

Sha Tin District Council
Minutes of the 6th Meeting of
the Health and Environment Committee in 2016

Date : 10 November 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>
Mr WONG Yue-hon (Chairman)	DC Member	2:30 pm	6:16 pm
Ms YUE Shin-man (Vice-Chairman)	"	2:30 pm	6:08 pm
Mr HO Hau-cheung, BBS, MH	DC Chairman	2:30 pm	6:16 pm
Mr PANG Cheung-wai, Thomas, SBS, JP	DC Vice-Chairman	2:30 pm	6:01 pm
Mr CHAN Billy Shiu-yeung	DC Member	2:30 pm	5:31 pm
Mr CHAN Kwok-keung, James	"	4:49 pm	5:15 pm
Ms CHAN Man-kuen	"	2:30 pm	6:00 pm
Mr CHAN Nok-hang	"	2:30 pm	4:26 pm
Mr CHING Cheung-ying, MH	"	2:30 pm	6:16 pm
Mr CHIU Chu-pong, Sunny	"	2:30 pm	4:51 pm
Mr CHIU Man-leong	"	2:30 pm	6:16 pm
Mr HUI Yui-yu, Rick	"	2:37 pm	3:52 pm
Mr LAI Tsz-yan	"	2:54 pm	5:31 pm
Ms LAM Chung-yan	"	2:30 pm	5:59 pm
Mr LEE Chi-Wing, Alvin	"	2:30 pm	6:16 pm
Mr LEUNG Ka-fai, Victor	"	2:35 pm	6:00 pm
Mr LI Sai-hung	"	2:30 pm	6:03 pm
Mr LI Sai-wing	"	2:30 pm	6:16 pm
Mr LI Wing-shing, Wilson	"	2:30 pm	5:52 pm
Mr MOK Kam-kwai, BBS	"	2:30 pm	5:14 pm
Mr NG Kam-hung	"	2:30 pm	5:11 pm
Mr PUN Kwok-shan, MH	"	2:30 pm	6:16 pm
Mr SIU Hin-hong	"	2:30 pm	5:50 pm
Mr TING Tsz-yuen	"	3:06 pm	5:34 pm
Mr TONG Hok-leung	"	2:30 pm	5:59 pm
Ms TSANG So-lai	"	2:30 pm	5:59 pm
Ms TUNG Kin-lei	"	2:30 pm	6:16 pm
Mr WAI Hing-cheung	"	2:30 pm	5:34 pm
Mr WONG Fu-sang, Tiger	"	2:30 pm	6:01 pm
Mr WONG Hok-lai	"	2:57 pm	5:31 pm
Mr WONG Ka-wing, MH	"	2:49 pm	6:01 pm
Ms WONG Ping-fan, Iris	"	2:30 pm	6:00 pm
Mr YAU Man-chun	"	2:30 pm	4:11 pm
Mr YIP Wing	"	2:30 pm	4:27 pm
Mr YIU Ka-chun	"	2:30 pm	6:00 pm
Mr YUNG Ming-chau, Michael	"	2:30 pm	6:16 pm
Mr CHU Ho-fai, Kelvin (Secretary)	Executive Officer (District Council)1 / Sha Tin District Office		

In attendance

Mr WONG Tin-pui, Simon
 Mr TSAI Yu-sing, Eric

 Mrs TANG FUNG Shuk-yin
 Mr CHAU Wai

 Ms CHUI Mei-chun, Flora

 Mr YUEN Chun-kit, Derek

Title

Assistant District Officer (Sha Tin) / Sha Tin District Office
 District Environmental Hygiene Superintendent(Sha Tin) /
 Food and Environmental Hygiene Department
 Senior Housing Manager/Shah Tin / Housing Department
 Senior Environmental Protection Officer (Regional N)4 /
 Environmental Protection Department
 Deputy District Leisure Manager (Sha Tin)2 /
 Leisure and Cultural Services Department
 Senior Executive Officer (District Council) /
 Sha Tin District Office

In attendance by invitation

Mr CHAN Ping-ching, Roy

 Mr CHENG Chi-wing, Ken
 Mr NG Kok-hung

 Mr CHAN Lok-ming

 Dr LOH Lai-ting, Taron

Title

Assistant District Social Welfare Officer (Shatin)1 /
 Social Welfare Department
 Liaison Officer (West)1 / Sha Tin District Office
 Administrative Assistant / Lands (District Lands Office, Sha Tin) /
 Lands Department
 Commander of Patrol Sub-unit 3, Tin Sum Division /
 Hong Kong Police Force
 Senior Medical & Health Officer (Community Liaison)1 /
 Department of Health

Absent

Mr MAK Yun-pui
 Ms PONG Scarlett Oi-lan, BBS, JP
 Mr CHENG Tsuk-man

Title

DC Member (Application for leave of absence received)
 ” (”)
 ” (No application for leave of absence received)

Action**Welcome Message**

The Chairman welcomed all members and the representatives of government departments to the 6th meeting of the Health and Environment Committee.

Applications for Leave of Absence

2. The Chairman said that the Sha Tin District Council Secretariat had received written applications for leave of absence from the following members:

Mr MAK Yun-pui	Official commitment
Ms Scarlett PONG	Out of town

3. Members unanimously endorsed the applications for leave of absence from the above members.

Confirmation of the Minutes of the Meeting Held on 8 September 2016
(HEC Minutes 5/2016)

4. Members unanimously endorsed the above minutes of meeting.

Matters Arising from the Previous Meeting

Response of Government Departments to Matters Arising from the Previous Meeting
(Paper No. HE 47/2016)

5. Ms LAM Chung-yan pointed out that various departments concerned were aware of the haunt of wild pigs in the vicinity of Lung Hang Estate in Tai Wai, and the problem of the haunt of wild pigs had already spread to other areas of Tai Wai, such as Ka Tin Court and the neighbourhood of Hin Keng. She considered that merely dealing with the hygiene problem was not sufficient; she hoped that various departments would pay heed to the increase in the number of pigs and the pace of extension of their activity area, and jointly tackle the wild pig problem.

6. The Chairman pointed out that the wild pig problem involved a number of departments including the Food and Environmental Hygiene Department (FEHD), the District Lands Office, Sha Tin (DLO/ST), the Agriculture, Fisheries and Conservation Department (AFCD), etc., and he enquired if the aforesaid departments would take joint action or not. He proposed that the departments concerned should consider the wild pig problem at the meetings of the District Management Committee (DMC), and invite the AFCD to put forward proposals of controlling the number of wild pigs to eradicate the problem.

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

- (a) various departments had not been active enough in dealing with the wild pig problem, and the Sha Tin District Office (STDO) should adopt the coordinative role and put the matter on the agenda for discussion at DMC meetings; and
- (b) he considered that the AFCD had to install closed-circuit television systems or video cameras to record the sight and feeding of wild pigs and refer such material to the Housing Department (HD) in order to curb the illegal feeding of wild pigs. The DLO/ST had said that no muddy slurry would be sprayed on the land under general circumstances. He hoped that the DLO/ST would properly follow up the slope problem and take appropriate action.

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

- (a) if there was sufficient food up on the hill, the wild animals would not break into the area inhabited by residents to hunt for food, and there must be some feeders to attract them coming, so he hoped that various departments would advise residents not to feed wild animals; and
- (b) some concern groups of wild pigs might not have a good understanding of the circumstances of local residents, he hoped that various departments, after having discussed the issue at DMC meetings, would step up their follow-up action and that the District Officer (Sha Tin) who had newly assumed office would pay attention to district issues.

9. Mr Rick HUI pointed out that there were posts on social websites concerning the attacks of wild pigs on dogs. He considered that consequences would be serious if the attacks were made on children. He hoped that the authorities concerned would take greater

efforts to drive the wild pigs back up to the hill and the countryside. Regarding the sanitation problem of the burial areas, he considered that the cleansing work of the FEHD was not satisfactory and hoped that the mud would be totally replaced to reduce the bad smell.

10. Mr Eric TSAI, District Environmental Hygiene Superintendent (Sha Tin) of the FEHD responded that the FEHD would step up prosecution. The Department had taken quite a number of actions; in October this year, the Department had instituted prosecution twice in respect of the feeding of wild pigs at Lung Hang Estate. The Department and the HD had taken joint action including the distribution of leaflets to remind residents and taking prosecution action. In addition, the Department had also joined other districts in publicity activities to remind the public not to feed wild animals.

11. Mr Simon WONG, Assistant District Officer (Sha Tin) of STDO responded that the District Officer (Sha Tin) meant to meet all members as soon as possible, but due to the commitment of a meeting on the eighth of this month, she could only come to meet members on the day of this meeting. Regarding the wild pig problem, the STDO understood that it was necessary to cooperate with various departments, and had discussed the issue at the DMC meeting in July this year and continued with the work of coordination to deal with the matter after the meeting.

12. Members noted the above paper.

Discussion Items

Revised 2016-2017 Work Plans and Funding Applications of Working Groups under the Committee
(Paper No. HE 48/2016)

13. Members unanimously endorsed the above paper.

Updated Member Lists of Working Groups under the Committee
(Paper No. HE 49/2016)

14. Members unanimously endorsed the above paper.

Questions

15. Members unanimously agreed to change the order of agenda items and discuss the question raised by Mr WAI Hing-cheung.

Question to be Raised by Mr WAI Hing-cheung on the Snake Issue near Man Lai Court
(Paper No. HE 51/2016)

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

- (a) the Hong Kong Police Force indicated that in the past three years, there were altogether 13 “snake sighting” cases, but no mention was made as to whether such figure was on the high side or not. Man Lai Court was inhabited by many people and there were many pedestrians in the vicinity; he hoped that the authorities concerned could explain why there were more cases of snake sighting at that housing estate;

- (b) works had been carried out on the government land next to the MTR Tai Wai Station in the past two years, and he wondered if that might have driven the snakes which stayed in the neighbourhood to move elsewhere, such as to Man Lai Court. As for the grassland in the vicinity of Man Lai Court, including those within the environs of the MTR station and by the riverside of Shing Mun River, if they were left unattended for a long time, they might become the habitat of snakes, and thus cause hazard to residents. He asked if there was any legislation to require the responsible person(s) of non-government land with unattended weeds to make clearance. The cutting of weeds on government land and non-government land should be coordinated to avoid the migration of snakes that dwelled thereat when cutting work was carried out;
- (c) with snake sights in housing estates, he hoped that the government would advise residents of the ways to avoid the threats of snakes; and
- (d) the Hospital Authority had not provided any community-based data, so it was difficult to make analysis. The AFCD had indicated that it could not deal with snake nuisance cases, so he hoped that the Government could render support or assistance.

17. Mr YAU Man-chun pointed out that there were weeds grown along the jogging trails at the banks in the east and the west as well as the railings and slopes of the Shing Mun River, if they were not properly cut, snakes might be seen thereat. With the weeds growing tall and thick, and the dimness of the sky in the evening, snakes were often seen and that was attributed to the government's failure to cut weeds in time. As the weeds were tall and thick, and the weeds along different lengths of the same road section were dealt with by different departments, this resulted in the difficulties in the carrying out of and the slow progress of weed cutting. He asked the STDO if it would take the leading role in the cutting of grass.

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

- (a) the cutting of weeds was not regularly carried out, and different departments were involved in the cutting of weeds grown in different areas, thus causing inefficiency and slow progress of work. He hoped that cross-departmental cooperation could help to solve the problem; and
- (b) snakes were frequently seen in many areas of Sha Tin, but the snakes often left the scene before the arrival of snake catchers. The cutting of weeds was important, especially for those that had grown to human height.

19. The views of Mr SIU Hin-hong were summarised below:

- (a) he wanted to know if the 13 cases of "snake sighting" within three years involved one snake only or 13 snakes, and whether the residents were able to identity the types of snakes so that the number of snakes could be assessed. If the types of snakes could be identified, in cases of snake bite, it would be more expedient for the hospital to prepare appropriate serum for emergency treatment; he hoped that the residents would pay attention in this regard; and

- (b) the hunting for food might be the reason accounting for the appearance of snakes in housing estates, Man Lai Court was the place where more migratory birds would visit and so might have left something edible, therefore, apart from cutting the weeds, everything left along the riverside should also be cleared.

20. Mr NG Kok-hung, Administrative Assistant/Lands of DLO/ST responded that, for government land under the charge of other government departments, the cutting of weeds would normally be carried out by the Land & Vegetation Contract Management Section under the Lands Department. In Sha Tin district, cutting work would be regularly carried out to the land enclosed by the DLO/ST, about once in every two months. As for other government lands, cutting work would be irregularly carried out after receiving complaints or referrals.

21. Mr CHAN Lok-ming, Commander of Patrol Sub-unit 3, Tin Sum Division of Hong Kong Police Force gave a consolidated response as follows :

- (a) the police, upon receiving reports of “snake sighting”, would first send its staff to inspect the scene, if the snake was still at the scene, snake catchers would be called to the scene, and if no snake could be seen, the area would be patrolled for safety sake. The police had not taken any action to prevent the haunt of snakes;
- (b) as for the feeding of wild pigs which resulted in the soiling of public places, the persons involved would be charged for illegal dumping of rubbish and subject to fixed penalty; a number of departments might take such enforcement action, with the FEHD being one of the delegated departments. The enforcement officers must collect sufficient evidence from the scene if prosecution was to be taken. The police had on numerous occasions failed in such prosecution cases, and would in future strengthen its cooperation with the Housing Department; and
- (c) regarding the problem with Kak Tin Village, the police would conduct investigation and take follow-up action.

22. The Chairman said that he was not sure which department was responsible for cases involving snakes and wanted to know which department was responsible for precautionary work. He proposed that the DMC meetings should in future further consider the ways of promoting cooperation among various departments in solving the problem. As there were many problems involving animals in Sha Tin district, he proposed that the AFCD should brief the Sha Tin District Council and suggest preventive measures.

23. Regarding the unclear ambits among different departments in respect of the cutting of weeds as pointed out by members, Mr Simon WONG responded that ambiguity occurred if the site in question was located at the junction of areas under the jurisdiction of different departments. The STDO was responsible to chair an inter-departmental anti-mosquito and cleaning ad-hoc committee of Sha Tin district which held meetings once in every two months to consider the work on mosquito control and the cutting of weeds, and undertook relevant coordination work. The District Office would take record of committee members’ opinions who could also report the areas where the cutting of weeds was unsatisfactory for follow-up action to be taken.

Question to be Raised by Mr LAI Tsz-yan on the Issue of Street Sleepers
(Paper No. HE 50/2016)

24. Mr LAI Tsz-yan said that he had reflected the problem of street sleepers to such departments as the FEHD, the Hong Kong Police Force, and the Social Welfare Department (SWD), and the problem was deteriorating. The junk beneath the Sand Martin Bridge was on the rise and there were naked street sleepers defecating and urinating at the thick growth of grass. The government departments failed to deal with the situation, and if street sleepers refused assistance, the SWD had no way to intervene as well. As the area occupied by street sleepers fell within the ambits of various government governments, he wanted to know which departments were involved and the coordination among various departments. The FEHD mainly assisted in the clearance of wastes left behind by street sleepers, but could not handle their personal belongings. He asked the authorities concerned how the situation could be followed up. He hoped that various departments could devise more detailed plans to deal with the sanitation problem regarding street sleepers.

25. Mr Billy CHAN pointed out that the SWD had subsidized non-government agencies to provide one-stop service for street sleepers, but the STDO said that some street sleepers refused assistance. There were two types of street sleepers, the long-term street sleepers and short-term street sleepers. He asked how the authorities concerned would deal with the situation if long-term street sleepers refused assistance. The services offered by non-government organisations could only bring about temporary solutions without getting to the root of the problem, and even though the SWD offered place of residence to street sleepers, the street sleepers might not be able to afford. He asked how the authorities concerned would handle the matter. He also enquired if the distribution of quilts and the opening of temporary shelters by non-government organisations during periods of acutely cold weather condition could solve the problem.

26. Ms CHAN Man-kuen pointed out that, upon receiving complaints, the police would ask street sleepers if they were Hong Kong residents or not. She wondered if the police would take further action or not if the street sleepers were confirmed to be Hong Kong residents. She enquired if various departments had ever taken any joint action to handle the street sleeper problem and, whether the authorities concerned would adopt strong measures to deal with cases for which no follow-up action could be taken because the street sleepers involved refused to accept assistance. She wanted to know if there were other alternatives to reduce the number of street sleepers in Sha Tin district.

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

- (a) street sleepers caused hygiene and public order problems. If street sleepers refused to cooperate, the SWD would not follow up the case. He considered that the way of handling the problem was unsatisfactory;
- (b) regarding the housing problem, he pointed out that there could be temporary shelters for short-term street sleepers and public housing for long-term ones, but both types of accommodation required government assistance. For temporary shelters, there were many conditions for occupation and restraints, and street sleepers might not be eligible, so he hoped that various departments would take the initiative to follow up the matter; and

- (c) he hoped that the STDO would provide more information on the application for trust fund, for example, the number of applications that could be made, the amount that might be applied for each time, etc. In addition, he asked the STDO if Lung Hang Estate Community Centre would be opened as a temporary shelter when the weather was cold.

28. Mr CHAN Nok-hang said that the life style of street sleepers might cause inconvenience to other residents, for instance, their habit of defecating and urinating on the street and the collection of refuse. He had asked the SWD to deal with the matter, but the Department only offered limited services such as paying regular visits, distributing quilts, etc. He hoped that the SWD would gain a better understanding of the needs of street sleepers. For street sleepers with their own homes, he enquired if the Department had any means to persuade them to go home so that the problem could be solved.

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

- (a) he asked the Government if it was aware of the recent increase in the number of street sleepers, and wanted to know what the police would do when the street sleepers were found to be Hong Kong residents, and how the SWD followed up the cases of street sleepers who refused to accept assistance and helped them abandon street sleeping. He said that strong measures should not be used because it did not help to solve the problem, and would only compel the street sleepers to move elsewhere. Regarding the “estimated number of street sleepers” listed by the SWD in the paper, he asked whether the number of street sleepers had increased or decreased in the past three years; if there was an increase, the SWD should take a more serious view of the problem and in the event of a decrease, the SWD should look into the reasons. He hoped that the Government should devise more detailed and long-term programme to solve the problem; and
- (b) he asked the Secretariat if it would write to the police about its failure to send representatives to attend the meeting in respect of this item.

30. Mr WAI Hing-cheung pointed out that the number of street sleepers in the neighbourhood of Shing Mun River had increased recently, thus affecting environmental health and nearby residents, and that as various departments shed responsibilities to each other, the problem could not be solved. He enquired whether the street sleepers might, after a number of years, turn the government land that they had continuously and illegally occupied into their private property by adverse possession.

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

- (a) Ma On Shan also suffered from street sleeper problem with street sleepers placing their personal belongings in public areas; he considered that the problem might be solved quickly if various departments joined hands to deal with the situation. While some street sleepers refused to accept assistance from the SWD, and various departments had not drawn up a comprehensive programme to deal with the street sleeper problem, he hoped that various departments would coordinate to solve the problem;

- (b) regarding the environmental hygiene problem caused by street sleepers, the FEHD had been charged for having removed the personal belongings of street sleepers in other districts. He asked whether there was more desirable means of handling the problem. The SWD was able to provide emergency residential service, he wondered if it was possible for social workers to first understand the needs of street sleepers and then devise strategies in respect of individual cases. He also asked about how the authorities concerned would do if street sleepers could not apply again for public housing because they were not on good terms with family members; and
- (c) he asked about what sort of assistance the STDO might render if members report the street sleeper problem to its liaison officers.

32. Mr Eric TSAI gave a consolidated response as follows:

- (a) regarding the street sleeper beneath the Sand Martin Bridge, the FEHD had on the 5th of this month, joined hands with the STDO and the police, in carrying out clearance action, and as a result of which, the street sleeper had removed his personal belongings, and the Department had cleansed the area. The street sleeper beneath the Sand Martin Bridge was the one found at Man Lam Road early this year who reappeared after having disappeared for a certain period. He had brought back some of his belongings after the clearance action had completed, but left Sha Tin district after being advised and warned by the Department; and
- (b) there were different attitudes towards the dealing of street sleepers, somebody considered that street sleepers should be dealt with more severely, while others held the opinion that assistance should be given to them. The FEHD would deal with the environmental health problems caused by street sleepers; in case there were abandoned goods or something that the police considered useless, they would be removed after communication with the street sleepers as the Department had difficulties in distinguishing personal belongings from refuse. For street sleepers who defecated or urinated on the street, the Department could take prosecution action.

33. Mr Roy CHAN, Assistant District Social Welfare Officer (Shatin)¹ of the SWD gave a consolidated response as follows :

- (a) upon receiving cases of referral, the SWD would within a short period of time paid outbound visits and, depending on the welfare needs and consent of street sleepers, put a case on file. If the street sleeper could not be located, visits would be paid at some other time. Street sleepers normally did not trust others, and were reluctant to seek assistance. If street sleepers refuse to accept assistance, the SWD would cooperate with the Integrated Services Team for Street Sleepers operated by non-government organisations; and Christian Concern for the Homeless Association was the non-government organisation providing service to Sha Tin district;
- (b) rendering assistance to street sleepers in applying for public housing also encountered difficulties. Some street sleepers used to live in public housing, and were included in the household particulars of tenancy but resort to street

sleeping because of marriage problem, but he was not yet deleted from the household particulars. If street sleepers refused assistance, the case would be referred to Christian Concern for the Homeless Association which would offer assistance but that generally might take longer time for street sleepers to make a change and abandon street sleeping. Apart from social workers, the Department would also train voluntary workers and cooperate with district organisations such as religious organisations; if street sleepers have welfare needs, the voluntary workers would pass the case to the SWD for follow-up action. Social workers would also persuade street sleepers not to cause adverse impact on the community, environmental health and the livelihood of residents; and

- (c) regarding the application for public housing, there were successful cases of street sleepers moving into public housing. According to the data as at March this year, the SWD had dealt with 23 cases involving welfare needs within the past three years, while there were 18 such cases for last year, thus showing that the number of street sleepers who required welfare needs had increased. It was difficult to assess the number of street sleepers who refused assistance, because some street sleepers refused to provide personal particulars for verification purpose. If street sleepers refused assistance, the Department would pay visits repeatedly and as far as possible persuade them to accept assistance, but would not compel them to do so as such service was on voluntary basis. If a case was put on file, the Department would as soon as possible arrange appropriate residential service for street sleepers according to their welfare needs and make them abandon street sleeping.

34. Mr NG Kok-hung said that, according to legislation, the acquisition of property by adverse possession had to go through court proceedings, and one of the requirements was the occupation of the government land in question for over 60 years.

35. Mr Ken CHENG, Liaison Officer (W)1 of STDO said that the STDO, although not being an enforcement department, could take up the coordinative role to facilitate the finding of a solution to the problem by various departments within their jurisdiction. The STDO would keep watch of the case development and be in close liaison with various departments for joint follow-up action when such needs arose. Joint actions involving street sleepers had been taken in July and October this year. The SWD would join hands with non-government organisations to provide street sleepers with appropriate residential service. The STDO would open community centres to those in needs during periods of cold weather condition. After receiving complaints, the liaison officer would first understand the case and approach relevant departments and arrange joint action whenever necessary.

36. Mr Kelvin CHU, Executive Officer (District Council)1 of STDO said that the Secretariat had invited police representatives to the meeting, but was told that no representative would attend the meeting because the matter had been followed up with various departments.

37. The Chairman hoped that members would refer the matter to the police for its follow up and response, while welfare problems could be referred to the Education and Welfare Committee for discussion.

Question to be Raised by Mr WONG Hok-lai on the Weeds in the Green Belt
(Paper No. HE 52/2016)

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

- (a) he asked the Leisure and Cultural Services Department (LCSD) about when the existing contract with the outsourcing contractor expired. He regarded the performance of the outsourcing contractor as unsatisfactory because the weeds were only cut once in one month or two and the progress was slow. He considered that contractors with unsatisfactory performance should be replaced and he asked the Department about the supervision of contractors;
- (b) as weeds and refuse were often found on government land, the DLO/ST should regularly send its staff to deal with the situation instead of taking action only after receiving complaints; and
- (c) he enquired how long the reasonable period referred to by the contractor was, and how many “notice to contractors” had been issued by the LCSD and whether the contractors had been reprimanded or penalized.

39. Ms CHAN Man-kuen wanted to know about the cutting of weeds at Kwong Sin Street. She enquired if there had been any contractors penalized by termination of contract or ineligibility of reappointment because of unsatisfactory performance. She also enquired about the criteria that were adopted to assess the performance of contractors and the ways to enhance their performance or to step up the cutting of weeds.

40. Ms YUE Shin-man pointed out that the road between Wo Che Estate and the MTR Fo Tan Station was frequented by many pedestrians and the weeds thereat were not regularly trimmed. She hoped that the Government would plant brushes and provide benches for the sake of beautification, and pay attention to the condition of roads and street lights.

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

- (a) weeding problem occurred at many green belts and she did not know which department was responsible for such problem, and after placing a call to 1823, no department had responded to deal with the problem, and that the referral of cases to other departments via the hotline 1823 often caused longer time of processing;
- (b) as there were more and more green belts, she enquired if the cutting of weeds at roadside or on both sides of highways would be prioritized. The weeds of such locations were very tall and would affect the growth of trees, and pose obstruction to the sightline of pedestrians and drivers. She could not understand how the contractors could be made to take the initiative in cutting weeds if there was no provision regarding the frequency of weed cutting in the gardening service contract;
- (c) the FEHD mainly dealt with pest and mosquito control but not the cutting of weeds. She wanted to know if the Department would reflect to relevant departments any weed problems found when pest control and anti-mosquito exercises were carried out;

- (d) the DLO/ST was also responsible for the supervision of the operation of temporary public car parks that were managed by outsourcing contractors. Regarding the maintenance of trees, there was no clear-cut specification in the contract. She asked about how contractors could be made to adopt a more proactive attitude. The trees next to the car park at Tai Chung Kiu Road and On Lai Street had grown so much so that they reached the bus stops on the pavement, thus causing inconvenience to passers-by. For the time being, as such problem had to be first reflected to the DLO/ST for referral to the contractors concerned, and this took quite some time, therefore she hoped that the requirements regarding the maintenance of plants should also be stipulated in the contract; and
- (e) regarding the weeds found by road sides and inside the parks under the jurisdiction of the LCSD, she enquired what criteria had been adopted by the Department. Generally speaking, safety and horticulture would be adopted as the criteria for weeds by road sides and inside the parks respectively. She wanted to know the difference between the two in terms of criteria and penalties.

42. The views of Mr LAI Tsz-yan were summarised below:

- (a) he asked when the LCSD signed contract with the existing contractors and when such contracts expired. Though the contract had not included the frequency of grass cutting, the requirements and standards of various services had been clearly stipulated. He hoped that the Department would explain the aforesaid requirement and standards and asked if the Department would send its staff to inspect the work of contractors. For the time being, the weeds had grown so tall that they slanted onto the pavement, but was still left unattended;
- (b) he asked the LCSD about how many “notices to contractors” had been issued in the past year, and for how many times had service fees been so deducted; and
- (c) he asked the Department about what criteria would be adopted when conducting inspection and the frequency of inspection.

43. Mr TONG Hok-leung said that he often received complaints in respect of the green belts at Pik Tin Street and Heung Fan Liu Street. As supervision of contractors was very important and supervision for the time being was obviously insufficient, he hoped that the LCSD would strengthen its supervision and let the contractors know about the requirements of the Department, and members might also be advised about such requirements so that they could assist in the supervision of contractors.

44. Mr NG Kam-hung pointed out that refuse was also dumped in areas with overgrown weeds. He asked which department should be notified under such circumstances. He also wanted to know how various departments would divide among themselves in respect of the disposal of junk, refuse and weeds.

45. Mr Sunny CHIU pointed out that the frequency of grass cutting was not specified, he hoped that the Department should consider requiring a greater frequency of grass cutting and that the frequency of cutting instead of the service level should be applied as the criterion of

performance assessment. He hoped that various departments would as soon as possible clarify their terms of reference in this regard so that the work of grass cutting could be expedited.

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

- (a) the trees in the flower clumps which became dead during typhoon periods and cut off by contractors were only placed and left unattended beside the flower clumps. She considered that the performance of contractors was unsatisfactory and wanted to know how various departments exercised supervision over the contractors and hoped that they would review or improve the existing monitoring system; and
- (b) the examination of trees was very important, she often asked the Highways Department to clear the detached branches on the slopes and hoped that the outsourcing contractors would take the initiative in such work.

47. Mr Victor LEUNG pointed out that the cutting of grass involved different departments and the existing mechanism should be reviewed, for instance, less frequent inspection for areas with light flow of pedestrians and more frequent inspection for areas with heavy flow of pedestrians. As different cases were referred by different departments, the work of grass cutting was slowed down; he considered that a reporting system should be set up so that upon the finding of weed problems, contractors or departments concerned might be informed for follow-up action.

48. The Chairman said that relevant departments might follow up the locations with grass cutting problem with members after the meeting. With the cutting of trees and weeds mostly carried out by outsourcing contractors, he asked about the necessity of outsourcing and about the follow up action, such as the imposition of penalty, by the authorities concerned to deal with the poor performance of contractors. He also enquired about the time required for the issue of notice of default after receiving complaint.

49. Ms Flora CHUI, Deputy District Leisure Manager (Sha Tin)² of the LCSD gave a consolidated response as follows:

- (a) horticultural maintenance service was undertaken by outsourcing contractors. Such contract in respect of Sha Tin district ran from 1 December 2015 to 30 November 2018. Contractors must provide service as required by the contract and knew about the penalty arrangement if the services were not up to standard. Generally speaking, the Department would make site inspection every day but might not inspect the same site every day. Contractors were responsible for the green belt areas of about 800 000 square metres, including the recreational venues under the jurisdiction of the LCSD and roadside green belts. According to departmental establishment, if there was staff on site, they would inspect the work of contractors every day. As for roadside green belts and smaller parks, inspection would be carried out according to schedule and at least twice a month;
- (b) not all roadside plantation was maintained by the LCSD, the plantation at some locations fell within the jurisdiction of the Highways Department or the DLO/ST. If the contractor's performance was not satisfactory, the

Department would issue a “notice of service inspection record to contractor”, to inform the contractor about the locations where service was not up to standard, or require it to follow up the situation within reasonable period of time for review by the Department. If the contractor could not complete the work before the deadline, the Department would issue an “advisory letter”; if the performance was still unsatisfactory, a “notice of default” would be issued with the deduction of service fees as penalty. Under general circumstances, after the issue of the “notice of service inspection record to contractor”, the contractor concerned would give reply as to the time required for follow-up action, and an “advisory letter” would be issued if it failed to deal with the situation properly or not in time, and the time required for the issue of such depended on the circumstances of individual cases;

- (c) since the commencement of contract, the Department had issued 30 notices of service inspection record to the contractor and one advisory letter, and for the time being, had not issued any notice of default; and
- (d) regarding roadside weeds, and the criteria and penalty arrangement adopted for parks under the jurisdiction of the LCSD, trimming work would be carried out in the grassland of green areas, and horticultural maintenance requirements for landscaped areas were more stringent, and those for larger parks were even more stringent, but with penalty remaining the same.

50. Mr NG Kok-hung said that, upon receiving complaints in respect of the trees inside public car parks, operated on short-term tenancy basis, for causing nuisance to passers-by, the Department would issue advisory letter to the tenant, and would as far as possible pay attention to venues, covered by short-term tenancy, with trees and remind tenants of proper maintenance. As for construction waste, the DLO/ST would make investigation after the receipt of complaints, and for cases within the ambit of other departments, it would make proper referral. If the government land in question did not fall within the ambit of other departments, the Department would take follow-up action.

51. Mr Eric TSAI said that if weeds were found by the anti-mosquito squads under the Department during their course of work, referral would be made to relevant departments for follow-up action; for weeds that obstructed the flow of drainage water, they would be cut off.

Question to be Raised by Mr CHAN Billy Shiu-yeung on Dental Services for the Elderly
(Paper No. HE 53/2016)

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

- (a) Sha Tin with the population of 600 000 did not have a government dental clinic. The Department of Health would at specified time sessions provide service to the public, but Sha Tin district was not provided with any such time sessions;
- (b) he said that he had used children dental care service under the Department of Health. He enquired the Department if the same scheme was adopted for the Outreach Dental Care Programme for the Elderly and how many people were benefited. The Department encouraged the elders to use health care vouchers

but only the elders aged at 70 or above were eligible for such vouchers, and those aged between 65 and 69 could only make payment out of their Old Age Living Allowance which was already insufficient to meet their needs. He asked the Department if any medical care service scheme for the grass roots would be introduced to meet the needs of residents and whether the elders aged between 60 and 64 who were not eligible for Old Age Living Allowance had to seek private medical service. With the problem of aging population getting increasingly serious and Sha Tin district was one such example, he proposed that the dental clinic at Yuen Chau Kok, apart from serving the government servants and contract staff, should extend service to the grass root residents who were not government servants. For optimization of resources, the Government should raise the dental allowance for the elderly; and

- (c) he hoped that the SWD would give him a reply in respect of this question after the meeting.

53. Mr LI Sai-wing said that this subject matter had been discussed for quite time. Sha Tin was for the time being served by a dental clinic, but it did not provide service to all residents, residents who wished to obtain cheaper dental service, might line up for service at the Prince Philip Dental Hospital in Sai Ying Poon. Members had repeatedly requested for out-patient dental service in Sha Tin and the elders of the district also had such demand, but the Department had not made any affirmative reply and there was no progress in this respect. He wished to have the provision of a dental clinic included into the annual programme and have the residents' concern reflected to and such application submitted to the policy bureau.

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

- (a) members had in the past repeatedly raised questions about the provision of elderly dental service but the Department had not reviewed the situation or made improvement. With the population of New Territories East exceeding 1.6 million, the dental clinic in Tai Po only reserved a small quota to serve the public. Many places in the Asia Pacific regions would set up dental hospitals to provide service to the public, but the Prince Philip Dental Hospital was established for teaching purpose, thus showing that the public dental service of Hong Kong could not catch up with that of other places and was in violation of the principle of equality. The saturation of dental service provided to serving and retired government servants showed the public's acute demand for dental service. She hoped that the Department would review the provision of dental service and increase resources to enhance service instead of focusing on publicity; and
- (b) the residents of Sha Tin district were in need of sophisticated and universal out-patient dental service. She hoped that members' views could be reflected to the Bureau and that the dental service could be made universal so that the elders need not use their welfare allowance to seek private dental service which charged high and might not be affordable to the public.

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

- (a) the Department said that it was not desirable to provide dental service, and the existing clinics only serve government servants and their dependents, and would not provide service to the elderly in the district;
- (b) Sha Tin district, being the community with the largest population, did not have a dental clinic. He did not understand why the dental clinic in Yuen Chau Kok did not serve the elderly, and drove the elders to seek service from some other welfare organisations. The elders in the district considered that they had worked hard for the society but the Government provided little welfare to them. He asked the Government or the Department if any plan would be drawn up in future to help the elderly, and if it was possible to lower the age eligible for Community Care Fund Elderly Dental Assistance Programme or health care vouchers; and
- (c) with the imminent ageing population problem, a dental clinic for the elderly should be provided as soon as possible.

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

- (a) he asked about how many dental clinics there were on Hong Kong Island, in Kowloon and the New Territories. He also asked if it was because the dental clinics in Sha Tin could not fully meet the needs of government servants that service could not be extended to the residents, and why there was no grass root dental service in Sha Tin district; and
- (b) he enquired about the number of dentists of permanent establishment of civil service under the Department of Health. He pointed out that the family members of dentists of permanent establishment of civil service were also ineligible for public dental service. He asked if the Government had considered extending service to the public. He said that the Department only constructed offensive facilities in the district and paid no attention to the provision of facilities for the benefit of the public.

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

- (a) he wished that the great demand for a dental clinic in Sha Tin district could be reflected to the authorities concerned. Many elders were in need of dental service, and despite turning to the private sector, they still had to wait for a long period of time ; and
- (b) he asked about how the Government could provide dental service to the elders aged between 60 and 70 who had not obtained Comprehensive Social Security Assistance (CSSA) or Old Age Living Allowance.

58. The Chairman asked if the Department had any plan, or would ask, for the provision of a public dental clinic. If such request had been made, he asked why it was not implemented.

59. Dr Taron LOH, Senior Medical & Health Officer (Community Liaison)1 of the Department of Health gave a consolidated response as follows:

- (a) the Department of Health, through 11 government dental clinics under its jurisdiction assigned specific time sessions to provide free emergency dental treatment to the public every week. But due to limited resources, the time sessions for out-patient dental service or the scope of service could not be increased or extended. It involved enormous financial resources to provide territory-wide comprehensive dental service to the elderly and other members of the public, therefore the Government's dental care policy focused on publicity, promotion and education (including School Dental Care Service), in the hope that the public would gain knowledge about oral care and oral health from childhood. On dental service, the Government focused on providing emergency service with particular attention paid to those in special needs, especially the elderly in financial difficulties;
- (b) under the CSSA system, the Government assisted those in financial difficulties to gain access to dental treatment in areas such as tooth extraction, denture, crowning, dental bridge, removal of tartar, cavity filling, root treatment, etc. The Government had in recent years introduced a series of measures to take care of those in special needs, such as the elderly with low-income and special needs, by providing them with dental care service and support, including the Outreach Dental Care Programme for the Elderly, and the Elderly Dental Assistance Programme under the Community Care Fund;
- (c) the Outreach Dental Care Programme for the Elderly was to provide basic dental care services to the elderly who lived at residential care homes or received services at day care centres/units. The Government had converted the Pilot Project on Outreach Primary Dental Care Services for the Elderly into a recurrent scheme in October 2014 and also extended the scope of treatment services, with the target of beneficiary extended to the elders living in similar kinds of facilities. The number of beneficiaries would be provided to the members after the meeting;

(Post-meeting note: from October 2014 to the end of November 2016, about 64 400 members of the public benefited from the Outreach Dental Care Programme for the Elderly.)

- (d) the Elderly Health Care Voucher Scheme was initially launched in 2009 as a pilot project and was converted into a recurrent support programme in 2014. Under the scheme, the annual voucher amount for each eligible elder had been increased to \$2,000. As at the end of October 2016, about 700 dentists participated in this Scheme which aimed at subsidising the elderly in using medical services provided by the private sector, including dental service such as teeth examination, scaling, and cavity filling, etc.;
- (e) the dental treatment service was not only limited to the service provided by the dental clinics under the Department of Health, services provided by dentists in the private sector and of non-government organisations were also included;

- (f) the Department was aware that members of the public required all sorts of medical services after retirement; elders aged 70 and above would benefit from the current Elderly Health Care Voucher Scheme, and for the time being, such vouchers were used by over 0.6 million elders. According to the population projection released by the Census and Statistics Department, the population of elders aged 65 or above would reach 1.4 million by 2020, i.e. twice the number of elders now using health care vouchers. If the eligible age was lowered to below 65, the financial burden of the Government in implementing the health care vouchers scheme would be substantially increased, therefore this matter had to be considered in a prudent manner; and
- (g) the Department of Health noted members' concern and the demand for dental service of Sha Tin residents, and she would refer such views to the Department and relevant policy bureaux. As a matter of fact, very few countries could satisfy public demand for dental service solely by public resources, the people of some countries even had to shoulder costly medical insurance premium. The Department placed great emphasis on publicity and education, in the hope of raising public awareness of dental health.

60. Ms TUNG Kin-lei proposed the following provisional motion:

“The Health and Environment Committee of Sha Tin District Council requested the Government to increase resources for the provision of out-patient dental service so as to improve the dental care service for Sha Tin district.”

Mr Victor LEUNG seconded the motion.

61. Members unanimously endorsed the provisional motion in paragraph 60.

Question to be Raised by Mr YIU Ka-chun on the Handling of Bulky Waste and Construction Waste at Refuse Collection Points

(Paper No. HE 54/2016)

62. The views of Mr YIU Ka-chun were summarised below:

- (a) the FEHD totally received 83 complaints which mainly involved eight locations whereas the DLO/ST totally received 73 complaints involving six locations and the Environmental Protection Department (EPD) totally received 33 complaints involving 11 locations. As the locations involved seldom overlapped, it was sufficient to show that the residents did not know which department should be approached and had no idea of the division of responsibilities among various departments. The disposal of bulky furniture and the dumping of construction waste often occurred in village-type refuse collection points, and the Government should consider assigning one department to be responsible for dealing with the matter. With construction waste dealt with by the EPD and domestic waste handled by the FEHD, there was no department to coordinate the disposal of different types of waste. It was not known if the STDO, being the coordinator of “Team Clean” campaign, would consider with village representatives and relevant departments about how to monitor the situation in order to stop the recurrence of such situation. The Food and Health Bureau had tried the use of web

camera at Tai Shui Hang which proved to be effective. As Sha Tin was a district with large population, he suggested to have pilot schemes launched in Sha Tin district;

- (b) regarding the arrangement in respect of Kwong Sin Street and Siu Lek Yuen, he enquired if it was possible to consider turning the location into a parking area for motor vehicles or bicycles to prevent the illegal dumping of waste or refuse; and
- (c) for bulky construction waste, the FEHD would refer the case to the EPD, but the EPD had no resources to take clearance action; under such circumstances, he hoped that the authorities concerned would clarify as to which department was responsible for clearing the accumulation of waste. He asked if there were any loopholes in the current legislation and any need for review. If there was video recording as evidence, the EPD would take prosecution action, so he did not understand why video recorders were not installed despite their effectiveness.

63. Mr CHIU Man-leong pointed out that the illegal dumping of waste also took place at the refuse collection point outside Tai Shui Hang Village of Ma On Shan. He had reflected his opinions to the EPD and the Environment Bureau, and the problem of illegal dumping of waste got worse after the pilot scheme of the installation of video camera had come to an end after one year. He hoped that the authorities concerned would give consideration to the installation of video camera permanently at black spots to curb the problem.

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

- (a) he wanted to know when the pilot scheme of recording by web camera would be implemented in Sha Tin. As Tin Sam Refuse Collection Point was located next to parking spaces, construction waste would occasionally be delivered there by vehicles, he hoped that the said refuse collection point would be the location for pilot scheme implementation;
- (b) the EPD had not provided data on its staff establishment and it had only 20 prosecution cases in two years, less than that of the FEHD. He asked if it was due to the shortage of manpower;
- (c) it was difficult to define the category of construction waste and to determine which department should be responsible for its disposal, he hoped that more information could be provided;
- (d) in respect of the clearance of furniture items, as the refuse collection vehicles of the contractors of the FEHD were not equipped with compressors, he asked if it was possible to stipulate the minimum loading of such vehicle before leaving the refuse collection point in order to avoid wastage of resources; and
- (e) the STDO should be responsible for coordination and the location of black spots of illegal dumping of waste, and take joint action with various departments to tackle the problem.

65. Mr Tiger WONG pointed out that the problem of the dumping of construction waste fell within the ambit of various departments including the Lands Department, the Highways Department, the Water Supplies Department, the Home Affairs Department, etc. The referral of such cases among departments led to inefficiency, he wondered if it was possible for the STDO to coordinate the work of various departments in this regard. As outsourcing contractors worked according to what was specified in their contracts, he wondered if it was possible to require outsourcing contractors to reflect the refuse problem to the STDO for its consolidation of follow-up actions.

66. Ms TUNG Kin-lei pointed out that, apart from rural areas, accumulation of refuse was also found in the refuse collection point at Fo Tan Shan Mei Street. This collection point was not used to collect bulky domestic refuse, but many factories in Fo Tan district would dump bulky refuse there, thus posing difficulties to the staff. She wished that the authorities concerned would give consideration to the installation of closed circuit television system for regular surveillance at the aforesaid black spot as this might lessen the work pressure on staff and tackle the illegal dumping of waste.

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

- (a) she would like to know how various departments would deal with the matter after receiving complaints and coordinate with other departments. The accumulation of refuse for a long time would give rise to bad smell and cause environmental health problem, and the location concerned was also close to residential area; and
- (b) in the past, there were elders placing the cartons they collected at the refuse collection point to wait for collection vehicles; such cartons were often placed there for a long time and caused obstruction to drivers, but they were not considered as refuse. She wanted to know how the FEHD and its contractors would do under the aforesaid circumstances.

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

- (a) the pilot scheme of recording by web camera at Tai Shui Hang had completed. The environment in the neighbourhood had improved after the installation of such system by the EPD and such device with surveillance function was not expensive. He enquired if the FEHD had studied any existing measures to enhance the design of village refuse collection points. The current practice of having large refuse containers placed outside the collection point with the staff pushing the refuse containers to the place where refuse collection vehicles parked, would affect the environment;
- (b) as refuse disposed of in different locations was handled by different departments but with low efficiency, he wanted to know if various departments had an established strategy to handle the matter;
- (c) after the installation of video camera, the dumping of waste might shift to other locations, and the EPD should adopt the weight of refuse collected or the number of vehicles instead of the number of summons issued as the criterion of effectiveness; and

- (d) it was illegal for villagers to dump furniture items at village-type refuse collection points while housing estates might use the collection vehicles of the FEHD for the disposal of furniture items. He considered that there was contradiction in such practice and the Department should give consideration to the ways of handling the situation.

69. Mr NG Kok-hung gave a consolidated response as follows:

- (a) in view of the greater mobility of construction material placed on rural government land, the DLO/ST must post notice on site according to Land (Miscellaneous Provisions) Ordinance (Cap 28) if enforcement action was to be taken. The DLO/ST would give at least 24 hours of notice to the occupants, and if occupation persisted after the expiry of deadline, further land control action, including clearance of the site, could be taken; and
- (b) in respect of the illegal dumping of construction waste on government land, if the land involved did not fall within the jurisdiction of other departments, the Department would follow up the case and arrange contractors to carry out clearance action as soon as possible.

70. Mr Eric TSAI gave a consolidated response as follows :

- (a) there were 36 village-type refuse collection points and 6 permanent off-street refuse collection points under the FEHD in Sha Tin district. He reiterated that refuse collection point was for the purpose of receiving domestic refuse and not construction waste;
- (b) the Department had been monitoring the weight of loading of refuse collection vehicles upon entering Shatin Refuse Transfer Station or the landfill, so there could not be any overloading, but leaving when not fully loaded with waste would be a waste of resources. The rate of utilization of refuse collection vehicles of individual routes of Sha Tin district was about 80 to 90%, close to the design capacity of vehicle and route capacity;
- (c) construction waste found to be dumped beside the refuse collection point or on the street would be referred to the Highways Department and the DLO/ST for clearance, and the case would be referred to the EPD for prosecution action. As for domestic refuse and domestic waste, they would be cleared by the FEHD;
- (d) as for cartons, if the cartons collected by the elders caused environmental health problem, the staff would remind the elders to move away the cartons to avoid causing obstruction; and
- (e) domestic waste placed next to the refuse collection point would be cleared by the Department; as for construction waste, the case would be referred to relevant departments for follow-up action. Residents were also allowed to dispose of their furniture items in village-type refuse collection points, such way of handling was the same as that applied to housing estates.

71. Mr CHAU Wai, Senior Environmental Protection Officer (Regional N)4 of the EPD gave a consolidated response as follows :

- (a) the EPD had neither the responsibility nor the resources to carry out clearance action. Its responsibilities mainly dealt with enforcement in respect of construction waste. The Department had issued 42 fixed penalty tickets through more simple procedure, while the prosecution action by summons taken in respect of another 20 cases was more complicated where the accused had to appear in court and the penalty was also more severe;
- (b) as for the pilot scheme implemented at Tai Shui Hang, he said that there were quite a number of prosecution cases within the several months after implementation, but only one case or two involved construction waste, and the remaining cases involved the dumping of bulky domestic waste by transportation companies. The Department would take prosecution action by summons and the transportation companies would also be advised to deliver such waste to large refuse collection points or the refuse transfer stations. As most waste was domestic furniture, the Department considered that such waste should not be dealt with in the manner as that in respect of construction waste, and it would continue to monitor the situation by conducting inspection. Since refuse was usually dumped in the evening, mostly by small-sized decoration companies, and the majority of waste was domestic decoration waste, the Department would send its staff to inspect the black spots in the evening; and
- (c) even the installation of video camera might not lead to successful prosecution, for instance, when carts were used or when the vehicle licence plates could not be seen. Enhancement of refuse collection and the extension of the refuse collection point might be feasible solutions and could reduce prosecution action. According to legal proceedings, the staff should go to the refuse collection points after one day in order to determine if the articles concerned were refuse or not and to put the case on file. But the FEHD sometimes would clear the refuse before they were identified by the EPD , and under such circumstances, the statement made by the vehicle owner and pictures taken could not be strong evidence in court. Regarding bulky refuse, the Department considered that prosecution action by summons served the purpose of deterrence and the amount of fine was also greater.

72. Mr Simon WONG said that, regarding environmental health problem, the anti-mosquito and cleaning ad-hoc committee of Sha Tin district would regularly carry out cross-departmental coordination in respect of the black spots in the district. Apart from anti-mosquito efforts, the ad-hoc committee would also deal with environmental health matters. For the time being, no EPD representative was included as member of the ad-hoc committee, and the STDO might consider inviting the staff member of the EPD to join the committee for better handling of the problem.

73. The Chairman asked if enforcement action could only be taken when both the waste and the one who dumped the waste were caught at the place where closed-circuit television system was installed. As there were different ways to handle different kinds of waste, he considered that it would be more effective to adopt the volume of waste as the criterion. Apart from village-type refuse collection points, those located close to rural areas under the

jurisdiction of the Housing Department were also affected, for instance, there was also dumping of bulky refuse at Wo Che Estate. The situation of that refuse collection point had been improved after the installation of closed-circuit television system, so he queried why such device was not installed at all black spots. On enforcement, he asked if there was room for review, and whether it was possible for individual departments to coordinate the handling of the matter.

74. Mr YIU Ka-chun proposed the following provisional motion:

“The illegal dumping of bulky furniture, domestic refuse and construction waste outside village-type refuse collection points was serious, thus causing poor environmental health problem. The Health and Environment Committee of the Sha Tin District Council requested the government departments concerned to follow up the situation and consider improvement measures in various aspects for the sake of maintaining environmental health, and to consider the installation of web camera outside village-type refuse collection points in Sha Tin district for enhanced surveillance.”

Mr Tiger WONG seconded the motion.

75. Members unanimously endorsed the provisional motion in paragraph 74.

Report Items

Reports of Working Groups
(Paper No. HE 55/2016)

76. Members noted the above paper.

Information Papers

Statistical Overview of Sha Tin District Environmental Hygiene Service (as at 1 October 2016)
(Paper No. HE 56/2016)

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

- (a) the ovitrap index for the month of September in Ma On Shan showed an increase over that for the month of August, whereas such indices in Yuen Chau Kok and Tai Wai decreased; he worried that the mosquito problem in Ma On Shan was getting increasingly serious;
- (b) the FEHD had examined 729 food samples, but the result in respect of 93 samples was not available, he enquired about the reason and by what means one could get to know such result; and
- (c) it was heard that hairy crabs contained dioxin, he asked if the Department could step up publicity regarding the harm of dioxin to human health, and provide more information.

78. The views of Mr Thomas PANG were summarised below:
- (a) he wanted to know if the Department had randomly examined the hairy crabs sold in Sha Tin district, and considered that a territory-wide random examination of hairy crabs should be conducted. He pointed out that, for the time being, there was no adopted standard; and
 - (b) with the weather getting cold and the Department had pointed out in its API that *Aedes albopictus* could still survive under low temperature, he hoped that the Department should step up education in this regard. He considered that the anti-mosquito efforts should not be slackened even in winter.
79. The views of Mr HO Hau-cheung were summarised below:
- (a) he asked about the implementation of fixed penalty legislation against shop front extensions. Since the implementation of such legislation in September, only nine prosecutions had been made, and although there were several black spots in Sha Tin district, only a small number of prosecutions that had been made involved Sha Tin district, he wondered if this was because the Department was too light-handed in regulation. He pointed out that almost all shops at Mei Tin Road of Tai Wai would place their goods outside the shops after noon, he wanted to know about the prosecution and the effectiveness of the aforesaid legislation; and
 - (b) despite the plead for light-handed measures by some shops, the relevant legislation was the policy for effective road management and the public also had high hope on it.
80. The views of Mr CHIU Man-leong were summarised below:
- (a) regarding the increase in the ovitrap index for the month of September in Ma On Shan, he enquired if the increase of 5% was on the high side; and
 - (b) with anti-mosquito work being one of the key focuses of the district-based programme, he enquired about the effectiveness of such efforts and whether there was any data that could be provided for comparison purpose;
81. The views of Mr Michael YUNG were summarised below:
- (a) he hoped that the FEHD would advise shops that placing their goods on the street was illegal. He enquired, given that small shops are hard to survive, if the Department had given them sufficient notice, and that if the DLO/ST would clearly define public area and private area and let the shops know clearly. He considered that, at the black spots of shop front extension problem, boundaries should be marked just like the practice of marking the boundary of no-smoking area; and
 - (b) he considered that front-line staff had difficulties in enforcement and the dissatisfaction of residents should be dispersed, he asked if the Department could step up coordination.

82. Mr Eric TSAI gave a consolidated response as follows :

- (a) the ovitrap index for the month of October in Ma On Shan maintained at 5.1%. The FEHD, which had always attached importance to mosquito control problem of the entire Sha Tin district, would continue to keep watch of the situation of Ma On Shan;
- (b) although there were less mosquitoes in winter, the Department would continue with its efforts in publicity and control. As *Aedes albopictus* might transmit the virus of dengue fever and its ovum might survive from winter to the rainy season, the work on mosquito control could not be slackened. The FEHD had increased the allocation of resources to various districts for anti-mosquito efforts;
- (c) in the first phase of the District-led Actions Scheme, the FEHD together with several government departments and members of the District Council inspected the ovitrap behind Belair Gardens, and had strengthened the anti-mosquito work carried on the hill by the cleansing team after the relevant working group had approved allocation. Therefore the ovitrap index in Yuen Chau Kok lowered from 26.3% in July to 7.3% in August and further dropped to 5.6% in September. Members of the working group had conducted inspection in Ma On Shan earlier on and would step up the anti-mosquito effort carried out thereat;
- (d) regarding the examination of foodstuffs, the testing of micro-organism generally only took several days, but chemical examination often took a longer period of time. Chemical examinations were mostly carried out by the Government Laboratory but the result of chemical examination was not yet available by the time of submitting committee papers. The Centre for Food Safety would regularly make known to the public the results of its examination of foodstuffs and in case there was problem with any foodstuff, would call for public attention immediately, for example, in the case involving hairy crabs, the Department had instantly notified the media so that the public would know the information from various media; and
- (e) the Department had always attached importance to the handling of shop front extension problem in Tai Wai; if the area being illegally occupied was the private area of housing estates, no prosecution would be taken, otherwise prosecution action would be taken. In respect of the shop front extension problem at Glamour Garden, the Department would instruct its staff to take action and would not be light-handed in handling the matter. As for the nine fixed penalty tickets issued in October, he said that those were the extra tools for enforcement, in case of severe cases, arrest and prosecution action would be made, and there were 14 cases of arrest and prosecution in September.

83. Members noted the above information paper.

Financial Position and Activity Progress of Expenditure Head 4 (Health and Environment)
(Paper No. HE 57/2016)

84. Members noted the above information paper.

Date of the next meeting

85. The next meeting was scheduled to be held at 2:30 pm on 12 January 2017 (Thursday).

86. The meeting closed at 6:16 pm.

Sha Tin District Council Secretariat
STDC 13/15/40

January 2017