

**Minutes of the 3<sup>rd</sup> Meeting of  
the Sha Tin District Council in 2017**

**Date** : 25 May 2017 (Thursday)  
**Time** : 2:30 pm  
**Venue** : Sha Tin District Council Conference Room  
 4/F, Sha Tin Government Offices

<b><u>Present</u></b>	<b><u>Time of joining the meeting</u></b>	<b><u>Time of leaving the meeting</u></b>
Chairman : Mr HO Hau-cheung, BBS, MH	2:30 pm	9:20 pm
Vice-Chairman : Mr PANG Cheung-wai, Thomas, SBS, JP	2:30 pm	5:41 pm
Members : Mr CHAN Billy Shiu-yeung	2:30 pm	9:20 pm
Ms CHAN Man-kuen	2:30 pm	8:24 pm
Mr CHAN Nok-hang	2:37 pm	9:20 pm
Mr CHING Cheung-ying, MH	2:36 pm	9:20 pm
Mr CHIU Chu-pong, Sunny	2:30 pm	9:10 pm
Mr CHIU Man-leong	2:34 pm	9:04 pm
Mr HUI Yui-yu, Rick	2:30 pm	3:43 pm
Mr LAI Tsz-yan	2:51 pm	9:20 pm
Ms LAM Chung-yan	2:30 pm	6:20 pm
Mr LEE Chi-wing, Alvin	2:37 pm	6:17 pm
Mr LEUNG Ka-fai, Victor	2:30 pm	6:24 pm
Mr LI Sai-hung	2:30 pm	9:20 pm
Mr LI Sai-wing	2:30 pm	6:18 pm
Mr LI Wing-shing, Wilson	2:30 pm	9:04 pm
Mr MAK Yun-pui	2:30 pm	4:35 pm
Mr MOK Kam-kwai, BBS	2:30 pm	5:15 pm
Mr NG Kam-hung	2:58 pm	9:20 pm
Ms PONG Scarlett Oi-lan, BBS, JP	2:30 pm	6:29 pm
Mr PUN Kwok-shan, MH	2:30 pm	9:20 pm
Mr SIU Hin-hong	2:30 pm	6:33 pm
Mr TING Tsz-yuen	2:39 pm	9:20 pm
Mr TONG Hok-leung	2:30 pm	6:46 pm
Ms TUNG Kin-lei	2:30 pm	6:46 pm
Mr WAI Hing-cheung	2:30 pm	9:04 pm
Mr WONG Fu-sang, Tiger	2:30 pm	8:26 pm
Mr WONG Hok-lai	2:37 pm	9:20 pm
Mr WONG Ka-wing, MH	2:30 pm	6:57 pm
Ms WONG Ping-fan, Iris	2:30 pm	7:33 pm
Mr WONG Yue-hon	2:30 pm	9:20 pm
Mr YAU Man-chun	2:30 pm	9:20 pm
Mr YIP Wing	2:30 pm	9:04 pm
Mr YIU Ka-chun	2:30 pm	6:04 pm
Ms YUE Shin-man	2:30 pm	7:18 pm
Mr YUNG Ming-chau, Michael	2:30 pm	9:20 pm

Secretary : Mr YUEN Chun-kit, Derek

Senior Executive Officer (District Council) /  
Sha Tin District Office

**In Attendance**

Ms CHAN Yuen-man, Amy, JP

Mr WONG Tin-pui, Simon

Mr Angus Guy PULLINGER

Mr Sean LIN

Ms HO Yuet-ping, Jolie

Ms POON Yuk-ting, Karen

Mr NG Kok-hung

Mr YUEN Tat-yung, Zorro

Ms CHU Ha-fan, Jessica

Ms FUNG Wai-kwan, Louisa

Ms CHUI Mei-chun, Flora

Mrs LEE CHEUNG Yat-wai, Gloria

Mr TSAI Yu-sing, Eric

Dr HO Wing-chuen

Mrs TANG FUNG Shuk-yin

Ms CHENG Ka-po, Theresa

Ms CHENG Yuk-kam, Brenda

Ms LEUNG Wai-shan, Cecilia

Mr HO Kin-nam, David

**In Attendance by Invitation**

Ms LAU Lee-kwan, Vivian, JP

Mr FORK Ping-lam

Ms YU Wai-fan, Monica

Mr Eric LEUNG

**Title**

District Officer (Sha Tin)

Assistant District Officer (Sha Tin)

Deputy District Commander (Shatin) /

Hong Kong Police Force

Police Community Relations Officer (Shatin

District) / Hong Kong Police Force

OC (District Intelligence Section) (Shatin) /

Hong Kong Police Force

District Lands Officer / Sha Tin (Acting)

Administration Assistant /

Lands (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

Chief Transport Officer / New Territories East /

Transport Department

District Leisure Manager (Sha Tin) (Acting) /

Leisure and Cultural Services Department

District Social Welfare Officer (Shatin) /

Social Welfare Department

District Environmental Hygiene

Superintendent (Sha Tin) /

Food and Environmental Hygiene Department

Chief School Development Officer (Shatin) /

Education Bureau

Chief Manager / Management (Tai Po, North

and Shatin) (Acting) / 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

**Title**

Director of Food and Environmental Hygiene

Assistant Director (Operation)3 /

Food and Environmental Hygiene Department

Regional Officer (New Territories East)

Independent Commission Against Corruption

Senior Community Relations Officer

Independent Commission Against Corruption

### **Absent**

Mr CHAN Kwok-keung, James

(Application for leave of absence received)

Mr CHENG Tsuk-man

( " )

Ms TSANG So-lai

No application for leave of absence received

### **Action**

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

2. The Chairman informed all attendees 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 the following representatives to the meeting: Ms Vivian LAU, Director of Food and Environmental Hygiene and Mr FORK Ping-lam, Assistant Director (Operation)<sup>3</sup> of the Food and Environmental Hygiene Department (FEHD); Mr Angus Guy PULLINGER, Deputy District Commander (Shatin) representing Ms KWAN Chui-ching, Catherine, District Commander (Shatin) of the Hong Kong Police Force; Ms Karen POON, District Lands Officer / Sha Tin (Acting) representing Ms Rosanna TSE, District Lands Officer / Sha Tin; Mrs TANG FUNG Shuk-yin, Chief Manager / Management (Tai Po, North and Shatin) (Acting) of the Housing Department (HD); Ms Flora CHUI, District Leisure Manager (Sha Tin) (Acting) representing Ms LO Lai-fong, Jackie, District Leisure Manager (Sha Tin) of the Leisure and Cultural Services Department (LCSD); and Ms Louisa FUNG, Chief Transport Officer / New Territories East representing Ms KWOK Wai-ying, Candy, Principle Transport Officer / New Territories of the Transport Department.

### **Application for Leave of Absence**

4. The Chairman said that the STDC Secretariat had received applications for leave of absence in writing from the following Members:

Mr James CHAN	Official commitment
Mr CHENG Tsuk-man	Occupied by owners' corporation (OC) duties
Mr CHING Cheung-ying	Personal commitment (probably late)

5. The Council approved the applications for leave of absence submitted by Members above.

### **Confirmation of the Minutes of the Meeting Held on 23 March 2017**

(STDC Minutes 2/2017)

6. The Council confirmed the above minutes unanimously.

### **Visit of Director of Food and Environmental Hygiene**

7. The Chairman invited Ms Vivian LAU to briefly introduce the work of the FEHD. He believed Members would eagerly voice their opinions. If there were too many who wanted to speak, he would arrange one round of questions from Members only.

8. Ms Vivian LAU briefly introduced the work of the FEHD with the following main points:

- (a) she was glad to introduce the work of the FEHD to the STDC and wished to take this opportunity to get Members' feedback and advice;
- (b) the FEHD had manpower of about 10 000 people, and an additional 10 000 odd were employed under outsourcing contracts to perform duties of environmental hygiene. The expenditure for the current year was about \$6.8 billion;
- (c) she understood that Members were concerned about the duties of environmental hygiene. In fact, food safety was also a part of the FEHD's work. The Centre for Food Safety (CFS) of the FEHD was responsible for carrying out inspection and spot checks at different points of food supply in Hong Kong, including import, wholesale, retail, and for formulating the relevant regulations and educating the public to ensure the food sold in Hong Kong was safe and suitable for consumption;
- (d) as for environmental hygiene, the scope of work was very extensive and closely related to members of the public, including issuing of food business licences, hawker control, management of public markets, street cleansing, waste collection, management of public toilets, pest control, handling of water seepage and water dripping from air-conditioners, management of cemeteries, crematoria and columbaria, governance of funeral business, etc. She would mainly introduce four areas which were (i) hygiene blackspots and territory-wide cleansing problems, (ii) pest and rodent control, (iii) management of public markets, and (iv) governance of columbaria:
  - (i) on hygiene blackspots and territory-wide cleansing problems, the FEHD did its best to provide a clean and habitable living environment. The work was carried out in three areas, i.e. boosting the cleansing work, enforcement action and education. Starting from the end of last year, resources had been considerably increased, especially in the Sha Tin District. For instance, equipment such as high pressure hot water cleaners and street washing vehicles had been provided to make environment clean. Knowing that there was a considerable amount of outsourced work, the FEHD had also stepped up their efforts to supervise the performance of the street cleansing work carried out by contractors so as to improve street cleansing services in the district. More than 3 000 complaints about this issue in the Sha Tin District were received last year. As to the enhancement of enforcement action, more than 1 000 fixed penalty notices against illegal dumping of waste in the district were issued. Nurturing civic virtue was also a vital part of maintaining a clean environment. In response to opinions from members of the public, the FEHD appointed "Ah Tak" as the Keep Clean Ambassador whose Facebook page had also been set up in the hope of achieving effective publicity and civic education through soft promotion. The FEHD would continue to organise promotional and educational activities. She thanked everyone for their efforts to work with the FEHD on promoting the importance of keeping the

environment clean at the district level. The FEHD would stay in close touch with the STDC;

- (ii) on pest and rodent control, the FEHD mainly focused on mosquitoes and rodents despite the existence of numerous kinds of pests because these two were categorised as disease-spreading and the relevant preventive measures would reduce the risk of spreading diseases. Mosquitoes were known for transmitting dengue fever, Japanese encephalitis and Zika virus. Implementing preventive measures properly would reduce people's chances of catching the diseases. Anti-mosquito campaigns would be held thrice this year. Knowing that the District-led Actions Scheme (DAS) coordinated by the Sha Tin District Office (STDO) had picked anti-mosquito and grass-cutting work as its focus, the FEHD would synchronise and offer support. As for the Ovitrap Index, all the three main index-collecting locations in the Sha Tin District, namely Tai Wai, Yuen Chau Kok and Ma On Shan, recorded 0% in the first five months this year, except for Tai Wai where 8.1% was recorded in May. Such outstanding results were attributed to local support and cooperation. It was hoped that better results would be achieved. Regarding the rodent problem, anti-rodent measures were carried out in two phases per year. This year due to people's concern and the FEHD's knowledge of certain districts with relatively serious rodent problems, new measures were added, i.e. carrying out two-month anti-rodent operation in designated target areas and strengthening cleansing work, enforcement action and education. Areas in Tai Wai, Sha Tin were emphasised, including Chik Chuen Street, Chik Shun Street, Chik Tak Lane and Chik Fu Street. The rodent infestation rate was approximately 3% in the Sha Tin District last year, slightly lower than the territory-wide average rate;
- (iii) on management of public markets, there were two public markets and two cooked food markets managed by the FEHD in the Sha Tin District. Emphasising the operating environment of markets, the FEHD would not only think from the stall-operators' perspective, but also provide a comfortable and clean shopping environment for members of the public. Regarding Tai Wai Market, since the majority of the stall-operators favoured the provision of air-conditioners, the FEHD was currently following up with the relevant technical departments. A technical feasibility study was completed in the middle of last year. Details of the works were under deliberation with stall-operators and Grandeur Garden which was the housing estate involved. It would take time to install the air-con systems, so such things as fans, air coolers and air-duct systems would be installed step by step to improve air ventilation and alleviate the hot environment inside Tai Wai Market during the summer. As for Sha Tin Market, there was a series of works to be conducted, including improvements on the fire fighting system and the air-con system, installation of escalators and elevators, etc. In terms of the management of markets, the FEHD would handle inactive stall-operators and keep markets clean and hygienic. Resources in this regard had also been increased, especially for tackling blocked passages;

- (iv) regarding columbaria, birth, aging, sickness and death were the inevitable elements of life. However, the factor of land resources had led to the inadequate supply of public columbaria. Hong Kong was currently facing such a thorny problem. She thanked the STDC very much for its support which had made possible the development of a proposed columbarium on On Hing Lane, Shek Mun. She understood that many people had voiced their opinions, and the FEHD would take into careful consideration different aspects such as transportation and landscape planning. The Shek Mun columbarium would be the first venue of the kind that would not burn incense and offerings. It would be eco-friendly and minimise the influence on the schools and residential areas in the vicinity. The Legislative Council (LegCo) had just passed *the Private Columbaria Bill* at around 1:00 pm today, which would come into effect starting from 30 June 2017 tentatively. Afterwards, the operation of private columbaria would be regulated by the law. Besides, the FEHD was strongly promoting green burials. Currently there were two methods to handle ashes from cremation: first, scattering them in gardens of remembrance; and second, scattering them at sea. The FEHD had always worked hard on promotion and education. For instance, the number of deaths last year was over 40 000, among which 90% was cremated, i.e. one out of ten chose green burials. To solve the problem of ashes arrangement, simply looking for land to build columbaria was not a long-term solution. Green burials would be strongly promoted in future, though it would involve changing the traditional mindset. Not expecting members of the public to accept the idea right away, the FEHD could only guide them to gradually accept this method of handling ashes; and
  - (e) the STDC, as a major channel of collecting and expressing people's opinions, was an important partner of the FEHD. The FEHD very much valued opinions from different aspects and thanked Members for their support all along. Mr FORK Ping-lam, Assistant Director (Operation)<sup>3</sup> and Mr Eric TSAI, District Environmental Hygiene Superintendent (Sha Tin) who accompanied her on this visit would be glad to collect opinions and respond to questions.
9. The Chairman thanked Ms Vivian LAU for briefly introducing the highlights of FEHD's work and invited Members to express their opinions.
10. The views of Mr LI Sai-wing were summarised below:
- (a) he welcomed Director of Food and Environmental Hygiene to the STDC to exchange opinions. The FEHD, responsible for handling daily environmental hygiene, played a vital role in society;
  - (b) regarding the mosquito problem, it persisted in Ma On Shan. He asked if anti-mosquito measures could be enhanced, e.g. improving the daily-used mosquito repellents. On his overseas visit, he learnt that the rubbish bins were capped. No similar rubbish bins were available in Hong Kong, giving rise to easy proliferation of mosquitoes inside the bins in hot weather. He asked if there was room for improvement on the design of the rubbish bins;

- (c) regarding the rodent problem, they had worsened as reported by some Members recently. He asked if inspection of restaurants could be stepped up, or if promotion and education could focus on restaurants. He opined that supervision was key;
- (d) regarding markets, he had petitioned against rent increases which the FEHD was applying for at the LegCo. He objected not only to rent increases, but also to the fact that both stall-operators and members of the public opined that the markets managed by the FEHD were under poor conditions and hygiene with narrow passages and insufficient facilities. Some newly built markets now accepted payment by Octopus. He asked if the FEHD would consider using other markets as a reference and adopt some better methods in its markets which had operated for many years; and
- (e) regarding district partnership programmes, it was commonplace that mosquito and rodent problems were severe in private housing estates. He asked if the FEHD could hold regular meetings with OCs of private housing estates and mutual aid committees (MAC) and increase inspection.

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

- (a) she welcomed Director of Food and Environmental Hygiene to the STDC and lauded Mr Eric TSAI for fulfilling responsibilities, taking things seriously and responding swiftly to community needs;
- (b) she asked the FEHD to increase resources according to the district needs because:
  - (i) the Civil Engineering and Development Department completed greening projects in the Sha Tin District in the first quarter this year. Quite a lot of trees and bushes had been planted in the district and inside the area of the bushes had accumulated considerable rubbish. For instance, the flower bed at Exit B of Shek Mun Station on Ma On Shan Line was consistently stuffed with a lot of trash which was rarely cleaned up and hence invited mosquitoes and biting midges;
  - (ii) a lot of eco-blocks had been used to pave the roads in Sha Tin. It took a relatively long time to remove the moss growing within the gaps. According to the FEHD's street cleansing daily schedule, there were some locations not even scheduled for cleaning within one year. Owing to the vastness of the Sha Tin District and its greening areas, it was necessary for the FEHD to deploy more resources in order to increase outsourced manpower;
  - (iii) the division of labour among departments was unclear sometimes. For instance, the trees and bushes along the pavements were managed by the LCSD, but it was unknown as to which department was responsible for the trash lying beside the trees and bushes. Some frontline workers only removed rubbish on the streets and ignored that inside the groves of trees

or on the grass. Some frontline workers even swept the leaves and rubbish into the greening area. She believed the scope of work of the FEHD was not confined to the removal of rubbish on the pavements. She also wished to know how the FEHD monitor the work of the frontline cleaning workers, whether inspection of their work areas was conducted, and if the difficulties they encountered were understood. She asked whether the FEHD could instruct the frontline cleaning works to report to their seniors when they spotted rubbish outside their work areas, so that the cases would be properly referred and followed up on. Only by doing so could achieve a clean environment; and

- (iv) a public columbarium and a garden of remembrance would be set up in Shek Mun. She hoped the FEHD would strongly promote green burials. Previously, the relevant promotion only targeted retirees and the elderly. Hopefully the FEHD would approach the young generation more. Setting up columbaria and gardens of remembrance in different districts would not only trouble the residents and stakeholders with problems such as transportation and the flow of people, but also challenge many traditional concepts. Hence, it would be necessary for the FEHD to pay proactive attention to these people's needs and do more promotions.

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

- (a) he welcomed Director of Food and Environmental Hygiene to the STDC to collect Members' opinions. Regarding illegal parking of bicycles, cycle tracks in Sha Tin were well-developed and there were a lot of bicycles. Illegal parking of bicycles was a common scene on the streets. He opined that there was insufficient coordination between the existing regulations and the department. For example, there were more than a dozen bicycles illegally parked for long along the railings outside Mountain Shore on Ning Tai Road. The DAS had already classified Ning Tai Road as blackspots of illegal parking of bicycles, but the bicycles had yet to be removed after several actions because the FEHD could not get rid of them once the department's notices requiring the removal of the bicycles had been taken off. He hoped the FEHD would coordinate with other departments or suggest that the Government plug the loophole. The problem seriously affected the appearance and environmental hygiene of the district whereas the FEHD took action only once every month or every two months. He asked the FEHD to increase manpower to handle it; and
- (b) the Highways Department (HyD) was responsible for cleaning footbridges and subways, but the contractors employed by the HyD were not professional that they left the subways dirty and stinky. He asked if the cleaning work could be contracted out to the FEHD, the manpower boosted and the frequency of cleaning increased, and if the duties of cleaning footbridges and subways could even be passed to the FEHD. Besides, he asked the FEHD to keep an eye on the contractors' performance.

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



- (a) he welcomed Director of Food and Environmental Hygiene to the STDC to exchange ideas. Thanks to the efforts of the FEHD's staff, the Ovitrap Indexes in three locations in Sha Tin were 0. However, Sha Tin was 64km<sup>2</sup> in size with a population of 690 000, but there were only three Ovitrap Indexes. He opined that the figures did not reflect the reality. He spotted the mosquito problem when walking on the street on a daily basis;
- (b) during a radio programme this morning, two audience members in a row mentioned problems of environmental hygiene, saying that the blocked drains were caused by the FEHD's staff who swept rubbish into the drains and the areas managed by other departments. This revealed a lack of supervision; and
- (c) he showed several street photos which exhibited places such as Shatin Rural Road turning to the right into Tai Po Road, the vicinity of Mei Lam Estate, the road from the Caltex gas station on Tai Po Road to Tai Wai MTR Station, the vicinity of Festival City and the power station of the China Light and Power, bus stops, pavements, etc were full of dead leaves, dust, animal droppings, rubbish, Styrofoam boxes, etc.

14. The views of Mr Mak Yun-pui were summarised below:

- (a) Ma On Shan had always been devoid of a public market. Currently the markets in many public housing estates or the public housing estates under the Tenants Purchase Scheme (TPS) were already managed by the Link Real Estate Investment Trust (Link REIT) and hence things were expensive. In view of this, it was worth studying if it was necessary to set up a public market in Ma On Shan;
- (b) if it was to set up a public market, he asked if the licences would be competed for by different people or would mostly be renewed. The latter might lead to the scalping of old licences. He believed if the FEHD considered improving the policy in this regard, it would help stabilise the food prices of the markets. He, together with the Hong Kong Social Workers' General Union, had been striving for a bazaar policy which would help people interested in running small business be self-sufficient. However, it was still unknown till now whether the Government would implement such a policy;
- (c) a complex would be built in Area 103, Ma On Shan. They had been concerned whether a public market and a cooked food market would be provided in the complex. Tenders should be open to people from different aspects and the rent should be kept at a reasonable rate, so that product prices would not be too high for members of the public to afford; and
- (d) he was concerned about the mosquito problem and asked the FEHD if the effect of the usual measures, such anti-mosquito larvicides, was ideal. Under tropical weather, Hong Kong might face mosquito problems after the rain in winter. He asked if the FEHD would increase the frequency of anti-mosquito measures. He thanked Mr Eric TSAI for his help who showed dedication when handling problems on site.

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

- (a) she thanked Director of Food and Environmental Hygiene for attending the STDC and lauded the FEHD's staff in the Sha Tin District, in particular Mr Eric TSAI who, together with the staff at Tai Wai Market, had contributed much to Tai Wai. Two of the blackspots mentioned above were within her district areas. Tai Wai was a district full of tenement buildings, restaurants and shops attracting a heavy flow of people and relatively more rubbish;
- (b) Mr Eric TSAI had introduced that webcams would be used to monitor hygiene blackspots, but she opined that fixed cameras would not cover all blackspots and asked if a mobile camera could be set up to monitor different blackspots. She believed the result would be much better;
- (c) regarding Tai Wai Market, she thanked Mr Eric TSAI for coordinating with the Market Management Advisory Committee, the MAC and stall-operators after he took office. Consequently, over 85% of the stall-operators agreed to install air-con. She had recently learnt that the installation might not be carried out until 2019. Members of the public were worried if the works would commence as scheduled in 2019, and hoped that the FEHD would coordinate with the Architectural Services Department and that the LegCo members would not filibuster. Some stall-operators were worried about the rent. It was hoped that the FEHD would review the rent after completing all the relevant works; and
- (d) lately the rodent problem had found to be serious. She hoped the FEHD would carry out control measures properly.

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

- (a) a few days ago, a sick staffer of the FEHD aged more than 60 was still on overnight duty in Mong Kok and he was in the end sent to Kwong Wah Hospital. He said he still went to work despite being sick because of low income. The existing outsourcing system of the FEHD was the root of the problem. Besides low income, low morale, insufficient staff welfare and security, the cleaning work also fared badly. He hoped the FEHD would seriously reform the outsourcing system and review the tenders by the bidders' performance instead of the "lowest bid wins" principle again;
- (b) the FEHD did not consult DC Members when reviewing the contractors' performance. He hoped that, after the FEHD reformed the outsourcing system in the future, local stakeholders would be able to comment on the contractors' performance and details of the contractors would be provided for DC Members; and
- (c) the burial grounds on the hills off King Tin Court reeked of something like rotten meat from 8:00 pm to 9:00 pm during the summer every year. He asked the FEHD to step up follow-up action.

17. The views of Mr Victor LEUNG were summarised below:

- (a) he welcomed Director of Food and Environmental Hygiene to the STDC to exchange ideas and thanked Mr Eric TSAI for handling cases expeditiously. The work of the FEHD was closely related to members of the public and the daily work of DC Members;
- (b) many residents at Yue Tin Court, i.e. his district area, said that their hands swelled after being stung by mosquitoes while they were waiting at bus stops. The rainy season led to the proliferation of mosquitoes and other kinds of pests. He asked the FEHD if it was necessary to take more targeted measures against biting midges. Using anti-mosquito sprays and anti-midge stickers only was not effective enough; and
- (c) regarding the problem of water seepage, that of public housing estates could be handled with the assistance of the HD, but that of private housing estates might be more vexing for the residents because currently there was no regulation more appropriate to protect them. Besides, currently the FEHD's officers dealt with this problem only by visual observation and colour dye tests, but now surveyors had already been using technology such as infrared to conduct the tests and the evidence was accepted by the court. He asked why the FEHD did not introduce such technology to tackle the problem. Also, the FEHD lacked manpower to handle the problem and he asked Director of Food and Environmental Hygiene to increase resources to help helpless residents to solve the problem.

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

- (a) he thanked Director of Food and Environmental Hygiene for paying a visit, and thanked Mr Eric TSAI and his colleagues for following up on the work of environmental hygiene in a competent, sufficient and efficient manner;
- (b) the problem of illegal display of banners in the Sha Tin District had become more serious in recent years. In particular, some people illegally displayed banners on Friday evenings to avoid the FEHD's enforcement action. He asked the FEHD to strengthen enforcement and removal action and to impose severe punishment on people who repeatedly refuse to comply. Roll-up stands, which were easy to open and close, were difficult to handle and would block the vision of drivers. In addition, the FEHD issued warnings against roadside banners, but removed DC Members' roadside banners immediately without any warning beforehand. He asked if it was a double standard;
- (c) when dealing with problems that required coordination with other departments such as the handling of illegally dumped household refuse and construction waste, the FEHD was generally less efficient. He hoped the FEHD would improve; and
- (d) he had repeatedly said on different occasions that the problem of reckless disposal of cigarette butts was extremely serious on the footbridge near Bayshore Towers connected to Ma On Shan Park. The problem also existed on other footbridges in the neighbourhood. He strongly asked Director of Food and Environmental Hygiene to relay the problem to the relevant bureau.

Legislation should be introduced to categorise all footbridges in the territory as non-smoking areas. He asked the FEHD to station officers at smoking blackspots, strengthen prosecution and make improvements.

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

- (a) he welcomed Director of Food and Environmental Hygiene to the STDC to exchange ideas, and thanked Mr Eric TSAI and his colleagues for swiftly handling district problems;
- (b) some washrooms located near villages seemed not cleaned twice a day by contractors as required in the tender. Besides, he asked if the FEHD would monitor the income level of contractors. He hoped the FEHD would consider how to properly supervise contractors. The environment would be kept clean and the workload of the FEHD lessened only if the contractors fared well;
- (c) there were often broken bicycles and wooden carts which were obviously trash placed next to the railings on the streets, but the FEHD usually waited till complaints were received to follow up. He understood that the FEHD, according to guidelines, had to wait for the miscellaneous objects to sit for 24 hours before they could be handled. He asked if the guidelines could be reviewed so that the handling of the miscellaneous objects could be more efficient; and
- (d) regarding anti-mosquito measures, contractors of private property only dealt with their assigned areas. In areas with diversified ownership, the mosquito problem might not improve noticeably solely by the FEHD's efforts. When the FEHD was carrying out anti-mosquito measures in one area, the mosquitoes usually moved to another area nearby. He asked the FEHD to strengthen communication and coordination with the relevant parties.

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

- (a) some of the elderly placed cardboard on the streets, sometimes for several days, leading to problems of environmental hygiene. If no department handled it, in other words they would be encouraged to put things on the streets. The Government had once legislated to govern used clothes recycling banks, so these banks were a rarity on the streets now. She asked if the relevant government department could consider setting up laws to tackle problems such as the one concerning cardboard;
- (b) regarding problems of water dripping from air-conditioners and water seepage in TPS units, the FEHD had never uprooted the problem due to a lack of manpower, resources and technology. She hoped the FEHD would study how to solve the problem; and
- (c) there were many pet owners nowadays. Some of them lacking civic virtue let their dogs urinate and defecate anywhere they liked, leaving the streets full of urine and droppings and degrading the image of Hong Kong. She hoped the

FEHD would strengthen civic education.

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

- (a) she thanked Director and Assistant Director of Food and Environmental Hygiene for visiting the STDC. She opined that Mr Eric TSAI and his team tried their best to help solve problems but were hindered by a lack of manpower and resources as well as the restriction of regulations. She believed that flexibility was necessary if problems were to be solved;
- (b) the problems were aggravated due to the outdated equipment and methods for testing water seepage, seriously affecting people's daily lives. Jubilee Garden joined the Scheme of Participation by Property Management Agents in Tackling Water Seepage in Residential Building in 2016. However, during the second phase after the first year of implementation, it took about half a year or more to handle problems due to the mixed quality of the Buildings Department's (BD) contractors. Besides, the FEHD did not handle problems involving non-consecutive floors. Hence, it was necessary to find other methods and step up efforts to test water seepage and monitor contractors;
- (c) regarding dog fouling, she opined that the FEHD should step up prosecution in accordance with Chapters 570 and 132 of the Laws of Hong Kong. She said that the FEHD's leaflet was not clear enough. For instance, it was not enough to say that sufficient clean water had to be used to rinse the urine. It should teach people how. Uric acid contained insoluble urate which was hard to get rid of with general detergent. There were some enzymes available on the market which could dissolve urate effectively. Jubilee Garden was using it, but since it was rather costly, she asked the FEHD to study a more effective method; and
- (d) there was a lot of construction waste off Shatin Shek Mun Training Centre in Fo Tan Village that required more monitoring. She considered the installation of mobile cameras an effective method of monitoring. The mosquito problem on Lai Ping Road was severe. There were rodent and mosquito problems on Lot no. 174 in Kwai Tei New Village. Though it was a private area, she hoped the FEHD would help handle the problems. As for the display of banners by DC Members, she opined that the FEHD could handle those lacking sufficient information at its discretion by issuing a warning before removing them.

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

- (a) he thanked Director and Assistant Director of Food and Environmental Hygiene for coming. He lauded the staff of the FEHD for responding swiftly to comments on environmental hygiene. He opined that the hygienic problems depicted in the photos shown by Mr Thomas PANG, Vice-Chairman of STDC, were mainly related to the contractors' performance. He suggested that the middle management of the FEHD care more about frontline cleaning workers so that the workers would perform well. By caring, he meant a pay rise, improved supervision, provision of necessary tools and equipment, etc;

- (b) regarding problems of water dripping from air-conditioners, he said the process from the receipt of complaints to the initiation of prosecution was extremely long. It took months from conducting an on-site inspection, issuing a warning letter, notifying the FEHD after two weeks of nil improvement, collecting evidence, issuing a letter, etc. During the period the residents were disturbed all the time. He opined that the enforcement procedure could be simplified and promotion and education fortified;
- (c) the problem of water seepage was the same. He asked the FEHD to expedite the process after the seepage source was identified because the long process gravely vexed the responsible occupier(s) and the affected residents. External walls wrecked by the water seepage would also pose a danger. The FEHD should simplify the procedure and fortify promotion; and
- (d) regarding the rodent problem, private housing estates would handle the problem within their own areas. However, rats would move from the outside into the private housing estates due to the rodent problem caused by scores of construction works in progress near Siu Lek Yuen Road in recent years. He asked the FEHD to take large-scale action against the problem.

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

- (a) he thanked Director of Food and Environmental Hygiene for coming. He thanked Mr Eric TSAI for following up on the installation of air-conditioners in Tai Wai Market. Residents hoped that the works progressing slowly would be finished as soon as possible. Tai Wai also desperately needed a complex composed of a market, a cooked food centre and a library. He asked if the FEHD would consider doing so;
- (b) the rodent problem was severe in Tai Wai. There were rats sneaking into lower floors of Mei Tin Estate. Public housing estates were managed by the HD while the surrounding areas were by the FEHD. He hoped the FEHD would work harder on solving the problem; and
- (c) problems of street cleansing and mosquitoes needed to be handled by contractors. However, some of their staff swept the rubbish into the flower beds not managed by the FEHD, compiling up the rubbish. The FEHD should step up its efforts to monitor the contractors' performance. He agreed that opinions of DC Members, the MAC and the OC could be taken into consideration when evaluating the contractors' performance. He asked the FEHD to provide the contractors' schedule of street cleansing and anti-mosquito measures, so that the monitoring could be carried out and residents notified.

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

- (a) he suggested that the relevant papers or brief reports be provided for Members before the DC meeting to enhance efficiency; and
- (b) the Audit Commission stated that the closed-circuit television system of the

Environmental Protection Department (EPD) was not effective, but he opined the opposite as the system was once installed in his district area. He questioned what criteria the Audit Commission based on to evaluate the effectiveness. There was still large-size rubbish and construction waste outside the Tai Shui Hang Refuse Collection Point. He had asked five government departments to discuss how to solve the problem and learnt that the flower beds were managed by the LCSD, the pavements by the HyD, the handling of construction waste by the EPD, the street cleansing by the FEHD, and those under no purview of any department were managed by the District Lands Office/Shai Tin (DLO). He opined that Mr Eric TSAI was the most efficient superintendent in recent years, and asked if the Steering Group of the STDO could facilitate a concerted effort among several departments to solve the problems, such as defining the hygiene blackspots first before handling the problems strategically.

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

- (a) he thanked Director of Food and Environmental Hygiene for visiting the STDC and Mr Eric TSAI and various teams for being receptive to suggestions and swiftly handling every case. However, there was still an unsolved problem. Lots of restaurants on Tai Wai Road and Mei Tin Road lacking civic virtue soiled the streets when cleaning up before finishing business, locked huge display boards onto the railings, and dumped packaging waste on the streets. Most of the complaints came from residents of Grandway Garden, but residents in the neighbourhood were also affected. Some people had been tripped by the display boards at night. Notices were posted in the daytime by the FEHD's officers, but display boards were moved elsewhere by the staff of the restaurants. If the problem was not tackled at night, there would hardly be any improvement. He hoped the FEHD would increase manpower to solve it; and
- (b) regarding the installation of air-conditioners in Tai Wai Market, he relayed the opinions of the store-operators that they asked the FEHD to allow a waiver of rent to tide them over when their business was shut down during the installation period.

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

- (a) he thanked Director and Assistant Director of Food and Environmental Hygiene for visiting the STDC. The cooked food stall in Sha Kok Estate was plagued by rodent problems. There were dead rats on the streets. Not until several days after a call made to the 1823 were the dead rats removed. He had asked the Link REIT and the HD about this. They said the number of dead rats had grown because of an increase in rat poison recently. He asked the FEHD to step up its efforts to educate operators of the cooked food stalls on how to handle food waste so as to solve the problem;
- (b) he had repeatedly relayed the problem of wild pigeons in Sha Kok Estate. Despite recent improvement, there were still members of the public feeding the wild pigeons. He hoped the FEHD would severely prosecute them and educate members of the public more;

- (c) regarding the mosquito problem, he inspected a few locations with Mr Eric TSAI previously. Since the larvicidal oil sprayed by the FEHD was easily washed away by the rain, he hoped the FEHD would step up its anti-mosquito measures; and
- (d) regarding the hygiene of Shing Mun River, he practised for the dragon boat race with Mr WONG Hok-lai and Mr Rick HUI on Shing Mun River after a rainstorm. They could smell the stench of Shing Mun River and saw dead rats. He asked the FEHD to improve the hygiene of the river by stepping up its efforts to remove the sludge and carcasses and coordinating with other government departments.

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

- (a) he thanked Director of Food and Environmental Hygiene for coming to collect opinions. He was concerned about the problem of water seepage. The TPS residents in his district area often sought assistance from the FEHD because they could not afford to hire surveyors. However, the equipment of the FEHD was not advanced enough and only simple testing methods were provided, unlike surveyors that would use infra-red for inspection. It took over a year for the FEHD to process a case. Quite a few residents carried out repairs on their own as they could not wait that long. However, since the source of the water seepage was not properly taken care of, the seepage resurfaced after repairs and the problem kept repeating. He asked if the FEHD could improve the inspection equipment and methods;
- (b) he thanked Mr Eric TSAI for efficiently handling the furniture waste at the rubbish collection point in Pok Hong Estate. Furniture waste stank after the rain. He noticed that the FEHD's refuse collection vehicles came to remove the waste about every 10 days only. He asked if the FEHD could boost resources in the long run so as to send more refuse collection vehicles to take care of the waste; and
- (c) not only Sha Tin but also the whole territory of Hong Kong were plagued by the grave problems of mosquitoes and rodents. The rodent problem was particularly serious in nearby markets, cooked food stalls and refuse collection points. He asked if the FEHD would study some new methods to tackle the problems.

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

- (a) he thanked Director of Food and Environmental Hygiene for visiting the STDC. He thanked the FEHD for helping to clean areas where no one was responsible for. With the assistance of Mr Eric TSAI in recent years, it was praiseworthy that many problems had improved;
- (b) he was concerned about the problem of refuse collection in villages. There was no official refuse collection point in some villages such as Sheung Wo Che Village. The villagers had developed a habit of placing domestic waste at the



roadside for the FEHD to remove, inevitably affecting the hygiene on the streets even after the removal of the waste and inviting wild animals to forage for food in the trash. He asked the STDO and the FEHD to consider setting up a refuse collection point in the villages;

- (c) the waste charging scheme was led by the EPD with the cooperation of the FEHD. He hoped the two departments would keep in close contact to properly set up the regulations. Besides, he suggested that cleaning staff be educated on refraining from collecting irregular waste and from disposing of it at the refuse collection points; and
- (d) there were several questions concerning the existing regulations:
  - (i) on collection vehicles, skips were not governed by the *Hawker Regulation*. Members often said there were skips placed on the streets obstructing pedestrians, but the problem still persisted even if departments took joint action;
  - (ii) on bike-sharing service, the STDO had took joint action with other departments but to little avail;
  - (iii) on unauthorised display of posters, the FEHD could not take action against those posters even if the contact numbers were displayed. He hoped the FEHD would do its best to block the loopholes in the regulations.

29. Mr PUN Kwok-shan thanked Director of Food and Environmental Hygiene for visiting the STDC. His views were summarised below:

- (a) a few days ago, a biotech company ran some tests on the cooking oil sold in Hong Kong. About 30% needed to improve its quality. The CFS stated that over 3 000 samples were spot-checked in the past, of which only six failed the tests in areas unlike other tests. For instance, the CFS was concerned about metal residues, antioxidants and aflatoxins, but the company mentioned above was concerned about toxic fat oxidation products, plant toxins and pesticide residues such as preservatives. He asked if the CFS had followed up on these test items;
- (b) the Sha Tin District was surrounded by mountains on three sides and had a population of 700 000. Hence, it was a place where humans and wild animals had to coexist. Some members of the public enjoyed feeding wild animals, resulting in food residues and animal droppings which led to problems of environmental hygiene. Issuing summons against people illegally feeding wild animals might not be under the purview of the FEHD. He asked Director of Food and Environmental Hygiene if the purview of the FEHD could be extended to solve this problem; and
- (c) the FEHD seemed to have nothing to do with the hygiene and cleaning work of subways, footbridges and their ancillary facilities such as elevators and covers, despite being an expert in this regard. He opined that interdepartmental action

should be taken comprehensively as it would benefit both the overall environmental hygiene and the well-being of members of the public. He said he would propose a provisional motion later on.

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

- (a) despite having a population less than half of Sha Tin's, Tai Po had a very good market. Sha Tin had a population of nearly 700 000, but its markets were rather obsolete. He said that the market in Lung Hang Estate managed by the Link REIT was renovated within a short period of time, tidy and clean. He did not understand why the FEHD was unable to provide a quality market. Sha Tin Market was established in the 70s or 80s, of which a lot had become outdated and in need of repairs. Instead of splashing out on repairs, the FEHD should provide up-to-standard markets in Sha Tin, Tai Wai and Ma On Shan;
- (b) the rodent problem was severe in recent years. Rats might only appear in markets in the past, but now they were everywhere, even in units of private housing estates;
- (c) a lot of private housing estates aged more than 30 years in his district area were vexed by water seepage. The FEHD was not able to effectively help these residents at all because the wait was long, no stern attitude would be adopted towards stubborn owners, etc. Some residents reported signs of water seepage on the ceiling to the FEHD or the relevant offices, but the cases were closed at the end because the sources were nowhere to be found; and
- (d) currently Tai Wai Market was competing with the shops in the neighbourhood because the former failed to satisfy people's needs. Those shops had turned into a small-scale market. In other words, Tai Wai needed a market, and Sha Tin Market needed a makeover.

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

- (a) he praised the performance of Mr Eric TSAI while Director of Food and Environmental Hygiene was present. He was concerned about the mosquito problem. Members of the public, in particular parents and the pregnant, were worried about viruses spread by mosquitoes, e.g. zika virus, as the rainy season came. He asked the FEHD to step up anti-mosquito measures;
- (b) he previously relayed the rodent problem, especially that in private housing estates, to Assistant Director of Food and Environmental Hygiene. He understood that such a problem in private housing estates needed to be handled by their own management companies, but the hired cleaning companies sometimes did not perform well. Some OCs even came up with special suggestions such as training cats to catch rats, but the effectiveness was questionable. He hoped the FEHD would provide more assistance for private housing estates in this regard; and
- (c) regarding the problem of bird droppings, Sha Tin was a place full of flowers and

birds. For instance, there were lots of wild pigeons in Sha Kok Estate. He hoped that people would strike a balance, but the droppings of wild pigeons often spread diseases such as avian flu and *Cryptococcus neoformans*. He hoped the FEHD would step up its action, particularly against people feeding wild pigeons.

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

- (a) he welcomed Director and Assistant Director of Food and Environmental Hygiene for visiting the STDC. Mr Eric TSAI was a responsible civil servant who performed his duties very well and attended the whole meeting every time. Mr TSAI was willing to do on-site inspection every time DC Members asked for him. He thanked Mr TSAI and his colleagues for working efficiently, and hoped they would keep up the good work as the FEHD did have a heavy workload;
- (b) the problems of rodents and mosquitoes were severe in the Sha Tin District. For instance, there were a lot of green areas in his district area, so the problems were relatively serious. Double Cove and Villa Athena in his district area were not doing very well either. He hoped the FEHD would step up its efforts;
- (c) in terms of the cleaning of public areas, he was glad that Director had mentioned a forthcoming increase in manpower, street washing vehicles, high pressure water jet cleaners etc. The contractors' performance regarding cleaning public areas such as footbridges, subways and the outside of shopping malls required enhanced monitoring. He thanked the FEHD for cleaning the public transport interchange in Wu Kai Sha last Monday. However, the hygiene worsened already on Tuesday probably due to the excessive flow of people. Quite a number of shopkeepers put cardboard at the roadside. He would remind the shopkeepers himself, but hoped that the FEHD would reinforce communications with them. He would inspect the footbridge at Double Cove with the HyD on Tuesday. He knew that the HyD was only responsible for the maintenance of footbridges and the FEHD was responsible for the daily clearance, but cleaning and clearance were two different things. He asked if the FEHD could strengthen its cleaning work; and
- (d) the smoking problem on the footbridge at Double Cove had been solved, but that in the non-smoking area at Lake Silver still persisted. He had already relayed the problem to the Tobacco Control Office. He opined that the people who let their pets foul the streets and subways lacked civic virtue. The subways reeked of droppings during the summer. He asked departments to step up their efforts.

33. Mr WONG Hok-lai thanked Mr Eric TSAI for his efforts. The views of Mr WONG were summarised below:

- (a) there were quite many wild animals in the Sha Tin District. Wild pigs and monkeys often showed up in the residential areas, causing a nuisance or even attacking the residents and thereby worsening the environmental hygiene. Some members of the public fed them and the FEHD's staff seldom inspected

the district. The FEHD should strengthen enforcement action and issue more warnings;

- (b) regarding columbaria, there were a lot of unauthorised columbaria in the Sha Tin District, perplexing the residents. Members of the public often purchased niches without knowing that the columbaria were unauthorised. He knew that the LegCo was discussing the revised motion of the *Private Columbaria Bill*. He asked if these unauthorised columbaria would be denied a licence and forced to be closed down. If yes, it might incur losses to members of the public. The FEHD should step up its efforts to educate them not to purchase niches of unauthorised columbaria and consider strengthening the monitoring of these columbaria;
- (c) the Sha Tin District had a population of 700 000, but there were only three Ovitrap Indexes recorded in three locations. Hillside housing estates were affected by the mosquito problem, but the FEHD did not install any Ovitrap. He asked if it would affect the index and lead to an unfair deployment of resources, and if the FEHD needed to review the criteria for installing Ovitrap; and
- (d) about the dead rats found in Shing Mun River, he believed they were washed from the streets into the river which meant the rodent problem in Sha Tin was severe and the FEHD needed to take it seriously. Besides, the FEHD should step up its efforts to monitor contractors' performance because the street cleaning was often improperly done.

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

- (a) regarding the mosquito problem, his district area Yuen Chau Kok was seriously plagued. People waiting at bus stops and students waiting for school buses were stung to a point that their faces swelled. Previously he relayed to the FEHD that the rodent problem in his district area had become more serious than in the past. Though the FEHD used rat poison at once, the improvement was not obvious at all. He wished to know why the problem had worsened and what the solution was, and hoped the FEHD would keep working hard on solving the problem; and
- (b) many residents reported that the hygiene of the streets and the face of the district had deteriorated. He suspected it had something to do with the contractors' performance. With the contractors offering the minimum wage, the quality of the cleaning work might not be up to par. He believed the outsourcing system needed to be reviewed. He often saw furniture and restaurants' food waste dumped on the streets without being removed for a long time. He hoped the FEHD would pay attention.

35. The Chairman stated that Mr CHING Cheung-ying had arrived at the conference room. Mr CHING already noted that he would hurry back when he applied for leave. The meeting would proceed if no comment was made.

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

- (a) he said that Mr Eric TSAI and his team had been very helpful;
- (b) regarding the problems of mosquitoes and biting midges, currently many affected places still grew plants which were mostly shrubby such as Carmona microphylla. They made it harder for water to evaporate and easier to invite mosquitoes. He had grown taller plants such as Allamanda schottii in places where Carmona microphylla used to grow. The mosquito problem had alleviated as a result. He hoped the FEHD and the LCSD would study growing different plants so as to nip the proliferation of mosquitoes in the bud;
- (c) regarding water seepage, the problem of water dripping from air-conditioners was very severe which took half a year to a year to take care of. He asked if the FEHD used colour dye tests. There was a case in which the owner on the fourth floor complained about water seepage on the fifth floor. If the source came from the sixth floor, the FEHD would need to open a new case to process. The procedure was rather complex; and
- (d) some members of the public often fed the wild animals before the FEHD's staff went to work, such as from 6:00 am to 7:00 am. He asked the FEHD to improve the manpower arrangement so as to handle the problem.

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

- (a) he thanked Director of Food and Environmental Hygiene for visiting the STDC and exchanging ideas with Members. He praised Mr Eric TSAI for swiftly conducting on-site inspection and removing DC Members' banners;
- (b) he knew that the FEHD worked very hard on handling the mosquito problem, but private housing estates did not handle it satisfactorily and hence the residents were discontented. The same applied to the rodent problem. He used Kam Ying Court as an example. The FEHD managed the areas outside the shopping mall very well, but not those inside and the housing estates were still plagued by rodents. He asked if the FEHD would have a better way to improve the management of the housing estates; and
- (c) regarding the water seepage, using colour dye tests was outdated. He hoped the Joint Offices for Investigation of Water Seepage Complaints of the FEHD and the BD would make some improvement.

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

- (a) he thanked Director of Food and Environmental Hygiene for visiting the STDC. He hoped Director would follow up on two items. First, many people smoked while standing around the rubbish bins, producing secondhand smoke that jeopardised the well-being of members of the public. He suggested that the FEHD separate the rubbish bins from the ash trays on top and place the ash trays in less populated areas; and

- (b) many newly built housing estates allowed dog keeping. However, since Hong Kong people were too busy, it was their domestic helpers who walked the dogs for them. It was not effective to use water to rinse the urine on the ground. He hoped the FEHD would sternly take enforcement action and nurture members of the public, including domestic helpers, to have civic virtue. He said there were some products available overseas that helped dog owners clean up dog droppings. The FEHD should carry out more publicity.

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

- (a) he praised Mr Eric TSAI for his performance and particularly the Pest Control Teams which often gave advice to housing estate offices;
- (b) units of Shui Chuen O Estate were mostly occupied, but there were very few rubbish bins in the estate and on the streets near the bus stops outside the estate. A lot of rubbish was found in places such as flower beds. He asked the FEHD to put rubbish bins at both ends of the estate and in some main areas;
- (c) there was a swimming pool within the campsite on Shui Chuen Au Street. Some people often complained about stagnant water in the pool which might invite mosquitoes. He hoped the FEHD would pay more attention to the blackspots of the mosquito problem in the district; and
- (d) the refuse collection point at Sha Tin Wai Village was a mess. Both villagers and outsiders discarded construction waste and large-scale furniture waste there, resulting in the piling up of waste which could not be completely removed even though the FEHD had it regularly cleaned up. He asked if the FEHD could deploy more staff for the clean-up. The same happened to the refuse collection point at Tsang Tai Uk. He hoped the FEHD would clean up more frequently.

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

- (a) he lauded Mr Eric TSAI for his very responsive action to the requests in the district. There were two issues that he hoped the FEHD would handle promptly. There were numerous restaurants from Sha Tin to Tai Wai and even to Wong Uk, and food poisoning was often heard of. He hence suggested that the FEHD inspect the restaurants more frequently so that people would rest assured to visit the restaurants; and
- (b) he opined that the FEHD was slow in processing cases of water seepage and water dripping from air-conditioners. There were many complaints not even regarded as cases, causing discontent among members of the public. The effect might be better if the working hours of the FEHD's officers were more flexible so that they would be able to inspect the units in question from 7:00 pm to 10:00 pm.

41. The views of the Chairman were summarised below:

- (a) he congratulated Mr Eric TSAI on the praise he deserved from Members. Not

only Mr TSAI but also the frontline staff of the FEHD were lauded by a number of Members, but the contractors were excluded because of their unstable performance. He asked the FEHD to pay more attention;

- (b) regarding the cleaning issue of the footbridges and subways, he mentioned it for discussion at the Health and Environment Committee (HEC) in July 2014 and found that the cleanliness of the footbridges and subways was different even though they were both connected to pavements. The reason for that was that the HyD took care of the footbridges and subways while the FEHD the pavements and occasionally removed animal droppings on the footbridges and subways. This was not a long-term solution. Hence, he asked Director of Food and Environmental Hygiene if the FEHD could take over the cleaning responsibility for the public facilities altogether such as footbridges and subways connected to pavements. The HyD said the cleaning work was carried out per season during the inspection and maintenance routine. On the other hand, the FEHD said the HyD was responsible. For instance, Che Kung Miu Road become much cleaner after Members had voiced their opinions while the cleanliness of the footbridge at Festival City was still unsatisfactory. If the FEHD did not take this responsibility, he foresaw no improvement in the next decade. Thus, Mr PUN Kwok-shan and he proposed a provisional motion on asking the FEHD to take over the responsibility;
- (c) Tai Wai Market was situated in Tai Wai town centre, the busiest part in the area. With a population of over 200 000, there were lots of cars and people but not enough roads. People had been eagerly requesting a complex containing a new market to be built in Tai Wai. He had noticed that the DC was reaching a consensus gradually. He understood that erecting such a complex could not merely rely on the FEHD's efforts, but hoped that it would offer affirmative support from the perspective of providing market services when the request was put forward again; and
- (d) regarding the display of posters on the streets, developers as well as air-con and washer repairers displayed their posters all over the streets, gravely blemishing the appearance of the district. Members of the public often complained to him. He repeatedly asked the FEHD to face the problem, but its strategy was to remove the posters spotted. It seldom initiated prosecution because prosecution was only possible when the offenders were caught red-handed. Nevertheless, the posters were all commercial in nature on which telephone numbers were shown. Proof could be obtained as long as the person in charge was contacted. Yet the FEHD did not adopt this kind of strategy. Occasional sting operations would help prosecute these unruly offenders and function as a warning. He hoped Director of Food and Environmental Hygiene would consider this suggestion seriously.

42. Ms Vivian LAU gave a consolidated response as follows:

- (a) she earnestly thanked Members for recognising the work of the FEHD's staff in the district. The FEHD's duties were challenging, covered various scopes and served lots of people. She had calculated how to use the resources available.

The annual provision was some \$6 billion which covered everything including maintenance, except for some large-scale works such as the construction of columbaria. Hong Kong had a population of 7 million. She roughly calculated that it cost \$2.5 per citizen to purchase the FEHD's services, such as public markets, hawkers, licensing, cleaning and rodent and pest control. The FEHD would make good use of the resources which were vital to the department. She thanked Members for their opinions and would take the problems seriously. She knew everyone wanted the environment to improve and the residents to enjoy a cosy and tidy district. Same as everyone, she and her colleagues were also heading in this direction to improve services and provide a clean and hygienic living environment. She hoped she could use 15-20 minutes to give a consolidated response to the numerous comments made by Members. For the items she could not answer immediately, she and her colleagues would record them carefully and give responses after the meeting;

- (b) of the numerous comments made by Members, they all focused on the problems of mosquitoes and rodents. Same as other similar environmental hygiene problems, the FEHD had three main methods to handle them: first, increasing resources; second, stepping up enforcement action and prosecution so as to re-nurture people's civic virtue; third, starting the education and publicity at childhood as children could influence adults very often. As for the mosquito problem, in terms of resources, apart from the officers in the district, there was a team at the headquarters specialising in studying effective technologies and methods to solve the problem. She agreed with Members that the proliferation had to be nipped in the bud. When handling biting midges, the FEHD carried out an environmental regulation plan, without which the environment would remain humid and dead leaves would invite midges. The problem would not be solved solely by using repellent spray;
- (c) regarding the problem of biting midges, the FEHD was aware that it would be hard for parents to see their children get stung. Since midges always came in groups, children often got stung extensively. At a meeting of an interdepartmental steering committee hosted by Permanent Secretary for Food and Health of the Food and Health Bureau, the FEHD and the LCSD exchanged ideas of how to handle the problem of midges in areas relatively frequented by children during the summer. The FEHD would strengthen liaison with other departments when dealing with the problem of mosquitoes. When the Ovitraps Index was high, Mr Eric TSAI would host a district working group meeting to study the proper control and preventive measures against mosquitoes in the district;
- (d) those organisations outside the Government such as non-governmental organisations, schools, hospitals and property management companies needed to manage the environment properly. However, since it was impossible to completely get rid of mosquitoes, members of the public, particularly children, were advised to wear thin long-sleeve shirts and take precautions such as using repellent spray in the countryside. There was no need to question the Government's determination to combat the problem of mosquitoes. Mr KO Wing-man, Secretary for Food and Health, repeatedly said in public that



mosquitoes spread diseases. People catching dengue fever for the first time usually did not experience much of a problem. Dengue fever involved three types of serum. If those people got stung for the second time by mosquitoes carrying viruses of a different type of serum, they would bleed profusely very likely. The chances were 20% and it would be lethal. Thanks to the support from different districts, dengue fever was still under control in Hong Kong. There were about 100 cases per year, most of which were spread to Hong Kong after the patients had been stung overseas. But there were a few home-grown cases. Other Southeast Asian regions such as Malaysia and Thailand recorded hundreds of thousands cases while Singapore, famous for her cleanliness, recorded ten thousand cases per year. The FEHD hoped to do its best to hold the fort. Otherwise it would become an endemic disease with no U-turn, if it was not careful. Hence, the FEHD would deploy resources in different aspects;

- (e) mosquitoes were relatively inactive during the winter, but the number of the FEHD's Pest Control Teams over the past year was identical to that during the summer. Winter was not as cold due to climate change, and hence the FEHD had stayed very alert, lest the control measures should become less effective if the department lowered its guard in the winter. Besides, there were a few times when local dengue fever originated from construction sites where *Aedes albopictus* mosquitoes proliferated in stagnant water there. The department would deploy resources next year to increase manpower to inspect construction sites and strengthen prosecution. One out of two prosecution cases came from construction sites over the past years. As for the property management companies of private housing estates, the FEHD would distribute flyers and arrange seminars as many as possible. However, the FEHD would prosecute private housing estates if they were found to have a breeding ground for mosquitoes;
- (f) the FEHD would continue to carry out rodent control measures, especially at restaurants in Sha Tin next year. The existing anti-rodent operation in designated target areas also focused on eliminating their source of food and hiding places or setting up rodent shields in places where they passed by. The work started from targeting restaurants. For instance, the existing regulations forbade restaurants to process food in the back alleys. Operators in breach would be prosecuted and imposed demerit points; licensees in breach would be imposed severe penalties;
- (g) many of the question raised were about street management such as footbridges and subways. The Chairman mentioned that, based on the opinions of members of the public, there was a big difference between the hygiene on footbridges and subways and that on pavements. She agreed that members of the public would not know which departments were responsible for which areas, but would only think that the Government was responsible for taking good care of public roads. She, based on the concept of one government as well, would review this problem with the relevant departments after the meeting so as to investigate if the problem originated from the distribution of resources or the order of priority. She believed there was a solution. The FEHD would contact the relevant departments after the meeting so as to achieve a cleaner environment;

- (h) another question was about unclear division of labour among departments, e.g. the handling of construction waste. The division of labour was clear, i.e. the EPD handled the prosecution while the relevant departments, subject to circumstances, handled the cleaning work. She said as a person who used to work at the Environment Bureau, though not in the capacity of environmental protection, she knew that the staff worked diligently. Communications could be strengthened. For instance, the FEHD would follow up on areas with vague division of labour, liaise with the relevant departments regarding follow-up action, and take care of the coordination and referral. Since members of the public had no idea which department was responsible for handling the trash in which area, the FEHD would continue to coordinate the overall work properly;
- (i) in terms of manpower, the number of street washing vehicles and high pressure water jet cleaners was increased last year in the hope of enhancing the service quality. When it came to special circumstances such as dog fouling, the FEHD's staff knew that diluted bleach instead of water had to be used to get rid of the odour. Hence, the number of street washing vehicles was increased in the hope of strengthening the work in this regard;
- (j) she was able to deploy resources to strengthen the monitoring of the work done by contractors in the night time this year. The FEHD would ensure the service was up to par and of considerable quality. The FEHD noticed that the number of night staff was relatively small and hoped that the problem would be gradually solved after the increase of manpower. Recruitment was in progress and it was hoped that more staff could be sent to the Sha Tin District in the coming months;
- (k) Members questioned about refuse collection points. There were 3 000 refuse collection points managed by the FEHD. Some of the urban ones occupied a whole building which had the space and technology whereas most of the refuse collection points were not like this but of a more primitive village-type without a concealed top. She also thought they were not ideal and said that the FEHD would be very happy to consider erecting a refuse collection point if Members could find a place that villagers agreed on. Unfortunately, based on the opinions of her staff and her observation from village inspection, it was difficult to find a suitable place that villagers in the neighbourhood agreed on. Refuse should be handled more properly and what was needed was land. It took time, money and consensus to get a refuse collection point built. Hence, she hoped to enlist the help of Members. If Members could find the space and notify the FEHD, the department would be happy to make things happen. If the space was insufficient, the FEHD would deliberate with the relevant departments. She was very keen on solving this problem;
- (l) she thanked the Vice-Chairman for taking the photos deliberately out of his attachment to the department and for encouraging the department to improve. Regarding the question on outsourcing, it was not the first day that the Government had carried out outsourcing. She emphasised that the FEHD outsourced services but not responsibilities. People might have an impression that when it came to tenders for outsourced services, "the lowest bidder would get the job". But the fact was that 40% of the street cleaning contracts

approved last year were not given to the lowest bidders. During the evaluation, 70% of the consideration went to the price factor and 30% the quality. During the evaluation of the quality, the bidder's execution concept, wages, working hours, its performance history, etc would be reviewed. The FEHD would also review if the monitoring could be carried out better and if it could keep in closer contact with DC Members in future. Members had asked if a form for evaluating outsourced cleaning contractors could be provided for them to voice their opinions because they were most familiar with the district. The FEHD would take it into careful consideration;

- (m) some Members asked if a cleaning schedule could be provided for them to help monitor the contractors. In fact, some DC Members made the same request at the meeting with Mr KO Wing-man, Secretary for Food and Health, as well as the Chairman and the Vice-Chairman of the HEC. She replied at the meeting that although most of the times the contractors provided a cleaning schedule, lots of things came up out of the blue in the district. Sometimes a street was scheduled for cleaning but since another area needed urgent cleaning, manpower would be deployed. Misunderstandings might be caused if a cleaning schedule was provided to Members. Hence, the FEHD would prudently consider providing the cleaning frequency instead of a schedule. For instance, the cleaning frequency of a busy road could reach as high as eight times per day. The cleaning frequency in the district could be shared for Members' comment. She welcomed Members' participation so as to properly monitor the work and improve the environmental hygiene of the community. She hoped Members would give her time to discuss with superintendents as to in what way Members could be involved more. She personally kept an open attitude and hoped to make good use of public money to provide what the public needed;
- (n) regarding public markets, Members opined that both the hardware and software had room for improvement. Some Members understood that the FEHD had historical baggage when managing the markets. Lots of the markets were established in the 70s and 80s in order to settle hawkers. The design was not perfect. The same applied to the installation of air-conditioners. She also wanted to get them done as soon as possible, but hoped that Members would understand there were limitations. Due to the fact that when the markets were first established there were no plans to install air-conditioners in the future, lots of problems about the design had to be solved. For example, there was no space to set up a meter room, or it was necessary to build air-conditioning pipes on the ceiling. The technical feasibility study would take a long time. The same problems encountered by Tai Wai Market had been solved. The biggest problem in the future was to explain to the store-operators and members of the public that the FEHD would have to shut down the whole market for a certain period of time. She hoped the time needed could be compressed. However, the section in charge of the works said that it would at least take eight months, so inconvenience would be caused during the installation period. She asked everyone to be more long-sighted and be understanding for a short period of time. After the installation, the environment would be cosy and the business environment improved. The improvement works of Sha Tin Market were in progress, including a preliminary review on the possibility of installing

escalators and accessible lifts. Having collected Members' views, the FEHD would discuss them with the relevant departments so as to come up with the most convenient plan for the public;

- (o) quite a few Members mentioned the water seepage problem, in particular the one involving private buildings. Colour dye tests were used because the testing methods used for private property had to be non-damaging. The FEHD could not cause any damage to the facilities. Complainees would ask if it had been confirmed that the source of the water seepage came from their units and how damaged facilities would be handled. She hoped Members would understand that the FEHD had its limitations. Besides, if the occupiers were not cooperative and the case had to be handled by the court in the end, colour dye tests, though rather obsolete, would definitely be accepted by the court as evidence of exactly where the water seepage came from. She held a meeting with Director of Buildings every year to discuss the water seepage problem. She would discuss with incoming Director of Buildings how to improve the problem. As far as she knew, the BD was currently testing other new methods, including infrared and microwave tests. If they were proved to be effective and acceptable to the court, she believed they would be employed in the future. Water seepage problems of private property might originate from building management and maintenance. The next step was to consider how the Government would use public money to handle water seepage problems of private property;
- (p) regarding the problem of water dripping from air-conditioners, she understood that Members opined the procedures took too long. She hoped to elaborate on this in the future. Due to the existing regulations, the FEHD was not legally allowed to issue summons immediately even though the location of the water dripping from air-conditioners had been proved. The regulations required the FEHD to allow time for rectifying the problem. Hence, the FEHD was required to issue a Nuisance Notice first. If nothing improved, prosecution would be next. If Members opined that the procedure was not satisfactory, the FEHD was willing to review how to make it better, e.g. whether it would be necessary to give chances of rectifying the problem. Some opined that the problem of water dripping from air-conditioners was very easy to rectify because it was most likely caused by a blocked pipe or a broken air-con tray. However, nowadays no matter how much education and publicity the FEHD had done, members of the public might adopt an attitude of tackling the problem only after being warned. She said that the FEHD's staff felt frustrated sometimes. Hence, it would really depend on a consensus in society on amending the regulations to penalise those responsible without waiting for them to rectify the problem when there was substantial evidence, if rectifying this sort of nuisance was believed to be low-cost. The FEHD had spent lots of manpower and resources on this ever-repeating problem but to little avail. She invited Members to think about whether it was necessary to carry out a fundamental reform or adjust the requirements for members of the public. She very much wanted to solve the problem and hoped that everyone would help make it work when society reached a consensus; and

- (q) owing to the time limit, she would not be able to answer all the questions. For those questions such as providing more rubbish bins in some housing estates or improving some specific locations, Mr Eric TSAI would follow up on them after the meeting. She thanked the Chairman for giving her ample time to explain the work of the FEHD and offering her a valuable opportunity to collect Members' comments and suggestions in person. She was grateful to Members for their support for the work of the FEHD, and hoped that the FEHD would keep improving the environmental hygiene of the Sha Tin District and provide a hygienic living environment for the residents.

43. The Chairman thanked Director of Food and Environmental Hygiene for taking Members' opinions seriously and responding positively. However, since there were still numerous items to be discussed, Members would not be allowed to have a second round of opinions. As for the provisional motion by Mr PUN Kwok-shan, he suggested that it wait till Director of Food and Environmental Hygiene left as she was fully occupied.

44. The Vice-Chairman, Mr Thomas PANG stated that the FEHD was delighted to know that Members praised government departments. The frontline staff had a tough job indeed. Regarding the photos he displayed today, some showing the staircases were taken when he passed by; some were taken in 10 minutes when he drove by in the neighbourhood before he lunched with Director of Food and Environmental Hygiene. If it only took him 10 minutes to photo those problems at Tai Wai town centre, he asked Director of Food and Environmental Hygiene to consider why the problems were so obvious and seriously follow up on them.

45. The Chairman, after thanking Director of Food and Environmental Hygiene again who then left the meeting, announced to be a seconder of the provisional motion put forward by Mr PUN Kwok-shan and would like to address it. No objection by Members to addressing the provisional motion was received. He asked Mr PUN Kwok-shan to read the provisional motion aloud.

46. Mr PUN Kwok-shan put forward the following provisional motion :

“The Sha Tin District Council strongly requests the Food and Environmental Hygiene Department to completely take over the responsibility for the daily cleansing of the footbridges, subways and their ancillary facilities including elevators and escalators beyond the purview of the Hong Kong Housing Authority and private housing estates, and to ensure those areas and the connecting roads comply with the same standard of environmental hygiene, so that members of the public feel comfortable and relieved while walking in public places.”

Mr HO Hau-cheung seconded the motion.

47. Mr LI Sai-hung stated that each department had its own duties, wondered if this motion was asking the FEHD to help other departments carry out the cleansing duties they were supposed to be in charge of, and questioned if this meant requesting the FEHD to overstep its purview.

48. Mr TING Tsz-yuen stated that he was in favour of the direction, but the responsibilities needed to be clarified because private housing estates adopted a “user pays” policy. He

suggested adding that DC Members in Sha Tin strongly requested the Government to deploy additional resources to the FEHD to handle this problem.

49. Mr PUN Kwok-shan gave a consolidated response as follows:

- (a) he thanked Mr LI Sai-hung for his questions. Due to the fact that the HyD was responsible for the footbridges while the FEHD the roads, the HyD hired contractors to do the cleaning work which was not coordinated smoothly. The outcome would be better if the work was altogether carried out by one department; and
- (b) although he agreed with Mr TING Tsz-yuen about his views, he would like to entrust the FEHD with such purview in the wording first so that the department would provide corresponding resources. Since he wished to clarify the purview first, he hoped Mr TING Tsz-yuen would understand if his views could not be included in the wording.

50. The Chairman asked Members whether they agreed to endorse the provisional motion in paragraph 46.

51. Members unanimously endorsed the provisional motion in paragraph 46.

52. The Chairman asked Members whether they agreed to address the provisional motion proposed by Ms YUE Shin-man.

53. Members agreed to discuss the provisional motion proposed by Ms YUE Shin-man.

54. Ms YUE Shin-man put forward the following provisional motion:

“We opine that the District Lands Office and the Food and Environmental Hygiene Department have shown different standards and low efficiency in handling, removing and initiating prosecution for unauthorised display of promotional materials (such as banners and roll-up stands) in public places in the Sha Tin District. Therefore, we strongly request the departments mentioned above to comprehensively review the relevant policy and enhance enforcement action.” The background of the provisional motion was as follows:

“Background

- The problem of unauthorised display of banners was severe in the district.

A number of Sha Tin residents pointed out that some people often hung banners on both sides of the railings at carriageways or pedestrian crossings without authorisation. These unauthorised banners not only spoiled the appearance of the district but might also block the vision of drivers and pedestrians, leading to traffic accidents very easily.

- Unattended roll-up stands occupying pavements was a commonplace.

Besides, there were complaints saying that some people often placed roll-up stands as personal publicity in the middle of the pavements in the vicinity of Wo Che Estate. The stands were always there and left unattended, and things were even worse at the

weekend. They not only obstructed pedestrians, but also injured passersby readily when brought down by the wind.

- The handling procedure was complicated.

Members of the public pointed out that it took quite a long time and procedure for the Lands Department (LandsD) and the FEHD every time to handle complaint cases. Several departments and contractors passed the cases to one another, lengthening the duration of crises and encouraging the norm of unauthorised display of banners. Especially at the weekend when the departments were off duty, there was nowhere that members of the public could complain to. Many people then took advantage of the situation to hang banners without authorisation on Friday and remove them on Monday.

- The complaints were followed up on, but the unauthorised banners nearby were ignored.

Residents also reported that the FEHD only removed unauthorised publicity materials which had been complained about, but not the adjacent ones which had not been complained about even though they were unauthorised just the same. Such a bureaucratic way of handling things was a waste of taxpayers' money.

- Unstandardised penalties were hardly a deterrent.

The LandsD and the FEHD had extremely different standards in handling unauthorised banners. Some members of the public complained to us that an assistant of a DC Member in the Sha Tin District often hung banners without authorisation in different district areas in Sha Tin. The LandsD and FEHD often had to arrange manpower to remove them. When asked how to prevent the relevant people from continuing to hang banners without authorisation brazenly, the FEHD replied that it would not recover the fines for the unauthorised display of banners because a contact address was missing on the banners though names and telephone numbers were displayed.

On the contrary, for those DC Members who hung banners with authorisation, their banners were removed and they were required to pay a fine merely because their correction stickers covering a mistake in the approval number had been maliciously removed and someone had complained about it. Even though there was no address on the banners, letters would be posted to their offices. She questioned how such double standards could be a deterrent. Besides, some DC Members remarked that the fine amounts were different every time. The calculation method was not transparent enough.

In this connection, we strongly asked the LandsD and the FEHD to comprehensively review the policy of handling publicity materials such as unauthorised display of banners and random display of roll-up stands, so as to enhance the efficiency in removing unauthorised publicity materials, shorten the time for enforcement action, standardise the fines and recover the fines from people and organisations often violating the regulations. As a result, the management of unauthorised publicity materials in the Sha Tin District would thoroughly improve and a quality environment would be restored for members of the public.”

Mr Tiger WONG seconded the motion.

55. Ms YUE Shin-man added the background of the provisional motion, stating that the problem of unauthorised display of banners was severe in the district. Unattended roll-up stands often occupied pavements. The procedure for handling the problem was complicated. Only complaints were followed up on while the adjacent unauthorised cases were ignored. Unstandardised penalties could hardly act as a deterrent.

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

- (a) he opined that the background of the provisional motion was rather lengthy and requested a copy of it before making a decision;
- (b) as for the wording of the provisional motion, “we” could mean the motioner, the seconder or everyone in presence. He asked for the definition of “we” and how “we” should be described if the provisional motion was endorsed; and
- (c) the provisional motion mentioned “different standards and low efficiency”. He asked for the number of regulations concerning the handling of banners and roll-up stands. “Different standards” could mean there were different legal standards in handling the problem, or the FEHD used different standards. As for “low efficiency”, he asked the FEHD how long the standard process time would take, how long the removal of roll-up stands would normally take, and what the succeeding work would be. If the standard process time was less than what the motioner had expected, he would agree that the efficiency was low. The DLO and the FEHD shirked their responsibility for removing the banners to one another. He was unsure which department carried out which duties and hoped these two departments would answer first.

57. Mr TING Tsz-yuen said that his opinions were basically the same as those of Mr Michael YUNG. He only wanted to have a clear idea of the background before making a decision.

58. The Chairman stated that, to his understanding, the first paragraph of the provisional motion was the background, of which “we” meant the motioner and the seconder. The “we” that came after should be amended to the “Sha Tin District Council” because motions endorsed by the DC would generally be regarded as requests proposed by the whole district council. He asked how many DC Members agreed with Mr Michael YUNG and Mr TING Tsz-yuen that everyone should get a copy of the background information for their perusal.

59. Mr Sunny CHIU asked if the motioner would be requested to read aloud the background of the provisional motion as usual.

60. The Chairman replied that the motioner would generally be requested to read the provisional motion aloud, but not necessarily the background information. If everyone found it hard to read, the motioner could be requested to read it aloud.

61. Mr WAI Hing-cheung said there were still lots of items that needed discussion. If everyone thought that the motion still needed discussion but without urgency, he asked



whether it could wait for the committees to take care of it.

62. Mr LI Sai-wing said that he understood it would take time to address the motion, but he did not think it should be discarded. If everyone needed time to read the background information, he suggested that they use the current discussion time to read it. It all depended on whether they intended to read it.

63. The Chairman stated that the procedure for addressing this provisional motion had started. If there were no particular reasons, the procedure should go on, no matter whether the motion would be endorsed or not. He asked Ms YUE Shin-man to carefully consider amending “we” to the “Sha Tin District Council” in paragraph 2 of the motion.

64. Ms YUE Shin-man amended her provisional motion to:

“The District Lands Office and the Food and Environmental Hygiene Department have shown different standards of enforcement action and penalties, and low efficiency in handling, removing and initiating prosecution for unauthorised display of promotional materials (such as banners and roll-up stands) in public places in the Sha Tin District. Therefore, the Sha Tin District Council strongly requests the departments mentioned above to comprehensively review the relevant policy and enhance enforcement action.”

Mr Tiger WONG seconded the motion.

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

- (a) he hoped the departments would clarify several things before deciding to support the provisional motion or not. The motioner stated in the background information that roll-up stands used as personal publicity were often placed in the middle of the pavements in the vicinity of Wo Che Estate, but the provisional motion was applicable to the whole of the Sha Tin District. He asked how serious the situation was;
- (b) in the paragraph concerning complicated procedure under the background information, it mentioned that it took quite a long time and procedure for the DLO and the FEHD every time to handle complaint cases. He asked why “the handling procedure was complicated”. He opined that the removal was very efficient, not as slow as what the motioner thought. He asked the FEHD and the DLO if they were really that “slow”;
- (c) the background information showed that only complaints were followed up on while the adjacent unauthorised cases were ignored. He found that sometimes the departments removed his banners all the same once they spotted his banners not following the exact guidelines when handling those nearby. He wished to know if the allegation was true; and
- (d) the background information showed that some banners were complained about after correction stickers were maliciously removed. He asked if the stickers were witnessed being maliciously removed or if they were blown away. He believed it was a serious allegation and a criminal offence. Chief

Executive-elect said that Hong Kong had to be administered in accordance with law. Thus, the case should be reported to the police for them to follow up on. He found it difficult to support the motion because it was based on such a problematic background.

66. The Chairman stated that according to the *Sha Tin District Council Standing Orders* (STDCSO), when the provisional motion was being addressed, it was not necessary for the departments concerned to answer questions. However, if they wished to respond, they were welcome to do so. Addressing the provisional motion was mainly to raise questions to the motioner or clarify the motion.

67. Mr Victor LEUNG supported the motion and also agreed with Mr Michael YUNG. In fact, the departments had different standards of law enforcement. DC Members were authorised to use designated areas, but their banners got removed probably because the approval numbers had been torn down or brought down by the wind. However, some other banners were not treated the same. For instance, there was a Sai Kung DC Member who hung banners at City One Shatin for a whole month during the election period, but the FEHD did not take action. There was another case in which a female Sai Kung DC Member hung banners for two months after finishing her publicity campaign in Sha Tin town centre, but the FEHD did not take action. He asked Mr Eric TSAI how to deal with these problems and suggested that Mr Michael YUNG support the motion.

68. Mr Alvin LEE said that what happened in Wo Che Estate also happened in Ma On Shan last year and had been persisting for a whole year. This problem was not exclusive to Wo Che Estate, but a problem of the whole of the Sha Tin District. He hoped the Government would strengthen enforcement action and review the policy based on the requests of the provisional motion. This was the true spirit of the motion.

69. Mr TING Tsz-yuen said that he did not have any question about the direction because there were unauthorised cases indeed. However, since it was only a provisional motion, it was only for Members' discussion and there was no need for the departments to answer. He suggested the motioner propose the provisional motion in the next agenda item when relevant questions were tabled, and then at least the departments could answer everyone's questions.

70. The Chairman asked Ms YUE Shin-man if she would consider Mr TING Tsz-yuen's suggestion.

71. Ms YUE Shin-man stated that different standards of law enforcement and penalties carried out by the departments encouraged a bad influence. She wished to address the provisional motion now.

72. Mr WONG Hok-lai said he was also aware of the problem about the Sai Kung DC Members mentioned by Mr Victor LEUNG. He suggested that the Chairman write to the Sai Kung District Council and ask them to hang the banners in the Sai Kung District.

73. The Chairman replied that he would consider the suggestion after the meeting.

74. Mr Victor LEUNG opined that the provisional motion proposed by Ms YUE Shin-man should be addressed now. He did not think it was about bad influence, but about the fact that

the departments' method of handling things was unfair and unjust to everyone. He hoped that Mr Eric TSAI would reply to Members after the meeting.

75. Ms Iris WONG hoped that the Chairman would address the provisional motion as soon as possible because the first agenda item had been under discussion from 2:30 pm today till 6:30 pm now and it was still going on.

76. The Chairman told Mr Michael YUNG that he had spoken in two rounds of opinions and thus had used up his speaking time for this agenda item. When addressing the motion, every Member could consider whether to support it or not based on their own knowledge, judgment and experience. Before voting, he asked the departments, including the DLO and the FEHD, out of courtesy if they were willing to respond to this motion. Their response was not necessary, but if they were willing, time would be given.

77. Mr NG Kok-hung, Administration Assistant / Lands of the DLO responded that the provisional motion involved roll-up stands, the complaints about which were not under the purview of the DLO. As for the banners, some officers of the LandsD had been authorised by the FEHD to grant permission for displaying non-commercial promotional materials in accordance with *the Public Health and Municipal Services Ordinance* (Chapter 132) Section 104A. Some DLO officers of a certain rank had been authorised to approve certain promotional materials. There were about 1 430 designated display locations in Sha Tin managed by the DLO. Each Sha Tin DC Member was allowed to select 10 designated display locations in their district areas to hang promotional materials without permission by the DLO but subject to the guidelines issued by the LandsD. The guidelines were distributed to DC Members for reference soon after they were elected.

78. Mr Eric TSAI replied that, as Mr NG Kok-hung said, the complaints received now would be handled by the FEHD and the DLO together. The FEHD would remove a banner and issue a demand note only after officers of the DLO pinpointed that the banner was at a wrong location or not complying with the guidelines. The FEHD's officers were not responsible for differentiating whether the displayed banners were correctly placed or complying with the guidelines.

79. The Chairman said that simply put it was the DLO which took the lead and it was the FEHD which was responsible for execution. He asked Members whether they agreed to endorse the provisional motion in paragraph 64.

80. Mr LI Sai-wing requested an open ballot. Four Members agreed.

81. The Chairman announced that the provisional motion in paragraph 64 was endorsed by a vote of 17 in favour, 0 against and 9 abstentions, with the following details:

Members who voted for the motion (17):

Mr Tiger WONG, Mr HO Hau-cheung, Ms YUE Shin-man, Mr Alvin LEE, Mr LI Sai-wing, Mr CHIU Man-leong, Ms LAM Chung-yan, Mr TONG Hok-leung, Mr Victor LEUNG, Ms CHAN Man-kuen, Mr CHING Cheung-ying, Ms Iris WONG, Mr WONG Yue-hon, Mr WONG Ka-wing, Mr YIP Wing, Ms TUNG Kin-lei, Mr PUN Kwok-shan.

Members who abstained from voting (9)

Mr TING Tsz-yuen, Mr NG Kam-hung, Mr LI Sai-hung, Mr Michael YUNG, Mr Billy CHAN, Mr CHAN Nok-hang, Mr WONG Hok-lai, Mr Sunny CHIU, Mr SIU Hin-hong.

**Discussion Items**

Updated Membership Lists of Committees under the Sha Tin District Council (STDC)  
(Paper No. STDC 30/2017)

82. Members unanimously endorsed the updated membership list of the Finance and General Affairs Committee under the STDC.

The STDC to Serve as Event Supporter  
(Paper No. STDC 31/2017)

83. The Council unanimously endorsed that the STDC would be a supporter of the “HK Territory-wide Youths Painting Day 2017” organised by the Young Artists Development Foundation, the “Sport For All Day 2017” organised by the LCSD, and the “ ‘PREVIEW’ OF HONG KONG ∞ IMPRESSION” co-organised by the Development Bureau and Planning Department (PlanD), and that the organisers would be allowed to use the STDC’s logo on the promotional materials of the events.

2017-2018 Work Plan of the ICAC Regional Office (NTE)  
(Paper No. STDC 32/2017)

84. Ms Monica YU, Regional Officer (New Territories East) of the Independent Commission Against Corruption (ICAC) gave a PowerPoint presentation to briefly introduce the contents of the paper, and the main points were as follows:

- (a) this year’s mission of the New Territories East Office of the ICAC was to continue to enhance the integrity culture and the core value of probity in Hong Kong, to raise the public awareness of anti-corruption and encourage the community to prevent and report corruption, and to reinforce the public confidence in and support for the ICAC;
- (b) the ICAC would continue to launch the “All for Integrity” territory-wide public engagement programme, with a view to reinforcing the core value of probity among the Hong Kong community and the public support for the work of the ICAC;
- (c) the New Territories East Office of the ICAC had invited the STDC to serve as a supporter of the “All for Integrity” public engagement programme of the Sha Tin District to jointly organise multi-faceted activities, including bus parade, various kinds of anti-corruption activities (such as integrity and quality building management, exhibitions, stall games) in public and private housing estates and campuses ;

- (d) this year marked the 20<sup>th</sup> anniversary of the “ICAC Club”, which was a volunteer group. To encourage wider youth participation, including the Sha Tin District, in the “All for Integrity” public engagement programme, , a Youth Chapter would be set up under the ICAC Club;
- (e) the ICAC would launch the “Youth Integrity Fest” programme this year to provide young people with a platform to exhibit their creativity and talents through direct participation in initiating and organising probity promotion events for the youth. To tie in with this programme, a series of multi-media productions would be launched to promote positive values among the youth in a new and interesting way;
- (f) the ICAC would continue to disseminate anti-corruption messages to the youth (from kindergarten to university students) through the organisation of multi-faceted activities, such as the launch of interactive drama programmes and the “ICAC Ambassador” Programme. The aim was to reinforce the value of integrity among the youth so that they could promote integrity messages to their peer groups;
- (g) the ICAC would continue to promote corruption prevention in both public and private sectors this year. For example, the ICAC would hold thematic seminars and briefing sessions on anti-corruption legislation for government departments and public bodies, send representatives to corruption prevention liaison meetings with government departments, provide corruption prevention training to government officers, provide the “Web Learning Portal on Integrity Management for Civil Servants”, encourage public bodies to support the “All for Integrity” territory-wide public engagement programme, and promote integrity management. Moreover, in respect of the business sector, the ICAC would push ahead with the “Ethics Promotion Programme for Listed Companies” and provide training in corruption prevention so as to enhance the integrity of practitioners;
- (h) the ICAC would enhance the promotion of anti-corruption knowledge to new arrivals and ethnic minorities this year, including the production of a multi-language publicity “package to disseminate anti-corruption messages”, to remind them of “Don’t Bribe” and immediate report of corruption;
- (i) the ICAC would continue to maintain partnership with the relevant government departments and professional bodies to promote integrity and quality building management and maintenance. Moreover, the ICAC would continue to take the initiative to approach the newly established OCs and those OCs which had received repair orders or the Fire Safety Directions from the BD to provide preventive education services to them; and
- (j) the ICAC participated in the “Hong Kong Book Fair” this year. To illustrate the theme of family moral education, the ICAC promoted the importance of inheritance of integrity among the participants, especially parents and children, through stall games, presentation of duties of the ICAC and activities on stage. In addition, the ICAC would continue to take up the organisation of clean

elections. It would disseminate clean election messages to candidates and their election agents, election helpers, political bodies and voters in respect of all by-elections to be held this year.

85. Mr SIU Hin-hong said that in order to foster integrity among young children, the ICAC might consider including kindergarten and primary students in the “Youth Integrity Fest” programme as target participants. Moreover, in early years, the ICAC had enhanced the penetration in putting across anti-corruption messages to the community through filmlets and drama series. He thought that this kind of publicity was very effective, and thus the ICAC should put more effort in it.

86. Mr WONG Ka-wing said that the ICAC might consider, in partnership with relevant government departments, approaching the OCs to disseminate the messages of integrity and corruption prevention to the concerned OCs, managers and residents of the buildings as early as possible before commencement of the building maintenance works.

87. Mr CHING Cheung-ying said that the ICAC should, in partnership with relevant government departments, such as the Home Affairs Department and the BD, take the initiative to approach the concerned OCs, managers and residents of the buildings which would undergo renovation or maintenance to disseminate the messages of integrity and corruption prevention to them.

88. Mr Michael YUNG said that maintenance works for the residential buildings in the district were in progress. He would like to know whether the ICAC would co-operate with other relevant departments to give corruption prevention support to the OCs and owners apart from disseminating the messages of integrity and corruption prevention to the OCs. Moreover, he suggested that the ICAC should consider monitoring the contractors for public works in respect of integrity and corruption prevention.

89. Mr PUN Kwok-shan said that the ICAC had mentioned in its work plan that its strategy of promoting integrity in the business sector had become a success. Moreover, he also hoped that the ICAC would take the initiative to approach the OCs, managers and residents of the buildings in the district to instill integrity and corruption prevention knowledge among them. He supported the STDC to serve as a supporter of the “All for Integrity” territory-wide public engagement programme.

90. Mr Tiger WONG said that he supported the “All for Integrity” territory-wide public engagement programme, and agreed that the ICAC should foster integrity among young children. He hoped that the ICAC would enhance the dissemination of anti-corruption messages to tertiary institutions. Moreover, he mentioned that the ICAC had published a lot of reference materials on building management and maintenance, which were very suitable for reference by those who participated in the work of OCs. He asked the ICAC to approach as early as possible the OCs of older buildings and promote probity and anti-corruption messages.

91. Mr LAI Tsz-yan said that owners usually did not have sufficient information about the reasonable charge level of building maintenance works and the accounts of the buildings. He requested the ICAC to take the initiative to approach the owners as early as possible to give them substantial integrity and corruption prevention support.

92. Mr TING Tsz-yuen said that some chairmen of OCs had been convicted and sentenced to imprisonment in the past due to corruption-related offences. However, the offenders were appointed as the consultants of the OCs of the concerned buildings upon release from prison, and this had aroused some owners' concern. He urged the ICAC to consider reviewing the relevant ordinances to prevent offenders convicted of corruption-related offences from engaging in the work of OCs again.

93. Ms Monica YU gave a consolidated response as follows:

- (a) the ICAC had all along adopted a three-pronged strategy in an active manner to combat corruption in building management;
- (b) in respect of corruption prevention education, besides writing to all buildings issued with repair orders and Fire Safety Directions by the BD, the ICAC also actively approached the newly established OCs to promote probity in building management. However, owing to privacy, it would be difficult for the ICAC to contact the OCs to provide service to them in case they did not give any replies. For better promotion of the ICAC's services, the ICAC and the STDO had agreed to enhance co-operation upon discussion. After the ICAC had issued invitation letters, a copy would be served to the STDO. Staff of the STDO would contact the concerned OCs when appropriate to encourage them to approach the ICAC for access of information on building management;
- (c) the target groups of the ICAC included the OCs, property management organisations and minority owners. Besides various effective corruption prevention measures (such as including "probity clauses", "anti-tender rigging clauses", etc. in the tender documents) proposed in a corruption prevention guide which was already published, a large amount of information on corruption prevention in respect of building management was also available on the ICAC's "thematic website on building management" for public download. In addition, the ICAC promoted integrity in building management to the local community through organisation of various kinds of anti-corruption events at district level;
- (d) regarding law enforcement, besides the traditional methods of investigation, that is, investigation, collection of evidence and prosecution, the Operations Department would also take timely enforcement actions depending on individual circumstances of cases for early intervention of potential corruption activities. The purpose was to enhance owners' alertness of the corruption risk involved in the works contract granted, so that they might consider replacement of the maintenance contractors or consultants when necessary;
- (e) the problem of building management did not involve corruption only, but also other aspects. Therefore, the ICAC would continue to maintain co-operation with relevant government departments and professional bodies, including sending representatives to local seminars, to work together on building management;
- (f) she hoped that Members would, through their local networks, help promote the ICAC's corruption prevention services in respect of building management to the OCs and residents;

- (g) the ICAC always placed importance on moral education for the youth, with its target groups covering students of kindergartens, primary and secondary schools and universities. The ICAC had also produced various training packages and organised multi-faceted activities to cater for the individual needs of different target groups. For example, moral education packages for kindergarten students had been produced for use by teachers in class. Moreover, the ICAC had published many publications for children with parent-child elements included. Also, the ICAC instilled positive values among young children through multimedia production and publicity;
- (h) the ICAC had produced many drama series, filmlets and Announcements in the Public Interest over the past years. They had been frequently broadcasted in community events with a view to disseminating anti-corruption messages to the public;
- (i) the ICAC had placed importance on corruption prevention education for government works staff, contractors and employees of private organisations. The Corruption Prevention Department also regularly provided corruption prevention advice to works departments. It was believed that the relevant government departments would conduct a detailed review on the problems reflected by the cases; and
- (j) the ICAC had been organising anti-corruption seminars for students of tertiary institutions on a regular basis. Apart from arranging integrity seminars for freshmen, the ICAC would also hold seminars for potential graduates to remind them of the corruption risks that they might come across during their career and encourage them to uphold the value of probity.

94. The Council unanimously endorsed that the STDC would serve as a supporter of the “All for Integrity” programme.

Proposal to Reserve the Central Fund for 2017-18 District Minor Works

(Paper No. STDC 33/2017)

95. The Council endorsed the above paper unanimously.

Revised Budget for the STDC for 2017-2018

(Paper No. STDC 34/2017)

96. The Chairman said that on 23 May 2017, the Finance and General Affairs Committee had endorsed that the revised budget would be recommended to the STDC for approval.

97. The Council endorsed the revised budget for the STDC unanimously.

**Questions**

Question to be Raised by Mr YUNG Ming-chau, Michael on Suspected Theft of the Laptops of the Registration and Electoral Office

(Paper No. STDC 35/2017)



98. Mr Michael YUNG would like to know whether the STDC Secretariat had invited the concerned departments to send representatives to this meeting, and why the concerned departments did not send representatives to the meeting.

99. Mr Derek YUEN, Senior Executive Officer (District Council) of the STDO said that after the STDC Secretariat had received the question, it had invited the concerned policy bureau and department to send representatives to this meeting on 13 April, 12 May and 18 May of 2017 respectively. However, both the concerned policy bureau and department responded that they were unable to send representatives to the meeting. They also added that since at the LegCo meeting, which was held on the same day of the STDC meeting, there was also a debate on a motion regarding the theft of laptops of the Registration and Electoral Office, the concerned policy bureau had to send a number of staff members to the LegCo to render assistance. As a result, it was unable to send representatives to this STDC meeting.

100. Mr Michael YUNG requested that this question be postponed to the next STDC meeting for discussion. He would revise the contents of the question according to the circumstances in due course.

101. The Council unanimously endorsed that the question would be postponed to the next STDC meeting for discussion.

Question to be Raised by Mr TING Tsz-yuen on the Management of Publicity Items of DC Members by the Lands Department  
(Paper No. STDC 36/2017)

102. Mr TING Tsz-yuen said that he had displayed roadside publicity banners at designated spots approved by the Government. The contents of the banners gave the facts to comply with the “Management Scheme for the Display of Roadside Non-commercial Publicity Materials Implementation Guidelines” (Guidelines). However, the LandsD pointed out that an image of a person was shown on the banner, and Mr TING Tsz-yuen was not authorised to use that image. Therefore, the LandsD removed his banner for reason of failure of the banner to comply with the Guidelines. As far as he was aware, there had not been any ordinances which were related to the rights to one’s own image in Hong Kong so far. He opined that the LandsD removed the banner by making an excuse meant that it was a breach of freedom of speech empowered to the Hong Kong people by the Basic Law.

103. Mr LI Sai-hung said that he had many views on the LandsD’s disposal of banners. Regarding the publicity banner that he had displayed on the roadside of Hung Mui Kuk Road earlier, he was not sure whether it was due to the problem with the LandsD or the outsourced contractor, and the spot was not spacious enough for display of one banner somehow. As a result, this had aroused some disputes. Someone slandered him without having sufficient evidence, saying that he had occupied other people’s space. The problem that he wanted to point out was the responsibility rested with the DLO. He requested for an apology and communication with him before any action was taken to solve the problem. The DLO had promised him, but without taking any action. It turned out that the DLO moved the label and said to him, “Mr LI, please follow the mark and move to the right position.” He said that he did not know what the DLO was doing, and this was one of the problems. He continued that the colour of the identification labels at many designated spots approved by the LandsD had faded, and thus they were unable to clearly indicate the accurate position of the designated

spots. When the outsourced contractors of the LandsD handled the complaints against the roadside publicity banners, they usually dealt with the banners at the spots being complained about only, without dealing with the unauthorised publicity banners beside those spots at the same time. He urged the LandsD to make improvement.

104. Mr WONG Yue-hon said that the LandsD had not communicated with DC Members before it removed the roadside publicity banners displayed by them, and hence might easily cause misunderstanding or unfairness. Moreover, he considered that if the LandsD found that the contents of the banners had violated relevant ordinances, the department should communicate with the concerned Members first and handle the case together with the concerned government departments, instead of exercising self-censorship in the contents of the roadside publicity banners.

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

- (a) the LandsD was aware that the roadside publicity banners were an important means of communication between DC Members and the public. However, the department from time to time received public complaints against roadside publicity banners. Regarding the banner problem raised by Mr TING Tsz-yuen, the LandsD had already given a reply. Moreover, the department had received a letter from Mr TING Tsz-yuen dated 28 February 2017, and was seeking legal advice on this matter. The department would give a detailed reply to Mr TING Tsz-yuen in due course;
- (b) the width of roadside publicity banners normally did not exceed 2.5 metres, which was about the width of two roadside railings. However, the outsourced contractor of the LandsD did not notice that the railings at the spot mentioned by Mr LI Sai-hung were newly designed. As the width of the two roadside railings at the spot was less than 2.5 metres, this resulted in the width of the designated spot marked at the site being less than 2.5 metres. Therefore, the case that Mr LI Sai-hung mentioned happened, that is, the width of the banner exceeded the width of the designated spot. The DLO felt sorry about that and had rectified the identification label at the concerned spot and contacted the concerned Member for follow-up action. The DLO had also reminded its outsourced contractor to conduct regular inspections on the designated spots and pay attention to the said circumstances to avoid recurrence of similar problems;  
  
(Post-meeting note: the DLO had arranged the contractor to conduct an additional inspection starting from 23 June this year to ensure that the width of all designated spots was appropriate and the labels were in good condition.)
- (c) if the DLO received complaints against roadside commercial publicity banners, it would referred the cases to the FEHD for follow-up action;
- (d) the approval number and display period of the publicity banners must be clearly shown as required by the Guidelines. If such information was shown by labelling on the publicity materials, the labels must be firmly affixed for easy identification by the public and the staff responsible for conducting inspections to avoid any misunderstanding; and

- (e) fee charging events were not allowed to be publicised on publicity banners, except those fee charging events co-organised with government departments, such as the LCSD.

106. Mr TING Tsz-yuen said that he was aware that the LandsD was seeking legal advice on his letter dated 28 February 2017. He would like to know how the LandsD determined that his roadside publicity banner did not comply with the Guidelines before legal advice was sought. In addition, he requested the LandsD to review the regulation of roadside publicity banners.

107. Mr WONG Yue-hon said that to be environmentally friendly, Members reused old roadside publicity banners and stuck labels of new approval information onto the banners. If the approval information was removed, the FEHD staff might be misled to believe that the banners were unlawfully displayed and therefore removed them. If the banners were removed, then Members might encounter difficulties when they reported to the police that their banners were damaged. Moreover, the activities organised by Members for the public were not under the management of the LCSD. He would like to know which departments were responsible for approval of the charge details of the activities, and which departments were responsible for determining whether the activities were of commercial nature. In addition, the outsourced contractors of the LandsD usually placed the identification labels of designated spots on the roadside railings near those facilities such as street lights and fire hydrants. He requested the LandsD to review whether the locations of the designated spots for display of banners were appropriate.

108. Mr LI Sai-hung said that he noticed that the identification labels at some designated spots were damaged a long time ago, but they still had not been replaced yet. He requested the LandsD to follow up the monthly inspection conducted by the outsourced contractors. Moreover, he had repeatedly reflected to the LandsD that unauthorised publicity materials were displayed outside Exits A and D of MTR Tai Wai Station. However, the department said that it did not have enough manpower to take immediate follow-up action.

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

- (a) the LandsD was seeking legal advice on the banner displayed by Mr TING Tsz-yuen. Meanwhile, it was found that some banners failed to comply with the requirements on information, such as the approval number and display period as stipulated in the Guidelines. Upon receipt of the legal advice and departmental comments, the LandsD would give a detailed reply to Mr TING Tsz-yuen;
- (b) as far as the LandsD was aware, if the roadside publicity banners were removed by the FEHD, they could apply to the FEHD for claiming the banners;
- (c) Members might lodge an application with the DLO every quarter to change the designated spots for display of roadside publicity banners allocated to them if necessary; and
- (d) the DLO would follow up the display of publicity materials near MTR Tai Wai Station. It would also carry out timely joint operations with the FEHD on

Saturdays, Sundays and public holidays to step up enforcement actions against unauthorised publicity materials.

110. The Chairman said he was aware that Members had enquiries about the existing mechanism of regulating roadside publicity banners. He was also aware that the LandsD could make other arrangements to explain to DC Members the management of roadside publicity banners and exchange views with them. Members could contact him after the meeting if necessary to make arrangements.

111. The Chairman asked Members whether they agreed to deal with the provisional motion proposed by Mr TING Tsz-yuen.

112. Members agreed to discuss the above provisional motion.

113. The Chairman said that the Council had just dealt with a provisional motion on disposal, clearance and prosecution of illegally displayed promotional materials at public places in the Sha Tin District. He asked Members to refer to the way to handle the provisional motion just discussed when they dealt with the provisional motion put forward by Mr TING Tsz-yuen.

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

“Since the Lands Department is unable to define the criteria on clearance of displayed banners for Members,

the Sha Tin District Council solemnly requests that to safeguard the freedom of speech, people’s right to know and to comply with the Basic Law, the department concerned should not censor or remove the banners displayed by Members, so as to ensure that all Members can perform their District Council duties smoothly. The department should also review the objective criteria on clearance of the banners displayed at approved spots.”

Mr CHAN Nok-hang seconded the motion.

115. The Chairman said that as the LandsD had already stipulated in the Guidelines how to remove the roadside publicity banners, the premise in the first paragraph of the provisional motion put forward by Mr TING Tsz-yuen might be controversial. He asked Mr TING Tsz-yuen to consider making amendments to the first paragraph of the provisional motion so as to indicate that the Guidelines were unclear and were unable to tie in with Members’ work.

116. Mr Tiger WONG said that according to Mr TING Tsz-yuen’s figure showing the roadside publicity banner removed, the name and photo of the third party were shown on the banner. He had reservations on whether such kind of banners could be displayed to the public. He opined that Members should find out the reason for removal of the banner before giving consideration to Mr TING Tsz-yuen’s provisional motion.

117. Mr TING Tsz-yuen agreed with the Chairman’s views, and amended the provisional motion as follows:

“Since the Lands Department is unable to give to Members clear criteria on clearance of displayed banners,

the Sha Tin District Council solemnly requests that to safeguard the freedom of speech, people’s right to know and to comply with the Basic Law, the department concerned should not censor or remove the banners displayed by Members, so as to ensure that all Members can perform their District Council duties smoothly. The department should also review the objective criteria on clearance of the banners displayed at approved spots.”

Mr CHAN Nok-hang seconded the motion.

118. Mr TING Tsz-yuen added that when he produced roadside publicity banners again, he had already partially covered the photo of the third party shown on the banner in response to the rights to one’s own image referred to by the LandsD earlier. However, the LandsD still removed the new publicity banner. As far as he was aware, there had not been any ordinances which were related to the rights to one’s own image in Hong Kong so far.

119. The Chairman said that since the number of Members present at the meeting did not reach the quorum, he adjourned the meeting under Order 12(2) of the STDCSO, and asked the Secretary to summon those Members who were not present to attend the meeting. If a quorum was not present after resumption of the meeting, he would terminate the meeting.

(The meeting was adjourned for 15 minutes)

120. The Chairman said that the STDC Secretariat had summoned those Members who were not present to attend the meeting. As a quorum was present, he announced that the meeting was resumed.

121. Mr TING Tsz-yuen requested for an open ballot. Four Members supported his proposal.

122. The Chairman announced that the provisional motion in paragraph 117 was endorsed by 20 affirmative votes, 0 negative vote and 0 abstention vote. The details were as follows:

Members who voted for the motion (20):

Mr HO Hau-cheung, Mr Billy CHAN, Ms CHAN Man-kuen, Mr CHAN Nok-hang, Mr CHING Cheung-ying, Mr Sunny CHIU, Mr CHIU Man-leong, Mr LAI Tsz-yan, Mr LI Sai-hung, Mr Wilson LI, Mr NG Kam-hung, Mr PUN Kwok-shan, Mr TING Tsz-yuen, Mr WAI Hing-cheung, Mr Tiger WONG, Mr WONG Hok-lai, Mr WONG Yue-hon, Mr YAU Man-chun, Mr YIP Wing, Mr Michael YUNG.

Question to be Raised by Mr HO Hau-cheung on How to Conduct Local Consultation by the Town Planning Board on Applications for Change of Land Use of Private Land  
(Paper No. STDC 37/2017)

123. The Chairman said that before the meeting, Mr CHAN Nok-hang and Mr YAU Man-chun had asked him to give discretionary consideration to the addition of a motion on the

Town Planning Board (TPB)'s processing of applications for change of land use of private land to the agenda of this meeting. He also noted that other Members were concerned about this issue. However, as the TPB had to process a large number of applications for change of land use of private land, it would be inappropriate for the STDC to put forward motions on the applications one by one within the limited time frame of the meeting. However, given the current circumstances, he exercised discretion to add a question on how to conduct local consultation by the TPB on applications for change of land use of private land in the agenda of this meeting for Members to express their views.

124. The Chairman said that he did not intended to raise supplementary questions on the above question, but at his discretion, invited not more than five Members to raise supplementary questions on the concerned question. The Chairman continued that as far as he was aware, the question involved Mr WAI Hing-cheung's constituency.

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

- (a) the PlanD pointed out that they had informed Members of Application No. Y/ST/36. He considered that the consultation period was quite short. He would like to know which Members the PlanD had notified;
- (b) he said that the riverside of Shing Mun River should not be densely developed to avoid causing negative impacts on the landscape and air ventilation of the Sha Tin District. He hoped that the concerned department would inform Members of the overall planning of the Sha Tin District when consulting the STDC on individual planning issue so that they could give full consideration to the issue; and
- (c) he opined that it was inappropriate that the TPB and the PlanD did not set a target population for the Sha Tin District. In processing new planning applications, the TPB and the PlanD should consider whether the existing ancillary facilities in the district were sufficient to cater for the needs of the newly increased population brought by the planning projects. He thought that the PlanD should consider prior consultation with the STDC upon receipt of planning applications for new residential developments.

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

- (a) relatively speaking, the consultation period, which lasted for three weeks only, was quite short. Also, as there were only a few points for posting up the public consultation notice, such an arrangement could not meet the actual needs;
- (b) as far as he was aware, the PlanD had publicised the concerned planning application in the press on 5 May 2017. However, the department did not notify the concerned Members and members of the Area Committee in writing until 19 May. He considered that the date of issue of the letter was a bit late;
- (c) he considered that the contents of the consultation paper were not detailed enough, and it could not reflect the facts about development, traffic and transport, conservation, etc. He would like to know whether consultation with the STDC on the concerned planning application was a must;

- (d) he opined that although the concerned planning application was a private development, the PlanD should consider the overall planning of the Sha Tin District from a macro point of view when processing the application; and
- (e) besides gauging views on the planning application and reflect them to the TPB, the PlanD should also take the initiative to reflect to the TPB the department's views on the concerned planning application.

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

- (a) he asked Ms Jessica CHU, District Planning Officer whether the approximate location of the site mentioned in the question was the location that he was pointing at with a laser pen on the screen. Ms Jessica CHU replied that although the actual location of the site involved has yet to be confirmed, the approximate location of the concerned site was in the vicinity of the open space that he was pointing at. Mr Michael YUNG said that the constituency involved in the question was "R09 Jat Min". Member of the constituency in which the site was located was Mr YAU Man-chun instead of Mr WAI Hing-cheung mentioned by the Secretariat to the Chairman;
- (b) as far as he was aware, Application No. Y/ST/36 was rezoning of Application Nos. Z/ST/12 and Z/ST/17. He had enquired of the Secretariat of the TPB about the concerned applications. It replied that Application Nos. Z/ST/12 and Z/ST/17 were submitted before the *Town Planning (Amendment) Ordinance 2004* came into force. According to the processing procedures of the TPB, the concerned documents were not made available for public inspection without prior approval and consent of the party who requested for amendments to the layout plan. As a result, he was unable to obtain sufficient information for reference in time to express his views before the consultation period ended;
- (c) as far as he was aware, the respective plot ratios of Application Nos. Z/ST/12 and Z/ST/17 were 3.5 and 3.67. Application No. Z/ST/12 was rejected on 1 March 2002, while Application No. Z/ST/17 was rejected on 21 November 2003. Application No. Y/ST/36 involved 390 housing units and 110 metres above Principal Datum. Without having sufficient information, he opposed Application No. Y/ST/36, which involved rezoning an open space into a Residential (Group B)4 zone. The reasons were as follows:
  - (i) the site to be rezoned was located on the riverside of Shing Mun River. If rezoning was approved, two buildings with 33 storeys each would be built there, and thus blocking the "visual corridor" from Sha Tin Park to Tsang Tai Uk along the riverside of Shing Mun River;
  - (ii) the area involved in rezoning was an open space. The change of land use now would violate the original planning intention;
  - (iii) the applicant claimed that an increase in housing supply to tie in with the Long Term Housing Strategy was a supporting reason for rezoning. However, long-term development at district level was not taken into

consideration when the development project was planned, and thus the project could not help solve the housing problem in an effective manner;

- (iv) a number of development projects and housing developments in Sha Tin and Ma On Shan would be completed in the near future. If rezoning was approved this time, the area of open space in the district would be further reduced, and that would set a very bad precedent;
- (v) if the project was approved, traffic congestion would become more serious at some primary distributor roads in the Sha Tin District, and thus causing adverse impacts on traffic and the environment in the community; and
- (d) according to the organisation chart of the PlanD, the Town Planning Board Section and the Town Planning Ordinance Review Unit were under the Board Division of the District Planning Branch. He asked the PlanD to further elaborate on the relationship between such a structure and the TPB.

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

- (a) the TPB did not consult the STDC on the planning application. He considered that the way the TPB conducted consultation now did not cater for the actual needs;
- (b) he considered that the planning of Application No. Y/ST/36 would affect the environment, community and air ventilation of the concerned area, and even the Sha Tin District as a whole. He requested the PlanD to consult the relevant stakeholders, including the STDC, in respect of similar planning applications in the future;
- (c) he was aware that the PlanD, from time to time, informed Members of the planning applications it received. If Members found that certain projects would have far-reaching effect on the local community, the PlanD should consider submitting the relevant applications to the STDC for discussion at Members' request so that the local people could express their views on the applications;
- (d) he opined that the PlanD should reflect to the TPB members' views on the planning application, and the TPB should listen to their views; and
- (e) if the planning application had far-reaching effect on the local community, he hoped that the concerned department would extend the consultation period.

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

- (a) the PlanD said that it had informed DC Members and members of the Sha Tin East Two Area Committee of Application No. Y/ST/36. However, as far as he was aware, some DC Members and members of the Sha Tin East Two Area Committee had not received the relevant papers. Later, the Sha Tin East Two Area Committee had written to the Secretariat of the TPB to ask for extension of the consultation period, but the Secretariat of the TPB declined its request;



- (b) the plot ratio of the planning application was higher than previous planning proposals of a similar kind. He considered that under the circumstances that the existing ancillary facilities in the community were not upgraded, the planning application would not only affect the landscape of Shing Mun River, but also add burden to the community environment of the district;
- (c) he urged the PlanD to consider how to conserve the historic buildings in the vicinity of the site involved in Application No. Y/ST/36; and
- (d) he would like to know how the TPB would handle the opposing views received.

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

- (a) he objected to Application No. Y/ST/36. He urged the PlanD to relay his opposing views to the TPB;
- (b) as far as he was aware, the planning application was an application for private residential development. He considered that the community ancillary facilities, such as car parking facilities, were not sufficient to cope with the application. The PlanD should ensure that the quality of life of the residents in the vicinity of the site involved in the planning application would not be affected;
- (c) he considered that the three-week consultation period might not be able to address the actual needs. Also, the notice about the public consultation was not posted at a prominent place for public inspection. He asked the PlanD to improve the existing means of consultation;
- (d) he opined that Members of the concerned constituencies should have the priority to speak in respect of the issues of their own constituencies; and
- (e) he opined that the TPB should listen to the views of the STDC on the planning application.

131. The Chairman added that he handled the meeting rundown according to the STDCSO. It was not stipulated in the STDCSO that a Member of the concerned constituency might have the priority to speak in respect of certain issue. He had, at the request of Mr CHAN Nok-hang and Mr YAU Man-chun, added a question on the TPB's handling of the applications for change of land use of private land in the agenda of this meeting for Members to express their views. Moreover, at his discretion, he had invited not more than five Members to raise supplementary questions on the concerned question. He was also aware that Mr CHAN Nok-hang and Mr YAU Man-chun was concerned about the issue, and therefore allowed them to raise supplementary questions. He would re-confirm the constituency involved in the question. If there were any discrepancies, he was willing to apologise to Members.

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

- (a) he confirmed that the question involved his constituency. As far as he was aware, some DC Members and members of the Sha Tin East Two Area Committee had not received the consultation papers, and local residents

generally hoped that the consultation period would be extended. Since the issue involved the livelihood of the local residents, the STDC should arrange discussion of the issue at the meeting; and

- (b) the contents of the consultation papers issued to DC Members and members of the Sha Tin East Two Area Committee by the PlanD were not detailed enough. The relevant stakeholders had to browse the webpage of the TPB by themselves if they were to obtain further information about the planning application. He urged the PlanD to improve the consultation procedure.

133. Ms Jessica CHU, District Planning Officer (Sha Tin, Tai Po and North) of the PlanD gave a consolidated response as follows:

- (a) the consultation was conducted under the *Town Planning Ordinance* and TPB Guidelines No. 30B. The procedures included publication of a newspaper notice on the day of announcement of the application, posting a notice in a prominent position on or near the application site, and notifying DC Members, members of Heung Yee Kuk N.T. and the Sha Tin East Two Area Committee. The PlanD would reflect to the TPB that some people were of the view that the three-week consultation period was too short;
- (b) when the PlanD published a newspaper notice in respect of the planning application on 5 May 2017, it had notified all DC Members. 33 of them were notified in writing, while 6 of them were notified by email;
- (c) between 5 May 2017 and the day of the meeting, the PlanD had received a lot of views from DC Members and the residents. It was learnt that the TPB had received over 500 submissions. She believed that the planning application had been widely known at district level;
- (d) Application No. Y/ST/36 was an application submitted by a private developer. It did not represent the stance of the PlanD. The department's development approach for the riverside of Shing Mun River remained unchanged. It was still zoned as an open space. It was anticipated that the TPB would consider the planning application at the meeting on 14 July 2017;
- (e) the PlanD had consulted the relevant government departments for their opinions on the planning application. She believed that the concerned departments would reflect Members' views to the TPB;
- (f) the PlanD would relay the views gauged, including Members' views and petition letters, to the TPB;
- (g) inspection of specific details of past planning applications was under the administration of the TPB. Members might lodge an application for inspection with the Secretariat of the TPB if necessary;

- (h) the PlanD would consult the STDC on the department's proposed amendments to the layout plan. For the planning applications submitted by other parties, the STDC might ask the concerned parties to reply to Members' enquiries direct if necessary;
- (i) the TPB was a statutory body set up under Section 2 of the *Town Planning Ordinance*, while the PlanD was a government department. The Secretariat of the TPB was set up under the department. The PlanD was responsible for processing planning applications, inviting concerned government departments to express their views on the planning applications, and to compile public opinions and relay them to the TPB, which would decide whether the applications were to be approved. Regarding how the TPB would consider the views of government departments and the public, this went beyond the responsibility of the PlanD; and
- (j) when the PlanD relayed the views to the TPB, it would reflect to the Board the background of rejection of Application Nos. Z/ST/12 and Z/ST/17, so that such background would be taken into consideration together with Application No. Y/ST/36.

134. Ms Amy CHAN, District Officer (Sha Tin) added that generally speaking, when the PlanD solicited the STDO's views on planning applications, it would distribute the consultation papers to DC Members and members of the relevant Area Committees, so that they could express their views to the TPB direct. The STDO would, to the best of its knowledge, reflect their views to the PlanD.

135. The Chairman added that the STDC had been requesting the PlanD to arrange an ad hoc meeting with Members to further exchange views on the planning issues of the Sha Tin District. He asked the PlanD to follow up the arrangement.

136. The Chairman said that he had received a provisional motion from Mr CHAN Nok-hang. However, since the number of Members present at the meeting did not reach the quorum, he asked Mr CHAN Nok-hang to consider changing the provisional motion into a proposal for record purpose.

137. Mr CHAN Nok-hang said that he was willing to change his provisional motion and that of Mr YAU Man-chun into a proposal for record purpose. He asked the PlanD to relay his proposal to the TPB, and the proposal was as follows:

“the Sha Tin District Council strongly opposes Application No. Y/ST/36, that is, the application for rezoning the existing site (Sha Tin Town Lot No. 310 in Sha Tin) of the Hong Kong Bible Research and Education Center, which is an open space, into a Residential (Group B)4 zone. It also requests the Town Planning Board to reject the said planning application.”

138. The Council noted the proposal in paragraph 137.

139. The Chairman said that since the number of Members present at the meeting did not reach the quorum, he adjourned the meeting for 15 minutes under Order 12(2) of the

STDCSO, and asked the Secretary to summon those Members who were not present to attend the meeting. If a quorum was not present after resumption of the meeting, he would terminate the meeting.

(The meeting was adjourned for 15 minutes)

140. The Chairman said that after the STDC Secretariat had summoned those Members who were not present to attend the meeting, a quorum was still not present. Therefore, he announced that the meeting be adjourned. He decided that the following papers would be handled by circulation: *Report of the District Facilities Management Committee, Report of the Culture, Sports and Community Development Committee, Report of the Education and Welfare Committee, Report of the Development and Housing Committee, Report of the Traffic and Transport Committee, Report of the Health and Environment Committee, Report of the Finance and General Affairs Committee, Financial Year 2016-2017 STDC Account Statement, Financial Account of the STDC as at 16 May 2017, 2017-2018 Work Plan of the Sha Tin District Office (STDO), Report of the District Management Committee and Membership Lists of Committees under the STDO.*

(Post-meeting note: the STDC Secretariat had issued the papers to Members by circulation on 2 June 2017. As at the deadline, it had received replies from 18 Members who confirmed that they noted the papers. Under Order 47 of the STDCSO, the above papers were deemed to be unanimously endorsed by the Council.)

#### **Date of Next Meeting**

141. The next meeting was scheduled to be held at 2:30 pm on 27 July 2017 (Thursday).

142. The meeting was adjourned at 9:20 pm.

Sha Tin District Council Secretariat  
STDC 13/15/50

July 2017