

For information
on 19 April 2011

Legislative Council Panel on Environmental Affairs

Subcommittee on Combating Fly-tipping

Response to follow-up actions arising from the discussion at the meeting on 24 February 2011

Purpose

This paper aims to set out the Administration's response to the follow-up actions arising from the discussion at the Subcommittee meeting on 24 February 2011.

Land filling case in Hung Shui Kiu

2. The Subcommittee discussed at the last meeting a land filling case in Hung Shui Kiu. Members have requested the Administration to provide photos showing the extent of land filling activities in this case. The report on the latest situation of the case with relevant photos is at [Annex I](#).

Discussion on the application of the trip-ticket system (TTS) in major works projects in the private sector

3. We informed the Subcommittee at the last meeting that the Construction Industry Council (CIC) had prepared to issue a set of Guidelines on TTS for Disposal of Construction & Demolition Materials in Private Sector Works, which would tentatively be available in the second quarter of this year. The Subcommittee requested that it should be kept informed of progress of application of the Guidelines after these had been implemented for a certain period of time. We have relayed this request to the CIC and stand ready to provide technical assistance to CIC on the implementation of the TTS as appropriate.

Protection of country park enclaves from illegal land filling activities

4. At the last meeting, Members discussed the progress of preparation of Development Permission Area (DPA) Plans for rural areas currently not covered by statutory plans. The Subcommittee also considered that country park enclaves with high conservation value should be covered by statutory plans as soon as possible. The Administration was asked to advise its stance in protecting country park enclaves from illegal land filling activities.

5. Country park enclaves are sites that are surrounded by or are adjacent to the country parks, but are not part of the country parks. Most of these country park enclaves comprise both private and government land. Control on developments on private land at these country park enclaves relies on the land leases if a lease breach can be established for taking the relevant lease enforcement action, and, where applicable, DPA Plans or Outline Zoning Plans (OZPs) prepared under the Town Planning Ordinance (TPO).

6. In his Policy Address 2010-11, the Chief Executive announced that the Tai Long Sai Wan incident has highlighted the need to take prompt action to regulate land use in country park enclaves to forestall human damage. To meet conservation and social development needs, the Government will either include them into country parks, or determine their proper uses through statutory planning, having regard to various factors including the accessibility of the site, immediate development threats, conservation value, landscape value, geographical location of the enclave, and existing scale of human settlement.

7. At the time of the Tai Long Sai Wan incident, Hong Kong has 77 country park enclaves, out of which 23 are already covered by OZPs and 54 are not. After the Policy Address announcement, DPA Plans have been prepared for 7 additional enclaves that are not covered by statutory plan. The Government will continue to carry out relevant works in accordance with the direction in the Policy Address.

8. In the meantime, the Agriculture, Fisheries and Conservation Department, will continue its patrolling efforts, on behalf of other concerned departments, in these 54 country park enclaves, and alert them of any irregular activities. The relevant authorities will take prompt enforcement action against unauthorised activities, including unauthorised land filling, at the sites under the existing legislative framework.

Environmental Protection Department
April 2011

Latest Situation of Hung Shui Kiu Case

District	Location	Approx Area (ha)	Land Use Zoning
Yuen Long	D.D. 124 Various Lots, Tin Sam, Hung Shui Kiu, Yuen Long	0.7	Green Belt



Photo taken on 23 February 2011

Public complaints were received in late December 2010. Site inspections revealed that filling of land was carried out at the site. Warning poster was erected at the site and warning letters were issued to remind the concerned parties that unauthorised development would be subject to planning enforcement. An Enforcement Notice under the Town Planning Ordinance was issued on 14 January 2011 to the concerned parties requiring discontinuance of the land filling operation. According to the site inspection undertaken upon expiry of the compliance period of the Enforcement Notice, the unauthorised development was discontinued. On 23 February 2011, a Reinstatement Notice under the Town Planning Ordinance was issued to the concerned parties requiring reinstatement of the damaged land. The site is under monitoring for compliance of the Reinstatement Notice. Non-compliance of the statutory notice is subject to prosecution.