

**Sha Tin District Council**  
**Minutes of the 3<sup>rd</sup> Meeting of**  
**the Development, Housing, Environment and Health Committee in 2023**

**Date** : 16 May 2023 (Tuesday)  
**Time** : 2:30 pm  
**Venue** : Sha Tin District Office Conference Room 441  
4/F, Sha Tin Government Offices

<b><u>Present</u></b>	<b><u>Title</u></b>	<b><u>Time of joining the meeting</u></b>	<b><u>Time of leaving the meeting</u></b>
Mr CHOW Hiu-laam, Felix (Chairman)	DC Member	2:30 pm	5:46 pm
Mr SIN Cheuk-nam	DC Vice-Chairman	2:30 pm	5:46 pm
Mr CHENG Chung-hang	DC Member	2:30 pm	5:46 pm
Mr CHUNG Lai-him, Johnny	”	2:30 pm	5:46 pm
Mr HUI Lap-san	”	2:34 pm	5:46 pm
Mr WAI Hing-cheung	”	2:30 pm	5:46 pm
Ms CHOW Man-kwan, Mandy (Secretary)	Executive Officer (District Council)3, Sha Tin District Office		

<b><u>In Attendance</u></b>	<b><u>Title</u></b>
Mr HO Kin-nam, David	Assistant District Officer (Sha Tin)2 (Atg)
Ms CHAN Cheuk-yu, Cherry	Senior Executive Officer (District Council) (Atg), Sha Tin District Office
Mr NG Wing-keung, Henry	Senior Liaison Officer (North), Sha Tin District Office
Ms LUK Kin-hong, Cathy	Liaison Officer i/c (North)2 (Atg), Sha Tin District Office
Ms CHAN Yuen-chi, Jess	Housing Manager/Tai Po, North and Shatin 3, Housing Department
Mr YEUNG Wai-dor	Administrative Assistant/Lands (Atg), District Lands Office, Sha Tin, Lands Department
Ms YICK Hong-nien, Hannah	Senior Town Planner/Shatin, Planning Department
Mr CHAN Ka-kui	District Environmental Hygiene Superintendent (Sha Tin), Food and Environmental Hygiene Department
Mr WONG Kin-wing	Chief Health Inspector (Sha Tin)2, Food and Environmental Hygiene Department
Ms CHAN Hoi-wing	Engineer/New Territories East (Distribution 1), Water Supplies Department
Ms WONG Pui-wan, Cecilia	Senior Environmental Protection Officer (Regional North)4, Environmental Protection Department
Ms MAN Pui-shan, Erica	Deputy District Leisure Manager (Sha Tin)2, Leisure and Cultural Services Department

**In Attendance by Invitation**

Ms HO Ka-yi, Karen

Mr POON Chi-cheong, Vincent

Mr WONG Chung-pong, Gavin

Mr LAU Tin-lap, Daniel

Mr LOU Tai-yeong

Ms YUEN Pui-shan, Priscilla

Mr YU Chun-shing, Felix

Mr LAM Yat-hang

Mr CHEUNG Kwan-shek

Ms KONG Yuk-yin, Zoe

Ms CHEUNG Pui-sai, Emily

Mr LEE Wing-keung, Kenneth

Mr LAM Wai-hung, Freeman

Ms TSANG Wai, Cherry

Mr WAI Wah-kei

Mr TSANG Hing-fai

Mr HUNG Siu-chuen, Alex

Ms FUNG Chung-yee, Kitty

**Title**

Senior Estate Surveyor/Railway Development/Head Office 1,  
Lands Department

Engineer/Shatin 2,  
Transport Department

Chief Engineer/North 2,  
Civil Engineering and Development Department

Senior Engineer/9 (North),  
Civil Engineering and Development Department

Engineer/30 (North),  
Civil Engineering and Development Department

Senior Engineer/Drainage Projects 1,  
Drainage Services Department

Senior Engineer/Cavern Projects 1,  
Drainage Services Department

Engineer/Shatin,  
Drainage Services Department

Senior Engineer/Project Management 4,  
Water Supplies Department

Assistant Engineer/Construction 6,  
Water Supplies Department

Senior Engineer 2/Lion Rock Tunnel,  
Highways Department

Senior Engineer/Slopes,  
Highways Department

Engineer 3/Lion Rock Tunnel,  
Highways Department

Engineer 10/Universal Accessibility,  
Highways Department

District Engineer/Shatin (1),  
Highways Department

Maintenance Engineer/Slopes (East),  
Highways Department

Senior Structural Engineer/C4,  
Buildings Department

Senior Structural Engineer/Slope Safety (MW),  
Buildings Department

**Absent**

Mr MAK Yun-pui, Chris

Dr LAM Kong-kwan

Mr MOK Kam-kwai, BBS

**Title**

DC Chairman (Application for leave of absence received)

DC Member ( " )

" ( " )

**Action****Welcoming Remarks**

The Chairman welcomed members and representatives of government departments to the meeting of the Development, Housing, Environment and Health Committee (DHEHC).

2. The Chairman informed all attendees that some persons in the public gallery observing the meeting were taking photographs and making video or audio recordings.

**Applications for Leave of Absence**

3. The Chairman said that the Sha Tin District Council (STDC) Secretariat (Secretariat) had received applications for leave of absence in writing from the following members:

Mr Chris MAK	Sickness
Dr LAM Kong-kwan	Official commitment
Mr MOK Kam-kwai, BBS	”

4. Members unanimously approved the applications for leave of absence submitted by the members above.

**Election of Vice-Chairman of the Committee**

5. The Chairman said that by the end of the nomination period, the Secretariat had not received any nomination form for the DHEHC Vice-Chairman. Since there were no candidates, the Chairman announced that the office of the DHEHC Vice-Chairman remained vacant.

**Confirmation of Minutes**

Minutes of the Meeting Held on 14 March 2023  
(DHEH Minutes 2/2023)

6. Members unanimously endorsed the above minutes.

**Matters Arising**

Responses of Government Departments to Matters Arising from the Previous Meeting  
(Paper No. DHEH 19/2023)

7. Mr Johnny CHUNG asked the District Lands Office, Sha Tin (DLO/ST) for a concrete timescale for its actions in following up on the environmental issues at the shingle beach in Wu Kai Sha.

8. Mr YEUNG Wai-dor, Administrative Assistant/Lands (Atg) of the DLO/ST, said the DLO/ST and the relevant departments were in discussion over the mounting of inter-departmental joint operations in respect of the matter. He would inform members if there was further information.

(Post-meeting note: The DLO/ST had given its written reply to the Chairman and Mr Johnny CHUNG on 7 June.)

9. Members unanimously noted the above paper.

**Discussion Items**

Works Relating to the Footbridge at the Junction of Che Kung Miu Road and Mei Tin Road in Tai Wai

(Paper No. DHEH 20/2023)

10. The views of Mr CHENG Chung-hang were summarised below:

- (a) he opined that the MTR Corporation Limited (MTRCL), as the management company of the shopping centre, should attend the meeting. He was dissatisfied with the MTRCL for not sending representatives to the meeting and hoped that another date could be arranged for direct dialogue with its representatives;
- (b) he was of the view that the disadvantages of demolishing a section of covered walkway of the footbridge concerned outweighed its benefits as the modification project inconvenienced public access. He was disappointed at the MTRCL's decision. He considered that the relevant departments should give due consideration to the public's need of access ways for daily activities, and examine the necessity of demolishing the footbridge and study the feasibility of holding the demolition works in abeyance with the MTRCL; and
- (c) he would like to know whether the MTRCL had the right to make rules in relation to the management of the shopping centre.

11. Mr WAI Hing-cheung said he had expressed his desire for follow-up discussion on the issue in future DHEHC meetings to the MTRCL at an earlier site visit and suggested retaining the walkway of the footbridge for the time being pending assessment of the pedestrian flow of the walkway before and after modification.

12. The views of Mr SIN Cheuk-nam were summarised below:

- (a) he would like to know whether there were other means of inviting the MTRCL to meet with members and discuss the issue in question; and
- (b) he would like to know whether the land lease of the modification project contained provisions concerning pet access, if not, he inquired whether the relevant departments could intervene and discuss putting pet-friendly rules in place in the shopping centre with the MTRCL.

13. The views of Mr Johnny CHUNG were summarised below:

- (a) he would like to learn about the details of the provision of pet stroller rental to the public by the MTRCL as referred to in the paper, such as the specific timescale of implementation, sanitary measures, performance pledge and number of pet strollers available for rental, etc. He also inquired whether the MTRCL would make compensation to tenants holding different view if it was to fully open up the shopping centre in the future for pet access; and

- (b) he would like to know whether the relevant departments or units had assessed whether the access way upon completion of the modification project could cope with the pedestrian flow at the footbridge. He opined that when considering taking forward development projects, the relevant departments and units should give comprehensive consideration to the public's daily needs.

14. The views of the Chairman were summarised below:

- (a) he said that he wished to meet with the MTRCL to discuss the issue and would like to know why it had not sent representatives to the meeting; and
- (b) he would like to know in the event of an escalator breakdown at the location concerned, whether the relevant department would impose a penalty.

15. Mr HUI Lap-san was of the view that demolishing the staircase would lower the level of convenience the footbridge offered. He said that the escalators concerned had broken down during peak hours in the morning previously, and would like to know apart from emergency access, whether there were other means of dispersing the crowd when incidents occurred in the shopping centre. Besides, he was concerned that the access way available after the shopping centre was open might create inconvenience as members of the public would have to take a longer route to get to their destination.

16. Ms Mandy CHOW, Executive Officer (District Council)3 of the Sha Tin District Office, said that the Secretariat had been in constant contact with the MTRCL before the meeting. The MTRCL said it could not join the meeting because of other work commitments.

17. Ms Karen HO, Senior Estate Surveyor/Railway Development/Head Office 1 of the Lands Department, said the land lease conditions required that the access way be open for 24 hours a day for use by members of the public (including wheelchair users) but did not restrict the implementation of measures to manage the shopping centre. She said that pursuant to the land lease, the developer was required to complete modification of the existing footbridge before the stipulated deadlines. The project, which included the permanent closure and demolition of part of the existing covered footbridge on the northern end of the bridge, was gazetted in 2010. The Lands Department (LandsD) would monitor and ensure that the developer completed the different work projects covered under the land lease before the stipulated deadlines. Applications could be made if the MTRCL intended to postpone the scheduled completion dates.

18. Mr Vincent POON, Engineer/Shatin 2 of the Transport Department, gave a consolidated response as follows:

- (a) he said that there were staircases in the shopping centre available for emergency use and there would also be other access ways connecting to the MTR station entrances/exits or the street when it was open later. He believed that would bring greater convenience to public access. Besides, he said the Transport Department (TD) had also reminded the MTRCL to keep the lifts and escalators in normal operation and ensure that the access way would be open for 24 hours a day for public use in order to comply with the land lease requirements; and

- (b) he said that the developer had engaged a traffic consultant to conduct pedestrian flow analysis. According to the traffic impact assessment report, it was estimated that the modified access way could cope with the existing and anticipated pedestrian flow. The TD, after examining the development proposal and having regard to the fact that the project would provide an access way open for 24 hours a day for the public, considered the arrangement acceptable.

19. Mr WAI Wah-kei, District Engineer/Shan Tin(1) of the Highways Department, said as the repair and maintenance of access ways of the shopping centre were not within the purview of the Highways Department (HyD), he had nothing further to add concerning the arrangements of access ways for diverting pedestrian flow when incidents occurred.

20. Mr David HO, Assistant District Officer (Shan Tin)2 (Atg), said the Secretariat noted members' views and would continue to liaise with the MTRCL after the meeting for arranging a meeting for the parties to discuss the matter.

21. The Chairman said he would continue to follow up on the matter with the Secretariat after the meeting and announced the end of the agenda item.

Progress Report on 2023/2024 Major Works Projects in Shan Tin District  
(Paper No. DHEH 21/2023)

22. Mr Gavin WONG, Chief Engineer/North 2 of the Civil Engineering and Development Department, briefly introduced the content of the paper.

23. Mr SIN Cheuk-nam said that he had seen construction vehicles near Ma On Shan Recreation Ground obstructing the pedestrian crossing, and had expressed his concern for the safety of construction workers and road users to the relevant departments. He hoped that the relevant departments would step up monitoring and inspection to ensure the works were carried out safely.

24. The views of Mr HUI Lap-san were summarised below:

- (a) he would like to know whether odour would be emitted from the works associated with the construction of village sewerage systems in Cheung Kang and Ma Niu, and whether the Department had any preventive measures in place; and
- (b) he inquired about the concrete timescale of carrying out the works relating to footbridge NF299 across Sai Sha Road near Chung On Estate, and whether the works would impact members of the public.

25. The views of Mr Johnny CHUNG were summarised below:

- (a) he would like to know the anticipated completion date of the works pertaining to the public housing developments at Cheung Muk Tau, and whether the sewers constructed under the works could be connected to the septic tanks of nearby housing estates; and

- (b) he would like to know the number of households affected by land resumption arising from the public housing developments at Ma On Shan Tsuen Road, date of requiring the households to move out and proposed compensation.

26. Mr WAI Hing-cheung would like to know whether the epidemic had delayed the progress of retrofitting noise barriers on Tai Po Road (Sha Tin Section).

27. The views of the Chairman were summarised below:

- (a) he inquired about the details of the funding application made to the Legislative Council (LegCo) for Trunk Road T4 and associated works as referred to in the paper and the anticipated completion date of the project;
- (b) he would like to know the anticipated timescale of the construction of sewerage systems in Sha Tin Tau New Village and Kau To (Part). Besides, he would like to know when the land resumption would be carried out for the works relating to Chek Nai Ping and when the works would commence;
- (c) he would like to know the outcome of the public engagement exercise on the revitalisation of Tai Wai Nullah and Fo Tan Nullah, the works progress and implementation schedule;
- (d) he would like to know the effectiveness of the rehabilitated trunk sewer along Yuen Wo Road;
- (e) he would like to know whether the progress of the widening of Tai Po Road (Sha Tin Section) and retrofitting of noise barriers thereon had delayed; and
- (f) he suggested standardising the layout of various departments' webpages which provided contact points of the works undertaken by them respectively, so that members of the public could contact the relevant units more easily for follow-up actions when emergencies arose.

28. Mr Gavin WONG gave a consolidated response as follows:

- (a) he said that the Department attached great importance to the temporary traffic arrangements during the construction period. He would convey members' views to other relevant departments to enhance monitoring of safety of the site;
- (b) he said the Department hoped to make funding application for the main works on Trunk Road T4 to the LegCo in late 2023 to kick-start the works. The project was scheduled to complete in 2028; and
- (c) he said that the site formation and infrastructure works for the public housing developments at Cheung Muk Tau included the laying of sewerage system, details of which would be provided after the meeting.

29. Mr Daniel LAU, Senior Engineer/9 (North) of the Civil Engineering and Development Department, gave a consolidated response as follows:

- (a) he said that the project completion date would depend on the actual works progress. The Department aimed at completing the widening of Tai Po Road (Sha Tin Section) from the existing dual two-lane to dual three-lane carriageway in 2023, while the noise barrier retrofitting works would be completed at a later time;
- (b) he said that the infrastructure works for the public housing developments at Cheung Muk Tau would take about four years. It was the Department's plan to make funding application to the LegCo for the project in 2023, and the formed land was expected to be handed over to the Housing Department (HD) in phases in 2026 for works associated with housing construction; and
- (c) he said that the Department was conducting detailed design for the works relating to the public housing developments at Ma On Shan Tsuen Road, which was scheduled to complete in 2024. Further details of the works would be announced later.

30. Ms Priscilla YUEN, Senior Engineer/Drainage Projects 1 of the Drainage Services Department, gave a consolidated response as follows:

- (a) she said that the Drainage Services Department (DSD) organised a Public Design Sharing Day for the revitalisation of Fo Tan Nullah and Tai Wai Nullah in February this year. She said that members of the public generally supported the proposed revitalisation of Fo Tan Nullah, and had put forward to the Department suggestions with regard to art design elements and plant species for greening, etc. Most of the participants supported the provision of public open space along Tai Wai Nullah. In response to public enquiries on the management arrangements, the Department had explained the layout design of the works as well as the proposed "AI-based River Management System" and "Water Level Forecast System". Some members of the public also gave their views on the provision of pet-friendly space and green environment in the vicinity of the river. The Department was conducting detailed design, and the Government would strive to secure funding after all works-related statutory procedures and established procedures for public works were completed; and
- (b) she said she would supplement information about the effectiveness of the rehabilitated trunk sewer along Yuen Wo Road after the meeting.

31. Mr Felix YU, Senior Engineer/Cavern Projects 1 of the DSD, said the Department would build sewerage systems for areas without sewerage facilities to improve their sanitary condition. The works, which were at the design stage, would be gazetted in due course and views of District Council Members would be collected. He said he would relay members' views to the staff concerned for continuous follow-up.

32. Ms Cherry TSANG, Engineer 10/Universal Accessibility of the HyD, said the works relating to footbridge NF299 had already commenced in late December 2022. Pre-



construction preparatory work, including underground services investigation, land surveying, and applications for temporary traffic arrangements and Excavation Permit, was underway.

33. Mr WAI Hing-cheung hoped that departments could provide more comprehensive and accurate information in the paper so that the public would have a better understanding of the latest works progress.

34. Mr Daniel LAU said the Department would maintain close liaison with the works team so as to provide updates on the works in an accurate manner.

35. The Chairman asked the Department to revise the information about Sui Wo Road set out in the paper after the meeting and announced the end of the agenda item.

(Post-meeting note: The paper had been revised after the meeting.)

Strategy and Work for Improvement of Environmental Hygiene in Hong Kong  
(Paper No. DHEH 22/2023)

36. Mr CHAN Ka-kui, District Environmental Hygiene Superintendent (Sha Tin) of the Food and Environmental Hygiene Department, briefly introduced the paper and made revision to it. He said that he visited On Luk Street Park in Ma On Shan with Mr SIN Cheuk-nam and staff of other relevant departments on 11 May this year to understand the biting midge problem. The Food and Environmental Hygiene Department (FEHD), apart from actively conducting site visits with members, welcomed members' views on district environmental issues.

37. The views of Mr SIN Cheuk-nam were summarised below:

- (a) he thanked the FEHD for its assistance in addressing the environmental hygiene problems in the district. He hoped that the Department would continue to keep in view the mosquito/biting midge infestation in Ma On Shan and other places; and
- (b) he wished to learn about the details of the “Scheme of Participation by Property Management Agents in Tackling Water Seepage in Residential Building”, and the response of management companies of housing estates in Sha Tin District towards the scheme.

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

- (a) he said that members of the public had reflected to him that some shops at Mei Tin Road in Tai Wai had placed goods on the street, but the problem had not been instantly resolved. He would like to know whether the problem of illegal extension of business area by shops causing street obstruction was severe in Sha Tin District, and how the FEHD could address the problem; and
- (b) he said he had seen pallet trucks carrying garbage bins operate on carriageways and pedestrian walkways. He would like to know whether the aforesaid matter was under the purview of the FEHD, and whether there were rules regulating the use of such vehicle.

39. The views of Mr Johnny CHUNG were summarised below:

- (a) he would like to know what types of illegally-dumped refuse were targeted by the Internet Protocol cameras installed by the FEHD;
- (b) he said members of the public had reflected that bicycle shops at Chik Sau Lane had occupied the street, affecting public access, business of nearby shops or even emergency services. He would like to know whether the FEHD could address the problem by invoking the law on shop front extensions; and
- (c) he hoped the FEHD could include the surrounding environmental condition of the place of business as a condition of license issuance and renewal for fresh provision shops.

40. The Chairman asked the Secretariat to upload the revised paper onto the STDC website after the meeting. Besides, his views were summarised below:

- (a) he said that rodent infestation was severe in the vicinity of Pok Hong Estate, and would like to learn about the FEHD's measures in tackling the problem and the effectiveness of such measures;
- (b) he would like to know how the relevant departments were to combat shop front extensions in the district by continuing the joint operation mode adopted in 2022;
- (c) he said that temporary refuse collection points were dispensed with in some locations in the Chun Ma constituency, posing an increased burden on nearby refuse collection points and even giving rise to fly-tipping. He inquired how the FEHD could follow up on the matter; and
- (d) he would like to learn more about the way forward or plan of the FEHD in addressing the environmental hygiene problems of the district this year.

41. The views of Mr CHENG Chung-hang were summarised below:

- (a) he said that shop front extensions, road ponding and uneven surface in the vicinity of Mei Tin Road affected the public's daily access. He hoped that the relevant departments could rectify the problems; and
- (b) he thanked the FEHD for sparing no effort in dealing with rodent and mosquito infestation in the district. He said that with the rainy season approaching, he hoped that the Department could keep adopting different strategies in its anti-mosquito efforts in Ma On Shan. Besides, he indicated that rodent infestation was serious in Pok Hong Estate, and inquired how the FEHD and HD could collaborate in dealing with the problem.

42. Mr CHAN Ka-kui gave a consolidated response as follows:

- (a) he said that the aim of installing Internet Protocol cameras was to closely monitor whether there was illegal dumping of refuse, which might be furniture or other

large waste items, at the target black spots in different periods. If construction waste was dumped, the Environmental Protection Department would assist in the prosecution. Besides, he said that the Department had dispensed with the temporary refuse collection points in Chek Nai Ping after the large refuse collection point in the village was refurbished. The FEHD would educate the public and place notices to remind them to dispose of refuse at the large refuse collection point. The Department would initiate prosecution if illegal refuse dumping was found;

- (b) he said that the Department would look into the matter about pallet truck raised by member, and liaise with the member timely;

(Post-meeting note: The FEHD had informed Mr WAI Hing-cheung of its findings after the meeting.)

- (c) he said that Mei Tin Road and Chik Fai Street in Tai Wai were black spots of illegal extension of business area by shops. Officers of the Department would issue Fixed Penalty Notices or summons against any illegal extension if there was sufficient evidence. Since November 2022, the FEHD launched a new mode of joint operation with the Police at the aforesaid locations, with enforcement actions taken every week. He said that the shop operators at the relevant locations would be moving goods in the morning. If they were found to be obstructing street sweeping or conducting unlicensed hawking activities in public places, officers of the Department would, depending on the circumstances, take follow-up actions. He said that the FEHD would keep in close view the situation at the aforesaid locations and make arrangements with the Police to conduct more joint operations as appropriate;
- (d) he said that the issue of rodent infestation in Pok Hong Estate had shown improvement after the Department met with the relevant representatives and provided on-site technical support and guidance. The FEHD would keep in close view the situation and provide timely assistance;
- (e) he said that he would supplement information after the meeting about the scheme on water seepage in buildings in the light of member's enquiries; and
- (f) he said that if the person-in-charge of a food premises made an application for restaurant license to the FEHD, the Department would issue the license provided that there was no objection from the relevant departments and that all licensing requirements and conditions were met. He said that if the business activities of the shop caused nuisance to nearby residents, the relevant departments would also take follow-up actions accordingly.

43. The Chairman announced the end of the agenda item.

Questions

Question to be Raised by Mr WAI Hing-cheung on Management of Sha Tin Market  
(Paper No. DHEH 23/2023)

44. The views of Mr WAI Hing-cheung were summarised below:
- (a) he said that the wet goods zone of Sha Tin Market being on the upper level might easily lead to drain blockage and water leakage, thereby affecting businesses located on the floor below and reducing the attractiveness of the Market. He would like to know the rationale for such design and its pros and cons;
  - (b) he would like to know why the FEHD had not kept information about the design of Sha Tin Market. He was of the view that such information provided good reference to academic and historical research as well as future development. It was a pity that the Department did not have such data;
  - (c) he said that the abundant seafood stalls on the upper level of Sha Tin Market was appealing, but the fact that there was only one one-way ascending escalator would perhaps affect customers' interest in buying goods upstairs. Besides, he said that the lift service of the Market was suspended for maintenance several years ago, affecting business operation. He hoped that the relevant departments could keep up with the times and enhance the facilities of Sha Tin Market;
  - (d) he said it was understandable that the Department had no plan to build a new public market in the district for the time being, but hoped that it could consider redeveloping or overhauling the existing Sha Tin Market in phases to enhance its competitiveness while minimising the impact on business operation. He hoped that the Department would take into account the views of the Market Management Consultative Committee and consider overhauling Sha Tin Market in a targeted manner so as to resolve the existing problems at root; and
  - (e) he said that there would be hawking activities outside Sha Tin Market on holidays, causing congestion and chaos to the surrounding area. He appealed to the FEHD for tackling the problem.
45. Mr SIN Cheuk-nam inquired whether markets in Sha Tin District would benefit from the Market Modernisation Programme, and the details of the FEHD's plan in overhauling markets in the district.
46. Mr CHAN Ka-kui gave a consolidated response as follows:
- (a) he said that as Sha Tin Market came into service in 1980, some of its information could no longer be found. Its layout was similar to that of some other FEHD markets;
  - (b) he said that the FEHD would liaise with the relevant departments and seek their assistance in clearing the blocked drains in the Market, and request the contractor

to step up its efforts in clearing refuse accumulated in the drains so as to alleviate the problem;

- (c) he said that at present, the FEHD did not have plan to overhaul Sha Tin Market. He would relay members' views to the relevant section for consideration;

(Post-meeting note: Members' views were relayed to the relevant section of the FEHD for consideration on 19 May.)

- (d) he said that in deciding which markets were to be included under the Market Modernisation Programme, the Department would take into account factors including, inter alia, geographical location of the market, distribution and viability of stalls, internal facilities, demands of the neighbouring community and tenants' views. He said that the FEHD had already enhanced the facilities of Sha Tin Market, including renewing the facilities of male and female toilets, installing a standalone split-type air-conditioning system, and replacing the underground soil pipes and freight lift facilities. Replacement of air purifying devices of the Market was also in the pipeline; and
- (e) he said after the meeting, he would follow up on the issue of hawking activities outside Sha Tin Market mentioned by member, and report to the member timely if further information was available.

(Post-meeting note: The FEHD had informed Mr WAI Hing-cheung of its findings on 23 May.)

47. The Chairman asked the FEHD to consider replacing or renewing the ageing facilities of Sha Tin Market to resolve the existing problems. He announced the end of the agenda item and that the meeting be adjourned for five minutes.

(After adjournment)

Question to be Raised by Mr CHOW Hiu-laam, Felix on Landslip Prevention and Mitigation and Slope Maintenance in Sha Tin District  
(Paper No. DHEH 24/2023)

48. The views of the Chairman were summarised below:

- (a) he would like to know the factors to be considered by the relevant departments in determining the maintenance priority of man-made slopes and natural hillside;
- (b) he would like to know whether there had been cases where the Government recovered the management of a slope originally under private management because of the need to build infrastructure facilities, and the factors that were taken into account if such a decision was made; and
- (c) he would like to know the effectiveness of the measures taken by the Geotechnical Engineering Office (GEO) in preventing serious landslides.

49. Mr YEUNG Wai-dor said he would supplement information after the meeting about transfer of management right of slopes.

50. Mr LAM Yat-hang, Engineer/Shatin of the DSD, said the DSD conducted regular inspections of the slopes under its management in accordance with the standards set out in the GEO's "Guide to Slope Maintenance" ("Guide") and carried out necessary maintenance works for slopes identified during the inspections.

51. Mr Kenneth LEE, Senior Engineer/Slopes of the HyD, said the HyD conducted regular inspections of the slopes under its management in accordance with the GEO's "Guide", and would carry out maintenance works when necessary.

52. Ms Kitty FUNG, Senior Structural Engineer/Slope Safety (MW) of the Buildings Department, said the Buildings Department issued Dangerous Hillside Orders (DHOs) based on the GEO's opinion and the information contained in the "Slope Maintenance Responsibility Information System" administered by the LandsD. She said among the DHOs served in Sha Tin District in the past, there had not been instances of slope management being transferred from private to public.

53. The Chairman hoped that there could be a clearer demarcation of responsibilities among the relevant departments so that members of the public would have a better understanding of slope management work. He asked the departments concerned to provide supplementary information after the meeting and announced the end of the agenda item.

Question to be Raised by Mr SIN Cheuk-nam on Building Management in Sha Tin District  
(Paper No. DHEH 25/2023)

54. The views of Mr SIN Cheuk-nam were summarised below:

- (a) he would like to know the reasons for the low or even declined usage of the various building management support services offered by the Sha Tin District Office (STDO). He hoped that the STDO would enhance promotion of its services so as to assist owners or Owners' Corporations (OCs) in resolving building management disputes or problems;
- (b) he said it was reflected in the paper that adjournment of meetings due to a lack of quorum was not common in OC general meetings with attendance of representatives from the STDO. He opined that when proposing the revision of quorum requirement, the relevant department could take into account the actual meeting situation; and
- (c) he would like to have information about the venues in Sha Tin District available for holding OC general meetings.

55. The views of Mr CHENG Chung-hang were summarised below:

- (a) he opined that different departments could coordinate in providing venues to facilitate OCs in hiring suitable venues for holding meetings;

- (b) he said that some contractors of maintenance projects might make earnings through dividing up profits with housing estates, making it difficult for owners and residents to conduct procurement in accordance with the law; and
- (c) he said that the issue of single authorisation was common when resolution was put on vote in OC meetings. He was concerned whether it would result in biased or unfair voting result.

56. The views of the Chairman were summarised below:

- (a) he would like to know the indicators adopted by the STDO in assessing the effectiveness of building management support services;
- (b) he would like to know whether the STDO could make coordinating effort in renting community halls to OCs for meeting purposes; and
- (c) he would like to know how the STDO could ensure resolutions passed in OC meetings on procurement could represent owners' views.

57. Ms Cathy LUK, Liaison Officer i/c (North)2 (Atg) of the STDO, gave a consolidated response as follows:

- (a) she said that factors occasioned by the epidemic such as social distancing measures and suspension of meeting venue rental had made it difficult for OC general meetings and Management Committee (MC) meetings to be convened for the past three years, resulting in a decline in the use of Pre-Meeting Advisory Service for Owners' Corporations. However, with the launch of building rehabilitation support and subsidies by the Government, she believed that the use of the advisory services would show a marked rebound. She stated that some cases of complaints and requests for assistance about the service quality of property management companies had been referred to the Property Management Services Authority direct since its establishment. This might have led to the decrease in the number of support services rendered by the STDO. Besides, she indicated that the figure on Pre-meeting Advisory Service for Owners' Corporations included mainly the service provided to OCs by the STDO staff. However, a lot of large housing estates in the district did not form an OC but only an MC. For these estates, the STDO staff would also give advice to the residents or MC members but such service had not been included in the statistics. She said the STDO would continue to enhance promotion of such support services as the Free Legal Advice Service on Building Management and offer appropriate assistance to owners and residents;
- (b) she said that she would relay member's views on revising the quorum requirement to the relevant section after the meeting. Besides, she said that the number of meetings being adjourned due to a lack of quorum shown in the paper might not be indicative of the actual meeting situation as it only reflected the meetings in which the STDO's representatives were invited to attend and that the number of OC general meetings held over the past few years had decreased owing to the epidemic;

- (c) she said that OCs would be given priority in using community halls under the STDO for holding general meetings once every year. In general, community halls could accommodate a few hundred people but the maximum number of persons allowed was revised from time to time over the past three years due to the epidemic and social distancing measures. Depending on the response of individual school, some meetings would be held in school hall near the housing estate while some would be held at the podium or basketball court of the housing estate. She would supplement information about the capacity of community halls after the meeting;
- (d) she said that owners would discuss and pass resolutions on major building maintenance projects at OC general meetings. The present proposed amendments to the Building Management Ordinance (Cap. 344) (BMO) were aimed at making refinements to keep up with the times. She said she noted that many OCs had complied with the requirements under the BMO by inviting tenders in procurement. However, the BMO could not cover each and every procurement situation due to its limited length. The STDO would continue to step up publicity and education in this respect in the future; and
- (e) she said that at present, owners could, of their own free will, appoint any persons as their proxies. The BMO did not impose any restrictions in this respect.

58. The views of Mr SIN Cheuk-nam were summarised below:

- (a) he understood that it might be difficult for the BMO to impose restrictions on owners' choice of proxies, but he was concerned whether the problems of conflict of interests and suspected false proxy appointment could be remedied through the present legislative amendment; and
- (b) he wished to learn about the details of the public consultation on the amendment of the BMO.

59. Mr WAI Hing-cheung would like to know whether the number of owners required for passing a resolution for termination of appointment of Deed of Mutual Covenant (DMC) manager under the BMO would be revised.

60. Mr Johnny CHUNG commended the "Best Practices on Building Management" ("Best Practices") issued by the Home Affairs Department (HAD). He considered that if the BMO adopted some of the recommendations of the "Best Practices", many of the existing loopholes might have been plugged.

61. Ms Cathy LUK gave a consolidated response as follows:

- (a) she said that she would make enquiries of the HAD about the details of the public consultation on the amendment of the BMO and supplement the relevant information after the meeting;
- (b) she said that the "Best Practices" did not change the arrangements under the relevant BMO provision on terminating the appointment of DMC manager, but



she would be pleased to relay members' views on suspected false proxy appointment and the number of owners required for passing a resolution for termination of appointment of DMC manager to the relevant section of the HAD; and

- (c) she said that the HAD had made efforts to promote the “Best Practices” among the 18 districts for the past two years and regularly reviewed its effectiveness in the hope that it could provide good reference to the amendment of the BMO in terms of considering whether the recommended practices were feasible when put into actual practice.

62. The Chairman announced the end of the agenda item.

### **Information Papers**

Statistical Overview of Sha Tin District Environmental Hygiene Service (as at 31 March 2023)  
(Paper No. DHEH 26/2023)

Sha Tin District Anti-mosquito Campaign 2023 (Second Phase)  
(Paper No. DHEH 27/2023)

Population of Public Housing Estates and Private Sector Participation Scheme Courts in Sha Tin District  
(Paper No. DHEH 28/2023)

63. The Chairman suggested combining the discussion of “Statistical Overview of Sha Tin District Environmental Hygiene Service (as at 31 March 2023)”, “Sha Tin District Anti-mosquito Campaign 2023 (Second Phase)” and “Population of Public Housing Estates and Private Sector Participation Scheme Courts in Sha Tin District”.

64. Members unanimously agreed to the above suggestion.

65. The views of the Chairman were summarised below:

- (a) he would like to know how the HD would follow up on the case where a resident in Shui Chuen O Estate was found dead at home. Besides, he hoped that the relevant departments would update the list of residents more frequently and improve home visit services so as to assist residents in need more comprehensively and proactively;
- (b) he would like to know whether mosquito infestation in Sha Tin District had seen a rising trend starting earlier when comparing the data in the same year, and the common mosquito species in the district; and
- (c) he hoped that the relevant departments would expedite the amendment of the Wild Animals Protection Ordinance (Cap. 170) so as to tackle the problem of feral pigeon feeding.

66. Mr CHENG Chung-hang opined that the HD could share with the Social Welfare Department (SWD) information about singleton residents so as to offer assistance to residents in need and follow up on the cases more effectively. He would also like to learn about the HD's procedures in recovering rent from tenants.

67. The views of Mr Johnny CHUNG were summarised below:

- (a) he would like to know the details of the law enforcement actions taken in respect of licensed restaurants set out in Paper No. DHEH 26/2023;
- (b) he thanked the FEHD for taking law enforcement actions against littering. He said that the problem of feral pigeon feeding by visitors remained unresolved and hoped that the Department would continue with its education and prosecution work so as to alleviate the problem; and
- (c) he commended the FEHD for featuring the mascot "Keep Clean Ambassador Ah Tak" in environmental hygiene promotion. He hoped that the Department would continue devoting resources to conducting community environmental education.

68. Ms Jess CHAN, Housing Manager/Tai Po, North and Shatin 3 of the HD, said the HD would issue Notice-to-quit to tenants who defaulted on rent payment for two consecutive months or those who paid rent in arrears for three consecutive months. The Department would also contact the resident concerned by telephone or through home visit in a timely manner. If necessary, it would refer cases to the SWD for follow-up actions. She said that the HD would follow up on the incident in Shui Chuen O Estate and provide information to members as appropriate after the meeting.

69. Mr CHAN Ka-kui gave a consolidated response as follows:

- (a) he said that the figure concerning "hawkers' goods forfeiture" as shown in Paper No. DHEH 26/2023 included the goods forfeited from unlicensed hawkers and goods left behind during prosecution operations;
- (b) he said that the four Fixed Penalty Notices issued in respect of "littering" for fouling public places as a result of feeding feral pigeons as shown in the paper included the Fixed Penalty Notice issued during follow-up action on an earlier site visit of a beach with Mr Johnny CHUNG;
- (c) he said that the Area Ovitrap Indices of all districts for April had already been uploaded onto the FEHD website. The Department would draw on past experience and enhance anti-mosquito measures to prepare for the peak mosquito breeding seasons of May and June. He said that mosquito species commonly seen in Hong Kong included *Aedes albopictus* and *Culex tritaeniorhynchus*. Gravidtrap targeted mainly the former to prevent the spread of dengue fever;
- (d) he added that the latest anticipated completion date for the refurbishment works at Wo Liu Hang Village Public Toilet was 29 May this year; and

Action

- (e) he said that the Department had, in response to members' opinion at the last DHEHC meeting on the information about water seepage in buildings, made corresponding changes in the paper for the present meeting to give a clearer presentation of the investigation cases completed by the Department.

70. The Chairman asked the HD to take note of members' views and provide supplementary information as appropriate after the meeting. Members noted the above papers.

**Date of Next Meeting**

71. The next meeting was scheduled to be held at 2:30 pm on 18 July 2023 (Tuesday).

72. The meeting was adjourned at 5:46 pm.

Sha Tin District Council Secretariat  
STDC 13/15/60

July 2023