

立法會
Legislative Council

LC Paper No. CB(1) 2880/09-10
(These minutes have been seen
by the Administration)

Ref : CB1/PS/1/09/1

Panel on Environmental Affairs

Subcommittee on Combating Fly-tipping

Minutes of meeting
held on Wednesday, 28 July 2010, at 10:45 am
in Conference Room A of the Legislative Council Building

- Members present** : Hon LEE Wing-tat (Chairman)
Hon Audrey EU Yuet-mee, SC, JP
Hon KAM Nai-wai, MH
- Member absent** : Hon CHEUNG Hok-ming, GBS, JP
- Public officers attending** : **For item II**
- Mr TANG Kin-fai
Assistant Director (Environmental Compliance)
Environmental Protection Department
- Dr Alain LAM
Principal Environmental Protection Officer (Waste
Management)
- Mr Lawrence LAU
Principal Environmental Protection Officer (Waste
Facilities)
Environmental Protection Department
- Mr Jonathan LEUNG
Chief Assistant Secretary (Works) 5
Development Bureau

Ms Karen CHAN
Assistant Director (Estate Management)
(Lands Administration Office, Headquarters)
Lands Department

Mr CHEUNG Kwok-wai
Senior Conservation Officer (Technical Services)
Agriculture, Fisheries and Conservation
Department

Ms Phyllis LI
Assistant Director of Planning (Special Duties)
Planning Department

Mr Kelvin CHAN
Chief Town Planner (Central Enforcement and
Prosecution)
Planning Department

Mr Raymond CHENG
Chief Engineer / Fill Management
Civil Engineering and Development Department

Mr Fedrick KAN
Chief Engineer (Mainland North)
Drainage Services Department

Clerk in attendance : Miss Becky YU
Chief Council Secretary (1)1

Staff in attendance : Mr Franco KWONG
Council Secretary (1)1

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- I. Confirmation of minutes**
(LC Paper No. CB(1) 2639/09-10 — Minutes of the meeting held on
17 May 2010)

The minutes of the meeting held on 17 May 2010 were confirmed.

- II. Meeting with the Administration**
(LC Paper No. CB(1) 2499/09-10(01) — List of follow-up actions arising
from the discussion at the meeting
on 17 May 2010)

LC Paper No. CB(1) 2499/09-10(02) — Administration's response of
CB(1) 2499/09-10(01))

2. The Subcommittee deliberated (Index of proceedings attached in **Annex**).

III. Any other business

3. There being no other business, the meeting ended at 11:50 am.

Council Business Division 1
Legislative Council Secretariat
21 September 2010

Panel on Environmental Affairs

Subcommittee on Combating Fly-tipping

**Proceedings of the meeting
on Wednesday, 28 July 2010, at 10:45 am
in Conference Room A of the Legislative Council Building**

Time marker	Speaker	Subject(s)	Action required
<i>Agenda Item I - Confirmation of minutes</i>			
000320 - 000335	Chairman	The minutes of the meeting held on 17 May 2010 (LC Paper No. CB(1) 2639/09-10) were confirmed.	
<i>Agenda Item II - Meeting with the Administration</i>			
000336 - 001340	Chairman Administration	<p>Administration's briefing on the outcome of public consultation on the proposed amendments to the Waste Disposal Ordinance (Cap. 354) (WDO)</p> <p>Chairman's enquiry on legislative time-table for the proposed amendments to WDO</p> <p>Administration's response -</p> <p>(a) The views received during the consultation exercise were being examined. The Administration would make refinements to the proposed amendments as appropriate and consult the relevant Bureaux and Departments. The Panel on Environmental Affairs would also be briefed on the proposed amendments to WDO; and</p> <p>(b) it was expected the preparation for the legislative process would commence in the last quarter of 2010.</p>	
001341 - 002845	Chairman Administration Ms Audrey EU	<p>Discussion on the Administration's response to follow-up actions arising from the discussion at the meeting on 17 May 2010 (LC Paper No. CB(1) 2499/09-10(02))</p> <p>Chairman's enquiry on the difficulties in</p>	

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		<p>enforcing the proposal of including in the Basic Conditions of the application for a billing account the need for contractors to ensure that dump trucks leaving the sites were weighed and recorded in the chits for cross checking at landfills.</p> <p>Administration's response -</p> <p>(a) the billing system mainly dealt with charging of construction waste disposed of at waste disposal facilities, not the problem of overloading of dump trucks;</p> <p>(b) billing account holders could appeal against revocation of accounts. Hence, the Administration needed to have sound basis before it altered the Basic Conditions of the application mechanism having regard to the purpose of the billing system; and</p> <p>(c) small-scale construction sites might not have the weighing facilities. There might also be circumstances where a dump truck might collect construction waste for different sites before entering the disposal facilities.</p> <p>Chairman's view that consideration should be given to requiring large-scale private construction sites to adopt the proposal to avoid overloading of dump trucks.</p>	
002846 - 004409	<p>Chairman Administration Ms Audrey EU Mr KAM Nai-wai</p>	<p>Discussion on the latest situation of private land filling sites involving construction and demolition materials.</p> <p><u>Shek Wu Wai, Yuen Long</u></p> <p>Members' concerns -</p> <p>(a) the case involved illegal dumping of waste without the consent of owners of some private land as well as government land; and</p> <p>(b) the extent of dumping was so large that it blocked almost all the accesses</p>	

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		<p>to the houses; and</p> <p>(c) residents were concerned about the problems of flooding and landslide during rainy season.</p> <p>Administration's response -</p> <p>(a) land filling was predominantly located within private lands but it was not in breach of the lease conditions. The land concerned was zoned “Open Storage” in the relevant statutory plan and within the zone land filling was not an operation subject to planning control. Land filling activities had been taken place since 2007; and</p> <p>(b) no blockage to watercourses were found so far.</p> <p>Ms Audrey EU’s remark that there were allegations that the extent of land filling activities was greater than that allowed under the lease. As Duty Roster Members would hold a case conference on the incident on 3 August 2010, the Administration was requested to conduct a site inspection to ascertain the latest situation before the case conference.</p>	
004410 - 004950	<p>Chairman Administration Ms Audrey EU Mr KAM Nai-wai</p>	<p><u>Ho Sheung Heung, Sheung Shui</u></p> <p>Chairman's enquiries -</p> <p>(a) the planning applications for village house in the area; and</p> <p>(b) whether the two unauthorized building works (UBWs) had been removed.</p> <p>Administration's response -</p> <p>(a) the Rural and New Town Planning Committee of the Town Planning Board (TPB) approved four applications for village house in mid 2008 and one in May 2010. The planning approval in 2008 did not cover land filling activities</p>	

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		<p>in the respective application sites while the latter approval had included such aspect ; and</p> <p>(b) The Buildings Department had requested the owners to give a definite time frame within which the UBWs concerned would be demolished.</p> <p>Chairman's request for the Administration to relay to TPB the Subcommittee's concern that landowners might try to destroy the conservation value of their land through dumping of construction and demolition waste so as to create a pre-existing condition conducive to the favorable consideration of TPB when it considered their applications for development.</p>	
004951 - 005230	Chairman Ms Audrey EU Mr KAM Nai-wai	Members' agreement that the Subcommittee should continue its work in the next legislative session.	