

Minutes of the 9th Meeting of
the Commerce, Industry and Housing Committee (2016-2017) of
the Tuen Mun District Council

Date: 3 April 2017 (Monday)

Time: 9:30 a.m.

Venue: Tuen Mun District Council (TMDC) Conference Room

<u>Present</u>		<u>Time of Arrival</u>	<u>Time of Departure</u>
Ms CHING Chi-hung (Chairman)	TMDC Member	9:30 a.m.	End of meeting
Mr CHAN Manwell, Leo (Vice-chairman)	TMDC Member	9:30 a.m.	End of meeting
Mr LEUNG Kin-man, BBS, MH, JP	TMDC Chairman	9:30 a.m.	End of meeting
Mr LEE Hung-sham, Lothar, MH	TMDC Vice-chairman	9:30 a.m.	End of meeting
Ms KONG Fung-yi	TMDC Member	9:30 a.m.	End of meeting
Ms WONG Lai-sheung, Catherine	TMDC Member	9:30 a.m.	End of meeting
Mr AU Chi-yuen	TMDC Member	9:30 a.m.	End of meeting
Ms HO Hang-mui	TMDC Member	9:30 a.m.	End of meeting
Mr LAM Chung-hoi	TMDC Member	9:30 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	9:32 a.m.	11:53 a.m.
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	9:32 a.m.	End of meeting
Mr MO Shing-fung	TMDC Member	9:38 a.m.	End of meeting
Mr YEUNG Chi-hang	TMDC Member	9:30 a.m.	End of meeting
Mr YAN Siu-nam	Co-opted Member	9:30 a.m.	End of meeting
Mr TAM Chun-yin	Co-opted Member	9:30 a.m.	End of meeting
Mr FUNG Pui-yin	Co-opted Member	10:51 a.m.	End of meeting
Mr NG Kwok-yan, Akina	Co-opted Member	10:19 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 TO Sheck-yuen, MH	TMDC Member
Mr NG Koon-hung	TMDC Member
Ms MA LO Kam-wah, Virginia	Co-opted Member
Mr NG Ka-ho, Andrew	Co-opted Member

In Attendance

Ms KOO Kit-yee, Angie	Senior Liaison Officer (1), Tuen Mun District Office, Home Affairs Department
Ms CHAK Man-ye, Rene	Liaison Officer i/c Building Management & Town Centre, Tuen Mun District Office, Home Affairs Department
Mr CHOI Chi-man, Michael	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
Mr HO Chik-tung, Dennis	Labour Officer (Workplace Consultation Promotion), Labour Department
Mr MOK Hing-cheung	Administrative Assistant/Lands, District Lands Office, Tuen Mun, Lands Department
Ms CHAU King Mui, Alice	Senior Health Inspector (Joint Office), Food and Environmental Hygiene Department

I. Opening Remarks

The Chairman welcomed all present to the 9th meeting of the Commerce, Industry and Housing Committee (“CIHC”).

2. 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 TMDC 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

3. The Secretariat reported that it had received a notice from a co-opted member, Ms. MA LO Kam-wah for leave of absence.

III. Confirmation of Minutes of the 8th Meeting Held on 6 February 2017

4. The Chairman said that the Secretariat received an amendment proposal raised by the Independent Commission Against Corruption and Members were informed of the amendment by email on 29 March 2017. She enquired whether Members agreed with the above amendment proposal.

5. As Members at the meeting had no objections, the above minutes of meeting were confirmed.

IV. Matters Arising**(A) Suggestion to Improve the Facilities of Pitches/Courts of the Housing Department****(Paragraphs 7 to 18 of Minutes of Previous Meeting)****(CIHC Paper No. 1/2017)****(Written Response of Housing Department)**

6. The Chairman said that the CIHC had requested the Housing Department (“HD”) at the last meeting to provide a schedule for the provision of goal nets and contact the DC Members of the constituency concerned to collect their views on the facilities in public housing estates in Tuen Mun district for discussion at this meeting. She invited the HD to report on the progress of the above work.

7. Ms Christina CHENG, Housing Manager of the HD replied that the Department

had interviews with 13 DC Members of the constituency concerned about the nine public housing estates and Shui Wai Yuen Garden between 21 and 31 March 2017. Of them, seven DC Members of the constituency concerned of the six public housing estates (Tai Hing Estate, On Ting Estate, Butterfly Estate, Fu Tai Estate, Lung Yat Estate and Sam Shing Estate) said they did not have any specific views while the remaining five DC Members of the constituency concerned offered the following views:

- (i) Po Tin Estate: the DC Member of the constituency concerned hoped that the department would provide the following facilities for the pitches/courts in the district according to their priorities: (a) basketball nets and soccer goal nets, (b) vinyl pitch/court floor, (c) drinking fountains and (d) lockers;
- (ii) Yau Oi Estate: two DC Members of the constituency concerned requested the department to provide the facilities described in (i) for the pitches/courts in the estate, and consider to include the above facilities in the standard facilities. They also suggested that the department should pay attention to the arrangement of upkeep and maintenance in future;
- (iii) Wu King Estate: the DC Member of the constituency concerned put forward the following proposals: (a) provide a higher goal net for the 7-a-side soccer pitch; (b) improve the design of the grandstand of the soccer pitch to prevent accumulation of rubbish; and (c) provide a toilet at suitable location; and
- (iv) Leung King Estate: the DC Member of the constituency concerned requested the department to explain in detail the improvement works of the Shui Wai Yuen Soccer Pitch in the action plan for 2017-2018. It was also reflected that the lighting in the soccer pitch was inadequate and the floor was damaged. The department was requested to resurface the pitch floor and plant trees nearby.

8. Ms CHENG of the HD said she would reflect the above views to the department and thanked the DC Members of the constituency concerned for being interviewed.

9. The Chairman said that some of the minor works such as the provision of goal nets could be the responsibilities of the Estate Management Advisory Committee (“EMAC”). However, the department should allocate more resources for the works which involved a greater amount of money.

10. Members offered their views in the first round, which were summarised as follows:

- (i) The resources of the EMAC had few resources. If the resources of the EMAC were used for improvement works, the use of resources of the EMAC would be affected. Moreover, the department should review the items in the standard facilities;
- (ii) The department did not invite him to pay a site visit and he did not have an opportunity to go through the information in the department's report. He hoped that the department would maintain good communication with the DC Members of the constituency concerned;
- (iii) The department was requested to reply whether the views offered the DC Members of the constituency concerned would be implemented. She also said the Tenants Purchase Scheme ("TPS") Estates did not have EMACs. She hoped the department could strengthen contacts with the DC Member of the constituency concerned in these estates;
- (iv) The soccer pitches in Kin Sang Estate and Tin King Estate were managed by the HD but the HD did not interview the DC Member of the constituency concerned in the above areas. He hoped that both public housing estates and TPS estates should be treated fairly;
- (v) The department should implement the minor works such as the provision of goal nets in the first instance and observe its effect. Moreover, he hoped that the department could keep abreast with the society and review the standard of facilities again and make improvements;
- (vi) It was hoped the provision of goal nets for the pitches could be implemented as soon as possible. Therefore, he did not have any objection to the use of the resources of EMAC for the above works. Moreover, he found it difficult to understand why the department replied there would be no provision of drinking fountains. He opined that the proposal could satisfy the needs of the users and reduce the drinking of bottled water to promote environmental protection. He hoped that the department would consider the proposal again and include drinking fountains as standard facilities;
- (vii) When he inspected the facilities in the district, the facilities in the Shui Wai Yuen soccer pitch were found behind the times the most. As the pitch was used for playing soccer and handball, he suggested that the department should pay attention to the floor marking to see if they were accurate when there was a plan to pave the pitch again. Moreover, Shui Wai Yuen was quite far away

from shops so he suggested that the department should provide drinking fountains; and

- (viii) The department should carry out improvement works for all public housing estates systematically instead of individual estates.

11. Ms CHENG of the HD replied that the EMAC had allocations for minor works and maintenance so the use of EMAC's resources for the provision of goal nets was in line with usual practice. Moreover, as there was a balance of more than 30% of the EMAC allocations for 2016-2017, the department suggested considering the use of EMAC's resources to carry out minor works for more effective use of resources.

12. She added that the facilities management in TPS estates such as Tin King Estate and Shan King Estate was the responsibility of property management companies. However, the department had received many comments saying that the facilities at Shui Wai Yuen were rather shabby so she took the opportunity to pay a site visit. On the renovation arrangement of the facilities in TPS estates, the department had requested the property management companies to include the renovation works in the action plan for the coming year.

13. The Chairman said that the property management companies of the TPS estates had not contacted the DC Members of the constituency concerned for many years. She requested the department to reflect to the property management companies and asked the property managers concerned to contact the DC Members of the constituency concerned at their own initiative. Moreover, regular meetings should be held to allow the DC Members of the constituency concerned have an understanding of the situations of the TPS estates. She also said that the department needed to pay a site visit with the DC Members of the constituency concerned in order to understand the actual needs of the estates. The department should also reply whether the proposals for the estates would be implemented.

14. Members offered their views in the second round, which were summarised as follows:

- (i) It was hoped a consensus could be reached with the department through the CIHC meeting and the improvement of the facilities in the public housing estates in Tuen Mun district would be implemented as soon as possible;
- (ii) Standard facilities of the department appeared to be non-existing beyond Members' expectations. The department was urged to review whether the

standard facilities moved with the times; and

- (iii) The department should not refuse the provision of the facilities suggested by Members merely because the facilities were not standard.

15. The Chairman concluded by saying that government departments should not have double standards on facilities management. The HD was urged to refer to the standard facilities of the Leisure and Cultural Services Department to optimise the facilities in public housing estates. She requested the HD to arrange a priority for the proposals which could be implemented and to provide a schedule of implementation so the CIHC could continue discussion. She also requested the DC Members of the constituency concerned to clarify which items would be the responsibility of the EMAC at its meeting.

HD

16. Members suggested that the department should explain at the next meeting how standard facilities in public housing estates were worked out and provide a list of the standard facilities.

HD

V. Discussion Items

- (A) **Request the Joint Office for Investigation of Water Seepage Complaints to Introduce Advanced Equipment and Review the Existing Procedures for Water Seepage**
(CIHC Paper No. 6/2017)
(Written Response of the Joint Office of Buildings Department and Food and Environmental Hygiene Department)

17. The Chairman welcomed Ms CHAU King-mui, Alice, Senior Health Inspector (Joint Office) of the Food and Environmental Hygiene Department (“FEHD”) to the meeting.

18. The proposer of the paper said that water seepage in a building often caused great nuisance to residents. However, the FEHD currently used colour powder to test water seepage and the source of seepage in some of the cases had not been identified after more than one year. Currently, there was other more advanced equipment in the market e.g. infrared camera, which could help identify the source of water seepage. It was suggested the department should consider the purchase of advanced equipment to deal with the water seepage cases more efficiently.

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

- (i) The efficiency of the Joint Office for Investigation of Water Seepage

Complaints (“JO”) was far from satisfactory. The scope of investigation was narrow and only cases involving sewage would be handled. If the source of seepage involved fresh water or rain water, the case would not be entertained by the office;

- (ii) The reply from the JO said infrared camera and microwave tomography scanning device would be employed to test the source of seepage in some complicated water seepage cases in the form of a pilot scheme. She enquired whether the department had included Tuen Mun district in the pilot scheme;
- (iii) In dealing with water seepage cases in the past, JO staff reflected to him that the equipment of the department was behind the times. Moreover, he queried why the study report of the consultant would take three years to complete and enquired why the humidity of the seepage location needed to be higher than 35% for it to be confirmed as a water seepage case;
- (iv) It was queried that it would not take three years if the JO was determined to replace the equipment. He said serious seepage problem would affect home hygiene. The department was urged to increase manpower for higher efficiency;
- (v) It was suggested that the Chairman of the Environment, Hygiene and District Development Committee (“EHDDC”) should consider to invite professionals in the industry to attend the EHDDC meeting and provide advice so the water seepage problem could be followed up in depth;
- (vi) The manpower of the JO was seriously insufficient. For some cases, it took one month before there was an arrangement for staff to pay a visit at the seeping flat. He suggested that the JO should streamline the investigation procedures and carry out stage 2 and stage 3 investigations simultaneously, i.e. the FEHD and the Buildings Department (“BD”) carried out investigations at the same time to shorten the handling time;
- (vii) The EHDDC discussed the water seepage problem ten years ago. At the time, the JO said it would study the development of new testing equipment. She did not understand why the department did not consider to purchase suitable equipment in the market;
- (viii) It was suggested the JO should consider to outsource the cases to allow the

people who were more professional to deal with the water seepage cases. Moreover, it was opined that public money should not be used to subsidize owners of private residential flats. It was suggested the department should collect charges to the water seepage cases involving private residential flats; and

- (ix) Among the water seepage cases handled, investigation could not be completed within 95 days in most of the cases. Some cases needed to be solved through law suits when the investigation results of the JO and the surveyor were not consistent. He said that if the JO did not have sufficient professionals, the investigation procedures should be outsourced.

20. Ms CHAU of the FEHD said that she would give a reply to the investigation procedure of seeping buildings and the prosecution procedure. On the use of testing equipment, she would invite Mr CHOI Chi-man, Michael, Senior Building Surveyor of the BD to reply.

21. Mr CHOI of the BD responded that the JO would use infrared camera and microwave tomography scanning device to deal with the water seepage cases which were more complicated. There was certain difficulty in looking for the source of seepage. Even through advanced equipment was used, the result would vary in different environments. Therefore, other tests or information were required before the source of seepage could be ascertained. Moreover, the surface humidity of concrete or plaster would maintain at a certain level because of the relative humidity of the perimeter environment. If the surface humidity of the concrete or plaster was not apparently higher than the basic humidity, the JO could not ascertain whether there was water seepage. In view of the basic humidity of concrete or plaster and according to the data and experience of cases in the past, the JO used the humidity reading of 35% as the indicator for the commencement of an investigation. It was hoped resources could be used more objectively and effectively. Although the JO would not take follow-up action on the cases of which surface humidity reading at the seeping location was below 35%, the informant could inform the JO if the water seepage worsened in future. Then the JO staff would go to the affected flat again for investigation. On the replacement of testing equipment, the department had commissioned a consultant to do a study, refer to local and overseas development in science and technology and review the current investigation procedures for improvement. It was expected the report would be completed at the end of 2017.

22. Ms CHAU of the FEHD added that with the buildings in Tuen Mun getting old, water seepage cases doubled and doubled every year. However, the manpower of the JO

did not increase in line with the rise of cases. Therefore, the time in handling the cases became relatively longer. Generally speaking, after the JO received a complaint about water seepage, investigation would be carried out in three stages. In stage 1, humidity at the seeping location would be tested to decide if the case could be confirmed. If the case was confirmed, the JO staff would examine the nature of water seepage at the flat concerned. If it was suspected that fresh water was involved, it would be passed to the Water Supplies Department (“WSD”) for further action. If the water seepage was caused by rain water through the external wall or seepage from the roof, the case concerned would not fall within the law enforcement area of the JO under the current law.

23. She added that the JO would look for the seeping location through the principles of non-destructive and elimination process in stage 2. The sewage pipe would be tested to see if there was any damage causing the seepage. Then in Stage 3, the floor would be examined. The tests in these two stages would rely on observation or whether the colour water would seep to the flat concerned. Apart from taking time in the investigation, many citizens were not willing to cooperate with the JO so some cases of investigation would take a longer time.

24. The Chairman invited the department representative to reply to the enquiries made in the first round, including (i) why the study report would take three years to complete; (ii) whether the pilot scheme covered Tuen Mun district; and (iii) the staff establishment of the JO.

25. Mr CHOI of the BD said that the number of water seepage cases investigated with advanced equipment in a pilot scheme in Tuen Mun district would be provided by him after the meeting. Moreover, as it was necessary to choose suitable cases for field testing for the revision of technical guidelines, the department expected the study report would not be completed until the end of 2017.

BD

26. Members offered their views and made enquiries in the second round, which were summarised as follows:

- (i) The JO was not aggressive when handling water seepage cases, relying on owners of private flats and surveyors to solve the water seepage problem. This did not fall within the expectation of the public. Moreover, when the FEHD replied to the owners about the result of the water seepage test, they should state clearly that even if the source of seepage could not be identified, it did not mean there was no water seepage in the flat. Otherwise, owners would refuse follow-up action by saying that the department could not identify the source of

seepage;

- (ii) If the JO could not identify the source of seepage, it would suggest that the owner should take follow-up action with a consultant themselves. She opined that the JO should purchase advanced equipment to handle these cases. Moreover, some of the water seepage cases involved damaged sewage pipes on the external wall of a building, thus causing sewage to seep into the flat. Then the JO would transfer the case to the BD for follow-up action as the source of seepage was outdoors. However, because there was no immediate danger, the BD would issue an advisory letter only to the owner of the flat involved, which had no legal effect. Normally, the owner was not willing to carry out repair immediately so the water seepage would continue. She opined that no matter whether the source of seepage was indoors, the JO should take follow-up action when it involved sewage;
- (iii) The main point of the problem was the JO had a great difference with other consultants in the market in the provision of service. If the consultant report would take three years to complete, the department should ask the consultant to submit an interim report;
- (iv) The WSD was contacted and it said fresh water test was the responsibility of the FEHD, which was different from the department representative's reply. The JO should increase manpower to deal with water seepage cases expeditiously;
- (v) The JO was enquired what criteria would be used when deciding whether advanced equipment would be employed to test water seepage, and would the proposal provided by the study report move with the times three years later?
- (vi) It was suggested the JO should enhance publicity and educate citizens how to settle water seepage dispute. It should refer to the Mandatory Building Inspection Scheme/ Mandatory Window Inspection Scheme of the BD and request owners to inspect water pipes regularly;
- (vii) The JO was repetitious in transferring water seepage cases to different departments continuously. The government should establish an independent department to handle these cases. Moreover, seepage caused by rain water should also be nuisance, which should be handled by the department together; and

(viii) If different colour water was used, it could be identified at different locations. Why didn't the department carry out stage 2 and stage 3 investigations at the same time?

27. Ms CHAU of the FEHD replied that there were 20 staff in the JO of Tuen Mun district, which could not meet the ever rising water seepage cases in the district. Therefore, it was hoped residents could discuss and solve the problem themselves in the first instance. Recently, poster publicity of the JO also recommended that "we should cooperate with neighbours to stop water seepage". Currently, if it was suspected that the source of seepage involved fresh water, the JO would assist the WSD in carrying out reversible pressure tests. If it was confirmed that fresh water pipe was the source of seepage, the JO staff would transfer the case to the WSD for follow-up action. If it involved damaged sewage pipe on the external wall, the department would transfer the case to the BD for follow-up action. Currently, the JO used seven colour water to test the sewage pipes and floors at different locations. If the source of seepage was confirmed, the department would inform the owner of the exact location with a Nuisance Notice and asked the owner to complete the repair within the specified period. The JO had solved many residents' water seepage problems with colour water test. As the test would take some time, it was hoped owners would cooperate with the JO in its work as far as possible during the period of investigation in order to avoid affecting the progress of investigation.

28. Mr CHOI of the BD added that if the source of seepage could not be identified after the water seepage case had been repeatedly tested (e.g. by water ponding test or water spray test), the JO would consider to use the advanced equipment in the pilot scheme to carry out a test. He would provide the number of water seepage cases handled through the pilot scheme in Tuen Mun district after the meeting, and confirm whether the consultant would provide an interim report on the study. If the source of seepage was the water pipes on the external wall of a building, the BD would issue an advisory letter and repair order (if necessary) to the owner concerned.

BD

(Post-meeting note: the BD said that, in the past, the JO had chosen nine cases in Tuen Mun district where infrared camera and microwave tomography scanning device were used to try to identify the source of seepage. The JO had commissioned a consultant to do a study, which was expected to be completed in 2017. As the finding of the study would be used as reference by the government, the JO had no plan to release the study report to the public.)

29. Members offered their views and made enquiries in the third round, which were

summarised as follows:

- (i) It was suggested the JO could transfer the prosecution process to the Department of Justice or lawyers of the Hong Kong Law Society. It was also suggested the CIHC should form a working group on water seepage for follow-up action;
- (ii) It was hoped the JO would report to the DC at its own initiative upon receipt of the study report from the consultant. Moreover, it should provide the exact time for the introduction of new testing equipment and technology by the JO in Tuen Mun district;
- (iii) The government should allocate more resources to the JO so the department could increase manpower; and
- (iv) It was suggested the JO should outsource the process, and there should be legislation for the inspection of water pipes in a building every 20 years.

30. The Chairman requested department representatives to help Members reflect the above views. On Members' proposal to form a working group, the Chairman said the FEHD was not a standing representative of CIHC. As the department had been reporting to the EHDDC on water seepage regularly, it was suggested the above proposal should be considered by the Chairman of EHDDC.

VI. Reporting Items

(A) Work Reports by Working Groups under CIHC **(CIHC Paper No. 7/2017)**

(i) Working Group on Occupational Safety and Health

31. Members noted the above work report.

(ii) Working Group on Economic Development in Tuen Mun

32. The convenor of the above working group said that the working group had convened six meetings this year. Last December, it worked with the Yan Oi Tong for the training of 38 docents, who took more than 400 tourists to travel Tuen Mun. Moreover, the working group promoted Tuen Mun with the mobile applications of Tuen Mun Travel. He opined that the working group could continue to increase the content of the mobile application in the coming year to promote Tuen Mun further.

33. Members opined that it was not necessary to repeat the content set out in the work report of the working group at the meeting.

34. The convenor replied that it was hoped Members would know the working group had used resources properly.

(iii) Working Group on Building Management

35. Members said that the working group had made a batch of white towels some time earlier as souvenirs for Members to distribute them to residents. She reflected that some residents hoped to receive towels of other colours. It was hoped the working group would consider the views concerned.

36. Another Member said that the working group requested Members to count the towels which had not been distributed and took a photo as record. He opined that this could prevent someone from embezzlement and enquired whether all Members had submitted a report as requested.

37. The Chairman, who was also the convenor of the working group, said that she would report on the result concerned at the next meeting as Members could still submit a report before the end of this month.

(iv) Working Group on Monitoring of Link

38. The convenor of the working group added that its members would examine the arrangement of the loading and unloading bay and trees replanting at On Ting Estate.

39. A Member said the HD had promised at the meeting of the working group that it would contact him to arrange for an inspection of the trees replanting at On Ting Estate at their own initiative, and discuss with the Link Asset Management Limited and the Owners Incorporation for the cancellation of the restrictions on the entry into Siu On Estate. However, there was no follow-up after the closing of the meeting. He requested the Chairman to consider to write to the HD through the CIHC to reflect it.

40. The convenor said that the tenure of the working group would expire in June 2017. If Members agreed, they could extend the tenure of the working group.

HD

41. The Chairman requested Ms CHENG of the HD to reflect the above situation to the department and said the CIHC would discuss the tenure of the working group at the next meeting.

42. The Chairman announced that the above four work reports were endorsed.

(B) **Work Report on Private Building Management in Tuen Mun District**
(CIHC Paper No. 8/2017)

43. Members pointed out that the above work report showed that during the period between 1 January and 28 February 2017, the Tuen Mun District Office (“TMDO”) did not receive any cases seeking assistance on water seepage. She opined that the information was not consistent with the data of water seepage cases provided by the JO in the Progress Report of the discussion paper of the EHDDC. Therefore, she enquired about the accuracy of the data.

44. Ms Rene CHAK of the TMDO said that what the data of the above paper had reflected the figures of the cases seeking assistance from the TMDO under different situations. She confirmed that TMDO did not receive any cases in which owners sought assistance on water seepage during the period between 1 January and 28 February 2017.

45. Members noted the content of the above work report.

(C) **Report by BD**
(CIHC Paper No. 9/2017)

46. A Member reflected that an owner sought assistance from him, saying that a letter was received from the HD for the removal of the canopy outside the house. When he inspected the illegal hawking with the staff of the TMDO and the chairman and vice-chairman of the TMDC some time ago, he found that a shop owner had erected a rack which was over 10 feet long on the vertical wall of the shop but the HD did not ask any shop owner to remove it. He opined that the HD had different standards in law enforcement.

47. Mr CHOI of the BD said that if structures such as canopy, signboard and air-conditioners of the shops met the specified safety standard, the department would specify them as “Amenity Facilities’ and would not carry out law enforcement actions. In accordance with the Minor Works Control System implemented on 30 December 2010, the Registered Person or Contractor needed to inform the BD of certain simple works before their commencement and after their completion only and no prior approval was required from the department. If the structures of the shops were not erected in accordance with the procedures of the Minor Works Control System and was completed after the implementation of the law, the department would ask the shop owners to demolish them. However, the department would take law enforcement action together with major operations as there were far too many such structures.

48. Members said they hoped that the BD could provide more information about the above situation. He requested the department to arrange for the representative to contact him for follow-up action.

BD

49. The Chairman enquired the BD whether they could provide data on the progress of the Mandatory Building Inspection Scheme and Mandatory Window Inspection Scheme in Tuen Mun district, and whether any owner was prosecuted in the district.

50. Mr CHOI of the BD responded that the above report had set out the data on the progress of the Mandatory Building Inspection Scheme and Mandatory Window Inspection Scheme in Tuen Mun district. He would provide the data on the cases of prosecution after the meeting.

(Post-meeting note: the BD said that the BD and the Independent Checking Units of the HD had served penalty notices for 76 and 151 cases respectively in connection with the Mandatory Window Inspection Scheme. There was no case of prosecution for the Mandatory Building Inspection Scheme.)

51. Members noted the content of the BD's report.

VII. Any Other Business and Date of Next Meeting

52. There being no other business, the Chairman closed the meeting at 11:46 a.m. The next meeting would be held on 5 June 2017.

Tuen Mun District Council Secretariat

Date: 17 May 2017

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