

Sha Tin District Council**Minutes of the 3rd Meeting of
the Development and Housing Committee in 2016**

Date : 5 May 2016 (Thursday)
Time : 2:30 pm
Venue : Sha Tin District Council Conference Room
 4/F, Sha Tin Government Offices

<u>Present</u>	<u>Title</u>	<u>Time of joining the meeting</u>	<u>Time of leaving the meeting</u>
Ms PONG Scarlett Oi-lan, JP (Chairman)	DC Member	2:30 pm	7:35 pm
Mr SIU Hin-hong (Vice-Chairman)	"	2:30 pm	7:06 pm
Mr HO Hau-cheung, BBS, MH	DC Chairman	2:30 pm	6:54 pm
Mr PANG Cheung-wai, Thomas, SBS, JP	DC Vice-Chairman	2:30 pm	6:54 pm
Mr CHAN Billy Shiu-yeung	DC Member	2:30 pm	7:35 pm
Mr CHAN Kwok-keung, James	"	2:30 pm	7:35 pm
Ms CHAN Man-kuen	"	2:30 pm	6:39 pm
Mr CHAN Nok-hang	"	2:30 pm	7:35 pm
Mr CHENG Tsuk-man	"	2:30 pm	6:39 pm
Mr CHING Cheung-ying, MH	"	2:30 pm	6:39 pm
Mr CHIU Chu-pong, Sunny	"	2:30 pm	5:38 pm
Mr CHIU Man-leong	"	2:30 pm	6:59 pm
Mr HUI Yui-yu, Rick	"	2:30 pm	6:39 pm
Mr LAI Tsz-yan	"	2:30 pm	7:35 pm
Ms LAM Chung-yan	"	2:30 pm	5:16 pm
Mr LEE Chi-Wing, Alvin	"	5:05 pm	5:27 pm
Mr LEUNG Ka-fai, Victor	"	2:43 pm	5:07 pm
Mr LI Sai-hung	"	2:30 pm	7:35 pm
Mr LI Sai-wing	"	2:30 pm	6:55 pm
Mr LI Wing-shing, Wilson	"	2:30 pm	5:40 pm
Mr MOK Kam-kwai, BBS	"	2:30 pm	5:27 pm
Mr NG Kam-hung	"	2:30 pm	7:35 pm
Mr PUN Kwok-shan, MH	"	2:30 pm	5:02 pm
Mr TING Tsz-yuen	"	2:30 pm	7:02 pm
Mr TONG Hok-leung	"	2:30 pm	5:06 pm
Ms TSANG So-lai	"	2:30 pm	5:38 pm
Ms TUNG Kin-lei	"	2:30 pm	7:35 pm
Mr WAI Hing-cheung	"	2:30 pm	6:57 pm
Mr WONG Fu-sang, Tiger	"	2:30 pm	7:35 pm
Mr WONG Hok-lai	"	2:30 pm	7:35 pm
Mr WONG Ka-wing	"	2:30 pm	6:54 pm
Ms WONG Ping-fan, Iris	"	2:41 pm	6:39 pm
Mr WONG Yue-hon	"	2:30 pm	7:35 pm
Mr YAU Man-chun	"	2:30 pm	7:35 pm
Mr YIP Wing	"	2:30 pm	6:46 pm
Mr YIU Ka-chun	"	2:30 pm	6:39 pm
Ms YUE Shin-man	"	2:37 pm	6:55 pm
Mr YUNG Ming-chau, Michael	"	2:30 pm	7:35 pm
Ms LUI Wui-sze, Olivia (Secretary)	Executive Officer (District Council) 3, Sha Tin District Office		

In Attendance

Mr WONG Tin-pui, Simon
 Mr YUEN Chun-kit, Derek
 Mr TSAI Yu-sing, Eric

Mrs TANG FUNG Shuk-yin
 Mr LAU Chun-him, Kenny
 Ms POON Yuk-ting, Karen

Title

Assistant District Officer (Sha Tin)
 Senior Executive Officer (District Council), Sha Tin District Office
 District Environmental Hygiene Superintendent (Sha Tin)
 Food and Environmental Hygiene Department
 Senior Housing Manager (Sha Tin), Housing Department
 Senior Town Planner/Shai Tin, Planning Department
 Senior Estate Surveyor/Northwest (District Lands Office, Sha Tin)
 Lands Department

In Attendance by Invitation

Mr WONG Pui-chun

Mr WU Ming-fung, Richard

Mr CHEUK Cheung-kei

Mr LAU Yip-ming, Raymond

Ms AU Pui-ling, Fion
 Ms NGO Po-ling
 Ms LAU Pik-yuk

Mr James KWONG
 Mr Stanley HO

Title

Senior Building Services Engineer
 (Tai Po, North District, Sha Tin and Sai Kung), Housing Department
 Senior Maintenance Surveyor (Tai Po, North District, Sha Tin and Sai Kung)
 Housing Department
 Property Service Manager (Property Services)
 (Tai Po, North District, Sha Tin and Sai Kung) (1), Housing Department
 Senior Estate Surveyor/Southeast
 District Lands Office, Sha Tin
 Acting Senior Structural Engineer/C4, Buildings Department
 Housing Manager/Shui Chuen O, Housing Department
 Housing Manager/Ma On Shan and Tseung Kwan O (2)
 Housing Department
 Senior Portfolio Manager, Link Real Estate Investment Trust
 Portfolio Manager, Link Real Estate Investment Trust

Absent

Mr MAK Yun-pui

Title

DC Member (Application for leave of absence received)

Action

The Chairman welcomed members and representatives of government departments to the third Meeting of the Development and Housing Committee (DHC) of the year.

2. The Chairman informed the meeting that some members of the public, being present as observers, were taking photos and making video and audio recordings.

Application for Leave of Absence

3. The Chairman said that the Secretariat had received the application for leave of absence in writing from the following member:

Mr MAK Yun-pui Official commitment

4. Members unanimously approved the application for leave of absence submitted by the member above.

Confirmation of the Minutes of the Meeting Held on 3 March 2016

5. Members unanimously confirmed the above minutes of the meeting.

Matters Arising

Response of the Relevant Government Department to Matters Arising from the Previous Meeting

(Paper No. DH 9/2016)

6. Regarding the proposal of bus bays and pedestrian crossing facilities mentioned in paragraph 1.2 of the paper, Mr Michael YUNG asked when the Housing Department (HD) could obtain approval from the Transport Department (TD) and take forward the proposal, and when the proposal would be gazetted and submitted to the Legislative Council for funding.

7. Mrs TANG FUNG Shuk-yin, Senior Housing Manager (Sha Tin) of the HD said that the colleagues concerned would respond to the enquiries raised by Mr Michael YUNG after the meeting.

HD

8. Members unanimously endorsed the above paper.

Discussion Items

2016/2017 Work Plan for Sha Tin District

(Paper No. DH 10/2016)

9. The Chairman welcomed Mrs TANG FUNG Shuk-yin, Senior Housing Manager (Sha Tin), Mr WONG Pui-chun, Senior Building Services Engineer (Tai Po, North District, Sha Tin and Sai Kung), Mr Richard WU, Senior Maintenance Surveyor (Tai Po, North District, Sha Tin and Sai Kung), and Mr CHEUK Cheung-kei, Property Service Manager (Property Services) (Tai Po, North District, Sha Tin and Sai Kung) (1) of the HD to attend the meeting.

10. Mrs TANG FUNG Shuk-yin briefly introduced the contents of the paper.

11. The views of Ms CHAN Man-kuen were summarised below:

- (a) about 20% of the residents in Kwong Yuen Estate were tenants, and the daily building maintenance was outsourced to contractors of the HD. A contractor had damaged the water pipe of a household during maintenance. It took time for the household to claim compensation, but the HD did not provide enough support. She requested the HD to strengthen their role in building maintenance;
- (b) the contractors had to handle a number of cases every day, and sometimes even had to carry out maintenance works for two or three housing estates at the same time, and thus the works could not be completed on time. She requested the HD to pay attention to the above situation; and
- (c) if the tenants were not co-operative, such as refusing the entry of technical staff to tackle the water seepage problem of adjacent units, it often took several days or even one month for the contractor to gain support from them, and thus the works were delayed. She asked in what way the HD would solve this problem.

12. The views of Mr WONG Yue-hon were summarised below:
- (a) food waste recycling activities were held in some housing estates. He enquired about the effectiveness of the activities and whether there was room for improvement, and whether such activities would be promoted to other housing estates;
 - (b) as the maintenance works carried out by the contractors were often delayed, he asked what penalties the HD would impose in respect of the delay, and whether it would affect their future chance of successful bidding;
 - (c) residents often complained that the bicycle parking spaces in the housing estates were occupied by outsiders. He asked in what way the HD would solve the problem; and
 - (d) regarding the problem of illegal parking in housing estates, issuing penalty tickets was a simple and straightforward approach. He asked the HD that apart from the Task Force, whether the staff of the estate management office had the right to issue penalty tickets, and what the penalties were.
13. The views of Mr YAU Man-chun were summarised below:
- (a) the construction works of Shui Chuen O Estate kept lagging behind schedule, and the progress of intake was extremely unsatisfactory. He opined that the HD had not made an effort to supervise the contractors;
 - (b) the stall rentals of Shui Chuen O Estate market were high, and the rentals of vegetables stalls ranged from \$30,000 to \$40,000, even higher than those in the markets managed by Link Real Estate Investment Trust (Link REIT), resulting in higher food prices and a heavier burden on residents;
 - (c) he said that although the tenancy agreement of Shui Chuen O Estate market had come into force in March and the shops had commenced business, a notice of “interior decoration” was posted at the market entrance, resulting in poor business of the market. He requested the HD to carefully review the poor management of the market. Since the HD had waived the rentals of the property management company for three months, he requested the company to waive the rentals of market tenants for three months likewise. In the long run, as the majority owner, the HD should discuss with the property management company and market tenants to work out a multi-win proposal, so as to keep the commodity prices affordable for the residents, and enable the tenants to carry on their businesses; and
 - (d) Mr Sunny CHIU also requested the management company to waive the rentals of those affected tenants or defer the effective date of tenancy agreements so as to maintain the viability of small business operators.
14. The views of Mr CHING Cheung-ying were summarised below:

- (a) as the charging criteria of some contractors of maintenance works were ambiguous, he requested the HD to strengthen the monitoring of their service quality, draw up a timetable to replace main entrance metal gates and clothes-drying racks, and carry out maintenance works for some old housing estates, such as Sun Tin Wai Estate, with problems like concrete spalling of the ceilings. He opined that the expenses incurred by the housing estates due to aging and normal wear and tear should be borne by the Government;
- (b) the service quality of cleansing service contractors of housing estates had deteriorated. He requested the HD to monitor their work performance;
- (c) he thought that the HD managed the carriageways inefficiently. In some well-managed private housing estates, if illegally parked vehicles were found, the management companies would quickly impound the vehicles. He asked why the HD did not follow their practice; and
- (d) it was difficult for residents to distinguish between the responsibilities of the HD and those of Link REIT. He thought that the HD should not evade its responsibilities, but should actively fight for the residents' interests and reflect their views, and strengthen the communication between residents and Link REIT.

15. The views of Mr LI Sai-hung were summarised below:

- (a) he asked whether the contractors would hand over the work to the estate management offices after completion of the Total Maintenance Scheme (TMS) so as to follow up the outstanding cases. Arrears of wages by sub-contractors had happened to those workers who had replaced the clothes-drying racks in Sun Chui Estate. He asked whether the HD would ensure that similar incidents would not happen again. In addition, he wished to know whether clothes-drying rack replacement works would be carried out in Lee On Estate;
- (b) the facilities for children and the elderly installed outside Sun Chui Estate had been damaged for six months to a year, but replacement and maintenance works had not been carried out; and
- (c) illegal parking was a serious problem in Sun Chui Estate. He had informed the estate management office early this year that some parked vehicles had obstructed the vision of motorists, but the situation had not improved so far. Hence, he requested the HD to properly monitor the Sun Chui Estate management office.

16. The views of Ms TUNG Kin-lei were summarised below:

- (a) she had been requesting that video surveillance cameras or closed circuit televisions should be installed in housing estates over the years, so as to prevent throwing objects from height and guard against burglary. However, this work plan did not respond to the said request;

- (b) after demolition, the recreational facilities in many housing estates could only be reconstructed upon approval by the Estate Management Advisory Committee (EMAC), but the EMAC only approved one project each year. As a result, installation of the new facilities was delayed. She requested the HD to conduct a thorough review of the system of the EMAC; and
- (c) the housing estates had a large number of green features, but failed to cooperate with the Food and Environmental Hygiene Department (FEHD) to carry out anti-mosquito measures. For example, these estates had to wait for two years before obtaining funds to replace those damaged mosquito lamps.

17. The views of Ms LAM Chung-yan were summarised below:

- (a) she said that the TMS was ineffective, and the quality of work had long been criticised. For example, if the unit upstairs had water sewage problem, the maintenance works would only be carried out for the unit downstairs, which did not root out the problem, but was simply a waste of money. She considered that it was necessary to monitor the performance of contractors;
- (b) the paper did not mention the progress of the installation of clothes-drying racks;
- (c) she requested the HD to give an account of the assessment of the effectiveness of every scheme and explain the Department's role in various areas in the report in the future, and incorporate the Tenants Purchase Scheme (TPS) estates into the work plan;
- (d) single-block housing estates were neglected by the HD. For example, there was no EMAC in Hin Yiu Estate; and
- (e) last year, an incident of water pipe burst happened in Hin Keng Estate, but those affected households had not yet been compensated so far.

18. The views of Mr CHAN Nok-hang were summarised below:

- (a) he appreciated the staff of Chun Shek Estate management office;
- (b) he asked the HD about the progress of replacement of metal gates, including the number of housing estates participated in the programme and the number of households that had had their metal gates replaced. In addition, as the replacement works of clothes-drying racks and underground water mains had been deferred for some time, he asked the Department about the progress;
- (c) at present, the gates and parking lot of Chun Shek Estate were managed by Link REIT, while the carriageways were managed by the HD. He rarely saw that owners of illegally parked vehicles were issued penalty tickets or had their vehicles impounded. He hoped that the Department could maintain close liaison with Link REIT and properly manage the carriageways;
- (d) the study of the proposal made by members of the EMAC at the meeting on fitness facilities for the elderly would take a long time, so that the

recommendations had not yet been implemented; and

- (e) he requested the HD to step up its supervision of the lift works which had just commenced and ensure timely completion of the works.

19. The views of Mr Michael YUNG were summarised below:

- (a) he thanked Mr CHEUK Cheung-kei of the HD for solving a lot of problems for Yan On Estate over the past years;
- (b) he called for acceleration of the replacement of water mains for the housing estates affected by the incident of lead in drinking water;
- (c) in addition to replacing the aging concrete channel covers for Yan On Estate, he asked the Department to replace the blocks of the six-corner pavilion and repair the cracks in the table tennis table in Yan Hei House. Besides, the cases followed up by the maintenance works contractors of Yan On Estate had been progressing slowly, and some households requested to have the metal gates replaced in March, but their request had yet to be followed up; and
- (d) an incident of throwing objects from height had occurred in Yan On Estate, resulting in flushing water main burst. He opined that the HD should learn a lesson and cover the pipe joints with materials made with stainless steel.

20. The views of Mr TONG Hok-leung were summarised below:

- (a) residents of Mei Tin Estate constantly complained to him about the mosquito problem and the cleanliness of ground floors. He had enquired of the management office about the frequency of anti-mosquito work and cleansing work, but he had not received any reply yet;
- (b) water leakage was found in the canopy at the exit of the lobby of a building of the housing estate, and the residents had complained for many years but the problem remained unsolved;
- (c) when residents enquired of the management office about in-flat maintenance, the office staff often made excuses, saying that the households should settle the problem on their own;
- (d) although there were many bicycle parking spaces in Mei Tin Estate, they had not been cleaned for a long time. Also, those abandoned bicycles were not cleared away and they occupied a lot of bicycle parking spaces;
- (e) when Mei Tin Estate caught fire on 10 April this year, the residents thought that it was a false fire alarm. After the incident, he reflected his views to the management office, but the alarm system had yet to be improved. Moreover, the follow-up work carried out by the management office was poor. A large quantity of stagnant water was found in the unit that caught fire, and the bad odour affected other households on the same floor. Meanwhile, the external walls of the ten floors above the unit were blackened, but had not been maintained so far. He requested the HD to strictly monitor the work of the

management office; and

- (f) Mr WONG Hok-lai was also concerned about when the HD would carry out repair works for the fire-prone units, and how long the works would take.

21. The views of Mr PUN Kwok-shan were summarised below:

- (a) he requested the HD to regularly examine the trees, and carry out maintenance works more frequently. Those sick trees in the estates usually would be cut down, but new trees could not be planted since the stumps were not removed;
- (b) many public housing estates in Sha Tin were constructed along the hillside, and many wild animals, such as feral pigeons, wild boars, wild cats and wild dogs were found there. Some residents in the estates often fed them. He enquired of the HD about its measures to maintain the cleanliness and hygienic condition of the housing estates;
- (c) since Link REIT occupied public space when it renovated the properties in the public housing estates, the HD, as the housing estate property management manager, should strengthen its supervision. He opined that the projects of Link REIT should be included in the agenda of each EMAC meeting, and representatives of Link REIT should be invited to attend the meetings; and
- (d) the recreational facilities for the elderly in the housing estates were insufficient. He considered that funding by the EMAC alone would not be enough to meet the demand.

22. Mr Thomas PANG said that some bus stops at Sui Wo Road and some of its road sections were managed by the HD, while the car park was managed by Link REIT. As the road was narrow and many vehicles were illegally parked there, he worried that they would obstruct the access of ambulances. He hoped that the HD could cooperate with Link REIT and lock the vehicles so as to achieve a deterrent effect.

23. The views of Ms Iris WONG were summarised below:

- (a) the false fire alarms often happened in wet weather. She requested the HD to help residents identify false fire alarms;
- (b) the fire escapes in old housing estates were connected with refuse rooms. Residents often disposed of domestic waste at fire escapes, and also did not close the fire doors. The HD said that they had adopted the Marking Scheme for Estate Management Enforcement in Public Housing Estates (the Marking Scheme) to solve the aforementioned problems, but the effect remained insignificant. She asked the HD whether they had any other measures; and
- (c) bicycle theft was rampant in housing estates, but the detection rate was low. Thus, she requested the HD to install closed-circuit televisions at the bicycle parking spaces.

24. The views of Mr Rick HUI were summarised below:

- (a) according to the statistics of 2015, the median household income of public housing tenants was only some ten thousand dollars, and the rentals of shops of some newly completed public housing estates under the HD were equal to or even higher than those of private markets. He opined that as the target customers of the housing estate shopping centres were public housing tenants, he did not see why the HD had fixed such high rentals; and
- (b) the HD was gradually replacing the lifts for the public housing estates aged over 25 years, and the project would take several months. For wheelchair users, it would be very inconvenient for them if only one lift was in service in their buildings. He hoped that the HD could try to help these tenants with mobility difficulties.

25. The views of Mr Billy CHAN were summarised below:

- (a) cleaners dumped the separated waste in recycle bins together into garbage trucks, and the efforts that the public made to separate waste were in vain. He requested the cleansing companies to guide cleaners how to properly handle the separated waste;
- (b) some floors in Sha Kok Estate were accumulated with rubbish. Although the HD had deployed additional manpower to handle the problem, the effect was insignificant. The estate had the stagnant water and mosquito problems, and even the doorway of his office was flooded during heavy rain. He worried that the flooding problem after the onset of the rainy season would become more serious;
- (c) in carriageway management, since the unloading area in the estate was close to the entrance of carriageway, and the carriageway was narrow, the vehicles unloading goods often blocked the vehicles behind them, causing traffic congestions, and thus affected the traffic flow at Sha Kok Street. He requested the HD to improve the carriageway management;
- (d) regarding the replacement of metal gates, he requested the HD to coordinate with the new contractors. He also said that the HD should give a reply as soon as possible if residents asked them for help; and
- (e) he had requested for installation of shelters for the pavements in Sha Kok Estate, and the HD referred the request to Link REIT for follow-up action, but no progress had been made over the past few months. He hoped that the HD could report the progress.

26. The views of Mr Sunny CHIU were summarised below:

- (a) he asked the HD about the progress of the replacement of clothes-drying racks and metal gates in Pok Hong Estate;
- (b) he asked how many markets of public housing estates were not air-conditioned. The Pok Hong Estate market was completed more than 30 years ago, but still had no air-conditioning facilities so far. Since the

temperature was high in the market in summer, very few residents shopped in the market. The stall operators said that they planned to open only half a day every day. He asked the HD whether they had any renovation plan for the Pok Hong Estate market;

- (c) since the management fees for Pok Hong Estate would increase, he asked the HD whether they, as the majority owner, would take part in the voting, and what factors they would consider when casting their votes;
- (d) the renovation works of the public toilets near the Pok Hong Estate market was scheduled to be completed by the end of March, but had not yet been completed so far. He asked the HD whether it had strictly monitored the progress of the construction works carried out by the contractors; and
- (e) a tenant of Pok Hong Estate had asked the HD for help in respect of the water seepage problem. Since the household of the upper floor who had water seepage problem was the owner, the HD had referred the case to the FEHD for follow-up action. But the Department took several years to settle the problem. The affected tenant had applied for rehousing with the HD, but the application was rejected. The tenant received no help from the HD even if he had paid rentals.

27. The views of Mr LI Sai-wing were summarised below:

- (a) he was concerned about the progress of the replacement of clothes-drying racks and metal gates in Yiu On Estate, and said that the management company often refused to carry out maintenance works for tenants; and
- (b) he requested the HD to strictly enforce the Marking Scheme. A tenant had installed jammers indoor due to personal business, affecting the WiFi signal reception of neighbouring units. He considered that the HD should solve the problem for the tenants.

28. The views of Mr WONG Hok-lai were summarised below:

- (a) he hoped that the HD could improve the drainage condition of certain channels in Mei Tin Estate. In addition, the roads in Mei Tin Estate were very slippery and accident-prone during rainy days. Therefore, he called for the provision of anti-slip carpets to the estate;
- (b) the gates of the buildings in Mei Tin Estate often broke down, that is, at least once a month;
- (c) the hygienic condition of the public toilets in Mei Tin Estate was very poor. He requested the HD to deploy additional manpower to carry out the cleansing work; and
- (d) wild monkeys were spotted in Mei Tin Estate, and they robbed residents of their food. He asked the HD about its measures to expel the wild monkeys.

29. The views of Mr NG Kam-hung were summarised below:

- (a) since illegal parking was rampant on the carriageways in Hin Keng Estate, it was difficult for coaches and school private light buses to enter the estate during school hours, and so did the fire engines in case of an accident; and
- (b) Link REIT had outsourced the management of the car park in Hin Keng. When problems arose, Link REIT and the HD shifted the responsibilities to each other. The car park had adopted a new ballot system to allocate the parking spaces on each floor, but only the two lowest floors could accommodate high vehicles. If the parking spaces allocated to such vehicles were on other floors, the car owners could only park their vehicles at the exit of the car park or even the parking lanes. He opined that the HD had the responsibility to request the management of the car park to address the said problem.

30. The views of Ms YUE Shin-man were summarised below:

- (a) the problem of illegal loading/unloading activities at Tak Hau Street in Wo Che Estate had persisted for years. Although residents had repeatedly complained to the management office, the security guards and the office manager had not been actively following up the matter with Link REIT; and
- (b) rubbish was accumulated in the vicinity of the bus stop at Tak Hau Street, but the HD and Link REIT shifted the responsibility to each other.

31. Mrs TANG FUNG Shuk-yin gave a consolidated response as follows:

- (a) the in-flat maintenance works for tenants in Kwong Yuen Estate were monitored by management contractors. Since Kwong Yuen Estate was a housing estate under the TPS (TPS estate), and its households included both tenants and owners, the maintenance arrangements would be more complicated if both tenants and owners were involved. Nonetheless, the HD would properly supervise the contractors' maintenance works, and follow up the handover between the contractors of the TMS and those of the Responsive In-flat Maintenance Services;
- (b) if the facilities in the units of housing estate tenants were damaged due to natural wear and tear, the HD would be responsible for the maintenance, and she would remind the management contractors of such arrangements. Regarding the maintenance schedule of concrete spalling of ceilings, she would follow up the matter with individual members after the meeting. For the performance assessment of in-flat maintenance service contractors, the HD adopted a scoring system. If a contractor had poor performance, it would be reflected in the assessment scores, and this might affect the contractor's chance of successful bidding in the future;
- (c) the Food Waste Pilot Scheme had ended, and the HD had been working closely with the Environmental Protection Department, and would inform members if further information was available. In case the cleaning companies were found handling separated waste carelessly, the Department would impose severe punishment on them. Regarding the cleansing of housing

estates, she said that the cleaning companies were required to post the schedule of cleaning. She would remind the companies to follow up the matter after the meeting, and said that the Department would supervise the cleansing service contractors;

- (d) the HD would strengthen the cleansing operations so as to combat the mosquito problem;
- (e) for the lift replacement works in Sun Chui Estate, the management office could use the staircase machine to facilitate the access of wheelchair users. The HD would supervise the lift engineering contractors;
- (f) regarding the bicycle parking spaces, she said that it was hard to tell whether the bicycles belonged to the residents in the estate. Since there were many bicycle parking places in the housing estate, residents might not be willing to accept the coverage of a number public places by closed-circuit televisions if the televisions were installed in all parking places. Therefore, the installation should be carefully considered, and the Department should study whether there were any other measures for consideration;
- (g) at present, the penalty for vehicles impounded and illegal parking was \$320. The Department's staff would issue warnings first, and impound the vehicles or issue penalty tickets only if the vehicle owners acted against their advice. Last year, taking Chun Shek Estate as an example, the number of impounding cases and penalty tickets issued totalled more than ten, while the number of impounding cases in Wo Che Estate was more than 100. For the carriageways at Sui Wo Road, she said that the Department would urge the management company to follow up the matter. To her knowledge, the carriageways in Hin Keng Estate were managed by the owners' corporation. Nevertheless, the Department would notify the owners' corporation to follow up the matter;
- (h) regarding the housing facilities, a mutual aid committee (MAC) was set up for each building. Residents could reflect their views on the housing estate management to the committee. For the meeting of the EMAC, the HD normally considered whether to adopt the proposal by referring to the principle of the majority ruled, and would try to listen to the views of members and the Chairmen of the MACs in the future. As regards the proposal to install shelters for the pavements in Sha Kok Estate, the Department would follow up the matter with individual members after the meeting. Mr PUN Kwok-shan requested that representatives of Link REIT should be invited to attend the meetings of the EMAC. In this regard, she said that the Department often invited Link REIT when necessary, but they might not necessarily attend the meeting;
- (i) although Hin Yiu Estate was a single-block housing estate, the HD did not cut down its resource input. Hin Yiu Estate had no EMAC, but the residents could still reflect their views to the Department through the MAC or DC Members;
- (j) to her knowledge, the recreational facilities in Mei Lam Estate were dismantled due to the parts issue, and she would follow up the matter after the

meeting. As the number of elderly people in the district kept increasing, the Department would accord priority to the reconstruction of recreational facilities for the elderly as far as possible. She would refer the idea of converting the planters into seats to her colleagues for follow-up action;

- (k) the HD was examining the problem of false fire alarms. Regarding the problem of dumping waste at the fire escapes, the Department would work on education and the Marking Scheme, and would also request the management companies to increase the frequency of cleansing work. The external wall rehabilitation works was being carried out for the building that had caught fire earlier in Mei Tin Estate;
- (l) two additional portable video surveillance cameras had been installed in the Sha Tin District this year, and would be installed in different housing estates so as to monitor throwing objects from height;
- (m) she replied to Mr LI Sai-wing that if the units of tenants were not used for residential purpose, the Department would take follow-up action;
- (n) she responded to Mr Rick HUI that, the HD would consider the conditions of individual housing estates and the adjacent facilities concerned, and provide appropriate retail facilities for residents. However, the commodity prices were beyond the control of the HD. The HD had already referred the shop operators' requests to the management company of Shui Chuen O Estate, and the management company would communicate with them directly. She believed that the management company would take measures in response to the shop operators' requests; and
- (o) in response to Mr Sunny CHIU's enquiries, she said that the number of markets that had installed air-conditioning facilities was not available at the moment, and she would supplement the information to individual members after the meeting. In addition to the technical problems and the necessity of relocation of stalls, for the provision of air-conditioning facilities in Pok Hong Estate market, the HD also had to consider whether the stall operators were willing to pay the air-conditioning charges. The Department was planning to conduct a feasibility study. For the increase in the management fees of Pok Hong Estate, the Department would consider a number of factors before voting, including the reasonability of the fee increase as compared with that of other TPS estates. Thus, the Department could not reveal its voting intention for the time being.

32. Mr Richard WU gave a consolidated response as follows:

- (a) the HD had a three-year programme to phase out the conventional pole-socket type clothes-drying racks commonly known as "sam chi heung" (three joss sticks) and install new clothes-drying racks for households. The programme had been launched last year. The first phase of the project in Sha Tin covered the six public housing estates, namely, Sun Chui Estate, Lung Hang Estate, Sun Tin Wai Estate, Wo Che Estate, Sha Kok Estate and Mei Lam Estate, and the works had been substantially completed. The second phase of the project would be conducted from June this year to August next year for a period of

15 months, covering all remaining housing estates, including all rental units in public housing estates and the TPS estates. The estate management offices were distributing questionnaires to households to collect their views on the replacement of clothes-drying racks. During the replacement works, workers would use suspended working platforms to carry out outdoor works without entering the units, so that the impacts on the households could be minimised. If the households decided not to have their clothes-drying racks replaced and the racks were in good condition, they could retain their old clothes-drying racks and continue to use them. For those households who chose to have their clothes-drying racks replaced and chose not to install any racks, their existing pole-socket type clothes-drying racks would be cut away and sealed. If the households wished to have their clothes-drying racks replaced after the completion of the project, they could put forward their requests to the management office, but the replacement works would be carried out indoor;

- (b) the HD's programme of replacing the first generation of metal gates for public housing estates had commenced last year for a period of five years, and priority was given to the elderly and the disabled. As the numbers of metal gates replaced for each housing estate were different, if members wanted to know the exact numbers of metal gates that were pending replacement and had been replaced for individual housing estates, they could consult the estate management offices concerned. Regarding the individual case of metal gate replacement in Yan On Estate mentioned by Mr Michael YUNG, he said that the works would commence next week;
- (c) the TMS followed a cycle of five to ten years. The In-flat Inspection Ambassadors would carry out in-flat inspections and arrange maintenance works for households. The Department would definitely follow up the scheduled maintenance projects, but the duration of works varied for each project. After the completion of the TMS, the households could put forward their maintenance requests to the management office through the Responsive In-flat Maintenance Services. If there were any cases that required maintenance, members could follow up the matter with the estate management office after the meeting; and
- (d) the HD had adopted a strict scoring system to monitor the performance of the maintenance service contractors, and officials of different ranks would carry out regular on-site assessments. Apart from overseeing the progress of the works, they would also assess the quality of works, site safety, and so on. The Department did not solely adopt the policy of awarding tenders to the lowest bidders, but would consider bidders' scores of each phase of works as well. If the contractors often made mistakes or accidents on their construction sites occurred frequently, the Department would consider giving them a poor rating in the assessment. The contractors involved might ultimately be suspended from bidding or even subject to suspension of licence. If individual projects were delayed without reasonable explanations, a late fee would be imposed on the contractors concerned.

33. Mr CHEUK Cheung-kei said that the water main replacement works for Block One of Yan On Estate were in smooth progress, and the works for Block Two had commenced

on 3 May.

34. The Chairman requested the HD to follow up individual issues with relevant members after the meeting.

HD

Formation of Working Groups under the Committee
(Paper No. DH 11/2016)

35. The Chairman asked members to consider whether they agreed to set up the following two standing working groups and approve their terms of reference in accordance with the proposal mentioned in the paper:

- (a) Working Group on Building Management and Housing Affairs; and
- (b) Working Group on Land and Economic Development in Sha Tin District.

36. Mr CHAN Nok-hang opined that a working group on building maintenance should be established to handle building maintenance issues of social concern, such as bid rigging.

37. The Chairman said that item 3 of the terms of reference of the Working Group on Building Management and Housing Affairs stipulated that “discuss matters related to the management and maintenance of public housing estates in the district, collect residents’ views and convey those views to the HD and other organisations concerned”, covering the issue of building maintenance as described in Annex I to the paper. She added that the working group concerned had also held briefing sessions on building maintenance in 2015-2016.

38. Ms LAM Chung-yan and Mr YIU Ka-chun agreed with the Chairman’s views. Ms LAM Chung-yan proposed to add “private housing” to item 3 of the terms of reference, making the definition clearer. Mr YIU Ka-chun hoped that the said working group could inject more resources into building maintenance, such as holding seminars.

39. Mr Tiger WONG believed that the said working group could assist in promoting the awareness about building maintenance.

40. Mr Michael YUNG said that item 3 was about the management of public housing estates, while item 4 was about the management of private buildings and Home Ownership Scheme (HOS) estates. Therefore, he considered that changing the wording would be more appropriate.

41. Mr Thomas PANG proposed to amend item 4 as “to give advice on matters related to the management and maintenance of private buildings in multiple ownership (deeds of mutual covenant) and HOS blocks.”

42. Members unanimously endorsed the establishment of the Working Group on Building Management and Housing Affairs and the Working Group on Land and Economic Development in Sha Tin District, and also the terms of reference of the two working groups, including Mr Thomas PANG’s proposed amendment to item 4 of the terms of reference of the Working Group on Building Management and Housing Affairs.

43. The Chairman proposed to elect the conveners of the working groups in accordance

with the following criteria and procedures:

- (a) the conveners of the working groups should be DC Members;
- (b) each candidate should be nominated by a member and seconded by at least two other members;
- (c) if there was only one candidate, the candidate was deemed to be elected ipso facto; and
- (d) if there was more than one candidate, the meeting should first take a vote on the one who was raised at an earlier time, and the conveners should be elected by members present by show of hands. The one who obtained an absolute majority of votes would be the winner.

44. Members unanimously endorsed the election of the conveners of the working groups in accordance with the above criteria and procedures.

45. The Chairman asked members to nominate candidates for the post of the Convener of the Working Group on Building Management and Housing Affairs.

<u>Candidates</u>	<u>Nominators</u>	<u>Seconders</u>
Mr Alvin LEE	Ms LAM Chung-yan	Ms CHAN Man-kuen Mr TONG Hok-leung
Mr CHAN Nok-hang	Mr CHING Cheung-ying	Mr Wilson LI Mr YAU Man-chun

46. The Chairman said that she had received a written notice from Mr Alvin LEE, saying that he supported the setting up of the Working Group on Building Management and Housing Affairs. Regarding the election of the convener, he was willing to take up the post and contribute to the development of Sha Tin if he was nominated and seconded by members present at the meeting.

47. Mr YAU Man-chun asked whether the members absent were eligible to be candidates.

48. Mr Simon WONG, Assistant District Officer (Sha Tin) responded that the Sha Tin District Council (STDC) Standing Orders did not stipulate that a member who was nominated as the convener of a working group must be present at the meeting. Having regard to the procedures for election of the Chairman and Vice-chairman of the STDC in the past, members who were not present at the meeting could be nominated, but the nominees had no right to vote due to their absence.

49. Since there was more than one member wishing to obtain the eligibility for nomination, the Chairman proposed members to vote by show of hands, and the one who obtained a majority of votes would be nominated.

50. Members unanimously agreed to vote by show of hands.

51. The Chairman announced the voting results: Mr Alvin LEE received 19 votes, and

Mr CHAN Nok-hang received 18 votes. Mr Alvin LEE was elected the Convener of the Working Group on Building Management and Housing Affairs.

52. The election of the Convener of the Working Group on Building Management and Housing Affairs was immediately followed by the election of the Convener of the Working Group on Land and Economic Development in Sha Tin District.

53. Mr NG Kam-hung proposed to vote by using an electronic system.

54. Members unanimously agreed to vote by using the electronic system.

55. The Chairman invited members to nominate candidates for the post of the Convener of the Working Group on Land and Economic Development in Sha Tin District.

<u>Candidates</u>	<u>Nominators</u>	<u>Seconders</u>
Mr LI Sai-wing	Mr CHIU Man-leong	Ms TUNG Kin-lei Ms LAM Chung-yan
Mr CHAN Nok-hang	Mr YAU Man-chun	Mr TING Tsz-yuen Mr Billy CHAN

56. The Chairman announced the voting results: Mr LI Sai-wing received 19 votes, and Mr CHAN Nok-hang received 18 votes. Mr LI Sai-wing was elected the Convener of the Working Group on Land and Economic Development in Sha Tin District.

57. Members unanimously agreed that the term of office of the two working groups commenced on 5 May this year until the end of the term of office of the DHC which would expire on 31 December 2019.

Nomination of a Candidate for Appointment to the Building Industry Disciplinary Board
(Paper No. DH 12/2016)

58. The Chairman asked members to refer to Paper No. DH 12/2016, and said that:

- (a) the STDC could nominate a member who had no connection with the building industry as an individual and industry outsider for the Secretary for Development's consideration for appointment to the Building Industry Disciplinary Board; and
- (b) before the deadline of nomination, the Secretariat had received only one nomination form submitted by Mr WAI Hing-cheung.

59. Since there was only one member wishing to obtain the eligibility for nomination, the Chairman announced that Mr WAI Hing-cheung would be nominated by the STDC, and he requested the Secretariat to follow up the matter after the meeting.

Nomination of an STDC Representative for Appointment to the Selection Panel of Buildings Department
(Paper No. DH 13/2016)

60. The Chairman asked members to refer to Paper No. DH 13/2016, and said that:

- (a) the STDC could appoint a member to join the Selection Panel of Buildings Department; and
- (b) the Secretariat had received only one nomination form submitted by Mr WAI Hing-cheung.

61. Since there was only one member wishing to obtain the eligibility for nomination, the Chairman announced that Mr WAI Hing-cheung would be nominated by the STDC, and he requested the Secretariat to follow up the matter after the meeting.

Nomination of an STDC Representative for Appointment to the Selection Panel of Office of the Permanent Secretary for Transport and Housing (Housing)
(Paper No. DH 14/2016)

62. The Chairman asked members to refer to Paper No. DH 14/2016, and said that:

- (a) the STDC could appoint a member to join the Selection Panel of Office of the Permanent Secretary for Transport and Housing (Housing); and
- (b) the Secretariat had received only one nomination form submitted by Mr LI Sai-wing.

63. Since there was only one member wishing to obtain the eligibility for nomination, the Chairman announced that Mr LI Sai-wing would be nominated by the STDC, and he requested the Secretariat to follow up the matter after the meeting.

Motions

Motion by Mr PANG Cheung-wai, Thomas on Revitalisation of Fo Tan Nullah
(Paper No. DH 15/2016)

64. Mr Thomas PANG said that the water quality of Fo Tan Nullah had been poor for a long time, and blue sewage was found in the nearby Shing Mun River. The population of the Fo Tan District had gradually increased in recent years, and recreational facilities in the district were in short supply. He opined that covering Fo Tan Nullah and greening of the site could help solve the problem. He put forward the following motion:

“The Administration should accordingly draw up a timetable for revitalisation of Fo Tan Nullah, start to examine the source of pollution at river channels and work out a solution, provide more leisure areas, as well as revitalise and make green the Fo Tan area. The Development and Housing Committee of the Sha Tin District Council requests the department concerned to submit within this year the relevant proposals, design and feasible options to the Committee for discussion.”

The Chairman seconded the motion.

65. The Chairman supplemented that the scope of revitalisation should include water bodies, so as to further promote ecological balance. In addition to increasing the green belts and open space, covering the nullah could also increase art display area. It would be more desirable if the nearby industrial buildings owned by the Hong Kong Housing Authority

(HA) were revitalised as a community art gallery.

66. Members unanimously endorsed the above motion.

Motion by Mr CHIU Chu-pong, Sunny Requesting the Housing Department to Install a Television Signal Transponder in Shui Chuen O Estate
(Paper No. DH 16/2016)

67. Mr Sunny CHIU said that, after the completion of Shui Chuen O Estate, villagers in the vicinity of Sha Tin Wai, including Sha Tin Wai New Village, Fui Yiu Ha Village and Tse Uk Tsuen, constantly complained that the television signal reception was deteriorating. He had conducted a site visit with the engineers of the Office of the Communications Authority (OFCA), and confirmed that the television signals of those village houses were blocked by the high buildings of Shui Chuen O Estate. Therefore, he put forward the following motion:

“The Development and Housing Committee of the Sha Tin District Council requests the Housing Department to install a television signal transponder in Shui Chuen O Estate for the sake of a full-scale strengthening of the television signal, so as to solve the problem of poor television signal in village houses nearby.”

Mr YAU Man-chun seconded the motion.

68. Mr WONG Yue-hon said that quite a number of village houses in the Sha Tin District were also affected by the nearby new buildings in respect of the television signal reception. He proposed that the mover should consider amending the motion so as to cover the whole Sha Tin District.

69. Mr HO Hau-cheung pointed out that following the development of new towns, more and more new buildings did have an impact on some existing low-rise buildings. Thus, he was in favour of the above motion. He suggested that the mover consider amending the motion, requesting the OFCA and the HD to take all measures to solve the problem, including installing a signal transponder.

70. Mr Michael YUNG indicated that at present, before commencement of the construction of public housing estates, the Government would carry out traffic impact assessments, environmental impact assessments, quantitative risk assessments, drainage surveys, and so on, but would not carry out an assessment for the television signal reception. Therefore, he proposed to add “request the Department to carry out television signal impact assessments and set up relevant mechanisms before commencement of the construction of public housing estates” to the motion.

71. Mr YAU Man-chun agreed to the recommendations put forward by Mr Michael YUNG. Over the past few years, he had worked with the OFCA to test the signal reception in those affected villages, and the test data of the OFCA proved that the television signal reception was affected after the completion of Shui Chuen O Estate. The staff of the OFCA said that the problem could be solved as long as a signal transponder was installed in one of the buildings of Shui Chuen O Estate.

72. Mr Sunny CHIU said that he would not amend the motion, for it mainly focused on

the problems of the three said villages. He hoped that the HD would place an importance on the problems.

73. Mr HO Hau-cheung asked the representatives of the HD whether they had anything to add.

74. As to whether the installation of a signal transponder could solve the problem, Mrs TANG FUNG Shuk-yin said that she needed to transfer the issue to the colleagues of the Development Sub-division for follow-up action.

75. Members unanimously endorsed the above motion.

Questions

Question to be Raised by Mr WAI Hing-cheung on UA Shatin Cinema in New Town Plaza
(Paper No. DH 17/2016)

76. The views of Mr WAI Hing-cheung were summarised below:

- (a) he enquired whether the developer had never submitted a development plan, or whether the Sha Tin District Lands Office (STDLO) had not handled the plan submitted by the developer during the period between 2007 and 2012. He said that the developer had mentioned the reconstruction plan to him in 2007;
- (b) the STDLO said that they had been discussing with the developer about the reconstruction of the cinema all along. He asked which period of time the “all along” referred to, and whether the STDLO had discussed with the developer about the reconstruction during the period between 2007 and 2012;
- (c) he enquired whether the developer’s conduct was in breach of the land grant rules if it did not provide the cinema facilities and services, and if so, what penalties would be imposed on the developer;
- (d) the STDLO responded that they had approved earlier the layout plan of the cinema in accordance with the established procedures, and the developer would submit information again in May this year. He wanted to know the exact time indicated by “earlier” and “in May this year”; and
- (e) he asked the STDLO and the BD whether the plan submitted by the developer had been approved, and if not, when it would be approved.

77. Mr HO Hau-cheung agreed with the views of Mr WAI Hing-cheung, and thought that the details of the negotiation between the departments concerned and the developer were not provided. To his knowledge, the government departments and the developers had failed to reach an agreement on the land premium previously. He asked the STDLO whether the developer was required to pay the land premium, and whether the amount could be disclosed if necessary. Moreover, he wished to know the scales of reconstruction of the two plans.

78. Mr Sunny CHIU indicated that the New Town Plaza was one of the busiest shopping

malls in Hong Kong, but the problem of reconstruction of the cinema had not yet been solved. He asked the management company, the STDLO and the BD whether they would actively promote the reconstruction plans.

79. Mr Raymond LAU, Senior Estate Surveyor/Southeast of the STDLO gave a consolidated response as follows:

- (a) the developer had submitted two plans in 2007 and 2012 respectively, both of which had different styles and scales of reconstruction. The STDLO currently focused on the plan for 2012. The negotiation included requesting the developer to submit the total building area and other details. The developer had spent a lot of time collecting data, and as the New Town Plaza had been reconstructed for many times since its completion in 1985, the STDLO needed time to check the details so as to ensure that the reconstruction plans were not in breach of the land lease conditions;
- (b) the STDLO approved the amendments to the plan in April this year, so that the developer could submit the reconstruction plan of the cinema to other departments for approval;
- (c) regarding the land lease and penalties, the Government had issued certificates of compliance for the lot as early as in 1985. In other words, the facilities required had been installed in accordance with the land lease conditions. Owing to the reconstruction needs, the activity did not constitute a breach of the land lease conditions; and
- (d) since the layout plan approved by the STDLO in April this year met the requirements of the land lease conditions, there was no need to pay the land premium.

80. Ms Fion AU, Acting Senior Structural Engineer/C4 of the BD responded that the BD would examine and approve the plans submitted by the developer earlier in accordance with the Buildings Ordinance, and had issued a written consent for the commencement of project to the developer. In addition to the Buildings Ordinance, the project should also comply with other requirements, such as the land lease conditions. If there were any changes in the reconstruction plans after approval, the developer could submit revised plans, and the Department would examine and approve them in accordance with the legislation. As the legislation did not require the developer to submit a timetable, the Department had no relevant data.

81. Mr HO Hau-cheung requested the Department to provide the scales of the two plans respectively submitted in 2007 and 2012, such as the number of seats.

82. Mr WAI Hing-cheung thought that actually the two departments had approved the developer's plans. As the reconstruction plans had dragged on for many years, he asked the Department whether they meant to prevent the developer from reconstructing the cinema.

83. Mr Raymond LAU replied that the plan for 2007 included the construction of a shopping mall on top of the cinema, entailing the payment of a land premium. At present, according to the approved plan, the developer should restore the cinema to the scale before 2008, and the seats of the cinema should not be fewer than 1 600 in accordance with the

land lease conditions. Since under the land lease conditions, the lot owner was required to provide a cinema with not fewer than 1 600 seats in the lot, the Government had the responsibility to ensure that the reconstruction of the cinema was carried out according to the land lease conditions. Therefore, the DLO disagreed with the view that the Government meant to prevent the developer from reconstructing the cinema. Since both parties had different understanding of the land lease conditions earlier, the STDLO had spent quite a long time clarifying the land lease conditions to the developer and requested the developer to submit supplementary information, so as to ensure that the reconstruction plan of the cinema was not in breach of the land lease conditions.

84. Ms Fion AU responded that the Department kept an open mind on the issue, and did not prevent the developer from reconstructing the cinema. The Department agreed to commence the reconstruction project provided that the project complied with the Buildings Ordinance.

Question to be Raised by Mr TING Tsz-yuen on the Selling of Kam Ying Court Shopping Centre by The Link
(Paper No. DH 18/2016)

85. The views of Mr TING Tsz-yuen were summarised below:

- (a) he opined that Link REIT had not responded to the six questions raised by him;
- (b) Link REIT stated in its reply that "... the assets of Link REIT had been fully privatised after its listing. Thus, the asset management and arrangement, including sale matters, both followed the normal practice of private companies and markets..." He considered that Link REIT failed to fulfill the social responsibility that it had promised before listing after its privatisation of assets as supported by Members; and
- (c) the buyer Vantage International Holdings Limited (Vantage) lacked experience in managing large-scale shopping malls. According to the statistics, one of the independent non-executive directors of Vantage was Mr IP Kwok-him, a Legislative Councillor, with his annual remuneration as Director being \$198,000. He asked Link REIT whether they knew the prospects of the successful bidder, and whether they would fulfill their social responsibilities to the residents.

86. The views of Mr Michael YUNG were summarised below:

- (a) to his knowledge, the Kam Ying Shopping Centre had been the property of the HD in the past. He asked the HD whether the conditions for them to sell the Kam Ying Shopping Centre to Link REIT years ago included the term under which properties were allowed to be sold separately, such as parking spaces; and if yes, whether the new landlords could resell their properties; and
- (b) if the parking space rental in Kam Ying Court increased in the future, the rentals of the parking spaces in the vicinity would be pushed up, or the problem of illegal parking would become worse. He asked Link REIT whether they would further split and resell other properties.

87. The views of Mr WONG Hok-lai were summarised below:

- (a) the case of Mei Lam Estate was similar to that of Kam Ying Court. Link REIT would sell the shopping centre and car park. He enquired, in accordance with the land lease conditions, whether the sold parking spaces could be resold, and whether the parking spaces could only be used by residents of the housing estate;
- (b) there was a lot of public space in the shopping centre and the car park. He asked whether the new landlords had the right to enclose the space, blocking residents' access; and
- (c) Link REIT had increased the rents of the car park in May and would sell the property in June. He asked Link REIT whether they increased the rents for the purpose of pushing up the value of the properties at that time. If the new landlords increased the rents immediately after they took over the properties, the tenants had to be burdened with frequent rent increases. He requested Link REIT not to increase the rents in May, and submit the contact information of the new landlords as soon as possible.

88. Mr James KWONG, Senior Portfolio Manager of Link REIT gave a consolidated response as follows:

- (a) regarding the enquiries of Mr TING Tsz-yuen, Mr James KWONG said that since the new buyer was a listed company, its information could be obtained from the Company's annual reports or online. Therefore, he had nothing to add;
- (b) in response to the question raised by Mr Michael YUNG, Mr James KWONG said that if the new landlords resell their properties, they should comply with the land lease conditions. For the question whether Link REIT would resell other properties, he said that Link REIT would assess its asset portfolio from time to time so as to explore more opportunities to optimize its portfolio, and took the institution's long-term development and the interests of the unit-holders as the main factors for consideration. He indicated that Link REIT was committed to serving the community, and established the Together Initiatives in January 2013, with the elderly, children and adolescents as the main service target group. Its aim was to promote sustainable development of the community, put into practice the mission of Link REIT to serve the community and enhance the quality of life of the community. According to the Together Initiatives, Link REIT contributed an amount of up to 0.25% of its net property income from the previous financial year to fund its charity and community engagement programme. Since its foundation in 2013, Link REIT supported a total of more than 60 community projects, and benefited about 500 000 residents living in the vicinity of its properties. In addition to financial sponsorship, Link REIT also provided free sites for beneficiary organisations, and made good use of the network of shopping malls as a platform for the promotion of projects and organisations. The staff of Link REIT also participated in voluntary services, and worked together to help beneficiary organisations promote their projects; and

- (c) regarding the question raised by Mr WONG Hok-lai, Mr James KWONG said that the new landlords had the right to determine the sale prices of their properties. As regards the land lease, there were provisions restricting the use of parking spaces. For the contact information of the new landlords, Link REIT could convey members' request to the new landlords after the formal completion of the transactions.

89. Mr TING Tsz-yuen opined that in order to fulfill its social responsibility, Link REIT should consult the residents, the owners' corporations and the DC Members before selling the properties by tender. He asked the HD whether they had incorporated social responsibility into the terms of sale when they sold public assets, and what role the HA had played in the incident.

90. Mr James KWONG responded that, as a real estate investment trust listed in Hong Kong, Link REIT had all along strictly adhered to the Securities and Futures Commission Ordinance, and it upheld good corporate governance practice in business operation. The assets of Link REIT had been fully privatised after its listing. Thus, its asset management and arrangement, including the sale, both followed the normal practice of private companies and markets, and took the institution's long-term development and the interests of the unit-holders as the main factors for consideration. Its tendering procedure was also in line with the normal market practice.

91. Mrs TANG FUNG Shuk-yin replied that as Link REIT was a private institution, the Government and the HA had no right to interfere with its business decisions as long as they were in line with the law and land lease conditions concerned.

92. Mr TING Tsz-yuen put forward the following provisional motion:

“with the transfer of management right, it will certainly be more difficult to monitor the management of Kam Ying Court Shopping Centre, and the negotiating power of the residents will be weakened. To ensure that facilities under The Link in Sha Tin will not be used for touting, and that the principle of serving Sha Tin residents first will not be deviated, the Development and Housing Committee of the Sha Tin District Council requests the Transport and Housing Bureau to set up a task group to monitor the handover of management rights, and make sure that the new management are informed of their target clients and management function, as well as the principles to be upheld, including serving the needs of the residents of the housing estate first; moreover, in response to the demand of Sha Tin residents for public facilities, restrictions should be imposed on adjustment of rental fees and use of parking spaces in the district. In the long run, the Development and Housing Committee of the Sha Tin District Council urges the Administration to buy back all facilities under The Link so as to regain management rights over public assets and eradicate the sinking down of public assets to touting instruments.”

Mr WONG Hok-lai seconded the motion.

93. Mr WONG Yue-hon opined that some requests in the motion were beyond the capabilities of the STDC and the Government. For example, it was impossible to limit the range of rental movements, while the use of parking spaces was subject to the deed of mutual covenant. If the Government repurchased the properties of Link REIT, the other said

would definitely ask high prices. Instead of repurchasing the properties of Link REIT, the Government should spend its funds on the construction of facilities such as parking spaces.

94. Mr Thomas PANG agreed with the views of Mr WONG Yue-hon. As the market value of Link REIT was high at present, repurchasing its properties would cost taxpayers a lot of money, and the funds required would benefit the major shareholders of Link REIT.

95. Mr Michael YUNG pointed out that Link REIT was transferring the “property right”, and proposed the original mover to make minor amendment to the wording of “management right”. The departments concerned had not answered whether Link REIT was in breach of the land lease for selling properties. He opined that it was impossible to stop Link REIT from keep selling properties if a buy-back of its properties was not conducted. If the Government intended to reconstruct the housing estates in the future, it must repurchase the property rights of these properties, and the sale price would be very high by then. The situation would be worse than the current repurchase of Link REIT properties.

96. Mr James CHAN agreed to repurchase the properties of Link REIT as early as possible.

97. Regarding the views of Mr Thomas PANG, Mr Rick HUI opined that they were based on the assumption that the properties of Link REIT must be repurchased at present, and therefore the costs would hike up. The motion did not mention when to repurchase the properties of Link REIT. If the Government decided to repurchase the properties, it should carefully consider when would be the appropriate time to buy back. Therefore, there was no need to amend the motion.

98. Mr CHIU Man-leong said that as Link REIT was a listed company, the amount of funds required to repurchase all its properties might reach up to hundreds of millions of dollars. He asked the Government whether it was necessary to repurchase the properties of Link REIT at a high price. He proposed to add the word “study” to the motion.

99. Mr LI Sai-hung opined that different ways and methods could be used to repurchase the properties of Link REIT. In the long run, the Government should consider imposing rental control.

100. Mr LAI Tsz-yan opined that repurchasing the properties of Link REIT could bring more benefits to the public than developing certain infrastructure projects.

101. Mr Thomas PANG thought that the feasibility of the requirements in the motion was very important. Repurchasing the properties of Link REIT might cause volatility in its share prices, resulting in a substantial increase in the repurchase costs of the Government. In order to avoid wasting taxpayers’ money, he considered that the part relating to the repurchase of the properties of Link REIT should be deleted, and he put forward the amended motion as follows:

“With the transfer of management right, it will certainly be more difficult to monitor the management of Kam Ying Court Shopping Centre, and the negotiating power of the residents will be weakened. To ensure that facilities under The Link in Sha Tin will not be used for touting, and that the principle of serving Sha Tin residents first will not be deviated, the Development and Housing Committee of the Sha Tin District Council requests the Transport and Housing Bureau to set up a task group to

monitor the handover of management rights, and make sure that the new management are informed of their target clients and management function, as well as the principles to be upheld, including serving the needs of the residents of the housing estate first; moreover, in response to the demand of Sha Tin residents for public facilities, restrictions should be imposed on adjustment of rental fees and use of parking spaces in the district.”

Mr HO Hau-cheung seconded the motion.

102. The Chairman asked members to vote on the amended motion in paragraph 101.

103. Mr TING Tsz-yuen requested that the names of the pros and cons should be recorded, and his request was supported by four members.

104. The Chairman announced that the amended motion in paragraph 101 was vetoed by 13 affirmative votes, 15 negative votes, 1 abstention vote.

Members who voted for the motion (13):

Mr Tiger WONG, Mr HO Hau-cheung, Ms YUE Shin-man, Mr LI Sai-wing, Mr CHIU Man-leong, Mr YIU Ka-chun, Ms CHAN Man-kuen, Mr Thomas PANG, Ms Iris WONG, Mr WONG Yue-hon, Mr WONG Ka-wing, Ms TUNG Kin-lei, Ms Scarlett PONG.

Members who voted against the motion (15):

Mr TING Tsz-yuen, Mr YAU Man-chun, Mr NG Kam-hung, Mr LI Sai-hung, Mr Michael YUNG, Mr Rick HUI, Mr Billy CHAN, Mr James CHAN, Mr CHAN Nok-hang, Mr CHING Cheung-ying, Mr WONG Hok-lai, Mr YIP Wing, Mr WAI Hing-cheung, Mr CHENG Tsuk-man, Mr LAI Tsz-yan.

Members who abstained from voting (1):

Mr SIU Hin-hong.

105. Mr TING Tsz-yuen adopted members’ views, and amended his provisional motion as follows:

“With the transfer of ownership, it will certainly be more difficult to monitor the management of Kam Ying Court Shopping Centre, and the negotiating power of the residents will be weakened. To ensure that facilities under The Link in Sha Tin will not be used for touting, and that the principle of serving Sha Tin residents first will not be deviated, the Development and Housing Committee of the Sha Tin District Council requests the Transport and Housing Bureau to set up a task group to monitor the handover of management rights, and make sure that the new management are informed of their target clients and management function, as well as the principles to be upheld, including serving the needs of the residents of the housing estate first; moreover, in response to the demand of Sha Tin residents for public facilities, restrictions should be imposed on adjustment of rental fees and use of parking spaces in the district. In the long run, the Development and Housing Committee of the Sha Tin District Council urges the Administration to buy back all facilities under The Link and examine the enactment of relevant legislation, so as to regain management rights over public assets and eradicate the sinking down of public assets to touting instruments.”

Mr WONG Hok-lai seconded the amended motion.

106. The Chairman asked members to vote on the provisional motion in paragraph 105.

107. Mr Michael YUNG requested that the names of the pros and cons should be recorded, and his request was supported by four members.

108. The Chairman announced that the provisional motion in paragraph 105 was endorsed by 26 affirmative votes, 0 negative vote, 3 abstention votes.

Members who voted for the motion (26):

Mr TING Tsz-yuen, Mr Tiger WONG, Mr YAU Man-chun, Ms YUE Shin-man, Mr NG Kam-hung, Mr LI Sai-wing, Mr LI Sai-hung, Mr CHIU Man-leong, Mr YIU Ka-chun, Mr Michael YUNG, Mr Rick HUI, Mr Billy CHAN, Mr James CHAN, Ms CHAN Man-kuen, Mr CHAN Nok-hang, Mr CHING Cheung-ying, Ms Iris WONG, Mr WONG Yue-hon, Mr WONG Ka-wing, Mr WONG Hok-lai, Mr YIP Wing, Ms TUNG Kin-lei, Mr WAI Hing-cheung, Mr CHENG Tsuk-man, Mr LAI Tsz-yan, Ms Scarlett PONG.

Members who abstained from voting (3):

Mr HO Hau-cheung, Mr Thomas PANG, Mr SIU Hin-hong.

Question to be Raised by Ms PONG Scarlett Oi-lan on Joint Offices for Investigation of Water Seepage Complaints

(Paper No. DH 19/2016)

109. The views of the Chairman were summarised below:

- (a) the Joint Offices (JO) said that in the third stage of the investigation, the staff of the consulting firm commissioned by the JO would determine the appropriate test methods on their own, such as testing the salinity of the seepage water samples so as to identify the source of water seepage. She asked the JO whether they had considered taking this test method in the first or second stage of the investigation, and if not, what the reason was;
- (b) the test reports of infrared or microwave detectors were used as evidence in many prosecutions of water seepage cases in court, and were accepted by the judges. She asked why the Government kept carrying out the colour water test; and
- (c) she asked that for those expert witnesses who were summoned to the court for the cases about the water seepage problem in buildings, what qualifications they should possess.

110. The views of Mr WONG Ka-wing were summarised below:

- (a) the JO (Sha Tin) had a total of 15 staff members, and each of which handled 170 to 200 cases, i.e., each handled 185 cases in average. Assuming that each case required a one-hour on-site visit, the JO took at least one month to address all the cases. This showed that the JO faced a serious problem of shortage of manpower; and

- (b) he considered that the current testing process adopted by the JO was too rigid. Taking the water seepage cases that he followed up as an example, the average processing time required for each case was half a year or even longer. He hoped that the JO could increase manpower and introduce rapid test method so as to expedite the processing of cases.

111. Mr LI Sai-wing said that according to the cases they had come across, it was usually very difficult to identify the source of water seepage. He asked the JO whether they had any new testing equipment or test method; and if so, why it had not been used. As the JO was facing the problem of manpower shortage, investigations took a very long time. He wished to know what measures could be taken.

112. Ms Fion AU gave a consolidated response as follows:

- (a) the test methods adopted by the JO included colour water test and humidity test. At present, they were trying to deal with more complicated cases by using infrared and microwave test methods. Salt water test was also one of the test methods;
- (b) the primary purpose of the first and second stages of the investigation was to confirm whether there was water leakage. The third stage of the investigation was more complicated and had to be carried out by professionals; and
- (c) in order to carry out the water seepage test more efficiently, the Department was commissioning a consultant to study new test methods, and the report would be completed in 2017. For the proposal to incorporate other test methods into the first and second stages of the investigation, she could refer it to the consultant for study after the meeting.

113. Mr Eric TSAI, District Environmental Hygiene Superintendent (Sha Tin) of the FEHD gave a consolidated response as follows:

- (a) the test methods that should be taken in the first, second and third stages of testing should be determined by the consultant upon completion of trials and studies;
- (b) if the first and second stages of the investigation were involved, the investigators responsible for the cases, including health inspectors and Environmental Nuisance Investigators, would appear in court as witnesses. If the third stage of the investigation was involved, the staff of the BD would appear in court as witnesses; and
- (c) he said that there was usually more than one source of water seepage, and investigators needed to carry out in-house inspections in the flats above the affected units. But it was difficult to make appointments with the tenants upstairs. If the tenants did not co-operate with them, the investigators needed to follow up the case with patience. If the tenants insisted that, the JO would apply to the court for a warrant for authorised entry into premises in accordance with the law in order to enter the concerned units to conduct investigations and tests. In the past, the results of the colour water test were generally accepted by the court.

114. The Chairman put forward the following provisional motion:

“The Development and Housing Committee of the Sha Tin District Council strongly requests the Joint Offices for Investigation of Water Seepage Complaints to increase manpower and expedite investigation of cases in Sha Tin, including introducing advanced technology to find out the source of seepage and following up on the remedial works, so as to alleviate the long-standing nuisance caused to flat owners by disputes over water seepage and the monetary losses suffered by them.”

Mr WONG Ka-wing seconded the motion.

115. Members unanimously endorsed the above provisional motion.

Question to be Raised by Mr YAU Man-chun on Flat in-take and Facilities of Shui Chuen O Estate

(Paper No. DH 20/2016)

116. The views of Mr YAU Man-chun were summarised below:

- (a) the number of residents who had moved in Shui Chuen O Estate had reached 10 000, but the transportation there was inconvenient, and only a few stalls were running business in the market. Moreover, the market rentals were expensive, and the stall rental was \$30,000 per month, which was even higher than that of the shopping malls under Link REIT;
- (b) regarding the waiting time for public housing units, more than 500 households of Ming Chuen House received advance notice last year, but had not yet taken the keys, and many of them had been waiting for more than five years;
- (c) he asked whether the contractors would be fined for delay in construction works;
- (d) a household of Lok Chuen House had complained about water seepage from the upper unit, and the problem had lasted for a few months. He hoped that the HD could follow up this case; and
- (e) he had conducted a site inspection at Shui Chuen O Estate with the staff of the HD, and found quite a number of pools of stagnant water. Residents had recently complained that the mosquito problem showed no improvement. He requested the HD and the cleansing service contractors to follow up this matter and strengthen the anti-mosquito work and cleansing operations.

117. The views of Mr Michael YUNG were summarised below:

- (a) for delay in the intake of the flats, he thought that the main reason was that the Department was allocating public housing units that were under construction and ready for intake at the same time. He asked whether the delay in allocation of flats was caused by the replacement of copper water

pipes for some units in Shui Chuen O Estate;

- (b) the design of the new housing estates was that vehicles could not reach the main entrance of the building directly. The Department would consider opening fire escapes when necessary if residents needed to transport furniture. He asked why the new housing estates were so poorly designed, and said that the said situation was also found in Yan On Estate Phase II; and
- (c) the works progress of the lift tower in Shui Chuen O Estate had lagged behind schedule. The Department had said that the works would be completed by last Christmas. But they still had not yet been completed in May this year.

118. The views of Mr WONG Yue-hon were summarised below:

- (a) in their reply to question (b), the HD had mentioned open tender and inviting clients on the client list of the HA to make bids within a restricted range. He asked about the differences between them, and the reason for such an arrangement; and
- (b) he hoped that the HD could allocate the flats of Shui Chuen O Estate as soon as possible. Since the lift tower was yet to be completed, and the transport facilities were inadequate, he hoped that the Department could arrange vehicles for residents' easy access.

119. Ms NGO Po-ling, Housing Manager/Shui Chuen O of the HD gave a consolidated response as follows:

- (a) the market stalls were rented out in March, but some were still under decoration, and were expected to open successively;
- (b) the goal of the HA was that normal applicants would be given their first housing offer in about three years in average. At present, the average waiting time of the applicants was 3.7 years;
- (c) in late October last year, the Department did pre-allocate the units of Ming Chuen House which was soon to be completed, and invited prospective tenants to complete the formalities and sign declarations on the acceptance or refusal of allocation. It was clearly stated on the declaration that the intake date of Shui Chuen O Estate had yet to be confirmed, and those prospective tenants who had an urgent need for intake of flats could sign the declaration on refusal of allocation, and then returned it to the Applications Section for reallocation of appropriate units;
- (d) the works progress was affected by many factors beyond their control, such as weather, manpower and so on. Occupation permits had been issued for Ming Chuen House, and it was expected that intake could be arranged in May;
- (e) the Department had conducted a site inspection at Shui Chuen O Estate with Mr YAU Man-chun. The pools of stagnant water had been removed and mosquito sand had been placed in that afternoon;

- (f) she would reflect the design issue of the carriageways in public housing estates to the buildings division. For the loading/unloading arrangements during intake, the Department would exercise discretion in dealing with the matter;
- (g) according to the latest information, the lift tower was expected to be completed in the fourth quarter of this year; and
- (h) regarding restricted tender, she noted that those who intended to rent the single-operator market should apply for registration in the client list for single-operator markets under the HA, and comply with the eligibility criteria for market management experience and capability. The HD would invite clients on the list to submit tender. The Department would make a hybrid evaluation of bidders in accordance with their past performance in market operation and tendered rents, and hoped that the operators could efficiently manage the day-to-day operation of the market, rather than merely adopting the 'highest bidder wins' principle.

120. Mr YAU Man-chun pointed out that the HD had said that the lift tower could be completed in the fourth quarter of 2015 at the meeting of the STDC last year. The 18 buildings of the housing estate had been fully occupied, but the lift tower had not yet been completed. He asked the HD whether the outsourcing contractor should take the responsibility, and whether the Department would pursue or blacklist the outsourcing contractor concerned.

121. Mr Michael YUNG asked how many units would be occupied before the completion of the lift tower. As the number of intake was increasing, the service of minibuses Route No. 812 and bus Route No. 288 would be further insufficient to meet the demand. Therefore, he requested the HD to co-ordinate with the TD as soon as possible.

122. Ms NGO Po-ling responded that it was expected that 2 500 flats would be completed in the second and third quarters of this year, while the buildings of stages 3 and 4 would be completed at the end of this year. Before intake, the Department would maintain close liaison with the TD on the transport facilities, and arrange bus and minibus services for residents. She noted that currently, the frequency of minibuses was higher than that before, and believed that bus services could meet the demand of the residents that who moved in.

123. The Chairman requested the HD to follow up the issues with individual members in writing after the meeting.

HD

Question to be Raised by Mr CHAN Billy Shiu-yeung on the Issue of Objects being Thrown from a Height in Sha Kok Estate
(Paper No. DH 21/2016)

124. The views of Mr Billy CHAN were summarised below:

- (a) in its response to question (a), the HD had mentioned six prosecution cases. He asked whether the tenants concerned had their tenancy agreements terminated or demerit points deducted, and how the Department would follow up the remaining 72 complaints;

- (b) he asked about the establishment, duty period and frequency of the Special Duty Squads and the Special Operation Teams. He also enquired whether they could handle the problem of objects being thrown from height and unauthorised dog keeping on Saturdays and Sundays; and
- (c) he asked why there had been no successful prosecution cases so far after the installation of video surveillance cameras in Herring Gull House.

125. The views of Mr CHAN Nok-hang were summarised below:

- (a) the HD had installed a mobile video surveillance camera for Chun Shek Estate, but he thought that it was not enough because there were many blackspots in the estate where objects were thrown from a height. He asked about the eligibility criteria for installation of fixed video surveillance cameras, and the respective numbers of housing estates using fixed video surveillance cameras and mobile video surveillance cameras in the Sha Tin District; and
- (b) he opined that deterrent effect could only be achieved through the addition of fixed video surveillance cameras on all rooftops. He asked whether the Department had any plans to install video surveillance cameras for all public housing estates in the Sha Tin District so as to combat throwing objects from height and guarantee residents' safety.

126. Mr WONG Yue-hon asked the HD which housing estates were suitable for installation of fixed video surveillance cameras, and which were not, and what the reasons were. He requested the Department to list the public housing blocks in the Sha Tin District that had been installed with fixed video surveillance cameras. He also asked when the installation works would be carried out for the buildings which were considered to be eligible for the installation of fixed video surveillance cameras after inspection.

127. Ms LAU Pik-yuk, Housing Manager/Ma On Shan and Tseung Kwan O (2) of the HD gave a consolidated response as follows:

- (a) she responded to Mr Billy CHAN that the persons involved in the six prosecutions usually would be fined. As for the remaining 72 complaints, the Department needed to trace the suspects. If throwing objects from height occurred in public places, the suspects often had left before the arrival of the law enforcement officers. Thus, it was very difficult to trace them. For those flats with throwing objects from height photographed, the tenants concerned would have demerit points deducted. On Saturdays and Sundays, buildings would be monitored and security guards would step up patrols at blackspots of throwing objects from height;
- (b) the Department should confirm the identity of the offender before initiating prosecution. Tenants throwing objects from height would be deducted 7 demerit points. In more serious cases, 15 demerit points would be deducted. The tenancy agreements of those who had accumulated 16 demerit points within 24 months would be terminated. For the case of Sha Kok Estate, no tenancy agreements had been terminated so far for tenants who had been deducted all of the 16 points for throwing objects from height;

- (c) the Special Operation Teams took turns to perform their duties in Tai Po, North District, Sha Tin and Sai Kung from Monday to Friday, and had carried out their duties in Sha Kok Estate for a total of 64 times over the past five years, each of which lasted for half a day to one day. If residents reported that some individual units were used to throwing objects from height at certain times at night, the Office would arrange special operations;
- (d) fixed video surveillance cameras had been installed on the rooftops of the buildings in Sha Kok Estate, but might not be able to capture suspects. As mentioned earlier, it was difficult to trace the suspects if they committed crimes in public places. They could only be prosecuted after confirmation of their identities;
- (e) it was easier to adjust the positions and angles of portable video surveillance cameras, and thus this could avoid infringing residents' privacy as far as possible. These cameras were also more flexible than fixed video surveillance cameras;
- (f) she replied to Mr WONG Yue-hon that the Department would decide whether to install fixed video surveillance cameras subject to the actual situation of each public housing estate. As far as she was aware, fixed video surveillance cameras had been installed in some housing estates in the Sha Tin District, and relevant information would be provided to members later;
- (g) the installation of fixed video surveillance cameras was subject to the actual environment of rooftops of the buildings, whether the video surveillance cameras would cause a nuisance to residents after installation, whether the video recording angles would infringe the privacy of the residents, and other factors. If it was unfeasible to install fixed video surveillance cameras, the Department would consider whether to install portable video surveillance cameras depending on the circumstances;
- (h) she responded to Mr CHAN Nok-hang that the positions and angles of fixed video surveillance cameras needed to be adjusted by technical staff. An example was if a building was 40-storey high, the shooting range of the fixed video surveillance camera installed on its rooftop would be restricted. The Department would use fixed and portable video surveillance cameras for different deployments; and
- (i) she would reflect members' comments to the Department on studying the feasibility of allocating resources to increase the number of portable video surveillance cameras.

HD

Information Papers

2016-2017 Approved Estimates of an Expenditure Head under the Committee
(Paper No. DH 22/2016)

128. Members noted the above paper.

Population of Public Housing Estates and Private Sector Participation Scheme Courts in Sha Tin

(Paper No. DH 23/2016)

129. Members noted the above paper.

Date of Next Meeting

130. The next meeting was scheduled to be held at 2:30 pm on 30 June 2016 (Thursday) in the STDC Conference Room.

131. The meeting was adjourned at 7:35 pm.

Secretariat of Sha Tin District Council
STDC 13/15/30 Pt X

June 2016