

**立法會**  
**Legislative Council**

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(These minutes have been seen  
by the Administration)

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**Panel on Environmental Affairs**

**Subcommittee on Combating Fly-tipping**

**Minutes of meeting**  
**held on Thursday, 24 February 2011, at 2:30 pm**  
**in Conference Room B of the Legislative Council Building**

**Members present** : Hon LEE Wing-tat (Chairman)  
Hon Audrey EU Yuet-mee, SC, JP  
Hon KAM Nai-wai, MH

**Members absent** : Hon CHEUNG Hok-ming, GBS, JP  
Hon Tanya CHAN

**Public officers attending** : **For item II**

Environment Bureau

Dr Kitty POON  
Under Secretary for the Environment

Environmental Protection Department

Mr TANG Kin-fai  
Assistant Director (Environmental Compliance)

Ms Margaret HSIA  
Assistant Director (Waste Management Policy)

Dr Alain LAM  
Principal Environmental Protection Officer (Waste  
Management)

Mr Michael LUI  
Senior Environmental Protection Officer (Waste  
Facilities)4

Development Bureau

Mr Jonathan LEUNG  
Chief Assistant Secretary (Works) 5

Lands Department

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

Agriculture, Fisheries and Conservation Department

Mr CHEUNG Kwok-wai  
Senior Conservation Officer (Technical Services)

Planning Department

Ms Phyllis LI  
Assistant Director of Planning (Special Duties)

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

Drainage Services Department

Mr Fedrick KAN  
Chief Engineer (Mainland North)

Hong Kong Police Force

Mr Mike CARTWRIGHT  
Chief Superintendent of Police (District Commander  
Yuen Long District)

Mr LEUNG Kwong-kin  
Chief Inspector of Police (Assistant Divisional  
Commander (Operations) Yuen Long Division)

Civil Engineering and Development Department

Mr WONG Yum-tat  
Senior Engineer

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

**Staff in attendance** : Mr Franco KWONG  
Council Secretary (1)2

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## **I. Election of Chairman and Deputy Chairman**

Mr LEE Wing-tat, Chairman in office, advised that according to the existing practice, it was for the Subcommittee to decide whether re-election of Chairman was necessary. Ms Audrey EU and Mr KAM Nai-wai agreed that re-election was not necessary, and that Mr LEE Wing-tat should remain as the Chairman of the Subcommittee for the 2010-2011 session.

## **II. Meeting with the Administration**

- (LC Paper No. CB(1) 1338/10-11(01) — Referral arising from the meeting between Duty Roster Members and Hong Kong Dumper Truck Drivers Association on 31 March 2010 regarding overloading of dump trucks
- LC Paper No. CB(1) 1338/10-11(02) — Administration's paper on updates on the initiatives to combat land filling and fly-tipping activities)

Relevant paper

LC Paper No. CB(1) 2894/09-10 — Report on the work of the Subcommittee on Combating Fly-tipping in the 2009-2010 session)

2. The Subcommittee deliberated (Index of proceedings attached in **Annex**).
3. The Administration was requested to -
  - (a) provide photos showing the extent of land filling activities in the Hung Shui Kiu case. To report the progress of reinstatement of the site upon expiry of the Reinstatement Notice in end May 2011;
  - (b) maintain close liaison with the Construction Industry Council on the implementation of the voluntary Guidelines on Trip-ticket System for Disposal of Construction & Demolition Materials in the Private Sector Works. To keep the Subcommittee informed of progress of application of the Guidelines after these had been implemented for a certain period of time; and
  - (c) advise the Administration's stance in protecting country park enclaves with high conservation value from illegal land filling activities.

**III. Any other business**

4. There being no other business, the meeting ended at 3:40 pm.

## Panel on Environmental Affairs

## Subcommittee on Combating Fly-tipping

**Proceedings of the meeting  
on Thursday, 24 February 2011, at 2:30 pm  
in Conference Room B of the Legislative Council Building**

Time marker	Speaker	Subject(s)	Action required
<i>Agenda Item I - Election of Chairman and Deputy Chairman</i>			
000230 - 000403	Mr LEE Wing-tat Mr KAM Nai-wai Ms Audrey EU	It was agreed that no re-election was necessary, and that Mr LEE Wing-tat would remain as Chairman of the Subcommittee for the 2010-2011 legislative session.	
<i>Agenda Item II - Meeting with the Administration</i>			
000404 - 000619	Chairman	Opening remarks	
000620 - 001055	Chairman Administration	Administration's briefing on the findings of the alleged land filling case in Hung Shui Kiu and the alleged arson case in Nam Sang Wai (LC Paper No. CB(1) 1338/10-11(02)).	
001056 - 001535	Chairman Administration	<p><u>Discussion on the Hung Shui Kiu case</u></p> <p>Chairman's enquiries -</p> <p>(a) the extent and legality of land filling activities in the site concerned;</p> <p>(b) the parties to which Enforcement Notices (ENs) were issued; and</p> <p>(c) the date on which the Reinstatement Notices (RNs) would expire.</p> <p>Administration's responses -</p> <p>(a) the area of the land filling site was about 7 000 square metres with a</p>	<p>The Administration to -</p> <p>(a) provide photos showing the extent of land filling activities in the Hung Shui Kiu case; and</p> <p>(b) to report progress of the reinstatement of the site upon expiry of the RNs in end May 2011.</p>

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		<p>limited height;</p> <p>(b) the land filling activity within a “Green Belt” zone in Hung Shui Kiu, without planning permission, was an unauthorized development under the Town Planning Ordinance (Cap. 131), subject to enforcement action;</p> <p>(c) ENs were issued to the concerned landowners requiring them to discontinue the unauthorized land filling activity; and</p> <p>(d) RNs were also issued to require reinstatement of the site within three months.</p>	
001536 - 002010	Chairman Administration	<p><u>Discussion on the Nam Sang Wai case</u></p> <p>Chairman's view and enquiries -</p> <p>(a) some land owners might have set fire to destroy the ecological value of their land to pave way for future development;</p> <p>(b) whether the Police was aware of the fire incidents at Nam Sang Wai; and</p> <p>(c) how to step up patrols to enhance deterrence given the broad expanse of Nam Sang Wai.</p> <p>Administration's responses -</p> <p>(a) some concern groups had reported to the Police about suspected arson cases at Nam Sang Wai. After investigation, both the Fire Services Department and the Police concluded that no evidence of arson had been found; and</p>	

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		(b) the Police would deploy the available manpower resources to step up patrol at Nam Sang Wai as far as practicable.	
002011 - 003400	Chairman Administration	<p>Discussion on the progress of the Environmental Protection Department (EPD)'s trial scheme on installation of closed-circuit television (CCTV) system at Siu Lang Shui in Tuen Mun and Tai Po Road car park.</p> <p>Chairman's enquiry on the number of prosecutions against fly-tipping activities at Siu Lang Shui and Tai Po Road car park.</p> <p>Administration's response -</p> <p>(a) there were 17 fly-tipping cases at Siu Lang Shui, of which 10 cases could be traced. Prosecution was taken against eight cases under the Waste Disposal Ordinance (Cap. 354) (WDO) while fixed penalty tickets were issued for the remaining two cases; and</p> <p>(b) while no fly-tipping cases involving construction and demolition (C&amp;D) wastes were found at Tai Po Road car park, fixed penalty tickets were issued to some 30 littering cases; and</p> <p>(c) consideration would be given to removing the CCTV from Tai Po Road car park if no further fly-tipping activities were found after a few month's time.</p>	
003401 - 004838	Chairman Administration	Discussion on the extension of the trip-ticket system (TTS) to major works projects in the private sector.	<p>The Administration to -</p> <p>(a) maintain close liaison with the</p>

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		<p>The Administration's response -</p> <p>(a) the Guidelines on TTS to be issued by the Construction Industry Council (CIC) were similar to the Technical Circular (Works) No. 6/2010 - "Trip ticket system for disposal of construction and demolition materials" issued by the Works Branch of the Development Bureau;</p> <p>(b) under the existing TTS for public works projects, the disposal of C&amp;D waste was tracked to prevent unauthorized disposal. Chits would be used for tracking purpose. After the completion of disposal of C&amp;D waste at designated facilities, disposal records would be posted at EPD's website normally within three working days. The site supervisory staff would conduct regular checks on the disposal records and report any irregularities to the relevant authorities.; and</p> <p>(c) CIC would review the effectiveness of the voluntary TTS before deciding on the need for a mandatory TTS.</p>	<p>CIC on the implementation of the voluntary Guidelines on TTS for Disposal of Construction &amp; Demolition Materials in the Private Sector Works; and</p> <p>(b) keep the Subcommittee informed of progress of application of the Guidelines after these have been implemented for a certain period of time.</p>
004839 - 005649	Chairman Administration	<p>Discussion on the proposed amendments to WDO.</p> <p>The Administration's response that the legislative amendments would be introduced into the Legislative Council as soon as possible.</p>	
005650 - 010925	Chairman Administration	<p>Discussion on the progress of preparation of statutory plans.</p> <p>Chairman's enquiry and concern -</p>	<p>The Administration to advise its stance in protecting country park enclaves with high</p>



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		<p>(a) the progress of preparation of Development Permission Area (DPA) Plans for the remaining 12 000 hectares of rural areas; and</p> <p>(b) country park enclaves with high conservation value should be covered by statutory plans as soon as possible.</p> <p>Administration's response -</p> <p>(a) 12 DPA Plans covering the Frontier Closed Areas, some country park enclaves and other rural area, amounting to about 2 550 hectares of land, had been published by the Town Planning Board since early 2010;</p> <p>(b) while effort would be made to expedite the preparation of statutory plans to cover the rest of rural areas, in particular the areas with development pressure or conservation value, the progress would hinge on the complexity of the issues involved in the respective area;</p> <p>(c) incorporation of country park enclaves as part of the country parks or preparation of statutory plans for these enclaves would facilitate development control. Of the 53 country park enclaves, seven were recently covered by DPA Plans and the area under coverage was subject to statutory planning control.</p>	<p>conservation value from illegal land filling activities.</p>