

(Translation)

**Minutes of the Sixth Meeting of the
District Facilities and Works Committee (2024) of
Kwai Tsing District Council**

Date: 2 December 2024

Time: 2:30 p.m. – 5:23 p.m.

Venue: Kwai Tsing District Office (“K&T DO”) Conference Room

<u>Present</u>	<u>Time of Arrival</u>	<u>Time of Departure</u>
Miss LO Yuen-ting, MH (Chairman)	Start of Meeting	End of Meeting
Mr AU Chi-fai (Vice Chairman)	Start of Meeting	End of Meeting
Ms WANG Chung-wing	Start of Meeting	End of Meeting
Mr NG Chi-wah	Start of Meeting	End of Meeting
Mr NG King-wah	Start of Meeting	End of Meeting
Miss CHU Lai-ling, MH	Start of Meeting	End of Meeting
Mr NG Yam-fung, Benny	Start of Meeting	End of Meeting
Mr LEE Wai-lok	Start of Meeting	End of Meeting
Miss CHAU Kit-ying	Start of Meeting	End of Meeting
Ms LAM Chui-ling, MH, JP	Start of Meeting	End of Meeting
Mr TSUI Hiu-kit	Start of Meeting	End of Meeting
Mr YUEN Yun-hung	Start of Meeting	End of Meeting
Miss MOK Yee-ki	Start of Meeting	End of Meeting
Ms KWOK Fu-yung, MH	Start of Meeting	4:58 p.m.
Ms GUO Huimin	Start of Meeting	End of Meeting
Ms CHAN On-ni	Start of Meeting	End of Meeting
Mr PANG Yap-ming	Start of Meeting	End of Meeting
Mr WONG Chun-yeung	Start of Meeting	End of Meeting
Miss WONG Shuk-man	Start of Meeting	End of Meeting
Mr WONG Siu-kwan	Start of Meeting	End of Meeting.
Ms LAU Mei-lo	Start of Meeting	End of Meeting
Mr POON Chi-shing, MH	Start of Meeting	End of Meeting
Ms TANG Lai-ling	Start of Meeting	End of Meeting
Ms CHENG Lam	Start of Meeting	End of Meeting
Mr SO Pak-tsan, MH	Start of Meeting	End of Meeting
Ms LAM Siu-fong (Co-opted Member)	Start of Meeting	End of Meeting

Mr LAM Lik-shan (Co-opted Member) Start of Meeting 5:03 p.m.

Standing Representatives of Departments and Institutions

Ms WONG Ngan	Senior Housing Manager (Kwai Chung), Housing Department
Mr NG Ngan-kwan	Senior Health Inspector (Regional Joint Office) New Territories West 3, Food and Environmental Hygiene Department
Mr CHUNG Ho-fai, Vincent	Professional Officer 2-4/Joint Office 2, Buildings Department
Mr CHOY Chi-wai, Ray	Engineer/24 (West), Civil Engineering and Development Department
Mr LAM Ho-lun, Alan	Engineer/New Territories West (Distribution 4), Water Supplies Department
Ms LAM Hang-ling, Sara	Administrative Assistant/Lands (District Lands Office, Tsuen Wan and Kwai Tsing), Lands Department
Mr CHOR Chun-hay, Elvis	Building Surveyor/D4-1, Buildings Department
Mr LO Sai-cheong	Senior Engineer/Mainland South 2, Drainage Services Department
Mr LUI Wing-cho	Senior Town Planner/Kwai Tsing, Planning Department
Ms LIM Ting-ting, Sylvia	Chief Leisure Manager (New Territories West), Leisure and Cultural Services Department
Mr CHUNG Ho-yan, Adam	Acting District Leisure Manager (Kwai Tsing), Leisure and Cultural Services Department
Ms KONG Yuen-fan, Bonnie	Architect (Works)5, Division II, Works Section, Home Affairs Department
Ms TANG Suet-fun, Joy	Senior Project Manager, WCWP International Limited
Ms WAN Yuet-ting, Clarissa	Assistant District Officer (Kwai Tsing), Kwai Tsing District Office
Ms NG Pui-ki, Christy	Senior Executive Officer (District Management), Kwai Tsing District Office
Miss TSANG Chui-yuk, Yuki	Executive Officer (Administration), Kwai Tsing District Office
Mr LEE Ming-ki	Senior Inspector of Works (Kwai Tsing), Kwai Tsing District Office
Mr CHU Pui-tat	Inspector of Works (Kwai Tsing), Kwai Tsing District Office
Mr CHIU Leung-ye, Louie	Liaison Officer-in-charge Kwai Chung (Central & South), Kwai Tsing District Office

Departmental and Organisation Representatives in Attendance by Invitation

Mr SI Kit, Peter	Director, The Hong Kong Institution of Engineers
Ms LEUNG Man-ye, Mandy	Public Service Committee Chairman, The Hong Kong Institution of Engineers

**Responsible
Department**

Mr KWONG Hui-lok, Anthony	Public Service Committee Deputy Chairman cum Convenor of the Working Group on Publicity Activities, The Hong Kong Institution of Engineers
Mr CHEUNG Ka-fu	Public Service Committee Member, The Hong Kong Institution of Engineers
Mr LAM Chi-sing	Public Service Committee Member, The Hong Kong Institution of Engineers
Miss LI Cheuk-yan, Jasmine	Executive Manager - Corporate Communications, The Hong Kong Institution of Engineers
Ms LEUNG Ka-yan, Betsy	Executive Manager - Media & External Affairs, The Hong Kong Institution of Engineers
Miss LI Xin, Rachael	Temporary Corporate Communications Executive, The Hong Kong Institution of Engineers

Secretary

Mr CHAN Tak-pang, Angus	Executive Officer (District Council) 2, Kwai Tsing District Office
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Absent

Ms LAM Ying-wai	(On maternity leave)
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Opening Remarks

The Chairman welcomed Members to the sixth meeting of the District Facilities and Works Committee (“DFWC”) (2024) of the Kwai Tsing District Council (“K&T DC”).

2. Members unanimously endorsed the application for absence by Ms LAM Ying-wai.

Confirmation of Minutes of the 5th Meeting (2024) held on 7 October 2024

3. Members endorsed the minutes unanimously.

Discussion Items

The Visit paid by The Hong Kong Institution of Engineers to the District Facilities and Works Committee of Kwai Tsing District Council

4. The Chairman welcomed the representatives of the Hong Kong Institution of Engineers (“HKIE”) to the meeting for the discussion on this item.

5. HKIE representatives introduced the history, organisation structure, services and publicity work of HKIE with PowerPoint slides (refer to DFWC Paper No. 32/D/2024).

6. Members said that the number of engineering graduates was insufficient to fill the manpower gap in the engineering sector at that time. Although importing labour can help ease the manpower shortage, it will affect the interests of local engineers. Therefore, Members enquired of HKIE about its views on the manpower shortage in the engineering sector and its mitigation measures.

7. Public Service Committee Chairman, HKIE, responded as follows:

- (i) At that time, the engineering sector was facing a manpower shortage. For that time being, as the Government’s major infrastructure projects (e.g. the Northern Metropolis initiative) demanded support and participation of engineers, HKIE was proactively implementing various measures to increase the manpower. For example, publicity visits to primary and secondary schools were undertaken to cultivate primary and secondary

students' interest in engineering subjects, thereby attracting them to join engineering professions; and

- (ii) HKIE was proactively working with the Mainland Chinese authorities and engineering institutes and Hong Kong's Development Bureau to promote mutual recognition of engineering professional qualifications between Hong Kong and other cities in the Greater Bay Area, with a view to facilitating co-operation and exchanges among engineers across the Greater Bay Area. In addition, HKIE encouraged engineers from other cities in the Greater Bay Area to participate in Hong Kong's infrastructure projects, thereby alleviating the manpower shortage in the local engineering sector.

8. The Chairman thanked HKIE again for its visit and hoped that it would maintain good communication with the District Council ("DC") to strengthen co-operation between the engineering industry and local organisations.

Concern about the Abuse of Public Rental Housing and the Breaching of Tenancy Terms by Tenants in Kwai Tsing District

(Proposed by Miss LO Yuen-ting, MH, Ms TANG Lai-ling, Ms CHENG Lam, Mr YUEN Yun-hung, Mr NG Yam-fung Benny, Mr TSUI Hiu-kit, Ms WANG Chung-wing, Miss CHU Lai-ling, MH, Ms GUO Huimin, Miss MOK Yee-ki, Mr NG Chi-wah, Mr NG King-wah, Miss WONG Shuk-man, Mr WONG Chun-yeung, and Mr WONG Siu-kwan)

(DFWC Paper Nos. 26/D/2024 and 26a/D/2024)

9. Miss CHU Lai-ling declared that she was a member of the Appeal Panel (Housing) ("AP"). Under Section 22 of the "Kwai Tsing District Council Standing Orders", the Chairman decided that Miss CHU Lai-ling should not withdraw from the meeting and could continue to participate in the discussion.

10. Members discussed the aforesaid matter, and put forth enquires and opinions as follows:

- (i) Enquired about the number as well as the statistics by types of flats recovered by the Department due to tenancy abuse and breach of tenancy agreements in Kwai Tsing housing estates;
- (ii) Enquired that after the Department had issued Notices-to-quit ("NTQs"),

what were the number and percentage of appeals lodged to AP by the public rental housing (“PRH”) tenants concerned. Members also raised enquiries about the time required for completing the appeal procedure;

- (iii) In the preceding year, the Secretary for Housing stated that a review of the procedures for recovery of flats and reallocation to PRH applicants would be completed within this year, and that the reallocation would be accelerated. Members enquired about the progress of the review and the time required for the Department to complete reallocation of flats after issuing NTQs at that time;
- (iv) According to the document provided by the Department, after some evicted PRH tenants had lodged appeals to AP, their NTQ were cancelled or amended. Therefore, Members enquired about the reasons for such cancellations and the specific content of amendments;
- (v) Enquired how long an evicted tenant had to wait before making another application for PRH;
- (vi) As indicated by the Department’s document, hearings of some appeal cases of 2022 and 2023 had not yet been held. In this connection, Members enquired about the specific circumstances of those cases, such as whether those cases were still under investigation or whether the appellants had filed another appeals regarding their cases; and
- (vii) Some PRH households consulted frontline staff in making income and asset declarations. Owing to the unclear guidance of the frontline staff, the households made unintentional omissions or errors in filling in the information. Besides, policies related to PRH households were updated frequently, so some PRH tenants might be unable to keep up with the latest policies and make mistakes when filling in their declaration forms. Members hoped that the Department would enhance training for frontline staff and expand the scope of publicity for the policies, so as to avoid wrong issuance of NTQs due to staff negligence or ineffective publicity.

11. Senior Housing Manager/Kwai Chung, Housing Department (“HD”), responded as follows:

- (i) The Department neither compiled statistics for the number of PRH flats recovered in each district nor for the reasons of the recovery, so statistics by type were unavailable. However, the number of recovered flats mentioned in the document already included the flats recovered for reasons such as breach of tenancy agreement, tenancy abuse and false statements, which could be served as a reference for Members;
- (ii) After hearing and carefully considering the statements and arguments from both the Department and the appellant, the Appeal Tribunal can determine whether to confirm, suspend, cancel or amend the NTQ. Generally, the term “amend” refers to amending the NTQ terms, e.g. requiring a household to comply with tenancy terms, as well as to retain regular and continuous residence in the PRH flat whilst receiving the Department’s confirmation, or requiring a household in rent arrears to settle their outstanding rents before a specified date. If the household complies with the amended terms, the NTQ concerned will automatically lapse;
- (iii) Generally, the appellant will be informed of the Appeal Tribunal’s decision in writing within about 14 days after the date of the hearing. As there were numerous appeal cases at that time and the Department might request AP to advance a hearing in accordance with the urgency of a case, the processing time for different appeal cases could vary. The hearings of some cases would possibly be scheduled for the following year. Therefore, the Department was unable to provide a standard timeframe for time required for the appeal procedure;
- (iv) For PRH tenants whose tenancies are terminated on grounds of breach of tenancy agreements or housing policies due to false statements, their existing PRH applications will be frozen for 5 years;
- (v) After a PRH tenant moved out, the Department would inspect the landlords’ provisions in the flats and arrange repairs and refurbishment in accordance with the works contract. The Department would arrange advance allocation of flats undergoing refurbishment to eligible PRH applicants. Applicants could inspect the environment and ancillary facilities of housing estates based on their needs. If the applicant accepted the offer, the Department

would arrange for the applicant to complete the intake procedure as soon as the works was completed; however, if the applicant did not accept the offer, the Department would allocate the flat to other eligible PRH applicants under the existing procedures. Hence, the time between the issuance of a NTQ and the successful letting of a PRH flat would depend on the applicant's choice, and the Department could hardly provide a standardised timeframe;

- (vi) Noted Members' recommendation that publicity and staff training be strengthened. The recommendation would be relayed to relevant sections and management companies after the meeting to ensure that frontline staff would have a clear understanding of the policies and promptly disseminate relevant information to residents in case of any updates; and
- (vii) Before deciding to issue a NTQ, the Department would conduct a detailed review based on the circumstances and unique nature of the case. Moreover, the case would be handled in accordance with policy requirements.

12. Members discussed the aforesaid response from the Department, and put forth enquires and opinions as follows:

- (i) Some PRH tenants may have difficulties in moving out because they reside with household members (including elderly persons or persons with disabilities). Therefore, Members enquired whether the Department had contacted Social Welfare Department ("SWD") or other departments concerned to offer assistance for such special cases;
- (ii) Among the appeal cases in 2022 and 2023, over 40% had the NTQ cancelled or amended by AP. In view of that, Members doubted whether the Department had thoroughly examined relevant factors before issuing NTQs. Moreover, considering that the Department was stepping up its efforts to combat tenancy abuse, the number of appeal cases was expected to gradually increase. Therefore, Members recommended that the Department review the existing procedures of issuing NTQs to avoid erroneous issuance of NTQs due to miscommunication at an early stage, thereby alleviating the burden of AP and preventing delay in processing appeal cases;

- (iii) In respect of the Department's statement that flats would be arranged according to the advance allocation system, Members reported that an applicant had learnt from a staff member of the Department that he could move in within two months after accepting an offer through advance allocation. However, the actual date of intake turned out to be far beyond the committed date. Members hoped that the Department would review the existing advance allocation system and accurately estimate intake dates for applicants to avoid similar situations;
- (iv) The Department stated that an evicted tenant would not be reallocated another flat within 5 years. However, a Member reported a complaint from an elderly person aged over 70 that a frontline staff member said he/she could re-apply for a PRH flat a year after moving out. The Member requested an explanation from the Department as the statement of the staff member contradicted the Department's response;
- (v) Some tenants lived with their children who did not inform their parents that they had already acquired properties. As a result, the parents received NTQs while remaining unaware of the situation. On the other hand, some tenants were deemed to own new properties through inheritance and were required to make declarations or were even required to move out. Nonetheless, such tenants were not the sole heirs and were not entitled to deal with the estate alone. The aforesaid special cases required separate consideration. However, frontline staff were often unfamiliar with policy details because of frequent staff turnover and hence the inconsistency in answering tenants' enquiries. Tenants thus felt confused and dissatisfied, or might even decide to file appeals. Members hoped that the Department would address inadequate support for frontline staff, strengthen staff training, and consider maintaining records of frontline staff's replies to tenant enquiries, thereby ensuring that their replies could be made in a responsible manner;
- (vi) Enquired whether the then housing policies stipulated that property assets in the Chinese Mainland must be declared. If so, how the Department calculated the asset value of such properties. Besides, some tenants had failed to make declarations possibly due to their uncertainty of whether such property assets were required to be declared. Members enquired how the Department would handle the aforesaid situation;

- (vii) Enquired about the maximum penalty for breaching tenancy agreements or housing policies in the flat recovery cases; and
- (viii) Recommended the Department identify some exemplary cases of flat recovery for tenants' reference, so that tenants' understanding of relevant policies could be enhanced.

13. Senior Housing Manager/Kwai Chung, HD, responded as follows:

- (i) The Department had established a liaison mechanism with SWD. Subject to the consent of tenants, their cases would be referred to SWD for follow-ups when necessary;
- (ii) In response to Members' report that some tenants were evicted while waiting for interim housing, the Department would normally exercise discretion to allow ex-tenants to stay in their flats before being allocated to interim housing. As for other cases irrelevant to interim housing, however, the tenant is bound to vacate the flat and surrender it to HD before the expiry of the NTQ or after AP has confirmed the NTQ;
- (iii) Noted Members' recommendations on stepping up frontline training and identifying exemplary cases for publicity purpose. The recommendations would be relayed to relevant parties after the meeting;
- (iv) Regarding a Member's report that a tenant had been informed by a frontline staff member that he could re-apply for a PRH flat a year after moving out, the Department was unable to present tenants with exact dates for re-application because of the specific circumstances of each case. The Department would remind frontline staff to clearly explain policy content and restrictions to tenants in order to avoid unnecessary misunderstanding;
- (v) All NTQ cases would be vetted by a senior housing manager. The Department would further review and study some of the special cases that are of relatively high complexity. NTQs would be issued only after thorough consideration;

- (vi) Concerning with Members' report that some tenants were required to move out because their children had acquired properties, the Department stated that both tenants and household members listed on the tenancy agreement bear the responsibility to declare their income, assets and domestic property ownership in Hong Kong. If any household member listed on the tenancy agreement has moved out, the tenant must notify the Department and delete the household member from the tenancy;
- (vii) PRH tenants who hold properties in the Chinese Mainland are required to declare income earned from the properties and the net asset values of such properties. If the tenants' income or asset exceeds the prescribed limit, the tenants must move out in accordance with policy requirement; and
- (viii) Regarding the grey areas of policies and the improper handling of some cases as reported by Members, the Department would collect Members' opinions and case information after the meeting. The matter would then be forwarded to relevant sections for policy review in the future.

14. The Chairman stated that, in the cases reported by Members, there were instances of improper handling by frontline staff members. She urged the Department to address the issue and make improvement as soon as possible.

Concern about the Protruding Issues of Manhole Covers and Metallic Rodent Meshes in Tai Wo Hau Estate

(Proposed by Mr NG King-wah, Mr NG Chi-wah, Mr WONG Siu-kwan, Mr WONG Chun-yeung and Ms CHENG Lam)

(DFWC Paper Nos. 27/D/2024 and 27a/D/2024)

15. Members discussed the aforesaid matter, and put forth enquires and opinions as follows:

- (i) Some manhole covers of Tai Wo Hau Estate protruded, thus posing tripping hazards to pedestrians. In addition, as the corners of some metallic rodent meshes on the manhole covers were curled, pedestrians might be easily scraped by the metallic edges. Members enquired about the Department's follow-up and mitigation measures against the aforesaid matters; and

- (ii) Enquired whether the Department would optimise the design of metallic rodent meshes and consult Members' opinions before adopting a design.

16. Senior Housing Manager/Kwai Chung, HD, responded as follows:

- (i) The Department would conduct regular inspections of the conditions of road surfaces in housing estates. If a manhole cover is found to be protruding from the road surface, arrangements will be made for proper handling and follow-ups; and
- (ii) The Department had relayed the design flaws of the metallic rodent meshes and pertinent recommendations to the sections concerned for follow-ups and feasibility studies. The Department would report any updates to Members in a timely manner.

Concern about the Prolonged Suspension of Escalators at the Recreation Platform opposite Shing Hing House of Kwai Shing East Estate

(Proposed by Mr NG Chi-wah, Mr WONG Chun-yeung, Mr NG King-wah and Mr WONG Siu-kwan)

(DFWC Paper Nos. 28/D/2024 and 28a/D/2024)

17. Members discussed the aforesaid matter, and put forth enquires and opinions as follows:

- (i) The escalators connecting the shopping mall and the park of Shing Hing House in Kwai Shing East Estate were frequently under maintenance, so residents were forced to walk up and down the staircase. As the stairs of the staircase were quite narrow, accidents might easily occur;
- (ii) Recognised the Department's effort in deploying staff to help residents walk up and down the staircase during the escalator suspension. However, Members pointed out that some staff members had merely provided verbal instructions, which might not render substantive assistance to the residents and fail to solve the problem of causing travel inconvenience to the residents at the root. Therefore, Members hoped that the Department would adopt longer-term mitigation measures, such as replacing the escalators and installing a lift;

- (iii) The escalators in public housing estates (“PHEs”) of Kwai Tsing District were frequently suspended. Some parts of the escalators had to be ordered from abroad and hence a long time to carry out repairs. In that regard, Members hoped that the Department would address the aforesaid issue and consider purchasing in advance a certain quantity of parts as a reserve to ensure prompt repairs when facility defects occur;
- (iv) Recommended that the Department install closed-circuit televisions (“CCTVs”) nearby to monitor residents’ escalator usage, so that the Department can take actions to prevent damages caused by human acts upon identification of escalator misuse; and
- (v) At a previous meeting, the Department had stated that it was deeply concerned about the service quality of lifts and escalators, and that prompt repair or replacement would be performed in case of any defect. Considering that the escalators and lifts of some housing estates were often suspended due to aging equipment or malfunction, Members hoped that the Department could allocate resources to check the facility operation so as to allow timely replacement.

18. Senior Housing Manager/Kwai Chung, HD, responded as follows:

- (i) The Department regularly inspects, maintains and comprehensively checks escalator facilities, as well as reviews maintenance reports in order to ensure that the construction, inspection, test, operation and maintenance of escalators comply with relevant regulations;
- (ii) At that time, the Department had no replacement plan for the captioned escalators, but would check the condition of the escalators according to the regulation. The Department had arranged for the contractor to follow up the service suspension caused by escalator misuse in October this year. The escalator service had resumed on 16 November upon repair completion;
- (iii) Noted Members’ recommendation for installing CCTVs to monitor the usage of the captioned escalators. The recommendation would be forwarded to relevant parties after the meeting;

- (iv) As regards Members' comments that merely giving verbal instructions by the staff concerned was inadequate in helping residents go up and down the stairs, the Department would forward the comments to the management company after the meeting and request for service enhancement;
- (v) Noted Members' recommendation that the Department keep a certain quantity of parts to reduce repair time. The recommendation would be relayed to relevant parties after the meeting; and
- (vi) Noted Members' recommendation on allocating resources to replace the escalators or install a lift. The recommendation would be forwarded to relevant parties after the meeting.

Concern about the Facility Management and Planning of Public Rental Housing Markets in Cheung Ching Estate and Lai Yiu Estate

(Proposed by Miss MOK Yee-ki, Miss LO Yuen-ting, MH, Mr TSUI Hiu-kit and Mr POON Chi-shing, MH)

(DFWC Paper Nos. 29/D/2024 and 29a/D/2024)

19. Members discussed the aforesaid matter, and put forth enquires and opinions as follows:

- (i) The occupancy rates of shops in Cheung Ching Estate and Lai Yiu Estate markets were not low, but most of the shops were for storage use and were not open for business. For example, during an inspection of Cheung Ching Estate Market, only 17 out of the 30 rented shops were open for business, and there were very few varieties and quantities of goods for sale, hence a failure to satisfy residents' daily needs. Therefore, Members hoped that the Department would consider adopting various measures (such as converting Cheung Ching Estate Market into an indoor market, adding barrier-free facilities and lifts, adopting a more modern market design and flexibly adjusting the purpose specified in the tenancy) to improve the operating environment of the captioned markets;
- (ii) Noticed the Department mentioned in its reply document that multiple factors (e.g. age of the building, scale of the estate, age distribution of the

population and the surrounding environment) would be taken into account in deciding whether optimisation of existing retail facilities would be carried out. Members stated that new buildings would be successively completed near Cheung Ching Estate Market in the future, and the residential population was expected to gradually increase. Hence, Members enquired why Cheung Ching Estate Market had not been included in the list of facilities to be optimised. They also enquired about the specific criteria for the Department to decide whether a facility should be optimised;

- (iii) Remarked that the staff responsible for the regulation of housing estate markets might not be marketing professionals and lacked incentives to implement improvement measures. In this connection, Members recommended that the Department introduce an internal competition mechanism and quantifiable key performance indicators to encourage the staff to take efforts to improve estate markets;
- (iv) In view of the unclear route signage for the captioned markets, Members recommended that the Department improve the signage across the estates to clearly display shop names, locations and directions;
- (v) Existing tenancies required businesses to simultaneously rent two storeys of shops, deterring some businesses which only intended to rent one storey. Besides, some shops rented in bundles lacked facilities such as lifts and stairs for easy access, so the tenants were unable to make good use of the space on the other storey. Members thus recommended that the Department study the feasibility of separating tenancies to allow tenants to rent shops more flexibility, thereby attracting greater number of prospective tenants. Furthermore, as the markets of some housing estates (e.g. Lai Yiu Estate) are quite inconveniently located, their tenants suffer from operational hardship because of low customer flow. In view of that, Members recommended renting out shops in a bundle of highly and barely profitable businesses and require the tenants to satisfy specific conditions (e.g. to operate in designated hours and to sell specific types of goods), so that they could take up social responsibility while generating profits. By adopting such a measure, the practical problem of operational hardship in housing estate markets could be mitigated and the daily needs of nearby residents could be met;

- (vi) The majority of the shops in the captioned markets were for storage rather than for retail use. Members enquired whether that practice constituted a breach of tenancy agreement. Enquiries were also raised as to whether the Department had inspected the captioned markets and reviewed the prolonged closures of the shops;
- (vii) The Department mentioned in the document that regular assessments would be conducted on the performance of service contractors managing the markets. In the event that their performance was unsatisfactory, the contractor would be required to take improvement measures. In that regard, Members enquired of the Department about the actual number of warning letters issued, the scores deducted in quarterly assessments and the number of follow-up actions taken; and
- (viii) During previous joint inspections, Members had made numerous recommendations to the responsible staff for improving the operating environment of the captioned markets. However, the responsible staff responded passively, and substantive optimisation or improvement plan was never implemented. Members doubted the Department's determination to optimise the operating environment of the captioned markets. They emphasised that the operation of housing estate markets is closely related to the daily life of residents, and requested the Department to take the matter seriously and to take actions.

20. Senior Housing Manager/Kwai Chung, HD, responded as follows:

- (i) At that time, the Department had employed methods such as expanding the trade mix of shopping malls, simplifying procedures for converting the trade mix and reviewing the existing trade mix upon re-letting, so as to increase the flexibility in trade mix and to satisfy the residents' demands;
- (ii) The Department deployed staff to conduct regular inspections of housing estate markets. If a business is found to be closed despite that it is required by the contract to open, the Department would carry out follow-up actions, e.g. issuance of a warning letter and a NTQ, as well as termination of tenancy;

- (iii) Noted Members' recommendations that the operation mode of housing estate markets should be changed to meet residents' needs. The recommendation would be forwarded to relevant parties after the meeting;
- (iv) The Department aimed to improve the operating environment of markets under Housing Authority and attract more people. In that connection, the Department is proactively launching numerous consumption stimulation plans, e.g. offering free parking to customers who had spent a specified amount, launching promotional activities (including festive decorations, games and snack stalls) on major festivals and special dates and organising thematic exhibitions, so as to spice up shopping atmosphere and boost the flow of people in the markets; and
- (v) Noted Members' recommendation for flexible adjustment of tenancies (such as separation of tenancies and grouping of different shops for rental). Follow-up work would be carried out after the meeting.

21. Members discussed the aforesaid response of the Department, and put forth enquires and opinions as follows:

- (i) Enquired whether existing tenancies stipulate the opening hours of tenants in the markets. If positive, what specific opening hours are stipulated;
- (ii) The lack of variety in the trade mix is not the root cause of the poor operating environment of the captioned markets. Members remarked that the Department should prioritise allocating resources to improve the overall environment of the captioned markets, such as providing more barrier-free facilities and lifts, enhancing signage and directions to tenants' locations and strengthening the monitoring of the hygiene conditions;
- (iii) Recommended that the Department flexibly adjust the rent based on the customer flow of the markets or offer rental discounts to attract more prospective tenants;
- (iv) Recommended that the Department refer to the successful cases of other markets (e.g. Kwai Chung Market) and hire professionals in marketing or

market management as consultants. In addition to optimising the business mix of the markets, the Department could also employ targeted measures, e.g. market research, packaging and promotional activities, to improve the operating environment of the captioned markets ;

- (v) Enquired whether the Department had established an internal scoring mechanism for the operating conditions of housing estate markets. If positive, what scores the captioned markets had obtained;
- (vi) Recommended that the Department grant service contractors a certain degree of freedom to hold creative and unique events in different housing estate markets based on factors such as local characteristics, population distribution and trade mix, with a view to attracting local residents; and
- (vii) In the past, Members and local groups had put forward optimisation plans to the Department for the captioned markets. Members enquired of the Department about the optimisation plan that had been adopted. They also requested the Department to give account of the actual progress on the plan implementation.

22. Senior Housing Manager/Kwai Chung, HD, responded as follows:

- (i) According to the terms of existing tenancies for commercial stalls, tenants have to operate businesses for at least 4 hours on 20 days or more in each calendar month. The Department noted Members' concerns about the operating conditions of the shops and would strengthen inspection and make timely follow-ups;
- (ii) Noted Members' recommendation that the Department hire professionals as consultants to improve the operating environment. The recommendation would be relayed to relevant parties after the meeting;
- (iii) Noted Members' recommendation for enhanced signage. Follow-up actions would be carried out after the meeting; and
- (iv) Noted Members' recommendation that publicity be stepped up and more promotional activities be held. The Department would follow up the

recommendation after the meeting.

23. The Chairman stated that Members and the local community had long been concerned about the captioned markets and hoped that the Department would look squarely at the problem. Besides, the Department was recommended to invite Members and relevant stakeholders to conduct on-site inspections, and exchange views on the item to foster communication.

Concern about the Issue of Objects being Thrown from a Height at Public Rental Housing Estates in Kwai Tsing District

(Proposed by Miss LO Yuen-ting, MH, Mr TSUI Hiu-kit, Ms WANG Chung-wing, Ms CHENG Lam, Ms TANG Lai-ling, Ms KWOK Fu-yung, MH, Mr NG Yam-fung Benny, Mr YUEN Yun-hung, Mr WONG Chun-yeung, Mr WONG Siu-kwan, Ms LAM Chui-ling, MH, JP, Miss WONG Shuk-man, Mr NG Chi-wah, Mr NG King-wah and Miss MOK Yee-ki)

(DFWC Paper Nos. 30/D/2024 and 30a/D/2024)

24. Members discussed the aforesaid matter, and put forth enquires and opinions as follows:

- (i) The Department mentioned in the document that high definition digital camcorders had been installed in PHEs and artificial intelligence applications were used to analyse video footage. Recently, an incident of objects being thrown from height had occurred in Cheung Hang Estate and disfigured a passer-by. However, the monitoring system installed in the area concerned failed to identify the suspect because its pixel was too low. Members thus doubted the actual effectiveness of the aforesaid systems and requested that the Department increase the number of the monitoring and surveillance systems to avoid recurrence of similar incidents;
- (ii) The Department stated in the document that there were 7 Falling Object Monitoring Systems and 134 Mobile Surveillance Systems (“MSS”). Members enquired about the actual differences between those two types of systems and their distribution in the PHEs in Kwai Tsing District;
- (iii) Requested the Department to directly respond to the recommendations set out in Paper No.30/D/2024; and

- (iv) Enquired whether the Department conducted regular work such as inspection, repair and maintenance for the monitoring and surveillance systems installed.

25. Senior Housing Manager/Kwai Chung, HD, responded as follows:

- (i) Falling Object Monitoring Systems were typically installed on fixtures on rooftops of buildings. On the other hand, MSS were mobile devices installed at different locations in housing estates (including lamp posts, rooftops and building exteriors). They were equipped with high definition digital camcorders and supported data connection through real-time transmission of images to estate offices over the network. In view of factors such as MSS' functions and cost-effectiveness, the Department would only consider installing additional monitoring and surveillance systems for the time being;
- (ii) Apart from surveillance and monitoring systems, the Department also made use of artificial intelligence applications to analyse relevant video footage and extract clips of suspected objects being thrown from height. By doing so, staff of estate offices could quickly review the footage and take control actions more swiftly;
- (iii) Regarding the incident of objects being thrown from height in Cheung Hang Estate that had disfigured a passer-by, the Department would study the case after the meeting and deploy MSS when necessary for more effective control measures; and
- (iv) The Department would irregularly dedicate Special Operation Teams to inspect housing estates. Besides, it ensured the normal daily operation of the monitoring and surveillance systems installed through repair and maintenance.

26. Members discussed the aforesaid response from the Department, and put forth opinions as follows:

- (i) Doubted the Department's claim that it had ensured the normal operation of

monitoring and surveillance systems through comprehensive maintenance. Members pointed out that if the Department had conducted regular checks, it should have realised that the pixel of some systems was too low and performed timely replacement. However, the Department did not address the issue and continued using the low-pixel monitoring system. Members requested that the Department thoroughly check the monitoring and surveillance systems installed and make sure that their operation and recording quality could allow adequate monitoring functionality. Besides, the Department should enhance publicity of the role and function of the systems to deter offenders intending to throw objects from height;

- (ii) As the number of incidents of objects being thrown from height varied in different buildings, Members opined that if the Department had relevant data, it might be able to tighten control on buildings where such incidents frequently occurred and install additional monitoring or surveillance systems. Moreover, the Department could consider setting up protective nets under high-risk buildings to block the way of some of objects being thrown from height, thereby reducing the risk of passers-by being injured;
- (iii) Recommended that the Department carry out full replacement of old monitoring and surveillance systems with low pixel. Furthermore, the Department was recommended to consult DC members and relevant stakeholders on details such as the quantity and locations of installing more monitoring and surveillance systems prior to installation; and
- (iv) Complimented the Department on its swift response to a recent incident of objects being thrown from height in Lai King. Members emphasised that such acts could result in serious consequences and hoped that the Department could look squarely at the problem.

27. Senior Housing Manager/Kwai Chung, HD, responded as follows:

- (i) Noted Members' recommendation that the Department discuss the details of installing additional monitoring and surveillance systems with DC members;
- (ii) Noted Members' concern about the recording quality of the aforesaid

systems. The Department would remind its PHEs in Kwai Tsing District to conduct a comprehensive check of the definition of existing monitoring and surveillance systems; and

- (iii) Noted Members' recommendation for the installation of protective nets for certain buildings to block the way of objects being thrown from height. However, as different buildings vary in building structures and hygiene conditions, the Department must consider the suitability of such installation based on individual circumstances.

28. The Chairman pointed out that the flaws in the aforesaid systems were not specific to certain housing estates. She also opined that the Department had to conduct a comprehensive check of the systems concerned in all the PHEs in the district and implement improvement plans. Furthermore, the Chairman said that DC members lacked channels to learn about criteria for the Department to utilise funds related to estate management. Therefore, she hoped that the Department would review the existing mechanism and consult DC members before utilising the funds in the future.

Concern about the Water Seepage Problems in Kwai Ching District Buildings and Efficiency Enhancement Recommendation for Addressing the Problems by the Department

(Proposed by Ms TANG Lai-ling, Mr NG King-wah, Ms KWOK Fu-yung, MH, Miss CHU Lai-ling, MH and Mr YUEN Yun-hung)

(DFWC Paper Nos. 31/D/2024 and 31a/D/2024)

29. Members discussed the aforesaid matter, and put forth enquires and opinions as follows:

- (i) At that time, the Department had to spend quite a long time (about 3 months) conducting investigation after receiving a complaint. When the households concerned refused to co-operate, the investigation would most probably be suspend, thus causing delay to case handling. In that connect, Members deemed that the Department's efficiency in dealing with water seepage cases unsatisfactory;
- (ii) The Department did not maintain sufficient coordination with other departments. For complaints within the purview of other departments, the

Department lacked an effective mechanism for prompt liaison with those departments for assistance. Therefore, Members recommended that the Department review and improve the existing liaison mechanism;

- (iii) Recommended that the Department apply new technologies (such as infrared or microwave tomography) to assist with investigation so as to raise the efficiency in handling water seepage cases;
- (iv) Recommended that the Department set up a dedicated enquiry hotline to enhance its efficiency in handling complaints and responding to public enquiries; and
- (v) When the household concerned refused to co-operate, the Department had the right to apply to the court for “warrants for entry to premises” to enter the flats for investigation. Only if the source of water seepage is confirmed during the investigation before the Department is authorised to issue “nuisance notices” to relevant persons and take corresponding enforcement actions. Nonetheless, as far as Members were concerned, the Department rarely carried out the aforesaid enforcement actions. Hence, Members enquired about the Department’s considerations before deciding to perform enforcement actions.

30. Senior Health Inspector (Regional Joint Office) New Territories West 3, Food and Environmental Hygiene Department (“FEHD”), and Professional Officer 2-4/Joint Office 2, Buildings Department (“BD”), gave a consolidated response as follows:

- (i) During the investigation, if staff of the Joint Office (“JO”) staff are denied entry to the flat concerned, JO can apply to the court for a “warrant to effect entry into premises” under the regulation for entry to the flats to conduct investigation and test. After JO staff have confirmed water seepage, they will initiate the second stage of the basic investigation and a series of tests, including colour water test on drainage pipes, reversible pressure test on water supply pipes and moisture content monitoring of seepage area;
- (ii) JO had established a comprehensive liaison mechanism for the referral of cases to relevant departments. For example, after JO staff had received a report of water seepage, if continuous dripping (i.e. 20 or more drops per

minute) or visible leakage of water supply pipe was identified during inspection, the case would be immediately referred to Water Supplies Department, which would then follow up the incident and investigate whether the water supply pipe had caused water waste. If the complainant was a PRH household, the case would be referred to HD for follow-ups. Besides, if any building or drainage pipe was found be dilapidated during investigation, the case would be referred to BD for follow-ups;

- (iii) As regards the handling of water seepage cases, JO indicated that some cases were rather complicated. If there were multiple sources of water seepage, or if water seepage occurred on repeated or intermittent occasions, the inspector would have to conduct various or repeated tests or ongoing investigations and surveillance to confirm the source of water seepage. For instance, if the flat concerned was a cubicle apartment, the inspector would have to perform tests on several related flats separately, which would lengthen the investigation. Moreover, in case both the owner and the household refused the entry of JO staff into the flat for investigation, JO would have to apply to the court for a warrant for entry under the Public Health and Municipal Services Ordinance. As a result, the investigation would even last longer;
- (iv) JO conducts investigation and evidence collection according to the criminal standard under the Public Health and Municipal Services Ordinance. The inspector must identify the source of water seepage and ensure that the investigation result is sufficient as court evidence before taking enforcement actions under the aforesaid Ordinance. Then, a “nuisance notice” can be issued to the relevant person concerned of the flat causing water seepage, who is ordered to carry out appropriate repair before a specified deadline to mitigate the hygienic nuisance. If the person does not comply with the “nuisance notice”, JO will file prosecution according to the procedures; and
- (v) By the end of 2019, the Office had included Kwai Tsing District as a pilot district for testing of advanced technology (such as infrared thermography and microwave tomography) and applied the technology in professional investigations of water seepage cases. However, the aforesaid testing method had some limitations. In the event of issues such as spalled concrete from the ceiling of the flat concerned and blockage of the water seepage

area by pipes or other equipment, JO would have to use traditional testing methods instead.

31. Members discussed the aforesaid response from the Departments and put forth opinions as follows:

- (i) Agreed that JO had established comprehensive procedures to process water seepage cases. However, the Office failed to effectively implement the procedures, which led to prolonged processing of water seepage cases. JO could reduce the time needed for such procedures by means including conducting new tests, introducing new mechanisms and strengthening departmental coordination. Furthermore, Members believed that the Office had not responded to Members' recommendations that were set out in the document. Therefore, Members hoped that JO would provide further response; and
- (ii) Were pleased to know that the Office had introduced new tests to reduce the time required for the investigation process. They also hoped that JO could swiftly respond when Members enquired about water seepage cases or sought relevant assistance so as to minimise the nuisance caused to residents as soon as possible.

32. Senior Health Inspector (Regional Joint Office) New Territories West, FEHD, stated that there are numerous causes of water seepage, which can involve sources including rainfall, rooftops, balconies and exteriors. JO carries out enforcement actions concerning the causes of water seepage as set out in the Public Health and Municipal Services Ordinance (Chapter 132). If the cause of water seepage falls outside the purview of JO, the Office will refer the case to the departments concerned for follow-ups in a timely manner.

Any Other Business

33. There was no other business.

Date of Next Meeting

34. The next meeting was scheduled to be held on 3 February 2025 (Monday).

Kwai Tsing District Council Secretariat
January 2025