

(Translation)

Minutes of the 10th Meeting of the Environment and Hygiene Committee of
Sham Shui Po District Council (6th Term)

Date: 22 July 2021 (Thursday)
Time: 9:30 a.m.
Venue: Conference Room, Sham Shui Po District Council

Present

Chairman

Mr CHUM Tak-shing

Members

Mr HO Kwan-chau, Leo	(Arrived at 9:33 a.m.)
Ms LAU Pui-yuk, MH	
Mr LI Ting-fung, Jay	
Mr MAK Wai-ming	(Left at 10:00 a.m.)
Ms NG Mei, Carman	
Ms NG Yuet-lan, Janet	(Arrived at 9:45 a.m.)
Mr YUEN Hoi-man, Ramon	(Arrived at 9:31 a.m.)

In Attendance

Mr TAM Kin-fai, Simon	Assistant District Officer (Sham Shui Po) 2 (Acting)
Mr HUI Chi-ping, Edwin	District Environmental Hygiene Superintendent (Sham Shui Po), Food and Environmental Hygiene Department
Mr LUI Sai-tat	Chief Health Inspector (Sham Shui Po) 3, Food and Environmental Hygiene Department
Mr YIU Yau-man, Wallace	Senior Environmental Protection Officer (Regional West) 5, Environmental Protection Department
Mr TSE Yu-ngai, Patrick	Police Community Relations Officer (Sham Shui Po District), Hong Kong Police Force
Mr IP Yiu-cheung, Sunny	Neighbourhood Police Coordinator/Police Community Relations Office (Sham Shui Po District), Hong Kong Police Force

Action by

Mr CHEUNG Hon-hei, Kevin	Senior Engineer/Consultants Management, Drainage Services Department
Ms FU Ka-man, Carman	Engineer/Consultants Management, Drainage Services Department
Mr Tony LAU	Project Director, Binnies Hong Kong Limited
Ms Eunice LEE	Chief Engineer, Binnies Hong Kong Limited
Mr Hugo LUI	Senior Engineer, Binnies Hong Kong Limited

Secretary

Mr CHU Hei-yeung, Angus	Executive Officer (District Council) 1, Sham Shui Po District Office
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Absent

Member

Mr LEE Man-ho, Leos

Co-opted Member

Mr CHUI Chun-choi

Opening Remarks

The Chairman welcomed members and representatives from government departments to the tenth meeting of the Environment and Hygiene Committee (“EHC”). To prevent the spread of the epidemic in the community, he requested all attendees to check their temperatures and register their names before entering the Conference Room. He also said that the meeting would be completed as early as possible, and the public gallery would not be open.

2. The Committee noted the leave applications from representatives from the Lands Department, Mr MOK Wai-hai, Sam and Mr CHUNG Yan-chi, Jocky, as well as that from the Water Supplies Department, Mr TO Chi-hung.

Agenda Item 1: Confirmation of minutes of the 9th meeting held on 3 June 2021

3. The Committee confirmed the above minutes without amendment.

Agenda Item 2: Matters for discussion

(a) PWP No. 4421DS - Construction and Rehabilitation of Trunk Sewage Rising Mains in Cheung Sha Wan (EHC Paper 49/21)

4. Mr Kevin CHEUNG and Mr Tony LAU introduced Paper 49/21 with the aid of PowerPoint.

5. Ms Janet NG said that the Drainage Services Department (“DSD”) should coordinate with other works departments or works agencies before commencing construction works so as to avoid repeated excavations at the same site within a short period of time. She also suggested that the Department brief Members of the constituencies where the project would be carried out at or in proximity to on the details of the construction works to enable those Members to directly answer enquiries from residents.

6. Mr Ramon YUEN said that a footbridge was set to be constructed at the junction of Sham Mong Road and Hing Wah Street West, and DSD could consider communicating with the works departments concerned to finish certain work procedures in tandem.

7. Mr Jay LI said that the construction of sewage rising mains required road closure and caused inconvenience to the public. He requested that DSD provide in detail the data from the environmental and traffic impact assessments, as well as the relevant mitigating measures.

8. The Chairman requested that DSD provide details of the construction works, including the locations of shafts and the areas of road closure. Besides, he suggested that DSD maintain close liaison with other departments regarding this project and offer affected residents a channel to make enquiries and complaints.

9. Mr Kevin CHEUNG gave a consolidated response saying that DSD would coordinate with other works departments as early as the design stage of a project and the departments would entrust tasks of projects among one another, where feasible, so as to avoid repeated work procedures. Besides, DSD had consulted the stakeholders concerned on this project and would further announce work details and hotlines for public enquiries in a timely manner.

10. Mr Tony LAU gave a consolidated response saying that DSD and its contractor had been in close contact with other works departments or works agencies to ensure timely notification on the upcoming projects in Cheung Sha Wan and to explore a feasible solution to prevent repeated excavations. Since the construction works of the above-mentioned footbridge had already started and the works of this project were still in the design stage, the works of both projects could not be aligned with each other. That said, the Department would minimise the number of shafts and the area of road closure when planning the works at that location so as to reduce the traffic impact. He added that shafts of this project would be built mainly at the turnings of the new sewage rising mains, and temporary traffic control measures would be put in place by DSD and its contractor at the site as appropriate when the shafts were excavated.

11. The Chairman said that DSD should make public the details as soon as possible after the design of the entire project was confirmed, and should also ensure the contractor's works vehicles were parked at proper spots during the works. He also asked DSD whether a site office would be set up.

12. Mr Kevin CHEUNG responded that DSD was still studying the manner the site office would be set up, and feasible proposals included renting an office at a commercial building in the district and building a temporary office within the Stonecutters Island Sewage Treatment Works.

13. The Chairman concluded that as the project would bring actual benefit to the sewage system of the Sham Shui Po District ("SSP District") in the long run, the Committee supported the construction and rehabilitation of trunk sewage rising mains in Cheung Sha Wan and requested that DSD explain the construction proposal to various stakeholders as soon as possible after it was confirmed.

(b) With the uncontrolled use of loudspeakers in Apliu Street, how can residents sleep?

(EHC Paper 50/21)

14. Mr Jay LI introduced Paper 50/21.

15. Mr Wallace YIU introduced Response Paper 50a/21 and added that during the law enforcement actions in March and May this year by the Environmental Protection Department (“EPD”), unlawful activities were still detected at two shops on Apliu Street that had been prosecuted before, and the prosecution action concerned was in progress.

16. Mr Patrick TSE responded that the Police received 69 noise complaints relating to the area of Ki Lung Street, Tai Nan Street, Pei Ho Street and Kweilin Street in May and June, with five verbal warnings issued. It was not easy for the Police to take law enforcement action and collect evidence regarding the noise nuisance concerned and they would henceforth focus on strengthening publicity and education for the shop operators concerned to remind them to comply with the law.

17. Ms LAU Pui-yuk said that the noise nuisance created by shops in the area of Apliu Street and Pei Ho Street was serious and affected the daily life of residents. She suggested that relevant departments step up patrols and conduct joint law enforcement operations, as well as exploring substantial increase of the fine and revising prosecution strategies, so as to curb the unlawful activities. She also suggested that relevant departments provide residents with various channels of complaints and put up banners at streets where the nuisance was severe as reminders for the shops concerned.

18. Ms Janet NG said that many residents in the district had suffered from noise nuisance for years. She opined that the educational work was effective and the bureaux concerned should address the problem on the policy and legislation level, on top of conducting more joint operations and raising the penalty.

19. Mr Jay LI said that the economic downturn meant fewer shoppers on the street, and noise was frequently created by shop operators to draw customers in and promote their products. He suggested the departments concerned explore raising the penalty and consider setting up a task force to patrol places where the nuisance was severe, especially shops at crossroads.

20. Mr Wallace YIU gave a consolidated response saying that under Sections 4 and 5 of the Noise Control Ordinance, the maximum fine was \$10,000 and the two shops involved in the two successful prosecution cases mentioned in the response paper were fined \$1,500 respectively. At the time of prosecution, EPD submitted to the courts reports which presented detailed accounts of the seriousness of the cases, the prolonged duration of unlawful activities, the records of offence of the shops concerned, etc. for the reference of

the courts. EPD adopted a strategy of increasing the number of prosecutions in the hope that it would allow the judge to see that the shop had broken the law repeatedly and thus increase the fine. Furthermore, EPD would consider the suggestion of putting up banners and planned to give out promotional flyers to shops and stalls in the district to remind them to keep noise levels down. He said that members of the public could call the EPD hotline at 2838 3111 to file a complaint against noise nuisance. On the law enforcement front, EPD was in charge of controlling noise nuisance within the shop area, whereas noise complaints involving illegal extension of business needed follow-ups by joint operations. EPD would continue to enhance the law enforcement, consider establishing a task force and review the law enforcement measures concerned in a timely manner.

21. Mr Patrick TSE gave a consolidation response saying that on top of doing regular publicity and patrol work, the Miscellaneous Enquiries Sub-unit of the Police would also strengthen the law enforcement against noise nuisance, in the hope of minimising the number of complaints and the workload of other frontline police officers in this regard.

22. Ms LAU Pui-yuk said that noise nuisance by shops and illegal extension of business were both management issues of streets, falling within the purview of various departments, and the departments involved should work closer, conduct joint operations and explore further increasing the penalty for a stronger deterrent effect.

23. Ms Carman NG said that some shop operators placed wireless amplifiers that kept broadcasting sales recordings on the street, making it difficult for law enforcement departments to identify the owners of these amplifiers and prosecute the shops that created the noise. She suggested the departments concerned explore making use of the Waste Disposal Ordinance or other ordinances to deal with those cases to plug the loophole.

24. The Chairman requested that EPD, the Food and Environmental Hygiene Department ("FEHD") and the Police conduct joint operations to tackle noise nuisance. Besides, he asked EPD whether both the shop itself and the director of the shop could be prosecuted for the same case.

25. Mr Wallace YIU gave a consolidated response saying that as the subject article must fall under the definition of "waste" as stipulated in the law in order for a prosecution for illegal waste disposal to be instigated, it was not suitable to use the Waste Disposal Ordinance to instigate prosecutions relating to shops that created noise nuisance. On another note, under the Noise Control Ordinance, for a shop that had been prosecuted before, EPD currently could prosecute both the shop itself and its director.

26. The Chairman concluded that the departments concerned should continue to address noise nuisance created by shops in the district by means of a multi-pronged

approach, including strengthening publicity and education, conducting joint operations and increasing the penalty.

(c) Reports by the District Lands Office / Kowloon West, the Hong Kong Police Force, the Food and Environmental Hygiene Department, the Environmental Protection Department, the Drainage Services Department, the Highways Department, the Customs and Excise Department and the Agriculture, Fisheries and Conservation Department on environmental hygiene problem, wild bird problem and poultry market relocation problem in the district (EHC Papers 51-58/21)

27. Mr Ramon YUEN said that a direct investigation report on the mosquito prevention and control work of FEHD was released by the Office of the Ombudsman on the day of the meeting. He asked FEHD how they would follow up on the findings and recommendations of the report.

28. Ms Carman NG said that there were frequently people congregating on streets near Pei Ho Street Municipal Services Building and those people often pulled down their face masks to spit and smoke. She requested that the departments concerned step up law enforcement and cleansing.

29. Ms LAU Pui-yuk said that a vast amount of articles accumulated at the rear lane near No. 171 Cheung Sha Wan Road and people were also seen recycling waste there. She asked that the departments concerned strengthen cleansing.

30. Mr Jay LI requested that EPD list the spots where car washing shops were complained for washing cars on the streets. Also, a huge number of illicit cigarettes was confiscated by the Customs and Excise Department (“C&ED”) recently and he asked whether public housing estates were the main spots where the illicit items were found. Noting that the report by FEHD showed a rising trend in complaints against dripping air conditioners but relatively low numbers of verbal and written warnings and Nuisance Notices issued, he suggested FEHD refine law enforcement and prosecution strategies.

31. The Chairman thanked the Police for their proactive efforts to follow up on the issue of car washing shops washing cars on the streets in the district. He added that in recent months, people were often found congregating and pulling down their face masks to eat and drink near the minibus stop at the junction of Un Chau Street and Castle Peak Road at night, which caused environmental hygiene problems and obstructed the streets, and he hoped the departments concerned would follow up. He also asked FEHD to enhance its rodent control work because of signs of deterioration in the rodent problem in the district as summer approached.

32. Mr Edwin HUI gave a consolidated response saying that the mosquito infestation in the district had been a key concern of FEHD. In June, the area gravidtrap index (“AGI”) for *Aedes albopictus* recorded in Sham Shui Po East was found higher than Cheung Sha Wan and Lai Chi Kok, but the indices of the three areas were still at Level 2 (i.e. an AGI equal to or greater than 5% but smaller than 20%). FEHD, in collaboration with the Leisure and Cultural Services Department and the Housing Department (“HD”), inspected black spots of mosquito infestation in the district. While each department would enhance the mosquito control work in areas within its purview, FEHD would provide the relevant departments with guidance on the anti-mosquito technologies. As for the problem of rodent infestation, FEHD had launched a pilot scheme with DSD to place rodenticides in selected sewers. Other than stepping up the rodent control work at public space, FEHD also worked closer with HD to jointly inspect common areas in public housing estates, plazas, etc. in the district, as well as providing HD with anti-rodent information and technical suggestions. FEHD would continue to target the three fundamental survival conditions of rodents, namely food, harbourage and passages, to solve the problem of rodent infestation, i.e. elimination of the food sources and hiding places of rodents as well as blockage of their travel routes. Besides, the Department had also introduced thermal imaging cameras with artificial intelligence analytical function for monitoring the areas and extent of rodent activities. With the cameras’ precise detection of rodents’ travel routes, FEHD could carry out rodent control work, including the placing of rodenticides and trapping devices, in a more targeted way. The data generated by the thermal imaging cameras could also be used to provide quantitative indicators to assess the effectiveness of anti-rodent work. As for the environmental hygiene problem near Pei Ho Street Municipal Services Building, FEHD would reinforce the patrol and law enforcement by the task force in the vicinity, and anyone found spitting would be given a fixed penalty notice immediately. He added that FEHD had conducted a joint clearance and law enforcement operation with the Fire Services Department for the obstruction of escape routes by miscellaneous articles at the rear lane near No. 171 Cheung Sha Wan Road, and would continue to work with other relevant departments and provide regular cleansing service in the area. With regard to the problem of dripping air conditioners, as the law enforcement officers of FEHD had encountered various difficulties during investigations, including the inability to enter the units concerned or identify who bore the responsibility to repair the air conditioners concerned, it took the Department a vast amount of time and manpower to follow up on these complaints. To solve the problem of dripping air conditioners as quickly as possible, FEHD would appeal to the owners or occupants of the units involved to take care of the issue as soon as possible when following up on the complaints. If the situation persisted, the Department would issue a Nuisance Notice.

33. Mr Patrick TSE gave a consolidation response saying that the Marine Police and C&ED conducted joint operations to combat smuggling activities of various articles, including cigarettes. The Police would also tackle illegal activities involving drugs.

Furthermore, the Police would continue to reinforce the patrols at black spots where people congregated at Pei Ho Street, Un Chau Street, etc. and issue fixed penalty notices to people violating the prohibition on group gathering.

34. Mr Wallace YIU gave a consolidated response saying that the numbers of cases about car washing shops washing cars on the streets listed in the report by EPD covered the whole SSP District. EPD conducted joint operations with FEHD on 8 April and 16 July this year to implement surprise inspections on the car washing shops being complained about on Un Chau Street, Fuk Wing Street, Cheung Wah Street, Yu Chau Street and Hai Tan Street.

35. Mr Ramon YUEN said that quite a few recommendations had been made in the aforementioned Ombudsman's investigation report, covering the code of practice of FEHD's pest control team and the data analysis and publicity of mosquito control schemes. He requested that FEHD give a detailed account of the performance of SSP District Environmental Hygiene Office in the above areas. He also recognised that FEHD encountered various difficulties while looking into the cases of dripping air conditioners. He thus suggested commissioning organisations in the district with the District Council ("DC") funds to check residential units in the district together with FEHD to see if there were dripping air conditioners, and then prepare investigation reports for the reference of Members and the public.

36. The Chairman said that dripping air conditioners fell into the category of residential building issues so he thought it was more appropriate for the Housing Affairs Committee or its working groups to conduct the investigations concerned, and the details should also be studied further.

37. Mr Ramon YUEN said that a few working groups were well placed to conduct the investigations discussed above. Since FEHD was experienced in handling the problem of dripping air conditioners, he requested that the Department consider this suggestion in detail.

38. The Chairman suggested that FEHD study whether DC resources were needed to resolve the problem of dripping air conditioners, and report in detail on how they would improve the anti-mosquito work according to the Ombudsman's investigation report at the next meeting.

39. Mr Edwin HUI gave a consolidated response saying that FEHD had been working proactively to improve the problem of mosquito infestation in SSP District and they would provide supplementary information at the next meeting to explain in detail whether their mosquito prevention and control work had fulfilled the requirements of the Ombudsman

and the related improvement measures.

40. Mr Jay LI enquired about the details of the pilot scheme pertaining to the placing of rodenticides in public sewers by FEHD and DSD. He wished to know about its objectives, implementation strategies, the safety of rodenticides and their impacts on the neighbourhood.

41. Mr Edwin HUI gave a consolidated response saying that DSD suspected there were rodents in the sewage system so it launched the pilot scheme about two years ago with FEHD to place rodenticides in rodent-infested sewers with less sewage, with the effectiveness of the scheme monitored and the locations for placing rodenticides reviewed regularly. Apart from conducting the pilot scheme, FEHD would also continue to step up all the rodent preventive and control measures on the ground, in order to eradicate the infestation.

42. The Chairman concluded that the Committee noted the above eight reports.

Agenda Item 3: Reports from Working Groups under the Committee

(a) Working Group on Markets, Street Traders and Food Safety (EHC Paper 59/21)

43. The Committee noted and endorsed the above report.

Agenda Item 4: Any other business

44. Members did not raise any other business.

Agenda Item 5: Date of next meeting

45. The next meeting would be held at 9:30 a.m. on 7 October 2021 (Thursday).

46. There being no other business, the meeting ended at 11:13 a.m.

District Council Secretariat

Sham Shui Po District Office

September 2021