

## **LEGCO QUESTION NO. 12 (Written Reply)**

Asked by: Hon TAM Yiu-chung

Date of meeting: 25 June 2003

Replied by: Secretary for Housing,  
Planning and Lands

### **Question:**

It is learnt that some people have carried out land-filling on agricultural lots without providing proper drainage facilities. As a result, serious flooding frequently occurs at the comparatively low-lying areas around these lots during heavy downpours, posing a threat to the property and life of the residents concerned. In this regard, will the Government inform this Council:

- (a) whether any mechanism is in place to control land-filling on agricultural lots; if so, of the details; if not, the reasons for that;
- (b) whether it plans to tighten the control on this type of land-filling; if so, of the details; and
- (c) of its plans to prevent the blockage of drains and other drainage facilities by the construction waste generated from such works?

### **Reply :**

President,

My reply to the three parts of the question is as follows:

- (a) Generally, land filling on agricultural lots does not constitute a breach of the land lease. The Government, therefore, cannot take lease enforcement action against the land owner concerned in respect of his land filling activity on his lot. However, if a clearly defined natural water-course or drain within the lot has been blocked by land filling, then the Government can take lease enforcement against the land owners concerned.

Under the Town Planning Ordinance (Cap. 131), filling of ponds and site formation works in conservation-related zones require planning permission from the Town Planning Board. Without approval, these activities would constitute unauthorized developments in such zones and the Government can take enforcement action under the Town Planning Ordinance.

Also, illegal dumping of soil and waste without the land owner's consent may result in prosecution action by the Environmental Protection Department under the Waste Disposal Ordinance (Cap. 354).

- (b) The Government considers the present monitoring system appropriate and does not have plan to further increase the control over land filling activities on private agricultural lots.
- (c) In order to prevent blockage of the public drainage system by construction waste and natural accumulation of debris, the Drainage Services Department (DSD) has devised a preventive maintenance programme to regularly inspect all drainage facilities and to carry out de-silting as necessary. DSD also provides a 24-hour telephone hotline for the public to make complaints including blockage of the drainage system.

During serious flooding and emergency situation, DSD will activate its Emergency and Storm Damage Organization and Emergency Control Centres. Dedicated teams, under DSD's supervision, will clear emergency drainage blockages. To enhance public awareness of the importance of preventing blockage to the drainage system, DSD runs TV announcements and distributes publicity pamphlets on these topics.