
FACT SHEET

Mention of the presence of the South East New Territories Landfill in the sales brochures of the residential properties built near the facility

1. Introduction

1.1 The purpose of this fact sheet is to provide the Subcommittee on Country Parks (Designation) (Consolidation) (Amendment) Order 2010 with information on whether the presence of the South East New Territories (SENT) Landfill had been mentioned in the sales brochures of the residential properties built near the facility.

2. Development of the South East New Territories Landfill

2.1 The SENT Landfill commenced operation in September 1994. Between December 2005 and May 2007, the Environmental Protection Department consulted the Country and Marine Parks Board (Board) on a proposal for an extension of the SENT Landfill. The proposed extension included an encroachment proposal of about five hectares of land in the Clear Water Bay Country Park. In May 2007, the Board announced that it would not object to the proposed extension of the SENT Landfill. The Board also recommended excising the proposed encroached area from the approved map of the Country Park.

2.2 In the light of the above, a draft replacement map of the Clear Water Bay Country Park was prepared and made available for public inspection for 60 days with effect from 14 November 2008. The Chief Executive-in-Council approved the draft map on 30 June 2009. An Order was made by the Chief Executive under section 14 of the *Country Parks Ordinance (Cap. 208)* after consultation with the Executive Council to amend the *Country Parks (Designation) (Consolidation) Order (Cap. 208 sub. leg. B)* by replacing the original approved map with a new approved map. The Order would come into operation on 1 November 2010.

3. Mention of the presence of the South East New Territories Landfill in the sales brochures of the residential properties built near the facility

3.1 LOHAS Park is the residential development nearest to the SENT Landfill. It is constructed and sold in phases. As at to date, Phase I (The Capitol), Phase II (Le Prestige) and Phase IIB (Le Prime) of the development have been completed and sold. The **Table** below indicates whether the presence of the SENT Landfill had been mentioned in the sales brochures of the above residential properties of LOHAS Park, making reference to the relevant Guidelines for Sales Descriptions of Uncompleted Residential Properties prevailing at that time¹.

¹ The Guidelines for Sales Descriptions of Uncompleted Residential Properties are issued by the Real Estate Developers Association of Hong Kong in response to the community's demand for comprehensive and accurate information relating to flats for sale. Responsibility for the compliance of these Guidelines rests with individual developers.

Table – Mention of the presence of the SENT Landfill in the sales brochures of LOHAS Park

Date	Guidelines for Sales Descriptions of Uncompleted Residential Properties	Sales of LOHAS Park
June 2001	The Guidelines for Sales Descriptions of Uncompleted Residential Properties were issued in June 2001. The Guidelines did not require developers to show the presence of landfill or ex-landfill in the sales brochure (please refer to Appendix I for details).	–
February 2008	–	Sales of The Capitol <ul style="list-style-type: none"> • The presence of the SENT Landfill was not mentioned in the sales brochure of The Capitol.
October 2008	The Guidelines were revised in October 2008. The revised Guidelines did not require developers to show the presence of landfill or ex-landfill in the sales brochure (please refer to Appendix II for details).	–
July 2009	–	Sales of Le Prestige <ul style="list-style-type: none"> • The presence of the SENT Landfill was not mentioned in the sales brochure of Le Prestige.
October 2009	The Guidelines were further revised in October 2009. They required developers to show the presence of landfill or ex-landfill in the sales brochure (please refer to Appendix III for details).	–
November 2009	–	Sales of Le Prime <ul style="list-style-type: none"> • The presence of the SENT Landfill was mentioned in the sales brochure of Le Prime.

Appendix I

Guidelines for Sales Descriptions of Uncompleted Residential Properties issued in June 2001

A.I.1 According to the Guidelines for Sales Descriptions of Uncompleted Residential Properties issued by The Real Estate Developers Association of Hong Kong in June 2001, the location plan should show clearly and identify all free standing and purpose-built facilities within 0.25 km from the boundary of the lot, such as:

- (a) clinics;
- (b) fire stations and ambulance depots;
- (c) funeral parlours and cemeteries;
- (d) judicial facilities;
- (e) refuse collection points;
- (f) hospitals;
- (g) markets;
- (h) police stations;
- (i) public car parks and lorry parks;
- (j) public conveniences;
- (k) public transport terminals and rail stations;
- (l) public utility installations;
- (m) religious institutions;
- (n) schools;
- (o) social welfare facilities; and
- (p) sports facilities and sports grounds.

Appendix II

Guidelines for Sales Descriptions of Uncompleted Residential Properties issued on 10 October 2008

A.II.1 According to the Guidelines for Sales Descriptions of Uncompleted Residential Properties issued by The Real Estate Developers Association of Hong Kong on 10 October 2008, the location plan should show clearly and identify all free standing and purpose-built facilities within 0.25 km from the boundary of the lot, such as:

- (a) clinics;
- (b) fire stations and ambulance depots;
- (c) funeral parlours and cemeteries;
- (d) judicial facilities;
- (e) refuse collection points;
- (f) hospitals;
- (g) markets;
- (h) police stations;
- (i) public car parks and lorry parks;
- (j) public conveniences;
- (k) public transport terminals and rail stations;
- (l) public utility installations;
- (m) religious institutions;
- (n) schools;
- (o) social welfare facilities; and
- (p) sports facilities and sports grounds.

Appendix III**Guidelines for Sales Descriptions of
Uncompleted Residential Properties issued on 7 October 2009**

A.III.1 According to the Guidelines for Sales Descriptions of Uncompleted Residential Properties issued by The Real Estate Developers Association of Hong Kong on 7 October 2009, apart from those communal facilities and features as stipulated in the guidelines of 10 October 2008, the location plan should also show clearly and identify all free standing and purpose-built facilities, including but not limited to:

- (a) crematorium and columbarium;
- (b) mortuaries;
- (c) slaughterhouses;
- (d) bus and railway depots;
- (e) ventilation shafts (MTR);
- (f) libraries and museums;
- (g) barracks;
- (h) cargo working area;
- (i) petrol and LPG filling stations;
- (j) oil depots/aviation and marine fuel depots;
- (k) sewage treatment works and facilities;
- (l) landfill or ex-landfill;**
- (m) landfill gas flaring plants;
- (n) power plants and electricity sub-stations;
- (o) pylons (high voltage power line);

Appendix III (cont'd)

- (p) correctional institutions/prisons;
- (q) addiction treatment centres;
- (r) helicopter landing pad;
- (s) clinics;
- (t) fire stations and ambulance depots;
- (u) funeral parlours and cemeteries;
- (v) judicial facilities (e.g. courts and magistracies);
- (w) refuse collection points;
- (x) hospitals;
- (y) markets (e.g. wet market and wholesale market);
- (z) police stations;
- (aa) public carparks and lorry parks;
- (bb) public conveniences;
- (cc) public transport terminus and rail stations;
- (dd) public utility installations;
- (ee) religious institutions (e.g. church, temple and tsz tong);
- (ff) schools (e.g. kindergartens, primary schools, secondary schools, vocational training schools etc.);
- (gg) social welfare facilities (e.g. elderly centres, homes for mentally disabled); and
- (hh) sports facilities and sports grounds.

References

1. Environmental Protection Department. (2008) *Possible Environmental Impacts associated with the Proposed Extension of South East New Territories Landfill to the Clear Water Bay Country Park*. Paper submitted to the Panel on Environmental Affairs of the Legislative Council for discussion on 27 October 2008. LC Paper No. CB(1)88/08-09(06).
2. Environmental Protection Department. (2010) *Waste problems and solutions: South East New Territories Landfill*. Available from: http://www.epd.gov.hk/epd/english/environmentinhk/waste/prob_solutions/mwsw_sent.html [Accessed June 2010].
3. Environmental Protection Department & Agriculture, Fisheries and Conservation Department. (2010) *Legislative Council Brief: Country Parks (Designation) (Consolidation) (Amendment) Order 2010*. Available from: http://www.legco.gov.hk/yr09-10/english/subleg/brief/72_brf.pdf [Accessed June 2010].
4. Legislative Council Secretariat. (2008) *Background Brief on Disclosure of Saleable Area in Sales Description for Residential Properties*. LC Paper No. CB(1)905/07-08(05).
5. The Real Estate Developers Association of Hong Kong. (2010) *Guidelines issued by the Real Estate Developers Association of Hong Kong*. Available from: <http://www.eaa.org.hk/consumers/reda.htm> [Accessed June 2010].

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