

(Translation)

**Islands District Council
Minutes of Meeting of
Tourism, Agriculture, Fisheries and Environmental Hygiene Committee**

Date : 27 March 2017 (Monday)
Time : 2:00 p.m.
Venue : Islands District Council Conference Room,
14/F, Harbour Building, 38 Pier Road, Central, Hong Kong.

Present

Ms LEE Kwai-chun (Chairman)
Ms FU Hiu-lam, Sammi (Vice-Chairman)
Mr CHOW Yuk-tong, BBS
Mr YU Hon-kwan, Randy, JP
Mr YUNG Chi-ming, BBS
Mr CHAN Lin-wai
Mr CHEUNG Fu
Mr WONG Hon-kuen, Ken
Mr FAN Chi-ping
Mr LOU Cheuk-wing
Mr WONG Man-hon
Ms YU Lai-fan
Ms YUNG Wing-sheung, Amy
Mr TANG Ka-piu, Bill, JP
Mr CHOW Ho-ding, Holden
Mr KWOK Ping, Eric
Mr KWONG Kwok-kam, BH, JP
Mr WONG King-chuen
Mr YEUNG Tsz-hei
Ms KWOK Ka-ying

Attendance by Invitation

Mr Raymond CHING	Senior Geotechnical Engineer/Consultant Management 4, Civil Engineering and Development Department
Mr Anthony FU	Geotechnical Engineer/Consultant Management 43, Civil Engineering and Development Department
Mr CHAN Wing-yin	Associate Director, Halcrow China Limited
Mr Cyrus LEUNG	Assistant Engineer, Halcrow China Limited
Ms TAM On-kei, Susan	Deputy District Leisure Manager(Islands)2, Leisure and Cultural Services Department
Ms SZETO Hau-yan, Esther	Property Service Manager/Service (Hong Kong Island & Islands 3), Housing Department

Mr WONG Keng-san	Senior Land Executive/Cheung Chau, Peng Chau & Lamma (District Lands Office, Islands), Lands Department
Ms SO Wai-yan, Ivy	Wetland & Fauna Conservation Officer (Ornithology), Agriculture, Fisheries and Conservation Department
Mr CHEUNG Wai-kuen	Agricultural Officer (Plant Protection), Agriculture, Fisheries and Conservation Department
Mr MOK Hing-man	Senior Engineer, Electrical and Mechanical Services Department

In Attendance

Mr CHOW Chit, Joe	Assistant District Officer (Islands)2, Islands District Office
Mr TANG Tai-king, Tommy	Senior Inspector of Works, Islands District Office
Ms LAW Wai-chun	Chief Health Inspector (Islands)2, Food and Environmental Hygiene Department
Mr LEE Kim-fai	Senior Health Inspector (Cleansing/Pest Control) Islands, Food and Environmental Hygiene Department
Mr WONG Tat-ming	Administrative Assistant/Lands (District Lands Office, Islands), Lands Department
Mr LAM Wai-kit	Police Community Relations Officer (Marine Port District), Hong Kong Police Force
Mr TSUI Yat-sing, Sunny	Police Community Relations Officer (Lantau District), Hong Kong Police Force
Mr TO Chi-keung, Gary	Senior Transport Officer/Islands, Transport Department
Mr YEUNG Wai-tak, Victor	Senior Environment Protection Officer (Regional South)5, Environmental Protection Department
Ms LI Wing-yee, Wendy	Engineer 2 (Islands Division), Civil Engineering and Development Department
Mr FUNG Ho-lam, Chris	Agricultural Officer (Agricultural Extension), Agriculture, Fisheries and Conservation Department
Mr Benny CHAN	Representative, New Lantao Bus Co., (1973) Ltd.

Secretary

Ms CHAN Nga-chi, Angie	Executive Officer (District Council)2, Islands District Office
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Absent with Apology

Mr KWONG Koon-wan	
Mr CHAN Ngai-chung	
Mr CHEUNG Ming-keung	
Ms CHONG Yan-yee, Belinda	Assistant District Officer (Islands)1, Islands District Office
Ms LUN Chui-yuen, Janice	Fisheries Officer (Enforcement)1, Agriculture, Fisheries and Conservation Department
Ms Sonja CHAN	Representative, New World First Ferry Services Limited
Ms Cardi CHUNG	Representative, Hong Kong Tourism Board

Welcome Remarks

The Chairman welcomed representatives of government departments and organisations as well as Members to the meeting. She introduced the following representatives of government departments and organisations who attended the meeting:

- (a) Ms LAW Wai-chun, Chief Health Inspector (Islands)² and Mr LEE Kim-fai, Senior Health Inspector (Cleansing/Pest Control) Islands of Food and Environmental Hygiene Department (FEHD), who attended the meeting in place of Mr KWAN Yau-kee;
- (b) Mr LAM Wai-kit, Police Community Relations Officer (Marine Port District) of Hong Kong Police Force (HKPF) who attended the meeting in place of Mr YUEN King-ho; and
- (c) Mr Sunny TSUI, Police Community Relations Officer (Lantau District) of HKPF who attended the meeting in place of Mr LI Man-piu, Bill.

2. Members noted that Mr KWONG Koon-wan, Mr CHAN Ngai-chung, Mr CHEUNG Ming-keung, Ms Belinda CHONG, Ms Janice LUN, Ms Sonja CHAN and Ms Cardi CHUNG were unable to attend the meeting due to other commitments.

I. Confirmation of minutes of the meeting held on 23.1.2017

3. The captioned minutes were confirmed unanimously without amendment.

II. Landslip Prevention and Mitigation Programme – Natural Terrain Hazard Mitigation Works at Natural Hillside above Silver Mine Bay, Lantau Island (Paper TAFEHC 12/2017)

4. The Chairman welcomed Mr Raymond CHING, Senior Geotechnical Engineer/Consultant Management 4 and Mr Anthony FU, Geotechnical Engineer/Consultant Management 43 of Civil Engineering and Development Department (CEDD); and Mr CHAN Wing-yin, Associate Director and Mr Cyrus LEUNG, Assistant Engineer of Halcrow China Limited. to the meeting to present the paper.

5. Mr Raymond CHING presented the paper with the aid of PowerPoint Presentation.

6. Mr WONG Man-hon said that CEDD earlier consulted the Mui Wo Rural Committee (RC) on the above programme. The RC expressed support of the programme.

7. Members noted the contents of the paper.

III. Question on request for provision of public refuse collection point for disused bulky furniture and construction waste in Peng Chau

8. The Chairman welcomed Ms LAW Wai-chun, Chief Health Inspector (Islands)² and Mr LEE Kim-fai, Senior Health Inspector (Cleansing/Pest Control) Islands of FEHD to the meeting to respond to the question. The written reply of FEHD had been distributed to Members for perusal before the meeting.

9. Mr Ken WONG presented the question.

10. Mr LEE Kim-fai said that the Department was working on the feasibility of out-sourcing the waste collection services in Peng Chau, and hoped that the review would be completed the soonest possible.

11. Mr Ken WONG said that bulky furniture could be left at Wing Hing Street Refuse Collection Point (RCP) in Peng Chau, but the Department did not notify the residents by displaying notices, nor did it arrange staff to inspect other RCPs. In view that the Government was going to implement municipal solid waste charging, he worried that the situation of residents' leaving bulky furniture and construction waste at RCPs would become more serious. He enquired how FEHD would plug the loophole.

12. Mr LEE Kim-fai said that notices would be displayed at RCPs. To cope with the implementation of municipal solid waste charging, he believed that the headquarters of FEHD would issue detailed guidelines in due course and take into account the situation of each district.

13. Several Members gave opinions as follows:

- (a) Mr FAN Chi-ping pointed out that a large amount of bulky furniture and construction waste were left beside the RCP at Ma Wan Village, Tung Chung. The construction waste piled high as FEHD only conducted clearance once every day. He enquired how FEHD would deal with the issue and requested the installation of Internet Protocol (IP) cameras and display of notices at the spot.
- (b) Mr Randy YU had time and again criticised FEHD at other meetings for its passivity in handling refuse in rural areas. As the municipal solid waste charging would be implemented soon, FEHD should take the initiative to discuss with the Environment Bureau (ENB) on how to implement the scheme and how to effectively deal with illegal dumping of refuse in rural areas. Given that problem had already emerged at this stage, it would be even more difficult to solve it when one had to purchase garbage bags to handle refuse in the future. He said that if law-breakers did not purchase plastic garbage bags in the future, refuse would be seen everywhere. If we did not consider how the law could be enforced and resolve relevant issues systematically now, the Islands District would have to face great difficulties in dealing with illegal disposal of refuse then. He hoped the authorities would take a long view in the matter and suggested the relevant parties set up a working group and invite Members to join in.
- (c) Mr LOU Cheuk-wing said that the entire Islands District faced the issue of bulky refuse and dumping of construction waste. He proposed that the Lands Department

(LandsD)/FEHD should set up temporary construction waste collection points for the contractors to apply for use.

14. Mr LEE Kim-fai gave a consolidated response as follows:

- (a) With regard to the situation of Pa Mei RCP, Ma Wan Village, Tung Chung as mentioned by Mr FAN Chi-ping, apart from daily clearance, FEHD also arranged uniformed and plain-clothes staff to conduct surprise inspections and took enforcement actions against offenders. He noticed that at present the bulky refuses disposed were mainly furniture with relatively few construction wastes. The Department would refer cases of construction waste disposal to other relevant departments, such as the Environmental Protection Department (EPD), for follow-up.
- (b) There was no FEHD RCP for construction waste. Contractors should transport construction waste to construction waste collection points of EPD direct. If illegal dumping of construction waste was found, FEHD would institute prosecution and EPD had also been delegated the authority of prosecution. If only disposed construction waste was found, relevant departments would arrange contractors for clearance.
- (c) He noted Mr Randy YU's opinions. The headquarters of FEHD would examine the implementation arrangements of the municipal solid waste charging and closely follow up with the relevant departments.

15. Mr WONG Tat-ming supplemented that upon receipt of complaints about construction waste illegally dumped on unleased or unallocated government lands, District Lands Offices (DLO) would arrange contractors for clearance, whereas EPD would carry out relevant law enforcement work.

16. Several Members gave opinions as follows:

- (a) Mr FAN Chi-ping requested FEHD to provide the number of prosecutions. He said that there was illegal dumping of construction waste at Pa Mei RCP by non-residents and outside vehicles came there at night for disposal of construction waste. Staff of FEHD did not conduct inspection at night time. Bulky refuse were accumulated at the spot, making buses unable to make turns at the nearby roundabout. As new buildings would be completed in the vicinity soon, he was concerned of the accumulation of refuse and opined that there was an urgent need to install IP cameras there.
- (b) Mr Ken WONG said that the arrangements of Construction Waste Disposal Charging Scheme (Charging Scheme) were not satisfactory. As construction waste disposal facilities were for use by contractors and construction waste operators with accounts only, hence non-account holders could only dispose construction waste at RCPs. There were many remote and hidden rural areas in Islands District which were conducive to illegal disposal of construction waste by contractors. As transport in Islands District was generally not so convenient, it would be difficult for FEHD to immediately arrange staff to make prosecution at the scene upon receipt of complaints. He proposed that the Government should take into account the above situation when

implementing waste charging, and opined that the installation of IP cameras was a feasible solution.

- (c) Mr LOU Cheuk-wing said that under the Charging Scheme, construction waste of Tai O had to be transported to the construction waste disposal facility at Mui Wo. Since construction waste might not fill up a goods vehicle, they were abandoned everywhere at Tai O. He proposed that the LandsD should set up temporary collection points for temporary storage of bulky construction waste.

17. Mr LEE Kim-fai responded that FEHD conducted a pilot scheme on IP cameras at RCP black spots in 3 districts since 30 December 2016 and would review the scheme after a 6-month trial period. The headquarters would give further instruction to each district upon completion of the review.

(Mr Holden CHOW joined the meeting at about 2:20 p.m.)

IV. Question on the maintenance of public toilet in Cheung Po Tsai Cave Picnic Area, Cheung Chau
(Paper TAFEHC 14/2017)

18. The Chairman welcomed Ms Susan TAM, Deputy District Leisure Manager (Islands)² of Leisure and Cultural Services Department (LCSD) to the meeting to respond to the question.

19. Mr Randy YU presented the question on behalf of Mr KWONG Koon-wan who was unable to attend the meeting due to other commitments.

20. Ms Susan TAM said that the Department deployed staff to conduct a site inspection with Mr KWONG Koon-wan on 22 March this year and found that the toilet was in satisfactory hygienic condition. The Department would continue to arrange out-sourced cleansing contractor to conduct daily cleansing. On the other hand, the Department would later arrange the septic tank to be cleaned by contractor and follow up with works departments on the source of water seepage from the water pipe by the side of the stairs outside the toilet.

21. The Chairman enquired whether the water pipe was under the ambit of LCSD.

22. Ms Susan TAM said that she needed to check the records and would arrange staff of the works section to conduct on-site inspection to determine the management responsibility for the water seepage. The Department would inform Mr KWONG the result.

(Post-meeting note: The Department completed the cleansing and inspection of the septic tank on 12 April this year and informed Mr KWONG through email that the facility was in normal operation.)

V. Question on request for provision of temporary mobile toilets at Yat Tung Estate Bus Terminus
(Paper TAFEHC 15/2017)

23. The Chairman welcomed Ms Esther SZETO, Property Service Manager/Service (Hong Kong Island & Islands 3) of Housing Department (HD); and Ms LAW Wai-chun, Chief Health Inspector (Islands)2 and Mr LEE Kim-fai, Senior Health Inspector (Cleansing/Pest Control) Islands of FEHD to the meeting to respond to the question. The written reply of FEHD had been distributed to Members for perusal before the meeting.

24. Mr Bill TANG presented the question.

25. Ms Esther SZETO said that toilets were available in Yat Tung Shopping Centre and wet market for public use and the toilets in Yat Tung Shopping Centre were open till 11 p.m. Those who needed to use public toilets after 11 p.m. could request the use of the staff toilet nearby security guard counter of Chi Yat House near Yat Tung Estate Bus Terminus. In addition, toilets were also available at the bus regulator's offices of Citybus and Long Win Bus at Yat Tung Estate Bus Terminus for use by staff of the bus companies. At present, there was no suitable and ideal location in Yat Tung Estate for provision of toilets that were open 24 hours a day.

26. Mr Bill TANG said that toilets that were open 24 hours a day were available in all public housing estates. He believed that the Link Real Estate Investment Trust (Link REIT) did not provide 24-hour toilets at Yat Tung Estate due to management cost consideration. While residents (in particular those who had to go to work at night time) could request the use of other toilets after 11 p.m., it was still inconvenient. North Lantau Hospital could only partially mitigate the need of some night time drivers. As such, he proposed the provision of temporary mobile toilets at Yat Tung Estate Bus Terminus. In addition, he had raised the suggestion that Link REIT and Uni-China (Market) Management Limited (Uni-China), the contractor of Yat Tung Market, should install a gate at the passage leading to the toilet from the wet market after the renovation of the market, so as to facilitate residents going to the toilet when the wet market was closed. He hoped HD would further discuss with Link REIT.

27. Mr Eric KWOK said that the food stalls in Yat Tung wet market were open till 2 a.m. after the renovation, but the toilets at Yat Tung Shopping Centre and the wet market were only open till 11 p.m. He enquired of FEHD whether the above arrangement met the licensing requirements. Since the food stalls extended business hours to early morning, he found that many people urinated at the staircase of Heung Yat House which seriously affected environmental hygiene.

28. Mr FAN Chi-ping requested that the provision of temporary mobile toilets be tied in with the opening hours of Yat Tung wet market to provide convenience to residents.

29. Mr Holden CHOW hoped that the Department would provide toilets at Yat Tung Estate for people returning home late at night. Furthermore, he was concerned about the hygienic issue mentioned by Mr KWOK and hoped that the Department would follow up proactively.

30. Ms Esther SZETO responded that according to records, only drivers of New Lantao Bus Co., (1973) Ltd. had requested the use of toilets at Chi Yat House. There was no record of request by other people. She understood that some people might urinate everywhere for convenience. Residents had reservation about the provision of public toilets near their homes.

31. Ms LAW Wai-chun said that at present, provision of toilets was a requirement for application of a restaurant licence. Customers and staff of restaurants in Yat Tung Shopping Centre and food stalls in the wet market could use the toilets in the Shopping Centre or the wet market, and thus the licensing requirement was met. The Department would follow up on the opening hours of the toilets in the Shopping Centre and the wet market, so as to tie in with the business hours of the food stalls.

32. Several Members gave opinions as follows:

- (a) Mr FAN Chi-ping said that the staff toilet of HD had only one compartment and could not accommodate several people at the same time. He opined that suitable location for provision of temporary mobile toilets was available in Yat Tung Estate.
- (b) Mr Bill TANG said that the most ideal option would be arranging the toilets at Yat Tung Shopping Centre and the wet market to be open for 24 hours. He hoped that HD would reflect Members' request to Link REIT, or should provide temporary mobile toilets to satisfy the need of residents/working people of using toilets at night time. In addition, some food stalls at Yat Tung wet market did not provide dine-in service and thus the licensing requirement might be different. He hoped FEHD would follow up with Link REIT.
- (c) Mr Eric KWOK said that he had time and again suggested Uni-China extend the opening hours of the toilet in the wet market to 2 a.m., but was rejected by Uni-China on ground of operational costs and thus the issue of urinating nearby deteriorated and hygienic conditions worsened. He requested FEHD to follow up on the issue of the opening hours of toilets in Yat Tung Shopping Centre not tying in with the business hours of the food stalls.

33. Ms LAW Wai-chun said that she would follow up on the issue.

(Post-meeting note: According to information, the public toilets in Yat Tung wet market were open for 24 hours for use by restaurant staff and customers in the wet market. After the closure of the wet market at night, restaurant staff and customers could still reach the public toilets by passing through the unloading area. In addition, some restaurants in Yat Tung Shopping Centre provided toilets for use by staff and customers. Other restaurants sharing the public toilets in the shopping centre would be closed before 11 p.m.)

VI. Question on sewerage leakage near the septic tank at Flat 18B, Tai Yuen Village, Lamma Island
(Paper TAFEHC 16/2017)

34. The Chairman welcomed Mr Victor YEUNG, Senior Environmental Protection Officer (Regional South)⁵ of EPD; Ms LAW Wai-chun, Chief Health Inspector (Islands)² and Mr LEE Kim-fai, Senior Health Inspector (Cleaving/Pest Control) Islands of FEHD; and Mr WONG Tat-ming, Administrative Assistant/Lands (DLO, Islands) and Mr WONG Keng-san, Senior Land Executive of LandsD to the meeting to respond to the question. The written reply of FEHD had been distributed to Members for perusal before the meeting.

35. Ms YU Lai-fan presented the question.
36. Mr Victor YEUNG said that EPD had all along followed up the matter with Ms YU and arranged staff to perform investigation. The Department conducted dye tracing test at the septic tanks and pits near Flats 18A, 18B and 18C which were adjacent to the location concerned. As no dyed water was found leaking from the retaining wall at the location, enforcement action under the Water Pollution Control Ordinance could not be taken. Nevertheless, owners and residents concerned were advised to clean the septic tank regularly and properly. As it was suspected that there were other causes for the leakage from the cracks in the retaining wall, EPD was at present looking for the source of leakage. At the on-site inspection conducted in 2017, it was noted that the leakage would stop when the amount of rainfall lessened, thus it might be related to rainfall. In addition, the Department once received complaint about stagnant water on the concerned platform and identified that a water pipe was seemingly leaking. After the matter was referred to Water Supplies Department for follow-up, it was noted that situation of stagnant water and leakage had been improved.
37. Mr LEE Kim-fai said that FEHD also conducted colour water test but could not identify the source of leakage. If there was stagnant water, the Department would assist to remove it to prevent mosquito breeding.
38. Mr WONG Keng-san said that if DLO found the source of leakage, it would write to the owners and request for rectification. If EPD or FEHD found the source, they would inform DLO for follow-up.
39. The Chairman enquired whether the leaked water was clean.
40. Mr Victor YEUNG said that based on on-site inspection, the leaked water did not come from the septic tanks. However, as the water might have been accumulated behind the retaining wall for some time before leaking through the cracks in the wall, it might carry some soil substance and thus could not be considered as clean.
41. Ms YU Lai-fan said that the septic tank concerned was extended to nearby Flats 18E and 18F. When the tank was full, the sewage would overflow to Flats 18E and 18F or even the pavement. She had related the above situation to relevant departments, but the cause remained unknown so far. She hoped that the source of sewage could be identified soonest to avoid breeding of mosquitos and pests and adversely affecting the environment.
42. Mr Ken WONG said that the same situation occurred on Peng Chau. As DLO did not keep relevant records of septic tanks built in early years, when there were damages to septic tank cover or sewage leakage and the villagers did not co-operate, it would be hard for EPD/FEHD to conduct colour water test to find out the source of leakage and determine the ownership of the septic tank. The Islands District Office (IsDO) received the relevant complaint, but it would not conduct repair as the damaged cover was privately owned. He hoped that DLO would follow up.
43. Mr WONG Tat-ming said that the Department would follow up on whether extension works had been conducted for the septic tank concerned and whether it was approved by LandsD. It would also closely follow up with EPD and FEHD. At present, when village houses were rebuilt and there

were inadequate space, LandsD would allow septic tanks to be built on government land and records would be maintained. The Department could track the resident or lot owner owning the septic tank based on the records and request the owner to conduct repairs based on the terms of approval. Environmental hygiene of newly approved village houses was subject to the terms. For septic tanks of village houses completed in early years, DLO staff would proactively identify the persons responsible. The Department would refer any sewage leakage found to EPD and FEHD for follow-up and request the owner to conduct repairs.

44. Ms YU Lai-fan said that she had provided DLO with relevant photographs and information of the location and hoped that the source of leakage could be identified the soonest possible.

(Post-meeting note: DLO contacted Ms YU Lai-fan and the relevant departments to arrange another colour water test.)

45. Mr Ken WONG believed that after the implementation of the second stage of sewerage works by EPD, the issue of village septic tank could be improved. He enquired if manhole cover on unleased government land was found to be damaged and the owner of which could not be located, could IsDO seal off the manhole cover after consulting DLO.

(Post-meeting note: DLO contacted Mr Ken WONG and IsDO, and indicated that it did not object that IsDO sealed up the manhole cover of disused septic tank on unleased government land.)

46. Mr Tommy TANG said that he would discuss with DLO on whether the proposal complied with relevant land lease conditions.

47. Mr Victor YEUNG said that Package 1 of Phase 2 village sewerage works at Yung Shue Wan on Lamma Island was in progress, whereas Phase 2 village sewerage works on Peng Chau was still under preparation.

VII. Question on policies to support farmers (Paper TAFEHC 17/2017)

48. The Chairman welcomed Ms Ivy SO, Wetland & Fauna Conservation Officer (Ornithology) and Mr CHEUNG Wai-kuen, Agricultural Officer (Plant Protection) of Agriculture, Fisheries and Conservation Department (AFCD) to the meeting to respond to the question. The written reply of AFCD had been distributed to Members for perusal before the meeting.

49. Mr WONG Man-hon presented the question.

50. Mr CHEUNG Wai-kuen briefly presented the written reply.

51. Mr WONG Man-hon gave opinions as follows:

- (a) The New Agriculture Policy could only assist farmers of large scale/organic farms and would not be very helpful to the general small farms.
- (b) He enquired of AFCD about the matter upon receipt of complaints from the farmers. The Department replied that in response to the complaint from a member of the public, investigation was made and it was found that the birds were stuck to objects and thus those objects were confiscated. As the Department was unable to contact the farmer or village representative concerned, a notice was posted subsequently, indicating that no person shall hunt or wilfully disturb wild birds, and offenders were liable to a fine of \$100,000 and imprisonment of up to 1 year. He queried whether it was reasonable for AFCD to cut open the net and enquired of the Department why did it not contact the village representative, District Council (DC) member or RC before confiscation. The farmers were mostly elderly and they set up the net in the fields only to prevent birds from damaging the crops. AFCD should teach the farmers preventive measures against birds and provide assistance instead of removing the net without notice.

52. Several Members gave opinions as follows:

- (a) Mr Ken WONG queried about AFCD's ways of handling the matter. He enquired whether the Department handled the complaint in accordance with established procedures, and under which ordinance did the Department remove objects on private land.
- (b) Mr FAN Chi-ping said that while private lands in South Lantau were occupied by many stray cattle, animal welfare organisations requested AFCD not to drive them away for protecting stray cattle. He queried that the Department adopted double standards.
- (c) Mr Randy YU enquired whether AFCD had instructed farmers the proper way of using protective nets to prevent birds from damaging the crops. The written reply of the Department mentioned seminars on agricultural technology previously held in Mui Wo. Those seminars were all related to pest control without mentioning the concern about crops or what farmers should do when their crops were disturbed by birds or cattle. Moreover, he enquired of the Department about the procedure of removing the net. Being a DC member of the district, he was not informed of the removal action in advance, which was not reasonable.

53. Ms Ivy SO said that all wild birds and bats were protected under the Wild Animals Protection Ordinance (Cap. 170). It was an offence to put up nets that caused injuries to them. Staff of the Department found the bird-catching nets when they conducted inspection at the end of February this year. As the nets could pose risks to wild birds and bats, it was removed for investigation. Upon the completion of investigation, the Department would consider whether prosecution would be instituted.

54. Several Members gave opinions as follows:

- (a) The Chairman opined that the Department should first understand the actual situation and assist agricultural development through the New Agriculture Policy, instead of formulating policies which could not benefit farmers.
- (b) Mr WONG Man-hon was concerned about prosecution. He enquired whether enforcement action should be made by the Police and whether bird-catching net was found only in Mui Wo. He said that farmers might not be able to clearly distinguish bird-catching nets from other nets and AFCD should give advice on this. If the use of bird-catching nets was illegal, such nets should be banned from import or sale on market.
- (c) Mr FAN Chi-ping criticised that while wild animals were protected by legislations, private property of members of the public was not safeguarded.
- (d) Mr Ken WONG requested AFCD to provide detailed description and pictures of bird-catching nets. He agreed with Mr WONG Man-hon that if the use of bird-catching nets was illegal, the case concerned should be referred to the Customs and Excise Department for follow-up.

55. Mr CHEUNG Wai-kuen gave a consolidated response as follows:

- (a) As to the prevention of birds from damaging crops, AFCD organised annual seminar at Tai Lung Experimental Station to introduce to farmers various preventive measures, such as proper hanging of suitable nets, use of scarecrow, sonic bird repellent devices and chemical bird repellent, etc. Types of unsuitable protective nets were also explained. Some farmers brought their nets to the seminars to seek advice from staff, who would explain to them on the spot. In addition, the Department distributed leaflets with pictures and descriptions to illustrate suitable or unsuitable protective nets. Farmers could obtain the leaflets at the Department's headquarters and Yuen Long Agricultural Extension Office.
- (b) The Department set up the Farm Improvement Scheme under the Sustainable Agricultural Development Fund to provide substantial financial assistance to farmers. The subsidy was capped at \$30,000 and covered up to 80% of the cost. Farmers who would like to apply could enquire or seek assistance from the Department.

56. Several Members gave opinions as follows:

- (a) The Chairman proposed that if similar situation was found in the future, AFCD should first communicate with the RC or village representative, so as to properly solve the problem and minimise conflicts.
- (b) Mr Ken WONG enquired about the Department's process of handling complaints and whether it would immediately attend the scene to remove the net upon receipt of complaint. He queried the urgency of removing the net by AFCD and opined that the Department should first enquire of RC or DLO whether the farmland concerned was a private land.

- (c) Mr WONG Man-hon reiterated that when conducting enforcement action on private land, AFCD had not informed the farmer concerned and only posted a warning notice. DC member did not know about the matter either. He was strongly dissatisfied with the way AFCD handled the matter.
- (d) Mr Randy YU said that AFCD implemented policies to support and encourage agriculture, but took law enforcement action which was harmful to agriculture. Given that AFCD just removed the net and did not take prosecution action on the spot, he inferred that there was no bird attached to the net. And since the net did not cause immediate harm to birds, it should not be removed. He criticised AFCD for its hasty action. He opined that the Department should first contact the village representative, the DC member or the RC, and enquire of the farmer about the matter before taking action. In addition, given that offices of Members and the RC were open during the office hours from Monday to Friday, he queried why the Department was unable to contact the Members concerned or the RC. He requested AFCD to conduct a review and investigation on the matter and provide a formal reply. In addition, the seminars on agricultural technology were held in Yuen Long, it would be difficult for elderly farmers in Mui Wo to attend.
- (e) Mr FAN Chi-ping said that cattle damaged crops and harassed farmers for years and AFCD had not resolved and followed up on the problem. However, this case was quickly dealt with.
- (f) Ms YU Lai-fan enquired about the dates of receiving the complaint and taking action. She opined that it was too hasty for AFCD to take the removal action before posting notice to inform residents.

57. Ms Ivy SO said that cases of bird-catching nets were mainly complaints lodged by members of the public or discovered by staff during patrol. The nets removed in this case were discovered by staff during patrol. According to procedure, regardless whether an object was found on farmland or whether it was a bird-catching net, as long as it was a hunting appliance that could cause injury to protected wild animals, it would be removed by the Department immediately to prevent wild animals from being harmed.

58. Mr WONG Man-hon enquired of AFCD again the dates of receiving complaint and taking action.

59. The Chairman enquired whether the Department was required to take action within a specified period after receiving complaint.

60. Ms Ivy SO said that upon receiving complaint, the Department would immediately arrange staff to conduct inspection.

61. Mr Ken WONG queried whether the Department was able to follow up and take action immediately after receiving complaint.

62. The Chairman said that birds could not be effectively protected only by removing bird-catching net and posting notice. She suggested the Department educate farmers on proper methods

of preventing birds from damaging crops, and request the Department to discuss the relevant methods with RCs and village representatives concerned.

(Post-meeting note: AFCD held an agricultural technology seminar in Mui Wo Sports Centre on 23 May this year. Preventive measures against bird damage on crops and the Wild Animals Protection Ordinance were introduced.)

VIII. Question on a damaged LPG pipe at Caperidge Drive, Discovery Bay
(Paper TAFEHC 18/2017)

63. The Chairman welcomed Mr MOK Hing-man, Senior Engineer of Electrical and Mechanical Services Department (EMSD) to the meeting to respond to the question. The written replies of Discovery Bay Services Management Limited (DBSML) and San Hing (LPG) Company Limited (San Hing) had been distributed to Members for perusal before the meeting.

64. Ms Amy YUNG presented the question.

65. Mr MOK Hing-man responded as follows:

- (a) According to the records of EMSD, the underground LPG pipe concerned had been in use for nearly 30 years. Pressure test was required to be conducted once every two years by an independent party. The last testing was conducted on 4 January 2016 and it was found that the pipe met the safety requirements. In addition, according to Gas Safety Ordinance, owners of LPG installations had to hire competent persons to inspect the installations every year to ensure the maintenance and operation of the installations met requirements. The installation concerned complied with statutory requirements. As such, it was believed that the incident did not involve negligence or lack of inspection, and the Department had not ruled out that the incident was due to aging of the pipe.
- (b) The Department enquired of the registered gas supply company and learnt that the pipe concerned would be replaced and the new pipe would be installed above the ground instead of laying underground within the residential area. In addition, the registered gas supply company would conduct additional testing on measurement of corrosion protective coating for the underground LPG pipes in the housing estate in 2017.

66. Ms Amy YUNG gave opinions as follows:

- (a) The written reply of San Hing did not clearly explain the definition of pipe owner and the responsibility for repairing the pipe. The written reply of DBSML pointed out that the repair cost of the pipe would be borne by the pipe owner. She hoped DBSML and San Hing arranged representatives to the meeting to give a detailed explanation and expressed regret over the two companies' failure to arrange representatives to attend the meeting.
- (b) Discovery Bay had been completed for 30 years. Fire Services Department and EMSD conducted examination on the earlier explosion at Parkridge Drive of

Discovery Bay and found that the incident might be related to aging of pipe. It would be costly to conduct repair works for all pipes. She once again expressed regret over DBSML's failure to arrange representatives to attend the meeting. According to the deed of mutual covenant (DMC), contract in respect of facilities of Discovery Bay should be signed between DBSML and the supplier, but it was in fact signed between the developer and the supplier. She learnt that the developer charged the gas supplier a fee for using the land. She enquired about the reason for signing the contract by the developer and whether it was the responsibility of the developer to repair the pipe. She asked the Secretariat to write to the two companies to request for explanation for the above situation and the definition of pipe owner.

67. The Chairman said that in the revised written reply of San Hing, the company pointed out that the pipe repair cost of this incident would be jointly borne by ExxonMobil Hong Kong Limited (ExxonMobil) and the company. After communicating and making arrangement with the owners, San Hing planned to commence repair works on 28 March this year. An exposed pipeline would be installed to replace the underground pipeline section concerned. The works were anticipated to be completed in early April.

68. Ms Amy YUNG believed that the repair works only involved the pipeline sections within and outside the unit concerned. However, the pipes of Discovery Bay were aging and needed to be replaced and repaired progressively. She enquired whether San Hing and ExxonMobil would be responsible for the cost of repairing and replacing all LPG pipes in the entire Discovery Bay in the future and whether they would perform relevant corrosion protection works, especially in view of the recent explosion at Parkridge Drive. It would be a large-scale project. She hoped San Hing and ExxonMobil would make clarification so as to prevent more accidents from happening. She hoped the two companies would be committed to the LPG pipe safety of Discovery Bay and not just handled a single incident.

69. Mr MOK Hing-man clarified that the corrosion protection works mentioned referred to the testing on measurement of corrosion protective coating of underground pipelines.

70. Ms Amy YUNG said that the testing on measurement of corrosion protective coating was not holistic enough and could not thoroughly resolve the issue of pipe aging. She was worried about the issue and opined that the testing would be conducted in a superficial way and was not a long-term solution. She believed that it would not be accepted by residents. She suggested San Hing and ExxonMobil conduct a comprehensive testing for LPG pipes in Discovery Bay and replace problematic ones.

71. The Chairman suggested the Owners' Corporation write to the above companies for follow-up.

72. Ms Amy YUNG said that as Discovery Bay did not have an Owners' Corporation and it was not a separate legal entity, all contracts were signed by DBSML on its behalf and thus DBSML should be responsible for the incident.

73. The Chairman asked the Secretariat to relate Member's opinion to relevant companies.

(Post-meeting note: The Secretariat related Member's opinion to relevant companies.)

(Mr WONG Man-hon left the meeting at about 3:50 p.m.)

IX. Question on impacts on trees following the temporary relocation of the DB Plaza Bus Terminus
(Paper TAFEHC 19/2017)

74. The Chairman said that the written reply of HKR International Limited (HKR) had been distributed to Members for perusal before the meeting.

75. Ms Amy YUNG presented the question. She illustrated with photographs that some large trees adjacent to the old bus terminus and DB Plaza were removed and some were having their branches and leaves cut. Moreover, many trees were removed due to construction of new bus terminus. It took decades for trees to grow and it was a pity that they were removed despite having no pests or posing no risks. The developer did not conduct consultation on tree felling, which caused great repercussion among the residents. She hoped that the Secretariat would write to HKR demanding an explanation of removing trees that were worth preserving without consulting residents. In addition, she expressed regret for HKR's failure to arrange representatives to attend the meeting.

(Post-meeting note: The Secretariat had related Member's opinions to HKR.)

76. Mr Eric KWOK said that tree protection legislation stipulated that only in emergencies could trees in private places be removed. He enquired whether HKR had submitted application to DLO.

77. Mr WONG Tat-ming said that if tree preservation clauses were included in the land lease, application had to be submitted to DLO before tree felling. If trees were cut in emergency situation, application should be submitted afterwards. He had to find out whether the land lease of Discovery Bay included tree preservation clauses and would respond after the meeting.

(Post-meeting note: DLO replied to Mr Eric KWOK that relevant tree preservation clauses were not included in the land lease of Discovery Bay.)

78. Mr Eric KWOK hoped DLO would enquire of HKR about the reason of tree felling.

79. Mr Ken WONG said that DLO had mentioned at the Committee's meeting that tree preservation clauses were not included in the land lease of Discovery Bay and thus HKR needed not submit application to DLO. He enquired whether the DMC stipulated that the ownership of trees vested in the residents, and if affirmative, it was inappropriate for HKR not to consult the residents.

80. Mr WONG Tat-ming said that he would enquire of HKR about the reason of tree felling. With regard to Mr Ken WONG's enquiry, he would check the records and follow up.

(Post-meeting note: DLO replied to Mr Ken WONG that as DMC was a private contract signed between owners and DLO was not a party to the DMC, it was inappropriate for DLO to give interpretation.)

81. Ms Amy YUNG said that the area concerned was a gathering place for many residents, and residents and environmentalists were very concerned about protection of old trees within the district.

Even though the area was a private land, HKR should not omit consultation beforehand which caused the dissatisfaction of residents. There were many tree experts in Discovery Bay who could provide opinions and assistance in handling the situation. She opined that the omission of consultation was an act of enmity against the residents. She expressed regret towards HKR's action and hoped that it would respect the opinions of residents.

X. Food and Environmental Hygiene Department Strategies and Tasks on Improving the Environmental Hygiene in Hong Kong
(Paper TAFEHC 20/2017)

82. The Chairman welcomed Mr LEE Kim-fai, Senior Health Inspector (Cleansing/Pest Control) Islands of FEHD to the meeting to present the paper.

83. Mr LEE Kim-fai presented the paper.

84. Mr LOU Cheuk-wing said that dogs fouled the streets at night and cleaning would only be performed by cleaners of FEHD in day time, thus much dog faeces were left on the street in the early morning, which affected environmental hygiene. Apart from that, he noticed the disposal of bulky refuse at or beside litter containers meant for small size garbage. He enquired how FEHD would handle the situation.

85. Mr Bill TANG said that as the lead department of the Lunar New Year (LNY) Fairs, FEHD allocated much resource every year to organise the fairs. However, the LNY Fair at Tung Chung did not attract many visitors and the result was not satisfactory. He enquired whether the Department would incorporate LNY Fair in Tung Chung into the annual action plan and about the ways to improve the situation. In addition, he enquired about the decrease in the number of litter containers in Tung Chung after the implementation of municipal solid waste charging. The Automated Refuse Collection System of Yat Tung (II) Estate had been in use for more than a decade and experienced frequent failure. It could not process refuse that was excessive in size or of excess moisture due to functional constraints. Given that municipal waste charging scheme would be implemented, he suggested FEHD and HD assess the effectiveness of the system.

86. Mr Eric KWOK was glad that FEHD would implement IP camera pilot scheme. As many residents complained about the accumulation of substantial amount of construction waste at Pa Mei RCP of Tung Chung, he hoped the Department would consider including the RCP as one of the blackspots for installation of IP cameras to achieve deterrent effects. In addition, he enquired whether FEHD had the authority to inspect the food quality of meat stalls at wet markets managed by Uni-China.

87. Mr LEE Kim-fai responded that at present, there were no cleansing workers working at late night in Tai O and thus dog faeces could not be cleared immediately. Nonetheless, the Department would remind day time staff to conduct cleansing immediately after they reported duty and would conduct blitz operations. The Department would also distribute promotion leaflets and display banners. With regard to disposal of bulky refuse by the side of litter containers, the Department would remind night duty staff of Tai O to step up cleanup. As for the number of litter containers, it was learnt that according to ENB, the number of litter containers would be decreased by 40%, but the headquarters of FEHD did not have the actual data for the time being.

88. The Chairman enquired when FEHD would provide specific data.

89. Mr LEE Kim-fai said that the number of litter containers across the whole territory had been gradually decreased. The number of litter containers decreased by 15 % in 2015-16 and 10% in 2016-17. With regard to the Automated Refuse Collection System of Yat Tung (II) Estate, the Department would enquire the relevant departments and follow up.

(Post-meeting note: The Automated Refuse Collection System of Yat Tung (II) Estate was provided and managed by HD. FEHD was responsible for collection of domestic refuse.)

90. Ms LAW Wai-chun said that the 2017 Tung Chung LNY Fair was held at Tat Tung Road Garden, Tung Chung the first time. The Department would review the location and other arrangements and invite Members to give comment. Furthermore, application for relevant licence from FEHD was required for operation of food business or sale of restricted foods at wet market stalls. FEHD would arrange staff to conduct regular inspection to ensure hygiene and food safety.

91. Mr LEE Kim-fai supplemented that upon the completion of IP camera pilot scheme, the Department would review its effectiveness and consider whether it would be extended to other blackspots and the DC would be consulted.

(Mr Holden CHOW left the meeting at about 4:25 p.m.)

XI. Progress report on DC-funded District Minor Works Projects
(Paper TAFEHC 21/2017)

92. The Chairman welcomed Mr Tommy TANG, Senior Inspector of Works of IsDO to the meeting to present the paper.

93. Mr Tommy TANG said that tendering exercise for improvement to footpath between no. 1 to 66, San Hing Street, Cheung Chau (IS-DWM-649) had been completed and vetting of quotation documents was in progress. As the tender price exceeded the amount of \$500,000 previously approved by the Committee, he requested the Committee to increase the funding correspondingly to \$600,000 in order to implement the project.

94. Members and guests discussed the projects below. The main points were as follows:

(a) Improvement to Ping On Bridge at Mok Ka Village, Tung Chung (IS-DMW-560)

Mr Eric KWOK enquired whether the above project was proposed to improve the river channel and construct Ping On Bridge due to the damage to the bridge during a typhoon in 2008.

Mr Tommy TANG said that the above project was related to the 2008 typhoon. At that time, the river bed of Ping On Bridge was silted up. After the implementation of works, the river was dredged to underneath the bridge. IsDO had conducted site inspection at Ping On Bridge with the Chairman of RC and village representative concerned and would conduct improvement works later.

(b) Improvement to footbridge at Wang Hang, Tai O (IS-DMW-627)

Mr LOU Cheuk-wing enquired whether the project would be completed in July 2017 as stated in the paper.

Mr Tommy TANG said that the project was anticipated to be completed in July.

(c) Improvement to footbridge at Lower Keung Shan Village, Tai O (IS-DMW-611)

Mr LOU Cheuk-wing enquired about the project location.

Mr Tommy TANG said that the project was located in the vicinity of Shing Fai orchard.

95. Members approved that the funding of IS-DMW-649 be increased from \$500,000 to \$600,000 and noted the contents of the report of IsDO.

XII. Report by Working Group

(i) Tourism, Agriculture, Fisheries and Environmental Hygiene Committee Activities Working Group

96. The Chairman said that the Working Group Report had been faxed or emailed to Members for perusal prior to the meeting (see Reference 1 for details). Members were invited to comment on the report.

97. Members had no comment and endorsed the report.

(ii) Islands Healthy City and Age-friendly Community Working Group

98. Mr Randy YU said that the Working Group Report had been faxed or emailed to Members for perusal prior to the meeting (see Reference 2 for details). Members were invited to comment on the report.

99. Members had no comment and endorsed the report.

XIII. Any Other Business

100. Members did not raise any other business.

XIV. Date of Next Meeting

101. The meeting adjourned at 4:33 p.m. The next meeting would be held at 2:00 p.m. on 29 May 2017 (Monday).

-End-