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Paper for the House Committee meeting on 4 December 2009

Panel on Environmental Affairs

**Reactivation and commencement of work of the
Subcommittee on Combating Fly-tipping**

Purpose

This paper seeks the approval of the House Committee to reactivate the Subcommittee on Combating Fly-tipping (the Subcommittee), and to allow it to commence work immediately.

Background

2. The problem of fly-tipping has all along been a public concern, as evidenced by the increasing number of complaints against depositing of inert construction and demolition (C&D) materials on private land. Given the inadequacy of the existing regulatory regime in controlling fly-tipping, particularly under the disguise of land filling activities, many parts of the New Territories have become dumping grounds, causing unacceptable impacts on the surrounding.

3. To enable more focused discussion on Government's efforts in tackling fly-tipping, the Panel on Environmental Affairs (the Panel) decided at its meeting on 30 March 2009 to set up the Subcommittee to review the existing policies on enforcement against such activities and suggest improvement measures as and when necessary. The terms of reference of the Subcommittee is given in **Appendix I**. The Subcommittee was expected to complete its work within the 2008-2009 legislative session and submit a report to the Panel before the end of the session.

Work of the Subcommittee

4. During the 2008-2009 session, the Subcommittee examined the enhanced inter-departmental coordination and enforcement actions against fly-tipping and illegal land filling activities, as well as proposed measures to strengthen control against such activities. These measures included amending the Waste Disposal Ordinance, reviewing the New Nature Conservation Policy, amendment to Town Planning Ordinance, imposing heavier penalties for fly-tipping and land filling activities, extending the trip-ticket system to cover private works projects, encouraging the reduction, separation and reuse of C&D materials, as well as providing disincentives for fly-tipping and land filling activities. The Subcommittee also followed up a number of individual cases, and conducted a site visit to Ho Sheung Heung Village on 23 July 2009 to observe the measures and enforcement action being undertaken by relevant departments against the unauthorized land filling activities

5. The Subcommittee was dissolved after submission of a report to the Panel in August 2009.

Reactivation and commencement of work of the Subcommittee

6. In view of the prevalence of fly-tipping and illegal land filling activities, as well as the slow progress in implementing measures to combat such activities by the Administration, the Panel decided at its meeting on 23 November 2009 to seek the approval of the House Committee to reactivate the Subcommittee.

7. According to House Rule 26(a), the maximum number of subcommittees on policy issues appointed by the House Committee and Panels that may be in action at any one time is eight. As there are already nine such subcommittees in action, the Subcommittee has been automatically put on the waiting list, and will not be able to commence work until two existing subcommittees finish their work, or unless the House Committee gives its approval.

Advice sought

8. The House Committee is requested to consider reactivating the Subcommittee, and allowing it to commence work immediately.

Panel on Environmental Affairs

Subcommittee on Combating Fly-tipping

Terms of Reference

"To review the existing policies on enforcement against fly-tipping and suggest improvement measures as and when necessary."