

**Minutes of the 8th Meeting of
the Sha Tin District Council in 2020**

Date : 19 November 2020 (Thursday)
Time : 2:30 pm
Venue : Sha Tin District Office Conference Room 441
 4/F, Sha Tin Government Offices

<u>Present</u>	<u>Time of joining the meeting</u>	<u>Time of leaving the meeting</u>
Chairman : Mr CHING Cheung-ying, MH	2:30 pm	8:45 pm
Vice-Chairman : Mr WONG Hok-lai, George	2:30 pm	8:45 pm
Members : Mr CHAN Billy Shiu-yeung	2:30 pm	3:28 pm
Mr CHAN Nok-hang	2:51 pm	8:45 pm
Mr CHAN Pui-ming	2:30 pm	8:45 pm
Mr CHAN Wan-tung	3:20 pm	7:53 pm
Mr CHENG Chung-hang	2:30 pm	8:45 pm
Mr CHENG Tsuk-man	2:45 pm	4:16 pm
Mr CHEUNG Hing-wa	2:30 pm	6:32 pm
Mr CHIU Chu-pong	2:30 pm	7:22 pm
Mr CHOW Hiu-laam, Felix	2:30 pm	8:45 pm
Mr CHUNG Lai-him, Johnny	2:45 pm	8:45 pm
Mr HUI Lap-san	2:30 pm	8:45 pm
Mr HUI Yui-yu	3:10 pm	5:00 pm
Mr LAI Tsz-yan	3:45 pm	8:45 pm
Dr LAM Kong-kwan	2:30 pm	6:18 pm
Mr LI Chi-wang, Raymond	2:42 pm	8:45 pm
Mr LI Sai-hung	2:30 pm	6:32 pm
Mr LI Wing-shing, Wilson	2:30 pm	6:50 pm
Mr LIAO Pak-hong, Ricardo	2:30 pm	8:29 pm
Mr LO Tak-ming	2:30 pm	7:22 pm
Mr LO Yuet-chau	4:13 pm	6:32 pm
Mr LUI Kai-wing	2:30 pm	6:50 pm
Ms LUK Tsz-tung	2:47 pm	8:28 pm
Mr MAK Tsz-kin	2:30 pm	8:45 pm
Mr MAK Yun-pui, Chris	2:30 pm	3:46 pm
Mr MOK Kam-kwai, BBS	2:30 pm	3:40 pm
Mr NG Kam-hung	2:30 pm	6:50 pm
Ms NG Ting-lam	2:30 pm	6:50 pm
Mr SHAM Tsz-kit, Jimmy	2:30 pm	8:45 pm
Mr SHEK William	2:30 pm	6:22 pm
Mr SIN Cheuk-nam	2:30 pm	6:41 pm
Mr TING Tsz-yuen	2:30 pm	8:45 pm
Mr TSANG Kit	3:11 pm	5:00 pm
Ms TSANG So-lai	4:03 pm	6:06 pm
Mr WAI Hing-cheung	2:30 pm	8:45 pm
Mr WONG Ho-fung	3:20 pm	8:45 pm

Present

Ms WONG Man-huen
Mr YAU Man-chun
Mr YIP Wing
Mr YUNG Ming-chau, Michael
Secretary : Mr YUEN Chun-kit, Derek

**Time of joining
the meeting**

2:30 pm
2:30 pm
2:30 pm
2:30 pm

**Time of leaving
the meeting**

8:45 pm
7:22 pm
3:16 pm
8:45 pm

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

In Attendance

Dr WONG Chin-kiu, Janet, JP
Ms WONG Yuen-shan, Candice
Mr LEUNG Tsz-kin, Percy

Ms CHOI Nga-wing, Jacqueline

Mr IP Cheuk-yu

Mr YAN Ka-kit, Ric

Mr CHAN Kai-lam, Allan

Ms LEUNG Yee-lee, Maggie

Ms KONG Po-yee, Alice

Ms WONG Sau-kuen, Joe

Mr YIP Kam-ming, Dick

Ms WONG Kam-lai

Mr NG Hon-lai, Patrick

Mr HAR Sung-fu, Haven

Ms CHU Ha-fan, Jessica

Mr WONG Kwok-wai, Wilson

Ms CHU Kam-seung

Mr LIU Wai-man, Raymond

Mr HO Kin-nam, David

Title

District Officer (Sha Tin)
Assistant District Officer (Sha Tin)2
District Commander (Shatin) /
Hong Kong Police Force
Assistant Division Commander (Tin Sum) /
Hong Kong Police Force
Police Community Relations Officer (Shatin
District) / Hong Kong Police Force
Chief Health Inspector (Sha Tin)3 /
Food and Environmental Hygiene Department
Chief Manager/Management
(Tai Po, North and Shatin) / Housing Department
District Social Welfare Officer (Shatin) /
Social Welfare Department
Chief Leisure Manager
(New Territories East) (Acting) /
Leisure and Cultural Services Department
District Leisure Manager(Sha Tin) /
Leisure and Cultural Services Department
Deputy District Leisure Manager
(District Support) Sha Tin /
Leisure and Cultural Services Department
Chief School Development Officer(Shatin) /
Education Bureau
Principal Transport Officer/New Territories 1 /
Transport Department
Senior Engineer / 7 (North) /
Civil Engineering and Development Department
District Planning Officer/Shatin, Tai Po and
North / Planning Department
District Lands Officer / District Lands Office,
Sha Tin / Lands Department
Administrative Assistant / Lands (Acting)
(District Lands Office, Sha Tin) /
Lands Department
Senior Executive Officer (District Management) /
Sha Tin District Office
Executive Officer I (District Council)1 /
Sha Tin District Office

In Attendance by Invitation

Mr YU Tak-cheung, JP

Ms LIAUW Hak-ka, Carol

Ms CHAN Wing-man

Ms HO Sau-wa, Betty

Title

Director of Buildings

Senior Structural Engineer/C4 /

Buildings Department

Administrative Assistant /Director of Buildings /

Buildings Department

Principal Information Officer /

Buildings Department

Absent

Mr YEUNG Sze-kin

(Application for leave of absence received)

Action

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

2. The Chairman informed the attendees that some reporters, being present as observers, were taking photographs, making video and audio recordings.

3. The Chairman welcomed Mr YU Tak-cheung, the Director of Buildings, Ms Carol LIAUW, Senior Structural Engineer / C4, Ms CHAN Wing-man, Administrative Assistant / Director of Buildings, Ms Betty HO, Principal Information Officer of the Buildings Department (BD); Mr Dick YIP, Deputy District Leisure Manager (District Support) Sha Tin, Ms Alice KONG, Chief Leisure Manager (New Territories East) (Acting) of the Leisure and Cultural Services Department (LCSD); Mr Ric YAN, Chief Health Inspector (Sha Tin)³ of the Food and Environmental Hygiene Department (FEHD) and Ms Jacqueline CHOI, Assistant Division Commander (Tin Sum) of the Hong Kong Police Force (HKPF) to the meeting.

Applications for Leave of Absence

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

Mr YEUNG Sze-kin

Sickness

Mr YIP Wing

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(Remark: Mr YIP Wing attended the meeting at 2:30 pm.)

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

Confirmation of the Minutes of the Meeting Held on 21 May 2020

(STDC Minutes 7/2020)

6. The Chairman said the Secretariat had not received any proposed amendment before the meeting.

7. Mr Ricardo LIAO asked why the Secretariat sent out Paper No. STDC 88/2020 only 15 minutes before the meeting.
8. The Chairman said Mr Ricardo LIAO's question would be responded later.
9. The Council unanimously confirmed the above minutes.

Confirmation of the Minutes of the Meeting Held on 20 August 2020
(STDC Minutes 8a/2020)

10. The Council unanimously confirmed the above minutes.

Confirmation of the Minutes of the Meeting Held on 25 August 2020
(STDC Minutes 8b/2020)

11. The Chairman said the Secretariat received a few proposed amendments before the meeting and had placed them on the conference table. He asked Members to consider confirming the amended minutes.
12. The Council unanimously confirmed the above minutes.

Visit of Director of Buildings

13. The Chairman welcomed Mr YU Tak-cheung, the Director of Buildings to the Sha Tin District Council (STDC) and invited him to briefly introduce the work of the BD.
14. Mr YU Tak-cheung briefly introduced the work of the BD, with the following main points:

- (a) the BD oversaw private buildings and related construction works under the Buildings Ordinance (Cap. 123). The BD set and enforced safety, health and environmental standards for private buildings, with a view to improving the quality of building environment and promoting building safety. The BD was a professional department and had a staff of around 2 000. One third of them were professionals (including non-civil service contract staff), which included Building Surveyors and Structural Engineers, the other third were technical staff (including non-civil service contract staff), and the remaining third were general grades staff (including non-civil service contract staff);
- (b) the BD controlled private buildings under the Buildings Ordinance in two areas. For new buildings, the BD was responsible for scrutinising and approving building plans (including the plans for the demolition of the existing buildings) and supervision of demolition works, site safety during the construction of new buildings, as well as supervision of the compliance with the laws of construction works. Application for occupation permits would be processed upon completion of construction. The BD had promulgated the Sustainable Building Design Guidelines since 2011, under which the introduction of sustainable building design was a prerequisite for the granting of gross floor area concessions for development projects. In view of the upcoming challenges brought by new

buildings, it was important to expedite the approval of building plans to be in line with the Government's strategy to provide more buildings for residential use and policies necessary to the future economic development of Hong Kong. Besides, the BD had to strengthen the regulation of construction safety and building quality and was faced with enormous workloads, for example, West Kowloon Cultural District, East Kowloon, Kai Tak Development area, urban renewal, the third runway of the Hong Kong International Airport and transitional rental housing, etc. As for existing buildings, there were currently 44 000 buildings in Hong Kong, which were facing building safety issues such as timely maintenance, unauthorised building works (UBWs). The BD had adopted the strategy of timely maintenance since 2001 for law enforcement. By August this year, over 610 000 UBWs and over 37 000 dangerous or abandoned signboards had been removed, and repair orders had been issued to 19 000 buildings;

- (c) there were various aspects in the BD's work in response to UBWs. The first aspect was to curb the increase of new UBWs by law enforcement. Therefore, the target of law enforcement was newly built UBWs, and at the same time, the number of existing UBWs was to be gradually lowered. The BD carried out regular large scale operations (LSOs) to deal with UBWs of the whole buildings. Past examples showed that a majority of metal cages built outside buildings had been removed since early 2010. On the other hand, by providing technical support and a low-interest loan, the BD hoped that owners would take the initiative to comply with removal orders. The In-house Social Services Teams of the BD could also provide assistance to people affected if they had any welfare needs. Another aspect was to cultivate a building safety culture by public education, under which the BD had organised seminars and launched the "Building Safety Pioneer Programme" to promote building safety in different aspects;
- (d) as for the handling of the backlog of UBW cases where removal orders were not observed, the BD had formed a task force specialised in the handling of the backlog of UBW cases in order to step up the prosecution of cases failing to comply with the removal orders and to provide suitable assistance. The law enforcement work mainly dealt with UBWs such as roof top structures, flat roof structures, yard and private lane structures, illegal subdivided units, UBWs of New Territories village houses and private agricultural land, as well as unauthorised, dangerous or abandoned signboards. With regards to roof top structures, flat roof structures, yard and private lane structures, over 2 800 buildings were targeted and over 54 000 removal orders had been issued in total. 63 buildings in Sha Tin were included in LSOs and over 2 000 removal orders had been issued. As for LSOs in response to illegal subdivided units, more than 1 700 buildings were targeted and 3 600 removal orders had been issued. 21 buildings in Sha Tin were included in LSOs and 54 removal orders were issued;
- (e) regarding village houses, the BD had launched the LSO to inspect, village by village, UBWs of village houses in the New Territories since 2012. Over 220 villages had been inspected across the territory, which involved over 40 000 village houses and around 2 000 removal orders were issued. 29 villages and around 4 000 village houses in Sha Tin had been inspected and 124 removal orders had been issued. And from April 2012 to now, more than 2 300 removal orders

had been issued outside LSO across the territory, and nearly 140 removal orders were issued at Sha Tin;

- (f) as for the law enforcement against unauthorised signboards, it was also carried out in the form of LSO, which were categorised into two types, namely LSO on Target Streets and LSO on Large Unauthorised Signboards. In addition, Signboard Validation Scheme was implemented for small signboards which were relatively small in scale, posing less potential risk, or served practical use to shops. Under the scheme, the owner of signboards could keep the signboards after they had appointed qualified persons to inspect and, if necessary, strengthen the signboards. Nevertheless, the BD required safety checks to be carried out every 5 years. The BD had also carried out LSOs on the removal of large unauthorised signboards in Sha Tin before. In more urgent cases, the BD would adopt the strategy of priority demolition. Under the law, the BD could apply to the Court for priority demolition orders if signboards were found to be constituting imminent danger, in leasing or causing nuisance to the vicinity. If the priority demolition order was not observed, the signboards could be removed by contractors engaged by the Government and the costs involved would be recovered from the persons concerned;
- (g) as for how the culture of building safety should be established, public awareness of building safety was promoted with the support in legislation and related mechanism, including “Operation Building Bright” (“OBB”), “Minor Works Control System”, “Mandatory Building Inspection Scheme” (“MBIS”) and “Mandatory Window Inspection Scheme” (“MWIS”). “OBB” had been launched in 2009, with an aim to assist private buildings aged over 30 years in carrying out maintenance and over 3 000 buildings had been dealt with since then. The Government launched “OBB2.0” in 2018 and there was currently a budget of around \$6 billion under the scheme and it was expected that owner-occupiers of 5 000 aged buildings, who wished to act in compliance with the requirements under the “MBIS” and whose premises met the specific limit on the annual average rateable value, would benefit. The Urban Renewal Authority (URA) was in charge of the “OBB 2.0” and it had completed the processing of the second-round subsidy applications. “Minor Works Control System” had been implemented since around 10 years ago. It targeted at works of smaller scale or lower risks, to provide owners with a legal, simple, safe and convenient way to conduct works, where prior approval of plans from the BD was not required and the works could be carried out by Registered Minor Works Contractors. By August this year, around 1 million minor works submissions had been received. As the “Building (Minor Works) (Amendment) Regulation 2020” had come into operation in September this year, the number of minor works items and designated exempted works items were increased to 187 and 30 respectively. The new items included greening features (such as planters, ponds, fountains, trellises), retractable awnings, repair or replacement of curtain walls, etc. “MBIS” and “MWIS” were implemented in 2012 to resolve the problem of building neglect with the concept of “prevention is better than cure”. The target of “MBIS” was buildings aged 30 years or above, where the common parts and external walls, including projections, signboards, were inspected by a Registered Inspector. The target of “MWIS” was buildings aged 10 years or above and under the scheme, all

windows of which were inspected by Qualified Persons. By August this year, more than 6 500 buildings were selected to undergo building and window inspection at the same time, while over 4 400 buildings were required to carry out window inspection only. 94 buildings in Sha Tin were selected to undergo both building and window inspection, while 178 were required to undergo window inspection only. To encourage owners to carry out prompt building and window inspection, the BD had taken many support measures, for example, organisation of seminars, Mandatory Building Inspection Subsidy Scheme, technical consultation service provided by the URA, Integrated Building Rehabilitation Assistance Scheme and the implementation of “OBB 2.0”. In addition, the BD had also developed a mobile application and online seminars to help owners obtain related information more conveniently;

- (h) the BD worked with the FEHD to handle water seepage through the enforcement of relevant laws and the BD mainly provided technical support to help identify the source of water seepage. Once the source of seepage was identified, the FEHD would issue a nuisance notice to the person concerned under the Public Health and Municipal Services Ordinance (Cap. 132). The BD would carry out non-destructive tests, of which the conventional testing methods included measurement of moisture content and its change at the location of seepage by use of humidity sensors, colour water test of drainage pipes, ponding test for floor slabs, spray test for walls and reversible pressure test for water supply pipes. Such methods could accurately identify the source of seepage. New testing methods included microwave tomography and infrared thermography, but there were limitations. For example, if the concrete ceiling affected by the seepage was defective, the new technologies might not be applicable. By using infrared thermography, locations with significantly higher moisture content could be identified, while the distribution of moisture inside the floor could be detected by microwave tomography. Radar scan, complemented with infrared thermography and microwave tomography, could also help identify the source of seepage by detecting pipes inside the wall or floor. Micro-spectroscopy inspection helped identify the dye used in colour water test through sophisticated technology. Static pressure test could also detect the change in water pressure of pipes to determine whether there was seepage in water mains;
- (i) to enhance the efficiency of the Joint Offices for Investigation of Water Seepage Complaints (JO) in processing seepage cases, the JO had taken several measures, which included the integration of various Regional Joint Offices into four, where staffs of the BD and the FEHD could work in the same Regional Joint Offices. In addition, the trial of new testing technologies had been gradually extended to different districts; and
- (j) the BD would continue to optimise the current legislation and the standard of building design to improve the safety and hygiene of existing buildings. The BD would also make an effort to implement mandatory building and window inspection, and at the same time make good use of resources and streamline the working procedures. Most importantly, it was essential to foster a building care culture among owners of buildings, where timely repair and maintenance being carried out and no UBWs being added. The BD would continue to provide

support and assistance to owners of buildings in need with other partner organisations.

15. The Chairman thanked the Director of Buildings for introducing the BD's work. Since there were quite a lot of agenda items, he suggested that each Member have three minutes to speak.

16. The views of Mr Felix CHOW were summarised below:

- (a) he asked under the "MBIS" and "MWIS", how many notices were issued across the territory or in the Sha Tin District in the past one or two years, whether anyone delayed in carrying out mandatory building and window inspection, and what the follow-up actions were. Besides, what the main reasons for extension applications were, and what assistance the BD provided. He also asked as there had been several cases of windows falling from a height, whether the Government had considered any plan to promote the replacement of casement windows by sliding windows;
- (b) he pointed out that regarding water seepage in buildings, the new testing technologies had not been adopted in the Sha Tin District and they were only applicable in relatively drier environment, and therefore the seepage problem still could not be solved after a long period; and
- (c) regarding the moisture content, the current threshold was fixed at 35% and he asked whether flexibility could be exercised, depending on the situations.

17. The views of Mr CHAN Pui-ming were summarised below:

- (a) he asked regarding the inspection of aged buildings built before 1987, how many buildings in the Sha Tin District were yet to be inspected and whether any housing estate did not respond to the notice that the BD issued; and
- (b) regarding acoustic windows and acoustic balconies, the Housing Department (HD), the BD and the Environmental Protection Department had been installing acoustic windows and acoustic balconies at new Public Rental Housing (PRH) estates and new housing estates under the Home Ownership Scheme (HOS) since 2012 due to the proximity to roads. However, residents found defects after they had moved in. He cited Kam Fai Court as an example, saying that prior approval from the HD was required before repair or alteration of an acoustic balcony, but the HD had in fact banned any alteration already, including installation of window lattice. He said the existing acoustic windows could not effectively reduce noise and asked whether the three departments would review the design of acoustic windows of existing or upcoming PRH estates and HOS estates.

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

- (a) he pointed out that water seepage was the most common problem in private buildings. He cited Chevalier Garden as an example, saying that as fresh water pipes were inside ceilings or walls, the source of seepage might not be identified

under the BD's conventional testing. He asked under what circumstances new testing methods would be used so that destructive tests would be used less;

- (b) as far as he was aware, tests of pipes, namely the static pressure test, were destructive to a certain extent. He asked under what circumstances this test would be conducted;
- (c) the static pressure test was conducted partly because of fresh water leakage, where the Water Supplies Department (WSD) could request owners concerned to take follow-up actions on the grounds of water wastage. However, the WSD was not under the JO and he asked whether the WSD would join the JO; and
- (d) under the "MBIS" and "MWIS", he pointed out that assistance from owners' corporation was needed for the coordination work of building inspection, while window inspection was arranged by residents on their own. He asked whether there were any guidelines for owners to have a preliminary assessment on whether the windows had to be repaired.

19. The views of Mr Mak Tsz-kin were summarised below:

- (a) he said departments would only take follow-up action when the moisture content reached 35%, but in some aged buildings, there was noticeable water seepage even if the moisture content was lower than 35%. He opined that the current JO guidelines were out-of-date and residents might not be able to afford the inspection fee of private companies, such as Hong Kong Survey Limited (HKSL). He asked whether related departments would review the guidelines on the handling of water seepage and whether new testing technologies would be adopted for cases in which the moisture content was lower than 35%; and
- (b) he asked how many cases in the Sha Tin District were followed up but the sources of seepage of which could not be identified, and how many cases could not be followed up because the moisture content was lower than 35%. Besides, he enquired about the future development and direction in handling the water seepage problem of the BD.

20. The views of Mr LUI Kai-wing were summarised below:

- (a) residents in Fo Tan always complained about water seepage problem, there had been cases that the affected area was clearly damp but no follow-up action could be taken as the moisture content were under 35%. He pointed out that the conventional testing methods often failed to identify the source of seepage and residents thus had to find other methods, making the identification process unduly long. He asked when the new testing methods could be implemented in the Sha Tin District; and
- (b) regarding acoustic balconies, he said Yuk Wo Court in his constituency was faced with problems similar to what Mr CHAN Pui-ming just mentioned. He pointed out the safety issues in the design of the acoustic balconies and asked whether window lattice could be installed to protect children safety and improve security.

21. Mr SIN Cheuk-nam pointed out that there were 34 000 water seepage cases in 2019 and asked how many of them were unable to be dealt with. He also asked when the trial would be extended to the Sha Tin District and demanded the prompt application of new testing technologies in the Sha Tin District. He said the BD and other related departments did not make every effort to deal with the source of seepage. He cited an example, saying that among the complaints that his office received, the source of seepage could not be identified in nearly 70% of cases, but related departments failed to take follow-up action. He asked why residents had to find the HKSL to solve the problem on their own.

22. The views of Mr Chris MAK were summarised below:

- (a) most seepage cases could not be followed up and handled, and reasons for that included inability to ascertain the source of water seepage or investigation terminated because there was one floor in between. He enquired about the number of times of each seepage testing method, as mentioned by the BD, was used in 2019. He said colour water test was used in most of the past cases and asked for the usage rate of each seepage testing method and their criteria for use; and
- (b) under the Public Health and Municipal Services Ordinance, nuisance notices would be issued to the persons concerned. He asked how many notices were issued among the 34 000 cases in 2019.

23. Mr CHAN Nok-hang said there were many cases of water seepage in buildings and asked when the new testing methods would be used in the Sha Tin District. Residents complained about the long waiting time for the water seepage test. He enquired about their performance pledge and the time required in each stage for handling the problem. Besides, the content of the letters issued by the BD regarding the cases under investigation could not reflect the actual situation, which was prone to make owners misunderstand that their units were not the source of seepage. He suggested that the letter state clearly whether or not it was only a reference, but not a proof showing that the unit was leakage-free.

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

- (a) he asked among the 610 000 removed UBWs, how many percent were under complaint by the time of removal. He pointed out that there were a lot of different kinds of UBWs, but the BD did not take follow-up action upon receipt of complaints. He pointed out that if removals were not immediately carried out, there would only be more UBWs. He opined that even if the UBWs did not constitute an immediate danger, they still had to be dealt with;
- (b) he said if supporting frames for air-conditioning units were not included in the building design, how the BD would deal with the supporting frames for air-conditioning units installed by the owners themselves and whether such installations were illegal. He asked whether the BD should consider the inclusion of supporting frames for air-conditioning units in the design of future buildings; and

- (c) he pointed out that quite a number of buildings aged 30 years or more still had not carried out a mandatory building inspection. He enquired about the BD's criteria for the target of the "MBIS".

25. The Vice-Chairman pointed out the last Director of Buildings had also introduced some of the testing methods during his visit in 2016 and colour water test was used in the handling of most of the seepage cases in the Sha Tin District. He asked about the number of existing cases where new testing methods were used, and the average time required for handling water seepage cases.

26. The Chairman invited the Director of Buildings to respond to some of the questions first, especially the two aspects related to the application of new testing methods in water seepage in buildings and the inspection of UBWs.

27. Mr YU Tak-cheung gave a consolidated response as follows:

- (a) regarding the enforcement policy against UBWs, priority was given to the handling of UBWs under construction. Under the BD's performance pledge, an on-site inspection would be conducted within 48 hours upon receipt of complaints;
- (b) regarding mandatory building and window inspection, over 80 000 statutory notices for mandatory building inspection had been issued by August this year, among which more than 51 000 of them had been complied with or withdrawn, and the compliance rate was 62%. As for mandatory window inspection, around 11 000 buildings were concerned and over 530 000 statutory notices for mandatory window inspection had been issued. Over 489 000 of them had been complied with or withdrawn, and the compliance rate was 92%. The BD had issued statutory notices for mandatory building inspection to 2 087 buildings in the Sha Tin District, among which 2 007 of them had been complied with, and the compliance rate was 96%. Besides, the BD had issued over 26 000 statutory notices for mandatory window inspection in the Sha Tin District, among which 26 144 of them had been complied with, and the compliance rate was 98%. Therefore, the compliance rate of mandatory building and window inspection in the Sha Tin District was higher than the average. During the process of target buildings selection, a selection panel comprising representatives from professional institutions, property management institutions, non-government organisations, representatives of District Councils would select target buildings according to a basket of criteria. The target number of buildings targeted for mandatory building inspection of each year would also be set in the Controlling Officer's Report, while the target of 2020 was 600 buildings. The age and risk of the buildings were considered during the selection;
- (c) regarding water seepage in buildings, the investigation of more than 14 000 cases had been completed in 2019, among which the seepage of over 5 600 cases stopped during the investigation. In some of these cases, the units suspected of having water seepage had taken action during the investigation or the seepage just completely stopped. On the other hand, the identification of the source of seepage was successful in over 5 600 cases, while in the other over 2 800 cases the identification failed. Excluding the cases where investigation could not be

completed, the success rate was about 60%. Investigation of 950 cases in Sha Tin had been completed and the seepage in 350 cases stopped during the investigation. The source of seepage could be identified in nearly 300 of the cases, while 301 cases could not, rendering a successful rate of 50%;

- (d) regarding the application of the new testing technologies, the new technologies for seepage testing were mainly used in pilot districts. From 2018 to now, there had been eight pilot districts, namely, Central and Western District, Wan Chai District, Kowloon City District, Sham Shui Po District, Kwai Tsing District, Tuen Mun District, Tai Po District and North District. A new round of consultant selection was now under preparation, and the application of new testing technologies would be gradually extended to more pilot districts, subject to the relative working experience and knowledge of service providers and the BD's work, with the ultimate aim to apply the concerned testing technologies in all districts across the territory. Priority for the use of new testing technologies would be accord to applicable cases in pilot districts;
- (e) the test for fresh water pipe seepage was different from the tests for drainage and floor slabs. Colour water test was not suitable for fresh water pipe seepage and other non-destructive tests, such as reversible pressure test and static pressure test would be used instead;
- (f) the JO had formed a task force with the WSD and the operation of the JO was now under review. After the review was completed, the decision on whether the WSD would join the JO would be made;
- (g) regarding the 35% moisture content threshold, it had been adopted as one of the criteria for seepage investigation since the JO was first established, which both the Audit Commission and Office of the Ombudsman were aware of and accepted. As the moisture content of the surface was susceptible to the relative humidity of the surrounding environment, the moisture content threshold was determined on the basis of basic moisture content, the JO's past experience in handling cases and other statistics. The BD had also engaged an independent consultant for relevant studies and the consultant also agreed that such arrangement was suitable; and
- (h) among the 34 000 complaints received, the source of seepage could not be identified in more than 2 800 of them, the rate of successful identification of the source of seepage was 67%.

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

- (a) there was a case of flushing water pipe seepage at the exterior of a building in his constituency. However, the BD failed to identify the source of seepage, which was located at last by the management office of the housing estate. He asked whether new technologies, such as drones, could be used to help find the source of seepage at the exterior of buildings. He wished the BD would include the use of new technologies in the standard testing procedures; and

- (b) under the land grant provisions of housing estates built in the 1990s, owners had to bear the repair costs of public areas such as footbridges, elevators and escalators. He opined that it was unreasonable that the owners of housing estates had to bear 70% to 80% of the repair cost. He asked whether the BD and the District Lands Office (Sha Tin) (DLO/ST) could provide a subsidy scheme to the owners for the repair of public facilities.

29. The views of Mr William SHEK were summarised below:

- (a) some members of the public complained about the long waiting time of seepage investigation and the safety of residents was threatened in some severe cases. He asked whether priority could be given to severe cases;
- (b) he hoped that the BD could provide the timetable of the application of new technologies in Sha Tin District;
- (c) he would like to know what follow-up actions would be taken for the over 2 800 cases in which the source of seepage could not be identified;
- (d) he enquired about the number of cases in which the source of seepage was identified by new technologies; and
- (e) he enquired about the testing methods for condensation problem.

30. The views of Ms WONG Man-huen were summarised below:

- (a) she asked whether there was any room for adjustment of the requirement that investigation would be initiated only when the moisture content exceeded 35%. She said not all residents could afford the fee of HKSL and she believed that the BD should help residents in identifying the source of seepage;
- (b) she asked when the new seepage testing technologies would be used in the Sha Tin District; and
- (c) she would like to know how the BD's regulation on building alterations helped private property management companies and owners. She said members of the public were concerned that the alterations to the exhaust pipe would increase the risk of spreading virus and she believed that the Government should be able to provide professional advice. She asked what assistance the BD had provided, and whether the BD was capable to carry out checking, law enforcement, etc., to help owners understand whether the works were up to standard.

31. The views of Mr CHIU Chu-pong were summarised below:

- (a) he asked when the new seepage testing technologies would be introduced in the Sha Tin District. He asked why the Sha Tin District was not included in the eight pilot districts. According to the experience of many Members, there were many seepage cases in the Sha Tin District. He hoped that the Director of Buildings could undertake to the public when the new technologies would be introduced in

the Sha Tin District. He said the JO faced difficulties in identifying the source of seepage in some cases and suggested that the owners approach HKSL for help, but HKSL actually used new technologies for seepage testing. He believed that the introduction of new technologies could alleviate the financial burden on owners;

- (b) if owners were complained because they altered the indoor structure and they denied related personnel's entry for investigation, he asked whether the BD had the power to help management companies or District Council Members enter the units for investigation and whether the BD had the power to oversee and regulate indoor alteration works; and
- (c) he said the living environment of subdivided units was deplorable and serious casualty would be caused when there was a fire. He hoped that the BD could step up the law enforcement against subdivided units and he believed that the Government was duty-bound to tackle the housing problem and to provide a safe and suitable living environment for the public.

32. Ms NG Ting-lam pointed out that there were many UBWs at the aged buildings at Tai Wai Road. The cockloft of a ground floor shop could not be used because the steel bars of the rooftop of the cockloft were exposed due to the UBWs on the flat roof of the second floor, which had troubled the owner of the ground floor shop for over a decade. The BD had issued a removal order to the owner of the second floor but it was not complied with, and the owner was only fined \$20,000. She asked the BD how they assessed and determined whether the UBWs posed an imminent danger, what departments owners should seek help from and how the BD followed up such cases.

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

- (a) he asked whether the BD was well aware of the number of UBWs and through what channels they got to know the existence of UBWs. He asked about the increase in the number of UBWs in the past two to three years and whether the BD's work in combatting UBWs was inefficient if the increase was significant;
- (b) he asked about the current number of backlog cases and how many of them were from the Sha Tin District;
- (c) there were expectedly more buildings in Sha Tin given the high population of the district. He asked why the Sha Tin District was not among the eight pilot districts where the new seepage testing technologies were used. He also asked whether the risk of the buildings in the Sha Tin District posed a higher risk and therefore the number of buildings required for mandatory building inspection was higher;
- (d) he said currently there were only 15% of buildings that had undergone mandatory building inspection and he opined that the speed of inspection was slow. He asked based on what factors the aim to inspect 600 buildings per year was set; and

- (e) the number of seepage cases was quite high in the Sha Tin District and he expressed disappointment that the new testing technologies were still not introduced in the Sha Tin District. He wished the BD would provide the service across the territory as soon as possible.

34. The views of Mr WONG Ho-fung were summarised below:

- (a) he said the population of the Sha Tin District was the highest among the 18 districts of Hong Kong and asked whether the BD could include the Sha Tin District as pilot districts and extensively use the new technologies for the identification of seepage sources as soon as possible;
- (b) he asked what assistance the BD would provide for tenants of “subdivided units” when the owners of “subdivided units” had to remove the UBWs; and
- (c) he pointed out that there was a seepage problem in PRH estates too, and asked whether the BD would share the technologies for seepage testing with the HD to help the HD identify sources of seepage.

35. Mr HUI Lap-san said he just received a reply to an enquiry of a case from the JO today and the office said they were unable to follow up on the case as the moisture content was lower than 35%. He said he made the complaint by fax instead of calling the 1823 hotline. Besides, he opined that the JO should start handling cases upon receipt of complaints as soon as possible.

36. The Chairman suggested that Mr HUI Lap-san make a copy of the related letter and give it to the colleagues of the Director of Buildings for further follow-up action.

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

- (a) he said the JO needed three to six months to handle each water seepage case. However, some owners found it intolerable if the seepage persisted for over half a year; and
- (b) he hoped that the BD could implement the use of the five new technologies for the identification of seepage sources in Sha Tin in 2021, in order to resolve the conflict between the JO, property management offices and the public.

38. Mr Ricardo LIAO said in principle there should not be any structure on agricultural land. He enquired about the definition of UBWs on private agricultural land, and under what circumstances or of what height the structures would be deemed as UBWs. He said residents of Fa Sum Han Village complained that some consortia purchased a piece of agricultural land and erected a fence wall and he asked whether the fence wall was also deemed as structure. Residents reported that the BD had issued a removal order to the owner but the owner transferred the ownership to evade the removal order. He asked whether it was true that the current owner of the land did not have to comply with the removal order after the ownership was transferred. He hoped that the BD could follow up on the UBW problem at Fa Sum Han Village.

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

- (a) according to the response by the Director of Buildings, there were still about 20 000 cases of water seepage yet to be closed and the owners concerned had to endure the seepage problem for over a year. He said the BD had various kinds of new technologies to identify the source of seepage and he asked whether it was because of the lack of resources, the BD could not apply the new technologies in every district. He would like to know the timetable of when the new technologies would be used in the Sha Tin District; and
- (b) he asked whether the 35% threshold would be affected by the weather. If the threshold would be affected by the weather, he queried whether it was a suitable criterion to determine whether an investigation should be initiated.

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

- (a) he asked for the annual statistics on UBWs;
- (b) since the establishment of the JO, the handling of seepage problem by the related departments had improved. According to his own experience in handling seepage cases, around 30% of the cases were resolved successfully. Members of the public might have to engage HKSL for resolution at their own costs if the JO could not identify the source of seepage. He hoped that the BD could help more members of the public as there were currently more new technologies and devices;
- (c) given the advancement of technology, he asked whether the threshold of moisture content could be lowered to 25% so that the JO could take further follow-up action; and
- (d) he would like to know how the BD determined which seepage testing technology should be used and the utilisation rate of each technology.

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

- (a) he thanked the Director of Buildings and his colleagues for exchanging views with Members at the STDC and the frontline staff for handling cases; and
- (b) he said there were a total of 200 seepage cases in Kam Ying Constituency but the investigation by the JO was not efficient because outdated technologies, instead of the new ones, were used for the identification of seepage sources. As for the seepage from rooftops of buildings, the BD did not prosecute the management company. He hoped that the Director of Buildings could review the situation and introduce the new technologies to the Sha Tin District as soon as possible to help residents identify the source of seepage.

42. The views of Ms TSANG So-lai were summarised below:

- (a) she would like to know why the BD still had not widely used the new technologies to identify seepage sources; and

- (b) a member of the public living on the top floor of a building complained that the JO dismissed the case because there was no sewage in the seepage from the rooftop. She said members of the public might not be able to bear the cost to engage HKSL and she asked whether there were other ways to help the resident deal with the seepage problem.
43. The Chairman invited the Director of Buildings to respond to the views altogether, especially the progress of seepage handling and the rationale for the moisture content threshold.
44. Mr YU Tak-cheung gave a consolidated response as follows:
- (a) the BD would first inspect the unit concerned outside upon receipt of complaints of alteration of the interior of premises. When evidence of alteration of the unit concerned was found, the BD could request access to the unit for inspection under the law. Inspection and counting of UBWs across the territory required substantial manpower and resources and therefore the BD did not have the number of UBWs across the territory for now, but the BD could still collect related information through law enforcement action. The website of the BD provided the statistics of outstanding removal orders for reference and there were more than 40 000 outstanding removal orders. The BD had always adopted a two-pronged approach to handle the problem of UBWs. Apart from receiving referrals from other government departments and reports from the public, the BD also targeted buildings for LSOs according to the enforcement policy;
 - (b) as a regulator, the BD would formulate a good standard of practices for mandatory window inspection by issuing codes of practice and practice notes for qualified persons' reference and a standard of window inspection. The BD would also provide leaflets to owners, which briefly introduced the items for inspection and repair under the "MWIS", while other non-designated items were not required to be handled under the "MWIS";
 - (c) he said condensation problem was caused by temperature difference and it was not related to water seepage of buildings;
 - (d) cooperation from residents was important as the BD had to enter individual units for seepage investigation. The BD would have to apply to the court for a warrant of entry if residents intentionally delayed the investigation progress, and therefore the handling of such cases would take a longer time. The BD would also remind staff members that legal procedure should be promptly initiated if owners were uncooperative, in order to expedite the investigation progress;
 - (e) the BD had handled over 14 000 cases of seepage investigation in total in 2019, among which the seepage of 5 600 cases stopped during the investigation, while the source of seepage was identified in another over 5 600 cases, and the source of seepage of the remaining around 2 800 cases could not be identified, rendering a success rate of around 60%. In the Sha Tin District, the BD had finished the investigation of 950 cases, and the seepage of 352 cases stopped during the investigation, the source of 297 cases was identified, and the source of 301 cases

could not be identified, rendering a success rate of 50%. The JO would still reply to the complainants even if the JO could not identify the source of seepage after investigation, and the investigation and follow-up action had to be aborted. If there was any change in the seepage situation, the JO would continue to follow up the case;

- (f) he said reports by the Audit Commission, the Office of the Ombudsman and the independent consultant did look into the criteria used in determining the threshold of moisture content. The JO adopted 35% moisture content as the threshold for initiating investigation according to the experience from successful cases in the past and the basic moisture content of the environment;
- (g) the consultant companies appointed by the BD would determine what testing technologies should be used for the investigation based on the signs of seepage location. For the use of new testing technologies, priority would be given to the pilot districts, and conventional testing technologies would be used in other districts. The number of pilot districts was determined by the number of cases and the number of service providers in the market. The BD was currently carrying out a new round of tender work, and the number of the new round of pilot districts would be subject to the tender results. The BD would inform the STDC of the updates through the Sha Tin District Office (STDO);
- (h) agricultural land might be regulated under the Buildings Ordinance (Application to the New Territories) Ordinance (Cap. 121), in which basic requirements for exempted houses were clearly stated. The BD, depending on the situations, would carry out law enforcement action under the Buildings Ordinance;
- (i) the Audit Commission had published a Director of Audit's Report on the work of the JO and advised that the JO should try to formulate indicators. The JO was now building a new computer system and data of cases were input to help determine the time and target of different cases;
- (j) water seepage through the roof did not constitute any nuisance and the JO could not handle such cases by invoking relevant laws. Management companies of the buildings and owners should carry out regular maintenance and repair works; and
- (k) the BD did not keep a record of the utilisation rate of different testing methods at present.

45. The Chairman said Members were concerned about the safety hazards caused by "subdivided units", and asked the BD how they would actively eradicate related UBWs and illegal building works.

46. Mr YU Tak-cheung said the BD would take the initiative to deal with "subdivided units" by carrying out LSOs. Upon receipt of complaints, the BD would carry out relevant action according to the current policy on law enforcement. Regarding irregularities, the BD had issued a total of 395 removal orders in the past year.

47. The Chairman asked the Director of Buildings to follow up and give a reply to the case mentioned by Ms NG Ting-lam.
48. Mr YU Tak-cheung said he would give supplementary information after the meeting.
49. Mr William SHEK asked if serious problems such as concrete spalling or tripping of electrical appliances were caused by seepage, whether the BD would expedite the progress of investigation.
50. Mr Johnny CHUNG asked again for a response to the water seepage problem caused by drainage pipes at the exterior of buildings, and whether the BD had any way to help owners deal with the repair and maintenance issues of public facilities caused by land leases.
51. Mr Michael YUNG asked how and under what situation infrared thermography, microwave tomography, radar scan and Micro-spectroscopy inspection were used. He said the information could be given after the meeting.
52. Mr CHAN Pui-ming said approvals of the Independent Checking Unit under the HD were required prior to alteration of the partition of premises under the HD. He asked whether approvals of the BD were also required for interior alteration works. He asked about the BD's role if residents had to carry out alteration works for acoustic balconies.
53. Mr Wilson LI asked under what circumstances the five new technologies would be used for water seepage testing and enquired about the data of the usage of new technologies in pilot districts.
54. The Chairman asked the Director of Buildings to give a concluding response.
55. Mr YU Tak-cheung gave a consolidated response as follows:
- (a) regarding the issue that clauses requiring owners to be responsible for the maintenance and repair of facilities at public passageway were incorporated in the leases of some buildings, it was difficult for the BD to give any comment as the BD was not the department responsible for lease enforcement;
 - (b) regarding acoustic balcony, the HD had required that acoustic balcony must meet the noise reduction effectiveness when formulating the tenancy agreement. Therefore, it was more suitable for the HD to follow up on the related issues;
 - (c) the JO treated all seepage cases equally, but the BD would, subject to the severity of individual cases, consider taking appropriate follow-up action;
 - (d) regarding signs of seepage, if there was a constant drip of water, it was more likely due to fresh water pipe leakage. So the JO would first use the technologies for testing pipe leakage. If the seepage location emitted odours, it might be related to the drainage system. He said infrared thermography could locate the seepage area by recording the temperature difference of the surface; microwave tomography could extrapolate the source of seepage by scanning and measuring

the moisture content of floor slabs; radar scan could, complimented with other investigation results, identify the source of seepage by scanning and locating pipes inside walls or floor slabs, Micro-spectroscopy inspection could find the traces of corresponding dyes by collecting samples from the ceiling after ponding test were carried out. Static pressure test could check whether there was any leakage in the water supply system by observing the change in water pressure of fresh water pipes; and

- (e) individual cases were subject to their locations and situations and he had nothing to add.

56. The Chairman thanked the Director of Buildings for exchanging views with the STDC. He hoped that the BD could review the JO's effectiveness in handling water seepage cases and the criteria for the 35% moisture content threshold. He hoped that the BD would continue in exchanging with the STDC and attach importance to the cases mentioned by Members.

Questions

Question to be Raised by Mr YAU Man-chun on the Matters Concerning Illegal Gambling in the Vicinity of Shing Mun River and Jat Min Chuen
(Paper No. STDC 87/2020)

57. The Chairman said some Members wished to change the agenda to handle the two questions first before discussing the use of Lek Yuen Community Hall as a Community Testing Centre (CTC) so that Members could have a thorough discussion on the questions. He asked Members whether they agreed to the change of agenda.

58. Members unanimously agreed to the change of agenda.

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

- (a) the question mentioned two locations where illegal gambling took place. One was Ming Yiu Lau, Jat Min Chuen, where the illegal gambling problem emerged when the epidemic started. The other place was the sheltered bench outside Shing Mun River Promenade Garden No. 1., where the illegal gambling problem had persisted for several years. He said he had exchanged information with the Police Community Relations Office and the Police had carried out raids in the early years. However, the problem of illegal gambling on the ground floor of PRH estates had become more severe due to the epidemic. People gathered when they gambled and they did not wear face masks. He enquired about the figures on the complaints and successful prosecutions at the said locations in the past 12 months. He said the Police could provide detailed figures in the past but they only gave a general response this time;
- (b) after the question was submitted, there was no more illegal gambling at Ming Yiu Lau, and hence he believed that the Police had already taken action. However, it was not mentioned in the written reply;

- (c) he said the Police put different strength in the enforcement in respect of the “gathering ban” and “mask order” in social incidents and illegal gambling in PRH estates; and
- (d) he said the illegal gambling problem on the promenade of Shing Mun River had also improved and the Police Community Relations Office told him that the Police had taken arrest operations. He asked whether the Police could give more information on that.

60. The Chairman said it was the STDC’s fervent hope that the Police could step up the law enforcement against illegal gambling at PRH estates.

61. Mr Percy LEUNG, District Commander (Shatin) of the HKPF gave a consolidated response as follows:

- (a) the Police worked with several organisations in the Sha Tin District to combat illegal gambling among elderly people in the district from education, publicity and law enforcement. The Police also discussed with related government departments and property management companies how facilities could be improved, for example, the Police discussed with the FEHD the removal of seats at which gambling took place, as well as installation of close circuit television (CCTV), alteration of leisure facilities, display of anti-gambling banners, distribution of leaflets with non-governmental organisations, display of posters and promotion of other leisure activities to elderly people;
- (b) the STDO had already discussed with various government departments the solutions to the illegal gambling problem in PRH estates. The Police would step up patrols and publicity activities. The HD would explore whether to install CCTV to deter the gamblers. The security guards of PRH estates would also step up patrols and carry out joint law enforcement action with the Police. It was hoped that the illegal gambling problem in PRH estates could be alleviated under the multi-pronged approach;
- (c) he said the gamblers would move and gamble at different locations. The Police would step up the intelligence exchange with various stakeholders and regular enforcement action to crack down black spots of illegal gambling. The Police would also deploy resources flexibly to curb illegal gambling;
- (d) if the Police arrived at the scene but found no sufficient evidence of illegal gambling, the Police would still issue penalty tickets as the persons concerned breached the Prevention and Control of Disease (Prohibition on Group Gathering) Regulation (Cap. 599G). As for prosecution figures, from October 2017 to September 2020, the Shatin Police District had carried out 120 operations against on-street gambling and arrested over 400 people for “gambling in any place not being a gambling establishment or in a street” and seized \$16,000 in total. All people arrested were prosecuted, convicted and fined from \$100 to \$10,000, while some gamblers were even jailed for seven days. From April to October this year, the Shatin Police District and property management companies had carried out 50

operations in total to clear miscellaneous items on streets. Under the FEHD's assistance, miscellaneous items for gambling at Wo Che Estate were also cleared recently; and

- (e) the Police welcomed Members' intelligence for fighting illegal gambling.

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

- (a) he pointed out that from the papers of Sha Tin District Police Action Plan for 2020, the operational priorities did not include the combat against on-street gambling and he said there was no way to know how strong the enforcement was. The progress report of the District Commander (Shatin) did not show any figures of illegal gambling or on-street gambling. He would like to know the difference between the figures of illegal gambling in 2018 and 2019 respectively, and what items those figures were under;
- (b) he said there was still no notice of another meeting of the Sha Tin District Management Committee (DMC) after the last meeting held in June this year. Generally, the DMC meetings were held once every two months and he asked the District Officer (Sha Tin) (DO/ST) when the next DMC meeting would be held;
- (c) he said no Member joined the Area Committees, and hence they did not have the occasion to exchange with representatives of government departments or members of the local community. He enquired about the items to be followed up by the Area Committees to avoid overlapping with the STDC. He asked when the related papers could be submitted to the STDC; and
- (d) he said it was difficult to book conference rooms for meetings, and he asked how venues could be booked if committees would like to hold meetings of briefing sessions.

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

- (a) he agreed that the illegal gambling problem should be addressed in various aspects. He said the raids initiated by the former operation officer was effective in combatting illegal gambling. He said the ground floor of Ming Yiu Lau was well equipped and the security guards were willing to cooperate but the Police did not enforce the law as actively as before, aggravating the illegal gambling problem; and
- (b) he said the illegal gambling problem at Shing Mun River Promenade Garden No.1 was serious and asked why the problem persisted. Members of the public reflected that money was lent to gamblers and he believed that the problem could only be solved by smashing the syndicates. He was worried that the problem of money lending activities or prostitution would only get worse, and he hoped that the Police would address the problem in a serious manner.

64. The views of Mr Ricardo LIAO were summarised below:

- (a) the illegal gambling problem in the Sha Tin District was serious, but he believed that the fine of the “gathering ban” could deter gamblers. Gamblers often wore masks incorrectly, so if the Police stepped up enforcement, it could help prevent the spread of the epidemic. Besides, illegal gambling would also give rise to other illegal activities, such as money lending. He was of the view that enforcement should be stepped up to combat illegal gambling;
- (b) there were a few illegal gambling black spots in his constituency, but the problem alleviated because of police patrols. However, he opined that the patrols were not frequent and long enough, and hence he suggested that the Police step up the patrols at illegal gambling black spots to enhance the deterrent effect; and
- (c) the Police said they had sent additional police officers in plain-clothes to carry out enforcement action in the district recently. He asked whether police officers in plain-clothes could carry out law enforcement action against illegal gambling activities because it was hard to distinguish police officers in plain-clothes from ordinary people, which could dull the vigilance of gamblers and facilitate the collection of evidence.

65. Mr Percy LEUNG gave a consolidated response as follows:

- (a) operational priorities were set according to the needs of that particular district. He would discuss with his team the inclusion of the combat against illegal gambling in operational priorities;
- (b) in general, on-street gambling problem was not included in the statistics. Relevant figures could be set out for Members’ reference if needed; and
- (c) a joint meeting was held in mid-September this year for the discussion on the resolutions to the illegal gambling problem at the black spots at Shing Mun River Promenade Garden No. 1. The Police discovered that the gamblers did not always stay at the same spots and the Police would step up monitoring and the intelligence exchange with members of the public.

66. Dr Janet WONG, DO/ST gave a consolidated response as follows:

- (a) regarding the combat against illegal activities, apart from making complaints to the Police directly, Members could also contact Liaison Officers for illegal activities in the district; and
- (b) she said the illegal gambling problems at some locations had been alleviated, which proved the effectiveness of the Police’s action. The STDO also discussed action that could be taken to combat illegal gambling black spots with the Police. Pok Ngar Villa had become an illegal gambling black spot recently, and she thanked the LCSD’s assistance in converting the location into an open space, by which resources were well used and illegal gambling could be deterred.

67. Mr YAU Man-chun asked when the next DMC meeting would be convened. He was of the view that DMC meetings helped Members follow the crime situation in the district closely.

68. Mr Michael YUNG said the DMC was comprised of the Chairman and the Vice-Chairman of the STDC, as well as the Chairmen of various committees. When matters discussed at the STDC meeting needed thorough follow-up action, they could be submitted to the DMC. He said meetings were held as usual in other District Councils, and hence he asked why no meeting had been held since June.

69. Dr Janet WONG replied that after the DMC meeting on 29 June this year, the STDO had consulted different government departments and they did not have any issue to be discussed in the DMC so far. Therefore, there was no plan to convene a DMC meeting at this point. There was also no change in the participation arrangement for Members at the moment.

70. The Chairman announced the end of the agenda item. He said the STDO and Home Affairs Department (HAD) could be probed on other occasions for the arrangement for Members to participate in the DMC meetings.

71. The Council noted the above paper.

Question to be Raised by Mr CHAN Pui-ming on the Matters Concerning Home Affairs Department's Consultation with District Councils
(Paper No. STDC 88/2020)

72. The views of Mr CHAN Pui-ming were summarised below:

- (a) the question asked for the figures from 1997 to the present, but the written reply only provided the figures since 2016. He asked when the figures or information on consultation in earlier years could be provided;
- (b) he pointed out that there were 400 to 600 issues on average that required consultation with all District Councils across the territory in the annual "Controlling Officers' Reports". The paper showed that there were 10 issues that required consultation with the STDC in 2018, so he projected that there were around 180 issues for all 18 District Councils per year. He asked about the calculation method and whether issues that the panels or subcommittees under the Legislative Council (LegCo) consulted with District Councils were also included;
- (c) he said he raised a question on the Installation of Additional Traffic Detectors, Speed Map Panels and Journey Time Indication Systems, Paper No. TT 26/2018, in June this year, which was a territory-wide issue, without being accused of violating the District Councils Ordinance (DC Ordinance), Cap. 547. He was dissatisfied that the question on Mandatory Provident Fund (MPF) he raised at the meeting of the Education and Welfare Committee (EWC) was accused of having violated the DC Ordinance, while the Mandatory Provident Fund Schemes Authority did consult the EWC once on 28 February 2017. Besides, the STDO did not give him the file number of the reply letter; and

- (d) he asked the Chairman to help Members stand fast and let Members have the right to probe.

73. Mr Ricardo LIAO asked why the Secretariat did not send out the papers of questions until 2:15 pm today and sent out the papers again at 2:34 pm. He said it was not satisfactory that the papers were not sent out until 15 minutes before the meeting commenced and the replies were not arranged in chronological order.

74. Mr Felix CHOW said the Development Bureau (DEVB) and Planning Department (PD) consulted the District Councils about “Hong Kong 2030+: Towards a Planning Vision and Strategy Transcending 2030” on 5 January 2017. He said the then Principal Assistant Secretary of the DEVB, that is, the current DO/ST, said at a Southern District Council meeting that the impact of the artificial islands in East Lantau would not be limited to individual districts and it was not an isolated project, and therefore she hoped that District Councils could express their views for a better Lantau Island and Hong Kong. He regretted that his motion to discuss the “Lantau Tomorrow Vision” was accused of having violated Section 61 of the DC Ordinance. He asked why the current practice was different from that of the past.

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

- (a) the paper did not provide all the information from 1997 onwards as requested by Mr CHAN Pui-ming and he asked why the preparation of the said paper took time;
- (b) he said the paper did not mention under what circumstances the District Councils were consulted;
- (c) regarding the errors in the memo for the Chairman of Traffic and Transport Committee (TTC), he asked the DO/ST why the Secretary of the TTC was also the Secretary of the Finance and General Affairs Committee (FGAC);
- (d) he said there was no file number on the supplementary information but “Sha Tin District Council Secretariat STDC 13/20/15” was found on page two. He asked whether the numbers were the date or the time; and
- (e) he would like to reflect the difficulties in booking the Conference Room for briefing session of committees and working group meetings.

76. Mr LO Yuet-chau said he did not understand why the discussion on MPF related issues was banned at an EWC meeting in 2020, while EW 7/2017 “MPF Default Investment Strategy” was discussed at an EWC meeting in 2017. He disagreed with the criticism alleging that “District Councils do nothing”.

77. The views of Mr CHEUNG Hing-wa were summarised below:

- (a) he opined that the written reply did not respond to Mr CHAN Pui-ming’s questions at all;
- (b) he opined that under Section 61(a) of the DC Ordinance, which specified that District Councils should advise the Government on matters at the district level,

and therefore the STDC should not discuss “MPF Default Investment Strategy” or “An Outline of the Topics to be Covered in the Fourth Report of the Hong Kong Special Administrative Region under the Convention on the Elimination of All Forms of Discrimination Against Women”; and

- (c) he said the question asked for the information from 1997 onwards.

78. Mr Raymond LI said what the Director of Buildings had just mentioned at this meeting might not be entirely related to Sha Tin District. He believed that territory-wide public policies or issues were also closely related to residents of Sha Tin District and Members could convey public opinion on policies. He would like to know how the Government determined whether the questions complied with the DC Ordinance or the functions of District Councils, the related standards and who made the decisions.

79. Mr YAU Man-chun said the Government forbade Members from discussing some particular issues or booking the Conference Room on the ground of the DC Ordinance, and such an arrangement was different from that of the last term. He said the District Councils were statutory advisory bodies in Hong Kong and had always cooperated well with the Government. He apologised to the frontline staff of the STDO for the immense pressure they faced at the meetings of this term of STDC. He and other Members would remain steadfast in their positions.

80. The views of Mr Jimmy SHAM were summarised below:

- (a) he said it was difficult for Members to convey public opinions since the Government stopped them from doing so by resorting to Section 61 of the DC Ordinance. He cited some examples, saying that the Police refused to attend the meetings of the District Facilities Management and Security Affairs Committee (DFMSC), and the Government ignored his views on CTCs;
- (b) he was surprised that the STDC once discussed human right affairs related to the Convention on the Elimination of All Forms of Discrimination Against Women on 2 May 2018; and
- (c) if permitted, he hoped that the STDO could arrange for the STDC to advise on the Fourth Report of the Hong Kong Special Administrative Region of the People's Republic of China in the light of the “International Covenant on Civil and Political Rights” submitted by the Constitutional and Mainland Affairs Bureau (CMAB) at the district level.

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

- (a) he enquired about the rationale for dismissing Mr CHAN Pui-ming’s question on cross-boundary students of the Sha Tin District. He asked whether it meant that even cross-district bus routes could not be discussed in the TTC;
- (b) he asked whether it was true that there would be no more DMC meetings;

- (c) he apologised for some Members lashing out at the staff of the Secretariat and representatives of government departments;
- (d) he asked why the name of the Sha Tin District Council Conference Room was changed and whose decision it was. He asked whether the name of “Sha Tin District Council Secretariat” had to be changed too; and
- (e) he asked the DO/ST to provide her mobile phone number to Members to facilitate contact.

82. The views of Ms WONG Man-huen were summarised below:

- (a) she would like to know since the beginning of this term of the STDC, whether the STDO had ever turned down government departments’ proposals to attend the STDC meetings for consultation on territory-wide issues. She did not understand why the BD came to the STDC to give a briefing on technologies and devices for seepage detection;
- (b) she was dissatisfied that the DMC meetings were suspended; and
- (c) she quoted the minutes of the meeting of the Southern District Council held on 14 May 2015 and asked whether the STDC could discuss the development projects related to Lantau Island.

83. The views of Mr CHIU Chu-pong were summarised below:

- (a) he asked why the Secretariat did not provide the information before 2016;
- (b) as government departments had consulted the STDC on various territory-wide issues in the past, he asked why Members could not ask the Government questions on territory-wide issues;
- (c) he quoted the STDO’s saying at an FGAC meeting that the change of the name of the Conference Room was “to tackle the problem at the root and restore order from chaos”. He asked who ordered the change of the name of the Conference Room; and
- (d) he enquired about the arrangement of the use of the Conference Room by working groups for meetings.

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

- (a) he quoted the discussion of the White Paper on “The Practice of the 'One Country, Two Systems' Policy in the Hong Kong Special Administrative Region” by the previous term of the STDC and asked what exactly the violation of the DC Ordinance was and the related discussion;
- (b) he would like to know whether the suspension of the DMC meetings reported by the media was true; and

- (c) he said Members attached great importance to the livelihood of the public and hoped that the Government would let Members serve their purposes in the Council.

85. Mr Derek YUEN, Senior Executive Officer (District Council) of the STDO gave a consolidated response as follows:

- (a) he said the Secretariat had received Mr CHAN Pui-ming's question, enquiring about the information from 1997 onwards. As records of many years were involved and many committee meetings were held recently, staff members of the Secretariat were very occupied and he asked for Members' understanding. The Secretariat had to make a trade-off to have the information prepared before the meeting, so they collated and provided more recent information. Detailed information from 2016 onwards, including the date of the meeting, way of handling, paper number, organisations concerned, etc., were provided for Members' reference at the meeting;
- (b) upon receipt of questions, the Secretariat would consult relevant bureaux or departments and let them determine whether the questions complied with the DC Ordinance or not. Upon receipt of replies from relevant bureaux or departments, the Secretariat would convey the replies to Members who raised the questions; and
- (c) the number at the bottom of the paper was the file number of the paper. He said when the letter was sent out, it was filed in the loose minutes. When the letter was filed, a file number would be filled in on the letter. Members could contact the Secretariat for enquiry of file numbers.

86. Dr Janet WONG gave a consolidated response as follows:

- (a) the STDO had replied to Mr CHAN Pui-ming earlier that the related letter was filed according to the name of the Member and the issue date of the paper. The STDO was not unwilling to provide the file number;
- (b) since the staff members of the Secretariat needed longer time to gather information while handling other work at the same time, she also received the paper of the question just before the meeting, as Members did. From 1997 to the present, which involved 23 years of records, she suggested that the Secretariat discuss with Members after the meeting whether all 23 years of records were necessary. If so, the Secretariat needed more time for preparation;
- (c) a new Executive Officer I joined the Secretariat in September this year, and thus the two Executive Officer Is were arranged to manage the Executive Officer IIs respectively of the Secretariat to improve efficiency;
- (d) Mr Michael YUNG mentioned that a new colleague now helped the FGAC. But under actual operation, the new colleague had always worked closely with the two Executive Officer Is, so the mode of operation was further safeguarded. The

Secretariat would give staff members guidance for improvement if there were any inadequacies;

- (e) regarding discussion topics, in the past, the Government put forward related papers to the STDC for discussion, which was the same as the arrangement of this time, that the Director of Buildings proposed to have a discussion with Members of the STDC. The concerned bureaux or departments of this term was of the view that questions which did not comply with the DC Ordinance were put forward by Members and therefore the actual situation was different;
- (f) projects for consultation were subject to the position of the bureaux or departments concerned and the consultation arrangement, and therefore it was not possible to make a generalisation;
- (g) the STDO could convey the items that Mr Jimmy SHAM would like to discuss to the CMAB after the meeting;
- (h) since both the Secretariat and the STDO were understaffed, it was expected that no DMC meeting would be held this year, and issues would be handled by small groups or on a case-by-case basis. She cited an example, saying that the problem of illegal gambling was handled by the DLO / ST and the Police on a small group basis, instead of having a discussion at the DMC;
- (i) regarding the booking arrangement of the Conference Room, the Secretariat was not fully aware of the meeting time of working groups and Members' decision on meeting order, hence the requests for meetings and reservations had not reached the administration department;
- (j) although the utilisation rate of the Conference Room was very high, the STDO still tried its best to arrange the Conference room for use when it was idle. As for now, six working groups would hold meetings in the coming two to three weeks. She suggested that members contact the Secretariat earlier for booking of venues and the staff of the Secretariat contact the administration department directly to get to know the latest usage and booking of the Conference Room; and
- (k) regarding Mr Michael YUNG's proposal, which was raised two days ago, to hold four three-hour briefing sessions before the TTC meetings on 3 and 15 December, she was worried that the Conference Room might not be able to cater for such high usage. The STDO would actively seek a suitable solution and coordinate with the Transport Department (TD) for follow-up action.

87. The Chairman said according to his understanding, the Government could propose a topic for discussion, but not Members.

88. Mr CHAN Pui-ming said his question was submitted to the Secretariat on 6 October by email. He asked for the file number of the letter sent by the STDO in respect of his question.

89. Mr Ricardo LIAO believed that there should be sufficient time for data research for the question submitted in early October. He suggested that the FGAC could review the deadline

of question submission. He also asked whether the Secretariat had informed the Member who originally submitted the question that data from 2016 onwards would be provided.

90. The views of Mr Raymond LI were summarised below:

- (a) he disagreed with the logic that topics proposed by the Government could be discussed, but not those proposed by Members;
- (b) he did not understand why the staff of the administration department were not aware that working groups would like to hold meetings; and
- (c) he said Members did not have the DO/ST's mobile phone number, which rendered it difficult to contact the STDO directly.

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

- (a) he asked why the file numbers of Mr YAU Man-chun's question, Mr CHAN Pui-ming's question and the supplementary information given by the CTCs were the same;
- (b) he said the question, which was submitted 30 days ago, could not be effectively handled because the documents still had not been computerised; and
- (c) he said the Secretary of the TTC did not handle his request to book the conference room immediately, hence he opined that the post of the Secretary of FGAC should be held by an Executive Officer I for the financial management of the STDC.

92. Mr SIN Cheuk-nam said his working group was established on 30 June. He would like to know whether the STDO would provide secretarial service if meetings of the working group were held at venues outside or community halls under the STDO.

93. Ms WONG Man-huen disagreed that only matters raised by the Government, but not Members, could be discussed. She asked the DO/ST whether she agreed that "Lantau Tomorrow Vision" was an issue related to all 18 districts.

94. Mr CHIU Chu-pong asked whose decision it was to change the name of the Conference Room.

95. Mr CHAN Nok-hang asked whether the DMC meetings were suspended because there was nothing to discuss or they had become the Government's internal meetings as reported by the media.

96. Mr CHEUNG Hing-wa said the convenors of working groups had been actively communicating with the Secretariat regarding the meeting schedule. He was of the view that there were double standards in the logic of "the Government can put forward proposals, while Members cannot". He asked whether the DC Ordinance was only applicable to Members.

97. Mr Derek YUEN gave a consolidated response as follows:

- (a) there was a file number for each STDC paper and each paper would be filed according to its topic and the date. Letters from individual Members, which were not STDC papers, were filed according to Members' names and dates; and
- (b) as of the start of the meeting, the Secretariat had not received the details from the TD regarding the number of meetings and expected duration of the briefing sessions on the walkway cover.

98. Dr Janet WONG gave a consolidated response as follows:

- (a) regarding staff establishment, not only junior staff, namely Executive Officer IIs, were responsible for the work of individual committees, Executive Officer Is, who were of higher rank, were also involved;
- (b) the current name of the Conference Room could show its location clearly and facilitate the booking of the Conference Room. The change of the name of the Conference Room could avoid the misconception that only the STDC could use the Conference Room;
- (c) regarding Ms WONG Man-huen's enquiry, she said as the current situation had changed, issues related to all 18 districts might not be suitable for discussion at District Councils;
- (d) due to factors including employee's compensation insurance, the STDO could not provide secretarial service for meetings held outside; and
- (e) due to the epidemic and meeting cycle, she was of the view that the Secretariat should arrange the meeting schedule of working groups more efficiently. Therefore, she had reminded the Secretariat to make early preparation for meetings to allow flexibility for contingency.

99. The Chairman asked the DO/ST to remind the staff to have better communication with the convenors of working groups.

100. Mr Ricardo LIAO asked whether 30 days were not enough to respond to this question.

101. Mr CHAN Pui-ming asked whether questions raised by Members of previous terms could be discussed in this term.

102. Mr Michael YUNG said he had, in his capacity as the Chairman of the TTC, sent an email on 16 November to express his wish to hold two briefing sessions on walkways, which would each be around 3 hours long, and another two briefing sessions on issues including bus routes of the Sha Tin District, which would be no longer than 3 hours, on 3 December.

103. Mr YAU Man-chun said the STDC provided three time slots to be shared by eight to nine working groups. He would like to propose a provisional motion, demanding the establishment of the "Working Group on the Study of Xi Jinping Thought on Socialism with Chinese

Characteristics for a New Era” and inviting the DO/ST to be the Chief Study Officer and participation by Members. He asked whether it would violate the DC Ordinance and whether the DO/ST would walk out of the meeting.

104. Mr Derek YUEN gave a consolidated response as follows:

- (a) as just mentioned, Mr CHAN Pui-ming’s question requested the records from 1997 onwards, which were records for over two decades. The staff had already tried their best to prepare the information before the meeting. As several meetings were scheduled to be held in the recent period, the staff were busy at work. Moreover, they not only had to look through the titles of the documents but also to check the contents of documents, hence the time for the handling of the question was rather tight;
- (b) upon receipt of Members’ questions, the Secretariat would consult related bureaux or departments and let them determine whether the questions complied with the DC Ordinance. Upon receipt of replies from related bureaux or departments, the Secretariat would convey the replies to Members. Therefore, the STDO had nothing to do with the handling of questions; and
- (c) the TD, as the host department, had to provide the details of the briefing sessions to the Secretariat and the Secretariat had conveyed Mr Michael YUNG’s views.

105. Mr YAU Man-chun enquired about the establishment of the “Working Group on the Study of Xi Jinping Thought on Socialism with Chinese Characteristics for a New Era”.

106. Dr Janet WONG said the topic was irrelevant to Sha Tin at the district level. If Members insisted on discussing the topic, the representatives of government departments would leave the meeting.

107. The Council noted the above paper.

Discussion Item

Responses of Sha Tin District Council Members to the Information Paper on “Community Testing Centre – Lek Yuen Community Hall in Sha Tin” Issued by the Food and Health Bureau

108. The Chairman announced that the meeting would be adjourned for 10 minutes.

(After the adjournment of the meeting)

109. The Chairman said that Mr Jimmy SHAM repeatedly asked at the meeting of Health and Environment Committee (HEC) about the location of and arrangements for the CTC of Lek Yuen Community Hall in Sha Tin but had not been provided with the relevant information. Later, the Food and Health Bureau (FHB) issued to Members the Information Paper on “Community Testing Centre – Lek Yuen Community Hall in Sha Tin”. The Chairman therefore added the item on the agenda to let Members raise questions and express views on the content of the Information Paper such as the proposed location, arrangements and operation of the CTC. He had also invited the FHB to the meeting through the Secretariat. However, the

FHB had said that it could not attend the meeting but provided supplementary information for Members' reference. He said that Members' opinions would be relayed to the FHB and the STDO for reference through the Secretariat.

110. The views of Mr Jimmy SHAM were summarised below:

- (a) he considered the location of the CTC a done deal, to which he found difficult to object, yet he would still like to make known residents' wish that the FHB would instead use Yuen Wo Road Sports Centre as a CTC;
- (b) he believed that the circumstances of the incident needed to be clarified from stern to stern. It was after the news announcements of the CTC location that the STDO contacted him and the Mutual Aid Committees (MACs). He asked about the time the STDO knew about the FHB's decision and its role in it. He asked whether the STDO had consulted the STDC, the Area Committees and residents on the arrangements. He opined that if the decision could not be altered, it would not be a consultation. He asked how the Government could be made to consult residents on matters concerning Sha Tin District; and
- (c) he mentioned residents' disagreement with the view that the sports centre should not be used as a CTC due to its larger amount of users. Apart from members of the public who hired Lek Yuen Community Hall, many residents used the podium level for leisure which was also the only sitting-out area for some of the elderly. He opined that members of the public could use other sports centres.

111. The views of Mr Raymond LI were summarised below:

- (a) he opined that the CTC should not be situated in a densely populated area;
- (b) he considered that the Government had not solicited views of the locals, the MACs or the STDC Members;
- (c) he indicated that Members had similar doubts about the Universal Community Testing Programme and the CTC, but the Government did not answer questions that concerned Members. He thought that the supplementary information failed to provide more details than the previous Information Paper, and that the Government should furnish more information to residents, the MACs and the STDC Members, and consult them as well;
- (d) he asked who would be held accountable if there was a community outbreak in Wo Che Estate or Sha Tin District due to the CTC; and
- (e) Members had raised objections and put forward other suggestions. He asked whether the STDO had assisted in relaying the views and Members' concerns to the FHB, the Department of Health (DH), the Centre for Health Protection and the HAD.

112. Mr CHAN Pui-ming asked about contingency plans of the CTC in case of an outbreak in the primary schools or elderly centres in Lek Yuen Estate. He would like to know the

Government's backup plan if there were problems with the venue causing unavailability of testing service in the entire Sha Tin District or New Territories East. Apart from Lek Yuen Community Hall, he asked whether the STDO was aware of any arrangements for other backup venues.

113. The views of Mr Ricardo LIAO were summarised below:

- (a) he considered it an unwise decision to use Lek Yuen Community Hall as a CTC for it was adjacent to residential units and shopping centres. The bridge linking Sha Tin town centre and the housing estate was where residents definitely would walk across every day. He worried that infected persons would spread the virus in the community and endanger the lives of the elderly when they went for testing in the CTC;
- (b) he asked the LCSD whether it had been consulted by the FHB on the CTC location; and
- (c) he would like to know, in case of a fourth-wave outbreak, whether the STDO was prepared to open other community halls as CTCs. He said that if there was such a plan, he hoped that the STDO could inform the STDC expeditiously as the Chairman might have to call a special meeting to discuss the relevant arrangements. He believed that residents would find it difficult to accept arrangements without prior consultations.

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

- (a) he asked, after discussion at the HEC meeting, how the Information Paper issued by the FHB would be handled and where it would be uploaded on the STDC website;
- (b) he said that the CTC of Lek Yuen Community Hall was close to primary schools. He would like to know which department had proposed to the FHB and the DH to use community halls under the purview of the STDO;
- (c) he pointed out that CTCs had basic requirements for ventilating systems. He wanted to know the standards of the air-conditioning system and the air change system in Lek Yuen Community Hall; and
- (d) Members' ward offices, when hiring community halls to organise activities, were required to state whether the activities were for profit; if yes, payments of charges were necessary. He considered the testing service profit-making, and would like to know how the STDO would handle the situation. He pointed out that one of the functions of the DFMSC was to provide management advice on district facilities such as community halls, and it would be hard for Members to give advice if they had not a proper understanding about the situation in advance.

115. Mr Raymond LI said that Lek Yuen Community Hall would be used as a CTC while Wo Che Community Hall would be renovated, rendering a lack of access to leisure and entertainment facilities for residents in the vicinity of Sha Tin town centre and Fo Tan. He

would like to know how the residents' needs would be catered to.

116. Dr Janet WONG gave a consolidated response as follows:

- (a) questions about venue ventilation, contingency plans and other views on the CTC would be conveyed to the FHB;

[Post-meeting note: the relevant questions and views were conveyed to the FHB after the meeting.]

- (b) the STDO had previously learnt of the possibility of venue requisition for centralised service but not details of the actual arrangements. In the morning of 31 October, the Secretary for Food and Health announced in a radio programme the actual locations of CTCs. Immediately after, staff of the STDO informed the STDC Members and the MACs of the details. Mr Jimmy SHAM was likely one of the first persons who learnt of such arrangements; and
- (c) upon realisation that the CTC would be in operation for at least 3 months, which could be extended depending on the circumstances, the STDO had decided to postpone the renovation works of Wo Che Community Hall and keep it open for residents nearby. Under the special arrangement, the number of community halls available in the district would not decrease due to the requisition of Lek Yuen Community Hall as a CTC. She understood that some elderly people would prefer a closer venue, but she hoped that Wo Che Community Hall would also be an appropriate alternative.

117. Mr Derek YUEN said that the Information Paper had been emailed to all STDC Members for information. If the Chairman believed there was a need to upload the document to the STDC website, the Secretariat could assist with the follow-up.

118. The Chairman opined that the document could be released to the public, and asked the Secretariat to upload it to the STDC website.

119. Ms Joe WONG, District Leisure Manager (Sha Tin) of the LCSD said that the LCSD had not received at the district level any notices of the need to repurpose venues for CTCs.

120. The views of Mr Jimmy SHAM were summarised below:

- (a) he said that such notice, instead of a process of consultation, was for information;
- (b) he pointed out that when discussing arrangements for the use of the conference room, the STDO said it would require the date and time of the hire for the sake of administrative arrangements. However, the FHB then requisitioned the venue without providing details of the date or time. He asked whether venue arrangements would be impossible when the administrative procedures were not complied with; and
- (c) he hoped that the DO/ST could assist with consultations in the future if government policies had a bearing on the district level.

121. The views of Mr Raymond LI were summarised below:

- (a) he was of the view that the Government was not required to comply with the administrative procedures when requisitioning venues whereas Members were required to follow them when hiring facilities; and
- (b) he said that the venues of Lek Yuen Community Hall had been allocated to different organisations. He asked whether the affected organisations would be transferred to Wo Che Community Hall directly or a second lot drawing would be required. He wanted to know the arrangements.

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

- (a) he pointed out that the Information Paper and supplementary information provided by the FHB were issued in the name of the HEC and the STDC respectively. He asked which committee chairman had decided how to upload the documents to the STDC website;
- (b) he asked about the proper way to file the Information Paper and supplementary information of different reference numbers; and
- (c) he said that the working group managing community halls had not been informed of the arrangements, and he deemed it necessary for the working group to deal with the organisations with reservation requests, but it had yet been able to convene a meeting. He opined that administrative procedures of the STDO were not satisfactory.

123. The Chairman hoped that the DO/ST would have better communication with the STDC.

124. Mr Derek YUEN gave a consolidated response as follows:

- (a) the agenda item was decided by the Chairman. As set out on the agenda, the Information Paper had been issued by the FHB earlier and, together with the supplementary information, would be uploaded under the agenda item; and
- (b) the STDO had written to all organisations which would like to use Lek Yuen Community Hall in the next quarter. The organisations could opt to use the facilities in Wo Che Community Hall in the same sessions on the same dates. They needed to duly complete the attached reply slip to confirm whether they accepted the arrangements. The STDO would issue user permits to the organisations upon receipt of their reply slips. If the organisations decided not to use the facilities out of other consideration, they did not have to reply. Such arrangements would leave organisations that would use the facilities unaffected, and the STDO would maintain the same number of community halls available for public use.

125. The Chairman thanked the STDO for the compensation arrangements.

Information Paper

Crime Brief of Sha Tin District for the First Half of 2020
(Paper No. STDC 98/2020)

126. The Chairman suggested dealing with the information paper “Crime Brief of Sha Tin District for the First Half of 2020” before proceeding to Reports of Committees. He asked Members for opinions on the adjustment of the order of business on the agenda.

127. Members unanimously endorsed the adjustment of the order of business on the agenda.

128. Mr Percy LEUNG briefly introduced the paper, and the main points were as follows:

- (a) the overall crime figure was 1 870 cases in Sha Tin District for the first half of 2020, an increase of about 2.5% when compared with 1 825 cases in the second half of 2019. The detection rate was 30.8%, an increase of 1.4% when compared with 29.4% in the second half of the previous year;
- (b) when compared with the second half of 2019, the top 3 types of crime with a raising trend were deception, bicycle theft, and shop theft, representing an increase of 275, 63 and 26 cases respectively. The top 3 types of crime with a downward trend were criminal damage, burglary, and miscellaneous thefts, with a drop of 195, 63 and 7 cases respectively;
- (c) there were a total of 563 cases of deception in the first half of 2020, an increase of 275 cases when compared with 288 cases in the second half of 2019. Among which, there were 468 cases of internet fraud, 44 cases of telephone deception, 2 cases of street deception, 22 cases of low-interest-rate loan fraud, and 7 cases of other scams. When compared with 194 cases in the second half of 2019, internet fraud saw an increase of 141.2%, which included 153 cases of online shopping scams and 27 cases of online romance scams, involving an amount exceeding \$800,000, in addition to other social media deceptions. The rise in deception was mainly attributable to the frantic buying of surgical masks by members of the public who had fallen prey to scams during the early stage of the epidemic;
- (d) there were 99 cases of bicycle theft in the first half of 2020, an increase of 63 cases or 175% when compared with 36 cases in the second half of 2019. The police fought against the crime through intelligence gathering, patrols by police officers in plain-clothes, and posters put up by property management personnel. The police had also arrested 28 persons recently;
- (e) there appeared a downward trend for criminal damage with the figure standing at 223 cases for the first half of 2020, a drop of 46.7% when compared with 418 cases in the second half of 2019, which was related to the decreasing anti-extradition bill activities. Splashing paint for debt collection also counted as criminal damage, with 94 cases in public housing estates or village houses, and 12 cases in private housing estates. If security personnel found suspicious persons entering a building, they could contact the police task force. The police would also take a trial action to ensure that security personnel would call the hotline to inform

them when suspicious persons were spotted;

- (f) there was also a relatively significant increase in naked chat scams with a total of 125 cases between January and October 2020. He considered publicity and education crucial, and hoped to convey the messages to students through the internet;
- (g) anti-internet fraud educational and promotional activities were organised in the Sha Tin police district in August. A campaign on safe online shopping was launched in the previous week, alerting the public to scammers with the mascot “The Little Grape”. The police also distributed pamphlets, tissue paper and boxed tissue paper to spread anti-internet fraud messages; and
- (h) he said that he would list the figure of illegal gambling in future crime briefs.

129. The views of Mr CHAN Pui-ming were summarised below:

- (a) he would like to know if the surge in deception mainly came from surgical mask scams;
- (b) he said that he had previously received a call allegedly from a staff member of the DH who would arrange him for quarantine in a designated place, and then the call was immediately answered by a person speaking Putonghua. He worried that scammers would take advantage of the Government’s quarantine arrangements to deceive the public, but it was difficult to trace their telephone numbers. He would like to know the figure of similar scams in Sha Tin District of the year;
- (c) he would like to know the number of fraud cases relating to the MPF; and
- (d) he asked the police whether any joint operation was mounted in vice establishments in Sha Tin District.

130. Mr Jimmy SHAM indicated that fraudsters had recently invited users of social networking applications to participate in online illegal gambling games, and some members of the public had fallen for scams. As the victims allegedly participated in illegal gambling, they were deterred from reporting to the police for help. He asked how those victims could be assisted.

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

- (a) he hoped that the police could set out the types of deception and the figure of illegal gambling in the next report;
- (b) he added that he had received a bogus call allegedly from the Social Welfare Department (SWD). He stated that technology nowadays enabled scammers to fake telephone numbers calling from a government institution and thereby enhancing their credibility;

- (c) he said that it was difficult to locate scammers of internet fraud, and wanted to know the methods of investigating internet fraud at present; and
- (d) he pointed out the increase in triad-related crimes and would like to know whether it was attributed to the police's intelligence work or aggravated by the epidemic.

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

- (a) he asked about the reasons for the rise in domestic violence cases during the epidemic;
- (b) he would like to know the definitions of serious drug offences and serious gambling offences; and
- (c) he asked, if the performance of security personnel was unsatisfactory under the trial action of stopping suspicious persons from entering a building, whether the police would inform the management agency of the housing estate, the security company and the Owners' Corporation.

133. The views of Mr Ricardo LIAO were summarised below:

- (a) he relayed residents' observation of the increase in surgical mask scams;
- (b) he said that his ward office had previously received a call allegedly from staff of the DH, and residents had also claimed to have received fake pamphlets about quarantine measures. He added that members of the public generally would not report these cases to the police, so the data from the police might not reflect the actual situation of that type of deception; and
- (c) residents had pointed out that reports of surgical mask scams had been made, but the police said that investigation took time. He hoped that the police could follow up actively and arrest the fraudsters as soon as possible. In addition, he would like to know the police unit responsible for follow-up and the way to proceed and handle after residents had provided the police with relevant information.

134. Mr LAI Tsz-yan said that he had made an enquiry to the police regarding internet fraud earlier, and found that reporting sole cases would make information fragmented and difficult for police compilation. If several cases were reported jointly, members of the public would need to provide more comprehensive information. He asked the police about simplified procedures for handling reported cases.

135. Mr Percy LEUNG gave a consolidated response as follows:

- (a) he said that fraudsters had various modus operandi based on close observation of society and people's needs. He saw the need to raise the public's awareness. He added that identity concealment, geographical distance and information technology had contributed to the increased difficulty of investigating internet fraud. The police had often educated the public through publicity about anti-

online scams; for example, ascertaining the credibility of other parties and verifying their identities prior to online transactions, taking note of legal protection regarding online transactions in different regions, checking the credibility ratings of buyers and sellers, etc. He said that if the identity of the other party could not be verified, one should abort the transaction and stop providing personal information. If members of the public believed that they were victims of any fraudulent activities, they should call the “Anti-scam Helpline 18222” for enquiries immediately;

- (b) he said that details of deception investigation should not be revealed as fraudsters would act accordingly to avoid detection. The police would consolidate information of the same scammer for the sake of solving cases;
- (c) he claimed that the police had not further categorised telephone scams. He said that among the 44 cases of telephone scams in the first half of the year, 31 were cases of “Pretend Officials” and 13 were cases of “Guess Who”. He commented that over-narrowed categorisation would make it difficult for Members to grasp hold of the overall situation;
- (d) he added that local calls showing “+852” caller ID were fake telephone numbers generated by software;
- (e) the police would monitor closely the trend of scams and publicise it through Anti-Deception Coordination Centre;
- (f) he said that participation in illegal gambling and internet fraud would be handled separately. As the decision to arrest persons participating in illegal gambling involved the consideration of multiple factors, he was unable to generalise and comment at the moment;
- (g) the police would refer family conflicts to the SWD for follow-ups and action;
- (h) a serious drug offence referred to drug trafficking, instead of drug concealment of a small quantity. A serious violence crime meant serious wounding. A serious gambling crime referred to offshore betting and bookmaking whereas street gambling did not count as a serious offence;
- (i) regarding the security personnel trial scheme, the police would issue a letter of appreciation to security personnel for outstanding performance whereas advice and warnings would be given for unsatisfactory performance. For cases involving serious circumstances, security personnel permits might be at stake; and
- (j) there were not plenty of vice establishments in the district, with 3 and 4 complaints received in 2019 and 2020 respectively. The police investigations were intelligence-led. Blitz operations were conducted 7 and 3 times in 2019 and 2020 respectively. The police would strengthen inspection of vice establishments and unlicensed massage establishments.

136. Mr Jimmy SHAM asked the police to note that victims were prevented from reporting to the police for help by being dragged into another illegal act in some scams, and hence the police's underestimation of the seriousness and extent of the crimes.

137. The Council noted the above paper.

Information Items

Reports of Committees under the STDC

Traffic and Transport Committee

(Paper No. STDC 89/2020)

138. Mr CHAN Pui-ming wanted to know the progress of patronage surveys by the TD and the TD conference arrangements for airport bus routes adjustments in response to the gradual start of the Sha Tin to Central Link.

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

- (a) he said that in response to members' requests raised in the meeting of TTC in September, the TD had conducted a patronage survey of Tuen Ma Line Phase 1 from early October to mid-October. The TD would brief members on the routes and the extent of frequency adjustments in the briefing session;
- (b) regarding arrangements for the airport bus routes briefing session, he said that the TD already contacted the secretary of the TTC in the afternoon on that day;
- (c) he added that a TTC special meeting would be held at 2 pm on 3 December, and the agenda would include re-organisation of airport bus routes, follow-up on the TTC's bus route programme last year, arrangements for on-site trial of electric mobility devices, as well as follow-up on the fatal traffic accident on Yuen Wo Road; and
- (d) the seventh meeting of the TTC of the year would be held at 2:30 pm on 15 December, and the agenda would include improvement to the alignment of Trunk Road T4, provision of covers for walkways, the footbridge works near Yan On Estate, reviews of minibus routes and the operation of green minibus after the intake of Chun Yeung Estate etc. He welcomed questions from members.

District Facilities Management and Security Affairs Committee

(Paper No. STDC 90/2020)

Development and Housing Committee

(Paper Nos. STDC 91/2020 and STDC 92/2020)

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

- (a) he said that members requested the relevant department to review again arrangements for Phase 2 of the Science Park Expansion Programme. He asked the chairman of the committee whether the provisional motion would be

forwarded to the relevant panel of the LegCo, so as to let it know the views of the STDC; and

- (b) regarding the amendment to Approved Plan No. S/MOS/22 of Ma On Shan Outline Zoning Plan, he pointed out that Ma On Shan MAC had written to the DO/ST and the District Planning Officer for their assistance in organising a briefing session. He added that the MAC welcomed both officials to the briefing session to be held in ELCHK Ma On Shan Lutheran Primary School at 7 pm in the following evening.

141. Mr CHAN Nok-hang agreed to forward the provisional motion to the LegCo.

[Post-meeting note: The Chairman of the Development and Housing Committee wrote and forwarded the provisional motion to the Panel on Commerce and Industry of the LegCo on 9 December 2020.]

142. Dr Janet WONG said that she had other official commitments in the following evening.

143. Ms Jessica CHU, District Planning Officer/Shu Tin, Tai Po and North of the PD said that the PD already replied to the chairman of Ma On Shan MAC on 17 November 2020 with a copy to Mr Michael YUNG. The PD had no further comments.

Culture, Sports and Community Development Committee
(Paper No. STDC 93/2020)

Health and Environment Committee
(Paper No. STDC 94/2020)

144. Mr TING Tsz-yuen said that the HEC had passed the provisional motion proposed by Mr Jimmy SHAM and Mr WAI Hing-cheung on requesting the Government to reverse the decision of using Lek Yuen Community Hall as a long-term CTC in New Territories East. He commented that there had been banners smearing Mr Jimmy SHAM, and he would like to clarify there.

Education and Welfare Committee
(Paper Nos. STDC 95/2020 and STDC 95A/2020)

Finance and General Affairs Committee
(Paper No. STDC 96/2020)

145. Mr Ricardo LIAO said that his name had been misprinted on the document. He asked the Secretariat whether the letter mentioned in the provisional motion would be withdrawn.

146. Mr CHAN Pui-ming would like to follow up on the question he submitted to the FGAC on 5 October. He had written to the Secretariat for reasons why it had not been included in the agenda of the FGAC. He wanted to follow up on that.

147. Mr TING Tsz-yuen said that apart from the provisional motion of the FGAC, he officially proposed naming the conference room of the STDC, and sought the Chairman's approval.

148. Mr Michael YUNG said that “Sha Tin District Council Conference Room” had long been the name used. He suggested referring to the conference room as “Sha Tin District Office Conference Room 441” in internal documents of the STDO. As members had discussed the name and arrangements for the use of the conference room at the FGAC meeting, he proposed that the Secretariat inform the procedures for reserving the conference room at the next FGAC meeting.

149. Mr Derek YUEN said that the content of the provisional motion was based on the version endorsed at the meeting, and that the typo was made by staff of the Secretariat.

150. The Chairman asked that members be informed that content of the document was based on the original provisional motion. In case of any mistakes, they would be rectified in due course.

151. Dr Janet WONG said that her colleagues could provide additional information regarding arrangements for reservation of the conference room later, and that the STDO would be happy to exchange views with members at meetings.

152. Mr Ricardo LIAO wanted to know whether the STDO or the Secretariat would consider announcing the withdrawal of the letter addressed to him and Mr YEUNG Sze-kin at the meeting.

[Post-meeting note: the letter in question was replaced and no longer applicable.]

153. Dr Janet WONG recommended handling the matter in the relevant committee.

154. The Chairman said that the current agenda item was reports of committees. He added that members could comment for the consideration of the STDO, which did not have to respond there.

155. The Council noted the above 9 reports of committees.

156. Mr TING Tsz-yuen asked the Chairman when he planned to deal with the provisional motion.

157. The Chairman said that it would be dealt with in a moment.

Financial Account of the STDC (as at 30 October 2020)
(Paper No. STDC 97/2020)

158. The Council noted the above paper.

159. The Chairman said that he agreed to deal with the provisional motion tabled by Mr TING Tsz-yuen and Mr Felix CHOW, but a quorum was not present at the moment. He asked whether they would consider changing it to a proposal or adjourning the meeting for 15 minutes before handling the provisional motion.

160. Mr TING Tsz-yuen and Mr Felix CHOW agreed to adjourn the meeting before handling the provisional motion.

161. The Chairman adjourned the meeting for 15 minutes.

(After the adjournment of the meeting)

162. The Chairman adjourned the meeting as a quorum was not present.

Date and Time of Next Meeting

163. The next meeting was scheduled to be held at 2:30 pm on 28 January 2021 (Thursday).

164. The meeting was adjourned at 8:45 pm.

Sha Tin District Council Secretariat
STDC 13/15/15/1

March 2021