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Depositing of Inert Construction and Demolition Materials on Private Land

Views of the Advisory Council on the Environment

- The Advisory Council on the Environment (ACE) shares the public concern over the depositing of inert construction and demolition (C&D) materials on private land. In particular, such depositing of inert C&D materials could become an eyesore in the rural area, and be found incompatible with the surrounding natural environment.
- The ACE supports an inter-departmental approach in addressing the potential problems arising from the depositing of inert C&D materials on private land. Such potential problems could cut across areas of planning, land uses, environmental protection, drainage and public hygiene; and joint enforcement efforts by relevant departments are necessary. The proposed information sharing through a database is welcomed.
- The ACE notes the suggestion of amending the Waste Disposal Ordinance (WDO) to address the problem. However, given their inert nature, C&D materials are *not* necessarily wastes and their depositing may *not* create environmental problems that can be tackled by environmental legislation, including the WDO.
- The ACE considers that the primary issues arising from the deposition of C&D materials are adverse impacts on landscape, incompatible land uses, water pollution and drainage interferences from their erosion and the potential safety threat to the neighbouring land users. As such, the ACE suggests that the Town Planning Ordinance (TPO) should be suitably amended to enhance planning and land use controls both in urban areas and rural areas, and particularly in green belts and conservation zones, where existing controls are often found to be inadequate.

- Noting that the amendments to the TPO and/or WDO would be a longer-term solution, the ACE considers that the existing trip-ticketing system could be extended from public works projects to major private works projects (e.g. projects involving construction and demolition of buildings) to track the movement of inert C&D materials so that some control on the final deposition of the materials can be implemented.
- The ACE considers that the level of penalty on convicted cases should be more severe to impose sufficient deterrent effect, in particular on environmentally sensitive areas where environmental degradation was caused and difficult to be restored.
- The ACE suggests that reference be made to overseas regulatory frameworks and practices in handling the depositing of inert C&D materials on private land.