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By email

28 August 2018

Clerk to the Panel on Environmental Affairs
Legislative Council Secretariat
Legislative Council Complex,
1 Legislative Council Road, Central
Hong Kong
(Attn: Ms. Angel SHEK)

Dear Ms. SHEK,

LEGISLATIVE COUNCIL
PANEL ON ENVIRONMENTAL AFFAIRS

**Enforcement against Illegal Land Filling and
Fly-tipping of Construction Waste**

I refer to your email dated 3 April 2018. In response to the Members' questions raised at the meeting on 26 March 2018, consolidated supplementary information from relevant departments is provided below.

(a) *the roadmap, timetable and targets for strengthening enforcement against illegal land filling and fly-tipping of construction waste;*

In order to step up efforts in combating offences of illegal land filling and fly-tipping of construction waste, the Environmental Protection Department (EPD) has progressively installed surveillance camera systems at illegal waste disposal black spots on government land and public places since 2016 to facilitate enforcement and enhance the deterrence against illegal disposal of waste. At present, the EPD has installed surveillance camera systems at about 50 black spots of construction waste illegal disposal on government land and public places, with warning posters, etc. displayed at prominent places to facilitate law enforcement and enhance the deterrent effect on illegal disposal of waste. The EPD plans to further extend the coverage to a total of about 70

black spots by the end of this year and is preparing for the tendering. Moreover, the EPD and other relevant departments will participate in a pilot scheme of “Multi-functional Smart Lampposts” announced in the 2017 Policy Address, and will progressively install surveillance camera systems in the smart lampposts under the pilot scheme to monitor illegal disposal of waste. Through increasing the locations of installing surveillance cameras, we expect that illegal disposal of construction waste will be further combated.

Apart from the aforementioned measures on strengthening enforcement, the EPD will also enhance the deterrent effect through different channels. These include promotion and collaboration with relevant stakeholders, raising public awareness of environmental protection, and encouraging the public to report illegal disposal of waste. In addition, the EPD will continue to flexibly deploy manpower and resources according to specific needs, to enhance monitoring of the situation of construction waste disposal black spots at different time periods. Meanwhile, in order to strengthen monitoring of illegal disposal of construction waste and collaboration with relevant departments to jointly combat illegal dumping of construction waste, EPD and the relevant departments have arranged more frequent liaison meetings to further enhance communication and monitoring of work progress, including review of improvement at relevant black spots.

- (b) *in respect of the Reinstatement Notices issued by the Planning Department (“PlanD”) from 2014 to 2017 to enforce against illegal land filling on private lands, the respective numbers of cases in which (i) Compliance Notices were issued by PlanD following completion of the required reinstatement works by the Reinstatement Notice recipients, (ii) the Reinstatement Notices were not complied with by the expiry dates and the Administration had undertaken/would undertake the reinstatement works, and (iii) prosecutions were instituted against the respective Reinstatement Notice recipients as a result of their failure to comply with the notices; and*

In respect of the Reinstatement Notices issued by the PlanD from 2014 to 2017 to enforce against illegal land/pond filling on private lands/ponds, there was no case that required reinstatement works to be undertaken by the Government in the past four years. Please refer to **Annex 1** for the respective numbers of cases for compliance with the Reinstatement Notices and prosecutions instituted for failure to comply with Reinstatement Notices.

- (c) *the follow-up actions to address the environmental, hygiene and other problems arising from the operations of recyclers in Sham Shui Po, including (i) the number and working hours of additional patrol teams, and frequency of enhanced patrol, (ii) the number of enforcement operations*

(including joint enforcement operations) carried out in recent years, (iii) additional manpower, if any, allocated to the relevant government departments for the above purposes, (iv) assessment of the effectiveness of the above enforcement actions, and (v) the Administration's plan, if any, regarding the provision of spaces for temporary storage and loading/unloading of recyclables in the district.

Please refer to Annex 2 in respect of the follow-up actions taken by the Administration to address the street management, environmental, hygiene and other problems arising from the operations of recyclers in Sham Shui Po.

If you have any enquiries on the above issues, please contact our Senior Environmental Protection Officer, Dr. LAU Wai-cho, Ivan (Tel: 2835 1192).

Yours sincerely,



(WONG Yiu-kwong, Ken)
for Director of Environmental Protection

Encl.

c.c. (internal)

Assistant Director (Waste Management Policy)/EPD

Chief Executive Officer (Cross-Boundary & International Division)/EPD

Chief Town Planner (Central Enforcement and Prosecution Section)/PlanD

Annex 1

In respect of the Reinstatement Notices issued by the PlanD from 2014 to 2017 to enforce against illegal land/pond filling on private lands/ponds, there was no case that required reinstatement works to be undertaken by the Government in the past four years. Please refer to the following table for the respective numbers of cases for compliance with the Reinstatement Notices and prosecutions instituted for failure to comply with Reinstatement Notices.

	2014	2015	2016	2017
Compliance Notices issued in respect of Reinstatement Notices (Number of cases)	270 (40)	208 (30)	297 (43)	292 (62)
Prosecutions instituted for failure to comply with Reinstatement Notices (Number of cases)	4 (1)	7 (1)	31 (18)	73 (13)

Regarding the street management issues arising from the operation of electrical appliance recyclers in Sham Shui Po, relevant key law enforcement departments, including the Hong Kong Police Force (HKPF) and the Food and Environmental Hygiene Department (FEHD), have been making every effort to deal with the issues under their purview. The relevant inspection and enforcement work are part of the departments' routine duties, there is no separate figure for the manpower involved in the enforcement in the district. However, HKPF and FEHD have already conducted additional inspections to strengthen enforcement by fully utilizing the manpower resources under their existing establishment and deploying manpower on need basis. Relevant enforcement figures in 2017 and 2018 are as follows:

Table 1: Joint operations by the HKPF and FEHD

Year	Number of Joint Operations
2017	29
2018	18 (as at June)

Table 2: Figures on enforcement actions by the HKPF and FEHD

Year	Number of Fixed Penalty Notices (FPN) *	Number of Summonses
2017	2 683	19
2018	1 324 (as at April)	16 (as at June)

Note:* including FPNs issued by the HKPF against illegal parking and those issued by the FEHD under Cap. 570 against obstruction of public places as specified in section 4A of Cap. 228.

With the above enforcement actions, the monthly average number of complaints under the purview of the HKPF and FEHD decreased from 35 cases (421 cases in total) in 2017 to 23 cases in the first six months of 2018 (135 cases in total).

Following the case conference with Legislative Councillors in November 2017, the EPD and relevant government departments have explored in depth the recommendation of using a number of short term tenancy sites and some government land in the district for temporary storage and loading/unloading of recyclables. We consulted the Environment and Hygiene Committee (EHC) of the Sham Shui Po District Council and briefed waste electrical appliance recyclers operating in the district on the more feasible proposals in April and May 2018 respectively. Relevant departments will follow up on those feasible proposals as soon as possible.