

Hong Kong, 21 December 2015

Chairman and Members
Panel on Environmental Affairs
Legislative Council
Email: panel_ea@legco.gov.hk

Dear Sirs,

"Review of the Construction Waste Disposal Charging Scheme"

Construction waste accounts for a quarter of daily landfills and has grown an average 5% annually in recent years. The government is planning to review the Construction Waste Disposal Charging Scheme and increase the charge from \$125 to \$200 to cover the cost of landfilling. In addition, government plans to set up a GPS system to monitor the trucks and to avoid fly tipping.

We support the review. However, we suggest the following measures to reduce waste and to avoid fly tipping.

1. The charging fee should be increased to promote waste reduction and the polluter-pay principle

In reference to the report on the public engagement process on municipal solid waste (MSW) charging, it appears that the MSW charge could be higher than C&D waste. This is wrong. The C&D waste charge should be set at \$500/ton. If not, people will discard MSW as C&D waste.

2. Hear the public and all stakeholders, not just the industry

The "Review of the Construction Waste Disposal Charging Scheme" has only consulted the industry but not the general public. The government should undertake to hear the community and all stakeholders, including with a hearing of deputations by the Legislative Council.

3. Extend the monitoring of waste transport to private projects to reduce fly tipping

The monitoring system used in government construction projects should be extended to all private construction projects. All drivers of trucks carrying waste must be in possession of a ticket and the controller at the authorized landfill area will retain part of the ticket. CCTV and GPS have been tested as part of earlier pilot schemes. The government should summarize the findings and experiences of these pilot schemes ahead of proposing new pilot schemes.

4. Amend the Waste Disposal Ordinance to control fly-tipping and incompatible land filling

The exemption of "inert waste" dumping (s16 (2)(c)) should be deleted from the Waste Disposal Ordinance Cap 354. All waste dumping including construction waste should require a permit. Moreover, under s16C (3)(b) the Director of Environmental Protection should also be satisfied itself that depositing activities are compatible with the designated and permitted land uses.

5. Amend the Town Planning Ordinance to ensure enforcement powers against fly-tipping and incompatible land filling are in place

To protect ecologically sensitive areas which are zoned 'agriculture', 'conservation area', 'coastal protection area' and 'green belt' in the new territories and the islands but which have not previously been covered with an enforceable Development Permission Area plans, the Town Planning Ordinance should give the Chief Executive the power to direct the Town Planning Board to cover such areas with an enforceable Development Permission Area plan. This can be affected with a simple change of Cap 131 s20(2): "*The Board shall not, unless otherwise directed by the Chief Executive, designate as a development permission area any area that is or was previously*

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included in a plan under this Ordinance. This amendment will not result in a *carte blanche* rewriting of OZPs including those of urban areas where development control is already adequately enforceable under the building and land related regulations. The Chief Executive will act on advice and any decision to authorize a new development permission area plan will have to be well-founded.

Herewith we so submit for your consideration.

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