

**Minutes of the 6th Meeting of
the Sha Tin District Council in 2016**

Date : 22 September 2016 (Thursday)
Time : 2:30 pm
Venue : Sha Tin District Council Conference Room
 4/F, Sha Tin Government Offices

<u>Present</u>	<u>Time of joining the meeting</u>	<u>Time of leaving the meeting</u>
Chairman : Mr HO Hau-cheung, BBS, MH	2:30 pm	5:59 pm
Vice-Chairman : Mr PANG Cheung-wai, Thomas, SBS, JP	2:30 pm	5:35 pm
Members : Mr CHAN Billy Shiu-yeung	2:30 pm	5:55 pm
Mr CHAN Kwok-keung, James	2:30 pm	3:03 pm
Ms CHAN Man-kuen	2:30 pm	5:59 pm
Mr CHAN Nok-hang	2:37 pm	5:59 pm
Mr CHENG Tsuk-man	2:35 pm	4:46 pm
Mr CHING Cheung-ying, MH	2:35 pm	5:59 pm
Mr CHIU Chu-pong, Sunny	2:30 pm	5:27 pm
Mr CHIU Man-leong	2:30 pm	5:59 pm
Mr HUI Yui-yu, Rick	2:42 pm	5:54 pm
Mr LAI Tsz-yan	2:35 pm	5:59 pm
Ms LAM Chung-yan	2:30 pm	5:35 pm
Mr LEE Chi-wing, Alvin	2:30 pm	5:29 pm
Mr LEUNG Ka-fai, Victor	2:30 pm	3:10 pm
Mr LI Sai-hung	2:30 pm	5:59 pm
Mr LI Sai-wing	2:30 pm	5:08 pm
Mr LI Wing-shing, Wilson	2:30 pm	4:56 pm
Mr MAK Yun-pui	2:30 pm	3:09 pm
Mr MOK Kam-kwai, BBS	2:30 pm	5:03 pm
Mr NG Kam-hung	2:30 pm	5:16 pm
Ms PONG Scarlett Oi-lan, BBS, JP	2:30 pm	5:21 pm
Mr PUN Kwok-shan, MH	2:30 pm	5:41 pm
Mr SIU Hin-hong	2:30 pm	5:35 pm
Mr TING Tsz-yuen	2:30 pm	5:59 pm
Mr TONG Hok-leung	2:30 pm	5:42 pm
Ms TSANG So-lai	2:30 pm	5:59 pm
Ms TUNG Kin-lei	2:30 pm	5:59 pm
Mr WAI Hing-cheung	2:43 pm	3:54 pm
Mr WONG Fu-sang, Tiger	2:30 pm	5:59 pm
Mr WONG Hok-lai	2:30 pm	5:59 pm
Mr WONG Ka-wing, MH	2:30 pm	3:10 pm
Ms WONG Ping-fan, Iris	2:30 pm	5:59 pm
Mr WONG Yue-hon	2:30 pm	5:57 pm
Mr YAU Man-chun	2:30 pm	3:49 pm
Mr YIP Wing	2:30 pm	5:56 pm

Present

Members : Mr YIU Ka-chun
 Ms YUE Shin-man
 Mr YUNG Ming-chau, Michael
 Secretary : Mr YUEN Chun-kit, Derek

**Time of joining
the meeting**

2:30 pm
 2:30 pm
 2:30 pm
 Senior Executive Officer (District Council) /
 Sha Tin District Office

**Time of leaving
the meeting**

5:59 pm
 5:56 pm
 5:59 pm

In Attendance

Mr WONG Tin-pui, Simon
 Ms KWAN Chui-ching, Catherine

Mr Sean LIN

Ms Rosanna TSE
 Mr NG Ping-tong, Gordon

Mr TAM Chung-keung

Mr SOH Chun-kwok

Ms KWOK Wai-ying, Candy

Ms CHUI Mei-chun, Flora

Mrs LEE CHEUNG Yat-wai, Gloria

Mr TSAI Yu-sing, Eric

Ms TSANG Wing-chi

Mrs TANG FUNG Shuk-yin

Ms CHENG Ka-po, Theresa
 Ms CHENG Yuk-kam, Brenda

Ms WAN Siu-ling

Mr HO Kin-nam, David

Title

District Officer (Sha Tin) (Acting)
 District Commander (Shatin) /
 Hong Kong Police Force
 Police Community Relations Officer
 (Shatin District) / Hong Kong Police Force
 District Lands Officer (Sha Tin)
 Administration Assistant (Acting) /
 (District Lands Office, Sha Tin)
 Chief Engineer / New Territories East 3 /
 Civil Engineering and Development Department
 District Planning Officer (Sha Tin, Tai Po and
 North) / Planning Department
 Principal Transport Officer / New Territories /
 Transport Department
 Deputy District Leisure Manager (Sha Tin)2 /
 Leisure and Cultural Services Department
 District Social Welfare Officer (Shatin) /
 Social Welfare Department
 District Environmental Hygiene
 Superintendent (Sha Tin) /
 Food and Environmental Hygiene Department
 Senior School Development Officer (Shatin)5 /
 Education Bureau
 Chief Manager (Acting) / Management
 (Tai Po, North, Shatin and Sai Kung) /
 Housing Department
 Chief Liaison Officer / Sha Tin District Office
 Senior Liaison Officer (East) /
 Sha Tin District Office
 Senior Liaison Officer (West) /
 Sha Tin District Office
 Executive Officer I (District Council)1 /
 Sha Tin District Office

In Attendance by Invitation

Mr HUI Siu-wai, JP
 Mr CHAN Wai-ching

Ms WONG Fung-sang, Mandy

Title

Director of Buildings
 Senior Structural Engineer / C4 /
 Buildings Department
 Administration Assistant /
 Director of Buildings

In Attendance by Invitation

Ms LEUNG So-ping, Selina

Ms MA Kate, Wankie

Title

Senior Executive Officer (Planning)1/
Leisure and Cultural Services Department
Architect (Works)8 / Home Affairs Department

Action

The Chairman welcomed Members and representatives from government departments and organisations to the meeting.

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

3. The Chairman, on behalf of the Sha Tin District Council (STDC), welcomed Mr HUI Siu-wai, Director of Buildings, Mr CHAN Wai-ching, Senior Structural Engineer / C4 and Ms Mandy WONG, Administration Assistant, Director of Buildings of the Buildings Department (BD), Ms Wankie MA, Architect (Works) 8 of the Home Affairs Department, Ms Selina LEUNG, Senior Executive Officer (Planning) 1 of the Leisure and Cultural Services Department (LCSD), Mrs TANG FUNG Shuk-yin, Chief Manager (Acting), Management who represented Mr LUK Hing-chuen, Steve, Chief Manager, Management of the Housing Department (HD), Ms TSANG Wing-chi, Senior School Development Officer (Shatin) 5 who represented Dr HO Wing-chuen, Chief School Development Officer (Shatin) of the Education Bureau and Ms Candy KWOK, Principal Transport Officer / New Territories of the Transport Department to the meeting.

Confirmation of the Minutes of the Meeting Held on 21 July 2016

(STDC Minutes 5/2016)

4. The Council confirmed the above minutes unanimously.

Visit of Director of Buildings

(Paper No. STDC 87/2016)

5. The Chairman invited Mr HUI Siu-wai to briefly introduce the responsibilities of the BD.

6. Mr HUI Siu-wai gave a PowerPoint presentation to briefly introduce the responsibilities of the BD, and the main points were as follows:

- (a) the BD regulated private buildings and relevant issues, including building safety, hygiene and environment under the Buildings Ordinance (Chapter 123, Laws of Hong Kong). The BD had been highly concerned about building safety in recent years;
- (b) among about 1 800 civil servants working for the BD, two grades belonged to professional grades, that is, Building Surveyor and Structural Engineer, and another two belonged to technician grades, that is, Survey Officer and Technical Officer. Meanwhile, the BD had employed about 200 Non-Civil Service Contract staff;

- (c) the responsibilities of the BD covered two areas, namely, new buildings and existing buildings. The responsibilities relating to new buildings included approval of building plans, examination of building works and issue of Occupation Permits to newly completed buildings. To promote sustainable design for buildings, the BD had introduced new requirements on design of new buildings. Owing to the great public demand for new buildings, the BD had to strike a balance between monitoring building safety and building quality apart from facing the challenges of speeding up the approval of building plans. In the meantime, those major new development projects for the coming years, such as the West Kowloon Cultural District, the development of Kowloon East, Kai Tak Development and the urban renewal projects, will all bring additional workload to the BD;
- (d) the existing buildings included about 42 500 private buildings, among which some were aging or dilapidated. Members of the public were concerned about how the Government would solve the problem of building safety and unauthorised structures. Since 2001, the BD had removed over 500 000 unauthorised structures, cleared rooftop illegal structures for 5 400 single staircase buildings with six storeys or below and removed over 30 000 dangerous or abandoned signboards. The department had also repaired around 14 000 buildings with different degrees of dilapidation. After the BD had made continuous efforts over the past years, the metal cages or structures erected on the external walls of old buildings no longer existed;
- (e) the BD had received a large number of reported cases about unauthorised structures in recent years. Before 2010, 10 000 to 20 000 cases were received every year. The number had been increasing since 2010. In 2012, the number of reported cases were already over 40 000. Upon analysis of the figures, the department deduced that the building collapse incident at Ma Tau Wai Road in 2012 might have triggered the public's deep concern over the problems of building dilapidation and unauthorised structures, resulting in a surge in the number of reported cases. Having received the cases, the BD would send staff to conduct site inspections, and issued removal orders according to the department's enforcement policy. In the past, the annual number of removal orders issued was about 20 000. The number had decreased to around 13 000 in recent years. Currently, about 60 000 removal orders were pending issue. Regarding the number of unauthorised structures cleared, it remained at over 20 000 every year;
- (f) to combat unauthorised structures, the BD had adopted a two-pronged approach to accord high priority to both dangerous and new unauthorised structures at the same time with a view to minimising the number of unauthorised structures. However, law enforcement might not be the most positive way to solve the problem. The department wished to enhance public awareness of building safety through education and publicity. For example, students were recruited under the Building Safety Pioneer Programme to promote building safety awareness among young children;

- (g) the BD had set up a task force in recent years to handle the backlog cases. Meanwhile, it had stepped up prosecutions against those owners who failed to comply with the removal order;
- (h) the BD reported its work progress to the District Management Committee of the Sha Tin District on a regular basis. In recent years, the department had selected a total of 2 600 buildings throughout the territory. Clearance operations were conducted against unauthorised structures on rooftops, podiums and those in open yards and scavenging lanes. Among those buildings, 63 were located in the Sha Tin District with a ratio of about 2%. This indicated that the problem of unauthorised structures on rooftops, podiums and in open yards and scavenging lanes in the Sha Tin District was not so serious;
- (i) as regards the major operations against unauthorised subdivided units, a certain number of target buildings would be selected every year for conducting inspections in the whole buildings. In case of non-compliance, the department would issue a removal order. Over the past four years, the BD had selected throughout the territory around 1 400 buildings, including industrial buildings. Among the selected buildings, 19 of them were located in the Sha Tin District;
- (j) besides a large number of buildings, there were over 40 villages in the Sha Tin District. Since 2012, the BD had carried out enforcement operations against unauthorised structures of village houses. In the operations, the BD treated all the cases of non-compliance found in each village as case bundle. Up till now, the department had carried out such operations in 100 villages throughout the territory, among which 12 were located in the Sha Tin District. The Reporting Scheme for Unauthorised Building Works in New Territories Exempted Houses had been implemented between April and December 2012. Under the scheme, the unauthorised structures which were less serious could be retained upon inspection. The Sha Tin District took up 10% of these structures;
- (k) as compared with the areas with busy commercial activities in which the BD had to deal with a large number of abandoned or dangerous signboards, the problem of signboards in the Sha Tin District was not so serious;
- (l) the BD had launched the Operation Building Bright in 2009, and the operation nearly came to an end now. It helped owners fully enhance building safety. Meanwhile, the Minor Works Control System, launched in 2010, aimed to enable members of the public to carry out minor works by simple and lawful means. The system had become very popular since its implementation. The BD had received over 480 000 applications so far;
- (m) the Mandatory Window Inspection Scheme (MWIS) and the Mandatory Building Inspection Scheme (MBIS) were fully implemented four years ago. It aimed to put the idea of “prevention was better than cure” into practice and solve the problem of dilapidation of buildings from the original source. When first implemented, the two schemes had covered a large number of buildings. To make it easier for the owners, the construction industry and the law enforcement departments to adapt to the schemes, they were revised after two years of

implementation, and the number of buildings selected had decreased. As regards the MWIS, a total of 390 000 statutory notices had been issued so far;

- (n) to tie in with the implementation of the MBIS and the MWIS, the BD organised briefing sessions for owners in various districts on a regular basis. DC Members would also arrange brief presentations to address the local needs. If the buildings met the requirements on rateable value, owners might join the Mandatory Building Inspection Subsidy Scheme. They might also join the Integrated Building Maintenance Assistance Scheme run by the Urban Renewal Authority (URA) to acquire financial and technical support;
- (o) the water seepage problem of buildings was closely related to management and maintenance of buildings. The Government took enforcement actions under the Public Health and Municipal Services Ordinance (Chapter 132, Laws of Hong Kong) against the impact of water seepage on public health. If the problem got worse and building structure was affected, the BD would take action. If the problem became so serious that drinking water was being wasted, the Water Supplies Department (WSD) would intervene into the case;
- (p) the Food and Environmental Hygiene Department (FEHD) and the BD had set up in 2006 the Joint Offices for Investigation of Water Seepage Complaints (JOIWSC) to specialise in water seepage cases. As the JOIWSC was set up on a pilot basis, it mainly comprised of contract staff when it was first founded. Since 2014, the Government had regularised the duties of the JOIWSC, and civil servants had gradually replaced contract staff;
- (q) the JOIWSC identified the sources of water seepage mainly by non-destructive means, including measurement of humidity, colour water test, reverse stress test, etc. In response to some comments saying that these methods were outdated with poor effect, he pointed out that they were still the most effective means for the time being. Apparatuses such as infrared detectors or microwave detectors were introduced in 2013. Although they were more accurate in measuring humidity, their performance in finding out the sources and distribution of water seepage was relatively poor with a higher cost. The JOIWSC would study the admissibility of the evidence which was derived from the findings of the new detectors;
- (r) when the JOIWSC was first established, it just received several thousand cases per year. Since last year, it had received nearly 30 000 cases per year. Therefore, it had to face the pressure brought by a large number of reported cases. In the past, about half of the cases were classified as cases screened out because the humidity readings were lower than 35%. One might not feel that the surface was humid by touch if the humidity reading was 35%. Among the remaining half of the cases which were classified as investigable cases, water seepage of 20% of them had stopped during investigation. The reason might be the party who had caused water seepage had taken the initiative to carry out maintenance works. However, to avoid any claims for compensation, they usually would not admit that they had settled the water seepage problem on their own. For the remaining 20% of the cases, the sources of water seepage had been successfully identified. The FEHD issued the Nuisance Notice under the

relevant ordinance to request the party who had caused water seepage to settle the problem. For the remaining 10% of the cases, investigations were terminated because the sources of water seepage could not be identified by any non-destructive means;

- (s) he added that investigations and evidence collection were conducted by the JOIWSC according to the criminal standard of proof under the law. The JOIWSC had to ascertain the admissibility of the evidence. This was different from the investigations conducted through civil proceedings by consultants commissioned by the public. To enhance effectiveness and efficiency, the JOIWSC had introduced several measures, including preparing internal guidelines on investigations for its staff and outsourced contractors to follow, and to set performance indicators to monitor the progress of investigations. In addition, it had also commissioned a consultant to conduct a study on the new technologies for identifying the sources of water seepage;
- (t) the BD's challenges ahead included progressing with the times to keep improving the safety and hygiene conditions of the existing buildings in addition to enhancement of law and design standards. As the workload under the MBIS and MWIS was very heavy, he hoped that the use of resources could be optimised and the workflow could be streamlined; and
- (u) he concluded that the number of reported cases of unauthorised structures by the public had been increasing. The trend reflected that the public became more and more attentive to building safety. The BD would step up education and publicity to enhance owners' awareness of the importance of timely maintenance of buildings. The department would also collaborate with partner organisations, such as the URA and other government departments to strengthen the support and assistance given to owners. Being a law enforcement authority, the BD would take appropriate enforcement actions against those owners who failed to comply with the removal order.

7. The Chairman thanked Mr HUI Siu-wai for his brief presentation on the responsibilities of the BD, and invited Members to give their views.

8. The views of the Vice-Chairman were summarised below:

- (a) in respect of the MWIS, he considered that the quality of Qualified Persons varied, and some did not charge at standard rates. Therefore, it was usually difficult for minority owners to decide whether the rates were reasonable. As such, he hoped that the Government would provide more information to the public, especially the elderly; and
- (b) as regards water seepage in buildings, stoppage of water seepage might not be the reason for termination of an investigation. It might be because the owner on the upper floor was not cooperative, and thus arousing many problems. If water seepage caused concrete spalling of ceilings, the affected owners not only had to bear the risk of concrete spalling, but also had to bear the cost of maintenance and make claims for compensation. He hoped that the BD would

step up investigation and try its best to persuade the occupants on the upper floor to be cooperative so as to solve the problem.

9. The views of Mr CHENG Tsuk-man were summarised below:

- (a) in most cases of water seepage of buildings, after alteration of partitioning of the unit on the upper floor, poor pipe connection might cause water leakage. He asked the BD whether the department would follow up or prosecute those owners who carried out internal alteration without seeking prior approval. Moreover, he considered that the colour water test was outdated. He asked whether the JOIWSC had used the most advanced detector; and
- (b) he pointed out that some registered contractors did not inspect the windows carefully. He asked what improvement measures the BD would take.

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

- (a) as regards the major operations against unauthorised subdivided units, he would like to know what principles were adopted when selecting target buildings, and whether this operation would be conducted on a regular basis ; and
- (b) as the issue of unauthorised structures involved a number of government departments such as the Hong Kong Police Force, the Home Affairs Department, the Hong Kong Fire Services Department, etc., and also involved public utility services such as water supplies, sewerage system, electricity supply, he asked how the departments concerned consolidated the views from various parties before commencement of their work.

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

- (a) for some water seepage cases, it took at least two years to complete phase one to phase three investigations, and thus the affected residents had to suffer long-term nuisance. The FEHD had spent just two months to complete the first and second phases of investigations. However, for the third phase of investigations, the outsourced consultants spent quite a long time on the work. Also, the process of the colour water test was so slow. She requested to speed up the third phase investigation, including deploying departmental staff to conduct the investigation;
- (b) some residents had commissioned private consultant to conduct investigations on water seepage cases, and were successful in giving evidence in court. Also, the time spent was less than that of the JOIWSC;
- (c) the owners affected by water seepage might have bad relations with the owners living on the upper floor because of their long-term disputes; and
- (d) she did not agree to set the humidity standard at 35% the lowest because she considered that this might cause obstacles to members of the public who required assistance.

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

- (a) to identify sources of water seepage and get the results of investigations took quite a long time. He asked how many investigation teams of the JOIWSC were equipped with infrared detectors or microwave detectors. Since the colour water test was time-consuming and inefficient, the owners could only commission surveyors or consultants on their own expenses. Owing to the fact that the sources of water seepage of only 19% of the cases in 2015 were successfully identified, he asked whether the JOIWSC would improve the detection techniques;
- (b) he asked the department whether it had inspected or randomly inspected the window inspection qualifications of contractors so as to solve the problem of their uneven quality, with a view to preventing members of the public from being deceived; and
- (c) he asked the department what criteria were adopted when selecting target buildings under the MWIS.

13. The views of Mr CHIU Man-leong were summarised below:

- (a) the Government had publicised that the window inspection fee for each unit was \$500 only. However, he had learnt from the mass media that a number of people had spent several thousand dollars. Such a cost was much higher than that mentioned by the Government;
- (b) the contractors could simply make a profit by saying that the windows had failed the inspection, making members of the public spend more than they expected. He asked whether the BD had reviewed the loopholes of the MWIS, and what measures it would take to prevent the lawbreakers from seeking exorbitant profits. Also, he asked whether the department would send staff to conduct site inspections or identify the contractors with malpractice by “covert operations”. If such contractors were identified, their registered qualifications should be suspended so as to achieve a deterrent effect; and
- (c) he asked if the window inspection reports could be given to the owners so that they could evaluate whether the contractors had charged excessive fees.

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

- (a) Yiu On Estate was a public housing estate under the Tenants Purchase Scheme (TPS). The residents there had recently received a window inspection notice from the BD. Many of them were not aware of the operation of the MWIS, especially the elderly;
- (b) some contractors attracted clients by “zero window inspection fee”. After they were commissioned, they charged excessive fees in the name of various items. He requested the Government to regulate the situation;

- (c) he requested the JOIWSC to deploy more manpower to handle the water seepage cases because long-term seepage would affect the neighbourhood relationship; and
- (d) in Yiu On Estate, the 20-storey linear blocks were not installed with standard air-conditioner hoods. Some tenants installed air-conditioner hoods under the clothes-drying racks on their own expenses and were issued penalty tickets by the BD due to the offence of erecting illegal structures. New types of public housing rental flats were already installed with air-conditioner hoods. He requested the BD to inspect the old types of public housing rental flats, and consider granting exemption to those tenants of public housing rental flats in respect of clearance of the illegally installed air-conditioner hoods.

15. The views of Mr Alvin LEE were summarised below:

- (a) the air-conditioners and fresh water cooling towers in industrial buildings usually weighed several tonnes. They might caused casualties if they fell down. He requested the BD to step up enforcement actions against these unauthorised air-conditioning installations. He asked whether enforcement actions would not be taken against the unauthorised structures provided that they did not cause any obstruction to the means of escape. For example, as regards the heat dissipation sets of the air-conditioning system in car parks, whether it was necessary to lodge an application with the concerned departments or buy insurance for installation of this kind of unauthorised structures. Also, he asked whether photos of unauthorised structures would be taken for record purpose, and whether the case would be referred to other departments, such as the Environmental Protection Department for follow-up action; and
- (b) the JOIWSC had made progress in its work in recent years. He asked whether the manpower of the JOIWSC could not cope with all the demands. He thanked the BD for sending staff to attend the workshop on water seepage of buildings organised by the Sha Tin District Office (STDO) on 30 September, and appealed to Members to help publicise the event.

16. The views of Mr Tiger WONG were summarised below:

- (a) he asked whether lead-containing windows were covered under the MWIS; and
- (b) contractors would submit the details of window inspections to the BD and the Independent Checking Unit (ICU) of the HD. He asked whether the data were commonly used by both departments. He wondered whether the BD or the ICU of the HD would follow up the case if the HD sold its properties to the Link REIT and problems with the properties occurred later.

17. The views of Mr Wilson LI were summarised below:

- (a) every year, the sources of water seepage of about 10% of this kind of cases, that is, more than 3 000 cases, could not be identified. Such a proportion was quite high. Since water colour test was time-consuming, he asked what criteria the

JOIWSC adopted to decide whether an infrared detector would be used, and whether there were any more advanced detection techniques. In addition, he enquired about the respective costs of different detection methods;

- (b) he doubted whether it was necessary to regulate the detection methods in accordance with the strict criteria of criminal prosecutions. He asked the BD whether it could help those residents affected by water seepage by civil proceedings;
- (c) he requested the BD to provide more information about the contractors to facilitate searching by owners. If a demerit point system or a blacklist was not available for the MBIS and the MWIS for regulation of the contractors, the relevant information should be disclosed to owners for their reference;
- (d) some developers offered a six-month free maintenance service for newly completed buildings. He asked the BD whether it would provide assistance in respect of the problems found six months later;
- (e) he asked the BD whether it had sufficient manpower and whether it had increased manpower over the past six years; and
- (f) he asked whether the Government would require all signboards to be erected vertically so as to make the streets look more neat.

18. Mr TING Tsz-yuen asked how the JOIWSC would handle the cases if the sources of water seepage could not be identified, or the sources came from external walls or pipes, or the owners' corporations (OCs) were not cooperative. He would like to know whether the JOIWSC had any plans to increase manpower to clear the backlog cases.

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

- (a) she asked whether an infrared detector was used in every case. If the investigation of a case was terminated because the source of water seepage could not be identified for long, residents did not know what they could do. She requested the department to step up using infrared detectors; and
- (b) shortage of manpower had resulted in backlog cases. For some cases, it might take over two years to settle, and thus spoiling the neighbourhood relationship. She requested for an increase in manpower and improvement of the deployment of manpower.

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

- (a) he asked whether the JOIWSC had commissioned only one outsourced consultant at the moment, and whether it would consider commissioning two to three more consultants. As regards detectors, he considered that the techniques adopted by the Government should be more advanced than those of the consultants from the private sector, and new model of apparatuses should be tested for use;

- (b) the BD only provided the figures of water seepage in buildings from 2014 to 2015 in Hong Kong. However, he requested the figures of the Sha Tin District and the first half of 2016;
- (c) he would like to know the number of requests for help classified as cases screened out because the humidity readings at the areas where water seepage had occurred were below 35%. He asked whether the criteria could be lowered. Also, for some cases, seepage ceased during investigation. He asked whether it was because the weather was drier between October and December. If seepage occurred again between April and June because the weather became more humid, whether investigations would be conducted again;
- (d) follow-up action had to be taken within three days upon receipt of the Nuisance Notice, but there was a grace period. He asked how long the grace period was, and whether the concerned department would consider shortening the grace period; and
- (e) he asked whether the JOIWSC would inform the affected occupants in writing if investigations were terminated because the sources of water seepage could not be identified. He also suggested commissioning consultants in the private sector to conduct the investigations.

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

- (a) he had invited the BD to organise a seminar to introduce the MWIS to a housing estate which would undergo maintenance works soon, but the BD did not accept the invitation. The housing estate would hold a seminar on unauthorised structures later, and would invite the BD to send representatives to attend the seminar. He hoped that the department would accept the invitation. The population of Sha Tin took up about 10% of the total population in the territory. Therefore, it was insufficient to have only two to three local consultations conducted in Sha Tin. As far as he was aware, to become a Qualified Person, one was required to complete two courses only, and such a system was not strict enough; and
- (b) he inquired about the number of staff of the JOIWSC, and asked whether the lead department was the FEHD or the BD. He considered that it was not appropriate to set the humidity reading at not lower than 35% as the criteria to substantiate a case. Investigations of cases would be terminated if the sources of water seepage could not be identified, but the problem of water seepage remained unsolved. Sometimes, the results of investigations conducted by the consultants in the private sector were not consistent with the results of investigations conducted by the JOIWSC. As a result, the public lost confidence in the JOIWSC.

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

- (a) she said that it was important for the JOIWSC to be more well-equipped so as to identify the sources of water seepage as early as possible and stave off

neighbourhood disputes. She was aware that the JOIWSC's three phases of investigations were conducted according to the criminal standard of proof, but the investigation progress was so slow and could not quickly address the public's urgent needs. It would be faster and more efficient for residents to commission consultants to conduct a test and then make claims for compensation by civil proceedings. She asked whether the JOIWSC could pass the investigation reports to the residents so that they could transfer the reports to the consultants and follow up the cases by civil proceedings; and

- (b) she inquired about the number of cases with investigations terminated due to uncooperation of the owners on the upper floor. She also asked how the JOIWSC dealt with this kind of cases. For some cases, the investigations were terminated because water seepage had not re-occurred for half a year upon completion of fitting-out works of the units on the upper floor. She asked whether the concerned period could be extended from six months to one year so that investigations of cases of recurrence of water seepage could be conducted again in the third phase.

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

- (a) only 19% of the cases had their sources of water seepage identified. He considered that such a proportion was relatively low. If the problem of water seepage was serious and the sources could not be identified, members of the public could only commission consultants to conduct investigations at their own expenses, and make claims for compensation by filing their cases in the Small Claims Tribunal. He requested the BD to review its manpower; and
- (b) since there were a large number of cases under the MWIS, public needs still could not be fully addressed even though over 10 000 Qualified Persons were available. This resulted in a rise in the charges. Also, as the quality of Qualified Persons varied, it was necessary for the Government to enhance its regulatory role and law enforcement work.

24. The views of Ms Scarlett PONG were summarised below:

- (a) regarding the collapse of a roof covered by green vegetation at the City University of Hong Kong, she asked the BD what measures it would take to prevent recurrence of similar incidents; and
- (b) among the water seepage cases that she had approached, electricity leakage, exposure of bar tendons and even collapse of structures were involved in some cases, making the situation dangerous. She asked whether the JOIWSC's study report on detection techniques would be completed in early 2017. She also asked what approach the department would take to enhance the workflow, techniques, law enforcement, manpower arrangement, etc.

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

- (a) he asked whether the cases of water seepage from the roofs were included under

the MBIS;

- (b) regarding the MWIS, he asked when those housing estates which had received a statutory notice three years ago would receive the notice again; and
- (c) the number of cases with sources of water seepage identified by the JOIWSC was relatively low. He wondered why the detection methods adopted by the private sector were more effective than those of the JOIWSC. He had never seen the JOIWSC staff use infrared detectors. He asked whether the reason for some cases being unsolved for two to three years was shortage of manpower. Some occupants might make claims for compensation from the owners on the upper floor with regard to water seepage from ceiling which resulted in concrete spalling. However, the investigations of the cases were terminated half a year later. The owners tried to shift their responsibilities in excuse of long-term dilapidation. This made the affected occupants fail to make claims for compensation and it was also a waste of their time.

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

- (a) he was affirmative about the services provided by the BD in the district and its contributions;
- (b) if a shop shut down, the department concerned would have no means to contact the signboard owners to urge them to remove the unauthorised signboards. In his constituency, two signboards of Chinese restaurants were cases of this kind. He asked the BD how it would deal with such cases;
- (c) Chevalier Garden was a Private Sector Participation Scheme estate with an age of nearly 30 years. It was now facing the problem of water seepage. Currently, the JOIWSC was conducting water colour test. However, in case of leakage in the lead pipes, it was usually difficult to detect the leakage by the test. If the cases involved common area and the OCs did not bother about the problem or made an excuse for not addressing the problem, the JOIWSC should co-operate with the STDO to solve the problem;
- (d) investigations were conducted by the JOIWSC according to the criminal standard of proof. He asked whether infrared detectors or microwave detectors were used only if it was not possible to enter the flats to conduct inspections, and whether not being able to enter the flats meant that there were no means to collect sufficient evidence. If the occupants on the upper floor were not cooperative, and the JOIWSC could not enter the flats to perform their duties, the cases would be delayed, and thus making the occupants on the lower floor perplexed. He asked whether the Government would amend the relevant ordinances to solve the said problem; and
- (e) he asked the BD how it provided information, such as technical guidelines, of the Reporting Scheme for Unauthorised Building Works to villagers.

27. Mr WONG Yue-hon pointed out that subdivided units were also commonly found in

rural areas. The alteration of some cottages into subdivided units would arouse fire safety and structural problems. As there were no access roads in the vicinity of the cottages, rescue difficulties might be encountered when conducting rescue work in case of emergency. Therefore, the department concerned should not only inspect the subdivided units in industrial buildings and old buildings, but also pay attention to the subdivided units in village houses. The clearance of those unauthorised structures not posing an immediate danger would be accorded a lower priority. However, if the houses involved were successfully resold, the buyers would have to bear the risks. Some new arrivals had borrowed money to purchase cottages, but they were ordered to have the unauthorised structures removed later, and thus they lost both their money and homes. As such, he requested the BD to remove the problematic structures as soon as possible.

28. The views of Mr CHING Cheung-ying were summarised below:

- (a) he opined that in recent years, the Government had not played an active role in regulation of subdivided units, alteration in industrial buildings and signboards. Meanwhile, there were quite a lot of complaints against light pollution, but it seemed that there had been no effective improvement measures or solutions so far;
- (b) the policies of the BD had caused disturbances to the public in recent years. For example, the MBIS had aroused the problem of bid-rigging, while the contractors of the MWIS had charged excessive fees. This had made it difficult for members of the public to seek advice from the appropriate third party. He hoped that the BD would increase manpower to take up the bridging role and give advice to members of the public;
- (c) the progress of the BD made in handling the cases of unauthorised structures or alteration was so slow. He had been a member of the Appeal Tribunal (Buildings). It was found that it usually took three to five years to handle the cases, especially those that involved luxurious properties; and
- (d) it took a long time to process the water seepage cases, and thus undermining the public confidence in the BD.

29. The Chairman asked whether the WSD could join the JOIWSC to play a more active role. Moreover, he asked how the BD could enhance its law enforcement powers so as to solve the problem of owners on the upper floor rejecting staff members to enter their flats to collect evidence.

30. Mr HUI Siu-wai gave a consolidated response as follows:

- (a) in respect of the MWIS, the number of Qualified Persons available in the market, including authorised persons, structural engineers and common small size contractors, was over 10 000. According to the record over the past few years, the participation rate of the industry was quite high. To gauge the views of the industry and to improve the procedures, the BD regularly held meetings with the Qualified Persons with a high participation rate. The form of the MWIS had already been electronised. For example, a completed form could be saved

online by scanning the QR code. As Qualified Persons were required to conduct window inspections by themselves, the BD issued a window inspection card (QP Card) to them this year to facilitate verification of their identity by the public. The department had been promoting the QP Card scheme;

- (b) if members of the public suspected that the window inspection fees were unreasonable, he suggested that they could compare the fees in the market to avoid commissioning unscrupulous contractors. The BD had collected many leaflets and price lists of contractors and they were uploaded onto the BD webpage. The information would be updated once every half a year to keep members of the public informed of the general fees of window inspections and maintenance. The BD would also organise seminars at the district level to have interaction with the public. In recent years, the department had held a number of free courses for owners or OCs. The contents included points to note during window inspections, how to read the layout plan, and simple ways to identify unauthorised structures;
- (c) to enhance the transparency of information, the BD had made a mobile application to provide information on the MBIS and MWIS, such as what follow-up action should be taken upon receipt of a statutory notice for mandatory window inspection and how to search for Qualified Persons. Various types of forms were also available for downloading by the public;
- (d) in respect of complaints against window inspections conducted by Qualified Persons by unscrupulous means, the BD would follow up these cases. Up till now, the department had received a total of over 20 reported cases. If these cases were substantiated, the department would initiate prosecutions. Regarding the proposals to set up a demerit point system or prepare a blacklist, since complicated enforcement details might be involved, and this might cause serious impact on the operation and reputation of Qualified Persons, he opined that the proposals should be carefully considered. The cases of Qualified Persons convicted by court would be uploaded onto the BD webpage;
- (e) the MWIS covered all types of windows. Besides the aluminium windows which were commonly found, windows made from other materials were also covered (such as lead-containing windows) ;
- (f) the BD had issued about 400 000 statutory notices for mandatory window inspection, and over 70% of the cases had been completed. The department would conduct random checking, such as inspecting the forms submitted, and even conducting site inspection, to check if window inspections had been duly conducted under the established standards and to get hold of the overall standard of window inspections;
- (g) in accordance with law, if window inspections had been conducted according to the regulations, the BD would be unable to request owners to conduct window inspections again in five years. He stressed that it was not necessary for the owners to wait for the statutory notice. They could commission Qualified Persons according to the standards to conduct window inspections any time they

liked. Then, they could submit the reports to the relevant departments to have the next statutory notice exempted;

- (h) window inspections of private buildings were carried out by the BD, while those of TPS estates or Home Ownership Scheme (HOS) estates were carried out by the ICU of the Office of the Permanent Secretary for Transport and Housing (Housing). Normally speaking, the properties of the HD were exempted from the restrictions under the Buildings Ordinance (Chapter 123, Laws of Hong Kong). However, the properties would be subject to the ordinance after sale. The ICU was authorised by the BD to enforce the ordinance to regulate the sold properties. As such, the Qualified Persons who carried out window inspections for the TPS estates and HOS estates should submit the reports to the ICU for further action. As regards the public rental housing flats managed by the HD, they were not subject to the Buildings Ordinance;
- (i) the HD was responsible for the water seepage problems in public housing estates, while the JOIWSC was responsible for the same problems in HOS estates, TPS estates and private buildings. The JOIWSC comprised of over 200 FEHD staff members (including Health Inspectors and Environmental Nuisance Investigators) and 70 to 80 BD staff members. Currently, the BD commissioned around 10 outsourced consultants to take up the third phase of investigation;
- (j) there were many reasons and means for water seepage. He quoted a case that had been ruled at court as an example, stating that the sources of water seepage might come from the units which were two floors above the affected units, and most of the cases were settled by seeking all remedies available at law. As such, the JOIWSC placed an importance on the admissibility of the evidence collected to facilitate further law enforcement actions. The quality of building management was also important. If both the neighbourhood relationship and residents' civic awareness were good, many water seepage cases could be settled in a peaceful way instead of being settled by arbitration. Therefore, the JOIWSC had recently launched a promotional trailer, describing how neighbours could co-operate with each other to solve the water seepage problem;
- (k) the performance of the JOIWSC in early years was unsatisfactory. One of the reasons was it mainly comprised of contract staff when it was first founded, and their wastage rate was relatively high. The manpower of the JOIWSC had become stable since 2014, and its work was on the right track. At present, the actual number of staff of the JOIWSC was nearly 300. However, as there were too many cases, it was hoped that the cases could be prioritised as far as possible;
- (l) in dealing with complaints against water seepage, the JOIWSC did not charge any fees. The expenditure spent by it on commissioning contract consultants was relatively high. Regarding the cost of detection, normal detection such as humidity test and water colour test costed about \$2,000 to \$3,000 each time, while infrared detection caused about \$7,000 to 8,000 each time;
- (m) the JOIWSC was trying the new detection methods and studying the

admissibility of the evidence collected. Since the prosecution procedure would be carried out for some cases at court, evidence collection must be strictly conducted. In 2014, the BD proceeded with a consultancy study, including the studying of new water seepage detection methods adopted by other countries in the world;

- (n) currently, the JOIWSC set the humidity reading at 35% as the criteria to substantiate a case. If the reading on a humidity detector was 35%, after the surface was wiped with tissue paper, it was usually found that the tissue paper was still dry. Therefore, such screening criteria were quite conservative. Setting the criteria at 35% or above enabled the JOIWSC to focus its resources on the really serious water seepage cases. If the criteria were set below 35%, all cases received might have to undergo three phases of investigations, and that would be a waste of resources and time. This would also affect the JOIWSC's work in handling other more serious water seepage cases. The JOIWSC would streamline the procedures as far as possible to enhance efficiency;
- (o) upon collapse of a roof covered by green vegetation at the City University of Hong Kong, the BD had immediately issued an open letter to the construction industry, reminding them of the points to note in carrying out similar works. Moreover, during the summer holiday, the BD had collaborated with other relevant departments to inspect all schools with roof greening throughout the territory. They were now following up the cases with problems found. For long-term measures, the BD was drafting the guidelines and a booklet on roof greening works and household greening works for public reference;
- (p) he responded to the problem of signboard problem at Chevalier Garden, pointing out that the BD had issued the Dangerous Structure Removal Notice in June this year, and the owner involved had informed the department that removal was being arranged. For those cases of non-compliance, the department would remove the signboards for the owners, and charge the owners involved a fee. Members of the public were welcome to provide the BD with information about the locations of abandoned signboards found for the department's follow-up action;
- (q) in addition to building safety, the problem of subdivided units involved housing supply and fire safety. Besides conducting inspections for reported cases, major operations would be conducted on a number of buildings selected every year. In case of non-compliance, the department would issue a removal order. The subdivided units in industrial buildings were in poor condition because dangerous goods might be stored in the buildings. In addition, as tenants might not be alert to danger when sleeping, the consequences might be very serious in case of fire. As such, if the BD found that industrial buildings were internally altered into subdivided units, it would prioritise its enforcement action against these buildings. However, the department had encountered many difficulties during inspections in recent years. For example, owners might cover up the existence of subdivided units, making it difficult for the officers to discover the subdivided flats; and
- (r) he noted other views raised by Members, and said that the BD would continue to

follow up and study the issues. He advised Members to download the department's Mobile Application for Minor Works Control System.

31. The Chairman thanked Mr HUI Siu-wai for attending the meeting and having given a brief introduction of the work of the BD and responses to Members' enquiries. He requested the department to give written replies to the views and enquiries that had not been addressed in due course.

Discussion Items

Meeting Schedule of the Sha Tin District Council (STDC) for 2017 (Paper No. STDC 88/2016)

32. The Vice-chairman pointed out that as 26 January 2017 was the Lunar New Year's Eve (the twenty-ninth of January in the lunar calendar), he asked Members to carefully consider whether a meeting would be convened on that day.

33. Mr NG Kam-hung advised Members to consider whether they could attend the meeting scheduled for 26 January 2017.

34. Mr Michael YUNG would like to know whether the meeting scheduled for 26 January 2017 could be held at an earlier date.

35. Mr Alvin LEE suggested that the meeting remain on 26 January 2017.

36. The Council endorsed the above paper unanimously.

Amendment to Approved Expenditure Items of and Funding Criteria for Projects Funded by the District Council in the "Sha Tin District Council Funding Application Procedures and Guidelines" (Paper No. STDC 89/2016)

37. Mr Michael YUNG would like to know how often the DC reviewed the approved expenditure items and funding criteria, and when the last review was conducted.

38. Mr Derek YUEN, Senior Executive Officer (District Council) of the STDO responded that the STDC had reviewed and revised the concerned approved expenditure items and funding criteria in 2012.

39. The Council endorsed the above paper unanimously.

40. The Chairman thanked Mr CHING Cheung-ying, Convener of the Working Group on Review of Funding Criteria of Sha Tin District Council, and all members of the working group for assisting in reviewing the approved expenditure items and funding criteria. He requested Mr MOK Kam-kwai, Chairman of the Finance and General Affairs Committee, to follow up the review of the Sha Tin District Standing Orders.

Funding Application

2016-2017 District Facilities and Improvement Works Proposals of the District Facilities Management Committee
(Paper No. STDC 90/2016)

41. The Chairman said that since the amount of all funding applications exceeded \$3 million, the District Facilities Management Committee would recommend this funding application to the DC for consideration.

42. Mr SIU Hin-hong would like to know when the DC had discussed the above works proposals, and why funds had to be spent on the proposals. He asked what other places in the Sha Tin District needed additional leisure facilities besides Ma On Shan. And besides sitting-out areas, the LCSD should consider provision of other facilities for public use at the said site.

43. Mr YIP Wing said that a number of residents in the vicinity of the proposed works site had reflected to him that they hoped that leisure facilities could be provided at the site for public use. He considered that it was necessary to commence the said works.

44. Mr CHIU Man-leong said that apart from a waterfront promenade, no other leisure facilities were available near the proposed works site. The site was vacant at the moment and there was a flower bed which had not been open for public use. If the site could be effectively used to provide leisure facilities for the elderly and children, the problem of shortage of leisure facilities in the vicinity could be alleviated. He advised Members to support the works proposals.

45. Mr Michael YUNG pointed out that works of converting flower beds into leisure facilities for residents' use funded by the district minor works programme had been carried out next to Chung On Estate, the Marbella and Vista Paradiso in Ma On Shan. He suggested that the Government should allocate more resources to provide recreational and leisure facilities in Sha Tin and Ma On Shan. He also hoped that the relevant department would follow up the issue relating to the temporary toilets in the park near Hang Fai Street.

46. Mr Alvin LEE supported the above works proposals. A number of residents in the vicinity of the proposed works site had reflected to him that they hoped that leisure facilities could be provided at the site for public use as soon as possible. He advised Members to support the works proposals.

47. Mr YIU Ka-chun supported the above works proposals because the residents and Members had longed for the facilities. He considered that the facilities could benefit the residents in the vicinity of the proposed works site. He suggested that the relevant departments should provide more detailed works information together with the works proposals submitted to the STDC in the future, so that Members could have a better understanding of the works details.

48. Ms TUNG Kin-lei opined that the proposed works could benefit the residents both living in and outside Ma On Shan. She suggested that Members should support the proposals. She also suggested that the DC Secretariat should provide more detailed works information together with the works proposals submitted to the STDC in the future, so that

Members could have a better understanding of the works details.

49. Ms Selina LEUNG responded that the LCSD proposed commencement of the above works in response to the views of local residents and Members to provide leisure facilities for public use. The area of the site was about 4 700 square metres. Since the green belt lacked basic facilities such as lighting, drainage, pedestrian access, etc., the site still could not be open for public use due to safety reasons. Proposed facilities included site formation works, removal of existing mesh fences for provision of a flower bed, provision of a pedestrian footpath, four sets of fitness equipment for the elderly, two sets of children's play equipment, eight arbours, 16 seats and landscaped sitting-out area, barrier-free facilities, electricity supply, lighting, irrigation and drainage works and signs, etc. She hoped that Members would support the above works proposals. Moreover, the LCSD noted the public needs for leisure facilities in other places in the Sha Tin District.

50. The Chairman added that the relevant committee and working group had discussed the above works proposals several times since the last term DC. The majority of views was in favour of the works. The LCSD now showed its support for the Council's decision to recommend the implementation of the above works.

51. The Council endorsed the above paper unanimously.

Question

Question to be Raised by Mr TING Tsz-yuen on Procedures for Application by DC Members for Setting Up of Ward Offices at Public Housing Estates under the Hong Kong Housing Authority (Paper No. STDC 91/2016)

52. Mr TING Tsz-yuen said that both he himself and the local residents considered that all Members, regardless of their political affiliation, should be respected with regard to their needs to set up ward offices in their own constituencies. He asked the Government to fully capitalise on the public funds so that Members did not need to set up their ward offices outside their own constituencies.

53. Mr Rick HUI asked why some Members who failed to be re-elected could continue to rent the units under the Hong Kong Housing Authority in their own constituencies in other capacities. As a result, newly elected Members could not rent those units to set up their ward offices.

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

- (a) the HD replied that an application had to be lodged with the Lands Department (LandsD) if the Government lease was to be revised for change of land use. He would like to know what principles the LandsD based on to process this kind of applications;
- (b) he asked whether it would involve the revision of share of ownership stipulated in the deed of mutual covenant if spaces in public housing estates sold were to be converted into DC Members' ward offices;
- (c) he asked whether it was stipulated that fire services installations had to be

provided if the gross floor area of a unit used as a DC Member's ward office was increased to a certain area;

- (d) he asked under what circumstances the conversion of spaces in public housing estates into DC Members' ward offices required prior approval by the Town Planning Board (TPB);
- (e) he asked whether the study on water and electricity supply and connection of sewers mentioned in the HD's reply was carried out by the HD, public utility companies or other government departments;
- (f) the HD had mentioned in its reply that the connection of facilities such as water and electricity supply and sewers might pass through the area of housing estates. Therefore, prior approval must be sought from OCs. He asked how the HD would handle the case if the housing estate involved did not have an OC;
- (g) he asked the HD how the rents of DC Members' ward offices were determined;
- (h) he asked how the housing units managed by the HD were categorised by the Planning Department in respect of planning; and
- (i) he asked the HD whether the tenancy matters of ward offices of Members of the Legislative Council and DCs were handled in a standardised manner.

55. As regards the case mentioned by Mr TING Tsz-yuen, Mrs TANG FUNG Shuk-yin responded that the HD had given a detailed explanation to Mr TING Tsz-yuen, and would continue to follow up the matter after the meeting. If there were any suitable non-residential units in public housing estates, the HD would consider vacating and leasing them to DC Members to set up ward offices as far as possible. To achieve efficient management, the tenancy agreements of Members' ward offices would be terminated at the end of the term of office of Members. Re-elected Members could raise their requests for renewal of tenancy agreements. Members could also rent the units in the form of joint tenants, and the tenancy agreements would be terminated when the longest term of office of Member ended. The HD would apply the same criteria on handling the applications for renting ward offices submitted by Members of the Legislative Council and DCs. However, each DC Member was only allowed to rent a unit with a gross area of not more than 35 square metres as his/her ward office. Meanwhile, a Member of the Legislative Council was allowed to apply for renting more than one unit as his/her ward office, and the gross area of the unit should not be over 140 square metres. If no OCs had been set up in a housing estate, the HD would contact the manager of the deed of mutual covenant if necessary to follow up the application for renting a unit submitted by Member. She would contact Mr Michael YUNG after the meeting to follow up his case.

56. In respect of the TPB's approval of applications and the zoning of Group A and Group B residential zones, Mr SOH Chun-kwok, District Planning Officer (Sha Tin, Tai Po and North) of the PlanD responded that if the unit of a DC Member's ward office was classified as the use in Column 2 of the explanatory notes to land use zone in the outline zoning plan, such as Group B residential zone, an application for conversion required approval by the TPB. Since most of the housing estates managed by the HD were located within Group A residential

zone, the ground floor, first floor and second floor of the building could be used for office or service purpose, and approval by the TPB was not required. Group A residential zone was normally located within a development area, and was quite close to major trunk roads and transport facilities. Group B residential zone was located in a remote area or the fringe of a development area. The geographical and community features of the site at which a building was located would also be considered in planning. Following the community development, the existing residential zones might be re-zoned according to the latest situation.

57. Ms Rosanna TSE, District Lands Officer (Sha Tin) added that if a DC Member converted a space in a public housing estate, such as part of the area in the shopping centre, into a Member's ward office, the HD (owner of the shopping centre) had to lodge an application with the District Lands Office (DLO). The DLO would consult the relevant government departments (including the District Office) according to the established procedures. Then, the DLO would consider granting short-term exemption in respect of restrictions on land use and floor area stipulated in the land lease.

58. Mr Rick HUI was not in favour of the arrangement of renting a unit with the HD in the form of joint tenants. He opined that if the tenancy agreement was to be terminated when the longest term of office of Member ended, such an arrangement would not comply with the principle of prioritisation stated in the HD's reply. Moreover, he was dissatisfied that under the existing guidelines of the HD, the factors of consideration in respect of renting units to Members as ward offices were not fully listed.

59. Mrs TANG FUNG Shuk-yin noted Mr Rick HUI's views, and she undertook to reflect his views to the department.

60. The Chairman said that Members could follow up with the HD and other relevant departments the procedures of renting units at public housing estates under the HD to set up ward offices after the meeting if necessary.

Information Items

Reports of Committees under the STDC

District Facilities Management Committee
(Paper No. STDC 92/2016)

Culture, Sports and Community Development Committee
(Paper No. STDC 93/2016)

Education and Welfare Committee
(Paper No. STDC 94/2016)

Development and Housing Committee
(Paper No. STDC 95/2016)

Traffic and Transport Committee
(Paper No. STDC 96/2016)

Health and Environment Committee

(Paper No. STDC 97/2016)

Finance and General Affairs Committee
(Paper No. STDC 98/2016)

61. The Council noted the above seven reports of committees.

Financial Account of the STDC as at 12 September 2016
(Paper No. STDC 99/2016)

62. Mr Simon WONG, District Officer (Sha Tin) (Acting) said that \$24.5 million had been allocated to the STDC this year to fund the activities of the Community Involvement Project in the Sha Tin District. In preparing the budget earlier, the STDC had drafted a budget of over-commitment, which was 10% higher than the amount of allocated funds, in the hope that the DC funds would be fully capitalised. As at 12 September this year, the DC had granted an amount of funds totalling \$25.7 million, which was about 5% higher than the amount of allocated funds. Nonetheless, it was anticipated that there might still be surplus DC funds this year. He asked the working groups under the STDC to keep an eye on the progress of their activities to ensure that all allocated funds were used up within this financial year. Also, applications for reimbursement should be lodged with the STDC as soon as possible. The Secretariat of the STDC would closely monitor the expenditure of DC funds, and process the applications for reimbursement submitted by the activity organisers in a timely manner.

63. The Council noted the above paper.

Information Paper

Report of the District Management Committee
(Paper No. STDC 100/2016)

64. The Council noted the above paper.

Date of Next Meeting

65. The next meeting was scheduled to be held at 2:30 pm on 24 November 2016 (Thursday).

66. The meeting was adjourned at 5:59 pm.

Sha Tin District Council Secretariat
STDC 13/15/50

November 2016