R801 (Tam Tak Sang)

Ms. Tam Tak Sang - Representer

R809 (Kwok So Fong)

Ms. Kwok So Fong - Representer

R883 (Wong Yuk Fong)

Ms. Wong Yuk Fong - Representer

R885 (Yeung King Wai)

Mr. Yeung King Wai - Representer

R902 (Tsang Sing Hung)

Tsang Sing Hung - Representer

R904 (Yu Suk Chun)

Yu Suk Chun - Representer

R947 (Ho Shun Yiu)

Ho Shun Yiu - Representer

R2444 (Cheung Kwok Keung)

Mr. Cheung Kwok Keung - Representer

R2464 (Fong Kwok Shan, Sai Kung District Councillor)

Ms. Fong Kwok Shan - Representer

Mr. Cheung Mei Hung]

Ms. Chai Lei]

Chan Hang Kit]

Cheng Suk Yin]

Cho Hak Shing]

Hui Yuet Han] Representer's representatives

Ng Pik Ying]

Tang Kwong Man]

Ms. Yim King Lam]

Ms. Li Oi Ling]

Ms. Law Po Lin]

Ms. Law Ka Lin]

Mr. Wan Kwok Yiu]

Ms. Chong Shuk Hing]

Ms. So Yuen Ching]

Ms. Lai Siu Chee]

Sit Siu Hung]

Yip Chung Yuk]
Lee Tin Chung]
Ng Mei Lan]
Po Sui Fong]
Chan Cheuk Hei]
Tsang Siu Ping]

C59 (Ngo Yuk Kei)

Ms. Ngo Yuk Kei - Commenter
Mr. Chan Kwok Keung - Commenter's representative

C92 (Cheung Kwok Keung)

Mr. Cheung Kwok Keung - Commenter

C124 (Chan Siu Wing)

Ms. Hong Kit Ming - Commenter's representative

C159 (Fong Siu Leung)

Fong Siu Leung - Commenter

C187 (Sai Kung District Council Fong Kwok Shan, Pong Chiu Fai, Lam Chun
Ka and District Member Leung Koon Wah and Chan Shu Kuen)

Mr. Tsui Yun Yung - Commenters' representative

C205 (Hung Ching Hon)

Hung Ching Hon - Commenter

[Mr. Felix W. Fong arrived to join the meeting at this point.]

7. The Chairman extended a welcome and said that the Town Planning Board (the Board) had the statutory duty to consider the representations/comments received in respect of a draft plan and to submit the draft plan together with the representations/comments to the Chief Executive in Council (CE in C) for approval within a statutory time limit. To ensure a smooth and efficient conduct of the hearing, the government representatives, the representers, commenters and their representatives should

address the Board only at the invitation of the Chairman. During the presentation, attendees in the meeting should keep silent and should not interrupt the meeting so as to allow Members to attend to the presentations. If the hearing was interrupted by any attendees, the Chairman would give a warning to the concerned person and if such interruption continued, the Chairman would ask the person who did not observe the order of the meeting to leave the meeting. As Chairman of the Board, he had the responsibility and authority to ensure that the meeting could proceed smoothly and in an orderly manner. He appealed to the attendees for their understanding and cooperation.

8. The Chairman then explained the procedures of the hearing and said that government representatives would be invited first to brief Members on the background to the representations and comments. After the presentation by the government representatives, the Chairman would invite the representers, commenters and their representatives to make their presentations in turn according to the sequence as shown in the agenda. Many attendees had indicated that they would like to make presentations at the hearing. To allow everyone an opportunity to make presentation and to avoid a prolonged hearing process, he reminded attendees to keep their presentations succinct and avoid repeating the same points or arguments which had already been presented by other attendees at the hearing.

9. The Secretary said that a letter dated 21.11.2011 from the Owners' Committee of Nan Fung Plaza (R4), a letter dated 29.11.2011 from Mr. Ip Wai Ming, Legislative Councillor (R2467), and a petition letter from Professional Power were tabled at the meeting. An email dated 29.11.2011 from Lee Mei Lin, a Tseung Kwan O (TKO) resident, was also tabled at the meeting. The Secretariat of the Board would check if Lee Mei Lin was a representer or commenter in respect of the draft TKO Outline Zoning Plan (OZP) No. S/TKO/18 under consideration. In addition, a pamphlet, including a newspaper cutting, about the opposition to the proposed SENTLFX was tabled by representers at the meeting.

[Post-meeting note: The Secretariat of the Board subsequently confirmed that Lee Mei Lin was a representer, R917.]

10. The Chairman then invited the government representatives to brief Members

on the background to the representations and comments.

11. With the aid of a Powerpoint presentation, Mr. Ivan M.K. Chung, DPO/SKIs, made the following main points as detailed in the Paper:

OZP Amendments

- (a) on 7.5.2010, the draft TKO OZP No. S/TKO/18 was exhibited for public inspection under s.5 of the Town Planning Ordinance (the Ordinance). During the statutory publication period of the draft TKO OZP No. S/TKO/18, a total of 2,479 representations were received. During the publication period of the representations, 205 comments were received. R1 (part), R2468 (part) and the related comments concerning the other amendment items under Group 1 had been considered by the Board on 16.11.2011. The hearing of this item was to consider R1 (part) to R2467 and R2468 (part) to R2479 and the related comments under Group 2 which were in respect of the following amendments incorporated in the draft TKO OZP No. S/TKO/18:
 - (i) rezoning a site in Area 137 from “Other Specified Uses” annotated “Deep Waterfront Industry” (“OU(DWI)”) to “Open Space (2)” (“O(2)”) (Amendment Item A1), and extending the planning scheme boundary of the OZP to include a site to be excised from the Clear Water Bay Country Park (CWBCP) and zoning the site as “O(2)” (Amendment Item A2) to facilitate the implementation of the proposed SENTLFX; and
 - (ii) rezoning the existing South East New Territories Landfill (SENTLF) in Area 101 from “O” to “O(2)” (Amendment Item A3);

Background

- (b) EPD carried out the study “Extension of Existing Landfill and Identification of Potential New Waste Disposal Sites” which was completed in 2003. Based on the study results, EPD considered that the

extension of the existing landfills was the most viable solution to tackle the waste disposal problem before the operation of bulk waste reduction facilities;

- (c) in 2005, the Government published the “Policy Framework for the Management of Municipal Solid Waste (2005-2014)” which set out a comprehensive waste management strategy of the next ten years. While the Government was actively promoting initiatives to reduce waste generation and promote waste recycling, landfills were still required for non-recyclable waste, inert waste and waste residues after treatment;
- (d) under the consultancy study “SENTLFX – Feasibility Study” commissioned by EPD in 2005, a site of about 15.6 ha in Area 137 and about 5 ha of land within the CWBCP were considered suitable for the proposed SENTLFX. The Director of Environmental Protection (DEP) approved the concerned Environmental Impact Assessment (EIA) Report with conditions in May 2008 and granted the concerned environmental permit in August 2008;
- (e) on 30.3.2009, the Country and Marine Parks Board endorsed the proposed excision of about 5 ha of land from the CWBCP;
- (f) on 23.4.2010, the Rural and New Town Planning Committee (RNTPC) of the Board agreed that the draft TKO OZP No. S/TKO/17A (renumbered as S/TKO/18 upon gazetting) together with its Notes and Explanatory Statement were suitable for exhibition under s.5 of the Ordinance;
- (g) on 4.5.2010, the Sai Kung District Council (SKDC) was consulted on the proposed amendments. The SKDC opposed the proposed SENTLFX if the malodour problem was not resolved;
- (h) on 13.10.2010, the Legislative Council (LegCo) resolved to repeal the Country Parks (Designation) (Consolidation) (Amendment) Order 2010

to extend the SENTLF into the CWBCP by 5 ha;

- (i) on 4.1.2011, the Government decided to exclude the 5 ha of country park land from the landfill extension; scale down the proposed SENTLFX in Area 137 from 15.6 ha to 13 ha; and send only odourless waste to the proposed SENTLFX;
- (j) EPD briefed the Advisory Council on the Environment (ACE), the Panel on Environmental Affairs of the LegCo and the Board on the “Update on the Progress of the Key Initiatives in the Policy Framework” on 17.1.2011, 24.1.2011 and 25.2.2011 respectively;
- (k) on 1.3.2011, the Secretary for Development (SDEV) gave directive, in accordance with section 3(1)(a) of the Ordinance, to the Board to exclude the 5 ha of country park land from the planning scheme area of the TKO OZP;
- (l) on 30.3.2011, the Chief Executive agreed under s.8(2) of the Ordinance to extend the statutory time limit for submission of the draft TKO OZP No. S/TKO/18 to the CE in C for approval for a further period of six months to 7.10.2011;
- (m) on 15.4.2011, the RNTPC of the Board agreed to the proposed amendments to the draft TKO OZP No. S/TKO/18 to facilitate the development of a new broadcasting house of Radio Television Hong Kong (RTHK) and to reserve land for undesignated government, institution or community (GIC) uses in Area 85;
- (n) on 3.5.2011, the Environment Bureau (ENB)/EPD briefed the SKDC on the overall waste management strategy and the revised extension scheme. The Chairman of the SKDC concluded that the Government had positively responded to the odour problem and recommended acceptance of the revised extension scheme;

- (o) on 13.5.2011, the draft TKO OZP No. S/TKO/19, incorporating the amendments as stated in paragraph 10(m) above, was exhibited for public inspection under s.7 of the Ordinance. The representations and comments in relation to the draft TKO OZP No. S/TKO/19 would be considered separately by the Board at the same meeting as stated in paragraph 4.14 of the Paper;

Representation Sites and their Surroundings

- (p) the existing uses and surrounding areas of the representation sites were detailed in paragraphs 5.1 and 5.2 of the Paper and summarised as follows:
 - (i) the 15.6 ha of land in Area 137 under Amendment Item A1 was currently used as a temporary fill bank;
 - (ii) the 5.19 ha of land under Amendment Item A2 was vegetated land within the CWBCP;
 - (iii) the area covered by Amendment Item A3 was occupied by the existing SENTLF in Area 101; and
 - (iv) to the north of the existing SENTLF and its extension were vegetated slopes. To the west and north-west across Wan Po Road were the TKO Industrial Estate and an unformed land used temporarily for a fill bank. To the further north-west were the sewage treatment works, residential sites (including LOHAS Park) and the Mass Transit Railway (MTR) depot. To the south were unformed land used temporarily for fill bank and Tai Miu Wan. To the east was the CWBCP;

Planning Intention

- (q) as stated in paragraph 5.3 of the Paper, the “O(2)” zone was intended primarily for the provision of outdoor open-air public space for active and/or passive recreational uses serving the needs of local residents as well as the general public after the decommissioning and restoration of the landfill site, while permitting landfill use in the interim;

Grounds of Representations and Comments

Adverse Representations and Comments

- (r) R2 to R2469, R2471 to R2479, C1 to C66, C68 to C164 (part), C165 to C167 (part) and C168 to C205 raised objection to or had adverse comments on the existing SENTLF and the proposed SENTLFx;
- (s) the main grounds of the adverse representations and comments which were within the ambit of the Board were summarised below :

Site Selection and Land Use Compatibility

- (i) there was no cogent argument for placing the proposed landfill extension in TKO which was incompatible with the densely populated New Town. The topography of TKO would make the diffusion of malodour and air pollution difficult. All residential/commercial areas and existing/potential country parks had been excluded in the site search exercise for the Integrated Waste Management Facilities. The proposed SENTLFx site which was close to the residential areas in TKO should also be excluded;
- (ii) the landfill was too close to LOHAS Park and the proposed SENTLFx would reduce the distance between the landfill and residential developments;
- (iii) the location of industrial uses close to the proposed SENTLFx was not in line with the Hong Kong Planning Standards and Guidelines (HKPSG);

Encroachment upon Country Park

- (iv) the excision of part of the CWBCP for the proposed SENTLFx would cause irreversible and cumulative ecological damages; reduce vegetation cover; violate the principle of no-net-loss by not designating an area of the same size for country park; and go

against the Government's efforts of promoting nature conservation and eco-tourism. The proposed SENTLFX would also reduce the residents' opportunities to enjoy the country park. In view of the availability of land in Area 137, encroachment upon the country park was not necessary;

Zoning Concerns

- (v) the "O(2)" zone could not truly reflect the existing SENTLF and its extension and spell out the planning intention of the zone. It also gave an incorrect message that there was surplus open space in TKO;
 - (vi) it was illogical to put 'Landfill' under Column 1 of the "O(2)" zone while 'Place of Recreation, Sports or Culture' was a Column 2 use; and
 - (vii) the existing SENTLF should be decommissioned and restored for open space use as soon as possible;
- (t) the main grounds of the adverse representations and comments which were related to other government bureaux/departments were summarised below :

Waste Management – The Strategic Framework

- (i) there was no long-term sustainable waste disposal policy/strategy. There were better ways for disposing waste, e.g. by using refuse transfer stations and transporting refuse by sea to remote landfill sites. However, the Government had not conducted study to identify alternatives to landfill;

Environmental Concerns Relating to the Existing SENTLF

- (ii) the landfill caused malodour and air pollution problem, affecting the health of the residents;

- (iii) the refuse collection vehicles (RCVs) caused malodour, noise, vehicular emission, road safety and traffic problems. There were also dropping of waste and dripping of waste water from the RCVs causing hazards to drivers, pedestrians and cyclists;
- (iv) the emission of landfill gas from the landfill would also cause fire and explosion risks;

Environmental/Economic Concerns Relating to the Proposed SENTLFX

- (v) the landfill and its extension would cause malodour, air (including dust emission), water and soil pollution problems; adverse visual and traffic impacts; breed rodents and pests; and emit noxious gas, putting the health and safety of the residents, business operators and employees and the next generation at risk;
- (vi) the rezoning of about 15.6 ha of land from “OU(DWI)” for the proposed SENTLFX would affect industrial development and reduce employment opportunities. The proposed SENTLFX was a disincentive to investment in TKO;
- (vii) the landfill extension would lead to deterioration of the living environment and affect property sale. It was also against the environmental friendly and sustainable development principles;

Other Concerns

- (viii) the environmental assessments and forecast of the lifespan of the existing landfill were not reliable; and
- (ix) EPD still requested the landfill extension despite the opposition of majority of the TKO residents. This was “false consultation” ignoring the right and health of the residents;
- (u) as stated in paragraph 2.1.2 of the Paper, part of the representations submitted by R6, R1314 to R2302 and R2468 raised opposition /

proposals in relation to matters in the TKO South, coastline from Chiu Keng Wan to Tai Chik Shan, Tiu Keng Leng and Area 72 which were not related to the amendments incorporated in the draft TKO OZP No. S/TKO/18;

Supportive Representation and Comments

- (v) R1 (part), C67 (part), C164 (part) and C167 (part) were in support of the existing SENTLF and its extension under Amendment Items A1 to A3 as they would bring about better planning of the concerned area, make good use of the existing SENTLF and provide more open space in the area;

Representation Expressing Concern

- (w) R2470, submitted by Kadoorie Farm and Botanic Garden, had no in-principle objection to extending the planning scheme boundary to incorporate a site to be excised from the CWBCP into the TKO OZP and zoning the site to “O(2)” under Amendment Item A2. However, there were concerns on excising land from the CWBCP for landfill extension without compensation;

Representers' Proposals

- (x) the representers' proposals which were within the ambit of the Board were detailed in paragraphs 2.3.1 and 2.3.2 of the Paper and summarised below:
 - (i) to identify another site for landfill use which should be located away from residential areas;
 - (ii) to abandon the plan of extending the SENTLF to avoid adverse impacts;
 - (iii) to withdraw the amendment items so as to allow time for other waste management initiatives to become fully operational and effective;
 - (iv) to rezone the “O(2)” site to “O” or “OU(DWI)”;
 - (v) to include ‘Landfill’ under Column 2 of the “O(2)” zone;
 - (vi) to give the proposed SENTLFX at least the same level of control as

the North East New Territories Landfill (NENTLF) which was zoned “Other Specified Uses” annotated “Landfill” (“OU(Landfill)”) with clear planning intention for the development of a landfill and ancillary facilities; and

- (vii) to close and restore the landfill as a green and environmental protection area and use the surrounding area for residential use;

[Ms. Maggie M.K. Chan left the meeting temporarily at this point.]

PlanD’s Responses to the Representations and Comments

- (y) PlanD’s responses to the grounds of representations and comments which were within the ambit of the Board were summarised below :

Site Selection and Land Use Compatibility

- (i) according to the White Paper “Pollution in Hong Kong – A Time to Act”, the three existing strategic landfills at the western, north-eastern and south-eastern New Territories of Hong Kong, including the SENTLF, were strategically located to minimize pollution and transportation cost to serve their respective catchment areas;

- (ii) the location of the SENTLF at Tai Chik Sha had been taken into account when residential developments in Areas 85 and 86 were proposed in the 1990s. The “TKO Area 86 Planning Study” completed in 1997 concluded that Area 86, where LOHAS Park was located, was suitable for residential development. While the study identified that there were a number of constraints in the vicinity, including landfill, they were not considered to be technically insurmountable. The study also noted that the landfill had been designed and engineered to avoid adverse impact on the general public. Regarding the rezoning of the industrial sites in Area 85, the proponent had submitted environmental assessment report and proposed environmental mitigation measures against landfill gas hazards. EPD advised that with appropriate

environmental mitigation measures, the proposed residential development in Area 85 would not be subject to unacceptable adverse environmental impacts from, amongst others, the nearby landfill;

- (iii) the proposed residential sites in Areas 86 and 85 had been zoned “Comprehensive Development Area” (“CDA”) and “Residential (Group E)” (“R(E)”) since 29.5.1998 and 19.5.2000 respectively. Residential use under Column 2 of the “CDA” zone and Schedule I of the “R(E)” zone would require planning permission from the Board;
- (iv) regarding the representers’ concern that the industrial area was located in close proximity to the landfill, a consultation zone within 250m of the waste boundary of the SENTLF had been set up in accordance with the HKPSG. Landfill gas hazard assessment report had to be submitted to EPD for vetting developments that fell within the consultation zone;
- (v) the EIA report approved in 2008 indicated that with the recommended mitigation measures, all the environmental parameters would meet the relevant requirements under the EIA Ordinance and its Technical Memorandum. Moreover, the Government on 4.1.2011 had announced its decision to scale down the proposed SENTLFX to 13 ha without encroaching upon the CWBCP;

Encroachment Upon Country Park

- (vi) with the Government’s decision to exclude the 5 ha of land within the CWBCP, SDEV had given directive in accordance with s.3(1)(a) of the Ordinance to exclude this piece of land from the TKO OZP. The concerns relating to the use of country park land were no longer valid;

Zoning Concerns

- (vii) the “O(2)” zone was to reflect the long-term planning intention of open space use at the landfill sites after decommissioning and restoration of the landfill while permitting landfill use in the interim. It was considered suitable for long-term open space use by the “SENTLFX – Feasibility Study”. The use of landfill in the “O(2)” zone in the interim had also been spelt out clearly in the planning intention of the zone. As such, the “O(2)” zone was considered appropriate;

- (viii) as the “O(2)” zone was intended primarily for the provision of outdoor open-air public space for active and/or passive recreational uses serving the needs of local residents and the general public, ‘Place of Recreation, Sports or Culture’ which usually involved structures was therefore put under Column 2 of the zone; and

- (ix) the “O(2)” zone was not to make up the shortfall of open space provision in TKO. The provision of open space in TKO was adequate even without the “O(2)” zone;

[Ms. Maggie M.K. Chan returned to join the meeting at this point.]

- (z) in consultation with the relevant government bureau/departments, the responses to the grounds of representations and comments which were related to other government bureaux/departments were summarised below :

Waste Management – The Strategic Framework

- (i) the Study “Extension of Existing Landfill and Identification of Potential New Waste Disposal Sites” completed in 2003 concluded that the technologies explored could not extend the life of the existing landfills. The “Policy Framework for the Management of Municipal Solid Waste (2005-2014)” published in 2005 encompassed initiatives on waste avoidance and reduction at

source, waste recovery and recycling as well as bulk reduction of waste;

- (ii) the action plan announced by the Government on 4.1.2011 was a multi-pronged approach to waste management. While waste recovery rate was targeted to increase from the current 49% to 55% in 2015, modern technologies, e.g. waste incineration facility and food waste processing facility, would be introduced as part of a modern waste management strategy. Despite the above, in the medium and long-term, Hong Kong still needed landfills to cater for unavoidable waste, e.g. solid waste, non-combustible waste and incineration ashes;

Environmental Issues Relating to the Existing SENTLF

- (iii) the odour audit commissioned by EPD in 2007 indicated that the operation of the SENTLF was in line with the odour management and control requirements set out in the Contract Specifications and broadly in line with the international best practices;
- (iv) most government RCVs were equipped with metal tailgate cover and wastewater tank. Private RCVs would be encouraged to upgrade their installations, follow the relevant code of practice and strengthen vehicle washing;
- (v) the approved EIA report concluded that with the recommended mitigation measures, the landfill gas hazard would be acceptable;

Environmental/Economic Concerns Relating to the Proposed SENTLFX

- (vi) the approved EIA report concluded that with the recommended mitigation measures, the potential air quality, including odour, ecological, noise, water quality, waste management, landscape and visual impacts as well as landfill gas hazards were acceptable and would meet the relevant requirements under the EIA Ordinance and its Technical Memorandum;

- (vii) only construction waste which was odourless would be sent to the proposed SENTLFX;
- (viii) according to the traffic impact assessment for the proposed SENTLFX, no adverse impact due to the landfill extension was expected;
- (ix) in assessing the potential impacts by air pollutants, the approved EIA report included a cancer health risk assessment and a non-cancer health risk assessment and the predicted health risks were considered insignificant;
- (x) there would be no unacceptable environmental problems caused by the proposed SENTLFX with the implementation of the recommended mitigation measures. As such, the proposed SENTLFX was not considered as a disincentive to investment;

Other Concerns

- (xi) the EIA report had incorporated departmental comments where appropriate and had been endorsed with conditions by the ACE before it was approved with conditions by DEP in May 2008; and
 - (xii) EPD had adopted a “Continuous Public Involvement” approach to engage different stakeholders including the SKDC as detailed in Appendix 2 of Annex VIII of the Paper. The chairman of SKDC in May 2011 also recommended acceptance of the revised extension scheme;
- (aa) PlanD’s responses to the representers’ proposals were summarised below :

Site Search for Landfill

- (i) the Study “Extension of Existing Landfill and Identification of

Potential New Waste Disposal Sites” carried out by EPD in 2000 concluded that the technologies explored could not effectively extend the life of the existing landfills;

[Ms. Maggie M.K. Chan left the meeting temporarily at this point.]

Zoning Amendments

- (ii) according to the action plan announced by the Government on 4.1.2011, even with waste reduction and incineration facilities, landfills were still required for the unavoidable waste; and
- (iii) relevant environmental assessments had been conducted with mitigation measures approved by the relevant authorities. It was thus considered acceptable to put “Landfill” as a Column 1 use under the “O(2)” zone;

[Ms. Anna S.Y. Kwong arrived to join the meeting at this point.]

PlanD's Views

- (bb) while the support of R1 (part) was noted, PlanD considered that the proposals/oppositions made by R6, R1314 to R2302 and R2468 (part) in respect of matters in the TKO South, coastline from Chiu Keng Wan to Tai Chik Shan, Tiu Keng Leng and Area 72 were not related to amendments incorporated in the draft TKO OZP No. S/TKO/18 and hence they should be considered as invalid;
- (cc) taking into account SDEV's directive as stated in paragraph 10(k) above, PlanD had no objection to exclude the some 5 ha of country park land from the planning scheme area of the draft TKO OZP with corresponding amendments to delete ‘Country Park’ under Column 1 of the “O(2)” zone to meet/partially meet R2459, R2471 to R2474 and part of R2 to R7, R968 to R2455, R2458, R2460 to R2469 and R2475 to R2479 regarding their opposition to the use of country park for the proposed SENTLFX. The proposed amendments were shown on Plan H-11 and in Annexes X

and XI of the Paper. The concerns of R2470 would also be addressed with the above proposed amendments;

- (dd) taking into account the Government's announcement on 4.1.2011 that the proposed SENTLFX would be scaled down to 13ha in Area 137, PlanD had no objection to reduce the "O(2)" zone in Area 137 to 13 ha and revert the area resulted from the reduction to "OU(DWI)" zone for special industries as shown on Plan H-11 and in Annex X of the Paper to partially meet part of R2 to R2458, R2460 to R2469 and R2475 to R2479 regarding their opposition to the use of land in Area 137 for the proposed SENTLFX;

[Professor Edwin H.W. Chan arrived to join the meeting at this point.]

- (ee) PlanD did not support part of R2 to R2458, R2460 to R2469 and R2475 to R2479 regarding their opposition to the use of the remaining 13 ha of land in Area 137 for the proposed SENTLFX and the existing SENTLF for the reasons given in paragraph 7.5 of the Paper;
- (ff) PlanD also did not support part of R4, R2458, R2461, R2477 and R2478 regarding their opposition to the "O(2)" zoning and/or their proposals relating to the "O(2)" zone for the SENTLF and the proposed SENTLFX for the reasons given in paragraph 7.6 of the Paper; and
- (gg) among the 2479 representations received, it should be noted that 11 representations, including R459, R469, R499, R682, R701, R982, R1123, R1128, R1342, R2324 and R2325, had been withdrawn by the representers of their own accord.

12. Dr. Ellen Y.L. Chan, Assistant Director (Environmental Infrastructure) of EPD, made the following main points :

- (a) Hong Kong was facing imminent waste management problem. Even after waste recovery, about 13,300 tonnes of waste had to be disposed of

at the three strategic landfills in the territory every day at present. The Government needed to act in good time as the three strategic landfills, namely, the SENTLF, the NENTLF and the West New Territories Landfill (WENTLF), were expected to be exhausted in 2014, 2016 and 2018 respectively. In January 2011, the Secretary for the Environment reaffirmed in the LegCo that the Government would implement a three-pronged strategy comprising the enhancement of waste reduction and recovery as well as the adoption of modern waste treatment facilities to tackle the issue. Landfill extension was an indispensable part of waste management facilities; and

[Ms. Maggie M.K. Chan returned to join the meeting at this point.]

- (b) extensive public consultation had been conducted for the proposed SENTLFX. Since early 2004, EPD had launched public consultation with various stakeholders on the initial proposal and the feasibility study of the extension of the SENTLF. Around 40 public consultation activities had been conducted as summarised in Attachment 2 of Annex VIII of the Paper.

13. At this point, a number of attendees shouted loudly that Dr. Chan was lying. The Chairman said that, as he mentioned at the beginning of the meeting this morning, attendees of the meeting should not interrupt the presentation of others during the hearing. Those who continued to disrupt the conduct of the hearing would be asked to leave the meeting.

14. After some time, the meeting returned to order and Dr. Ellen Y.L. Chan continued to make the following main points:

- (a) apart from attending meetings with the owners' corporations of housing estates in TKO, EPD had also attended many meetings and visits organised by the SKDC, its committees and working groups to explain the operation of the existing SENTLF and to report on the progress of the SENTLFX project. The previous and existing District Council Member

of the “Wan Po” Constituency Area had also attended various meetings and visits.

15. At this juncture, a number of representers shouted out loudly that the TKO residents had not been consulted and they objected strongly against the SENTLF and its extension. The Chairman reminded the attendees to stop the interruption, and said that if the representers continued to disrupt the conduct of the hearing, he would invite them to leave the conference room. He subsequently gave the second and third advices. After some time, the meeting returned to order.

16. Dr. Ellen Y.L. Chan continued and made the following main point:

- (a) since January 2008, EPD had proactively organised outreach programmes to invite the stakeholders in TKO, including 48 schools and 42 housing estates, including LOHAS Park, to visit the SENTLF to understand its operation and the effectiveness of the odour management measures implemented therein.

17. At this point, a number of attendees shouted loudly that they objected to the landfill. The Chairman said that attendees should not disrupt the meeting, and those attendees who continued to disrupt the meeting would be asked to leave the meeting. After some time, the meeting returned to order.

18. Dr. Ellen Y.L. Chan continued and made the following main points:

- (a) So far, over 4,000 TKO residents had visited the SENTLF. During the site visits, EPD had taken the opportunity to introduce the waste management policies of Hong Kong and the need for landfill extension as part of the environmental education exercise;
- (b) the Government understood the views of the TKO residents on the proposed SENTLFX and had given a positive response by scaling down the extension scheme from 15.6 ha to 13 ha in Area 137 and avoiding encroachment onto the some 5 ha of land within the CWBCP.

Moreover, only construction waste which was odourless would be sent to the proposed SENTLFX. At the SKDC meeting on 3.5.2011, majority of the SKDC members supported or had no objection to the revised extension scheme;

19. At this point, a number of attendees were shouting loudly, and an attendee tried to ask a question but could not be heard as the background was very noisy. The Chairman reminded the attendees again that they should keep quiet and they would have the opportunity to present their views to the Board later in the hearing. The Chairman gave a second advice to the attendees and after some time, order resumed.

20. Dr. Ellen Y.L. Chan continued and made the following main point:

- (a) some representers were concerned if the EIA approved in 2008 was still valid with the revised extension scheme. The approved EIA had taken into account all the land uses, e.g. residential/GIC sites, in the vicinity of the proposed SENTLFX. After considering the impacts of the landfill extension on these land uses (including LOHAS Park and the RTHK Broadcasting House), the approved EIA concluded that the proposed SENTLFX would not cause significant impacts on the environment and public health.

21. At this point, a number of attendees were shouting loudly. Some said that Dr. Chan was lying. The Chairman reminded the attendees again that they should keep quiet while the presenter was doing the presentation. Order resumed after some time.

22. Dr. Ellen Y.L. Chan continued and made the following main points:

- (a) the approved EIA had already covered different kinds of waste e.g. municipal solid waste and construction waste. Under the revised extension scheme, the landfill extension area would be reduced and only construction waste would be sent to the proposed SENTLFX. In this regard, the potential environmental impacts of the revised extension scheme would be reduced as compared with the originally proposed

scheme and the proposed SENTLFX would fully comply with the relevant standards under the EIA Ordinance and its Technical Memorandum. There was thus no need to redo the EIA for the revised extension scheme;

[Dr. W.K. Lo left the meeting temporarily at this point.]

23. At this point, a number of attendees were shouting loudly. The Chairman appealed to the attendees to calm down. Order resumed after some time.

24. Dr. Ellen Y.L. Chan continued and made the following main points:

- (a) to address the malodour concern of some representers, only construction waste which was odourless would be disposed of at the proposed SENTLFX under the revised extension scheme. No domestic, commercial and industrial waste was allowed at the proposed SENTLFX;
- (b) some representers were concerned that construction waste might contain hazardous substances. Under the Waste Disposal (Charges for Disposal of Construction Waste) Regulation, construction waste referred to waste that was generated from construction work and abandoned. The waste could be inert, e.g. rock, rubble, fill, sand, concrete, or non-inert, e.g. bamboo, timber, vegetation, packaging materials. Inert construction waste was suitable for land formation. When properly sorted, some of the non-inert construction waste could be reused/recycled. The remaining miscellaneous construction waste was sent to landfills for disposal. However, the handling and disposal of construction waste and chemical waste were subject to statutory control of the relevant legislations. As such, construction waste was not allowed to mix with chemical waste such as asbestos and certain components of waste electrical and electronic equipment, e.g. cathode ray tubes, for disposal. EPD would take enforcement actions, including inspection control at landfills, to ensure compliance with the relevant legislations;

[Dr. W.K. Lo returned to join the meeting at this point.]

- (c) some representers were concerned that the transport of construction waste to the landfill would cause dust emission and dropping of waste from vehicles. Regarding dust emission, the Air Pollution Control (Construction Dust) Regulation under the Air Pollution Control Ordinance (Cap. 311) stipulated that dusty materials on vehicles should be covered entirely by clean and impervious sheeting when leaving construction sites. In addition, the falling of materials from vehicles, including RCVs, in the course of transportation was controlled under the Public Cleansing and Prevention of Nuisances Regulation under the Public Health and Municipal Services Ordinance (Cap. 132). The relevant government departments would continue to undertake enforcement work to ensure compliance with the legislations; and
- (d) regarding the concern on emission of toxic gases, the approved EIA had examined the health impacts of over 30 volatile organic compounds (VOCs) contained in landfill gas. Both cancer and non-cancer health risk assessments had also been undertaken. According to the assessments, the predicted cumulative key air pollutants were well below the levels set by the international chronic/acute reference and health risk guidelines throughout the operation, restoration and aftercare of the proposed SENTLFX.

25. At this point, a number of attendees were shouting loudly. The Chairman appealed to the attendees to calm down.

26. After some time, order resumed, and Dr. Ellen Y.L. Chan continued and made the following main point:

- (a) apart from the SKDC and its committees, EPD had planned to set up a Community Liaison Group comprising representatives from various stakeholders in TKO to enhance communication with the residents regarding the SENTLFX project and to follow up on the requirements of

the landfill operation as specified in the Environmental Permit.

27. The Chairman then invited the representers, commenters and their representatives to elaborate on their submissions. He reminded all attendees to keep quiet during the presentation of other attendees. At this juncture, an attendee stood up and started shouting. The order was disrupted. The Chairman asked this attendee to sit down and remain quiet. The Chairman continued to say that if any attendee interrupted the presentation of others, the Chairman would invite the persons disrupting the hearing to leave the conference room so as to ensure a fair hearing for all attendees and to enable Members to listen clearly to the presentations. The Chairman also reminded the attendees to keep their presentations succinct. Order resumed after some time.

R3 (Owners Committee of The Grandiose)

Mr. Lui Kim Ho (representative)

28. Mr. Lui Kim Ho made the following main points:

- (a) LOHAS Park was located in close proximity to the landfill. The distance between LOHAS Park and the landfill was only about 800m, instead of 2km as claimed by PlanD;
- (b) although only construction waste would be disposed of at the proposed SENTLFX, such waste would contain paint which was also harmful to people; and
- (c) there was at present only one tunnel connecting TKO with the other areas of Hong Kong. If the RCVs and construction waste collection vehicles to the landfill caused traffic accidents at the tunnel, the whole of TKO New Town would be affected. It was therefore important to duly consider all relevant factors, including the pollution problems and traffic impact, before making a decision on the landfill extension.

29. Mr. Lui Kim Ho said that the amendment items relating to the SENTLFX and its extension were not shown on the latest version of the OZP No. S/TKO/19. He demanded

PlanD's representatives to respond to this point. Also, regarding EPD's claim that majority of the SKDC members supported the revised extension scheme, Mr. Lui requested the government representatives to clarify this point as the TKO residents had never been consulted. The Chairman repeated the procedures of the hearing, which was for Members to hear all the presentations first before the Question and Answer (Q & A) session. He said that, after the presentation, Members might ask the government representatives, representers, commenters or their representatives to respond to the points requiring clarification.

R6 (Ocean Shores Owners' Committee)

Mr. Chan Kwok Keung (representative)

30. Mr. Chan Kwok Keung made the following main points:

- (a) the residents of Ocean Shores had only started to move in when EPD conducted public consultation for the landfill extension project. Mr. Chan, as a former member of the Owners' Committee, had participated in a site visit to the SENTLF organised by EPD at that time. While the residents maintained their objection to the landfill, the objecting views received were not mentioned by EPD.

R202 (Chong Wing Hing)

31. Mr. Chong Wing Hing made the following main points:

- (a) the latest EIA for the proposed SENTLFX was completed in 2008. At that time, the residents of LOHAS Park had not yet moved in. The EIA was outdated and the Government should redo the EIA. It should not assume that the landfill extension would be located in TKO;
- (b) the Government should provide concrete data to prove that the proposed SENTLFX would not have adverse impacts on the surrounding areas with the recommended mitigation measures. Moreover, there were doubts on whether the recommended mitigation measures would be implemented or

effective;

- (c) on health impacts, the symptoms of some diseases, e.g. cancer would only appear after a period of time. The government representatives were invited to visit or live in the area. They would then understand the actual impacts and problems of the landfill;

[Mr. B.W. Chan left the meeting temporarily at this point.]

- (d) there was heavy traffic at Wan Po Road. In case of traffic accident, residents and school children might be caught in the traffic jam for more than half an hour. At present, about 5,000 to 6,000 vehicles went to the landfill via Wan Po Road, causing dust, traffic noise and traffic congestion problems. With the proposed SENTLFX, the number of vehicles using Wan Po Road might double and the above problems would further aggravate;
- (e) many experts indicated that construction waste, e.g. batteries, fluorescent lamp, paint, contained hazardous substances which were more harmful to people's health than municipal waste. There was no reason to locate the landfill extension close to the residential areas;
- (f) on public consultation, no government representatives had ever come to have meetings with the TKO local residents. While the EIA report was approved in 2008, not many people lived/worked in the area at that time, except for those working in the TKO Industrial Estate. The Government should come to collect their views at the present moment; and

[Mr. B.W. Chan returned to join the meeting at this point.]

- (g) there were many grounds of objection against the SENTLFX and its extension, and it was wrong to say that residents had no objection. It was hoped that the Board could carefully consider whether it was

appropriate to extend the landfill in Area 137.

[Dr. W.K. Lo left the meeting temporarily at this point.]

R547 (Leung Shiu Man)

32. Mr. Leung Shiu Man made the following main points:

- (a) Mr. Leung was an employee of the Television Broadcasts Limited (TVB) City in the TKO Industrial Estate. He was interviewed by the Apple Daily and the newspaper cutting about his interview was tabled at the meeting;
- (b) Mr. Leung had been suffering from the malodour problem of landfill for years. He always had to wear a face mask at work due to the malodour problem. He showed Members a face mask and said that the chemicals of malodour were collected by the filter of the face mask. He previously had nasal sinusitis and was now suffering from allergic rhinitis. His colleagues also had inflammation of the nose. Noting that two out of the five employees at his office were suffering from one kind of illness or another, the total number of people that might have health problem due to the landfill could be substantial;

[Dr. W.K. Lo returned to join the meeting at this point.]

- (c) the proposal that SENTLFX would only receive construction waste which was odourless could be even more dangerous as the TKO residents/workers would be less vigilant to protect themselves by wearing a face mask. As a result, they would inhale the suspended particulates or harmful substances in the air without noticing it; and
- (d) the TVB City was located very close to the landfill which was roughly about the round trip distance between Studio 1 and Studio 15 of the TVB City. There was only a 3m high boundary fence in between the landfill

and the TVB City. However, there were employees who had to work in the TVB City round the clock all days. Members should carefully consider if the landfill extension should be located at TKO Area 137.

R801 (Tam Tak Sang)

33. Ms. Tam Tak Sang made the following main points:

- (a) Ms. Tam's mother was over 90 years old. However, she still participated in the demonstration against landfill last year as she was previously a pharmacist and knew that medical waste disposed of at landfills was harmful to people's health. If EPD's claim that the proposed SENTLFX project would comply with the international standards was correct, she questioned why the LegCo would object to the encroachment of the TKO landfill into the CWBCP last year;
- (b) Ms. Tam had retired for some years and was thus fully aware of how serious the malodour problem in TKO was. She could not open the windows even though she lived on 52/F of a building. The malodour problem on 18.11.2011 was so serious that she had to lodge a telephone complaint. There was no guarantee that the health of the resident would not be affected by restricting the disposal of construction waste only at the proposed SENTLFX. The Government was requested to redo the EIA; and
- (c) EPD indicated that there were no alternatives other than landfills to tackle the waste disposal problem. In fact, EPD should learn from the successful experience in overseas countries such as initiatives on the reuse and recycling of waste. To quote an example, Ms. Tam's children lived in the UK and could easily buy a second-hand computer with desk and chair for 100 pounds.

R809 (Kwok So Fong)

34. Ms. Kwok So Fong made the following main points:

- (a) many children in TKO needed to travel to school in other districts. They faced danger every day as there were many RCVs and construction waste collection vehicles travelling on Wan Po Road. The dropping of objects from the RCVs and construction waste collection vehicles might cause traffic accident and even casualty. For instance, even a small rock could break the windscreen of vehicles; and

[Mr. Walter K.L. Chan left the meeting temporarily at this point.]

- (b) the approved EIA report for the proposed SENTLFX was not an “imperial decree”. The Government should not insist on the landfill extension project despite the opposition of a large number of residents. There were many elderly living in TKO. They had already suffered from landfill problems for some 20 years since the operation of the SENTLF. The Government should not extend the SENTLF.

R883 (Wong Yuk Fong)

35. Ms. Wong Yuk Fong made the following main points:

- (a) Ms. Wong was a resident of LOHAS Park. The Board should act for the general welfare of the community and hence it should not disregard the views of the TKO residents as expressed on 16.11.2011 and this meeting. In October 2010, LegCo had resolved to repeal the Country Parks (Designation) (Consolidation) (Amendment) Order 2010 regarding the encroachment of some 5 ha of land within the CWBCP for landfill extension. Despite that, the Government still intended to extend the landfill in Area 137. The proposed SENTLFX was located very close to the residential areas and the TKO Industrial Estate. In particular, LOHAS Park with a planned population of about 100,000 persons was

only about 2km away from the landfill. Each day, there were thousands of RCVs and construction waste collection vehicles travelling on Wan Po Road to the landfill causing adverse impacts on the surrounding areas; and

- (b) the Government misled the public by saying that only disposing of construction waste at the proposed SENTLFX could reduce the malodour problem. In actual fact, construction waste could seriously affect the residents' health and cause various diseases e.g. cancer, upper respiratory infection, inflammation of throat, etc. The landfill was located too close to residential areas and was intolerable. The Government was requested to close the landfill forever.

[Mr. Walter K.L. Chan returned to join the meeting at this point.]

[Mr. Eric Hui and Ms. Anna S.Y. Wong left the meeting temporarily at this point.]

R885 (Yeung King Wai)

36. With the aid of photos, Mr. Yeung King Wai made the following main points:

- (a) Mr. Yeung was a resident of LOHAS Park. In TKO, the air quality was poor and the malodour problem created by the landfill was serious. He had previously lodged a telephone complaint against the malodour problem. However, EPD replied only two to three days later indicating that the malodour was not caused by the landfill;
- (b) several thousands of RCVs and construction waste collection vehicles travelled on Wan Po Road each day generating significant traffic noise problem. On rainy days, the dirty water from the landfill would pollute the whole of Junk Bay. In May 2011, there was a fire at the construction site of La Splendeur. 28 fire engines and six ambulances were sent to the fire scene, probably due to the fear that explosion that might be caused by the methane released from the landfill,

- (c) human beings were part of the ecosystem. However, the scope of the ecological assessment for the proposed SENTLFX had covered only plants, birds, etc., but not human beings;
- (d) with the completion of the cruise terminal at Kai Tak in 2013, cruise liners would come into Victoria Harbour from Lei Yue Mun Strait. The landfill would be an eyesore to the tourists who travelled on cruise liners; and
- (e) photos showing the beautiful scenery of Area 137 and its surrounding areas with mountain backdrop and coastline were shown to Members. Sai Kung was the back garden of Hong Kong. The use of the beautiful coastal areas as a landfill site was unsuitable. He hoped that the Board would consider repealing the landfill.

[Mr. Eric Hui returned to join the meeting at this point.]

37. At this point, Ms. Fong Kwok Shan said that some residents had to leave now and asked if they could make their presentations first. The Chairman asked if any other attendees disagreed with that. As there was no objection, he replied in the affirmative.

R2464 (Fong Kwok Shan, Sai Kung District Councillor)

Ms. Lai Siu Chee (representative)

38. Ms. Lai Siu Chee (Mrs. Ying) made the following main points:

- (a) Mrs. Ying previously lived in Fortress Hill on Hong Kong Island. Her family moved to LOHAS Park for a better living environment. LOHAS Park was previously called the “City of Dream”. The name of “LOHAS Park” came from the short form of “Lifestyle of Health and Sustainability”. Ironically, the TKO residents had to close their windows and turn on air conditioners to avoid the malodour problem of the landfill. This was not environmental-friendly. The RCVs and

construction waste collection vehicles to the landfill also caused dust problem in the area;

- (b) the SENTLF had been in operation for some 20 years. It was unfair to ask the TKO residents to suffer from the landfill problems for over 20 years. The responsibility to provide land for waste disposal should be shared by each district, as per the Government's proposal to identify a site in each district for columbarium use; and
- (c) a complaint was previously lodged against an open storage yard in the area which attracted mosquitoes, bugs and strayed dogs. While the District Lands Officer was requested to take back the site, they claimed that the site had been rented out and the tenancy was renewable every three months.

[Ms. Anna S.Y. Kwong returned to join the meeting at this point.]

R2464 (Fong Kwok Shan, Sai Kung District Councillor)

Ms. Yim King Lam (representative)

39. Ms. Yim King Lam made the following main points:

- (a) Ms. Yim moved from City Garden on Hong Kong Island to LOHAS Park for the sake of good health as she heard that the living environment and air quality of the area were good. After moving in, she found out that there was malodour from the landfill and many RCVs and construction waste collection vehicles passing through Wan Po Road every day. The windows had to be closed all the time to avoid the malodour. This was against her original intention to move to LOHAS Park for better health;
- (b) while EPD claimed that the assessments had concluded that the proposed SENTLFx would not adversely affect the health of the residents, the Government was requested to provide reliable data to every resident of the area to guarantee that there was no adverse impact on health; and

- (c) there were queries as to how the Government could control that all RCVs and construction waste collection vehicles to the proposed SENTLFX would only contain construction waste for disposal.

C59 (Ngo Yuk Kei)

40. With the aid of photos, Ms. Ngo Yuk Kei made the following main points:

- (a) Ms. Ngo had been living in TKO for eight years, during which she had moved from the TKO town centre to LOHAS Park. Located within a short walking distance from LOHAS Park, the SENTLFX had caused significant adverse impacts on the residents. The EIA for the proposed SENTLFX was already completed in 2008. It should be redone. She might accept the proposal if the new EIA proved that the landfill was acceptable;
- (b) there were over thousands of RCVs and construction waste collection vehicles passing through Wan Po Road each day, causing malodour, dust and traffic noise problems which significantly affected the TKO residents. Objects such as wooden planks, nails, paper cartons, polyfoam, mattresses were found dropping off from these vehicles on Wan Po Road. A tyre of Ms. Ngo's car was once punched through by a nail dropped from RCVs. Waste water was found dripping on Wan Po Road from the RCVs and construction waste collection vehicles. The road was cleaned by flushing water over but that was more polluting as the waste water would spread out to a wider area. Although only construction waste would be dumped at the proposed SENTLFX, the problem of items dropping off from the RCVs and construction waste collection vehicles along Wan Po Road would still persist;
- (c) the TKO New Town had a population of about 500,000. While LOHAS Park was located nearest to the SENTLFX, there were also many buildings located near Area 137 as shown in the photos exhibited to

Members. The photos were taken at the house of Ms. Ngo's friend at Island Resort at Siu Sai Wan. Although Island Resort was on the other side of Victoria Harbour, her friend also hoped that the landfill could be closed;

- (d) the proposed SENTLFX site was only a vacant site a year ago. However, as shown in the photos exhibited to Members, the proposed SENTLFX site was currently covered with soil. She suspected that the site was already used as landfill. When the weather was not good, the entire surroundings of the landfill site became misty. Malodour was not the only problem caused by the landfill. The Government should resolve the landfill problems, instead of extending the landfill; and
- (e) there was no basis to say that construction waste was odourless and hence would not cause adverse impacts on the surrounding areas. The landfill would generate dust problem and affect the air quality. The Government should not renege on its original plan to close the SENTLFX by 2012. While the proposed SENTLFX had an area of 13 ha, the remaining area in Area 137 was large. It was suspected that the Government would continue to extend the landfill to the whole of Area 137 instead of just the 13 ha of land.

R55 (Cheung Shan Shan)

41. Ms. Cheung Shan Shan made the following main points:

- (a) Ms. Cheung was a member of the Owners' Committee of The Capitol, LOHAS Park. LOHAS Park was planned as the largest residential community in Hong Kong. However, the distance between LOHAS Park and the landfill was only about 800m, which was rarely found in other parts of the world. She requested the government representatives to advise the distance between the three strategic landfills in Hong Kong and the surrounding residential areas respectively;

- (b) many residents in LOHAS Park were middle-class people who seldom voiced out their views. However, the landfill extension had made them participate in demonstrations against the landfill. It was wrong to place a landfill close to the residential areas. The name of “LOHAS Park” came from the short form of “Lifestyle of Health and Sustainability”. In LOHAS Park, many trees were planted and modernised equipment was adopted to collect and recycle waste water for irrigation and planting. There was also an equipment to recycle food waste. The residents of LOHAS Park had paid much effort in environmental protection;

- (c) there were about 1,500 vehicles passing through Wan Po Road each day, half of which were RCVs and construction waste collection vehicles. They caused traffic congestion and dust problem. Moreover, many objects such as rocks, wooden planks and soil had dropped from the RCVs and construction waste collection vehicles onto Wan Po Road. In fact, many complaints relating to the breaking of windscreen by fallen objects from RCVs and construction waste collection vehicles were received. There was also an incident that a big rock fell from a construction waste collection vehicle in front of her car and she had to make an emergency stop. This could easily cause traffic accident. When she lodged a complaint to EPD, she was asked to report the matter to the Highways Department (HyD) which advised her to report to the Police instead. On the other hand, she noticed that many eagles looked for food at the landfill; and

- (d) it was not appropriate to locate the landfill close to residential areas. Mr. Leung Shiu Man (R547) in his presentation had indicated that many staff in the TVB City had allergic rhinitis. The TVB City was located at the end of Wan Po Road which was really dusty. The trees there were unhealthy and dying. One of her neighbours who had allergic rhinitis had decided to move to Sai Kung.

C124 (Chan Siu Wing)

Ms. Hong Kit Ming (representative)

42. With the aid of a Powerpoint presentation, Ms. Hong Kit Ming made the following main points:

- (a) Ms. Hong was a member of the Owners' Committee of Le Prestige, LOHAS Park. It was misleading to zone the SENTLF and its extension as "O(2)" with an intention for open space development in the long term and landfill as an interim use only. It was believed that the one representer in support of the SENTLF and its extension only supported the provision of open space and was misled by the "O(2)" zoning of the site;
- (b) when the residents moved to TKO, they had expected that the SENTLF would be decommissioned by 2012 as previously announced by the Government. The residents were later told that the closure would be postponed to 2014. The Government should keep its promise to close the landfill as originally scheduled instead of extending the landfill;
- (c) EPD indicated that according to the EIA completed in 2003, it was necessary to extend the existing landfills. However, it had not identified Area 137 for the landfill extension. On the contrary, according to paragraph 22 of the Executive Summary of the "Extension of Existing Landfill and Identification of Potential New Waste Disposal Sites", Area 137 had some other planned land uses (i.e. LOHAS Park and the TKO Industrial Estate) and there was no specific recommendation for the landfill extension in Area 137. In another study relating to the selection of sites for the Integrated Waste Management Facilities completed in 2008, it was considered that Area 137 was subject to relatively greater constraints and hence no further study for Area 137 was recommended. On the other hand, Tsang Tsui Ash Lagoons and Shek Kwu Chau were identified for further study and it was noted that Tsang Tsui Ash Lagoons had the highest scores in this study. The basis for selecting Area 137,

instead of Tsang Tsui Ash Lagoons and Shek Kwu Chau, for the proposed SENTLFX was doubtful;

- (d) the number of environmental complaints received in the past three years for the three strategic landfills in the territory were as follows:

	2008	2009	2010
NENTFL	0	0	0
SENTLF	747	548	753
WENTLF	3	10	6

The complaint figures for the SENTLF had not yet included the complaints lodged by the residents of Le Prestige and Le Prime of LOHAS Park who had not yet moved in. The reason for the much higher number of complaints relating to the SENTLF among the three landfills in the territory was because the SENTLF was located too close to residential areas. The two studies completed in 2003 and 2008 had clearly indicated that Area 137 should not be used for the extension of the existing SENTLF. The residents had queries as to why the Government disregarded the results of the two studies and selectively published the EIA completed in 2005 to mislead the public;

- (e) the distance between the landfill and residential areas was only about 800m which was considered too close. The landfill caused malodour, traffic, environmental hygiene and air pollution problems. In terms of traffic, apart from traffic noise problem, objects dropping off from RCVs and construction waste collection vehicles on their way to the landfill could cause traffic accidents. On environmental hygiene, many eagles were found in the area searching for food waste deposited at the landfill. They might carry bird flu and other diseases. On air quality, the landfill caused dust problem and generated suspended particulates that might contain heavy metal. More importantly, the landfill affected the living and health of the residents, which was far more important than the value of properties in the area;

- (f) TKO New Town was the seventh new town in Hong Kong. Its population had increased from less than 10,000 persons in the 1980s to nearly 400,000 persons at present. In future, a number of facilities would be developed, including the indoor velodrome cum sports centre and the water sports and recreational facilities. According to PlanD's information, it was estimated that the population of TKO would increase by 74,700 persons (21%) in the next ten years to 430,100 in 2019. The growth was about 19.9% of the total population growth in the New Territories and was the highest in the territory. It was considered not suitable to locate the landfill extension in TKO;

- (g) the TKO New Town was not yet fully developed when the landfill extension project was studied in the 1980s. In 1987, the TKO Tunnel was built to connect the TKO New Town with Kowloon East. In September 1994, the existing SENTLF commenced operation. On 18.8.2002, the MTR TKO Line running between North Point and Po Lam commenced operation and it was extended to LOHAS Park on 26.7.2009. The completion of the MTR TKO Line brought substantial changes to the TKO New Town;

- (h) at present, there were nine public housing estates, 18 Home Ownership Schemes, four Private Sector Participation Schemes, 17 private housing developments, 24 secondary schools, 27 primary schools, 38 kindergartens, three special schools and one university in TKO (Ms. Hong read out the names of each of these residential developments and schools except those of the kindergartens). Regarding commercial and industrial developments, RTHK, TVB and the Apple Daily had operations in TKO. Future developments included hotel, the indoor velodrome cum sports centre and the water sports and recreational facilities, etc. City Telecom (HK) Ltd. would spend \$600 million to build a multi-media creativity centre in the TKO Industrial Estate. As announced in the 2011 Policy Address, an international data processing centre would be developed on a 2 ha site in TKO. In addition, the

Government had approved five large-scale data processing centres in TKO involving a total of 8 ha of land. Each project involved over \$100 million investment. Among these projects, HSBC, NTT of Japan and HKCOLO had commenced operation. Recently, the data processing centre of the Hong Kong Stock Exchange and Google had also been approved;

- (i) the large number of people living, working and attending schools in TKO had to face the living and health problems generated by the landfill. From the planning point of view, it was not appropriate to extend the SENTLF in such a densely populated district; and
- (j) the TKO residents had been suffering from the landfill problems for nearly 20 years. The TKO New Town had grown from a population of only 10,000 persons in the 1980s to nearly 400,000 persons at present. It was time for TKO to put down its historical duty to provide a landfill site in the area.

[Mr. Timothy K.W. Ma returned to join the meeting at this point.]

R2464 (Fong Kwok Shan, Sai Kung District Councillor)

Ms. Li Oi Ling (representative)

43. Ms. Li Oi Ling made the following main points:

- (a) Ms. Li read out, in verbatim, an editorial of the Apple Daily, which was tabled, dated 25.11.2011:
 - (i) the air quality of Hong Kong was poor. Hong Kong was the eighth worst among 566 cities worldwide in a recent World Health Organization (WHO) survey of fine suspended particulates PM 2.5 in the air. The air quality of Hong Kong was even poorer than some developing countries like Manila and Peru;

- (ii) the small suspended particulates were roughly one twenty-eighth the diameter of a human hair. It was so small that it could penetrate a mask, travel through the nose, and reach the heart and lung. According to a study of the United States (US), death rates from lung cancer increased by 8% for every rise of 10 micrograms per cubic meter of the small suspended particulates in the air. However, the Government recorded that the concentration of small suspended particulates in Central in 2010 was 36 micrograms per cubic meter. This was more than 20 times that of Whitehorse in Canada;
 - (iii) not long ago, there was disagreement between China and US experts about the air pollution problem in Beijing. One of the main points of argument was that the Air Quality Objectives in China did not include the small suspended particulates. China planned to stipulate control measures on small suspended particulates by 2016;
 - (iv) on the other hand, the Air Quality Objectives which had been in use in Hong Kong for over 20 years since 1987 was outdated. The green groups had been urging the Government to review the Air Quality Objectives to be on par with the Euro standards. Although the review of the Air Quality Objectives was ongoing for two years, no amendments had been made so far; and
 - (v) while the Government had paid much effort on small matters like plastic bag charging scheme and switching off of engines for idling vehicles, it was slow in tackling other important matters like the exhaustion of landfill capacity in the near future; and
- (b) waste disposal was a territorial problem. TKO should not be asked to shoulder the responsibility for waste disposal for the whole of Hong Kong. Alternatives other than landfill e.g. building incinerator and reduction of waste at source should be explored.

C59 (Ngo Yuk Kei)

Mr. Chan Kwok Keung (representative)

44. Mr. Chan Kwok Keung made the following main points:

- (a) as construction waste comprised organic materials like wood and bamboo, it should not be odourless as claimed by EPD;
- (b) the EIA report completed in 2008 was not a proper EIA as it focused on the landfill itself, instead of its environmental impacts on the surrounding areas;
- (c) while the Government indicated that the landfill was an interim use only, there was no definite programme on the time of closure and the time it could be used for open space development. For the existing SENTLF, it had commenced operation since 1994 but was not yet available for open space development up to this stage. It was stated in paragraph 5.12 of the Paper that “the reduced extension might allow the life span of the SENTLF to last until around 2020”. This implied that the SENTLF might operate for nine more years. After the decommissioning of the landfill, the residents would have to wait for another twenty years before the landfill site could be used for open space development;
- (d) EPD claimed that they had referred to the US standards but it should be noted that US was not an environmentally friendly country. For instance, the vehicles in the US were generally large and their engines consumed much more fuel;
- (e) EIA had been undertaken in 2003, 2005 and 2008. While Dr. Chan of EPD had indicated in her presentation earlier at the meeting that there was no need to undertake another EIA, EPD should re-consider the need again after listening to the views of the TKO residents at the hearing;
- (f) the “SENTLFX – Feasibility Study” was completed in February 2010.

However, the population in-take of The Capitol only started in late 2009;

[Professor S.C. Wong left the meeting temporarily at this point.]

- (g) according to EPD, public consultation for the proposed SENTLFX had been undertaken since early 2004. However, he had been living and working in TKO for many years and had never heard of the public consultation activities. As far as he knew, only a site visit to the SENTLF was arranged for the TKO residents in about 6-7 years ago. At that time, LOHAS Park was not yet occupied;
- (h) when the SKDC was consulted on the landfill extension, there were objecting views from SKDC Members. Ms. Fong Kwok Shan, a SKDC Member, had raised objection against the landfill. However, the Government had not mentioned that objecting views against the landfill were received;
- (i) it was stated in paragraph 5.28 of the Paper that there was a 250m consultation zone for the SENTLF. However, only the TVB City was located within the 250m consultation zone. LOHAS Park and other residential developments in TKO were all located outside the 250m consultation zone and hence were not consulted. In this regard, the consultation zone should be adjusted to cover the closest residential developments;
- (j) Wan Po Road was already congested before the population in-take of LOHAS Park. As a result, the Government had widened the road from single to double carriageways. There was concern on whether the capacity of Wan Po Road was adequate to meet the traffic demand when LOHAS Park was fully occupied and the proposed SENTLFX commenced operation; and

[Professor S.C. Wong returned to join the meeting at this point.]

- (k) while EPD had indicated that chemical/medical waste was not allowed to be disposed of at the SENTLF and its extension, there was concern on whether this could be enforced. Which department would be responsible for monitoring the situation and how that could be done to ensure that the RCVs and construction waste collection vehicles would not carry such waste to the SENTLF and its extension.

45. At this point, Ms. Fong Kwok Shan suggested having a lunch break as it was already about 12:15 p.m. The Chairman said that according to the hearing procedures, after the presentations, Members might ask the government representatives or the representers, commenters and/or their representatives questions on points which they needed clarification. Ms. Fong Kwok Shan said that some representers and commenters had registered to make their presentations in the afternoon session. The Chairman said that those representers and commenters could make their presentations in the afternoon session. He then asked if any attendees who had registered for making presentations in the morning session would like to do that at this juncture.

46. Ms. Ngo Yuk Kei (C59) said that she would like to supplement a few points. The Chairman invited her to do so. Ms. Ngo said that the landfill had caused much nuisance to the TKO residents, including those living in LOHAS Park. There were many eagles looking for food at the landfill and in some instances, waste was carried by the eagles and dropped on the ground in the residential areas. Ms. Ngo would also like to know the time of operation of the landfill each day.

47. At this point, three attendees indicated that they would like to make their presentations. The Chairman said that the meeting would be adjourned for lunch after the presentation by the three attendees and the Q & A session.

R203

Cheung Chi Tung

48. Mr. Cheung Chi Tung made the following main points:

- (a) Mr. Cheung was a flat owner of The Capitol, LOHAS Park. The

Owners' Committee of The Capitol wrote to the Secretariat of the Board on 13.5.2010 and 7.7.2010 raising objection to the landfill. He also opposed the landfill. As the Government had allowed residential developments at this location, it should close the landfill forever in view of its proximity to residential area.

R2444 and C92 (Cheung Kwok Keung)

49. Mr. Cheung Kwok Keung made the following main points:

- (a) when the SKDC was consulted on the proposed SENTLFX in 2005, he, as a SKDC Member, had already expressed his objection and requested the Government to close the existing landfill and not to extend it. He maintained his objection when the SKDC was consulted on the revised extension scheme on 3.5.2011;

[Mr. Jimmy C.F. Leung left the meeting temporarily at this point.]

- (b) ENB did not have a long-term strategy on land filling and environmental protection. While it was understood that landfills were required for the disposal of waste, they should not be located near residential areas. Alternatives such as the building of an artificial island for waste disposal had been suggested to ENB for consideration;
- (c) the Government did not have a definite timetable to decommission the SENTLFX. The closure date of 2020 so mentioned by the Government might be further extended. The Chief Executive had pledged to provide "Blue Sky, White Clouds" in his first Policy Address, but ENB had not taken any follow-up actions; and
- (d) the crux of the problem was the need to have a timetable for closing the three landfills.

[Mr. Jimmy C.F. Leung returned to join the meeting at this point.]

C187 (Sai Kung District Council Fong Kwok Shan, Pong Chiu Fai, Lam Chun Ka and District Member Leung Koon Wah and Chan Shu Kuen)

Mr. Tsui Yun Yung (representative)

50. Mr. Tsui Yun Yung made the following main points:

- (a) Mr. Tsui was a resident of LOHAS Park. He objected to the landfill as it was too close to residential areas;
- (b) the EIA for the proposed SENTLFX was conducted in 2003, 2005 and 2008. The last EIA was undertaken in 2008 which was not updated. The Government should redo the EIA in 2011; and
- (c) TKO should not be asked to shoulder the responsibility for waste disposal for the whole of Hong Kong. The Government should consider other methods for waste management and disposal. While rock cavern was proposed for accommodating sewage treatment facilities, similar method could be considered for waste disposal. The Government should also put more efforts on encouraging waste reduction at source.

51. As the attendees in the morning session had completed their presentations, the Chairman then invited questions from Members. The Chairman reminded Members that all questions and answers should be succinct. When Members and attendees were asking or answering questions, other attendees should remain quiet.

52. An attendee raised his hand and said that he wanted to ask questions. The Chairman explained that according to the hearing procedures, only Members might raise questions for government representatives, the representers, commenters and/or their representatives to answer. After completion of the Q & A session, the meeting would be adjourned for a lunch break. Ms. Fong Kwok Shan asked whether the same Members currently present in the hearing would attend the afternoon session. The Chairman said that many of the Members would return for the hearing in the afternoon.

53. The Vice-chairman had the following questions :

- (a) what was the reason for not showing the amendment items relating to the SENTLF and its extension on the extant TKO OZP No. S/TKO/19, as raised by a representer ?
- (b) noting that some representers claimed that that the distance between the landfill and LOHAS Park was only 800m instead of 2km, what was the actual distance between the landfill and LOHAS Park ?
- (c) what was the distance between the landfill and the TVB City ?
- (d) the number of RCVs and construction waste collection vehicles visiting the existing SENTLF at the present moment and the estimated number visiting the proposed SENTLFX in future ?
- (e) what international standards were adopted in the EIA and whether the EIA of SENTLFX had demonstrated that the international standards were far exceeded or marginally complied with ?
- (f) what were the justifications for not redoing the EIA ? and
- (g) where were the operating hours of the landfill and was there any programme to decommission the landfill ?

54. In response to the questions in paragraphs 40(a) to (c) above, Mr. Ivan M.K. Chung made the following main points:

- (a) regarding the reason why the amendment items relating to the SENTLF and its extension were not shown on the draft TKO OZP No. S/TKO/19, Mr. Chung had explained the related procedure at the SKDC meeting and he understood that the Secretariat of the Board had replied to the concerned representer on the same subject before. The draft TKO OZP No. S/TKO/18 was gazetted in May 2010 mainly to incorporate amendments for the SENTLF and its extension. Subsequently, further

amendments to the OZP were necessary mainly to facilitate the development of the RTHK Broadcasting House in Area 85. Those amendments were incorporated in the draft TKO OZP No. S/TKO/19 which was gazetted on 13.5.2011. Though the SENTLF and its extension were not shown as amendment items on the latest version of the OZP i.e. S/TKO/19, it did not mean that the concerned amendments to the OZP had been finalised. The representations and comments received in respect of both versions of the OZP would still have to be duly heard and considered by the Board. Upon completion of the hearing process, the OZP together with the representations and comments received would be submitted to the CE in C for a final decision;

- (b) with the aid of a plan, Mr. Chung said that LOHAS Park was about 2km away from the proposed SENTLFX as stated in paragraph 5.28 of the Paper. The distance of about 800m referred to by some representers was the distance between LOHAS Park and the existing SENTLF; and
- (c) the TVB City was about 50m and 250m away from the existing SENTLF and the proposed SENTLFX respectively. While there was a buffer between the landfill and other uses, developments within the 250m consultation zone of the SENTLF and its extension would also require the undertaking of a landfill gas assessment in accordance with the HKPSG.

55. In response to the questions in paragraphs 40(d) to (g) above, Dr. Ellen Y.L. Chan made the following main point:

- (a) at present, there were about 1,000 vehicle trips to the existing SENTLF each day. For the proposed SENTLFX, as the Government had decided to reduce its scale from 15.6 ha to 13 ha and only construction waste would be dumped at the SENTLFX, it was estimated that there would be about 500 vehicle trips to the proposed SENTLFX each day. As the proposed extension would only commence operation when the existing SENTLF was decommissioned, the existing 1,000 vehicle trips to the

SENTLF would not be added to the traffic volume brought about by the proposed extension.

56. At this point, an attendee shouted loudly that Dr. Chan was lying. The Chairman appealed to the attendee to keep quiet. Order resumed after some time.

57. Dr. Ellen Y.L. Chan continued and made the following main points:

- (a) the EIA conducted for the proposed SENTLFX had made reference to both local and international standards. In terms of odour, the concerned criterion was a maximum of five odour units over five-second intervals. For landfill gas, there was a requirement to measure the content of methane in the landfill gas emitted at both the existing and decommissioned landfills. The content of methane measured at the existing SENTLF was only about 0-0.002%, which was far below the standard of not exceeding 1%. In addition, the ambient concentrations of 39 volatile organic compounds (VOCs) were monitored at the ambient air quality monitoring stations at the site boundary of the existing SENTLF. While the amount of ethyl benzene was too low to be detected, the measurements of benzene and toluene were far below their relevant trigger levels. The amount of vinyl chloride measured at the existing SENTLF was also very low. The Executive Summary of the EIA report under the "SENTLFX – Feasibility Study" was attached at Annex XII of the Paper and information relating to the approved EIA report could also be viewed at the EPD's website since the enactment of the EIA Ordinance;
- (b) the EIA report approved in 2008 had assumed that different kinds of waste (including domestic, commercial, industrial and construction waste) would be dumped at the proposed SENTLFX. Under the revised extension scheme, the proposed SENTLFX would be scaled down to 13ha without encroaching onto the CWBCP and only construction waste would be dumped. The potential environmental impacts of the revised extension scheme would be reduced as compared with the originally

proposed scheme. For instance, the malodour problem would be relieved with no municipal waste to be dumped at the proposed SENTLFX. The number of vehicle trips would also be reduced. According to the EIA Ordinance, amendments to the approved EIA were required only when there were amendments to or increase in the scope of the approved scheme. However, the revised extension scheme was regarded as part of the originally proposed scheme and hence the approved EIA was still valid and there was no need to redo the EIA; and

- (c) the operating hours of the existing SENTLF were from 8 a.m. to 11 p.m. Regarding the decommissioning programme, it was estimated that the existing SENTLF would be filled up and decommissioned by 2014. The proposed SENTLFX would then commence operation and the estimated life span of the proposed SENTLFX was about six years. However, the exact timing for the decommissioning of the SENTLFX was subject to a number of factors such as the volume of construction waste requiring disposal. Whilst the amount of construction waste had increased by 15% in 2009/2010 as there were lots of large-scale works projects in the territory, initiatives such as diversion of waste and waste avoidance by the construction industry were introduced which helped reduce the volume of construction waste requiring disposal. It was therefore difficult to predict accurately when the landfill would be filled up.

58. The Chairman said that a representer had queried the selection of TKO Area 137, instead of the Tsang Tsui Ash Lagoons, for landfill extension and asked EPD to clarify on this point. Dr. Ellen Y.L. Chan said that the “Extension of Existing Landfill and Identification of Potential New Waste Disposal Sites” completed in 2003 was a strategic study to examine the need for landfills in the territory and the feasibility of identifying potential sites for new landfills. It was not an EIA for specific projects. Based on the results of the 2003 strategic study, it was considered necessary to extend the existing landfills. She invited her colleague to provide further information on this strategic study.

59. At this juncture, Ms. Fong Kwok Shan shouted out that the vehicle trip figures provided by EPD were incorrect. According to her source of information, there were about 82,000 vehicle trips using the TKO Tunnel each day in 2010, among which 3,000 vehicle trips were generated by RCVs and construction waste collection vehicles. Dr. Ellen Y.L. Chan clarified that the vehicle trip figures that she provided earlier at the meeting covered only those vehicles visiting the existing SENTLF.

60. Mr. Lawrence M.C. Lau, Principal Environmental Protection Officer (Waste Facilities) of EPD, said that the “Extension of Existing Landfill and Identification of Potential New Waste Disposal Sites” completed in 2003 had considered a number of options for extending the SENTLF, but no specific scheme was recommended due to competing land uses in the adjacent TKO Area 137. However, the study concluded that a possible mini-extension could be pursued if there were changes in the land use in the area. Subsequently, EPD commissioned the “SENTLFX – Feasibility Study” under which different options to extend the existing SENTLF had been thoroughly considered. After evaluating the merits and drawbacks of each option, 15.6 ha of land in TKO Area 137 and a narrow strip of 5 ha of land within the CWBCP were recommended for the proposed SENTLFX, i.e. the originally proposed extension scheme. The findings and recommendations of the feasibility study were presented to and accepted by the ACE.

61. In response to a Member’s question, Dr. Ellen Y.L. Chan confirmed that RCVs and construction waste collection vehicles visiting the existing SENTLF had to pass through Wan Po Road. Noting that the number of vehicle trips would be reduced from about 1,000 for the existing SENTLF to about 500 for the future extension, the same Member asked if the reduced figure was because of the use of bigger RCVs and construction waste collection vehicles. Dr. Ellen Y.L. Chan said that at present, about 5,000 tonnes of waste were dumped at the existing SENTLF, among which about half were municipal waste and the other half were construction waste plus a small amount of other kinds of waste. As only construction waste would be dumped at the proposed SENTLFX, the amount of waste would be reduced by 50%. It was therefore estimated that the number of vehicle trips to the proposed SENTLFX would be reduced by 50% from the current 1,000 vehicle trips to about 500 vehicle trips.

62. At this point, some of the attendees were talking loudly. The Chairman asked

them to keep quiet so that Members could hear the answers to Members' queries. Order resumed after some time.

63. In response to the same Member's question, Dr. Ellen Y.L. Chan said that the proposed SENTLFX would only commence operation when the existing SENTLFX was full and decommissioned. The same Member further asked if the number of vehicle trips with and without the proposed SENTLFX upon the decommissioning of the existing SENTLFX was 500 and 0 respectively. Dr. Ellen Y.L. Chan replied in the affirmative.

64. A Member asked if there was any monitoring system on the disposal of construction waste. Dr. Ellen Y.L. Chan said that the disposal of construction waste at landfill was subject to a charging scheme with effect from January 2006. Under the charging scheme, all contractors handling construction waste needed to open a billing account with EPD for payment of the construction waste disposal charge. Through that, EPD had maintained a register containing the names of the contractors. At the entrance of a landfill site, the contractor would be required to produce a valid "chit". Every waste load would have to be weighed and photos would be taken by landfill operators. A mobile CCTV surveillance station had also been set up at the tipping area to monitor the unloading of construction waste onto the landfill. The staff of EPD would conduct inspection at the landfills to ensure that the dumping operation had complied with the concerned legislation. Chemical waste, e.g. asbestos and solvent, was not allowed to be mixed with construction waste for disposal as chemical waste was subject to control by the Waste Disposal (Chemical Waste) (General) Regulation enacted in 1992. Under the Waste Disposal (Chemical Waste) (General) Regulation, chemical waste producers were required to register with EPD and would also need to engage a licensed waste collector to handle the collection of chemical waste. Chemical waste had to be disposed of at specified disposal facility, mainly at Tsing Yi Chemical Waste Treatment Centre. The handling, collection, transportation and disposal of asbestos waste were also controlled by Waste Disposal (Chemical Waste) (General) Regulation. Any reports submitted by members of the public on the non-compliance with the regulation would also be followed up by EPD.

65. At this point, some of the attended were talking loudly. The Chairman asked them to keep quiet and asked one of them who had been standing up to sit down. Order

resumed after some time.

66. Noting some representers' comments that debris and garbage were dropping off from RCVs and construction waste collection vehicles on Wan Po Road, a Member asked if EPD had considered the installation of CCTV surveillance camera along Wan Po Road to enable 24-hour monitoring and to facilitate enforcement action against non-compliance. Regarding the concern of some residents of LOHAS Park on the poor air quality and malodour problems caused by the landfill and its extension, the same Member suggested the installation of electronic odour detectors (commonly known as "electronic nose") at different locations in LOHAS Park and the TKO Industrial Estate so that 24-hour data could be collected throughout the year for analysis and monitoring purposes.

67. Dr. Ellen Y.L. Chan said that currently the Police, the Food and Environmental Hygiene Department (FEHD) and the enforcement section of EPD would conduct spot checks at Wan Po Road to identify cases of speeding, overloading of vehicles and environmental hygiene matters. Regarding a Member's suggestion to install CCTV surveillance camera on Wan Po Road, Dr. Chan agreed to relay the suggestion to the relevant departments for consideration, in particular whether the evidence collected by the CCTV surveillance camera could be used for subsequent prosecution action. Regarding the malodour concern, EPD had employed university students in 2007 to detect malodour round the clock for two weeks on the fire refuge floors of three housing estates in TKO. During the two-week period, malodour was detected for a total period of 40 minutes. Regarding the use of electronic odour detectors which was a relatively new technology, such detectors had been installed at the boundary of the SENTLF since May 2010. With the agreement of the SKDC, electronic odour detectors were also installed on the fire refuge floors of Ocean Shores. However, the proposal to install electronic odour detectors at LOHAS Park was not accepted. Ms. Fong Kwok Shan said that the electronic odour detectors were not effective and hence were not accepted by the residents of LOHAS Park.

68. Another Member asked if paint was classified as construction waste and whether the landfill would be closed if the air quality was found below the acceptable standard. Dr. Ellen Y.L. Chan said that water soluble paint was not classified as

construction waste whereas paint containing solvent was a kind of chemical, not construction, waste by law. Dr. Chan also said that under the approved EIA report, the assessment had included simulation of a worst case scenario for nearby sensitive receivers under a no wind and high temperature situation. The assessment indicated that some of the standards might have been exceeded for certain time periods. Under that situation, the location of the tipping face for waste disposal would have to be changed. In addition, sludge, which generated the greatest odour, was not allowed to be dumped at the proposed SENTLFX. With the completion of the sludge treatment facility at Tsang Tsui, Tuen Mun by end 2013, all sludge would be sent to that facility for treatment.

69. At this point, Ms. Fong Kwok Shan said that it was difficult to ensure that paint containing solvent was not included in the construction waste prior to its disposal at the landfill. Such non-compliance could hardly be detected by CCTV surveillance camera. According to her knowledge, the Police would take enforcement action against speeding, but not the dropping of objects or dripping of waste water from RCVs and construction waste collection vehicles. Other than that, she also noted illegal dumping of waste along Wan Po Road. Although Shek Kok Road was a serious black spot in the area, no CCTV surveillance camera was installed on that road. Moreover, the equipment used by the Government was not accurate. For instance, fine suspended particulates PM 2.5 adopted by WHO were not measured in Hong Kong. The Government then claimed that there was no such impact when the actual measurement was not available. Regarding EPD's claim that the location of the tipping face for waste disposal could be adjusted to comply with the relevant standards, any alternative location would not be too far away from the originally proposed location. The effect of this measure was doubtful. Ms. Fong also said that the malodour problem was serious on 18.11.2011. The complaint figures provided by EPD were not accurate. For instance, EPD indicated that only 50 complaints were received in September 2011 but she noted that a TKO resident, Ms. Ho, had already called EPD 12 times to lodge complaints that month.

70. As Members had no further question to raise, the Chairman said that the meeting was now adjourned for lunch break and would be resumed at 2:30 p.m. as requested by Ms. Fong Kwok Shan. The government representatives, the representers, commenters and their representatives all left the meeting at this point.

71. The meeting was adjourned for lunch break at 1:10 p.m.

72. The meeting was resumed at 3:10 pm on 30.11.2011.

73. The following Members and the Secretary were present in the afternoon session:

Mr. Thomas Chow

Chairman

Mr. Stanley Y.F. Wong

Vice-chairman

Mr. B.W. Chan

Mr. Y.K. Cheng

Mr. Felix W. Fong

Ms. Anna S.Y. Kwong

Professor Edwin H.W. Chan

Mr. Timothy K.M. Ma

Dr. Winnie S.M. Tang

Mr. Roger K.H. Luk

Ms. Anita W.T. Ma

Professor S.C. Wong

Dr. W.K. Yau

Deputy Director, Lands Department

Mr. Jeff Lam

Director of Planning

Mr. Jimmy Leung

Assistant Director, Home Affairs Department

Mr. Eric Hui

Agenda Item 3

[Open Meeting (Presentation and Question Session only)]

Consideration of Representations and Comments to the Draft Tseung Kwan O Outline Zoning Plan No. S/TKO/18

Group 2: R1 (Part) to R458, R460 to R468, R470 to R498, R500 to R681, R683 to R700, R702 to R981, R983 to R1122, R1124 to R1127, R1129 to R1341, R1343 to R2323, R2326 to R2467, R2468 (Part) to R2479, C1 (Part) to C66, C67 (Part) to C163, C164 (Part) to C166, C167 (Part) to C205

(TPB Paper 8939)

[The meeting was conducted in Cantonese.]

74. The following representatives of the Planning Department (PlanD), Environmental Protection Department (EPD) and Transport Department (TD) were invited to the meeting at this point:

Mr. Ivan M.K. Chung	- District Planning Officer/ Sai Kung and Islands (DPO/SKIs), PlanD
Mr. Wilfred C.H. Cheng	- Senior Town Planner / Tseung Kwan O, PlanD
Mr. Stephen K.S. Lee	- Town Planner / Tseung Kwan O, PlanD
Dr. Ellen Y.L. Chan	- Assistant Director (Environmental Infrastructure) (AD(EI), EPD)
Mr. Lawrence M.C. Lau	- Principal Environmental Protection Officer (Waste Facilities), EPD
Mr. Tommy K.L. Lai	- Senior Environmental Protection Officer (Waste Facilities)), EPD
Ms. Heidi M.C. Lam] Environmental Protection Officer (Waste Facilities), EPD
Mr. Wallace Y.M. Yiu]
Mr. Ma Kwai Leong	- Senior Engineer/Housing and Planning/New Territories East, TD

75. The following representers, commenters and their representatives attended the afternoon session of the meeting [the attendees joined and left the meeting at different

times].

R3 (Owners Committee of The Grandiose)

Lui Kim Ho - Representer's representative

R4 (The Owners' Committee of Nam Fung Plaza)

Mr. Chau Yin Ming] - Representer's representative

Mr. Ho Kai Ho]

R6 (Ocean Shores Owners' Committee)

Chu Hon Kon]

Yip Yiu Fai] - Representer's Representative

Wong Hon Yin]

R24 (Mak Yuk Chun)

Ms. Mak Yuk Chun - Representer

R207 (Mrs. Sin)

Mrs. Sin - Representer

R215 (Ching Yuk Wan)

Ms. Fong Kwok Shan - Representer's representative

R252 (Tsoi Man Wa)

Mr. Tsoi Man Wa - Representer

R717 (Tin Wai Ling)

Mr. Tin Wai Ling - Representer

R739 (Hung Hing Shek)

Mr. Hung Hing Shek - Representer

R749 (So Kwan Yee, Lily)

Ms. So Kwan Yee, Lily - Representer

R883 (Wong Yuk Fong)

- Wong Yuk Fong - Representer
Ms. Chong Ah Wan]
Mr. Sam Chi Ngai] - Representer's representative
Ms. Cheung Ka Lai]

R885 (Yeung King Wai)

- Yeung King Wai - Representer

R947 (Ho Shun Yiu)

- Ms. Ho Shun Yiu - Representer

R1458 (Siu Hiu Fai)

- Mr. Chan Kai Wai - Representer's representative

R1848 (Cheng Chi Hei)

- Mr. Cheng Chi Hei - Representer

R1911 (Ellena Ching)

- Mr. Chan Kai Wai - Representer's representative

R2067 (Chu Hon Kwong)

- Chu Hon Kwong - Representer

R2431 (Cheng, K.M.)

- Cheng K.M. - Representer

R2446 (Yip Chi Shing)

- Mr. Yip Chi Shing - Representer

R2453 (Maggie Ho)

- Ms. Maggie Ho - Representer

R2458 (Chau Yin Ming, Sai Kung District Councillor)

Mr. Chau Yin Ming - Representer

R2461 (Ho Man Kit, Sai Kung District Councillor)

Mr. Ho Man Kit - Representer

R2462 (The Hon. Ronny Tong Ka Wah SC, Legislative Councillor)

Chau Yiu Hong - Representer's representative

R2464 (Fong Kwok Shan, Sai Kung District Councillor)

Ms. Fong Kwok Shan - Representer

Cheung Mei Hung]

Mr. Eric Cheung]

Mr. Leung Po Chiu]

Ms. Ng Sin]

Mr. Cheng Chun Hung]

Ms. Lee Miu Ling]

Li Kin Wah]

Yim Ka Yi]

Lin Kwok Kee]

Jimmy Chan]

Cheung Wai Lin]

Ms. Wong Siu Ling]

Chan Yik Yuen] - Representer's representative

Lai Ah Yan]

Fung Yun Foon]

Mr. Ni Bing Wen]

Cheung Ngar Kam]

Ms. Ruth Chan]

Ms. Sit Siu Hung]

Ms. Chan Lei]

Chong Shuk Hing]

Ms. Lai Siu Chee, Alice]

Ms. Li Oi Ling]

Ng Pik Ying]	
Ms. So Yuen Ching]	
Ms. Yim King Lam]	
Ms. Au Yeung Ching Yi]	
Ms. Chan May Yee]	
Ms. Cheung Yin Yan]	
J.B. Wang]	
Chow Yuen Ying]	
Chung Po Chung]	
Chan Ping Chuen]	
Wong Hiu Ming]	
Fenny Cheung]	
Lee Mei Lin]	
Lai Shuk Mei]	
Wan Pui Ling]	
Poon Yuk Lan]	
Ms. Cheng Shuk Yin]	
Leung Wong Hoi]	
Law Kwok Hing]	
Cheung Ling Chi]	Representer's representative
Luk Ying Ching]	
Lam Chung Ping]	
Cheng Mei Chun]	
Chan Po Ling]	
Au Yeung Fung Kuen]	
Poon Sau Lan]	
Law Kwai Sim]	
Ms. Chow Tze Mei]	
Mr. Timothy Chui]	
Mr. Po Wai Ming]	
Ms. Kwok Ching Sum]	
Ms. Chan Yin Chu, Grammy]	
Ms. Au Yeung Ching Yi]	
Ms. Wong Kwai Mei]	

R2468 (Chan Kai Wai, Sai Kung District Councillor)

Mr. Chan Kai Wai - Representer

C59 Ngo Yuk Kei

Ngo Yuk Kei - Commenter

C110 (Lee Tak Lun)

Lee Tak Lun - Commenter

C113 (Po Sui Fong)

Ms. Po Sui Fong - Commenter

C115 (Lam Chung Yu)

Lam Chung Yu - Commenter

C124 (Chan Siu Wing)

Ms. Hong Kit Ming - Commenter's representative

C139 (Lai W.C.)

Ms. Fong Kwok Shan - Commenter's representative

C141 (Cheng C.W.)

Ms. Fong Kwok Shan - Commenter's representative

C142 (Cheng K.M.)

Ms. Fong Kwok Shan - Commenter's representative

C143 (Cheng C.M.)

Ms. Fong Kwok Shan - Commenter's representative

C151 (Ng Chui Mei)

Ng Chui Mei - Commenter

C159 (Fong Siu Leung)

Mr. Fong Siu Leung - Commenter

C203 (The Centre for Environmental Policy and Resource Management,
The Chinese University of Hong Kong)

Cheung Chi Tung - Commenter's representative

C205 (Hung Ching Hon)

Hung Ching Hon - Commenter

[It took about 10 minutes for the attendees to be seated in the conference room. Some attendees were shouting loudly and complaining the Secretariat staff about the packed-arrangement of the chairs. The situation became chaotic when some of them started moving the chairs around the conference room. Some attendees were scolding the Secretariat staff about the meeting arrangements, including that the registration procedure was too long and that they had to wait in the corridor for a long time before they were allowed to enter the conference room.]

76. The Chairman extended a welcome and said that this was the afternoon session for consideration of the Group 2 representations and comments to the draft Tseung Kwan O (TKO) Outline Zoning Plan (OZP) No. S/TKO/18. He reminded attendees not to interrupt the meeting when other people were speaking. He also cautioned that he would take appropriate actions if there was disorder in the meeting.

77. The Chairman then invited the representers, commenters and their representatives to make their presentations. He appealed to the attendees for understanding and cooperation.

R717 (Tin Wai Ling)

Mr. Tin Wai Ling

78. Mr. Tin Wai Ling said that the conflicts about the seating arrangements before the start of the meeting were unnecessary and he further made the following main points:

- (a) it was definitely wrong to locate the SENTLF in the vicinity of a residential community with a planned population of 100 000. Members should have the moral courage to correct a wrong decision that had been made about the SENTLF and its extension;
- (b) other than malodour, impacts of landfill also included noxious odourless gases from construction wastes such as asbestos, paint and gaseous mercury and the nuisance from refuse collection vehicles (RCV) and dump trucks for carrying construction waste (dump trucks) along Wan Po Road;
- (c) the SENTLF should be closed immediately, otherwise it would lead to more conflicts with the 100 000 population planned at LOHAS Park in future; and
- (d) he urged Members to make the right decision for the residents.

[Ms. Anna S.Y. Kwong left the meeting temporarily at this point.]

R4 (The Owners' Committee of Nan Fung Plaza) and R2458 (Chau Yin Ming)

Mr. Chau Yin Ming

79. Mr. Chau Yin Ming made the following main points:

- (a) he was authorised by R4 to make a presentation based on the speaking notes as tabled. He would include his own representation during the presentation;
- (b) in 2000, EPD carried out the study "Extension of Existing Landfill and Identification of Potential New Waste Disposal Sites". However, that study did not cover the feasibility of finding alternative sites for building new landfills. Furthermore, the rezoning of TKO Area 101 from "Open Space" ("O") to "O(2)" zone, under which 'landfill' was an always permitted use, meant that the landfill would become a long-term use.

Their main point of objection was that the three existing strategic landfills, namely the West New Territories Landfill (WENTLF) at Nim Wan in Tuen Mun, North East New Territories Landfill (NENTLF) at Ta Kwu Ling and SENTLF in TKO, had been in operation for a long time and there should have been long-term plans for waste management to cater for the closure of these three landfills. The Government should not just rezone the SENTLF and its extension area to “O(2)” and allow the landfill to be used as of right for another 10 years;

- (c) there was major mismatch between the planning and development of the landfill and residential developments. The Sai Kung District Council (SKDC) and TKO residents were previously given the understanding that the SENTLF would be closed down by 2012 or 2014. The residential developments in TKO Areas 85 and 86 should have been developed or occupied only after the closure of the SENTLF. It was not appropriate to rezone the SENTLF and its extension area to “O(2)” to allow the landfill to continue with its operation beyond 2014;
- (d) the Government had pledged to only dispose odourless construction waste in the SENTLFX; however, the TPB paper did not mention the year in which the SENTLF and its extension would stop operation. On this point, Mr. Chau Yin Ming said that he personally did not agree to the responses stated in the TPB paper which indicated that the Government had no previous commitment to close the SENTLF by 2012 or 2014;
- (e) the Court of Appeal had ruled in the judicial review on the Environmental Impact Assessment (EIA) conducted for the Hong Kong-Zhuhai-Macao Bridge that the Government did not need to prepare baseline review for projects and ruled that the assessments under the adopted EIA methodology had already reflected the environmental impacts of the project. As such, R4 would not doubt the conclusions of the EIA prepared for the SENTLFX. However, the mitigation measures recommended in the EIA report required implementation by various government departments and there were

doubts on the effectiveness of the mitigation measures. Mr. Chau Yin Ming also supplemented that he personally did not accept the EIA report for the SENTLFX as it was too outdated and the EIA report was prepared a few years ago when there was no person living in TKO Area 86;

- (f) the whole of Hong Kong should share the responsibility in waste management. The Government should not locate more ‘unwanted’ facilities in TKO, as TKO had already taken enough of its share of ‘unwanted’ facilities, namely, the cemetery, landfill and sewage treatment plant;
- (g) Nan Fung Plaza was further away from the SENTLF than LOHAS Park. However, as Nan Fung Plaza abutted Wan Po Road, its residents were also affected by the SENTLF and its extension;
- (h) Mr. Chau Yin Ming said that he had completed the representation for R4. He would continue with his own representation under R2458. He said that Members should not allow ‘landfill’ use to be placed under Column 1 of the “O(2)” zone. In respect of the SENTLFX scheme, EPD had major conflict of interests as it was the government department preparing the EIA, the landfill operator and the policy bureau for making waste management policies; and
- (i) he indicated that both R4 and himself (R2458) did not support the SENTLFX proposal. He also did not support the rezoning of the SENTLF and the SENTLFX to “O(2)”.

[Dr. Winnie Tang left the meeting at this point.]

R24 (Mak Yuk Chun)

Ms. Mak Yuk Chun

80. Ms. Mak Yuk Chun made the following main points:

- (a) the Government was doing injustice to locate the SENTLF only 800m from LOHAS Park. There were currently 20 000 residents in LOHAS Park and they were affected by malodour from the SENTLF. Since she moved to LOHAS Park two years ago, she had suffered from the unbearable malodour;
- (b) the SENTLFx proposed in TKO Area 137 would lead to more suspended particulates in TKO and increased inhalation of the suspended particulates would affect the physical health of residents;
- (c) she agreed that landfills were needed but they should not be located within the TKO community which had a population of 450 000;
- (d) there were many pregnant women, elderly people and young couples living in LOHAS Park. The adverse impacts of the landfill on LOHAS Park had led to much family conflict. As the purchase of a house involved substantial investment, it was not easy for the affected residents to move out;
- (e) Members of the Board had not heard the views and complaints of the residents and she urged Members to reconsider the amendments to the OZP carefully;
- (f) she quoted the example of the football star in the United States, who had murdered his wife but was acquitted by the Court. Subsequently however, the football star felt guilty and was eventually admitted to a mental asylum. This example was used to illustrate why Members should correct the wrong decision that had been made for the SENTLF and its extension; and
- (g) she said that the residents in LOHAS Park and TKO only wanted a normal and reasonable living environment with breathable fresh air.

R207 (Mrs. Sin)

Mrs. Sin

81. Mrs. Sin made the following main points:

- (a) LOHAS Park was the fourth housing estate she had lived in within TKO since the 1970's, and it was the most unhappy place for her to live in;
- (b) she suffered from mental health problems as she could not control herself when she smelled the malodour. This had led to conflict with her family;
- (c) she was also concerned about the effects of the malodour on children. She sometimes smelled intense malodour when walking in the park. It was not good planning to locate the SENTLFX only 800m from a major housing estate. There had been malodour complaints for the last two years but the situation had not been improved;
- (d) she did not understand why the Government in 2010 decided to excise the five hectares of land in the Clear Water Bay Country Park (CWBCP) from the SENTLFX, but in 2011 proposed the SENTLFX again in TKO Area 137;
- (e) the possible benefits of other planning initiatives such as the provision of the fire services training school, hospital and Cross Bay Link in TKO, would be nullified by the proposed SENTLFX due to the problem of malodour and noxious gases;
- (f) the EIA for the SENTLFX was completed a few years ago before there were residents in LOHAS Park. It was not suitable to locate an extension of the landfill in TKO with a few hundred thousand population. She tabled some information about the adverse effects of noxious landfill gases at the meeting on 16.11.2011 and she said that R24 would further brief Members in that regard;

- (g) she stressed that the effects of noxious landfill gases on physical health might be long-term, but they had immediate adverse effects on her mental health. The malodour of the landfill had affected her working capabilities and her relationship with family members. She was having regular psychiatric treatment and was on sleeping pills; and
- (h) it was not suitable to locate the SENTLF and its extension in TKO.

R24 (Mak Yuk Chun)

Ms. Mak Yuk Chun

82. Members noted that information about the health impacts of landfill gases was tabled by R207. Ms. Mak Yuk Chun made the following main points:

- (a) there were 30 odd types of volatile organic compounds (VOC) in landfill gases that were noxious and would lead to adverse health impacts; and
- (b) she elaborated on the health effects of some of the VOCs. Long-term exposure to hydrogen sulphide would lead to fatigue, bad appetite, headache, irritable behaviours, bad memory, dizziness, increased miscarriage and reduced fertility. Long-term exposure to vinyl chloride through inhalation and oral exposure would result in liver damage, increase the chance of having liver cancer and cause potential danger to human fertility and reproduction. Long-term exposure to benzene would lead to various disorders in the blood, including reduced number of red blood cells and anaemia. It would also lead to adverse reproductive effects on women and adverse effects on the developing foetus had been observed in animal tests. Long-term inhalation and exposure to toluene would cause irritation of the upper respiratory tract, eye irritation, sore throat, nausea, dizziness, headache and difficulty to sleep. Studies of children of pregnant women exposed to toluene had reported central nervous system problems, facial and limb abnormalities and delayed development. Inhalation of toluene during pregnancy might increase the risk of spontaneous abortion. Exposure to ethyl benzene would result in

respiratory effects, throat irritation, chest constriction, irritation of the eyes and dizziness.

[Ms. Anna Kwong returned to join the meeting at this point.]

R2464 (Fong Kwok Shan)

Mr. Ni Bing Wen (representative)

83. Mr. Ni Bing Wen, Chairman of The Capitol Owners Sub-committee (in LOHAS Park), made the following main points:

- (a) he requested the Members to show more respect to the attendees and pay attention to their representations;
- (b) the Government should plan a healthy and comfortable environment for the residents in TKO. Locating the SENTLF and its extension in TKO was not good planning. The location of SENTLF and its extension should be reviewed, taking into account that LOHAS Park would have a planned population of 100 000;
- (c) in 2003, the Environment Bureau commissioned a consultancy study to explore the location for a landfill either in TKO or other places. The consultancy study concluded that TKO Area 137 was not suitable for the SENTLFX. The Government should not act contrary to the findings of the consultancy study;
- (d) the residents in LOHAS Park were only requesting a healthy and peaceful living environment. This was not possible as the SENTLF was located only 800m from LOHAS Park. Landfill in other places in the world would not be located so close to a densely populated area. Other than malodour, there were many other adverse landfill impacts, including dirt and nuisance from dump trucks, breeding of mosquitoes and other insects, and the 30 odd types of noxious landfill gases that would affect the physical health of residents and the younger generation. The

Government should not pursue the SENTLFX proposal;

- (e) the Government should correct the wrong decisions they had made. If the Board agreed to the proposed amendments to the OZP, the residents in TKO would raise strong objections and take radical actions; and
- (f) he invited Members to visit LOHAS Park to personally experience the adverse impacts from the landfill, including nuisance from dump trucks and RCVs and the malodour.

84. The Chairman said that Members would discuss as to whether it was necessary to visit LOHAS Park later.

R2464 (Fong Kwok Shan)

Ms. Wong Siu Ling (representative)

85. Ms. Wong Siu Ling made the following main points:

- (a) she bought Le Splendour in LOHAS Park in October 2011 and had expected a pleasant sub-urban living environment. However, she later realised that the SENTLF would be extended and was very unhappy and worried;
- (b) the SENTLF had reached full capacity and TKO had borne its responsibility for waste disposal in Hong Kong. The Chief Executive had announced that all districts would have to bear the responsibility for housing some NIMBY ('not in my backyard') facilities, such as columbarium. As such, the TKO should not bear the full responsibility for providing landfill facilities for Hong Kong and the SENTLF should not be extended;
- (c) no person would like to live in LOHAS Park due to noise and air pollution and nuisance from RCVs and dump trucks; and

- (d) the Government should explore other methods for waste disposal, including the use of caverns. She urged for the closure of the SENTLF.

R739 (Hung Hing Shek)

Mr. Hung Hing Shek

86. Mr. Hung Hing Shek said that he was very angry. He did not want to repeat the points about the problems of malodour and noxious gases of the SENTLF and its extension raised by other attendees. He questioned about the justifications for locating the SENTLFx in TKO Area 137 and requested that EPD should answer his question at that point.

87. The Chairman explained that according to the Board's procedures for representation hearing, the representers, commenters and their representatives would finish all their representations before the Board would proceed to the Question and Answer (Q & A) session. Members might ask representatives of the government departments and / or the representers, commenters and their representatives questions which they needed clarifications.

88. Ms. Fong Kwok Shan said that in the Q & A session, only Members were allowed to ask questions. In this regard, the Board should adjust their procedures as it was a disrespect to residents if they were not allowed to ask questions. She demanded that Mr. Hung Hing Shek's questions should be answered at that point. The Chairman said that in the Q & A session, after a reply was given by a party, other parties attending the hearing might also be given time to respond as per the proceedings in the morning session. He said he would ask the question for Mr. Hung Hing Shek in the Q & A session and asked him to continue with his representation.

89. Mr. Hung Hing Shek continued with his representation and made the following main points:

- (a) the SENTLF and its extension would affect the planned population of 100,000 in LOHAS Park as well as those working in the TKO Industrial Estate;

- (b) the 30 odd types of noxious landfill gases were slowly affecting their physical health. If the Board agreed to the amendments to the OZP, the Board would be like committing a murder; it was a shame for the Board and it was unjust to the residents. The Board should correct a wrong decision it had made;
- (c) he had attended the Sai Kung District Council (SKDC) meeting for discussion of the SENTLFX. There were lots of dissenting views and no motion was moved or endorsed in support of the SENTLFX. The Government should not lie in that regard; and
- (d) the Board should decide on the matter in accordance with the views of the residents and should have consideration to their well-being. He said that if the Board decided against their own conscience, the Members' family members or relatives might bear the bad curses and consequences of their decision.

R2464 (Fong Kwok Shan)

Ms. Fong Kwok Shan

Ms. Li Oi Ling (representative)

90. Ms. Fong Kwok Shan reminded all attendees to repeat their representations which were made at the meeting held on 16.11.2011 as the Board would not prepare minutes and there would be no record of their representations. She said that it was necessary to repeat the points that had been made for record purpose as Members were joining and leaving the meeting at different junctures and some did not attend the meeting held on 16.11.2011. In addition, some Members and the attendees did not attend the morning session today and she asked the Chairman to request DPO/SKIs to repeat his presentation again sometime later. She also requested DPO/SKIs to provide clarifications on some points which had been made by her in the morning session, in particular, the point that she did not agree to DPO/SKIs' explanation about the two versions of the OZP No. S/TKO/18 and S/TKO/19.

91. In response to Ms. Li Oi Ling's question, the Chairman said that minutes would be prepared for the meeting held on 16.11.2011 as for all meetings of the Board. Ms. Li Oi Ling repeated that their presentations made at the meeting held on 16.11.2011 should be recorded. Upon the request of the Chairman, the Secretary explained that there would be minutes for the meeting held on 16.11.2011 to record all the presentations and discussions made. However, while minutes would be kept, the morning session on 16.11.2011 was only for the consideration of the request for deferral of the representation hearing in respect of the Group 2 representations for OZP No. S/TKO/18. The afternoon session on 16.11.2011 was the hearing for the Group 1 representations in respect of OZP No. S/TKO/18. That part of the hearing was not related to the SENTLFX, and was mainly related to the proposed Fire Services Training School cum Driving Training School and the proposed private hospital site in TKO Area 78. Nevertheless, discussions in the whole day of the meeting would be recorded in the minutes. Ms. Fong Kwok Shan reminded the attendees again to repeat their representations made on 16.11.2011 as the previous discussion would only be noted and would not be treated as their opposition to the SENTLF and its extension.

R2464 (Fong Kwok Shan)

Ms. So Yuen Ching (representative)

92. Ms. So Yuen Ching made the following main points:

- (a) she bought two flats in LOHAS Park aspiring to its green natural surroundings. Her grandson moved to live in LOHAS Park and was now suffering from asthma and had to be on steroid treatment;
- (b) given the Government had decided in 2010 to excise the five hectares of land in the CWBCP from the SENTLFX, she asked why the Government now decided to proceed with the SENTLFX in TKO Area 137;
- (c) she had worked in the construction industry for a long time and was sure that there were polluting materials in construction wastes, including paint attached to wall rubbles, human excretion in disposed sewage pipes, poisonous materials in disposed vacuum flasks etc. She did not agree

with Dr. Ellen Y.L. Chan's saying in the morning session that paint was not classified as construction waste and that the major source of intense malodour was from sludge. She said that sludge would dry up in a few days and the dried mud would no longer cause malodour. She said that EPD was cheating themselves if they believed that disposal of construction waste would not cause harm to the nearby residents; and

- (d) she said that if the Government was to locate the SENTLF and its extension in TKO, that area should not be used for a major residential development. The SENTLFX scheme should be abandoned. Otherwise the residents would take radical actions.

[At this point, she criticised the government departments' representatives.]

93. At this point, Ms. Fong Kwok Shan shouted loudly and said that the staff in the control room had deliberately reduced the volume of the microphone and broadcasting system so that Ms. So Yuen Ching had to shout and that the attendees could not make their presentations. The Chairman said that if the attendees stopped making loud noises interrupting the hearing, they would be able to listen clearly to the presentations.

94. Ms. So Yuen Ching said that with the SENTLF, Area 86 where LOHAS Park was located should not be developed for residential use. She urged the Government not to proceed with the SENTLFX in TKO Area 137.

95. At this point, Ms. Fong Kwok Shan continued to complain about the volume of the microphone and broadcasting system. She said that the attendees sitting near to her could not hear the presentations and she said that wireless microphone should be provided for their use. She said that the Board did not provide the arrangement as it did not want them to make their presentations.

[Some attendees echoed Ms. Fong Kwok Shan and started to talk together loudly. The meeting was interrupted. They complained that they could not hear from the broadcasting system in the conference room. At this point, Ms. Fong Kwok Shan and other attendees started to use their own microphone and amplifier.]

96. Ms. Fong Kwok Shan said that from Ms. So Yuen Ching's experience in the construction industry, construction wastes contained lots of heavy metals and fine suspended particulates (such as PM2.5), that could not be detected by EPD's outdated equipment. She did not understand why EPD was still following the 1997 standards. She further said that in the United States, since 1996, there were already requirements to reuse over 75% of landfill gases.

R2468 (Chan Kai Wai)

Mr. Chan Kai Wai

97. Mr. Chan Kai Wai said that there were over 100 attendees at the meeting and it was not effective to hold the Q & A session after all the attendees' presentations. He said that Members might not remember all the contents of the representations or some attendees might have left when the Q & A session started. He requested the Chairman to consider holding interim Q & A sessions during the presentation session.

98. In response, the Chairman said that the Board was following the established procedure for the representation hearing, and that the Q & A session would be held after the completion of the presentations. The Chairman said that he and other Members would write down the questions which they wished to ask as they listened to the presentations and would not miss their points.

R2464 (Fong Kwok Shan)

Ms. Fong Kwok Shan

Ms. Li Oi Ling (representative)

Mr. Timothy Chui (representative)

99. At this point, Ms. Fong Kwok Shan repeated her request for the Board to ask questions during the presentation session for the same reasons as provided by Mr. Chan Kai Wai. The reasons were that Members would not remember all the representations made by the 100 odd attendees and that the attendees who raised the questions might have left the meeting by the time the Q & A session took place. In response to Ms. Fong Kwok Shan's question, the Chairman said that according to the Board's established

procedures, the Q & A session would be held after all the representations by the attendees were completed, and Members would write down any questions which they wished to ask as they listened to the presentations. The Chairman then asked the attendees to continue with their presentations. During the dialogue, Ms. Fong Kwok Shan used derogatory remarks twice to insult the Chairman.

100. At this point, Ms. Fong Kwok Shan said that a resident had taken a photo in the meeting on 16.11.2011 which showed that a Member drew a picture during the meeting. This showed that Members did not respect the attendees. The Chairman said that if Ms. Fong Kwok Shan was making a formal complaint about a particular Member, he would handle the complaint separately from the hearing.

101. At this point, the Chairman said that if Ms. Fong Kwok Shan was not exercising her right to make a presentation of the representation relevant to the OZP amendment, he would stop her presentation. In response, Ms. Fong Kwok Shan insisted that the Chairman had to allow Members or the attendees to ask questions during the presentation session. Otherwise, the hearing would be a false consultation.

[Some attendees shouted intermittently when they disagreed with what the Chairman said and repeatedly said that they could not hear from the broadcasting system in the conference room. The Chairman had to repeatedly remind the attendees to lower their voices.]

102. At this point, Ms. Fong Kwok Shan demanded that the guidelines of the hearing procedures should be shown to the attendees, specifically whether it was clearly stated that the Q & A session should only take place after the presentations were completed and that only Members were allowed to ask questions. In any case, she said that the Board should review their procedures. The Chairman said that Ms. Fong Kwok Shan's proposal for the Board to review the procedures for the presentation and Q & A sessions at hearings was noted and that would be discussed by Members separately.

103. Mr. Timothy Chui, the assistant of Ms. Fong Kwok Shan, made the following main points:

- (a) they were seeking advice from their legal representative as to whether it

was proper for the Board not to allow for Q & A sessions during the presentation session;

- (b) the Real Estate Developers' Association of Hong Kong (REDA) had lodged a judicial review against the Board and one of the grounds in REDA's judicial review was that Members were joining and leaving the meeting at different junctures and that the meetings were not conducted in a proper manner;
- (c) a resident had made a complaint about a Member drawing pictures in the meeting held on 16.11.2011 and the photo was shown to the Secretary; and
- (d) he asked the Chairman to allow for Q & A sessions before completion of all the presentations by the attendees for the same reason raised earlier that Members would not remember contents of all the representations.

104. The Secretary said that Mr. Timothy Chui had shown her a photographic image of a piece of paper with some scribbling and a name plate of a Member. However, whether the Member had actually scribbled during the meeting could not be verified by the photographic image. Nevertheless, the incident which was alleged to have taken place in the meeting on 16.11.2011 was not relevant to the procedures of the current hearing.

105. As requested by the Chairman, the Secretary explained the procedures for conducting a hearing by quoting paragraph 5.8 of the Procedure and Practice document that was adopted by the Board in conducting its business as follows:

- (a) the various parties would be invited to attend the hearing in accordance with the agenda. For collective hearing, such as the current hearing, all the representers and the related commenters as well as the representatives of the PlanD and other government departments, if any, would be invited to attend the hearing at the same time;
- (b) in the presence of all parties, the Chairman of the meeting would briefly

explain the procedures for the hearing;

- (c) the Chairman would invite the representatives of the PlanD and/or other government departments to present the background to the case;
- (d) the Chairman would then invite the various parties to make submissions/presentations of the representations in turn. The representers would be invited to make submissions/presentations of the representations according to their groupings. Following the presentation by the representers, the commenters would be invited to take turns to make submissions;
- (e) to avoid a prolonged hearing process, the representers or commenters would be asked not to repeat the same points or argument which had already been raised by other representers / commenters at the same hearing;
- (f) the Chairman would then invite the representatives of the PlanD and other government departments, if any, and the representers / commenters to answer any questions from Members; and
- (g) should the representatives of the PlanD and other government departments wish to respond to the statements made by the representers / commenters or to clarify any of their own statements, they should do so with the permission of the Chairman and in the presence of the representers / commenters. The representers / commenters might also have an opportunity to respond to the statements made by the government representatives but it had to be directed by the Chairman.

106. During the Secretary's above explanation about the Procedure and Practice document, Ms. Maggie Ho (R2453) interrupted and asked whether the material, which was tabled by her at the meeting on 16.11.2011 was received and read by Members. The Secretary said that all materials tabled by attendees in meetings had been given to Members for their consideration.

[Ms. Anita Ma arrived to join the meeting at this point.]

107. Ms. Fong Kwok Shan said that according to the Secretary, the representers had a right to respond to the statements made by the government representatives. DPO/SKIs had made a presentation about the background of the case in the morning session. However, some Members attending the morning session arrived after DPO/SKIs' presentation. Those Members and residents attending the afternoon session also had not heard DPO/SKIs' presentation. It would be unfair if the residents did not have the chance to hear the background information provided in DPO/SKIs' presentation. She further said that the Chairman should be more open minded about the procedures.

108. The Secretary said that according to the Procedure and Practice document, Members were to ask questions only after the presentations by the government representatives as well as the representers / commenters and their representatives. In that regard, the Chairman had followed the Procedure and Practice. The Secretary said that all Members were provided with a set of TPB paper before the hearing. Hence even if Members might not be able to attend the whole meeting, they would have an understanding of the subject matter before they attended the meeting. Ms. Ho Shun Yiu (R947) disagreed and said that she had studied the TPB paper thoroughly and she noted that the 2003 EIA report was not mentioned in the TPB paper but DPO/SKIs had mentioned about the 2003 EIA report in his presentation. This meant that Members might not know the full background by just reading the TPB paper.

109. Ms. Fong Kwok Shan said that the Chairman should not ignore the attendees' request. She said that despite their request in the meeting on 16.11.2011, they were not provided with all relevant documents, including the 2003 EIA report and the report prepared to support the LOHAS Park development. She asked the Chairman to request DPO/SKIs to make the presentation again. In response to another attendee's request for DPO/SKIs to make a presentation on the EIA report, the Chairman said that DPO/SKIs' presentation would be about the amendments to the OZP rather than about the EIA report. At this point, he asked whether the other attendees would like DPO/SKIs to make a presentation on the background again.

110. Mr. Chan Kai Wai (R2468) agreed that DPO/SKIs should repeat his presentation. He said that according to the Procedure and Practice, the various parties would take turns to make their submissions. This meant that the presentations of representers, commenters and their representatives should not be unilateral with no response from the government departments or no question from Members. Noting that the Chairman had indicated that he could invite those attendees who were causing disruption to leave the meeting; he asked whether that was applicable to Members who showed disrespect to the attendees.

111. The Chairman said that he had only said that when a person disrupted the meeting, he would invite that person to leave the meeting and that was applicable to all persons attending the meeting. Ms. Fong Kwok Shan continued to complain about the microphone and broadcasting system and said that the attendees were very reasonable to raise concerns about the microphone and broadcasting system and it would be unfair for the Chairman to stop her presentation about such matter. The above discussion about procedural matters went on for about 20 minutes.

112. At this juncture, as there was no objection from the attendees, the Chairman asked DPO/SKIs to make his presentation again. In response to Ms. Ho Shun Yiu (R947)'s remark that the 2003 EIA was not mentioned in the TPB paper but was mentioned in his presentation in the morning session, he clarified that EPD's study "Extension of Existing Landfill and Identification of Potential New Waste Disposal Sites" that was completed in 2003 was mentioned in paragraph 5.18 of the TPB paper. With the aid of a powerpoint presentation, Mr. Ivan M.K. Chung (DPO/SKIs, PlanD) repeated the presentation which he had made in the morning session of the day as recorded in paragraph 11 of the Minutes and his presentation took about 25 minutes.

[Professor Edwin H.W. Chan left the meeting and Dr. W.K. Yau left the meeting temporarily at this point.]

113. Ms. Fong Kwok Shan said that Mr. Ivan M.K. Chung had mentioned in his presentation that 11 representers had withdrawn their representations. However, at the meeting on 16.11.2011, there was no mention that there were withdrawn representations. She asked Mr. Ivan M.K. Chung to repeat the reference number of the withdrawn

representations and to inform her of the names of those representers who had withdrawn their representations. Mr. Ivan M.K. Chung said that the withdrawn representations were R459, R469, R499, R682, R701, R982, R1123, R1128, R1342, R2324 and R2325 and the names of the relevant representers were included in Annex II – Attachment A of the Paper. Those representers had tendered written confirmation for withdrawal of their representations to the Secretariat.

114. Dr. Ellen Y.L. Chan (AD(EI), EPD) made a presentation covering points which she had made in the morning session of the day as recorded in paragraphs 12 (b), 14(a), 16(a), 18(a) and (b), 20(a), 22(a), 24(a) to (d), 57(a) and 64. Dr. Ellen Y.L. Chan also supplemented that with regard to the consultation with residents of LOHAS Park, the PlanD had consulted residents of LOHAS Park in June 2010 about the amendments made to the OZP, including those amendments related to the SENTLFX proposal. EPD had also conducted another briefing in July 2010 at SENTLF with the representatives from the residents of The Capitol at LOHAS Park and the property management company to explain the operation of the SENTLF and malodour control, as well as the SENTLFX proposal. They had also visited the SENTLF to observe the landfill operation and environmental performance.

[During the presentation, some attendees talked loudly and shouted loudly that they objected to the SENTLFX proposal and that they did not agree that there would be no adverse impact on residents. Some of them said that Dr. Ellen Y.L. Chan was lying and that EPD had not explained whether residents whom they had consulted objected to the SENTLFX proposal. There were several intervals when the attendees were too noisy and their voices completely overshadowed Dr. Ellen Y.L. Chan's presentation. The Chairman repeatedly asked the attendees to lower their voices and tried to resume order for the meeting.]

R2446 (Yip Chi Shing)

Mr. Yip Chi Shing

115. Mr. Yip Chi Shing made the following main points:

- (a) he was the Chairman of the Owners Committee of Le Prestige in LOHAS Park;

- (b) all attendees were living in LOHAS Park or TKO, and they were seriously affected by the nuisance from the SENTLF. That was why they were very angry and sometimes used nasty words in their presentations. He said that Members should not neglect the health hazards of the SENTLF and its extension on residents in TKO;
- (c) it was indicated in DPO/SKIs' presentation that some representers supported the amendments to the OZP but the reasons for support was not clearly stated. He also supported the open space development (although it would only be implemented in 2020) but he did not support the SENTLFX. On the other hand, DPO/SKIs had clearly summarised the many reasons of objection in a systematic manner;
- (d) EPD's so-called consultation was not genuine and EPD did not listen to the views of residents. EPD only said that they had conducted briefings with the residents of The Capitol in LOHAS Park in July 2010, but they did not say whether there was support from the residents. He was very sure that no resident had indicated support for the SENTLFX during the July 2010 briefing;
- (e) with regard to the construction waste to be disposed in TKO Area 137, EPD had said that there was tight control on the disposal of asbestos. However, he doubted whether the industry operators would strictly follow the regulations for asbestos disposal. EPD should provide the residents with data on the number of applications for asbestos disposal and the number of successful prosecution for illegal dumping of asbestos. He also asked whether EPD had made any on-site investigation of the amount of illegal asbestos dumping in the SENTLF;
- (f) the Board's mission was to promote the health, safety and general welfare of the community. However, Members should note that the SENTLF was only located 800m from LOHAS Park and the SENTLFX would only be 2 km away. Approving the SENTLFX would not be in line with the

Board's mission;

- (g) in the 2003 EIA, it was indicated that there were alternative uses for TKO Area 137 and the Study did not confirm that there would be an extension of the SENTLF in TKO Area 137. Furthermore, it was indicated in the 2008 EIA that there were constraints to extend the SENTLF in TKO Area 137. In another site search study (for the proposed integrated waste management facility (IWMF)) conducted in 2008, Tsang Tsui Ash Lagoons had the highest score. TKO Area 137 was not recommended for the SENTLFX as it was too close to a residential area;
- (h) EPD's malodour complaint figures showed that between 2008 and 2010, the SENTLF received most complaints when compared with NENTLF and WENTLF. For the SENTLF, there were 747 complaints in 2008, 548 complaints in 2009 and 753 complaints in 2010. There was no complaint on the NENTLF for those three years and there were only very few complaints on the WENTLF with three complaints in 2008, 10 complaints in 2009 and six complaints in 2010. These complaint figures were good evidence that it was a fact that landfill would create malodour and affect residents of TKO. In fact, EPD also recognised that there was malodour problem;
- (i) the EIA reports were not trustworthy. Whilst the EIA concluded that the SENTLF and its extension would not pose any problem to the area, he could smell methane from his home. Although Dr. Ellen Y.L. Chan had said that the EIA report had included the residential developments at LOHAS Park in its assessment, he doubted what the assumptions on the planned population were and whether the intake of population over the past few years had been assessed; and
- (j) the Board should not neglect the residents' personal experience of the nuisance from the SENTLF and approve the SENTLFX based on an invalid EIA. He invited the Chairman and all Members to visit the area to personally experience their adverse living conditions being caused by

the SENTLF.

R2464 (Fong Kwok Shan)

Ms. Sit Siu Hung (representative)

116. Ms. Sit Siu Hung made the following main points:

- (a) she moved to LOHAS Park in 2009 aspiring to the green environment. She thought that the SENTLF would be closed in 2012. As the Government had decided to excise the five hectares of land in the CWBCP from the SENTLFX in 2010, she did not expect that there would still be a landfill extension within TKO Area 137;
- (b) according to DPO/SKIs, the SENTLF had been taken into account when the residential development in TKO Area 86, where LOHAS Park was located, was proposed. She doubted whether the impacts of the SENTLFX were taken into account. There was no basis for the Government to refuse to prepare an updated EIA unless the Government was afraid that the findings of the EIA would not support the SENTLFX under the current circumstances;
- (c) her sister moved out of LOHAS Park after living there for six months and her main concern was that the TKO Tunnel was always congested and there was major hazard caused by refuse felling from dump trucks. She described an incident where she witnessed a plastic bag dropping from a dump truck and causing potential danger to the road users;
- (d) on the traffic impact of the SENTLF, Dr. Ellen Y.L. Chan had said in the morning session that during the operation of the SENTLF, there would be 1 000 truck trips per day; and during the operation of the SENTLFX in TKO Area 137, there would only be 500 truck trips per day. However, EPD's information was different from the information obtained by Ms. Fong Kwok Shan that there were 3 000 trucks travelling through TKO Tunnel every day;

- (e) she had mentioned in the meeting on 16.11.2011 that malodour could be smelled in Siu Sai Wan and she only realised that the malodour was from the SENTLF after moving to LOHAS Park. She visited Chai Wan recently and she realised that the SENTLF was very close to Hong Kong Island. She said that people living, working or studying in Siu Sai Wan might not realise that they were being affected by the SENTLF and its extension. She said that other than malodour, the odourless noxious gases might also be transmitted by air to affect people on Hong Kong Island. She doubted whether the EIA had assessed the impacts of the SENTLFX on sensitive receivers in Siu Sai Wan. She said that the Government should prepare a comprehensive EIA so as to convince the people of Hong Kong that the SENTLFX would not have adverse impacts;
- (f) landfilling would not be a problem if it was not located near residential developments. With the presence of the LOHAS Park, the landfill extension should not be located in TKO Area 137. When the SENTLF was planned, the Government should have long-term plans for waste management to cater for the operational time span of the existing landfills. New landfills should have been planned in other locations rather than extending the SENTLF;
- (g) residents in LOHAS Park were mainly young couples and there was a high population of pregnant women and young children. The Government should not pursue the SENTLFX that would affect the younger generation;
- (h) about the operation year of the SENTLF, the Government said they had not previously committed to close the SENTLF in 2012 but had said that the SENTLF might be exhausted by 2014. However, Dr. Ellen Y.L. Chan said in the morning session that tentatively the SENTLF might still need to operate for a transitional period of six years or even longer. The Government should explore other methods to manage waste, including

encouraging waste reduction, building incinerators or building a new landfill in a remote area with no resident;

- (i) she doubted why the Government was unwilling to disclose the EIA reports if the findings were acceptable. The 2008 EIA was prepared at a time when there was no resident in LOHAS Park. Some representatives had commented in the morning session that the standards used in the EIA was too low when compared with other places like the United States;
- (j) the Chairman should ask the government representatives about the time needed for rehabilitation and restoration of the various plots of landfill in TKO for open space and recreation uses. She could also smell methane in the area and she understood that during the restoration process, noxious gases might be emitted. Hence, if there was an extension to the SENTLF, more noxious gases would be emitted; and
- (k) she agreed to the views expressed by commenter No. C203, that was submitted by the Director of the Centre for Environmental Policy and Resource Management of the Chinese University of Hong Kong. At the request of Ms. Sit Siu Hung, Mr. Yip Chi Shing (R2446) helped her to read out an extract from the submission of C203 in Annex V of the TPB paper, that was, “landfill is not the only means of disposal. The government should investigate and re-consider other possible options of waste management (such as, waste reduction scheme, recovery and recycling etc.) before the decision to extend existing landfills. Landfill extension will adversely affect the quality of life which contradicts the mission of SKDC to build TKO into a health city”. He added that the Board should listen to the views from the Chinese University of Hong Kong.

[Mr. Felix W. Fong and Ms. Maggie M.K. Chan left the meeting at this point. Ms. Anna Kwong left the meeting temporarily and Dr. W.K. Yau returned to join the meeting at this point.]

117. Mr. Yip Chi Shing (R2446) said that Dr. Ellen Y.L. Chan had said in the presentation that an EIA had been submitted confirming that TKO Area 86 (where LOHAS Park was located) was suitable for residential development even with the SENTLFX. He asked whether the above statement was correct and requested EPD to answer the question at that point. The Chairman said that his question was recorded and would be asked in the Q & A session.

R2464 (Fong Kwok Shan)

Mr. Po Wai Ming (representative)

118. Mr. Po Wai Ming made the following main points:

- (a) at the meeting on 16.11.2011, he had asked the Government to provide him with the EIA report for the SENTLFX. Professionals in their group, Professional Power, had expertise to examine and provide comments on the EIA report. However, the EIA report was not provided to them;
- (b) according to EPD's website, the Stockholm Convention on Persistent Organic Pollutants (the Stockholm Convention) became effective to the People's Republic of China, including the Hong Kong Special Administrative Region, on 11.11.2004. In April 2007, following approval by the State Council, the Central People's Government submitted China's National Implementation Plan, including the Hong Kong Special Administrative Region implementation plan, to the Conference of the Parties of the Stockholm Convention;
- (c) according to the Executive Summary of the SENTLFX (in Annex XII of the TPB paper), in December 2005, the Government published "A Policy Framework for the Management of Municipal Solid Waste (MSW) (2005-2014)" but the Stockholm Convention was not mentioned in that policy framework document;
- (d) in May 2008, the Director of Environmental Protection approved the EIA for the proposed SENTLFX with conditions. The Stockholm Convention

was again not mentioned;

- (e) according to the Hong Kong Special Administrative Region Implementation Plan for the Stockholm Convention, there were four key components. There should be an overview of the current persistent organic pollutants situation in Hong Kong. The Government should devise control strategies, priorities and action plans in the next five to ten years to reduce or eliminate persistent organic pollutants as required by the Stockholm Convention. The extension of the SENTLF was contrary to the implementation plan which required reducing or eliminating, rather than increasing, persistent organic pollutants. There should be promotion of public awareness and enhancement of regional collaboration and capacity building, but the Government had not performed in either of those duties listed in the implementation plan; and
- (f) he asked what effects the Stockholm Convention, which was signed by the People's Republic of China, had on EPD and PlanD.

R2464 (Fong Kwok Shan)

Ms. Sit Siu Hung (representative)

119. Ms. Sit Siu Hung made the following main points:

- (a) the Government had the responsibility to monitor the malodour problem and the extent of the malodour problem should not be gauged solely by the number of complaints received. The Government often claimed that there were not many complaints about malodour. However, the malodour problem was understated by the complaint figures as the complaint hotline was often engaged and some residents might be too frustrated to file a complaint; and
- (b) EPD said that they had engaged university students in 2007 to conduct a two-week malodour survey, for 24 hours a day, in TKO and that survey did not record a high level of malodour. She said that malodour was

most intense in summer time especially at a time when there was sunshine after rainy days. Hence, if there was no such climatic condition during the two-week malodour survey, malodour might not be detected. As such, EPD could not rely on the data from a two-week malodour survey to make their decision.

[Mr. Timothy K.W. Ma left the meeting temporarily at this point.]

R2453 (Maggie Ho)

Ms. Maggie Ho

R2464 (Fong Kwok Shan)

Ms. Fong Kwok Shan

Ms. Li Oi Ling (representative)

120. Ms. Fong Kwok Shan said that there were only nine Members of the Board, including the Chairman, attending the meeting at this point. She enquired about the statutory quorum for the meeting. In response, the Chairman said that according to the Town Planning Ordinance (the Ordinance), the quorum for a TPB meeting was five persons. Ms. Fong Kwok Shan said that it was ridiculous that five persons could form a quorum for the TPB meeting and that most other committees would require a quorum of 50% of the total number of members. Ms. Li Oi Ling said she would not continue to make presentation unless all Members were present. Ms. Fong Kwok Shan requested that the meeting should not continue unless 30% of the Members were present. Ms. Maggie Ho said they would lodge a judicial review against the Board. The Chairman repeated that the quorum for the TPB meeting was stipulated in the Ordinance and he asked the attendees to continue with their presentations.

[Some attendees indicated disagreement with the statutory quorum for the Board's meeting and kept on shouting out their discontent.]

121. At this point, Members noted that a letter signed by 42 persons was tabled, which indicated that there was insufficient number of Members at the meeting and requested the Chairman to immediately request Members to return to the meeting to continue with the hearing.

R2461 (Ho Man Kit)

Mr. Ho Man Kit

122. Mr. Ho Man Kit made the following main points:

- (a) it was stated in paragraph 4.13 of the TPB paper that “the SKDC Chairman concluded that the Government had positively responded to the odour problem of TKO and recommended support to the proposed revised scheme”. He said that such wording did not clearly indicate whether the SKDC supported or objected to the SENTLFX. He pointed out that SKDC had never formally agreed to the SENTLFX;
- (b) he said that the Chairman of the SKDC and Ms. Maggie M.K. Chan belonged to the same political party, the Democratic Alliance for the Betterment and Progress of Hong Kong. He said that in order to avoid any conflict of interests, all Members should declare their affiliation with any political parties and their previous / current employment by the Government to conduct studies / researches;
- (c) the Chairman and Board Members were not elected and any decisions made would not be democratic. In overseas countries, members of committees that made decisions on town planning matters were often democratically elected. Members of the Board were currently appointed by the Chief Executive, whom was not democratically elected. In 2010, the Legislative Council with democratically elected councillors successfully repealed the Country Parks (Designation) (Consolidation) (Amendment) Order 2010 (the Country Park Order) to expand the SENTLFX into the CWBCP;
- (d) he was the Chairman of the Incorporated Owners of Choi Ming Court in Tiu Keng Leng. One of their residents had previously lodged a judicial review against the Government’s decision to expand the SENTLFX into the CWBCP. Although the court ruled in the judicial review that the

Government was procedurally proper, it was alarming that the Country and Marine Parks Board could have agreed to the expansion of the landfill into the country park. It could only be vetoed by the Legislative Council, which comprised democratically elected members;

- (e) his representation was supported by more than 1 000 residents of Tiu Keng Leng. One of the main objection reasons was that the Board had set a bad precedent by rezoning the SENTLFX area in TKO Area 137 to “O(2)”, rather than explicitly as a landfill zone. The “O(2)” zoning was misleading. “O” zones were normally intended for the provision of public open space or recreation facilities and the proposed landfill use was contrary to that planning intention. No other landfill in Hong Kong was under an “O” zoning. Since the open space use would only be realised in 20 to 30 years’ time, the SENTLFX site should first be zoned for ‘landfill’ use and it might be rezoned in future to reflect the open space use after the rehabilitation and restoration of the landfill;
- (f) under the “O(2)” zoning, ‘landfill’ was listed as a Column 1 use which was always permitted and no planning application / public consultation was required. It was contradictory that recreational type of uses in the “O(2)” zone were listed as Column 2 uses that required planning permission from the Board. The Board could adopt similar tactics in future to disguise ‘undesirable’ uses;
- (g) with the repealing of the Country Park Order, the project scale, use and cost effectiveness of the SENTLFX had changed. A new round of public consultation should be conducted and a new EIA should be prepared;
- (h) a new traffic impact assessment for the SENTLFX would need to be prepared. Development Bureau’s new ‘Energizing Kowloon East’ initiative would create much more construction waste that would likely be disposed in the SENTLFX. That alone would at least increase 1 000 dump truck trips per day visiting the SENTLFX. EPD’s assumption of having only 500 dump truck trips per day would be unrealistic;

- (i) he repeated that Members should declare their political affiliation and/or employment by the Government, and those Members who had conflict of interests in those regards should leave the meeting;
- (j) the residents had been cheated too many times by the Government and there was no longer any mutual trust; and
- (k) a new round of consultation should be conducted for the proposed SENTLFX in TKO Area 137.

R2464 (Fong Kwok Shan)

Ms. Fong Kwok Shan

Mr. Timothy Chui (representative)

123. Ms. Fong Kwok Shan said that it was pathetic that the statutory quorum for a TPB meeting was only five persons. Even meetings of owners committees would require more people to form a quorum. She asked whether the Members who had left the meeting would come back to join the meeting later.

124. The Chairman said that the quorum for the TPB meeting was stipulated in the Ordinance. He said that he could not confirm whether Members who had left would return to join the meeting.

125. Ms. Fong Kwok Shan said that the Chairman had a responsibility to know whether Members would return to join the meeting. She further urged that the TPB Secretariat should request Members to return to the meeting. Mr. Timothy Chui said that for similar situations in district council meetings, they would contact and ask Members to return to meetings and the same should be done by the TPB Secretariat. He said that they agreed with REDA's grounds in their judicial review that there was insufficient number of Members at TPB meetings, that Members were leaving and joining the meeting at different junctures and that some Members only returned for voting. He again urged the Chairman to request Members to return to the meeting.

126. The Chairman reiterated that he had to conduct the meeting having regard to the statutory quorum stipulated in the Ordinance. He said that if the number of Members did not meet the statutory quorum, he would adjourn the meeting.

127. Ms. Fong Kwok Shan said that the hearing procedure was unjust. At this point, she asked for a dinner break because she was having a headache and the room was very stuffy. She also said that Members would also need a break as most of them were very tired. Following Ms. Fong's request for a dinner break, the Chairman asked how many attendees would still wish to make presentations. In response, many attendees indicated that they would wish to make presentations.

128. Ms. Fong Kwok Shan made the following main points:

- (a) the presence of only a small number of Members was a disrespect to the attendees. As Members were leaving and joining the meeting at different junctures, they would not hear all the representations;
- (b) at the SKDC meeting held to discuss the SENTLFX, no motion was moved nor endorsed to support the SENTLFX. Hence, it was wrong for the government representatives to say that SKDC agreed with the SENTLFX. The district council members had visited the SENTLFX together with EPD, but that did not mean that they supported the SENTLFX;
- (c) EPD had not prepared a proper EIA to support the SENTLFX. Residents had succeeded in forcing the Government to excise the land within the CWBCP from the SENTLFX, and the Government should stop proceeding with the SENTLFX in TKO Area 137;
- (d) she had chosen to be an elected rather than appointed member of the SKDC because she did not want to support the Government's proposals which were not justified. Some other members in the SKDC, who might not even know the harm of construction waste, had decided to agree or support the SENTLFX purely based on Environment Bureau's

briefing made on 3.5.2011;

- (e) in the morning session, other than many residents, an employee of Television Broadcast Limited (TVB) had attended the meeting to make a presentation of his representation. In fact, the 20 000 workers in the TKO industrial estate also objected to the SENTLFX, even though they might not have signed on the banner that was hanged in the conference room;
- (f) construction waste contained heavy metal and noxious gases but the government representatives did not confirm whether their equipment could measure those toxic elements. The equipment used in Hong Kong was sub-standard; and
- (g) many residents had indicated that they would join the meeting after they finished work. The Secretariat had a responsibility to contact the Members and request them to return to the meeting. In accordance with the Secretariat's letter, the meeting might be extended into 1.12.2011 and she asked the Chairman when the meeting would end on 30.11.2011.

129. The Chairman said that to respond to Ms. Fong Kwok Shan's request, the dinner break could take place between 7:30pm to 8:30pm. With regard to the finishing time for the meeting on 30.11.2011, the Chairman said that it would depend on how many attendees would make presentations. If the hearing procedures could not be completed on the day, the meeting would be adjourned and resumed on 1.12.2011.

130. Mr. Chan Kai Wai (R2468) made the following main points:

- (a) the Chairman should inform the attendees of the finishing time for the meeting on 30.11.2011;
- (b) with regard to the views of the SKDC on the SENTLFX, he said that the wording in the TPB paper was misleading. No motion had been passed to support the SENTLFX. The Secretariat should check the recordings of

the SKDC meeting and further advise Members; and

- (c) the SKDC had only endorsed one motion relating to the SENTLFX in 2008, which was “strong objection to SENTLFX plan if the Government was unable to solve issues that affected people’s livelihood such as malodour, traffic, environmental hygiene and to gain residents’ support after a full consultation to all residential buildings in TKO”.

R2453 (Maggie Ho)

Ms. Maggie Ho

R2464 (Fong Kwok Shan)

Ms. Fong Kwok Shan

Mr. Timothy Chui (representative)

Ms. Li Oi Ling (representative)

Ms. Sit Siu Hung (representative)

131. Some attendees raised questions on the procedures of the meeting and there was a discussion on that for about 30 minutes. Following that, Ms. Fong Kwok Shan and / or Mr. Timothy Chui made the following main points during that discussion:

- (a) although the statutory quorum of five persons was met, it was not reasonable and was a disrespect to the attendees for the Board to continue with the meeting with low attendance of Members. There was insufficient number of Members hearing the representations and any voting with low attendance of Members was unfair. REDA had challenged the attendance of Members at TPB meetings and the schedule of TPB meetings, and the attendees shared similar concerns;
- (b) the meeting should only continue in the presence of at least 30% of the Members;
- (c) it was not proper for Members who had heard their representations, but left the meeting and would not be involved in the Q & A session or voting, whereas Members who had not heard all the representations would be

allowed to vote;

- (d) the Secretary / Secretariat should contact the Members to see if they would return to join the meeting and / or vote; and
- (e) the Chairman should not insist that the representers, commenters or their representatives had completed all their presentations before starting the Q & A session. Members who had left the meeting were not able to ask questions for them. They also could not ask those Members who had left the meeting their questions.

132. At this juncture, at about 7:00pm, Ms. Fong Kwok Shan said that for record purpose for possible legal proceedings in future, she read out the names of the 10 Members present at the meeting. The Members present were Mr. Roger K.H. Luk, Prof. S.C. Wong, Dr. W.K. Yau, Ms. Anita W.T. Ma, Mr. Stanley Y.F. Wong, the Secretary, the Chairman, Mr. Jimmy Leung, Mr. Jeff Lam, Mr. B.W. Chan and Mr. Eric Hui.

133. Ms. Fong Kwok Shan also made the following main points:

- (a) as some Members were civil servants, it meant that the Government was assessing / approving their own proposals. In this case, the Director of Planning would support the amendments to the OZP as presented by DPO/SKIs and that was inappropriate;
- (b) PlanD had previously zoned the land for the SENTLFX in TKO Area 137 for industrial estate use and they should not overturn their previous decision now and rezone the same piece of land for landfill use. Furthermore, the "O(2)" zoning was misleading as the open space would only be implemented 20 years later;
- (c) all construction waste in Hong Kong was currently already being disposed in TKO Area 137 but not in SENTLF, and only the surplus construction waste was transported to Taishan in Mainland. As some construction waste was disposed in TKO Area 137 but not in the SENTLF, it could

explain why according to the information which she had obtained there were 3 000 truck trips per day to TKO whereas EPD's corresponding data only showed 1 000 truck trips per day visiting the SENTLF; and

(d) at one point, she had used a derogatory term to insult the Chairman.

134. Mr. Timothy Chui said that they needed to be informed whether the meeting would be resumed on 1.12.2011 as residents had to arrange for leave from work. They also needed to know whether the attendance of Members would be similarly low if the meeting was to be resumed on 1.12.2011.

135. During the discussion, Ms. Li Oi Ling repeatedly asked whether Members would return to the meeting and whether only the few Members present would be involved in voting. She also repeatedly said that she had said a lot of things in the meeting on 16.11.2011 but there was no record of that meeting. She said they wanted to make presentations but there was no Member to listen to them. She also asked whether Members could ask questions during the presentation session.

136. Ms. Maggie Ho said that she was angry because there were not enough Members present to listen to their representations. At one point, she could not help but made derogatory comments against the Chairman as well as other government representatives. She said that she had suffered from the malodour impacts for six years. There was malodour problem starting in 2005, but EPD did not resolve the problem but prepared the EIA for the SENTLFX in that same year. She said that the Government should explore other alternatives to manage waste and Taiwan was a good example as it had reduced 70% of waste at source.

137. Ms. Sit Siu Hung said that the procedures could be changed and she requested that her question about whether the EIA had covered adverse impacts on residents on Hong Kong Island to be answered first before she left the meeting.

138. Another attendee said that the low attendance of Members was unacceptable to the residents. She also said that if Members would not return to the meeting and they could not ask the Members questions, the meeting should be re-scheduled.

139. In response to the procedural matters raised in the above 30-minute discussion, the Chairman reiterated a few times that the Board would have to conduct its meeting according to the provisions under the Ordinance which stipulated a statutory quorum of five Members for a TPB meeting and the meeting would continue if the statutory quorum was met. He reiterated a few times that it was still in the presentation session and urged the representers to continue with their presentations. Otherwise, they would not be exercising their right to make presentations of their representations. Furthermore, he stressed that the Chairman was the person to decide on the meeting proceedings and he had to ensure that the procedures were in accordance with the Ordinance and the Procedure and Practice as outlined earlier by the Secretary. He repeatedly stressed that the Board was subject to challenge by judicial reviews on procedural matters and it was important for the Board to follow established procedures.

140. In response to the repeated questions of whether Members who were present at that time in the conference room would be involved in the voting, the Chairman reiterated a few times that it was not yet the deliberation session and the Members present during the deliberation session would have the right to vote, if voting was needed. He said that when the Board decided on a case, voting was often not required and the Board would only resolve to voting when there was no majority view on a case.

141. Ms. Fong Kwok Shan said that the Chairman had said that Members who were present in the morning session could ask questions but they had already left the meeting. The Chairman clarified that he had only said that Members present at the Q & A session could ask questions, but he had not said that Members had to attend the whole presentation session before they could ask questions. He then invited the attendees to continue with their representations.

[This 30-minute discussion on procedural matter was chaotic with many attendees shouting loudly.]

R2464 (Fong Kwok Shan)

Ms. Ruth Chan (representative)

142. Ms. Ruth Chan made the following main points:

- (a) the Government needed to resolve the landfill problem. Landfills were the breeding grounds for mosquitoes, insects and mice. Landfills were also sources of germs and it might lead to another SARS epidemic;
- (b) she understood that the Government would build an incinerator in TKO that would be within a distance equivalent to only two football courts from residential developments. She considered that a more appropriate separation distance between an incinerator and residential developments would be at least three to four football courts;
- (c) the Government should build two incinerators in Hong Kong. However, the outlying islands were not suitable sites for building incinerators as the refuse had to be transported by vessels and this might cause water pollution. During typhoons or rainy days, the water pollution caused by the transport of refuse by vessels would get worse;
- (d) the Government should build modern incineration facilities with high environmental quality and standards to ensure the health of residents. She said that Shenzhen had built incinerators many years ago and was planning to build more modern incinerators; and
- (e) the Government should carefully select the sites for building incinerators.

[Towards the end of Ms. Ruth Chan's presentation, some attendees asked her repeatedly to stop her presentation.]

R2453 (Maggie Ho)

Ms. Maggie Ho

143. Ms. Maggie Ho made the following main points:
- (a) responding to Ms. Ruth Chan's suggestion, she said that it was not possible for the Government to find a suitable location for building incinerators in Hong Kong;
 - (b) the Government was still using the air quality objectives that were established 20 years ago. The Government's other environmental policies were similarly outdated;
 - (c) in 2005, she lodged a complaint about malodour and had requested that an air quality monitoring station should be installed in TKO. At that time, she was advised that there was an air quality monitoring station in Shatin, but she did not understand how the monitoring station in Shatin would be able to monitor the air quality in TKO;
 - (d) EPD should be more transparent and provide residents with more data, such as data from an air quality monitoring station installed in TKO, to convince residents that the SENTLF was not creating any adverse impacts on air quality in TKO;
 - (e) she asked whether Members had read the letter which she tabled at the meeting on 16.11.2011. Since last year, she had asked the Board to consider the four proposals which she outlined in that letter but the Secretariat had replied to her on behalf of Members. She doubted whether the Board had been consulted about her proposals and whether the Board had authorised the Secretariat to reply. She then highlighted her proposals;
 - (f) when the Board considered amendments to a particular OZP, local representatives who were familiar with that particular planning area

should be appointed to sit in the TPB meeting. Members who did not live in or had no knowledge of a planning area should not make decisions that would seriously affect local residents;

- (g) when the Board considered representations for a particular OZP, the venue for the representation hearing should be held within the same planning area of the particular OZP. Tele-conferencing facilities could be used and this would save the travelling time and cost for the representers;
- (h) Members should not ‘rubber stamp’ the Government’s proposals;
- (i) since 2005, EPD had received complaints from TKO residents about the malodour from the SENTLFL. However, in the same year, EPD started preparation for the SENTLFLx. It was unacceptable for EPD to use an outdated EIA report prepared in 2005 to support its proposal for the SENTLFLx in 2011;
- (j) she had asked for a map of all deserted outlying islands in Hong Kong since 2005. It was only on 11.11.2011 when she obtained the data from PlanD. According to the data, there were 260 islands in Hong Kong. It was obvious that when the EIA was prepared, there wasn’t a complete map of all outlying islands. The EIA was not comprehensive enough as the site search did not include an assessment of the feasibility of building a landfill on one of the 260 islands. The EIA was therefore not trustworthy;
- (k) in 2005, EPD promulgated the “Policy Framework for the Management of Municipal Solid Wastes (2005 – 2014)”. However, very little was achieved in the past six years. There was only minor increase in the MSW recovery rate from 43% to 45%;
- (l) she suggested that a new landfill should be built on an outlying island. A new EIA should be prepared and should include an assessment of the

feasibility of building a landfill on the outlying islands. The Government could not argue that outlying islands were not suitable for landfill due to low cost effectiveness to transport refuse by sea as the health of residents was much more valuable;

- (m) it was suggested that the Government could build an incinerator and a landfill on an outlying island so that all types of refuse (combustible and non-combustible) could be treated within the same location. Another alternative was to locate the landfill / incinerator on Lantau Island which had efficient infrastructure and was much larger than TKO;
- (n) otherwise, the Government should adopt the policy of Japan where the responsibility for waste disposal was borne within the local districts. That would be similar to the Government's policy to provide columbarium in each of the 18 districts in Hong Kong; and
- (o) EPD should be held responsible for the health of the 500 000 residents in TKO.

[Mr. Y.K Cheng returned to join the meeting at this point.]

R2464 (Fong Kwok Shan)

Mr. Leung Po Chiu (representative)

144. Mr. Leung Po Chiu made the following main points:

- (a) in 2010, the Legislative Council had rejected the SENTLFX. The Board should follow the decision of Legislative Council and should not extend the SENTLFX in TKO Area 137;
- (b) the residents felt being cheated by the Government. The Board should not try to make a decision on the SENTLFX in TKO 137 without consulting the residents; and

- (c) the health of the residents was important and they did not want the landfill. The Board should listen to the residents' representations and he urged the Board not to proceed with the SENTLFX in TKO 137.

145. At this juncture, Ms. Fong Kwok Shan said it was already 7:40pm and the attendees would like to start the dinner break. She then asked the Chairman about the arrangements for the dinner break, the finishing time of the meeting on 30.11.2011 and arrangement for the meeting on 1.12.2011. In response, the Chairman said that the dinner break would be until 8:30pm. The finishing time for the meeting would depend on how many attendees would make presentations and how lengthy their representations would be. If the presentation and Q & A sessions could not be completed on the day, the meeting would be resumed at 9:00am on 1.12.2011.

C205 (Hung Ching Hon)

Mr. Hung Ching Hon

146. Mr. Hung Ching Hon said that what he had wanted to say had been covered by other attendees' representations; he only made a comment that the meeting was conducted in a very shameful manner.

R2453 (Maggie Ho)

Ms. Maggie Ho

147. Ms. Maggie Ho said that in the past, landfills were closed down before the surrounding areas were considered for development. She quoted the example of the closed landfills at Shuen Wan, Ngau Chi Wan and Gin Drinkers Bay. However, in the case of the SENTLF, residential developments were built before the landfill was closed down and the landfill would still be extended further. She doubted why there was such a change in policy.

R2464 (Fong Kwok Shan)

Mr. Timothy Chui (representative)

148. At this juncture at about 7:50pm, Mr. Timothy Chui said that he and a few

other attendees needed to leave early. He requested the Chairman to continue with the hearing and to hear his presentation while the other representers, commenters and their representatives could take their dinner break. The Chairman agreed and invited Mr. Timothy Chui to make his presentation.

[Most of the representers, commenters and their representatives left the meeting at this point and only about six attendees remained in the conference room.]

149. Ms. Timothy Chui made a presentation covering the following main points:

- (a) he was the assistant of Ms. Fong Kwok Shan and he was also a resident in TKO;
- (b) the SENTLF was too close to a residential community and there was bound to be objections from residents. He asked Members to carefully consider the information provided in the presentation of Ms. Hong Kit Ming (who was a member of the Owners Committee of Le Prestige in LOHAS Park) which was made in the morning session of that day. Between 2007 to 2009, there were 700 to 800 malodour complaints relating to the SENTLF each year. However, there was only a few or no malodour complaints related to the WENTLF and NENTLF. There was a major difference in the number of malodour complaints for the three landfills and this showed that the SENTLF was creating much nuisance to residents. He requested Members not to agree to the SENTLFx proposal;
- (c) he said that he would highlight some questions which Members raised in the morning session but which he considered had not been properly answered. He requested Members to follow up on those questions;
- (d) a Member had asked about the problem of dripping of waste water from RCVs and suggested that EPD could install CCTV surveillance cameras on Wan Po Road to monitor the RCVs with dripping water. Dr. Ellen Y.L. Chan had responded by saying that the suggestion could be

considered but it would depend on whether it was technically feasible. He said that EPD had not answered the question and asked Members to follow-up later;

- (e) another Member had asked whether odour detectors could be installed in LOHAS Park to monitor the malodour situation. He said that in the Legislative Council meeting held in 2010 to discuss repealing the Country Park Order, some Legislative Council members had indicated that it was not necessary to use a few million dollars to install odour detectors ('electronic nose') as it was obvious that malodour existed in the area and it must be from the SENTLF;
- (f) in repealing the Country Park Order, Legislative Council members were not only opposing to the part of the SENTLFx within the CWBCP, they were opposing to any extension of the SENTLF. They had informally sounded out the views of some Legislative Council members and it seemed that a scaled down SENTLFx as currently proposed would not be supported;
- (g) with regard to a Member's question about paint in construction waste, he said that his father was a house painter and he knew that paint would not be separated from construction waste before disposal. Hence it was inevitable that construction waste to be disposed in the SENTLFx would contain poisonous materials, including paint, and would cause a threat to public health;
- (h) about the problem of waste water dripping from RCVs and the dropping of debris from dump trucks, EPD had said that the police could step up prosecution. He informed Members that there was insufficient police force in TKO and it would be a waste of public resources to ask the police to help EPD to prosecute on matters relating to waste water dripping from RCVs and dropping of debris from dump trucks. Instead, EPD should consider more effective methods to eliminate such nuisance at source;

- (i) EPD had mentioned about a malodour assessment commissioned by them in 2007. The assessment was conducted at Ocean Shores, rather than in LOHAS Park where population intake only started in 2009. If malodour was detected at Ocean Shores, which was more distant from the SENTLF, it was obvious that malodour would be detected at LOHAS Park;
- (j) he asked Members to seek clarification from DPO/SKIs about the views of the SKDC on the SENTLFX. In the presentation in the morning session, DPO/SKIs had said that the SKDC accepted the SENTLFX. However, in the presentation in the afternoon session, DPO/SKIs changed the wording to say that the SKDC Chairman recommended the District Council members to support the proposed SENTLFX. He further referred Members to the minutes of the SKDC meeting held on 4.5.2010 in Annex VI of the TPB Paper. It was recorded in the SKDC minutes that many District Council members objected to the SENTLFX and no member had indicated support. It was clearly stated in paragraph 122 of the concerned minutes that Mr. Ling Man Hoi reiterated that the Housing and Environmental Hygiene Committee of the SKDC opposed the SENTLFX;
- (k) Members should note that the MTR Corporation Limited, a public organisation with representatives from government departments and bureaux on its board of directors, had also submitted a representation opposing the SENTLFX;
- (l) Members should consider the opposing views of residents of TKO, especially those at LOHAS Park, against the SENTLFX;
- (m) as mentioned in paragraph 5.7 of the TPB Paper, the “TKO Area 86 Planning Study” (the Area 86 Study) concluded that TKO Area 86, where LOHAS Park was presently located, was suitable for residential development. However, as the Area 86 Study had not been made available for their inspection, it was unclear whether the Area 86 Study had taken into account the current scale of the SENTLF and/or its

extension. There might also have been an assumption that the SENTLF would be closed by 2010 to 2012. It was unfair to the representers that the Area 86 Study was not made available for their inspection and he requested Members to review the Area 86 Study before making a decision. Furthermore, the Area 86 Study which was conducted in 1997, was very outdated and should not be used to support the current proposal for the SENTLFX;

- (n) with the aid of a plan shown on the visualiser, he pointed out the location of the Shek Kok Road public car park, which was within a “Government, Institution or Community” zone, to the east of tower 6 of The Capitol in LOHAS Park. The Shek Kok Road public car park had about 60 parking spaces for private cars and 10 odd parking spaces for RCVs. More than 10 RCVs filled with refuse were parked there overnight every day and those RCVs created malodour. They had made complaints to EPD, Transport Department (TD) and PlanD over the past year about the Shek Kok Road public car park. Although five RCV parking spaces were now deleted, 10 RCVs that were privately owned and did not have full cover were still being parked there every night. They had previously suggested that some land at Pak Shing Kok should be allocated for RCV parking, but their proposal was not accepted by the Government. He stressed that he did not mean that if the RCV parking at the Shek Kok Road public car park was resolved, they would not object to the SENTLFX. He only wished to point out that the Government was not able to assist the residents on even such simple matters. Therefore, the residents were forced to take a hard stance to oppose the SENTLFX;
- (o) he stressed again that the SENTLF should not be extended as it was too close to residential developments and was directly adjacent to the TVB City;
- (p) even if the SENTLF was not extended, there were alternative ways to manage MSW. The Government should encourage the reduction of waste and recycling. The Secretary for the Environment had announced

that the Government would conduct a public consultation on the MSW charging scheme in due course;

- (q) there was no imminent need to extend the SENTLF as the NENTLF and WENTLF would still have landfilling capacity up to 2016 and 2020. The SENTLFX proposed at TKO Area 137 was small in scale and could only be used for a short term up to 2020. It would be more effective to reduce the amount of construction waste rather than proceeding with the SENTLFX;
- (r) as the existing SENTLF was only 800m from LOHAS Park, it was too close to a residential development. EPD had not demonstrated that they would be able to resolve the existing problems of waste water dripping from RCVs and debris dropping from dump trucks on Wan Po Road. Hence even though the SENTLFX would be 2km from LOHAS Park, there was no way to resolve the nuisance that would be created by the landfill extension. He said that the NENTLF and WENTLF were so located that the RCVs or dump trucks accessing those two landfills did not have to pass through residential areas. However for the SENTLF, RCVs and dump trucks had to pass through various residential areas at Hang Hau, Oscar by the Sea, LOHAS Park and the planned residential area in TKO Area 85. Moreover, Wan Po Road which was the only vehicular access road to SENTLF was not a highway but only a local community road; and
- (s) he asked Members to follow up the questions and matters which he had raised in his presentation. He also asked Members not to agree to the SENTLFX.

[At this point at about 8:30pm, some of the representers, commenters and their representatives had gradually returned to join the meeting.]

R2464 (Fong Kwok Shan)

Ms. Lee Miu Ling (representative)

150. Ms. Lee Miu Ling made the following main points:

- (a) she had moved to LOHAS Park for about two months;
- (b) she recently rode on a mini-bus travelling on Wan Po Road and there was almost a traffic accident. A large piece of refuse was dropped from a dump truck as the big cloth used for covering the refuse was not properly fixed to the dump truck. Hence, she totally disagreed with Dr. Ellen Y.L. Chan that there was proper control on nuisance created by dump trucks; and
- (c) she could smell malodour from her home. It was very irritable and the malodour had affected her mental health. The air pollutants would cause headache and poor memory, affect the learning abilities of children and the working abilities of adults, and lead to physical disabilities. If Members made a wrong decision, it would lead to heavy burden for society.

C159 (Fong Siu Leung)

Mr. Fong Siu Leung

151. Mr. Fong Siu Leung made the following main points:

- (a) he had lived in TKO for more than 15 years, and members of his family lived in Po Lam, LOHAS Park and Tiu Keng Leng. Hence, he knew that malodour could be smelled within different places in TKO. In his opinion, EPD had not conducted a proper consultation with TKO residents and the public views collected by EPD were not representative of TKO residents' views;
- (b) in the past 20 years, EPD had continued to engage in expanding landfills

with an excuse that there was a need to resolve the waste disposal problem for the whole of Hong Kong. The Board should not collude with EPD and act unfairly. The SENTLF should stop operation between 2012 to 2014;

- (c) EPD adopted double standards when assessing noise nuisance and malodour nuisance. For noise nuisance, minor exceedance of the noise standard would not be allowed. However, malodour would be considered acceptable as long as it did not cause death. Dr. Ellen Y.L. Chan had said that a 2-week malodour survey was conducted in 2007, and as malodour was only detected for a period of 40 minutes during the 2-week survey period, EPD considered that the malodour problem was acceptable. Malodour would affect physical and mental health of people and it was definitely a nuisance;
- (d) Dr. Ellen Y.L. Chan had referred to many international standards. However, he doubted whether the standards were specific to the design and operation of landfills. In fact, modern countries were increasingly using incinerators to replace landfills as a means for waste management;
- (e) since malodour complaints originated from the landfill operations that were under EPD's purview, the complaints should not be handled by EPD. There should be a restructuring of EPD;
- (f) he said that the "Policy Framework for the Management of Municipal Solid Waste (2005 – 2014)" was poorly done as a policy framework document. According to the Policy Framework, there were four policy initiatives – MSW charging, domestic waste separation at source, producer responsibility schemes and the proposed IWWMF cum the SENTLFx proposal. Almost 50% of the document was about the landfill extension, 20% about the IWWMF and the remaining parts were about the other policy initiatives. This showed that even EPD considered that other than the landfilling and IWWMF policy initiatives, the other initiatives were ineffective for managing waste;

- (g) according to the information obtained by Ms. Fong Kwok Shan from the TKO Tunnel operator, there were 3 000 dump truck / RCV trips passing through the TKO tunnel every day. According to the information on the EPD's website, on 28.11.2011, there were 800 odd vehicle trips entering the SENTLF. Those figures were different from the data presented by EPD earlier that there was only 500 to 1 000 RCV / dump truck trips visiting the SENTLF every day;
- (h) EPD only assessed the impact of landfills on residential developments. However, the impact on workers in the TVB City and other establishments in the TKO Industrial Estate should also be assessed. As the SENTLF was too close to the TVB City and the TKO Industrial Estate, the landfill should not be extended;
- (i) EPD had claimed that there would be measures to mitigate traffic congestion and the problem of waste water dripping from RCVs arising from the SENTLFx. However, he doubted that EPD would have the ability to manage the landfill operation and its related activities, including the requirements that no garbage would be dropped from the RCVs or dump trucks, no dumping of unauthorised materials into the landfill and the privately operated RCVs would comply with EPD's standards. He opined that EPD had not been able to solve the malodour problem that had persisted for the past 20 years; and
- (j) in view of the inability of EPD to ensure that the extension of the landfill would not have adverse impacts, the Board should not agree to the SENTLFx.

R2464 (Fong Kwok Shan)

Ms. Li Oi Ling (representative)

152. Ms. Li Oi Ling said that she sympathized with the employee of TVB who had made a presentation in the morning session as he had to wear a mask to work every day

due to nasal inflammation and she could even smell the malodour on him. She then made a presentation for about 40 minutes by going through the “SENTLFX – Feasibility Study: EIA Report - Executive Summary” (EIA ES) in Annex XII of the TPB paper page by page. She pointed out the inadequacy of the EIA ES and made the following main points:

Chapter 1 ‘Introduction’

- (a) she read “The existing South East New Territories (SENT) Landfill site is located close to major urban areas. It receives about 6,200 tonnes waste each day” (from paragraph 1 in section 1.1 of the EIA ES under the title ‘Background’);

[At this point, Ms. Fong Kwok Shan interrupted and said that while Ms. Li Oi Ling had properly allowed time for Members to find the EIA ES, DPO/SKIs had rushed through his presentation earlier in 20 minutes and she was sure that Members had not followed the presentation of DPO/SKIs thoroughly. The Chairman then stopped Ms. Fong Kwok Shan as Members could not hear the presentation of Ms. Li Oi Ling. Order resumed after some time and Ms. Li Oi Ling continued.]

- (b) Ms. Li Oi Ling continued to read “Based on the predicted waste input rate, it is anticipated that its capacity will be exhausted around 2012” (from paragraph 1 in section 1.1 of the EIA ES). She asked whether “exhausted” meant that the SENTLF would be at its full capacity by 2012. She said that the EIA was inadequate in that it had not indicated how the SENTLF would be rehabilitated and restored after it was “exhausted”;
- (c) she read “the Executive Summary summarises the key findings of the EIA” (from paragraph 3 in section 1.1 of the EIA ES). She opined that the EIA ES was far too brief and matters relevant to residents were not included;
- (d) she read “The strategy [for management of MSW in Hong Kong] ... adopt the three-tiered waste hierarchy with avoidance and minimization as top priorities, followed by reuse, recovery and recycling and with bulk

waste reduction and landfill disposal at the bottom of the hierarchy” (from paragraph 1 in section 1.2 of the EIA ES under the title ‘Justification for the Need of the Extension’). She asked why the Government had not adopted alternative means such as incineration to manage waste which would also generate renewal energy. She opined that the Government only burnt off the methane gas from the landfill and did not recover it for renewable energy. She said that the Government could have done more to encourage the reuse, recovery and recycling of waste. She asked why the Government had chosen to extend the landfill which was at the bottom of the hierarchy in their strategy;

- (e) she read “the amount of MSW disposed of at the three strategic landfills (WENT, NENT and SENT) dropped by 1%” (from paragraph 2 in section 1.2 of the EIA ES). She said that the small reduction of a mere 1% in waste disposal should be gauged against the 6 200 tonnes of waste that was disposed in SENTLF, next to her home, every day. She asked how the Government could say that there was no malodour or poisonous materials from the SENTLF;
- (f) she read “Government is also looking into building modern large-scale integrated waste management facilities that would employ thermal treatment as a core technology as it is clearly not sustainable to continue to rely on landfilling alone for the disposal of untreated MSW. The IWMF are planned to be commissioned in the mid 2010s, assuming that good progress is made” (from paragraph 3 in section 1.2 of the EIA ES). She asked what progress was made in the implementation of the IWMF;
- (g) she read “the overall waste disposal plan which is based on bulk waste transfer to avoid excessive number of waste collection vehicles travelling in the urban areas” (from paragraph 4 in section 1.2 of the EIA ES). She asked why waste disposal had to concentrate in TKO. She had never complained about the SENTLF because she knew that the SENTLF would be there when she bought her flat in LOHAS Park. However, she did not expect and was very angry that the Government now proposed an

extension to SENTLF;

- (h) she read “the SENT Landfill is the most highly used waste disposal facility amongst the three landfills ... It receives about 6,200 tonnes of municipal, construction and special wastes every day” (from paragraph 4 in section 1.2 of the EIA ES). She asked why the SENTLF still had to be extended when it was already the most highly used landfill and it was not fair to the residents of TKO;
- (i) she read “increased traffic movements, vehicular emissions and noise impacts” (from paragraph 4 in section 1.2 of the EIA ES). She asked how the Government would monitor such impacts;
- (j) she read “It will be a long planning and public consultation process to secure suitable waterfront sites at the Tseung Kwan O and South East Kowloon areas which are acceptable to the public for the development of these waste transfer/handling facilities, but without compromising the overall planning and development of these two areas” (from paragraph 5 in section 1.2 of the EIA ES). She said that hence the Government had chosen not to do the planning and consultation process;

Chapter 2 ‘Consideration of Alternatives’

- (k) she read “Figures 2.1a to 2.1e show the five extension options identified and examined under the Assignment” (from paragraph 1 in section 2.1 of the EIA ES under the title ‘Consideration of Different Extension Options’). She asked why the five options identified were all in TKO Area 137 and why there was no assessment of other places in Hong Kong that might be suitable for building incinerators or landfills;
- (l) she read “Option 3b has the lowest capital cost and is thus the most cost effective option” (from sub-section 2.2.3 of the EIA ES under the title ‘Cost Effectiveness’, which was one of the criteria for options evaluation). She said that using TKO Area 137 with a nice natural setting for waste

disposal was not cost effective. There were other effective uses of the land that would generate more land revenue. She had mentioned in the meeting on 16.11.2011 that there was only a small supermarket in the area, and they needed more community facilities such as market, municipal complex, library and eating places;

- (m) she said that it was ridiculous that the EIA only required assessment of impacts on sensitive receivers within 250m from a landfill. She opined that 250m was only a very short distance and the impact of the landfill would definitely extend to areas far beyond 250m from the landfill;
- (n) she read “will have no direct impact on the CWBCP” and that “the affected habitats within CWBCP comprise shrubland and grassland that is not of high ecological value. While some wildlife species of conservation interest (including birds, butterflies, bats and reptiles) were recorded within the direct impact area, all of these species were found to be highly mobile” (from sub-section 2.2.4 of the EIA ES under the title ‘Encroachment into Country Park’, which was one of the criteria for options evaluation). She questioned why the EIA had only assessed the impact on the country park but had not assessed the serious impacts on residents. She said that the birds were really mobile and mentioned that a large eagle had once landed in her balcony and had circled around the housing estate. Such large birds might hurt little kids or even adults. The EIA only included irrelevant matters about no impact on animals and country parks, but had not included how residents were suffering from adverse impacts of the SENTLF;

[Dr. W.K. Yau left the meeting at this point.]

- (o) she read “diversion of waste collection vehicles to other landfills will be required for a longer period, thus generating more environmental impacts at a territorial level” (from sub-section 2.2.5 of the EIA ES under the title ‘Environmental Impacts’, which was one of the criteria for options evaluation). She asked why environmental impacts on the rest of Hong

Kong was given more weight than the impacts on TKO residents and why all wastes of Hong Kong had to be disposed in TKO. She said that EPD's information that the vehicle trips would reduce from 1 000 to 500 per day with the operation of the SENTLFX was unbelievable;

- (p) she read "the larger scale Options 2 and 3a will have greater environmental impacts at the local scale, but due to their longer lifespan, lower environmental impacts at territorial level" (from section 2.2.5 of the EIA ES) and said that the sentence was not understandable;
- (q) she read "will impact upon the natural habitats within the CWBCP. Impacts on the CWBCP can be mitigated by compensatory planting and appropriate after-use development of the encroached area to enhance educational and recreational value" (from section 2.2.5 of the EIA ES). She criticised again why the EIA only assessed impact on the CWBCP, while the severe impacts on residents were not assessed. She said that the entire EIA report was wrong;
- (r) she read "Engineering measures that would increase void space but avoid the extension encroaching into the CWBCP were considered. These included building a retaining wall or earth bunds around the waste mound. To make these measures effective, the retaining wall or earth bund would need to be over 40m tall. Such measures would have considerable cost implications and the earth bund itself may consume a significant portion of landfill void space. The standalone feature would also be difficult to integrate with the surrounding landscape and visually difficult to accept. Such engineering measures were therefore not put forward for further consideration" (from sub-section 2.2.6 of the EIA ES under the title 'Engineering Measures Considered'). She said that sub-section 2.2.6 of the EIA ES did not make sense as a retaining wall would not impact on any sensitive receivers in the vicinity of the SENTLF and its extension. The Government did not explore ways to screen off the SENTLF and its extension and the only reason that the Government did not accept the option of building a retaining wall for screening purpose was due to the

high construction cost;

- (s) she read “consideration was given to avoid or minimize the encroachment onto the CWBCP and the disturbance to the ecosystems” (from paragraph 1 in sub-section 2.2.8 of the EIA ES under the title ‘Selection of the Preferred Option’). She said that the EIA ES covered the impacts of flora, fauna, birds and animals with low ecological value in great depth, but there was no assessment on the serious impacts on the residents; and
- (t) she read “resulting in more environmental impacts at territorial level” (from paragraph 2 in section 2.2.8 of the EIA ES) and repeated her criticism that the EIA was only concerned about the impacts on the rest of Hong Kong and disregarded the impacts on TKO residents. At this point, she said that she needed to take a rest as she was not feeling well.

153. Noting Ms. Li Oi Ling’s request, the Chairman asked the next representer to make the presentation.

R2464 (Fong Kwok Shan)

Ms. Chau Tze Mei (representative)

154. Ms. Chau Tze Mei made the following main points:

- (a) it was totally unacceptable for the Government to locate the SENTLF and its extension so close to LOHAS Park. The name LOHAS Park resembled a healthy and sustainable living environment, but this was definitely not the case with the SENTLF in its close vicinity. Hence, the residents felt being cheated as they were deprived of good air quality and a pollution-free environment;
- (b) the debris which fell from the dump trucks had left scratches on almost all private cars of residents in LOHAS Park. Other than debris, large pieces of garbage often fell from the dump trucks. She had to stop her car abruptly once as a mattress fell from a moving dump truck in front of her

car. TD should have records of large garbage blocking Wan Po Road;

[Ms. Anna S. Y. Kwong returned to join the meeting at this point.]

- (c) the views expressed by residents were genuine and she said that the Board could visit the area to experience the conditions for themselves. The SENTLF and its extension were too close to LOHAS Park and the adverse impacts of the existing SENTLF were already unbearable. She also said that Wan Po Road was always very muddy; and
- (d) she requested the Board to reject the SENTLFX proposal.

R2464 (Fong Kwok Shan)

Ms. Fong Kwok Shan

155. Ms. Fong Kwok Shan made the following main points:

- (a) according to EPD, dust nuisance from the SENTLFX could be minimised by cleaning Wan Po Road. Wan Po Road was cleaned eight times a day but residents still had many complaints about dust nuisance. She said that the problem on Wan Po Road must be very severe to justify cleaning it eight times a day and she was sure that there was no other street in Hong Kong that would be cleaned in such frequency every day;
- (b) it was obvious that Wan Po Road could not be cleaned properly despite repeated cleaning every day. Members could imagine what the impacts of the dust were on residents' respiratory system. She showed Members a picture of her banner and said that her photo on the banner was completely covered with mud and dust when the banner was only hanged on Wan Po Road for two days;
- (c) government representatives and the EIA might have said that the SENTLFX would not create adverse impacts. However, the facts were obvious from the representations made by many residents. It was clear

that EPD could not solve the environmental impacts and dust nuisance problem of the SENTLF. Allowing the SENTLFX would further aggravate the problems and affect the younger generations;

- (d) the Government had other choices. For example, the attendees supported the Government's proposal to build the IWMF at Shek Kwu Chau. Their opposition to the SENTLFX had helped raise public awareness about the need for appropriate waste management strategies in Hong Kong. She understood from interviews with many students that waste management strategies was a hot topic for school projects;
- (e) no person had indicated support for the SENTLFX. The only representer who indicated his support might have been misled and only supported the expansion of open space rather than the SENTLFX;
- (f) Wan Po Road had to be washed by EPD for eight times every day and that showed the severity of the dust nuisance on Wan Po Road. The dust, germs and small particulates on Wan Po Road were affecting residents. The Government should not disregard the views of residents and should not extend the SENTLF; and
- (g) she had not started her presentation and was just helping Ms. Li Oi Ling while she took a rest.

R2464 (Fong Kwok Shan)

Ms. Li Oi Ling (representative)

156. Ms. Li Oi Ling continued with her presentation by going through the EIA ES in Annex XII of the TPB Paper page by page and made the following main points:

Chapter 2 'Consideration of Alternatives' (Cont'd)

- (a) she read "Options 3a and 3b will both have direct impacts on the CWBCP. In terms of maximising void capacity, making the most effective use of

available land and achieving the highest cost effectiveness, Option 3b performs the best. The local environment impacts ... can be mitigated by careful design and good site practices” (from paragraph 5 in sub-section 2.2.8 of the EIA ES under the title ‘Selection of the Preferred Option’). She said that there was no elaboration on what careful design and good site practices were recommended. EPD had said that dump trucks would be covered, but there were still a lot of debris on Wan Po Road. She knew of a street sweeper who told her that he was only responsible for sweeping and clearing away the leaves on Wan Po Road. He would sweep other refuse and debris to the sides of the pavement and would not clear them away. She said that if the dump trucks were covered, there would not be so much debris on Wan Po Road;

- (b) she read “It is unlikely that public enjoyment of CWBCP would be affected ... [the] flora and fauna [are] commonly found within the CWBCP” (from paragraph 5 in sub-section 2.2.8 of the EIA ES). She repeated her comment again that the EIA only assessed the impacts on flora and fauna but not the impacts on residents;
- (c) she read “When the temporary encroached area is restored together with the fully restored landfill in the vicinity after the completion of landfill operation, it is anticipated that the restored Extension could be enriched to enable a higher amenity value for public enjoyment” (from paragraph 5 in sub-section 2.2.8 of the EIA ES). She said that the above meant that the SENTLF would not be restored in 2012 when it was ‘exhausted’ but it had to be restored at the same time after the closure of the SENTLFX. She said that they needed amenities now and not after the restoration of SENTLF and its extension many years later;
- (d) she read “It is understood that there is a public need for both landfill space and country park” (from paragraph 6 in sub-section 2.2.8 of the EIA ES) and remarked that the landfill should not be in TKO and that she needed fresh air;

- (e) she read “Though blasting is associated with relatively higher magnitude of environmental impacts, these are very short lived and can be mitigated. In contrast, impacts associated with non-explosive methods or open excavation (including continual use of noisy hydraulic breakers) would be longer lived and are therefore not preferred. Blasting would also be more cost effective and help ensure the timely completion of the works” (from sub-section 2.3.2 of the EIA ES under the title ‘Slope Formation’). She said that the EIA considered that blasting was acceptable even though there was a higher magnitude of environmental impact because only TKO residents would be affected. The only reason for using the blasting method was because it could ensure the timely completion of the works;
- (f) she said that she had already reviewed 13 pages of the EIA ES but there was no mentioning of the impact on residents;
- (g) she read “blasting brings with it potential safety concerns over the use of explosives in a confined space in close proximity to potential sources of landfill gas” (from sub-section 2.3.3 of the EIA ES under the title ‘Drainage Tunnels’). She asked why the Government still chose to use blasting when there was potential safety hazards to residents;
- (h) in the whole EIA report, there was no mentioning of how the poisonous gases would be monitored. The Government should provide residents with examples and photos to convince them that a landfill for disposing construction waste would not affect the health of residents; would not create air pollution, noxious gases and malodour; and would not create particulates, dust and debris during transportation of the construction waste;
- (i) she said that the dump trucks currently travelling on Wan Po Road were not always covered when travelling to the SENTLF and were often not covered when they left the SENTLF after washing. However, there were still much debris falling from the dump trucks after washing;

Chapter 3 'Project Description'

- (j) she said that landfill gas management system was mentioned on page 15 (under section 3.1 under the title 'Design of the Extension'). She said that methane at the SENTLF was not completely burnt off and the residents could still smell methane in the Area;

Chapter 4 'Environmental Impacts'

- (k) she read "Residual impacts were predicted in a small area zoned for industrial development covering part of TKO Area 137 and TVB City adjacent to the Extension boundary" (from paragraph 4 in section 4.1 under the title 'Air Quality'). She queried how the EIA could conclude that the SENTLFX would only have small impact, while the experience of the TVB employee clearly rebuked that conclusion;
- (l) she read "The waste arisings during the construction, operation, restoration and aftercare phases include excavated material, construction and demolition material, general refuse from daily operations, chemical waste from maintenance of plant and equipment and sludge from the leachate treatment plant" (from section 4.4 of the EIA ES under the title 'Waste Management'). She said that the EIA did not mention how the waste would be treated and whether there would be pollution when the waste was being treated;
- (m) she read "The ecological value of the developed area is negligible" (from paragraph 1 in section 4.6 under the title 'Ecology'). She criticised that the EIA report should not focus on assessing the impacts on the ecology which had negligible value, whereas there was no assessment on the impacts on residents;
- (n) she read "Most of the sensitive residential receivers are relatively distant from the Extension" (from paragraph 2 in section 4.7 under the title 'Landscape and Visual Impact'). She questioned that conclusion as the

LOHAS Park was only 2km from the SENTLFX, which was definitely not a long distance from the SENTLFX. Furthermore, the vehicles travelling to the SENTLFX would pass through Wan Po Road and would affect the residents;

- (o) she read “Regular site audits throughout the construction, operation, restoration and aftercare of the Extension have also been recommended” (from section 4.8 under the title ‘Environmental Monitoring and Audit’). She said that there was no effective monitoring of the existing SENTLF, for example, monitoring was only carried out by the police and other government departments on an ad hoc basis and it was not possible to use CCTV surveillance system to monitor malodour and poisonous gases. She said that the EIA had not indicated how regular would the monitoring and site audits be carried out; and
- (p) she concluded that the EIA report was not acceptable and a new EIA should be prepared. She said that EPD should be asked to respond to her representation about the inadequacies of the EIA report at that point. In response, the Chairman said that Members could ask questions about the EIA report in the Q & A session.

R883 (Wong Yuk Fong)

Mr. Sam Chi Ngai (representative)

157. Mr. Sam Chi Ngai made the following main points:

- (a) the EIA report had not assessed the impact of dusts generated by dump trucks travelling to the SENTLF via Wan Po Road. Dump trucks on Wan Po Road were currently creating a lot of dust nuisances, and the dust particulates would flow into the residential units in lower floors of LOHAS Park;
- (b) dump trucks were often uncovered and large pieces of refuse, including metal bars, paper boxes, mattresses, wooden planks and plastic bags would fell onto Wan Po Road and the down ramp from TKO Tunnel.

The large pieces of refuse posed much danger for drivers and might cause traffic accidents;

- (c) the SENTLF had caused severe malodour problem in the area. The malodour problem of the SENTLFx would be worse near TVB City as the SENTLFx and TVB City would only be separated by a street. Malodour also impacted on vast areas and many establishments in the TKO Industrial Estate;
- (d) malodour could be smelled inside residential flats at Le Prestige in LOHAS Park, especially for those flats facing the harbour in the south-west direction. The malodour problem was worst during the rainy season in August and could be smelled in all flats in LOHAS Park as well as in Hang Hau, the TKO town centre and Tiu Keng Leng. The malodour had extensive impacts and could be smelled even at the TKO railway station; and
- (e) the EIA did not assess the air pollution impacts of the SENTLFx on its surrounding sensitive receivers such as LOHAS Park. While he was not sure if there would be noxious gases emitted from the landfill extension, the air pollution impacts of the landfill extension should be assessed in the EIA.

158. At this point, Ms. Fong Kwok Shan said that the Mass Transit Railway (MTR) train services to LOHAS Park station were inadequate as they only ran at 10 to 15-minute intervals. She said that attendees had made much effort to travel from TKO to join the meeting.

159. Mr. Sam Chi Ngai continued with his presentation and made the following main points:

- (a) there was illegal parking of dump trucks and RCVs and illegal placing of cargo compartments (“skips” (環保斗)) on streets around TKO overnight every day. For example, two RCVs were parked near Le Cite Noble at Hang Hau every night. “Skips” were illegally placed along the street

opposite Le Prestige in LOHAS Park near the TKO Sewage Treatment Works. As some of the “skips” were filled with refuse, they were sources of malodour. Similarly, there were illegal parking of dump trucks and RCVs along the street near the TKO Swimming Pool at Po Lam, the parked RCVs also created malodour problem. However, there was no prosecution of such illegal activities by the Government. The illegal parking of RCVs and dump trucks and illegal placing of “skips” in TKO were definitely caused by the SENTLF; and

- (b) the EIA had not assessed the matters of concern which he had raised in his presentation.

160. On the points about “skips”, Ms. Fong Kwok Shan supplemented and made the following main points:

- (a) there was no proper registration for “skips” and one trailer could have many “skips”. There was currently virtually no control on the placing of “skips” along the streets;
- (b) there was a recent traffic accident on Wan Po Road when a private car bumped into a “skip” and caused injuries;
- (c) there was poor planning for supporting facilities for the SENTLF, for example, EPD did not find parking spaces for the dump trucks, RCVs or spaces for placing “skips” which had led to the illegal activities mentioned by Mr. Sam Chi Ngai;
- (d) the Government had commenced the development at TKO south and some land previously used for temporary parking had been sold for residential use. This had aggravated the problem of shortage of parking spaces. The illegal placing of “skips” on streets had led to many car accidents;
- (e) various government departments, including the Lands Department, Food

and Environmental Hygiene Department, EPD, Highways Department and TD, were involved in handling the above problem of “skips” but there was no progress. Lands Department relied on Cap 28 (the Land (Miscellaneous Provisions) Ordinance) to require the owners to remove the “skips”, but that was not effective;

- (f) the reason for the illegal placing of “skips” in TKO was due to the EPD’s poor planning for the SENTLF as they did not provide spaces for parking of supporting vehicles for the landfill operations and for placing of “skips”. She said that due to the lack of space for maintenance of trailers, the “skips” were sometimes used to store used tyres which were left to breed mosquitoes. She said that there was a lot of *Aedes albopictus* (白紋伊蚊) in TKO and TKO had recorded the highest Area Ovitrap Index in July 2011;

[Mr. Timothy K.W. Ma returned to join the meeting at this point.]

- (g) last year, EPD had reserved an area at mid-hill level for the parking of 39 RCVs. However, the RCV parking spaces provided by EPD were not used by the operators due to its inconvenient location and RCVs continued to be illegally parked on the streets of TKO;
- (h) as there were 20 000 workers in the TKO Industrial Estate and 20 000 residents in LOHAS Park, EPD should not allow the dump trucks to travel on roads that would directly affect so many sensitive receivers; and
- (i) the Government abandoned the proposal for a mud disposal area in the Pokfulam area due to local opposition as there were many lawyers living in that area. However, EPD insisted on proceeding with the SENTLFx despite opposition from TKO residents. EPD should ensure that there was adequate provision of landfill supporting facilities before considering the SENTLFx.

161. Mr. Sam Chi Ngai continued with his presentation and made the following

main points:

- (a) the EIA had not explained why TKO Area 137 was suitable for landfill use. TKO Area 137 was only accessible by Wan Po Road and dump trucks and RCVs travelling to the SENTLFX would have to pass through two residential developments, namely, Oscar by the Sea and LOHAS Park;
- (b) the land in the TKO Industrial Estate had potential for high value-added economic uses. As the SENTLFX was located adjacent to the TKO Industrial Estate, its adverse impacts might deter business operators to move into TKO Industrial Estate and that would be a waste of valuable land resources;
- (c) the SENTLFX was very close to the CWBCP and it would destroy the country park setting; and
- (d) the EIA report should address all the matters that were raised by him in his presentation. In particular, the EIA should explain why TKO Area 137 was suitable for landfill use, rather than higher-value added uses.

R2464 (Fong Kwok Shan)

Ms. Fong Kwok Shan

Mr. Timothy Chui (representative)

162. At this point, Ms. Fong Kwok Shan said that it was already 10:00pm and all attendees present would still want to make presentations. She said that since the Chairman had said that the meeting would be resumed tomorrow, which they reluctantly accepted, they wanted to know the proposed meeting arrangement. In response, the Chairman reiterated that if the representation proceedings could not be completed on the day, the meeting would be resumed at 9:00am on 1.12.2011. The Chairman said that since many TKO residents had travelled a long distance to attend the meeting, he suggested that Members could hear a few more representations.

163. Ms. Fong Kwok Shan said that on 7.7.2011, they had submitted 5 700 odd letters from the residents opposing to the SENTLFX in TKO Area 137. Those letters were submitted within the statutory exhibition period but those 5 700 odd residents were not invited to the hearing. She said that there should be an explanation as to why the hearing only considered the 2 400 odd representations which were submitted in 2010. In this regard, the Board could not take away their right of making representations. In response, the Secretary said that the letters that Ms. Fong Kwok Shan referred to were submitted in respect of the amendments to the draft TKO OZP No. S/TKO/19, which were mainly related to a site proposed for the new broadcasting house of Radio Television Hong Kong and the amendments were not related to the SENTLFX. However, as the letters submitted raised objections to the SENTLFX, which was not the subject of the amendment of the OZP No. S/TKO/19, those letters were considered as invalid representations according to the Ordinance. Ms. Fong Kwok Shan said that those letters had included comments of residents opposing to the SENTLFX.

164. Mr. Timothy Chui said that the chairmen of the two owners committees of The Capitol and Le Prestige in LOHAS Park, Mr. Ni Bing Wen and Mr. Yip Chi Shing, had invited Members to visit LOHAS Park and Wan Po Road. He suggested that Members should visit the area on 1.12.2011 before making a decision; otherwise the Board's decision would not be accepted by the public. The Chairman reiterated that Members would discuss about the need for a site visit during the deliberation.

165. Ms. Fong Kwok Shan said that before the Legislative Council decided to repeal the Country Park Order, the Legislative Council members also visited the SENTLFX, LOHAS Park and Wan Po Road. The site visit had assisted the Legislative Council members to understand the problem. In response to Ms. Fong Kwok Shan's questions, amongst those Members who were present at the meeting at the time, three Members indicated that they had previously visited LOHAS Park.

[Post meeting note: other than these three Members, at the deliberation held on 2.12.2011, some other Members indicated that they had also visited LOHAS Park and / or the TKO area but did not raise their hand at this juncture.]

166. Ms. Fong Kwok Shan asked Members again to visit LOHAS Park and Wan Po Road before making a decision and repeatedly asked the Chairman to confirm whether they

would agree to her suggestion. The Chairman reiterated again that Members would discuss whether it was necessary to have a site visit before making a decision at the deliberation session. The Chairman reiterated again that it was presentation time and invited the attendees to continue with their presentations.

[At this point, Ms. Fong Kwok Shan complained that her microphone was being fettered. She and another attendee then pounded on the glass window of the control room at the back of the conference room and the Chairman asked them to calm down. She then left the conference room and forced her way into the control room.]

[Ms. Anita Ma left the meeting at this point.]

R2464 (Fong Kwok Shan)

Ms. Wong Kwai Mei (representative)

167. Ms. Wong Kwai Mei made the following main points:

- (a) she used to live in Oscar by the Sea and her flat was not so much affected by the malodour. However, she understood that some units in Oscar by the Sea facing the direction of the SENTLF were constantly affected by malodour;
- (b) she had moved to LOHAS Park for two years and she could always smell intense malodour in her flat. Her son suffered from nasal allergy and she needed to use air purifiers at home. She had made many complaints about the malodour;
- (c) the malodour problem was worst after rainy days. She had once worked in the balcony in her flat for a period of time in the presence of the malodour and had felt sick for a long time. Her flat faced a chimney for burning methane. Although the Government said that the methane was not harmful, it was a fact that she did not feel well after breathing in the air which might contain methane;

- (d) her husband was suffering from eye inflammation and they had consulted eye specialists who could not diagnose any eye problem. After hearing the representations by others, she suspected that the eye inflammation of her husband might be related to the polluted air in their home environment;
- (e) the attendees represented the views of many thousand residents in TKO and she urged the Board to sincerely listen to their views and empathise with their situations;
- (f) she said that the names of LOHAS Park and Wan Po Road both depicted a clean and green environment, but in reality the place was highly polluted and residents were being cheated;
- (g) she said that in Wunan, people had raised cows by feeding them the waste from a landfill. The beef from those cows were sour. The Government might try the same in SENTLF. She said that the situation of the residents in TKO were similar to the cows in Wunan as they were forced to breathe in polluted air; and
- (h) there was a visually pleasant grassland outside their home but the environment was filled with polluted air. The Government had forced them to breathe malodour in their homes.

R2464 (Fong Kwok Shan)

Ms. Au Yeung Ching Yi (representative)

168. Ms. Au Yeung Ching Yi made a 20-minute presentation and made the following main points:

- (a) she was a student and she would make a presentation about waste management policy. She did not represent the TKO residents but she considered that landfill was not a suitable method for treating waste in

Hong Kong. Waste management should aim to reduce impact of waste on the environment and to reduce the volume of waste, but landfill could not achieve these objectives;

- (b) waste in landfill mainly included MSW, construction waste and special waste. MSW comprised solid waste from households and food waste from household and eating places. In the process of degradation of MSW, landfill gases such as methane and hydrogen sulphide would be created. Waste from commercial and industrial sources included electronic waste containing heavy metals such as lead, which had adverse health impacts;
- (c) construction waste included waste arising from activities such as construction, renovation, demolition, land excavation and road works. Different from special waste, there was no control on disposal of construction waste that might contain poisonous substance. For example, breathing in asbestos particulates would cause pneumoconiosis (肺塵病) and cancer. The sewage pipes in households which contained human excretions were being disposed in landfill without sanitization and this was a source of germs;
- (d) special waste included clinical waste, animal carcasses and waterworks/sewage sludges. Although the Government had special requirements for collection and packing of special waste, they were still being disposed in landfill without any treatment. Hence, it would affect the health of workers in the landfill as well as the surrounding residents;
- (e) the Government had tried to introduce measures to reduce the environmental impacts of landfill operations, such as installing landfill liner system, leachate management system, deodorisers and “electronic nose” to tackle the waste water and malodour problems. However, the adverse impacts could not be fully mitigated in the actual operation of a landfill. For example, a layer of soil would be used to cover the tipping face of the landfill but it would take a long time to completely cover the

tipping face as the area was too extensive. The vehicle washing facilities could not fully clean so the vehicles leaving the SENTLF and the residual dusts and mud caused air pollution and health problems. There was no measure to prevent birds from feeding on the waste in the landfill and the birds could carry germs from the landfill to the residential developments. The Government had installed landfill gas extraction wells to extract the landfill gas for on-site energy generation. However, most of the landfill gas could not be absorbed by the landfill gas extraction wells and would remain in the air and affect the surrounding residents. The suspended particulates in the air could not be trapped and would adversely affect the health of residents. Although special waste would be more carefully covered up in landfill, in some cases such as when the police had to search for human corpses in landfills, all buried waste, including the special waste, would be exposed;

- (f) the use of a piece of land for landfill purpose would drastically reduce its land value. In economic terms, landfills needed to be rehabilitated for 30 years during which the closed landfill site had to be left vacant. After rehabilitation, the land could not be used for buildings requiring foundation. The closed landfill also needed to be closely monitored for any negative impacts and that involved high monitoring costs. In terms of ecological impacts, there were very few species of vegetation which could be grown on rehabilitated landfill;
- (g) the Government should build modern incinerators to treat waste and she highlighted the benefits of using incinerators. By using high-temperature combustion, incineration could reduce the volume of waste by burning the organic substance and reducing the waste to 10% of its original volume as well as burning off the germs and poisonous material in waste. The residual waste components after combustion only comprised inorganic material such as glass and metal. Building of incinerators required less land when compared to landfill. The heat generated from incinerators could provide an alternative source of renewable energy. She cited the example of Taiwan and said that there

was no need to build landfill in Taiwan and the volume of solid waste was zero;

- (h) in view of the modern incinerator technology, there should not be concern on dioxin emissions. Sulphur dioxide and nitrogen oxide from the incineration process could also be treated by absorbers or scrubbers and suspended particulates could be collected by electrostatic precipitators; and
- (i) according to the data from EPD, there had been some reduction in waste disposed in landfill and some increase in recycled waste in recent years. However, EPD should continue its effort to further reduce particular types of waste, such as food waste, metal and plastic. With the building of incinerators and the use of other measures to encourage waste reduction and recycling, there was no need for the SENTLFX in TKO Area 137.

R2464 (Fong Kwok Shan)

Ms. Fong Kwok Shan

Ms. Li Oi Ling (representative)

169. Ms. Fong Kwok Shan asked again about the arrangement for the meeting on 1.12.2011. In response, the Chairman said that if no other attendee wished to make presentation, the meeting on 30.11.2011 would be adjourned and resumed at 9:00am on 1.12.2011. The Chairman said that for the meeting on 1.12.2011, he would ask the attendees again to be concise and avoid repeating the points that had been raised. Then after all attendees had finished with their representations, Members would start to ask questions. After the representation hearing proceedings for the OZP No. S/TKO/18 was completed, the Board would start the representation hearing proceedings for the OZP No. S/TKO/19.

170. There was then a 20-minute discussion about the following procedural matters:

- (a) Ms. Fong Kwok Shan, Mr. Timothy Chui and Ms. Li Oi Ling asked again whether the government representatives could respond to the questions which they had made on the day as the Members who would attend the

meeting on 1.12.2011 might be different from the ones that were still attending the meeting and they might not know what their questions were. In response, the Chairman said again that the meeting would be conducted according to the established procedures of the Board and the Q & A session would only start after all the attendees had finished their representations;

- (b) Mr. Timothy Chui indicated that he might / would not join the meeting on 1.12.2011 and asked again the government representatives to respond to questions he had raised in his presentation. In response, the Chairman said that following the procedures of the Board, he could not accede to Mr. Timothy Chui's request. The Chairman said that the Members' questions and responses from the government representatives would be recorded in the minutes of the meeting;
- (c) Ms. Fong Kwok Shan, Mr. Timothy Chui and Ms. Li Oi Ling asked again why there was a Q & A session in the morning but not in the evening session. In response, the Chairman said again that those who had registered for the morning session had indicated that they had all finished with their representations so Members started to ask questions for the morning session. However, attendees who had registered for the afternoon session had indicated that they had not finished with the representations and hence, the Q & A session should not commence according to the established procedures. Ms. Fong Kwok Shan asked whether the Q & A session would start if the attendees stopped to make presentation that night and continued again on 1.12.2011. In response, the Chairman said that the Q & A session would only start after all the representations were completed;
- (d) Ms. Fong Kwok Shan and Mr. Timothy Chui said that most representers or their representatives would attend the afternoon and night time sessions on 1.12.2011 and there would likely be less residents coming in the morning as it was too late to inform them. Mr. Chan Kai Wai also asked whether the Board would pick another day for the meeting if he could not

attend the meeting on 1.12.2011. In response, the Chairman said that it was not possible for the Board to find a time that would fit the schedules of all attendees. According to the procedures, all representers and commenters would be invited to attend the hearing. Mr. Wong Kwai Mei said that the meeting should be re-scheduled to enable all representers and commenters to be present so that they could listen to the Members when the Members asked questions and the government representatives made responses. In response, the Chairman said again that all representers and commenters would be invited to the hearing, but it was not possible to find a time that would fit the schedules of all invitees and wait for all invitees to be present before continuing with the hearing proceedings;

- (e) Mr. Chan Kai Wai asked the Chairman to give them an exact programme for the meeting on 1.12.2011, including the time for the lunch and dinner breaks as well as the starting time for the afternoon session. In response, the Chairman said that it was difficult to determine the exact programme as it would depend on how the meeting would proceed on the day;

- (f) Mr. Chu Hong Kwong said that the procedure was not proper as different Members were leaving and joining the meeting at different junctures. He also doubted how it would be possible to ensure that Members who had not attended the presentation session to know their views. In response, the Chairman said again that the meeting was conducted in accordance with the statutory quorum stipulated in the Ordinance. He said that the Secretariat would ensure that Members would have sufficient information before they deliberated on the representations. Ms. Fong Kwok Shan said that if Members did not listen to the recordings, it was not possible for those Members who had already left the meeting to know their views. If it meant that Members only depended on the TPB paper to make the decision, then their oral presentations would become useless. The Chairman said again that the Secretariat would ensure that Members would have sufficient information before they deliberated on the representations;

- (g) Mr. Chan Kai Wai asked whether the Secretariat would check the recordings of the SKDC to ascertain that the SKDC did not move any motion to support the SENTLFX. At the meeting on 1.12.2011, the Secretariat should rectify the wrong information provided in the TPB paper in this regard. In response, the Chairman said that as there were some differences between the information presented by the representers, commenters or their representatives and the information provided by the government representatives, Members would ask for clarification in the Q & A session. Mr. Chan Kai Wai and Ms. Fong Kwok Shan asked again that the Chairman should request the Secretariat to check the recordings of the SKDC meeting instead of relying on the clarification to be provided by the government representatives, which might be inaccurate. The Chairman said that if Members were in doubt, they could check the recordings during the deliberation; and
- (h) Ms. Fong Kwok Shan asked when the Board would make a deliberation on the representations. The Chairman said that if the representations continued late on 1.12.2011 and the Board still needed to proceed with the hearing proceedings for OZP No. S/TKO/19, the deliberation would unlikely take place on 1.12.2011. The exact date for the deliberation would depend on how the meeting proceeded and would be separately decided by the Board. In response to Ms. Fong Kwok Shan's question as to whether the Board would visit the area first before making a decision, the Chairman said again that Members would discuss about that matter during the deliberation.

171. There being no other business, the meeting was adjourned at 11:00 pm.