



for a living planet[®]

世界自然基金會
香港分會

WWF Hong Kong

香港中環纜車徑一號
No.1 Tramway Path,
Central, Hong Kong

電話 Tel: +852 2526 1011
傳真 Fax: +852 2845 2764
wwf@wwf.org.hk
wwf.org.hk

CB(1) 1246/07-08(01)

**Legco Panel on Environmental Affairs
Special Meeting on 11 April 2008**

WWF Hong Kong's Comments regarding "fly-tipping on private land"

1. WWF would like to request the Hong Kong Government to step up its effort in tackling fly-tipping on private land.

Illegal dumping damages ecologically valuable wetland

2. WWF observes that illegal dumping of construction and demolition (C&D) wastes on private land has caused considerable adverse impacts to the ecologically sensitive wetlands, such as fly-tipping on fish ponds or agricultural land within private land. Where environmental conditions prevail, fish ponds or agricultural land are regarded as ecologically sensitive wetland habitat and illegal dumping of C&D wastes on these areas often results in a direct loss of wetland.
3. A noticeable example of illegal dumping on ecologically sensitive private land occurred in April 2007. In that particular case, C&D wastes were dumped onto certain fish ponds and agricultural land in San Tin and Long Valley districts which both constitute part of the larger area recognised by the Government as of conservation importance¹.

Existing controls fail to deter illegal dumping on private land

4. We consider that the cases at San Tin and Long Valley represent only the tip of the iceberg because WWF regularly receives reports of illegal dumping on ecologically sensitive areas or close to sensitive locations such as egretty in rural districts. Some of these districts include Yuen Long, Sheung Shui and Sai Kung. From our observation, we consider that the existing statutory regulatory system to control dumping of C&D wastes is deficient in the following ways:
 - a. The government departments involved such as the Planning Department and the Environmental Protection Department (EPD) have continuously failed to

¹ The subject dumping sites fell within the boundary of two "priority sites for enhanced conservation" recognised by the Agriculture, Fisheries and Conservation Department under its New Nature Conservation Policy.



for a living planet[®]

identify the responsible parties for such illegal dumping activities. The lack of effective enforcement actions render little deterring effect against illegal dumping.

- b. During the course of planning applications review under the statutory town planning process, WWF identified a number of application sites being dumped with large quantity of C&D wastes. We suspect that the dumping of C&D wastes was conducted with the intention to degrade the ecological value of the application site so as to increase the applicant's chance of getting planning approval from the Town Planning Board (TPB).

Our recommendations

5. To address the current deficiencies in statutory control, WWF considers that the government should undertake the following measures immediately:
 - a. The current "fly-tipping spotter scheme" announced in July 2008 by EPD only attempted to combat illegal dumping in Eastern, Sham Shui Po and Sha Tin districts but failed to cover other black spots in the Northern New Territories. EPD should therefore extend, as soon as possible, the "fly-tipping spotter scheme" to those rural districts in Northeast and Northwest New Territories where large areas of agricultural land and fish ponds exist and which are particularly vulnerable to fly-tipping.
 - b. To prevent illegal dumping of C&D wastes that is intended to facilitate approval for planning applications, the government should come up with a clean record system from which TPB could make reference to in considering planning applications. According to paragraph 3 of the Administration paper (LC Paper No. CB(1) 1199/07-08(02)), the Housing, Planning and Lands Bureau promised to explore with TPB the feasibility of such a system in 2004 but no progress has been reported since.