

Minutes of the 6th Meeting of
the Commerce, Industry and Housing Committee of
the Tuen Mun District Council

Date: 3 October 2016 (Monday)

Time: 9:30 a.m.

Venue: Tuen Mun District Council (TMDC) Conference Room

Present :	Time of Arrival	Time of Departure
Ms CHING Chi-hung (Chairman) TMDC Member	9:30 a.m.	End of meeting
Mr CHAN Manwell, Leo TMDC Member (Vice-chairman)	9:38 a.m.	End of meeting
Mr LEE Hung-sham, Lothar, MH TMDC Vice-chairman	9:34 a.m.	End of meeting
Mr TO Shek-yuen, MH TMDC Member	9:30 a.m.	End of meeting
Ms KONG Fung-yi TMDC Member	9:33 a.m.	End of meeting
Ms WONG Lai-sheung, Catherine TMDC Member	10:32 a.m.	End of meeting
Mr AU Chi-yuen TMDC Member	9:30 a.m.	End of meeting
Ms HO Hang-mui TMDC Member	9:35 a.m.	End of meeting
Mr LAM Chung-hoi TMDC Member	9:42 a.m.	End of meeting
Mr TSUI Fan, MH TMDC Member	9:30 a.m.	End of meeting
Ms LUNG Shui-hing, MH TMDC Member	9:30 a.m.	End of meeting
Mr CHAN Man-wah, MH TMDC Member	9:30 a.m.	End of meeting
Mr CHEUNG Hang-fai TMDC Member	9:30 a.m.	End of meeting
The Hon HO Kwan-yiu, JP TMDC Member	9:51 a.m.	End of meeting
Ms CHU Shun-nga, Beatrice TMDC Member	9:30 a.m.	End of meeting
Mr TSANG Hin-hong TMDC Member	9:30 a.m.	End of meeting
Ms SO Ka-man TMDC Member	9:30 a.m.	End of meeting
Mr KAM Man-fung TMDC Member	10:05 a.m.	End of meeting
Mr MO Shing-fung TMDC Member	9:45 a.m.	End of meeting
Mr YEUNG Chi-hang TMDC Member	9:30 a.m.	End of meeting
Mr YAN Siu-nam TMDC Member	9:30 a.m.	End of meeting
Mr TAM Chun-yin TMDC Member	9:30 a.m.	End of meeting
Ms MA LO Kam-wah, Virginia Co-opted Member	9:30 a.m.	End of meeting
Mr FUNG Pui-yin Co-opted Member	9:54 a.m.	End of meeting
Mr NG Ka-ho, Andrew Co-opted Member	9:30 a.m.	End of meeting
Mr CHAN Tsim-heng Co-opted Member	9:30 a.m.	End of meeting
Mr TSOI Shing-hin Co-opted Member	9:30 a.m.	End of meeting
Mr HO Chui-wan, Ida (Secretary)	Executive Officer (District Council) 1, Tuen Mun District Office, Home Affairs Department	

Absent with Apologies :

Mr NG Koon-hung	TMDC Member
Mr NG Kwok-yan, Akina	Co-opted Member
Mr CHEUNG Wing-kai	Co-opted Member

In Attendance :

Ms KOO Kit-yee, Angie	Senior Liaison Officer (1), Tuen Mun District Office, Home Affairs Department
Ms LEE Fung-yi, Maggie	Liaison Officer Town Centre (2), Tuen Mun District Office, Home Affairs Department
Mr TAI Yuk-sum, Sam	Senior Building Surveyor/E5, Buildings Department
Mr CHOW Chiu-leung	Station Commander, Castle Peak Bay Fire Station, Fire Services Department
Ms CHENG Chui-king, Christine	Housing Manager/Tuen Mun 4, Housing Department
Ms WA Lei-chun, Winnie	Senior Community Relations Officer /ICAC Regional Office (NTNW), Independent Commission Against Corruption
Mr CHAN Kai-chung, Nikki	Labour Officer (Workplace Consultation Promotion) (Atg), Labour Department
Mr MOK Hing-cheung	Administrative Assistant/Lands, District Lands Office, Tuen Mun, Lands Department

I. Opening Remarks

The Chairman welcomed all to the 6th meeting of the Commerce, Industry and Housing Committee (“CIHC”).

2. On behalf of the CIHC, the Chairman thanked the Secretary Ms. CHOI Nga-ling, Angela, who had been transferred, for the contributions she made to the CIHC in the past and welcomed Ms. HO Chui-wan, Ida, who took over her.

3. The Chairman reminded Members that any Member who was aware of a personal interest in a discussion item should declare the interest before the discussion. The Chairman would, in accordance with Order 39(12) of the Tuen Mun District Council Standing Orders, decide whether the Member who had declared an interest might speak or vote on the matter, might remain in the meeting as an observer, or should withdraw from the meeting. All cases of declaration of interests would be recorded in the minutes of the meeting.

II. Absence from Meeting

4. The Secretariat had received no applications from Members for leave of absence.

III. Confirmation of Minutes of the 5th Meeting Held on 1 August 2016

5. The above minutes were unanimously confirmed by the CIHC.

IV. Matters Arising

(A) Calling for Provision of More Public Rental Housing (PRH) Flats and Release of Data on PRH Flats Waiting Time (Paragraphs 10 to 17 of Minutes of Previous Meeting) (Written Response of Housing Department) (Paper No.1 and No.2 distributed at the meeting)

6. The Chairman said the CIHC agreed to invite the representative of the Application Sub-section of the Housing Department (“HD”) to attend the meeting to answer Members’ questions but the HD failed to arrange for a representative of the Application Sub-section to attend the meeting. She asked the representative of the department why the arrangement was not made and would like Members to offer their views on the department’s reply.

7. Ms. CHENG of the HD said normally the Application Sub-section made written reply only. If Members had other enquiries, the Application Sub-section

would be pleased to answer questions after the meeting.

8. Members offered their views and made enquiries in the first round, which were summarized as follows:

- (i) In its reply, the HD said it was expected that the Yan Tin Estate in Area 54 would be completed in 2017 providing 4,700 flats. He said that originally it had been planned to build a public housing estate, private buildings and ten schools in Area 54. However, it was subsequently confirmed that only five buildings and two schools would be built. He enquired why the department did not provide detailed explanations in the reply on the change of the development plan, or respond to the recent report by the mass media on the Public Housing Development at San Hing Tsuen. He said the authorities concerned originally had planned to use San Hing Tsuen as a trial area. As factories were outdated, the land user was changed in 2000 to low-density development. It was not a private developer which applied for the change of user afterwards. He urged the department to send a representative to attend the next meeting and provide full explanations. He said the Secretariat could check the related records of the Public Housing Development at San Hing Tsuen if necessary;
- (ii) In 2004, the Tuen Mun District Council (“DC”) discussed the Public Housing Development at San Hing Tsuen. He would like the HD to clarify whether the Public Housing Development at San Hing Tsuen would continue. He said the government should not make response through the media only. The issue passed to the DC for discussion;
- (iii) It was very disappointing that the department did not arrange for a representative of the Application Sub-section to attend the meeting. It was opined the department needed to arrange for a representative to attend the next meeting. She pointed out that the HD did not make response on the waiting time for PRH. The service commitment in the past was three years but she knew many cases had to wait more than five years. On this, the government had announced in the Policy Address that the target supply of the PRH would maintain at 15,000 flats every year. However, except 2016/17 and 2018/19 which would reach the target possibly, the annual amount of supply in other years was below 10,000 on average, which could not shorten the waiting time. Besides, on the recent report in the media on the Public Housing Development at

San Hing Tsuen that the supply of PRH would be reduced, she hoped the department could make response on the waiting time for the PRH and the latest planning of San Hing Tsuen;

- (iv) It was suggested inviting the senior government officials who could make response on public housing developments and applications (e.g. assistant director of HD) to attend the meeting. He said the paper at last meeting showed the average waiting time for PRH was 3.9 years but the latest reply from the HD was 4.1 years. He enquired whether the waiting time would become longer and longer and whether the family application's waiting time mentioned in the reply had included the applications from senior citizens. The paper also mentioned that the government planned to provide 280,000 PRH and subsidised housing in the future ten years but the reply only mentioned that only 90,000 PRH would be built in the future five years. He queried how the government could achieve the above target of supply. Finally, he said the DC had not discussed the Public Housing Development at San Hing Tsuen since 2014. He hoped that the HD could brief Members on the latest situation;
- (v) The waiting time for PRH was too long. It was disappointing that the government did not actively seek out land for housing development or make proper planning for other ancillary facilities such as schools and hospitals;
- (vi) There were different waiting time for PRH from different channels such as media reports and internet, and the replies from the HD were different each time. He asked the HD for an actual reply on the waiting time and hoped that the department would make a detailed response on the waiting mechanism. For example, at what time an applicant would meet the housing officer and when they would be allocated PRH for the first time. Besides, the HD's reply mentioned the public housing development for 2016/17 to 2020/21. The supply for 2017/18 to 2019/20 had a downward trend. He hoped that the department would explain the reason for the downward trend of the supply; and
- (vii) It was reiterated that the land user of Sun Hing Tsuen was changed to low density residential development in 2000. The HD and the Planning Department posted a notice on the Public Housing Development at San

Hing Tsuen but the development was rejected by the DC subsequently.

9. Ms. CHENG of the HD made replied, which were summarised as follows:
- (i) The waiting time for PRH would change according to supply and demand. The information provided by the department was calculated according to the latest data;
 - (ii) It was added that the department had distributed paper No. 1 at the meeting showing that there would be about 12,600 PRH flats and 700 subsidised housing provided in Area 54; and
 - (iii) The enquiries made by Members on the planning of PRH would be passed to the Planning Section of the department for a reply.
10. The Chairman said Members asked the HD to submit a study report on Hung Shui Kiu at last meeting but the department did not provide the information concerned at this meeting. The Application Sub-section might not be able to make a response on the Public Housing Development at San Hing Tsuen. She asked Members to offer their views to see whether it was necessary to ask the Application Sub-section to arrange for a representative to attend the next meeting.
11. Members offered their views and made enquiries, which were summarised as follows:
- (i) The government had conducted a study on the development of Hung Shui Kiu since the handover but so far there had been three study reports received. It was enquired why the progress was so slow;
 - (ii) Recently, the media quoted the HD saying that the Tuen Mun District Council rejected the Public Housing Development at San Hing Tsuen unanimously. She said she had participated in the discussion in 2014 and recollected that the DC at the time requested that the HD should provide more detailed information on the overall planning of Tuen Mun. She was puzzled at the HD's response to the media and the department was urged to provide DC with explanations on the situation;
 - (iii) It was understandable that the representative of the department could not provide all the data immediately. It was suggested that the Chairman should invite a senior official of the department such as assistant director or general manager to attend the meeting and reply to Members'

enquiries;

- (iv) It was disappointing that the HD distributed reply at the meeting and did not allow time for Members to read the information concerned or explain why the department could not keep the commitment that it would take three years to be allocated PRH;
- (v) It was strange that the department had explained that the waiting time would change in light of the supply. It was opined that the key to the question was not shortage of land but there was no supporting facilities to go with it. If the DC rejected the Public Housing Development at San Hing Tsuen because the problem of traffic congestion was not properly handled, the government should solve the traffic problem first when it was determined to seek out land for public housing. He opined that the responsibility lay on the Transport and Housing Bureau (“THB”). It was suggested that the bureau should invite an official at the rank of assistant secretary or above to attend the next meeting;
- (vi) It was hoped that the government would take DC’s views seriously and arrange for a representative to attend a meeting. He said two consortiums developed private housing within the area after the DC rejected the Public Housing Development at San Hing Tsuen. He queried why consortium could obtain resumption of land successfully but the government could not.
- (vii) It was reiterated that San Hing Tsuen was originally planned for low-density residential development. Private consortium had completed acquisitions before the government intended to build PRH and not after the Public Housing Development at San Hing Tsuen was rejected;
- (viii) It was enquired about the ratio and expected supply of the PRH and subsidised housing flats in the future five to ten years.

12. The Chairman said that if Members would like to invite government representative to attend a meeting, all departments should co-operate as far as possible and not just giving a written reply. She said discussion of this issue should continue. The department was also requested to send officers who knew the matter of housing to make response on the overall planning PRH, waiting time and waiting criteria. She

would like Members to offer their views.

13. Members replied to the Chairman's views as follows:
- (i) It was necessary to invite policy officials of the bureau to attend the meeting and reply to Members' questions;
 - (ii) The planning on PRH should be discussed at the meeting of Environmental Hygiene and District Development Committee. It was suggested that the CIHC should write to the HD and ask them to send a representative to attend the next meeting for the discussion of the issue of the waiting time for PRH;
 - (iii) It was suggested that the issue should be raised at the DC for follow-up action, and
 - (iv) Other committees encountered the same problem when they invited government representatives to attend a meeting. It was disappointing that the government was not willing to arrange for representatives to attend the meetings of DC. Besides, she was dissatisfied that the department distributed written reply at the meeting and did not allow time for the Members to read the information concerned. It was hoped that the director of the HD could attend a meeting.
14. Mr. CHENG of the HD said she would reflect Members' views to the department and would try the best to arrange for a representative to attend the next meeting.
15. The Chairman suggested writing to the HD in the name of the Chairman of the DC, asking the director of HD to send a representative who was familiar with the issue to attend the meeting. Members were asked to offer their views.
16. Members offered their views and made enquiries on the Chairman's suggestion and other matters concerned:
- (i) It was reiterated that the issue should be raised at the DC for follow-up action;
 - (ii) It was agreed that the issue should be raised at the DC for follow-up action. As the CIHC would have a meeting in two months, it would

save some time if the issue could be raised at the DC for discussion in November;

- (iii) The citizens and the media were concerned about how the Tuen Mun District Council would handle the matter on Public Housing Development at San Hing Tsuen. It was hoped that the above issue could be raised at the DC or passed to other related committee for discussion. On this, the Chairman clarified that the issue of the Public Housing Development at San Hing Tsuen did not fall within the term of reference of CIHC. If Members would like to discuss the development plan, it should be raised at the DC or the Environmental Hygiene and District Development Committee. Another Member agreed that the Public Housing Development at San Hing Tsuen did not fall within the terms of reference of the CIHC;
- (iv) It was enquired about the related figures of the waiting time for PRH in Tuen Mun District. Some applicants who were waiting would refuse to accept the allocated flat so the waiting time would become longer. It was hoped the department would provide the related data. Besides, the department said in its reply that there would be 71,000 PRH flats and 21,400 flats for sale in the future five years. He hoped that the department could explain how many flats would be located in Tuen Mun;
- (v) Waiting for a PRH was an issue which concerned all the citizens in Hong Kong. It was opined that the Chairman was obliged to raise the issue at the DC for discussion;
- (vi) The HD consulted the Tuen Mun District Council on the Public Housing Development at San Hing Tsuen in 2014. He himself would submit a paper to the DC, asking the department to provide explanations for the discussions at the time; and
- (vii) Members' discussions covered two areas, including the waiting criteria and figures of PRH and the Public Housing Development at San Hing Tsuen. He opined that these two issues should be handled separately. If Members wanted to take follow-up action on the matters related to San Hing Tsuen, they should submit a paper for discussion or raise the issue at DC for handling.

17. The Chairman concluded by saying that the issue should be raised at the Tuen Mun DC for follow-up action.

V. Reporting Items

(A) Work Reports by Working Groups under CIHC
(CIHC Paper No. 23/2016)

(i) Working Group on Occupational Safety and Health

18. Members noted the above work report.

(ii) Working Group on Economic Development in Tuen Mun

19. The convenor said the work progress was satisfactory. It was hoped that the Eco Shopping & Cultural Tour in Tuen Mun would be held at the beginning of the coming year. The project would be submitted to the FC to have the financial details endorsed later.

(iii) Working Group on Building Management

20. Members noted the above work report.

(iv) Working Group on Monitoring of Link

21. Members noted the above work report.

22. The chairman announced that the four work reports above were endorsed.

(B) Work Report on Private Building Management in Tuen Mun District
(CIHC Paper No. 24/2016)

23. Members noted the above work report.

(C) Report by Buildings Department
(CIHC Paper No. 25/2016)

24. A Member said some industrial buildings and private flats in the district were changed into sub-divided flats. When reports were made to the department, they would not be handled for the reason of “no imminent danger” most of the time. He enquired that in case of fire, whether these sub-divided flats would increase the difficulties of fire fighting because of their structure thus causing risk.

25. Mr. TAI of the Buildings Department explained that the department would not take any law enforcement action under the current law enforcement policy if there was not impact on the structure of the building and environmental hygiene after the private flat was modified as sub-divided flats. If an industrial building was modified for

residential purpose, the department would take law enforcement action when there was sufficient evidence sought. However, there would be difficulties during the collection of evidence so it took more time in handling them.

26. Members did not agree that the department did not take follow-up action immediately for the reason of “no imminent danger”. He said sub-divided flats involved structural modification, and the use of electricity and water would increase while fire hazard was higher.

27. Mr. TAI of the Buildings Department explained the department would consider whether the case of sub-divided flats would affect the structure of the building and the safety of the fire prevention structure, and whether it would cause impact on the fire escape and the environmental hygiene before taking law enforcement action. The power supply and water supply facilities of the building did not fall within the responsibilities of the Buildings Department.

28. Mr. CHOW, divisional officer of the Castle Peak Fire Station of the Fire Service added that there would be difficulties in putting out a fire when the unit involved illegal modifications when handling the fire in sub-divided flats.

29. Members said landlords had to submit a certificate of window inspection to the department within a specified period of time after the Building Department issued a notice of mandatory window inspection. Recently, he had learned that a landlord received a notice of fine after a certificate of window inspection was submitted within the specified period of time. He suggested that the department should consider informing the landlord immediately upon receipt of the certificate.

30. Mr. TAI of the Buildings Department explained that it would issue a letter of confirmation to the landlord upon receipt of the certificate of window inspection. As the Buildings Department took some time in handling the large number of certificates of window inspection, it could not issue a letter of confirmation to the landlord immediately. He would reflect Members’ concerns to the responsible division.

VI. Any Other Business and Date of Next Meeting

31. There being no other business, the Chairman announced that the meeting closed at 10:56 am. The next meeting would be held on 5 December 2016.

Action

Tuen Mun District Council Secretariat

Date: 17 November 2016

File Ref: HAD TM DC/13/25/CIHC/16