

(Translation)

Minutes of the 2nd Meeting of the Environment and Hygiene Committee of
Sham Shui Po District Council (6th Term)

Date: 5 March 2020 (Thursday)

Time: 9:30 a.m.

Venue: Conference Room, Sham Shui Po District Council

Present

Chairman

Mr CHUM Tak-shing

Members

Ms CHAU Yuen-man, Eunice

Ms CHOW Wing-heng, Zoé (Arrived at 9:45 a.m.; left at 12:21 p.m.)

Mr HO Kai-ming, Calvin (Arrived at 11:20 a.m.)

Mr HO Kwan-chau, Leo (Arrived at 9:39 a.m.; left at 12:05 p.m.)

Mr KONG Kwai-sang (Arrived at 10:40 a.m.)

Mr LAO Ka-hang, Andy

Ms LAU Pui-yuk, MH

Mr LAU Wai-chung, Lawrence (Left at 12:10 p.m.)

Mr LEE Hon-ting, Howard

Mr LEE Man-ho, Leos (Arrived at 9:49 a.m.)

Mr LI Chun-hei, Joshua

Mr LI Kwing, Richard

Mr LI Ting-fung, Jay

Mr MAK Wai-ming (Left at 12:10 p.m.)

Ms NG Mei, Carman (Left at 12:10 p.m.)

Ms NG Yuet-lan, Janet

Mr SIN Kam-ho, Jeffrey (Arrived at 9:44 a.m.)

Mr TAM Kwok-kiu, MH, JP (Arrived at 11:20 a.m.)

Mr TSUI Yat-hin, Ronald (Arrived at 10:00 a.m.)

Mr WAI Woon-nam (Left at 12:15 p.m.)

Mr YEUNG Yuk (Arrived at 10:15 a.m.)

Mr YUEN Hoi-man, Ramon (Arrived at 9:35 a.m.)

Co-opted Members

Ms CHAN Hiu-ching (Left at 12:40 p.m.)

Ms CHAN Ka-yi
Mr CHOW Lai-yin

In Attendance

Miss LUI Hiu-wei, Michelle
Mr SUM Siu-hin

Mr AU Ka-lok

Mr LIM Ying-lam

Mr YIU Yau-man, Wallace

Mr CHAN Chi-suen, Rex

Mr MOK Wai-hai, Sam
Mr CHUNG Yan-chi, Jocky

Mr TONG Ka-keung

Mr LAW Yuen-wai

Mr YIU Hon-sang

Mr LEUNG Ka-ho

Assistant District Officer (Sham Shui Po) 2
District Environmental Hygiene Superintendent (Sham Shui Po), Food and Environmental Hygiene Department
Chief Health Inspector 1, Sham Shui Po District, Food and Environmental Hygiene Department
Chief Health Inspector 3, Sham Shui Po District, Food and Environmental Hygiene Department
Senior Environmental Protection Officer (Regional West) 5, Environmental Protection Department
Police Community Relations Officer (Sham Shui Po District), Hong Kong Police Force
Chief Estate Officer/Kowloon West, Lands Department
Principal Estate Officer/Kowloon West (North), Lands Department
Property Service Manager/S(KWS) 2, Housing Department
Senior Property Manager/Un Chau Estate Property Services Management Office, Housing Department
Senior Manager - Community Relations, Link Asset Management Limited
Senior Officer - Community Relations, Link Asset Management Limited

Secretary

Mr CHU Hei-yeung, Angus

Executive Officer (District Council) 1, Sham Shui Po District Office

Opening Remarks

The Chairman welcomed members and representatives from government departments to the second 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 public gallery would not be open, and the meeting should be adjourned before noon.

Agenda Item 1: Confirmation of minutes of the 1st meeting held on 14 January 2020

2. The Committee confirmed the above minutes without amendment.

Agenda Item 2: Matters for discussion

(a) Request the Department of Health, the Centre for Health Protection, the Housing Department, the Link and the MTR Corporation Limited to send representatives to the meeting to report on measures against two preliminarily confirmed cases of Wuhan pneumonia at Un Lok House, Un Chau Estate (EHC Paper 18/20)

3. Mr Howard LEE introduced Paper 18/20 and raised the following enquiries: (i) he enquired why the Housing Department (“HD”) did not cleanse the concerned unit on the day when there were confirmed cases in Un Chau Estate; (ii) he enquired whether HD Headquarters had provided guidelines on the scope and the frequency of cleansing; (iii) he enquired whether the Link Asset Management Limited (“Link”) would carry out deep cleansing in Un Chau Shopping Centre; (iv) he requested the Department of Health (“DH”) to report on the source of infection of two confirmed cases in Un Chau Estate.

4. The Chairman welcomed the representatives of HD and the Link to the meeting.

5. Mr TONG Ka-keung responded as follows:

- (i) After learning via the media that there were preliminarily confirmed cases in Un Chau Estate, HD and the Property Services Management Office of the said estate had immediately stepped up cleansing and disinfection of the buildings and public facilities in the estate to relieve residents’ concerns.
- (ii) Public places and facilities in Un Chau Estate had been temporarily closed.
- (iii) The Property Services Management Office had displayed notices to remind residents to pay attention to personal hygiene.

- (iv) Cleansing work at the residential unit of the confirmed cases was led by the Centre for Health Protection (“CHP”) and the Food and Environmental Hygiene Department (“FEHD”).

6. Mr LAW Yuen-wai responded as follows:

- (i) On 1 March, the Property Services Management Office learnt about the confirmed cases from the media. As arranged by CHP and FEHD, disinfection at the said unit was scheduled for 2 March, but due to a lock problem, the unit could not be entered. Therefore, disinfection could only be carried out on the following day.
- (ii) All facilities in the public areas of the buildings would be cleansed and disinfected regularly.

7. Mr YIU Hon-sang responded as follows:

- (i) The Link expressed grave concern over the epidemic and had stepped up cleansing efforts at its shopping centres, markets, car parks and other public areas.
- (ii) The Link had regularly carried out deep cleansing for all facilities in Un Chau Shopping Centre, stepped up inspections of the ventilation system, and required all frontline staff to check their temperatures regularly and wear masks.
- (iii) The Link had informed all restaurants in Un Chau Shopping Centre of the confirmed cases and worked together with cleansing contractors to carry out comprehensive disinfection in shop premises.
- (iv) The Link supported the establishment of an epidemic-prevention notification mechanism to facilitate an early exchange of information.

8. Mr Howard LEE raised the following enquiries: (i) he enquired whether HD carried out other disinfection work on 2 March; (ii) he enquired whether HD had been informed of the confirmed cases in Un Chau Estate by other departments.

9. Mr TONG Ka-keung responded that CHP and the Sham Shui Po District Office (“SSPDO”) had informed HD of the confirmed cases in Un Chau Estate.

10. Mr LAW Yuen-wai responded that although the said unit could not be disinfected on 2 March, a target approach had been taken to disinfect all public areas of a few floor levels

below and above the said unit back then.

11. Mr Howard LEE enquired about the cleansing of Po On Road Market and the streets in the vicinity.

12. Mr SUM Siu-hin responded that FEHD had stepped up disinfection at Po On Road Market and the streets between Un Chau Estate and the said market by using more concentrated bleach.

13. Mr MAK Wai-ming raised the following views: (i) FEHD should display notices after disinfection to ease the concerns of the stall operators and the public; (ii) as reflected by some stall operators, the ventilation system of the said market was so old and hence caused a stuffy environment, which made them stop wearing masks. He suggested that FEHD should step up issuance of advice and follow up on the ventilation issue.

14. Mr Jeffrey SIN enquired how many masks were given to each frontline staff by FEHD daily.

15. Mr SUM Siu-hin gave a consolidated response as follows:

- (i) FEHD would continue to ensure that all cleansing workers would be provided with adequate personal protective equipment (“PPE”) at work.

[Post-meeting note by FEHD: Generally speaking, cleansing contractors were required to provide cleansing workers with PPE (including masks) at work. However, given that there were considerable difficulties currently in procuring masks in the market, the Government has decided to implement a temporary measure of setting aside the additional masks produced by the Correctional Services Department (“CSD”) each month for free distribution to cleansing workers engaged by government service contractors, in order to protect frontline cleansing workers who were serving the public. Since mid-February, the district had accorded priority to workers engaged by street cleansing service contractors by providing each worker with a mask to ensure that adequate protection was given to them. Meanwhile, contractors would provide workers with additional masks based on their operational needs.]

- (ii) FEHD would explain its disinfection efforts to stall operators in the said market one by one, advise them to wear masks at work and step up publicity on cleansing efforts.

16. Mr WAI Woon-nam raised the following views: (i) the ventilation system of the said

market was old and the air ventilation was not satisfactory. He suggested that FEHD should install an air-conditioning system for the said market; (ii) HD and the Link should follow FEHD's practice of providing masks to frontline workers daily.

17. Mr SUM Siu-hin noted members' views.

18. The Chairman concluded as follows: (i) the Committee regretted that DH and the MTR Corporation Limited did not send representatives to the meeting; (ii) DH was requested to step up its efforts to notify other government departments; (iii) FEHD, HD and the Link reacted promptly and succeeded in minimising the impacts of the confirmed cases on the public; (iv) it was suggested that FEHD, HD, the Link, etc. should further enhance the protective equipment for frontline staff; (v) it was suggested that FEHD should step up the epidemic-prevention publicity at the said market.

(b) The Government does not have the "list" made public and refuses to close all boundary control points It should return the right of access to information about the epidemic (EHC Paper 19/20)

19. Mr Howard LEE introduced Paper 19/20 and expressed regret that DH did not send representatives to the meeting to respond to the Paper.

20. Mr Lawrence LAU raised the following views and enquiries: (i) in Cap. 599C of the Laws of Hong Kong, there was no express provision that it is mandatory for the authorities to announce a list of persons placed under quarantine. He considered the legal provisions inadequate; (ii) he enquired whether the list mentioned in the motion in Paper 19/20 referred to a list of persons placed under quarantine or a list of their places of residence.

21. Ms LAU Pui-yuk raised the following views and enquiries: (i) she expressed regret that DH did not send representatives to the meeting; (ii) DH and other relevant departments should provide more support to buildings in which residents placed under quarantine lived. She also enquired what epidemic-prevention efforts FEHD and the Home Affairs Department ("HAD") had made in these buildings; (iii) DH should exercise closer monitoring of persons placed under home quarantine.

22. Mr Joshua LI raised the following views: (i) DH should make public the list of persons placed under quarantine and keep it updated so that residents, owners' corporations and management companies of relevant buildings could step up cleansing work as early as possible; (ii) the Government's current efforts in monitoring persons placed under quarantine were inadequate, with loopholes in the implementation. Therefore, the Government should completely close all boundary control points.

23. Mr Jay LI raised the following views and enquiries: (i) DH should update the list of persons placed under quarantine every day; (ii) the Government should completely close all boundary control points, set up quarantine facilities at remote locations and ensure transparency of all epidemic-related information; (iii) he enquired how the Government supported the organisations responsible for managing buildings where persons placed under quarantine lived.

24. Mr WAI Woon-nam said that if HAD had the list of persons placed under quarantine, it should inform the District Council (“DC”) Members of the concerned constituencies.

25. Mr SUM Siu-hin gave a consolidated response, saying that FEHD conducted street cleansing and sweeping on a regular basis and had stepped up relevant efforts.

26. Miss Michelle LUI gave a consolidated response as follows:

- (i) SSPDO’s role was to provide hotline service to persons placed under home quarantine whereas CHP was responsible for announcing all other information.
- (ii) SSPDO had issued letters to buildings in the district, reminding them to strengthen epidemic-prevention measures.
- (iii) Under the District-led Actions Scheme (“DAS”), SSPDO had engaged two additional cleansing teams to assist in cleansing the common areas of “three-nil buildings”.

27. Ms Carman NG said that if a person placed under home quarantine was living in a public rental housing (“PRH”) unit, DH should proactively inform the relevant property service manager in HD to arrange a large-scale cleansing exercise, with a view to allaying residents’ concerns.

28. Ms Janet NG raised the following views: (i) security measures of DH’s quarantine facilities were inadequate, and families of persons placed under quarantine in these facilities also lacked support; (ii) various government departments should proactively seek resources for epidemic-prevention efforts.

29. Mr Richard LI raised the following enquiries: (i) he enquired whether SSPDO and HD had set up a notification mechanism for home quarantine cases in PRH; (ii) he enquired whether the Government would consider imposing compulsory quarantine on arrivals from all infected areas.

30. Ms CHAN Ka-yi raised the following views and enquiries: (i) the list of persons

placed under quarantine was announced on the Internet only, and this caused inconvenience to members of the public who had no internet access. The Government should provide additional means to disseminate epidemic-prevention information, with a view to facilitating the elderly, persons who have worked from home for a prolonged period of time, visually impaired individuals and the ethnic minorities to keep abreast of the latest information; (ii) she enquired whether SSPDO would make public the list of persons placed under quarantine and set up a separate notification mechanism for the public.

31. Mr YEUNG Yuk raised the following views: (i) DH did not provide the public and other departments with adequate epidemic-prevention information, such as places where confirmed cases had visited, etc.; (ii) DH should enhance transparency and accuracy of epidemic-prevention information in order to prevent other departments or organisations from wasting epidemic-prevention resources.

32. Miss Michelle LUI gave a consolidated response as follows:

- (i) Local residents affected by home quarantine might call HAD hotlines for assistance. Depending on their requests, SSPDO would contact the Social Welfare Department or relevant departments for follow-up as appropriate. Due to privacy reasons, SSPDO would not release information about requests for assistance received by hotlines.
- (ii) SSPDO would conduct site visits before finalising the list of “three-nil buildings” for cleansing service, and hoped that the cleansing service would help prevent the spread of the epidemic.
- (iii) The Government had distributed epidemic-prevention information leaflets in different languages, and produced various types of television advertisements on epidemic-prevention measures.

33. The Chairman raised the following enquiries: (i) he enquired whether SSPDO could request DH to provide the list of persons placed under quarantine; (ii) he enquired whether SSPDO could display a list of buildings where persons placed under home quarantine lived on the notice boards of the DC and update the list daily.

34. Miss Michelle LUI responded as follows:

- (i) There was a division of labour and co-operation between departments during the fight against the epidemic. All district offices of the HAD were mainly responsible for providing hotline service.

(ii) The view on updating DC notice boards was noted.

35. Mr Lawrence LAU raised the following views and enquiries: (i) the ordinance merely provided that a place of quarantine should be a place where “an authorized officer considered it prudent and appropriate in the circumstances of the case” and did not expressly stated that it should be a place of residence. He enquired about DH’s criteria for assessing whether the places concerned were prudent and appropriate; (ii) Cap. 599C of the Laws of Hong Kong would expire on 7 May 2020. He suggested requesting the Legislative Council and the Government to add a statutory requirement of “announcing a list of persons placed under quarantine regularly” into the ordinance when extending its validity.

36. Ms Carman NG raised the following views: (i) SSPDO should update DC notice boards daily and display information on how to access the list of persons placed under quarantine; (ii) papers for display on DC notice boards should be larger than A4 size, which would make it easier for the public to read.

37. Mr Richard LI enquired whether SSPDO would inform HD of home quarantine cases.

38. Ms LAU Pui-yuk raised the following views and enquiries: (i) although DH’s list of persons placed under home quarantine was made available to SSPDO, the latter was very passive in the actual implementation of epidemic-prevention work. She enquired whether SSPDO could proactively liaise with relevant building management organisations upon receipt of the list; (ii) she believed that all DC Members were concerned about the development of the epidemic and the epidemic-prevention strategies.

39. The Chairman raised the following enquiries: (i) apart from DAS, he enquired whether SSPDO had any other epidemic-prevention efforts targeted at “three-nil buildings”; (ii) FEHD was mainly responsible for the cleansing of streets and markets. He enquired whether SSPDO could fill the service gap by proactively implementing epidemic-prevention work in buildings.

40. Miss Michelle LUI gave a consolidated response as follows:

- (i) SSPDO would distribute epidemic-prevention supplies donated by organisations as well as DH’s pamphlets to households in “three-nil buildings” through its youth volunteer team.
- (ii) SSPDO had allocated more resources to engage additional cleansing teams, with the goal of cleansing the common areas of 100 “three-nil buildings”.

(iii) SSPDO would continue to work with FEHD to frequently cleanse the rear lanes in the district.

(iv) Currently, DH did not have any established mechanism to inform other departments of the latest home quarantine cases. However, SSPDO would follow up when requests for assistance were received by hotlines.

41. Ms Carman NG said that the District Officer should use the approaches for dealing with Severe Acute Respiratory Syndrome at the time as reference, exercising his powers to lead SSPDO to implement epidemic-prevention work more proactively.

42. Ms Janet NG enquired whether SSPDO had discussed with DH regarding the establishment of a notification mechanism for home quarantine cases.

43. The Chairman enquired whether the District Officer did not do his utmost to follow up the development of the epidemic due to the restrictions caused by the Government's special work arrangement.

44. Miss Michelle LUI gave a consolidated response as follows:

(i) Since the outbreak of the epidemic, the District Officer had kept monitoring the developments closely and dealing with epidemic-prevention matters in the district proactively.

(ii) She thanked members and all departments for working together against the epidemic.

45. The Chairman concluded as follows: (i) the contents of Paper 19/20 were mainly about DH's work. The Committee regretted that DH did not send representatives to the meeting; (ii) it was understood that the public were worried as the number of persons placed under quarantine was increasing while there were delays in the announcement of information. Therefore, all departments should update epidemic-prevention information more proactively to make cleansing and disinfection work more efficient and focused; (iii) it was suggested that when extending the validity of Cap. 599C of the Laws of Hong Kong, a provision should be added to require the Government to make public the list of persons placed under quarantine; (iv) it was hoped that DH would consider attending future meetings to respond to members' enquiries on epidemic-prevention matters.

46. Mr Howard LEE moved a motion on Paper 19/20, which read as follows:

“This Committee requests the Government to update the list of ‘buildings of the

confinees under mandatory quarantine according to Cap. 599C of Hong Kong Laws' daily, and to proactively announce an updated list every day at 6:00 p.m. through online and offline means."

47. Mr KONG Kwai-sang seconded the motion.

48. Mr Lawrence LAU said that Cap. 599C of the Laws of Hong Kong did not require a person to undergo quarantine in his/her place of residence. Therefore, he suggested that the list as mentioned in the motion should be amended to a list of "locations of the confinees under mandatory quarantine according to Cap. 599C of Hong Kong Laws", with a view to ensuring that all persons placed under mandatory quarantine were covered.

49. Mr Howard LEE accepted the above suggestion and amended the motion as follows:

"This Committee requests the Government to update the locations of the confinees under mandatory quarantine according to Cap. 599C of Hong Kong Laws, and to proactively announce an updated list every day at 6:00 p.m. through online and offline means."

50. The Committee voted on the motion.

51. The Chairman announced that the motion moved by Mr Howard LEE was carried unanimously.

(c) Expanded polystyrene foam boxes accumulate on roads and departments' handling is bureaucratic and poor (EHC Paper 4/20)

52. Mr Ronald TSUI introduced Paper 4/20. Regarding the response by the Environmental Protection Department ("EPD"), he raised the following enquiries: (i) he enquired why the Environment and Conservation Fund could not operate any project in Sham Shui Po District ("SSP District"); (ii) he enquired whether EPD would provide support to expanded polystyrene ("EPS") foam recyclers.

53. Mr SUM Siu-hin introduced Response Paper 14/20 and added the following remarks:

- (i) EPS foam items were items of a certain value. The approach for handling these items was not same as that for domestic waste.
- (ii) FEHD had stepped up inspection and law enforcement efforts at the location concerned. In the past six months, 80 "Notices to Remove Obstruction" were issued and the cleansing work on pavements of the said location were enhanced.

54. Mr Wallace YIU introduced Response Paper 16/20 and added the following remarks:

- (i) EPS foam boxes were temporarily stored outside the wholesale market by logistics companies before being reused. According to his understanding, these EPS foam boxes would not be used for recycling or reprocessing purposes. Noting that these foam boxes caused unlawful occupation of land and obstruction of pavements, EPD had contacted relevant operators and advised them to lease short-term tenancy (“STT”) sites (for non-recycling purposes) by way of open tender for storing EPS foam boxes. Relevant tendering procedures and the terms and conditions had also been explained to them.
- (ii) The Department’s earlier suggestion of making use of Wang Cheong Factory Estate aimed primarily to help resolve the problem of street obstruction caused by second-hand electrical appliances in the district. It was not a commitment to identify recycling sites for operators who temporarily stored EPS foams.

55. Mr Rex CHAN responded as follows:

- (i) In the past few months, FEHD contacted the Police for a few times with the intent of conducting joint law enforcement operations outside Cheung Sha Wan Wholesale Vegetable Market. However, the Police could not accede to the request due to manpower constraints.
- (ii) Starting from March 2020, many police officers would be deployed back to Sham Shui Po Police District. The Police would start to plan for joint operations with FEHD.
- (iii) A manager of the wholesale market said that those EPS foam boxes did not belong to the wholesale market and did not affect its operation. It was believed that they were left behind by logistics companies.
- (iv) EPS foam boxes outside the wholesale market had caused a fire before. Accumulation of EPS foam boxes on roads would also affect road users’ safety and cause environmental hygiene issues. Therefore, the Police considered it necessary to conduct joint operations with FEHD to tackle the problem.
- (v) To solve the problem at root, the Police reckoned that logistics companies should be assisted to identify STT sites for temporary storage of EPS foam boxes.

56. Mr MAK Wai-ming said that EPS foam boxes also accumulated outside a number of vegetable stalls in the district, causing road obstruction and mosquito and rodent infestation. He enquired whether FEHD, EPD and the Police had any specific measures in this respect.

57. Ms Zoé CHOW raised the following views: (i) she thanked FEHD for conducting on-site inspections with her during the last DC term; (ii) EPS foam boxes outside the wholesale market accumulated up to the height of an adult such that views of the public were blocked; (iii) EPS foam boxes caused environmental hygiene problems, increased the risk of fire and caused substantial nuisance to nearby residents; (iv) follow-up efforts of FEHD, EPD and the Police were not effective; (v) in the long run, she suggested that EPD should consider assisting logistics companies to identify STT sites for temporary storage of EPS foam boxes.

58. Ms Carman NG raised the following views: (i) accumulation of EPS foam boxes on streets significantly affected nearby residents and students. Relevant departments had been playing a very passive role all along; (ii) she suggested that EPD should increase its funding for the Working Group on Environmental Protection (“WGEP”) to subsidise non-profit organisations for the handling of EPS foam boxes in the district to solve the problem at root.

59. Mr Ronald TSUI raised the following views: (i) EPS foam boxes also accumulated on Castle Peak Road and outside Po On Road Market; (ii) he reckoned that relevant departments needed to resolve the problem of accumulation and temporary storage of EPS foam boxes.

60. Ms Janet NG raised the following views: (i) EPD played a passive role in handling the problem and did not provide adequate resources; (ii) if EPS foam boxes were discarded at landfills without being recycled, it would lead to a serious waste problem; (iii) she urged EPD to follow up proactively and implement members’ suggestions.

61. Mr Wallace YIU gave a consolidated response as follows:

- (i) Response Paper 14/20 was the overall response by EPD.
- (ii) Logistics companies’ associated operations outside the wholesale market only involved transportation and temporary storage of EPS foam boxes for reuse. Disposal and procedures such as recycling, reprocessing, etc., were not involved, and fly-tipping of waste was also not involved.
- (iii) In response to a complaint earlier, the Department had provided the information to Ms Zoé CHOW to explain about other general STT sites (for non-recycling purposes) under the Lands Department (“LandsD”) that were available for the

persons concerned to tender.

- (iv) During the investigation of a complaint, the Regional Office of EPD deployed staff to conduct inspections in the vicinity of the said wholesale market, finding that there was no contravention of environmental protection laws, including the Waste Disposal Ordinance.

62. Mr Ronald TSUI was disappointed with EPD's response. He enquired about the eligibility criteria for applying for the Recycling Fund and leasing the relevant STT sites by way of tender.

63. Mr Wallace YIU responded that an organisation had to engage in material recovery and recycling activities (e.g. procedures such as dismantling, machine sorting, crushing, cleansing, removing impurities, granulating, etc.) if it wished to apply for the Recycling Fund and lease STT sites available to the recycling industry by way of tender. Organisations would be considered only if the above criteria were met.

64. Mr Rex CHAN gave a consolidated response as follows:

- (i) The crux of the problem was the recycling and handling method of EPS foam boxes.
- (ii) The Police and FEHD would conduct joint law enforcement operations against problems that affected pedestrian safety.

65. Mr SUM Siu-hin gave a consolidated response as follows:

- (i) It was hoped that FEHD and the Police would conduct joint law enforcement operations once the manpower of the Police became sufficient.
- (ii) Many people, including the disadvantaged and the elderly, worked in the recycling industry in the district. They had to ensure that the storage of the items concerned would not affect other members of the public.
- (iii) If EPS foam boxes were placed on pavements for collection and caused obstruction, FEHD would first attach a "Notice to Remove Obstruction" to those foam boxes. If the notice was not complied with within a specific timeframe, FEHD would arrange to remove them.
- (iv) To solve the problem of EPS foam boxes in the district at root, suitable locations should be identified to accommodate EPS foam boxes so that they

would not be placed on streets arbitrarily before being handled.

66. Mr MAK Wai-ming raised the following views: (i) the Police and FEHD should increase the frequency of joint law enforcement operations to enhance deterrence; (ii) since those who collected EPS foam boxes were usually the disadvantaged and the elderly, FEHD might encounter certain difficulties in law enforcement. Therefore, the Police should provide additional assistance in this respect.

67. Ms Carman NG raised the following views and enquiries: (i) she suggested that EPD should arrange for members to visit the STT site designated for recycling purposes at Stonecutters Island and provide relevant application form samples to members; (ii) she enquired whether the wholesale market could allocate some space for temporary storage of EPS foam boxes; (iii) she reckoned that it would not be environmentally friendly for FEHD to confiscate EPS foam boxes. The way to solve the problem effectively at root was to identify suitable locations for temporary storage; (iv) she suggested that WGEP should invite EPD to send standing representatives to its meetings, with a view to enhancing collaboration between the Department and DC.

68. Ms CHAN Ka-yi raised the following views: (i) she suggested that vacant spaces in the wholesale market should be used for temporary storage of EPS foam boxes; (ii) accumulation of EPS foam boxes on streets would cause a nuisance. She suggested that departments should discuss the provision of sites for temporary storage promptly; (iii) EPD had published “A Waste Reduction Guidebook for Large Scale Event Organisers” earlier. She suggested that the Department should produce a similar guidebook for traders in the district.

[Post-meeting note by EPD: The problem concerned involved temporary storage of EPS foam boxes. “A Waste Reduction Guidebook for Large Scale Event Organisers” aimed to remind the community to minimise waste generation and follow other codes of practice on environmental protection when organising activities. It was applicable to large scale events organised in all districts, and provided clear and practical information and examples for reference. The website for reference was:

https://www.wastereduction.gov.hk/en/green_event_guide.htm]

69. Mr SUM Siu-hin gave a consolidated response as follows:

- (i) The problem of EPS foam boxes in the district was mainly due to recycling activities.
- (ii) FEHD would continue to carry out inspections, give advice, and conduct joint law enforcement operations with the Police.

70. Ms Carman NG made the following suggestions to EPD: (i) she requested the Department to invite all Sham Shui Po DC Members to visit the said site at Stonecutters Island, and to provide them with forms and information on applying for STT sites and the Recycling Fund; (ii) the Department should proactively contact LandsD to identify sites for temporary storage of EPS foam boxes, and to allocate funds to organisations which were operating recycling facilities.

71. Mr Wallace YIU gave a consolidated response as follows:

- (i) EPD would follow up on the visit to the STT site at Stonecutters Island after the meeting.
- (ii) Application forms and information on STT sites available to the recycling industry and the Recycling Fund had been uploaded to EPD's website. The Department was willing to provide relevant information by other means.

[Post-meeting note by EPD: Associated operations of relevant operators at the above location only involved temporary storage of EPS foam boxes, while procedures such as recovery and recycling or reprocessing (e.g. dismantling, machine sorting, crushing, cleansing, removing impurities, granulating, etc.) were not involved. Therefore, they did not meet the application requirements for the STT sites provided by the Government to the recycling industry or the Recycling Fund.]

- (iii) It was noted that as mentioned by the wholesale market, relevant EPS foam boxes did not belong to them and it would be difficult to allocate space therein for temporary storage.
- (iv) Space allocation in the wholesale market fell outside EPD's purview.

72. The Chairman concluded as follows: (i) the key to resolve the problem of accumulation of EPS foam boxes was to improve the handling mechanism as a whole; (ii) it was inevitable that a large quantity of EPS foam boxes would accumulate outside markets and the wholesale market to meet the daily operational needs; however, the problem caused serious nuisances to the public. EPD had the responsibility to discuss with relevant organisations on how to improve the entire recycling chain; (iii) it was suggested that WGEP should consider inviting non-profit organisations to lease STT sites, and working with EPD to resolve the temporary storage problem of EPS foam boxes; (iv) the use of the wholesale market of the Vegetable Marketing Organisation for temporary storage of EPS foam boxes could be considered.

(d) Restaurants cause nuisances endlessly and departments enforce the law hastily (EHC Paper 5/20)

73. Mr Jay LI introduced Paper 5/20 with the aid of video recordings. He then raised the following enquiries: (i) he enquired about relevant departments' evaluation results on the effectiveness of existing measures; (ii) apart from the Response Papers, he enquired whether departments had any other follow-up actions.

74. Mr SUM Siu-hin introduced Response Paper 15/20.

75. Mr Wallace YIU introduced Response Paper 17/20. He added that among the six noise nuisance cases referred by FEHD, EPD was following up on the one which dated back to February. Follow-up work on the other five cases, which were related to noises including those from operation of air conditioning systems, had been completed.

76. Mr Rex CHAN responded as follows:

- (i) The Police were responsible for handling noise nuisance cases in domestic premises and public places.
- (ii) In 2019, the Police received nearly 5 200 noise complaints, issued nearly 300 verbal warnings, and conducted numerous joint law enforcement operations with FEHD in SSP District.
- (iii) As the district was densely populated with a large number of restaurants, the number of noise nuisance cases would be relatively higher.
- (iv) Upon receipt of a noise complaint, the Police would attend the scene to find out whether the noise was beyond the generally acceptable level and caused a nuisance. Subject to the circumstances, a warning or a summons would be issued. Nevertheless, in most cases, the noise had often abated upon arrival of police officers.
- (v) As many police officers would be deployed back to Sham Shui Po Police District, the Police would have more manpower to handle non-emergency cases, such as noise nuisances.
- (vi) Apart from law enforcement operations, the self-discipline of restaurants and diners was also very important. Therefore, the Police would work with FEHD to step up education and publicity efforts.

77. Mr Jay LI raised the following views and enquiries: (i) many restaurants in the district were situated on ground floors. As a result, encroachment onto public places for business operation happened easily, and the number of prosecutions initiated by FEHD for this offence was relatively higher; (ii) as shown by the figures of the Police, warnings or summonses were not issued in the majority of noise complaints, which was mainly because the noise had stopped upon arrival of the Police; (iii) in view of the above reasons, he suggested that departments should establish a “noise black spot” mechanism, and step up inspection and law enforcement efforts at those black spots; (iv) as noise nuisance cases usually occurred late at night in the district, he enquired how departments handled complaints against noise at night.

78. Mr Calvin HO raised the following views: (i) some restaurants in the district frequently occupied streets to operate their business. FEHD should step up law enforcement efforts against this problem so as to abate the noise nuisances caused; (ii) exhaust outlets of chimneys of some restaurants directly faced households in the vicinity. EPD should step up law enforcement efforts in this respect; (iii) some restaurants directly disposed of food waste and refuse on streets and caused hygiene problems; (iv) departments should explore and implement methods that could resolve the above problems in the long run.

79. Mr WAI Woon-nam raised the following views: (i) there were still many licensed “dai pai dongs” in the district. FEHD, who was responsible for licensing matters, should step up monitoring efforts to ensure that the business areas of “dai pai dongs” were complying with the licensing requirements; (ii) departments should step up efforts to combat problems of street obstruction and noise nuisance caused by restaurants and “dai pai dongs”.

80. Mr Jeffrey SIN raised the following views: (i) the Police had indicated in the Police Magazine that it was an offence for a person, who carried on a trade or business, to make noise of which was a source of annoyance to any person. Such a definition of noise was slightly different from that under the Noise Control Ordinance; (ii) in the long run, he suggested that EPD and the Police should fully co-operate and update the said ordinance as appropriate in the light of the actual situation, with a view to resolving the noise problem.

81. The Chairman raised the following views and enquiries: (i) many restaurants did not dispose of glass bottles in EPD’s green recycling bins. Instead, glass bottles were placed in general containers, such as plastic bags, cardboard boxes, etc., for disposal, causing collision and noises; (ii) he enquired whether there was any law regulating ways to handle glass bottles.

82. Mr SUM Siu-hin gave a consolidated response as follows:

- (i) FEHD would follow up on the problems of illegal extension of business areas and obstruction of access by restaurants.
 - (ii) Regarding the problems with exhaust outlets of chimneys of restaurants and business areas of “dai pai dongs”, FEHD would check whether relevant restaurants were complying with the licensing requirements.
 - (iii) FEHD would step up inspections of restaurants in the district. In case of non-compliance, the Department would institute prosecutions if its advice was not heeded. Upon conviction, the restaurant concerned would be given demerit points or its licence would be revoked.
83. The Chairman enquired whether FEHD’s law enforcement efforts were too lenient.
84. Mr SUM Siu-hin responded as follows:
- (i) FEHD enforced the law strictly. The normal working hours of the Department’s law enforcement officers were between 9:00 a.m. and 6:00 p.m. Since some restaurants might illegally extend their business areas at night causing obstruction, the Department would arrange to handle suspected restaurant non-compliance cases at night as far as possible subject to actual circumstances.
 - (ii) FEHD would arrange special operations to follow up on the problems as mentioned by members.
85. Mr Wallace YIU gave a consolidated response as follows:
- (i) Noise generated from the operation of air-conditioning systems in restaurants fell within EPD’s regulatory ambit.
 - (ii) Currently, there were no laws regulating ways to dispose of glass bottles. The Department did not have information available on plans to make legislative amendments for the time being.
 - (iii) Relevant departments would conduct law enforcement operations in accordance with the Noise Control Ordinance and based on actual circumstances.
86. Mr Rex CHAN gave a consolidated response as follows:
- (i) The Noise Control Ordinance was enforced by a few departments. The Police

would enforce the laws in areas under their purview.

- (ii) Under the existing mechanism, the Police would record the complaints against a restaurant and the criminal cases it was involved in. When the liquor licence of the restaurant needed to be renewed, the Liquor Licensing Board would consider the overall report provided by the Police.
- (iii) If a new mechanism had to be established to tackle the noise problem, this should be discussed at DC Full Council meetings and the Government should take the lead to follow up.

87. Ms CHAN Ka-yi raised the following views and enquiries: (i) EPD was currently launching the “Sham Shui Po Community Green Station” project, which aimed to provide designated organisations with glass bottle recycling bins, while general shops did not participate in the project due to space constraints; (ii) she enquired whether EPD could place recycling bins at other locations in the community for restaurants to dispose of glass bottles.

88. Mr Wallace YIU noted the member’s views on the “Sham Shui Po Community Green Station” project.

89. The Chairman concluded that the noise problem of restaurants in the district was mainly attributed to illegal extension of business areas. Therefore, FEHD, EPD and the Police should step up law enforcement efforts and consider increasing the penalties to enhance deterrence.

90. Mr Jay LI raised the following views: (i) currently, departments would only handle a noise nuisance case upon receipt of a complaint. This practice was inefficient; (ii) the existing mechanism established by the Police could not regulate the restaurants that did not have a liquor licence; (iii) in view of the above reasons, he suggested that a “noise black spot” mechanism should be established to tackle the noise problem of restaurants.

91. The Chairman further concluded that no matter whether restaurants had liquor licences or not, relevant departments should adopt a multi-pronged approach to follow up on the problems of noise nuisance and obstruction of access.

(e) 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 6-13/20)

92. Mr Joshua LI raised the following views and enquiries: (i) he enquired why the Police did not conduct law enforcement operations against illegal hawking and obstruction of pavements in the last quarter; (ii) illegal feeding of wild birds at the open space outside Mount Sterling Mall and in the area beneath Kwai Chung Road Flyover in Mei Foo was acute. He suggested that FEHD should adjust the times of inspection at the locations concerned; (iii) offences such as littering, spitting, etc. would increase the risk of spreading diseases. He suggested that FEHD should step up relevant law enforcement efforts.

93. Mr KONG Kwai-sang raised the following views and enquiries: (i) illegal feeding of wild birds at the junction of Fat Tseung Street and Po On Road near Po On Road Playground was very acute. He enquired whether FEHD conducted inspections at the said location; (ii) there were cases which bird droppings were not cleaned up over a prolonged period in the district. He enquired how many times street cleansing was conducted in the district in the last quarter.

94. Ms Janet NG raised the following views and enquiries: (i) the Police did not conduct any operation in a few law enforcement areas in the last quarter. She hoped that the Police could resume the patrol on streets and step up law enforcement efforts against offences such as spitting, etc.; (ii) she hoped that FEHD's law enforcement officers could pay attention to environmental hygiene in order to avoid accumulation of water in law enforcement operations.

95. Mr Calvin HO said that the monthly figures in respect of the clearing of fly-tipped construction waste by the Highways Department ("HyD") did not change much in the last quarter, which indicated that the problem concerned had not improved. Therefore, he suggested that EPD should step up law enforcement efforts.

96. Ms LAU Pui-yuk said that the noise problem at Apliu Street outside the exit of Sham Shui Po MTR Station was acute, but the Police had not instituted any prosecution at the said location in the last quarter. Therefore, she suggested that the Police should step up law enforcement efforts and carry out joint operations with relevant departments to enhance deterrence.

97. Mr Jeffrey SIN suggested that the Police should include law enforcement figures in respect of removal of bills in its reports.

98. Mr SUM Siu-hin gave a consolidated response as follows:

- (i) Illegal feeding of wild birds at the open space outside Mount Sterling Mall and in the area beneath Kwai Chung Road Flyover in Mei Foo mainly took place between 4:00 a.m. and 5:00 a.m. FEHD would step up inspections during the

said period.

- (ii) FEHD instituted two prosecutions per month over the months covered by the table of “operations against feeding of wild birds” in Paper 12/20. However, the figures were not shown in the table as the locations concerned were not included. Therefore, starting from the next report, a row “other locations” would be added to the table for a better reflection of the prosecution figures.
- (iii) FEHD would follow up on the environmental hygiene problem caused by law enforcement officers.
- (iv) Regarding the problem of illegal feeding of wild birds, FEHD had conducted regular inspections at the junction of Fat Tseung Street and Po On Road.
- (v) FEHD conducted street cleansing in the district at least once every two weeks. The Department would review whether any locations were omitted and welcomed members to contact the Department for the matters concerned.

99. Mr Rex CHAN gave a consolidated response as follows:

- (i) Between October 2019 and January 2020, the Police deployed a lot of manpower to frontline duties. Due to manpower constraints, Sham Shui Po Police District gave priority to anti-crime operations involving life and property. Meanwhile, it also conducted law enforcement operations against indecent articles in the district.
- (ii) As many police officers would be deployed back to Sham Shui Po Police District, the Police would gradually resume the community policing work subject to resources availability.
- (iii) As removal of bills was not a duty of the Police, it would be more appropriate for FEHD to report relevant law enforcement figures.

100. The Chairman enquired whether the figures in FEHD’s report in respect of removal of illegally affixed commercial bills, banners and roll-up banners had already included bills which were removed with the assistance of the Police.

101. Mr LIM Ying-lam responded that the above figures covered all the clearing operations that FEHD took part in. The Department’s main objective in these operations was removal of bills.

102. Mr Wallace YIU gave a consolidated response as follows:

- (i) EPD had all along expressed concern over fly-tipping of construction waste in the district. It would co-ordinate with relevant departments to inspect black spots in the district and conduct ambush enforcement operations from time to time.
- (ii) EPD had increased manpower for conducting inspections and providing assistance in law enforcement efforts in the district. It also increased the inspection and law enforcement operations against fly-tipping of construction waste during and after office hours as well as during holidays based on specific needs. The number of inspections and ambush operations rose from 894 in 2017 to 979 in 2019. The amount of fly-tipped construction waste cleared by HyD was reduced year by year from 2 000 tonnes in 2016 to 1 090 tonnes in 2019. This reflected that EPD's law enforcement operations were effective.

103. Mr Joshua LI enquired whether removal of bills was beyond the Police's authority.

104. Mr Rex CHAN responded that the operations to remove bills related to the social movement was mainly led by FEHD whereas the Police only provided support to ensure safety of relevant personnel.

105. Mr Joshua LI enquired whether the Police would make an undertaking that it would not remove bills and perform work relating to those who affixed bills in future.

106. Mr Rex CHAN responded that the main objective of the Police's participation in the clearing operations was to provide security support only, and all relevant incidents should be reviewed objectively.

107. The Chairman suggested that members should collect relevant footage on removal of bills by police officers and submit it to the Police for follow-up action.

108. Mr TAM Kwok-kiu said that FEHD had not collected bulky waste at Nam Shan Estate and So Uk Estate in the last quarter. He suggested that the Department should examine whether there was room for improvement in the refuse collection facilities in these two housing estates.

109. Mr LIM Ying-lam responded as follows:

- (i) Bulky waste in housing estates, such as furniture, could not be collected or transported by general refuse collection vehicles. For housing estates which

were built long time ago, large grab lorries could not gain access to those housing estates because they exceeded the height limits of roads in the housing estates when in operation. Therefore, FEHD would arrange for smaller refuse collection vehicles to remove waste in these housing estates.

- (ii) FEHD had all along maintained communication with HD or outsourced contractors of housing estates. It would continue to review relevant arrangements.

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

Agenda Item 3: Any other business

111. Mr Howard LEE moved a provisional motion, which read as follows:

“FEHD should ensure that cleansing workers (including workers and drivers who are responsible for street cleansing, foremen at refuse collection points, workers in the pest control section, etc.) have adequate equipment to work, including providing workers with at least two compliant masks per shift, and should not prohibit cleansing workers from using their own masks. It should also conduct a comprehensive review of the system in respect of outsourced cleansing workers.”

112. Mr Ronald TSUI seconded the motion.

113. Mr Joshua LI enquired why FEHD provided each cleansing worker with one mask only, or even no mask at all, and forbade them to use their own masks.

114. Mr LIM Ying-lam responded as follows:

- (i) Under the Occupational Safety and Health Ordinance and the contracts, cleansing service contractors were responsible for providing their cleansing workers with masks or other PPE.
- (ii) Since mid-February 2020, the Government had been providing each frontline worker employed by cleansing service contractors with a mask produced by CSD daily as a temporary measure.
- (iii) Cleansing workers might choose to wear masks provided by cleansing service contractors or the Government.

115. Mr Joshua LI enquired whether cleansing workers could also use their own compliant

masks, apart from the masks provided by cleansing service contractors or the Government.

116. Mr LIM Ying-lam responded that cleansing workers could wear the masks provided by either cleansing service contractors or the Government as long as they were compliant.

117. Mr Joshua LI enquired whether relevant cleansing service contractors would not be penalised if all of their frontline cleansing workers wore compliant masks.

118. Mr LIM Ying-lam responded that relevant cleansing service contractors would have met the requirements as long as all of their frontline cleansing workers wore compliant masks or other PPE.

119. The Committee voted on the provisional motion.

120. The Chairman announced that the provisional motion moved by Mr Howard LEE was carried unanimously. He requested FEHD to ensure that cleansing service contractors provided their cleansing workers with masks daily.

Agenda Item 4: Date of next meeting

121. The next meeting would be held at 9:30 a.m. on 21 May 2020 (Thursday).

122. There being no other business, the meeting ended at 1:07 p.m.

District Council Secretariat
Sham Shui Po District Office
May 2020