

(Translation)

Minutes of the 4th Meeting of
Environmental and Health Affairs Committee Meeting (2/16-17)

Date : 7 July 2016 (Thursday)
Time : 2:30 p.m.
Venue : Main Conference Room, Tsuen Wan District Office

Present:

Members

Mr CHOW Ping-tim (Chairman)
Mr CHENG Chit-pun (Vice Chairman)
Mr MAN Yu-ming, MH
Mr TIEN Puk-sun, Michael, BBS, JP
Mr KOO Yeung-pong
Mr NG Hin-lung, Norris
Mr LI Hung-por
Ms LAM Yuen-pun, Phyllis
Ms LAM, Lam Nixie
Mr LAM Faat-kang, MH
The Hon CHAN Han-pan, Ben, JP
Mr CHAN Chun-chung, Jones
Mr CHAN Sung-ip, MH
Mr WONG Ka-wa
Mr WONG Wai-kit
Mr KOT Siu-yuen
Mr CHUNG Wai-ping, SBS, MH
Mr LO Siu-kit
Mr TAM Hoi-pong

Co-opted Members

Ms LUI Dik-ming
Mr LAM Kwok-on
Mr LAM Fook-chuen
Ms CHOW Chin-tung

Government Representatives

Mr CHONG Kong-sang, Patrick	Assistant District Officer (Tsuen Wan), Tsuen Wan District Office
Mr CHAN Kwok-hung	Chief Health Inspector 1, Food and Environmental Hygiene Department
Ms CHUI Pui-sim, Patience	Assistant District Leisure Manager(Tsuen Wan)4, Leisure and Cultural Services Department
Mr TAI Moon-kwong, Daniel	Senior Environmental Protection Officer(Regional West)2, Environmental Protection Department
Mr CHU Man-kit	Engineer/Tsuen Kwai 2, Drainage Services Department
Mr CHONG Kwok-wai	District Engineer/Tsuen Wan, Highways

Mr LI Pui-sang	Department Contract Project Coordinator/2 (NTW), Civil Engineering and Development Department
Mr CHEUNG Ho-wing, Louis	Town Planner/Tsuen Wan 2, Planning Department
Mr CHENG Chi-hung	Housing Manager/TTI2, Housing Department
Mr LAU Kwun-tat	Land Executive/Control 3 (District Lands Office, Tsuen Wan and Kwai Tsing)
Mr YUNG Chi-wai	Senior Inspector of Works, Tsuen Wan District Office

Tsuen Wan District Council Secretariat
Representatives

Miss LAM Siu-yung, Daisy	Senior Executive Officer (District Council), Tsuen Wan District Office
Mr LEE Shing-fai, Henry (Secretary)	Acting Executive Officer (District Council)1, Tsuen Wan District Office

Attendance by Invitation:

For discussion of items 2A, 2B, 2D and 6

Mr CHAN Wing-kin, Brian	Patrol Sub-Unit Commander 2 (Tsuen Wan), Hong Kong Police Force
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For discussion of item 2D

Mr LEE Wing-wa	Senior Transport Officer/Public Pier, Transport Department
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For discussion of item 2E

Mr YU Kam-cheung, Simon	Building Services Engineer/General Engineering Services/B6, Architectural Services Department
Mr YIP Leung-ming	Senior Building Services Inspector/General Engineering Services/B2/1/1, Architectural Services Department

For discussion of item 2F

Mr NG Chi-hong, Caddy	Senior Assistant Shipping Master/Cargo Handling (2), Marine Department
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For discussion of item 2G

Mr WONG Hung-lok, Steven	Senior Environmental Protection
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Mr YU Wing-lun, Alan	Officer(Waste Reduction & Recycling)2, Environmental Protection Department Environmental Protection Officer(Waste Reduction & Recycling)23, Environmental Protection Department
<u>For discussion of item 3</u> Mr LAM Cheuk-fung	Senior Environmental Protection Officer(Sewerage Infrastructure)4, Environmental Protection Department
Ms WONG Hiu-man, Angel	Environmental Protection Officer (Sewerage Infrastructure)42, Environmental Protection Department
Mr SEIT Kin-fun	Senior Engineer/Consultants Management 4, Drainage Services Department
Mr LEI Kuok-kun	Engineer/Consultants Management 12, Drainage Services Department
Mr FOK Chun-sing Mr CHOW Wan-yin	Associate Director, Atkins Project Engineer, Atkins
<u>For discussion of item 4</u> Mr SZETO Wai-tun	Engineer/NTW (Distribution 1), Water Supplies Department
Mr CHAN Ka-kit	Engineer/Consultants Management 16, Water Supplies Department
Mr LO Chi-hang, Robo Mr LAM Kong-keung, Paul Mr LEE Ngai-shing	Senior Resident Engineer, AECOM Resident Engineer, AECOM Resident Engineer, Black & Veatch
<u>For discussion of item 5</u> Mr LEUNG Cho-shing, Joe	Environmental Protection Officer(Assessment & Noise)33, Environmental Protection Department
<u>For discussion of item 7</u> Mr CHAN Chi-sing	Senior Health Inspector(Hawker), Food and Environmental Hygiene Department
<u>For discussion of item 8</u> Mr KO Po-wai	Senior Health Inspector(Environmental Hygiene)2/Joint Office, Food and Environmental Hygiene Department
Mr LEUNG Chun-wai	Professional Officer 1/Joint Office 2, Buildings Department
Miss TONG Sze-yin	Engineer/Customer Services

(Inspection) NTW, Water Supplies
Department

Absent:

Co-opted Member

Mr TSE Wing-hong

Action

The Meeting

I Opening Remarks and Introduction

The Chairman welcomed the Members and representatives from the government departments to the 4th meeting of the Environmental and Health Affairs Committee (EHAC) and introduced:

- (1) Mr CHONG Kong-sang, Patrick, who replaced Mr LEUNG Chun-hei, Winsor to assume the post of Assistant District Officer (Tsuen Wan);
- (2) Mr CHAN Kwok-hung, who replaced Mr YIP Kwok-cheung to assume the post of Chief Health Inspector 1 of the Food and Environmental Hygiene Department (FEHD);
- (3) Mr CHU Man-kit, who replaced Mr NG Chun-ling to assume the post of Engineer/Tsuen Kwai 1 of the Drainage Services Department (DSD);
- (4) Mr LAU Kwun-tat, who replaced Mr KONG Tak-shing to assume the post of Land Executive/Control 3 of the District Lands Office (DLO), Tsuen Wan and Kwai Tsing;
- (5) Mr LI Pui-sang, who replaced Mr FUNG Ka-ho, Carlos to assume the post of Engineer/11(NTW) of the Civil Engineering and Development Department (CEDD); and
- (6) Ms CHUI Pui-sim, Patience, Assistant District Leisure Manager(Tsuen Wan)4 of the Leisure and Cultural Services Department (LCSD), who attended this meeting on behalf of Mr YEUNG Chi-yan.

2. The Chairman reminded Members that according to section 15(3) of the Tsuen Wan District Council Standing Orders, “in the course of a meeting of the Council, all persons attending or sitting in on the meeting at the place of the meeting shall switch off all devices which may emit sound and shall not use any telecommunications devices for conversation” in order to ensure the smooth progress of the meeting.

II Item 1: Confirmation of Minutes of the 3rd Meeting held on 5.5.2016

3. The Chairman said that the Secretariat had distributed the minutes of the 3rd meeting to Members earlier. The Secretariat had received one amendment proposal from Mr NG Hin-lung, Norris before the meeting.

4. The Secretary reported that the proposal was about the amendment to paragraph 49 of the minutes of the 3rd meeting. It was proposed that “青龍頭 96 號及 90M 號小巴” (“the minibus (terminus) of Tsing Lung Tau 96 and 90M routes”) should be amended as “青龍頭 96 號及 96M 號小巴” (“the minibus (terminus) of Tsing Lung

Tau 96 and 96M routes”).

5. The minutes of the 3rd meeting and the amendment proposal were confirmed.
6. The Chairman said that agenda item 2E would be firstly discussed at the request of the departments concerned.

III Item 2: Matters Arising from the Minutes of the Previous Meeting

(E) Paragraph 32 to 39 of Minutes of the Meeting held on 5 May 2016: Request to Improve the Environment of the Waiting Area of the Minibus Terminus in Sai Lau Kok Multi-storey Carpark

7. The Chairman welcomed the representatives from the Architectural Services Department (ArchSD) who specially joined the meeting, including:

- (1) Mr YU Kam-cheung, Simon, Building Services Engineer/General Engineering Services/B6 (Bldg Services Engr/Gen Engineering Services/B6); and
- (2) Mr YIP Leung-ming, Senior Building Services Inspector/General Engineering Services/B2/1/1.

Besides, the Government Property Agency (GPA), Transport Department (TD) and Electrical and Mechanical Services Department (EMSD) had submitted letters of reply for the matters concerned prior to this meeting for Members' perusal.

8. Bldg Services Engr/Gen Engineering Services/B6 of the ArchSD reported that as some Members expected for the provision of fan which was raised at the last meeting, the ArchSD and Tsuen Wan District Office (TWDO) had carried out an inspection and identified a location that was unaffected by rainfall and suitable for the installation of fan, with a view to improving the environment of the waiting area. In the light of limited space, the ArchSD proposed to start with installing one fan to identify the effectiveness of the fan and to see whether the situation would be improved.

(Note: The Hon CHAN Han-pan, Ben joined the meeting at 2:40 p.m.)

9. The Chairman enquired whether one fan was adequate and when the installation work would be completed. As it was already summertime, it was expected that the TWDO and ArchSD would follow up the matters concerned as soon as possible after the meeting.

10. Bldg Services Engr/Gen Engineering Services/B6 of the ArchSD responded that the ArchSD had installed a fan at the mezzanine earlier. According to the normal procedures, the ArchSD would carry out valuation and make funding application after receiving a memorandum of the request concerned from the TWDO. If all went well, the ArchSD expected that the installation work would be completed in two weeks after the funding was received.

11. Mr LO Siu-kit stated that the outcome of retrofitting the mezzanine with an additional fan was satisfactory. However, there was no fan at the lift location on the ground floor at present. Thus, he enquired whether an additional fan would be installed at the said location.

12. Bldg Services Engr/Gen Engineering Services/B6 of the ArchSD responded that the TWDO was requested to put a mark at the physical location concerned. As the location was unaffected by rainfall, it was believed that there would be no big problem for installation of an additional fan.

13. The Chairman enquired if the ArchSD would show support after the TWDO had put a mark at the physical location for installation of an additional fan at Members' request.

14. Bldg Services Engr/Gen Engineering Services/B6 of the ArchSD responded that in addition to the fan mentioned earlier, the ArchSD would install one more fan at the lift location on the ground floor as proposed by Members, i.e. a total of two fans would be installed.

(A) Paragraph 4 to 11 of Minutes of the Meeting held on 5 May 2016: "Request Government Departments to Assist in Resolving the Matters Concerning Occupation of Public Area by Metals and Waste Paper Recycling Shops at Tak Wah Street"

15. The Chairman welcomed Mr CHAN Wing-kin, Brian, Patrol Sub-Unit Commander 2 (Tsuen Wan) (Patrol Sub-Unit Commander 2) of the Hong Kong Police Force (HKPF) who specially joined the meeting. Moreover, Mr CHAN Kwok-hung, Chief Health Inspector 1 (Ch Health Insp 1) of the FEHD would give response to Members' enquiries on behalf of the FEHD.

16. Ch Health Insp 1 of the FEHD reported that during April 2016 and June 2016, besides participating in the three inter-departmental joint operations conducted on a monthly basis, the FEHD had also arranged not less than six inspections and one prosecution was instituted against the shops concerned during the said period. The FEHD would continue to enhance the inspections and hoped that the situation concerned would be improved.

(Note: Mr WONG Wai-kit and Ms LUI Dik-ming joined the meeting at 2:45 p.m.)

17. Patrol Sub-Unit Commander 2 of the HKPF said that he attended this meeting on behalf of Chief Inspector of Police (Operations 1) (Tsuen Wan) (CIP (OPS 1)) of the HKPF who previously confirmed to join this meeting because CIP (OPS 1) needed to take part in an ad hoc operation. As he did not have the relevant information for the time being, he would record and relay Members' views to CIP (OPS 1) of the HKPF.

18. The Chairman stated that although it was undesirable, he accepted the HKPF's

explanation without really agreeing with it. Given that this item of matter arising had also been discussed at the EHAC meeting two months ago, if the representatives from the HKPF were unable to attend the EHAC meeting, they had to submit papers on the operations carried out by the HKPF before the meeting for Members' information.

(Note: Mr WONG Ka-wa joined the meeting at 2:46 p.m.)

19. Mr LO Siu-kit stated that the said issue had been discussed for years but no progress was made so far. He was disappointed at the figures provided by the departments. He was of the view that instead of provision of photos taken before the operation together with those taken after the operation, the departments mostly provided the photos taken after the operation. Besides, he considered that an on-site visit should be arranged and he had conducted a site visit at the location concerned with the Chairman in earlier years. The said problem was not spotted during the visit; however, the public area was occupied again when they returned to the location concerned one hour after the visit. Currently, he would conduct on-site visits at the location concerned four days a week and take pictures for record keeping. The shops in question would occupy pavements, carriageways and public area every single day but the FEHD had only instituted one prosecution despite the operations had been conducted for a number of times. Also, the HKPF failed to provide the relevant data. He hoped that various departments would be dedicated to their duties when conducting the joint operations. He also enquired whether the HKPF had instituted prosecution against the occupation of space between carriageways and railings.

20. Ch Health Insp 1 of the FEHD responded that the articles placed on pavement would be handled subject to the provisions under the relevant laws and regulations. The FEHD would take law enforcement actions in accordance with section 22(1)(a) of the Public Health and Municipal Services Ordinance (Chapter 132) if it found that its scavenging work was hindered. The FEHD could institute prosecution if the shop in question did not remove the articles. Moreover, if it was found that the road surface was occupied by the shop, where street obstruction was thus caused due to the pedestrian flow as well as the area of the road surface being occupied and the width of the road surface, the FEHD would also enforce the legislations relating to street obstruction. The FEHD would continue to strengthen the inspections and relevant prosecution actions.

21. The Chairman requested the FEHD to submit photos taken before and after operation at the next EHAC meeting, so that Members could understand more about the conditions before and after operation. Besides, regarding the penalty of \$1,500 for shop front extension, the documents which had been received recently indicated that the relevant legislation would be enforced on 24 September 2016. He enquired whether the implementation of the legislation would be conducive to improving the current situation of the shops concerned.

22. Ch Health Insp 1 of the FEHD responded that the new fixed penalty system would be implemented on 24 September 2016. This legislation was mainly targeted at the street obstruction problem. Meanwhile, prosecution would still be instituted in accordance with section 4A under the Summary Offences Ordinance (Chapter 228), i.e. the FEHD could only institute prosecution at the scene and enforce fixed penalty of \$1,500 under the new ordinance when it was found that the relevant offences were constituted by the shop. The newly-established fixed penalty system was more efficient than the existing summons system because the FEHD could institute prosecution immediately and the person being prosecuted was required to pay the fine within 21 days. Moreover, as the penalty was more stringent when comparing to the existing one, it was believed that a greater deterrent effect would be achieved.

23. The Chairman said that there were not any changes on the law enforcement by virtue of the relevant ordinances; however, on prosecution by issuance of summons, prosecution would be instituted immediately when the shop was in breach of the ordinance. He enquired whether other departments could take the law enforcement actions, besides the FEHD. In addition, Members mentioned that several on-street articles were shown in the photo. He enquired whether the staff of the HKPF would take law enforcement actions when the articles were found in the streets during the inspection; and whether the HKPF would take more stringent law enforcement actions in providing assistance when the fixed penalty under the ordinance came into effect in future.

24. Ch Health Insp 1 of the FEHD responded that the FEHD and HKPF were able to take law enforcement actions under the new fixed penalty system.

25. Patrol Sub-Unit Commander 2 of the HKPF responded that if the articles were found obstructing vehicles on the road during the inspections, the HKPF would look for the owner and take actions in accordance with the legislations as appropriate.

26. The Chairman said that the owner might not claim the goods kept by the authority concerned. Besides, parking was not allowed at the location concerned, but the photo showed that vehicles were parked for loading and unloading goods at the location concerned. If the street obstruction by goods was unable to be resolved, he enquired whether the HKPF could solve the problem caused by the vehicles.

27. Patrol Sub-Unit Commander 2 of the HKPF responded that if the driver was at the scene, the HKPF would immediately instruct and advise the driver to drive the vehicle away. The HKPF would take enforcement actions decisively for illegal parking.

28. The views, enquiries and suggestions of Mr LO Siu-kit were summarised as follows:

- (1) currently, three joint operations and six FEHD inspections were conducted. However, only one prosecution was instituted against the shops. He

- enquired whether the prosecution was instituted during the joint operations;
- (2) two uniformed staff members of the HKPF were at the scene for each joint operation. He enquired whether the HKPF could institute prosecution in accordance with section 4A under the Summary Offences Ordinance (Chapter 228). He had privately observed the joint operations in the past and found that other departments just stayed away and watched the FEHD to take law enforcement actions. The most stringent measure taken by the FEHD was the display of notice for four hours so as to advise the person concerned to remove the articles. He opined that various departments should take enforcement actions under their scope of duties during the joint operations. The HKPF should not take law enforcement actions only when the carriageway was seriously obstructed;
 - (3) according to the departments concerned, they would still have to institute prosecution in accordance with section 4A under the Summary Offences Ordinance (Chapter 228) even after the new ordinance of fixed penalty was implemented on 24 September 2016. He was worried about it and hoped that transition and consideration on the perspective of law enforcement of the new ordinance would be taken by that time;
 - (4) the HKPF and FEHD had conducted joint operations in the vicinity of the Concord Square. As it was found that some fruits were unclaimed at that time, the FEHD cleared the fruits immediately. The owner of the fruits would claim the fruits after clearance was made for one or two times; and
 - (5) he noted that besides the FEHD and HKPF, the Environmental Protection Department (EPD) and TWDO also took part in the current joint operations. He hoped that the three joint operations currently taken would yield effective outcome so as to avoid wasting resources.

29. The Chairman said that he raised the proposal of conducting inspection only because some Members were of the view that the EHAC should carry out inspection as well. Besides, he thought that the joint operations were effective and it would be the most desirable to conduct the joint operation on a daily basis. These operations also facilitated the new EHAC Members to learn more about the situation concerned at the site. In addition, the HKPF and FEHD mentioned that even after the ordinance of fixed penalty was implemented on 24 September 2016, they would still have to take law enforcement actions in accordance with the relevant procedures. As a Member mentioned that the FEHD had confiscated the fruits in the vicinity of the Concord Square, he enquired under what situation the goods were confiscated.

30. Senior Health Inspector(Hawker) (Sr Health Insp(Hawker)) of the FEHD responded that in an individual street in the vicinity of the Concord Square, the FEHD had earlier found that some fruits and abandoned objects were placed on the carriageway. The FEHD sought assistance from the HKPF because the owner was not identified. The fruits and abandoned objects above were regarded as unclaimed articles by the HKPF and the HKPF enforced the provisions under the legislations to confiscate the articles. The FEHD would collaborate with the HKPF to provide

manpower and storage space, and remove the articles within a short time.

31. The Chairman enquired on the reasons for the failure to take similar measures against the recycling shops concerned.

32. Ch Health Insp 1 of the FEHD responded that the FEHD and HKPF could consider conducting the joint operation against the recycling shops concerned by adopting the approach of handling the situation at the Concord Square. He believed that the current situation of Tak Wah Street would be improved.

33. Patrol Sub-Unit Commander 2 of the HKPF responded that the HKPF shared views with the FEHD. As the street in the vicinity of the Concord Square was seriously obstructed due to the placement of large quantities of vegetables that day, the HKPF took law enforcement actions decisively. The HKPF could discuss with the FEHD on whether similar actions would be taken against the recycling shops concerned in future and it was hoped that the situation would be improved as soon as possible.

34. The Chairman said that according to the FEHD, the relevant actions would be taken; but according to the HKPF, a discussion would be required. He was dissatisfied with it. He thought that the HKPF should take a key role. If the HKPF did not give instructions, it would be difficult for the FEHD to provide assistance in removing the articles concerned.

35. Patrol Sub-Unit Commander 2 of the HKPF responded that he would record the relevant views and give response as soon as possible after discussing with his supervisors.

36. The Chairman said that in the light of Members' views, he proposed to observe the situation after the implementation of the ordinance on 24 September 2016 and the outcome of the operations which were to be conducted in the upcoming months for the time being.

(B) Paragraph 12 to 22 of Minutes of the Meeting held on 5 May 2016: "Request Relevant Government Departments to Actively Improve the Semi-lawless (literally as "Not Monitored by All the Three Parties) Situation at Walkway around the Concord Square to Solve the Problem of Illegal Occupation of the Walkway by Shops that Affecting Pedestrian Safety"

37. The Chairman asked Ch Health Insp 1 of the FEHD to report on the latest situation of handling the illegal occupation of the walkway by the shops around the Concord Square.

38. Ch Health Insp 1 of the FEHD reported that during April and June 2016, besides conducting 17 joint operations with the HKPF around the Concord Square, the FEHD had also instituted 22 prosecutions against street obstruction and two prosecutions

against unlicensed hawking. Since May 2016, the FEHD had already enhanced the strength of law enforcement. The illegal occupation of the walkway by the shops at three black spots around the Concord Square, namely Chuen Lung Street, Ho Pui Street and San Tsuen Street, was improved. The FEHD would continue to enhance its enforcement work.

39. Mr LO Siu-kit said that the situation around the Concord Square had been discussed for years and significant improvements had been made in recent three to four months. Although some owners' corporations still expressed dissatisfaction over the said situation, he considered that the said problem was a long-term issue and hoped that it would be improved gradually, so that the residents would get adaptation to it. He added that the FEHD could only adopt an approach of attaching a notice and waiting for four hours in earlier years. If the articles were removed by one foot, enforcement actions could only be taken after another four hours and no further action could be taken against the problem at carriageway. The law enforcement actions jointly taken by the HKPF and FEHD would achieve a more deterrent effect and improve the situation effectively.

40. The Chairman said that it was revealed in this matter that the HKPF had the greatest power. If the HKPF was willing to take actions, the said situation would be improved. Also, he considered that in addition to the FEHD, the HKPF should also provide assistance for addressing the environmental hygiene problem. He hoped that Patrol Sub-Unit Commander 2 of the HKPF would reflect the situation to his supervisors and that there would be good news at the next EHAC meeting.

(C) Paragraph 23 to 25 of Minutes of the Meeting held on 5 May 2016: Request for Taking Operation against the Easy-mount Frames on the Two Bridges of Fou Wah Centre, Citistore and Chung On Street

41. The Chairman asked Ch Health Insp 1 of the FEHD to report on the follow-up work taken by the FEHD on the obstructions caused by the easy-mount frames on the two bridges of Fou Wah Centre and Citistore as well as the walkway in Chung On Street.

42. Ch Health Insp 1 of the FEHD reported that during April and June 2016, the FEHD had carried out inspections from time to time at the bridges outside Fou Wah Centre and Citistore and around the walkway in Chung On Street, from where 60, 48 and 65 retractable advertising banners were removed respectively, so as to combat the obstructions caused by the retractable advertising banners.

43. The views, enquiries and suggestions of Ms LAM, Lam Nixie and Mr LAM Faat-kang were summarised as follows:

- (1) it was applaudable that the situation at the bridges outside Fou Wah Centre and Citistore had been improved. However, hawkers were still selling goods at the said locations during weekends. As the pedestrian flow was higher on holidays, severe obstruction of the passageway was caused due to

the hawkers' stalls. Hence, it was hoped that the departments concerned would strengthen the enforcement actions; and

- (2) besides the said locations, there were many retractable advertising banners for commercial or other purposes at other locations. As the persons who put up the banners might be aware that the manpower for law enforcement might be relatively inadequate during weekends, they put up the retractable advertising banners from Friday nights to Sundays intentionally. It was considered that the number of retractable advertising banners removed by the FEHD did not match that of retractable advertising banners actually existed. Also, as it was considered that the peak time of the use of retractable advertising banners was coming up, enquiry was raised on whether the FEHD would take relevant actions and allocate more manpower to handle it.

44. Ch Health Insp 1 of the FEHD responded that as regards the problem of retractable advertising banners, the FEHD had noted that the situation became worsened during weekends and holidays. Therefore, a total of four clearance operations would be conducted daily on weekends and holidays. Having regard to the situations of different locations, the FEHD would conduct the operations from 2:00 p.m. to 9:00 p.m. mainly. The FEHD could consider enhancing the frequency of operations with a view to improving the current situation.

45. The Chairman proposed to continue to monitor the situation concerned.

(D) Paragraph 26 to 31 of Minutes of the Meeting held on 5 May 2016: Strongly Request the Relevant Government Departments to Actively Take Various Necessary Measures According to the Power of Law Enforcement conferred by the Legislation to Improve the Noise Problem caused by Performing Songs in a Loud Voice with Sound-Amplifying Equipment at Park Island Pier or the Streets near the Park so as to Ensure a Good Living Environment without Noise Nuisance in Tsuen Wan District

46. The Chairman welcomed Mr LEE Wing-wa, Senior Transport Officer/Public Pier (Sr Transp Offr/Public Pier) of the TD who specially joined the meeting.

47. The Chairman said that as this agenda item was raised by him, the Vice Chairman would take over the chair temporarily.

48. Patrol Sub-Unit Commander 2 of the HKPF reported that during May and June 2016, the HKPF had not received any relevant complaint.

49. Sr Transp Offr/Public Pier of the TD reported that as the Tsuen Wan Ferry Pier was a public place, the TD did not have any power to take law enforcement actions. However, the TD was also concerned about the said matters. Since the last EHAC meeting, the TD had continued to carry out inspection but no person was found singing with sound-amplifying equipment. The TD would continue to carry out inspection. If the said situation was found, the TD would immediately make referral

to the law enforcement authorities to undertake the follow-up work.

(Note: The Hon CHAN Han-pan, Ben left the meeting at 3:15 p.m.)

50. Mr CHOW Ping-tim said that although the said location was not within his constituency, the buildings in his constituency were still affected. As recently the residents still reflected that they heard someone singing at the pier at night and he observed that the volume of the noise was quite high, he was doubtful about the statements made by the HKPF and TD. Also, he enquired the frequency and timetable of the inspections conducted by the HKPF and the TD. In addition, as the TD did not have any power to take law enforcement actions, the HKPF was counted on solving the said problem. He suggested to continue to monitor the situation and hoped that the HKPF would provide assistance when necessary.

51. Sr Transp Offr/Public Pier of the TD responded that the TD had carried out two inspections since the last EHAC meeting. The inspections were conducted after 7:00 p.m. or so, i.e. the time after members of the public knocked off and the weather was cooler. He added that from 2014 till present, the TD had conducted nearly 30 inspections for this case. The TD would continue to carry out inspections even though the TD did not have any power to take law enforcement actions.

52. Ms LAM, Lam Nixie said that as the noise nuisance would only become apparent after 9:00 p.m., she enquired when the inspection would finish after it started at 7:00 p.m. and considered that the results of inspections would be affected by the time of inspections. In addition, the said situation would occur at the same location every night. She was shocked if the departments concerned had never noted the time when the problem occurred since 2014 till present.

53. Sr Transp Offr/Public Pier of the TD responded that the TD had conducted inspections during various time slots on holidays and weekdays. In the two inspections conducted from 7:00 p.m. to 8:00 p.m. recently, no noise nuisance was found. The TD had also conducted inspections in later time slots at night. According to the previous records, the TD had found the noise nuisance for five times and made referral to the HKPF for follow-up work. Moreover, he thanked Members for providing information on the latest situation. The TD would arrange time to continue the follow-up work and convey the information on the latest situation of the noise nuisance to the law enforcement officers.

54. Mr CHOW Ping-tim said that the TD mentioned that the noise nuisance was only found in five out of 30 inspections being carried out in total. However, he always received complaints on the noise nuisance and found the noise nuisance every time he passed the said locations. Hence, he was doubtful about the results of the TD's inspection. Moreover, he arrived at the location at 9:30 p.m. to 9:45 p.m. or so every time and found that the persons concerned would start packing things at 9:45 p.m. and left before 10:00 p.m. These persons would possibly start singing at around

8:00 p.m. He suggested that the departments concerned could conduct inspection during the said period of time and hoped that the departments concerned would tackle the problem seriously and provide assistance for it. He had also filmed the situation and could provide the relevant footages if necessary.

55. The Acting Chairman said that both of the two Members mentioned that the said situation would occur after 8:00 p.m. to 9:00 p.m. or so. He suggested that the departments concerned should take note of it and that inspection could be conducted after 8:00 p.m. to 9:00 p.m. if the noise nuisance was not found during 7:00 p.m. and 8:00 p.m.

56. The Chairman resumed the chair.

(F) Paragraph 60 to 65 of Minutes of the Meeting held on 5 May 2016: Strongly Request the Marine Department and Environmental Protection Department to Stop the Contractors of the Gin Drinkers Bay Public Cargo Working Area from Making Noise Nuisance whilst Operation in order to Safeguard a Quiet Living Environment in the Waterfront Area of Tsuen Wan

57. The Chairman welcomed Mr NG Chi-hong, Caddy, Senior Assistant Shipping Master/Cargo Handling (2) (Sr Asst Shipping Master/Cargo Handling (2)) of the Marine Department (MD) who specially joined the meeting. Moreover, Mr TAI Moon-kwong, Daniel, Senior Environmental Protection Officer(Regional West)2 (Sr Env Protection Offr(Regional W)2) of the EPD would give response to Members' enquiries on behalf of the EPD. Besides, the MD had submitted a written reply prior to this meeting for Members' perusal.

58. Sr Asst Shipping Master/Cargo Handling (2) of the MD reported as follows:

- (1) the noise produced by the handling of large metal cargoes at berths of nos. 28 and 29 of the Rambler Channel Public Cargo Working Area (PCWA) was the main source of nuisance caused to the residents nearby, especially those living at Riviera Gardens, during the operation of the Rambler Channel PCWA. The enhanced improvement measures were effective and the number of complaints had been reduced significantly;
- (2) the MD had taken some mitigation measures for the noise and dust which affected the daily lives of the residents nearby. The duty staff of the MD would bring along the noise metres during patrol for taking measurement and record anytime. If any noise volume was found exceeding the control threshold, the staff of the MD would issue a warning to the operators concerned. Besides, the operators were always reminded to place thick wood planks on the ground; reduce the speed of the crane as far as possible; and to sprinkle water at the scene from time to time, etc. so as to minimise the noise and dust produced during loading and unloading of cargoes;
- (3) the responsible persons of the berths pointed out that their companies had purchased new equipment recently, including a new crane and container stuffing machine. During the operation, the pre-tied metal rods in bundles

on the goods delivery vehicle would be lifted and placed one after another onto the wood plank on the ground. After reaching a considerable amount, these pre-tied metal rods in bundles would be lifted by the new crane and placed onto the exclusive container stuffing machine. Then, the propeller would push the goods into a container on the goods collection tractor slowly. It seemed to be quieter, more time-saving and faster and the efficiency was enhanced as well;

- (4) the responsible persons of the berths undertook to co-ordinate to shorten the operating hours as far as possible, say, from 8:00 a.m. to 8:00 p.m. from Mondays to Saturdays; and on a half-day basis after 9:00 a.m. on Sundays, etc. It was hoped that the impact on the residents nearby would be minimised;
- (5) to tie in with the arrangements in sub-paragraph (4) above, the MD had made special arrangements for enhanced patrol work in recent months conducted by the attendants near berths of nos. 28 and 29 during 7:00 a.m. and 8:30 p.m. from Mondays to Saturdays as well as during 7:00 a.m. and 9:00 p.m. on Sundays. If any louder noise was heard, the attendants would advise the operators to pay attention to it immediately;
- (6) the responsible persons of the berths had already notified the staff of their berths and on the barge to use walkie talkie instead of loud hailer or loud speaker installed on-board for communication, so as to reduce the noise emanated at the pier during operation at night;
- (7) the responsible persons of the berths also remarked that their barge had been replaced with a new generator with lower power for on-board use. The noise volume produced by generation of electricity would be lower and thus the noise would be reduced effectively; and
- (8) during the operating hours of the said PCWA, i.e. from 7:00 a.m. to 9:00 p.m., if the residents would like to lodge any complaints of noise, they could call the duty inspectors of the Rambler Channel PCWA directly at 2614 1914, so that the duty inspectors could conduct the follow-up work immediately.

59. The Chairman said that the MD mentioned that the number of complaints had dropped and he had received fewer complaints recently. In addition, the MD indicated in the paper that the MD would arrange its staff to conduct the enhanced inspections at the berths concerned from 7:00 a.m. to 9:00 p.m. on a daily basis whereas in the report just made, the MD said that the period concerned would be from 7:00 a.m. to 8:30 p.m. It was hoped that the MD would make clarification for this.

(Note: Mr TIEN Puk-sun, Michael joined the meeting at 3:30 p.m.)

60. Sr Asst Shipping Master/Cargo Handling (2) of the MD responded that he had enquired the responsible staff on the current patrol time prior to this meeting. The period should be from 7:00 a.m. to 9:00 p.m. as revised.

61. The Chairman said that he would display the seven measures of the MD in his constituency so that the residents could take note of the arrangements and monitor the situation. The views from the residents, if any, received in the upcoming two months would be followed up at the next EHAC meeting.

62. Sr Env Protection Offr(Regional W)2 of the EPD reported as follows:

- (1) the EPD had been monitoring the noise produced at the PCWA concerned. Since 2009 till present, a total of 76 noise measurements were conducted at the residential premises, rooftop and platform of Riviera Gardens to evaluate whether the noise produced at the PCWA during operation was within the noise standards under the Noise Control Ordinance (the Ordinance);
- (2) the EPD would conduct noise measurements at different time slots so as to evaluate the noise level generated at the PCWA during operation. The respective results of the last three noise measurements were 70 dB taken on the platform of Hoi Sing Mansion, Riviera Gardens at around 3:00 p.m. on 4 May 2016; 69 dB taken on the rooftop of Hoi Sing Mansion, Riviera Gardens at around 10:30 a.m. on 15 June 2016; and 66 dB taken on the platform of Hoi Sing Mansion, Riviera Gardens at around 4:00 p.m. on 4 July 2016. The results showed that the noise produced at the PCWA had not exceeded the relevant noise standards under the Ordinance;
- (3) after the last EHAC meeting, the EPD had taken the initiative to liaise with the Chairman's councillor office for discussion on the schedule for noise measurements. If Members considered that it was necessary to conduct noise measurements at the PCWA at specific time slots, the EPD would be pleased to make arrangements accordingly;
- (4) the EPD would currently conduct a regular inspection and noise measurement at Riviera Gardens on a monthly basis to monitor whether the PCWA produced excessive noise during operation;
- (5) whilst conducting inspection or receiving complaint, the EPD would also remind the relevant operators to properly maintain and repair their machines. They should also operate the machines carefully in order to avoid noise being produced by excessive loading and unloading speeds, thus minimising the nuisance caused to the residents nearby;
- (6) the EPD would also liaise and inform the MD about the complaints and inspection results of the PCWA concerned, so that the MD could take actions as appropriate; and
- (7) the EPD would continue to monitor whether the PCWA produced excessive noise during operation.

63. The Chairman raised an enquiry on the relevant noise standards under the Ordinance.

64. Sr Env Protection Offr(Regional W)2 of the EPD responded that regarding the current noise standards at Riviera Gardens, a noise level of 70 dB was recorded from

7:00 a.m. to 11:00 p.m. and 60 dB during 11:00 p.m. and 7 a.m. the following day. He added that the PCWA did not operate at night. The noise level measured on 4 May 2016 just met the noise standard of 70 dB whereas the noise level recorded on 4 July 2016 was 66 dB. In this regard, improvement had been made for the noise level.

65. The Chairman said that the noise would be blocked by the bridge when the measurement was taken on the platform and there would be a discrepancy on the result conducted on rooftop. He considered that based on the EPD's current analysis on data, the measurement taken inside a flat would be highly likely to exceed the above noise standards. However, the residents were unwilling to allow staff of the EPD to carry out noise measurement in their flats. He felt disappointed with this. He enquired whether the EPD would provide noise data recorded in the flats and how long the measurement had taken. Also, he hoped that the residents of the district would make an offer to the EPD to take noise measurement in their flats and the residents who were willing to make such an offer could contact the relevant departments or the EHAC.

66. Sr Env Protection Offr(Regional W)2 of the EPD responded that the EPD had always been looking forward to measuring the noise inside the residential flat. If any residents were willing to do so, the staff of the EPD would take measurement inside their flats. In general, the noise measurement would take about one hour, including setting up the equipment, observing the situation and measuring the average noise level within 30 minutes as well as the background noise level if necessary, in which the PCWA concerned would be requested to suspend operation. As it was currently in the monitoring stage, the staff of the EPD would take measurement on rooftop or platform so that the residents would not be affected. If any residents who were willing to make such an offer, the EPD was pleased to arrange its staff to measure the noise inside the residential flats and would also provide the EHAC with the data concerned.

67. The Chairman said that he would share the said information in order to see whether the residents would make contacts on their own initiative and be willing to offer the space to the EPD for setting up equipment for one hour for measurement of the noise.

68. Sr Env Protection Offr(Regional W)2 of the EPD responded that if the noise at the PCWA concerned exceeded the standards, the EPD would issue a Noise Abatement Notice to the responsible person in question. If the responsible person failed to comply with the requirements set out on the Noise Abatement Notice, the EPD would institute prosecution against him. If any residents were willing to make such an offer for noise measurement, the EPD would make arrangements accordingly.

69. The Chairman enquired about the Noise Abatement Notice that according to the legislation, what requirement the responsible person should comply.

70. Sr Env Protection Offr(Regional W)2 of the EPD responded that if the noise level of the PCWA concerned exceeded the standard of 70 dB, a Noise Abatement Notice would be issued by the EPD. The responsible person would be required to reduce the noise level within a specific period of time (one or two months) and ensure that the noise level would not exceed the standard of 70 dB in six months, subject to the needs of the responsible person and the noise level.

71. The Chairman said that as the data provided by the EPD was very close to the noise standard, he was of the view that the said situation might exceed the noise standard. He would seriously and proactively look for the residents to provide assistance again after the meeting.

(G) Paragraph 63 to 76 of Minutes of the Meeting held on 5 May 2016: Strongly Request the District Lands Office, Tsuen Wan and Kwai Tsing to Specify the Requirement of Provision of Professional Consultancy Report on Environmental and Traffic Assessment by the Successful Tenderer in the Tender for the Grant of the Temporary Allocated Area in the Proposal in question, with a view to Ensuring that the Living of Residents of the Housing Estates Nearby would not be Adversely Affected due to the Grant of the Site, and Request the Departments to Review the District Consultation Mechanism of Grant of Sites, under which Communication and Cooperation with District Council and Members should be an Integral Part in future

72. The Chairman welcomed the government representatives who specially joined the meeting, including:

- (1) Mr WONG Hung-lok, Steven, Senior Environmental Protection Officer(Waste Reduction & Recycling)2 (Sr Env Protection Offr(Waste Reduction & Recycling)2) of the EPD; and
- (2) Mr YU Wing-lun, Alan, Environmental Protection Officer(Waste Reduction & Recycling)23 (Env Protection Offr(Waste Reduction & Recycling)23) of the EPD.

Moreover, Mr LAU Kwun-tat, Land Executive/Control 3 (Land Ex/C 3) of the DLO, Tsuen Wan and Kwai Tsing would give response to Members' enquiries on behalf of the DLO.

73. The Chairman said that as this agenda item was raised by him, the Vice Chairman would take over the chair temporarily.

74. The Acting Chairman said that the Lands Department (LandsD) had submitted a written reply on the captioned matter prior to this meeting for Members' perusal.

75. Land Ex/C 3 of the DLO reported that the DLO had submitted a written reply prior to this meeting. As consideration should be given to the environmental and traffic assessments for the captioned matter, the DLO had sought professional advice from the TD and EPD in writing. If the departments concerned set out requirements on the environmental and traffic assessments, the DLO would incorporate such

requirements into the proposal of the Short Term Tenancy (STT). On environmental protection and traffic, it was currently proposed in the STT that the site would be used for the handling of plastic materials, and the term of the STT would be shortened to three years and renewed thereafter on a quarterly basis.

76. Sr Env Protection Offr(Waste Reduction & Recycling)² of the EPD reported as follows:

- (1) upon taking into account Members' views, the EDP proposed the following three measures to further prevent potential nuisance problems. It was hoped that Members' concern over the site for recycling purpose could be addressed;
- (2) the EPD proposed at the last EHAC meeting that, the site would not be used for handling of scrap iron in order to prevent the noise problem. However, as some Members were still concerned about other recycling materials which would cause nuisance, the EPD proposed that only plastic materials should be handled at the site. There were many difficulties in the recovery of plastic over the territory and plastic was one of the recycling materials in grave need of land support. Besides, there would be less impact on various aspects, including traffic due to the smaller quantities of plastic materials;
- (3) the EPD proposed that additional terms should be included in the tenancy that the tenant would be required to provide roof covers for recycling machines such as baling machines in order to reduce the noise level and improve the streetscape; and
- (4) in the light of Members' views given at the last EHAC meeting, the EPD had made a proposal to the DLO on shortening the tenancy term from five years to three years. It meant that vesting action could be taken for the site concerned for improvement measures if any unresolved problem might arise.

77. The views, enquiries and suggestions of Mr CHOW Ping-tim were summarised as follows:

- (1) he was delighted to note that the DLO would re-examine the application concerned;
- (2) he had discussed with the EPD on the issues concerned at an informal meeting earlier. He had also relayed the messages, including the tenancy term being shortened to three years; plastic as the only kind of recycling material to be handled; and the forecast of recovery of plastic over the territory at the meeting of the owners' committee, so as to study whether there was room for the recycling of plastic at the site concerned. However, some residents became worried due to the mini-storage blaze took place recently. Large quantities of plastic would be accumulated at the site for recycling purpose. In case of fire, toxic gas and pollutant generated during combustion would be dispersed quickly and be inhaled by the residents living in the vicinity of Riviera Gardens, causing hazards to them. Also,

the residents of Waterside Plaza and City Point would probably be affected because of the southeast wind from the location concerned. Hence, he was worried about it;

- (3) even though the fire prevention measures were to be added in the tenancy terms, the environment was not protected because the situation during combustion was uncontrollable. In the light of this huge concern over the uncertainties, he raised objection to the above site for recycling purpose on behalf of his constituency. Besides, he considered that the departments concerned failed to get rid of the impacts on traffic and environment. Despite the scope of recycling material under process was confined to plastic only, pollution and toxic gas would be generated when large quantities of plastic in accumulation were being burnt. As the departments concerned failed to exercise control over the said situation, it was difficult for him to support the proposed amendments; and
- (4) he reiterated that he expressed the views on behalf of the residents and raised objection to the operation of any recycling trade at the site, so as to avoid inducing more environmental pollution and adding burden to the traffic.

78. The Acting Chairman said that Members were of the view that there were potential fire hazards even though only plastic materials would be stored at the site. He hoped that the DLO would take note of this.

79. Sr Env Protection Offr(Waste Reduction & Recycling)² of the EPD responded that the DLO would consult the relevant departments before granting all the STT sites. The DLO had sought views from the Hong Kong Fire Services Department (FSD) on the regulations relating to the fire safety of the site concerned. Currently, there were 31 STT sites granted by means of STT to support the recycling industry. The tenant would be required to submit a fire prevention proposal to the FSD for approval under the terms of STT. Also, the tenant should set up fire prevention facilities in compliance with the standards according to the approved proposal. He hoped that the said arrangements would have addressed Members' concern.

80. Land Ex/C 3 of the DLO responded that the DLO noted the reasons for objection from Members and their concern. He would relay Members' concern to the responsible officers. As a normal practice, the DLO would carry out the relevant procedures through departments and district consultations when processing the proposed STT. As the captioned case was still in the preliminary stage and would be approved at an inter-departmental meeting, he considered that the relevant suggestions could be submitted to the inter-departmental meeting for detailed discussion as and when necessary.

81. Mr CHUNG Wai-ping said that it was learnt from the DLO's response that the said matter was still in the preliminary consultation stage and the fire safety requirements for the application concerned were pending approval by the relevant

departments. He enquired whether the departments concerned would still insist on granting the STT and whether the EPD would withdraw the proposal on storage of plastic even though the residents around the area had raised objections to it.

(Note: Mr LI Hung-por joined the meeting at 3:55 p.m.)

82. Sr Env Protection Offr(Waste Reduction & Recycling)² of the EPD responded that the application was a preliminary proposal. As far as he understood, the DLO would take into account the district consultations together with the professional views from the relevant departments.

83. Land Ex/C 3 of the DLO responded that the DLO would follow the procedures to process the proposed STT. Should there be objections, the DLO would seek professional views from the relevant departments including the EPD and TD and draw reference from the recent incidents to handle the issues concerning the fire as mentioned by Members. The DLO would collect different views, including the dissenting voices, before taking into consideration whether it was appropriate to grant the said STT. The DLO would continue to take into account the grant of the STT if there was a need for putting forward the STT. The proposed application was still in the preliminary stage and would be subject to inter-departmental approval. He would reflect the relevant matters to the responsible officers and submit a written reply after the meeting if necessary.

84. The views, enquiries and suggestions of Mr CHOW Ping-tim and Mr CHUNG Wai-ping were summarised as follows:

- (1) given that the site concerned was too close to the residential areas and there were many risks and uncertain factors, it was hoped that the application would be withdrawn entirely and another site would be identified for the operation of the relevant recycling trades; and
- (2) as the STT would cause burden on traffic and bring inconvenience to the residents, it was considered that the site concerned was unsuitable for the operation of any recycling trade and the proposal should be withdrawn. The DLO and various departments should re-consider when vetting the STT.

(Note: Mr WONG Ka-wa left the meeting at 3:58 p.m.)

85. The Acting Chairman stated that Members had made their views very clear. The DLO and EPD should have taken note of the views and would consider whether the proposal concerned was to be amended or withdrawn. As the application was currently in the preliminary stage, he hoped that the departments concerned would continue to pay attention to the application and report the latest progress to the EHAC.

86. The Chairman resumed the chair.

(H) Paragraph 76 to 86 of Minutes of the Meeting held on 5 May 2016: Strongly Request the Government Departments to Strengthen the Inspection Work and Monitoring the Recycling Collections from Recycling Bins

87. The Chairman said that Ms CHUI Pui-sim, Patience, Assistant District Leisure Manager(Tsuen Wan)⁴ (Asst District Leisure Mgr(Tsuen Wan)⁴) of the LCSD, Mr CHENG Chi-hung, Housing Manager/TTI2 (Housing Mgr/TTI2) of the Housing Department (HD) and Mr CHAN Kwok-hung, Ch Health Insp 1 of the FEHD would give response to Members' enquiries on behalf of their respective departments. Besides, the GPA and Agriculture, Fisheries and Conservation Department (AFCD) had submitted written replies on the captioned matter prior to this meeting for Members' perusal.

88. Asst District Leisure Mgr(Tsuen Wan)⁴ of the LCSD reported that according to the current practice, the LCSD requested the recyclers to put different recyclable materials into different plastic bags and state clearly on the plastic bags that the materials were for recycling purpose. The materials would be delivered to the EPD's official recyclers for processing. Moreover, the LCSD would monitor the recyclers regularly.

89. Ch Health Insp 1 of the FEHD reported that the EPD had worked together with the FEHD for replacement of the recycling bins since June 2016. The graphic design of the recycling bins would make it easier for the general public to become aware of the materials recovered by different recycling bins. The FEHD expected that one batch of recycling bins would be replaced at the end of 2016. The FEHD would pay close attention to the situation concerned.

90. Housing Mgr/TTI2 of the HD reported that the HD would continue to promote the environmental awareness and monitor the recycling work undertaken by the green contractors.

91. The Chairman said that Members did not have further enquiries and had got a clear idea of this captioned matter, so this captioned matter under the item of matters arising would be removed from the agenda of the next EHAC meeting.

(I) Paragraph 87 to 92 of Minutes of the Meeting held on 5 May 2016: Hygiene Matters of the Carriageway Off Wai Tsuen Sports Centre

92. The Chairman asked District Engineer/Tsuen Wan (Dist Engr/TW) of the Highways Department (HyD) to report on the latest situation of the captioned matter.

93. Dist Engr/TW of the HyD reported that the HyD would cleanse the footbridge and subway at the junction of Wai Tsuen Road and Shek Wai Kok Road once a month. If stains or graffiti were found between two scheduled cleansing duties, the HyD would make arrangement for further cleansing work.

94. Mr LAM Faat-kang said that he thanked the HyD and FEHD because the environment of the said locations was improved after the last EHAC meeting. He also hoped that the departments concerned would continue to handle the matter concerned regularly. Moreover, he hoped that the departments concerned would handle the stains and mould on the walls inside the downhill vehicular tunnel at Shek Wai Kok as soon as possible, in order to prevent environmental hygiene problems.

95. Dist Engr/TW of the HyD reported that he would relay the above situation mentioned by Members to the staff of the HyD responsible for repair. He believed that the staff would make arrangement for the cleansing work for the above situation.

96. The Chairman enquired Members whether further discussion on the captioned matter was required at the next EHAC meeting.

97. Mr LAM Faat-kang stated that he believed the HyD and FEHD would handle the captioned matter for the time being. He would carry out discussion again if necessary.

98. The Chairman said that this captioned matter under the item of matters arising would be removed from the agenda of the next EHAC meeting.

IV Item 3: PWP Item 4391DS - West Kowloon and Tsuen Wan Village Sewerage (Stage 1)

(EHAC Paper No. 16/16-17)

99. The Chairman welcomed the representatives from the departments and consultant company who specially joined the meeting, including:

- (1) Mr LAM Cheuk-fung, Senior Environmental Protection Officer(Sewerage Infrastructure)4 (Sr Env Protection Offr(Sewerage Infrastructure)4) of the EPD;
- (2) Ms WONG Hiu-man, Angel, Environmental Protection Officer (Sewerage Infrastructure)42 (Env Protection Offr(Sewerage Infrastructure)42) of the EPD;
- (3) Mr SEIT Kin-fun, Senior Engineer/Consultants Management 4 (Sr Engr/Consultants Mgt 4) of the DSD;
- (4) Mr LEI Kuok-kun, Engineer/Consultants Management 12 (Engr/Consultants Mgt 12) of the DSD;
- (5) Mr FOK Chun-sing, Associate Director of Atkins; and
- (6) Mr CHOW Wan-yin, Project Engineer of Atkins.

100. Sr Env Protection Offr(Sewerage Infrastructure)4 of the EPD and Project Engineer of Atkins introduced the paper.

(Note: Mr TIEN Puk-sun, Michael left the meeting at 4:15 p.m.)

101. The views, enquiries and suggestions of Mr LAM Faat-kang, Mr CHAN

Chun-chung, Jones and Mr WONG Wai-kit were summarised as follows:

- (1) an inspection had been conducted around Hon Man Village with the staff of the DSD in early years to learn more about the issues concerning foul sewer connections in the squatter area concerned. It was also noted that the departments concerned pursued to achieve a long-term goal of connecting foul sewers in the village; however, they came across the technical problems including the private land and slopes, etc. The currently proposed construction project was to intercept the sewage at downstream area. Thus, land resumption would not be involved and the scope of construction works would also be relatively simpler. Although the construction works was a palliative measure, it could improve the situation of sewage being discharged into the sea. Therefore, support was given to the project in general;
- (2) regarding the dry weather flow interceptor to be constructed at Fat Yip Lane in Hon Man Village next to Belvedere Garden, there as a narrow road at the said location. It was the only vehicular access available for school bus of the primary school nearby and illegal parking was common at the road. It was proposed that the departments concerned should keep close liaison with the primary school and the Police when the construction works was conducted, so as to discuss the implementation schedule of the construction works and whether it was necessary to carry out the construction works in dry season;
- (3) the catchment area of the construction works concerned was mainly for the use of the squatters in the vicinity of Phase I and Phase II of Belvedere Garden. However, there was another catchment area for the use of another cluster of squatters on the hill behind Belvedere Garden. The construction of dry weather flow interceptor at the said location was not included in the project. Thus, enquiry was raised on whether it was due to the budget, difficulties of construction or other reasons;
- (4) Members had been annoyed by the problem of sewage discharged from the villages and squatters. So, Members welcomed the project as five out of nine collection points of the project lay within the relevant constituencies;
- (5) the project was in Stage I currently and construction of an eight-kilometre long foul sewer would be arranged in Stage II of the project. It was opined that the current arrangement was only made for primary collection of sewage, which was better than direct discharge of sewage; however, further consideration should be taken for the Stage II of the construction works in future so as to solve the problem completely. Besides, it was currently found that excreta was directly discharged from some squatters. It was proposed that the departments concerned should take into account whether the proposed locations of collection points were appropriate at present. Also, enquiry was raised on the composition and proportion of materials collected. It was opined that the collection rate would be enhanced if the collection points were set up at appropriate locations;

- (6) it was considered that the serious odour problem in the district was caused by the improper connections of sewers. It would be conducive to solving the odour problem in the district if the construction works concerned could be commenced as soon as possible;
- (7) regarding the dry weather flow interceptor to be installed at Sam Tung Uk Road, as there were several traffic lanes of higher usage at Sam Tung Uk Road, it was hoped that the departments concerned would liaise and discuss with the Members of the constituency concerned and representatives from the local villages when undertaking the construction works. Besides, it was hoped that Sam Tung Uk Road would only be closed by the departments concerned when the construction works were being conducted; and that the location concerned would be covered outside construction hours and Sam Tung Uk Road would be open for traffic flow; and
- (8) it was enquired whether the installation of dry weather flow interceptors would improve the odour problem in the district. Moreover, the improper connections of sewers were also found in urban area but the construction project of dry weather flow interceptors did not cover urban area for the time being. It was enquired whether construction works for installation of dry weather flow interceptors would be carried out in urban area in future. It was hoped that the construction works concerned would be completed as soon as possible.

102. Sr Env Protection Offr(Sewerage Infrastructure)4 of the EPD responded as follows:

- (1) he thanked Members for their support;
- (2) the EPD aimed to improve the water quality of Tsuen Wan Bay promptly and effectively in a simple manner. It was also hoped that Members would support the construction works concerned, so that the construction works would be commenced as soon as possible and the situation would be improved initially;
- (3) the EPD would take into account the locations that were not covered at present in Stage II of the construction works. It was also hoped that sewage would be further collected to improve the environment; and
- (4) on transportation, the DSD would consider the relevant transportation arrangements carefully before the construction works of each dry weather flow interceptor commenced, with a view to minimising the impacts on environment and traffic caused by the construction works to the lowest possible level. When the construction works was not being conducted, the DSD would cover the road in order to bring convenience to road users.

103. Project Engineer of Atkins responded as follows:

- (1) regarding the sewerage collection project to be implemented next to the primary school at Fat Yip Lane, Atkins would keep close liaison with the Police and primary school when carrying out the construction works, with a view to conducting the construction works during off-peak periods, e.g.

school holidays. As the construction works inside the stormwater drains was not required for Fat Yip Lane, the construction works could be constructed more flexibly in dry or rainy weather. Furthermore, Atkins would consider adopting the trenchless method for the construction works so to further reduce the impacts brought by the construction works;

- (2) Atkins had examined the pollution status of another location in Hon Man Village. This location was in close proximity to a natural stream course and the sewage of this location flew into the existing box culvert via the natural stream course and Belvedere Garden. Due to the fact that the box culvert was shorter in height than the existing foul sewer and that water flew from a high place to a low place, technical problem would arise if the water flow in the box culvert was intercepted and diverted to the foul sewer nearby. Despite of this, Atkins would further examine whether there was other solution for improvement of the pollution problem. Atkins would take follow-up actions with the Members concerned after looking into the matters;
- (3) regarding the selection of location for the proposed dry weather flow interceptors, Atkins would firstly consider whether there was any foul sewer nearby for collection of the polluted water flow, so as to ensure that the installation of dry weather flow interceptor was feasible. Moreover, the depth of the existing stormwater drain, the respective location of the existing foul sewer as well as the impacts brought by the construction works on private land and land ownership should also be taken into account. After thorough consideration, Atkins took the view that the currently proposed locations for construction of dry weather flow interceptors were appropriate and feasible; and
- (4) regarding the dry weather flow interceptor to be constructed at Sam Tung Uk Road, the DSD would keep liaison with the Members of the constituency concerned and representatives from the local villages when undertaking the construction works, so as to discuss the relevant arrangements for the construction works. Also, the DSD would request the contractor to draw up the temporary traffic control measures for the TD's vetting prior to the commencement of construction works. The road would be reopened to traffic temporarily when the construction works were not being carried out, so as to minimise the impacts on traffic.

104. Associate Director of Atkins said that the DSD would implement another construction project in urban area for construction of a total of four dry weather flow interceptors in Pak Tin Par Street, Chung On Street, Chuen Lung Street and Wo Tik Street. The DSD had reported this project to the Traffic and Transport Committee (T&TC) in May 2016. Members could refer to the papers submitted by the DSD for the T&TC meeting. Besides, the DSD had examined and found out that the pollution at the locations concerned was mainly caused by illegal sewer connections, and taken into consideration the situation of the respective locations. The DSD would commence the construction works as soon as possible after the funding was

granted.

105. The views, enquiries and suggestions of the Vice Chairman and Ms LAM, Lam Nixie were summarised as follows:

- (1) it was noted that the Government had been actively implementing the construction works of dry weather flow interceptors and support was given to the construction works. It had also been mentioned in the 2016 Policy Address that dry weather flow interceptors would be actively constructed in Tsuen Wan. Moreover, the dry weather flow interceptor that could improve the quality of coastal waters was also mentioned at the last EHAC meeting. It was the first construction works of dry weather flow interceptor to be implemented in Tsuen Wan. Thus, it was enquired whether the construction works of this dry weather flow interceptor had been commenced. Besides, as the construction project of dry weather flow interceptors was expected to be commenced at the end of 2017, it was enquired whether the construction project was submitted to the Legislative Council (LegCo) and its Public Works Subcommittee (PWSC) for consideration; whether funding was granted; and whether the departments concerned were confident that the construction works of dry weather flow interceptors could be commenced in 2017 as scheduled;
- (2) as a total of nine dry weather flow interceptors would be constructed in Tsuen Wan district in Stage I of the construction works, it was enquired whether an eight-kilometre foul sewer would be constructed solely in Stage II of the construction works and the construction works of dry weather flow interceptor would not be launched in other rural areas. Currently, as the sewers of many squatters were directly connected to the river, the sewage would be discharged into the sea directly. It was understood that private property right would be involved in the village houses. It was opined that the issues concerning the squatters could be resolved by the Government; and
- (3) the construction works should be constructed in dry weather. The location concerned would be covered if the construction works was unfinished. All the dry weather flow interceptors, with each required a construction period of 18 months, were supposed to be constructed in parallel. It was enquired whether it would take 18 months for installation of each dry weather flow interceptor; or whether it would take longer for some of the more difficult construction works whereas others could be completed within a short period of time.

106. Sr Env Protection Offr(Sewerage Infrastructure)⁴ of the EPD responded that it was clearly stated in paragraph 200 of the 2016 Policy Address that dry weather flow interceptors would be constructed in Tsuen Wan district. Regarding the dry weather flow interceptors introduced to the T&TC by the EPD in May 2016 and the nine dry weather flow interceptors currently proposed in the project concerned, the EPD hoped that funding would be allocated from the Resource Allocation Exercise and would

submit the project to the LegCo for consideration in accordance with the relevant procedures. It was hoped that funding would be granted as soon as possible and the construction works would be implemented.

107. Project Engineer of Atkins responded as follows:

- (1) Stage II of the construction works included the construction of new sewers at rural locations. Atkins was currently conducting a study and detailed design of Stage II of the construction works and would consult Members again if a further proposal was available; and
- (2) Atkins would prepare the schedule for the construction works based on the length of foul sewers under construction, the location and situation of each dry weather flow interceptor. The road would be reopened to traffic temporarily when the construction works were not being carried out, so as to minimise the impacts on traffic.

108. Associate Director of Atkins said that the DSD had reported the status of the construction works in urban area to the TWDO. It was hoped that the said construction works would be commenced in mid-2017. The DSD planned to invite tenders in early 2017 and submit a funding application to the LegCo at the same time, with a view to awarding the contracts of construction works once the funding was granted. The DSD hoped that Members would be in support of the said construction works and LegCo Members would assist in commencement of the construction works as soon as possible.

109. Mr CHUNG Wai-ping said that the foul sewer connections in both urban and rural areas were under the sewerage construction works. The said construction works could only be implemented when foul sewer facilities for connection and discharge of sewage were readily available at the locations concerned. He was supportive towards the construction works and hoped that the construction works would be implemented as soon as possible. He thought that the seawater quality would be improved by the construction works, even though the limited road spaces and heavy traffic in urban area would bring traffic inconvenience and the construction works would take a longer period of time for completion when the construction works was being carried out. Also, he hoped that the construction works would reduce the discharge of sewage into Rambler Channel and the departments including the EPD would abate the odour problem of Rambler Channel actively. Hence, the problems of sewage and odour would be improved, so that relevant complaints would not be triggered from the residents of newly occupied buildings in future.

110. The Chairman stated that as all Members spoke in support of the said construction works, the EHAC fully supported the project. It was hoped that the departments concerned would submit a funding application to the LegCo and commence the construction works as soon as possible. As all Members were aware of the pollution status and odour problem of Rambler Channel, it was hoped that the departments would resolve these problems as soon as possible and provide assistance

to the construction works concerned.

111. Sr Env Protection Offr(Sewerage Infrastructure)⁴ of the EPD said that he thanked the Chairman and Members for their support. The EPD would follow up the matters actively and hoped that the construction works would be commenced as soon as possible.

V Item 4: Concern about the Repeated Burst of Salt Water Mains in Tsuen Wan District and Request for Paying Serious Attention to and Addressing the Problem of Aging Salt Water Mains in Tsuen Wan District
(EHAC Paper No. 17/16-17)

112. The Chairman welcomed the representatives from the department and consultant company who specially joined the meeting, including:

- (1) Mr SZETO Wai-tun, Engineer/NTW (Distribution 1) (Engr/NTW (Distribution 1)) of the Water Supplies Department (WSD);
- (2) Mr CHAN Ka-kit, Engineer/Consultants Management 16 (Engr/Consultants Mgt 16) of the WSD;
- (3) Mr LO Chi-hang, Robo, Senior Resident Engineer of AECOM;
- (4) Mr LAM Kong-keung, Paul, Resident Engineer of AECOM; and
- (5) Mr LEE Ngai-shing, Resident Engineer of Black & Veatch.

113. Mr CHAN Chun-chung, Jones introduced the paper.

114. Engr/NTW (Distribution 1) of the WSD responded as follows:

- (1) in general, the salt water supply system facilitated the transfer of salt water from salt water pump house by the sea to service reservoir at mid-levels or above. During the above process, the salt water would be distributed to the customers. Generally, a major water main was designated for the transfer of salt water. As regards the water main burst at Kwok Shui Road earlier, despite the water main at Kwok Shui Road was located at the foot of mountain, the salt water supply for the mountain was also suspended as the said water main transferred water uphill along Texaco Road North. Due to the terrain, another salt water main could not be constructed on the mountain. Thus, there was no salt water supply from other places to the residents;
- (2) the salt water main at Yeung Uk Road was very close to the salt water pump house. The water supply for the mountain might be affected, subject to whether the burst main was connected with the network of water-carrying pipes in the area concerned;
- (3) as for the general flushing system, the WSD could make arrangement for filling the salt water service reservoir with fresh water in the event of salt water main burst having regard to the circumstances. Hence, the flushing water supply for some areas could be maintained. However, in the water main burst incident at Kwok Shui Road, the salt water main in question was the only water-carrying pipe that facilitated flushing water supply for Shek

Wai Kok Estate. As a result, the flushing water supply for Shek Wai Kok Estate was suspended during the water main burst; and

- (4) the WSD was concerned about the problem of aging of salt water mains and had been replacing and rehabilitating the aged salt water mains. A majority of the salt water mains had been replaced so far. Also, the WSD had been monitoring the situation of the aged salt water mains under its plan and would continue to pay attention to the problem.

115. Senior Resident Engineer of AECOM responded that although AECOM did not directly take part in the rehabilitation works for the two recent incidents of water main burst, the WSD had incorporated several salt water mains that burst earlier in the district into the AECOM's replacement list in view of the conditions of the salt water mains. Currently, the rehabilitation works for some salt water mains had been completed or were nearly completed.

116. Resident Engineer of Black & Veatch responded that Black & Veatch had also monitored the replacement works of water mains in the district. However, Black & Veatch was not responsible for monitoring and replacement of the burst water main at the location mentioned by Members.

117. Engr/Consultants Mgt 16 of the WSD said that as regards the concern over the problem of aging of salt water mains mentioned in the paper submitted by Members, the two consultant companies had all along been responsible for monitoring the replacement works concerned.

118. The Chairman enquired on how the WSD handled the two incidents of water main burst.

119. Engr/NTW (Distribution 1) of the WSD clarified that regarding the Kwok Shui Road case, the water main concerned was one of the water mains which would be replaced by the WSD and the replacement works would be monitored by resident engineer of consultant company.

120. Engr/Consultants Mgt 16 of the WSD added that the WSD expected that the excavation permit would be available in the fourth quarter of 2016. The WSD aimed to complete the water supply connection works in the second quarter of 2017. He said that some water connection points might be located at carriageways.

121. The views, enquiries and suggestions of the Chairman were summarised as follows:

- (1) these two incidents of water main burst affected an extensive area, resulting in the suspension of salt water supply in the affected areas for several days. The water mains in various sizes burst, to a larger or fewer degree, in the district frequently. A water main burst also occurred at Wing Shun Street

in 2015, which led to the suspension of water supply for the whole housing estate;

- (2) he enquired whether the WSD had devised a plan, roadmap, methods and new technologies for replacement of water mains. He hoped that the WSD would provide a more comprehensive plan for replacement of water mains;
- (3) he thanked Members for submission of the captioned paper and considered that the matters concerned would have far-reaching impact on Tsuen Wan. He hoped that the WSD would carry out a replacement plan of water mains for the district. Also, he enquired on how the WSD would conduct routine repair and maintenance work and the scope of work undertaken by the respective consultant companies; and
- (4) all Members wished to provide assistance to improve the said situation. The WSD should provide more information for Members to discuss and give views, so as to prevent the frequent occurrence of salt water main bursts in future. The WSD was also requested to submit paper to the EHAC so that more detailed information would be available for Members' discussion on the problem concerned.

122. Engr/NTW (Distribution 1) of the WSD said that the WSD could submit a network diagram of salt water supply in Tsuen Wan district and its impact. But the WSD had to take time to prepare the said paper and network diagram.

123. The Chairman stated that besides the said network, the WSD had mentioned that the two consultant companies would undertake rehabilitation and monitoring work for the replacement projects concerned. He enquired the scope of work currently undertaken by the consultant companies. He took the view that it was most important to find out the ways to prevent the recurrence of large-scale burst of the salt water mains concerned. He hoped that the water main bursts would become less frequent if the repair and maintenance work could be arranged.

124. Engr/NTW (Distribution 1) of the WSD said that the WSD would prepare a layout plan for the salt water supply network to show the details of the contracts and construction works undertaken by different consultant companies. The WSD would take around four weeks to prepare the said documents.

125. The Chairman said that the WSD should be able to submit the said documents at the next EHAC meeting if only four weeks were required for preparation. Also, the WSD was requested to submit the documents at the next EHAC meeting for Members' discussion.

126. The views, enquiries and suggestions of Mr KOO Yeung-pong, Ms LAM, Lam Nixie and Mr LAM Faat-kang were summarised as follows:

- (1) it was unlikely to be true that the majority of salt water mains in Tsuen Wan had been replaced, according to the WSD. Five water mains in the constituency concerned had been used for more than 25 years, including the

water main of 200 mm in diameter constructed at Belvedere Garden, Castle Peak Road, Tsuen Wan in 1990 with 26 years of usage; the water main of 300 mm in diameter constructed at Chai Wan Kok Street and Hoi Hing Road in 1985 with 31 years of usage; the water main of 200 mm in diameter constructed at Cable TV Tower and Clague Garden Estate in Hoi Shing Road, Hoi Tak Street and Hoi Kok Street in 1985 with 31 years of usage; the water main of 450 mm in diameter constructed off Hoi Kwai Road, Yuen Tun Circuit and Tsuen Wan Plaza in 1984; and the water main of 200 mm in diameter constructed at Wing Shun Street in 1989 with 27 years of usage. However, the WSD still had not drawn up any replacement plan for these water mains;

- (2) given the serious traffic congestion in Tsuen Wan district, the potential water main burst did not only cause suspension of water supply and so, members of the public were unable to cook and go home, but also entirely impeded the road traffic in the district. If water main burst occurred at Wing Shun Street, Kwai Tsing district would also be affected. Hence, it was considered that water main burst had a far-reaching impact and the WSD should plan for the replacement work proactively before the water main burst occurred;
- (3) the captioned problem had also been mentioned in the discussion on fresh water mains in 2015, but the WSD still did not devise any formal plan to improve the situation of fresh water and salt water mains up till present. It was also enquired when the WSD could resolve the problem. Water main bursts occurred in the district frequently and Members had to reflect such incidents every two to three months or so. Also, a fresh water main at Cable TV Tower which was less than 25 years of service had burst in 2016. However, the WSD still did not propose an overall replacement plan of water mains to the TWDC proactively, e.g. details of replacement in phases, etc.;
- (4) after the incident of water main burst in the vicinity of Belvedere Garden in May 2012, the WSD had replaced the water mains concerned gradually. It was also subsequently mentioned and hoped that the WSD would draw up a suitable plan for replacement of the fresh water and salt water mains in Tsuen Wan district;
- (5) the problem of aging of water mains was mentioned in the paper. It was opined that the WSD failed to provide the relevant information because the WSD was unable to understand the problem and make duly preparation for the information. In addition, the consultant companies were responsible for following up their respective projects only. If the WSD still did not draw up any preliminary plan at present, it would also be difficult for the consultant companies to give response to Members' enquiries. So, it was disappointing;
- (6) an incident of water main burst occurred at Hoi Shing Road on 19 December 2015 and it was also noted that water main bursts occurred at seven locations in Tsuen Wan district that day. The most serious incident

of water main burst happened on 31 January 2016 which led to the closure of all lanes of Yeung Uk Road. Besides, a great impact was caused to the residents as all the water main bursts occurred at the main carriageways and in close proximity to the residential areas in the past. The residents still had to deliver fresh water themselves despite water wagons were provided by the WSD after suspension of water supply. As Tsuen Wan was a satellite town which was developed in early years, the water mains in the district were getting aged. Hence, it was considered that the current means of replacement of burst water mains was only a palliative measure and the WSD should stipulate a long-term plan for replacement of the aged water mains continuously. Also, it was suggested that the EHAC should continue to follow up the issues concerning the comprehensive coverage of fresh water and salt water mains and make proposal to the WSD, with a view to addressing the concern on the replacement of fresh water and salt water mains; and

- (7) there was a serious problem of aging of salt water mains in Tsuen Wan district. As Tsuen Wan was a community with over 50 years of history, the salt water mains laid underground had been used for many years. Salt water main bursts also occurred at Wai Tsuen Road and Sai Lau Kok Road and thus the supply of salt water was affected. It was considered that besides the roadmap, the WSD should also provide the years of service of the water mains as well as the level of damage of the water mains that had been replaced by the consultant or construction companies in the construction works. Besides, it was proposed that the departments concerned should conduct an overall planning instead of replacing the burst water mains only. It was also suggested that a task force should be set up. Moreover, the departments concerned should provide Members with detailed information so as to carry out a one-off inspection for the salt water mains in Tsuen Wan district.

127. The views, enquiries and suggestions of the Chairman were summarised as follows:

- (1) in response to his request, the WSD had agreed to provide Members with the information on the distribution, year of construction, replacement plan and inspection arrangement of the existing salt water mains in Tsuen Wan district at the next EHAC meeting;
- (2) he considered that the EHAC should follow up the matters concerned for the time being. Upon taking into consideration the information to be submitted by the WSD for the EHAC meeting in September 2016, the Monitoring Group on Public Health and Food Safety or Task Force on Environmental Pollution and Improvement would follow up on the matters concerned if necessary;
- (3) Members also talked about fresh water mains during the discussion of this agenda item which was about the salt water mains. He would not mind

discussing the two water supply systems together as the WSD was responsible for both systems; and

- (4) on fresh water supply, around 90% of the rehabilitation and replacement works of water mains in Tsuen Wan had been completed according to the WSD's papers. However, as the situation of water main burst had not been resolved or improved currently, he enquired whether it was due to any problem arising from the monitoring of replacement of water mains or replacement of water mains pending for individual places. It was also hoped that the WSD would submit a report on fresh water supply. As Members had noted that the replacement of fresh water mains would be carried out in phases, it was not necessary for the WSD to submit the roadmap. As some individual new Members might not be aware of the situation concerned, it was hoped that the WSD would give supplementary remarks and submit the relevant information after this meeting or at the next EHAC meeting.

128. Engr/NTW (Distribution 1) of the WSD said that on fresh water mains, the WSD would submit information on the status of the completed works and those in progress under the whole replacement project of fresh water mains. On salt water mains, the WSD would provide the information of further details, including the WSD's plan for handling of the water mains that were not included in the replacement project and the respective year of construction of the water mains, etc.

129. The Chairman proposed that the EHAC would decide the further actions to be taken after the WSD had provided information for Members' perusal and discussion. Regarding the fresh water mains, he wished to know more about the causes of the numerous water main bursts and enquired whether the water mains concerned had been replaced. He hoped that the WSD would provide the relevant information, give explanation and submit the documents concerned at the EHAC meeting to be held in September 2016.

VI Item 5: Strongly Request the Environmental Protection Department to Provide the Noise Index of Tsuen Wan Road Flyover As Soon As Possible
(EHAC Paper No. 18/16-17)

130. The Chairman welcomed Mr LEUNG Cho-shing, Joe, Environmental Protection Officer(Assessment & Noise)³³ (Env Protection Offr(Assessment & Noise)³³) of the EPD who specially joined the meeting. In addition, the EPD had submitted a written reply on the latest situation of the captioned matter prior to this meeting for Members' perusal.

131. Ms LAM, Lam Nixie introduced the paper.

(Note: Mr CHAN Sung-ip left the meeting at 5:20 p.m. Ms LAM Yuen-pun, Phyllis joined the meeting at 5:21 p.m.)

132. Env Protection Offr(Assessment & Noise)33 of the EPD responded as follows:
- (1) the developer had carried out the noise assessment during the construction of City Point at the request of the Town Planning Board (TPB) and adopted a design in compliance with the Hong Kong Planning Standards and Guidelines (HKPSG). As the developer was aware that the site concerned was in close proximity to Tsuen Wan Road, all windows of the building near Tsuen Wan Road were used for daylighting whereas those facing away from Tsuen Wan Road were used for ventilation. In addition, the contractor also adopted the interior design and layout features such as the construction of higher platform and architectural fin, with a view to minimising the traffic impact on City Point from Tsuen Wan Road. The development of City Point would only be approved and permitted by the TPB after the building design had met the requirements set by the TPB;
 - (2) the HyD had resurfaced Tsuen Wan Road with low noise material in early years. The EPD had also conducted the investigation, assessment and measurement in a flat on the middle floor of Phase 6 and Phase 7 of City Point respectively with the Member concerned in 2015. After making data collection and assessment, the EPD found that the traffic noise level measured in the flat on the middle floor of Phase 6 of City Point was comparable to the traffic noise standard of 70 dB specified in the HKPSG. The flat of Phase 7 of City Point was among the second row of flats instead of the first row of flats that were adjacent to Tsuen Wan Road and the windows were not facing Tsuen Wan Road. According to the relevant data and observation that day, the traffic noise level in the flat of Phase 7 of City Point was not affected by the traffic noise emanated at Tsuen Wan Road. After making analysis and a conclusion, the EPD had given replies to the Member concerned and two occupants respectively in 2015. Besides, the EPD would also continue to be mindful of the situation of traffic noise at Tsuen Wan Road and would deploy its staff to conduct inspection in the vicinity of Tsuen Wan Road and City Point once every one to two months. According to the findings from the last on-site observation, the traffic noise level at Tsuen Wan Road was comparable to the outcome of the measurement taken in August 2015 and there was also no significant change on the traffic flow, so there was no remarkable difference in the overall situation of traffic noise;
 - (3) during the measurement of traffic noise by the EPD with the Member concerned in 2015, the flat owners also mentioned that there was a relatively loud collision noise when heavy vehicles passed some of the joints of Tsuen Wan Road off City Point. The EPD had liaised with the HyD upon taking note of the said situation and the HyD had conducted a thorough inspection and testing on the joints and road surface. The relatively loud collision noise produced by vehicles passing the joints was probably due to the aged joints or road surface damage. Upon a thorough inspection by the HyD, the whole set of four joints was replaced in December 2015 having regard to the concern raised by the relevant Member

and flat owners, despite the structure of the joints was found in normal and acceptable conditions. Also, the EPD had sent its staff to monitor the situation at City Point and its surroundings after the replacement of joints and it was found that the situation at Tsuen Wan Road (Tuen Mun bound) was significantly improved. During the several inspections conducted in recent months, nearly no collision noise was produced when heavy vehicles passed the replaced joints and the situation at Tsuen Wan Road (Kowloon bound) was also improved, despite there was still room for improvement. In view of this, the EPD had requested the HyD to conduct a thorough testing on the level of the carriageway sections ahead and behind the joints again, so as to check the evenness of the carriageway sections and find out whether there was room for improvement. The HyD had acceded to the said request and the EPD would also continue to follow up the noise from the joints;

- (4) during the EPD's visit to the household in 2015, the occupants had also mentioned that there would be nuisance caused by illegally-modified vehicles or motorcycles that drove in excess of the speed limit in small hours. The EPD had made referral to the Police to follow up the said matter. According to the Police, a series of law enforcement actions had been taken and the corresponding law enforcement measures would be carried out again having regard to the circumstances; and
- (5) the EPD would continue to closely monitor the noise from Tsuen Wan Road flyover and discuss with the HyD when any irregularities were found. Also, the HyD would continue to carry out inspections on the section of Tsuen Wan Road in question and arrange for repair work for any damaged low noise material or surface structure of the flyover as soon as possible, in order to ensure the operation and driving safety as well as improving the noise situation.

133. The views, enquiries and suggestions of Ms LAM, Lam Nixie were summarised as follows:

- (1) a request was made in the captioned paper that the EPD should provide the noise index of Tsuen Wan Road flyover, but the EPD only mentioned that the data were comparable. Also, the response given above shared the same contents of the written reply given earlier. She asked for the data from measurement that day and enquired the reasons for failure to provide the data;
- (2) she had already made requests to the EPD for a number of times for providing the relevant data, including making an enquiry to the staff of the EPD at the TWDO's reception in early 2016 and a phone call to the EPD for the data in late 2015. However, according to the staff of the EPD, it had never come to their notice that she wished to obtain the relevant data. Up till present, she had been requesting the EPD to provide the data for one year and thus, follow-up work should be done by submission of paper;

- (3) as the EPD had submitted data for another agenda item, she thought that the EPD's response was an excuse. She also enquired the reasons for the failure to provide the data from measurement;
- (4) according to the EPD, the noise problem concerned had been significantly improved. She opined that a comparison on the data before and after improvement should be made, so as to ascertain whether the improvement was significant;
- (5) she had heard a booming sound alike that of explosion when an on-site measurement was carried out with the staff of the EPD in the afternoon that day. She enquired how the situation should be dealt with if there was a booming sound at night;
- (6) according to the EPD, the application of development of City Point would only be approved by the TPB after the developer had adopted the relevant measures. However, the measurement was taken by adoption of the recommended methods that day, i.e. only the glass windows were opened and the louvres were closed. She enquired the reasons for the EPD's failure to provide the relevant data and questioned whether any information was concealed;
- (7) she thought that the current problem could only be learnt through getting the relevant data and thus, solutions could be sought for the current problem; and
- (8) she opined that the situation was not significantly improved by the measures of the HyD and that the EPD had concealed some information. She enquired the reasons for failure to obtain the relevant data in spite of the submission of paper.

134. The Chairman said that according to the EPD's written reply, the noise measurement had not been taken at Phase 6 of City Point and the noise level of Phase 7 of City Point had not exceeded 70 dB. He enquired whether the EPD had any difficulties in providing the level of decibel from the measurements.

135. Env Protection Offr(Assessment & Noise)³³ of the EPD added that the EPD had conducted measurements at a flat of Phase 6 and Phase 7 of City Point respectively in 2015. The traffic noise level of the flat on the middle floor of Phase 6 of City Point was comparable to the traffic noise standard of 70 dB as specified in the HKPSG and the flat of Phase 7 of City Point was not affected by the traffic noise. The actual traffic noise level was about 65 dB.

136. Ms LAM, Lam Nixie enquired why it took one year for the EPD to provide the relevant data; and whether the actual data from Phase 6 of City Point was 70 dB. Moreover, according to the EPD, significant improvement was made, so she enquired whether the EPD could make arrangement for measurement again.

137. Env Protection Offr(Assessment & Noise)³³ of the EPD responded that according to the monitoring by the EPD, the data from Phase 6 of City Point was

comparable to the traffic noise standard of 70 dB and the traffic noise level of Phase 7 of City Point was about 65 dB. The EPD could arrange and conduct measurements with the Member concerned after the meeting if she wished that the EPD would visit and carry out measurements in the above flats again. He added that the EPD had explained in the written reply that the relevant data were comparable to the standard of the HKPSG and the noise level of another flat did not exceed the said standard. However, the EPD might have failed to explain clearly the relevant data in the written reply and would take note of it.

138. The Chairman stated that it meant the noise measurement at Phase 6 of City Point was 70 dB. It did not exceed the relevant standard but was at the threshold. He also considered that the information given in the EPD's written reply was more complicated.

VII Item 6: Strongly Request the Government Departments to Strengthen the Joint Law Enforcement Actions Against the Black Spots of Shop Extensions
(EHAC Paper No. 28/16-17)

139. The Chairman welcomed Mr CHAN Wing-kin, Brian, Patrol Sub-Unit Commander 2 of the HKPF who specially joined the meeting. Besides, Mr CHAN Kwok-hung, Ch Health Insp 1 of the FEHD and Mr LAU Kwun-tat, Land Ex/C 3 of the DLO would give response to Members' enquiries on behalf of their respective departments.

140. The Vice Chairman introduced the paper.

141. Ch Health Insp 1 of the FEHD responded as follows:

- (1) regarding the situation in the vicinity of San Tsuen Street, Chuen Lung Street and Ho Pui Street in Tsuen Wan, i.e. the situation around Concord Square, the FEHD hoped that the implementation of the fixed penalty system of \$1,500 against shop extensions on 24 September 2016 would bring a deterrent effect;
- (2) the three streets above were the priority black spots of shop extensions under the District-led Actions Schemes. After the penalty level was increased, the deterrence should also be enhanced accordingly; and
- (3) the FEHD hoped that the shop owners would understand the responsibilities that they should take. The TWDO had also held a number of meetings regarding shop extensions with the relevant departments including the FEHD, DLO, Buildings Department (BD) and HKPF. Before the implementation of the relevant ordinance, a series of measures such as public education and distribution of leaflets would be carried out in phases, and on-site inspections would also be conducted with a view to discussing the way forward. Moreover, the FEHD and HKPF had been conducting the joint operations to institute prosecution against shop extensions and unlicensed hawking and relative improvement had already been made for the situation concerned in May 2016.

142. Sr Health Insp(Hawker) of the FEHD responded as follows:

- (1) San Tsuen Street, Chuen Lung Street and Ho Pui Street were the black spots of shop extensions in Tsuen Wan. In the past, the FEHD had all along been committed to combating such an unlawful act in the past. The FEHD used to review the situation of the said locations regularly, even though the relevant ordinance had not come into effect yet. In mid-May 2016, the FEHD had deployed manpower to strengthen the manpower support for patrol and law enforcement work for the locations concerned. The FEHD would institute prosecution immediately if unlawful behaviour was found; and
- (2) regarding the photos provided by Members, the FEHD was uncertain if the loading and unloading of goods were shown in some of the photos. The loading and unloading of goods were normal procedures of shop operations. The FEHD had enhanced manpower for patrol and would monitor the time for loading and unloading of goods. If it was found that the loading and unloading of goods had lasted an unreasonable length of time, the FEHD would actively advise the shops concerned to finish the procedures of loading and unloading of goods as soon as possible. The FEHD would institute prosecution if it took too long for the procedures of the loading and unloading of goods.

(Note: Ms LAM, Lam Nixie, Mr LO Siu-kit and Ms LUI Dik-ming left the meeting at 5:40 p.m.)

143. Patrol Sub-Unit Commander 2 of the HKPF responded that the HKPF agreed with the FEHD's response and had been participating in the joint operations. During the operations, the FEHD had issued summonses and the HKPF had also given warnings. Although the situation was not improved totally, the shop owners concerned would become nervous and put the articles back into their shops promptly during the joint operations. Also, he agreed that the goods would be temporarily placed outside the shops when goods were loaded and unloaded by the shops. However, sometimes, the problem of shop extensions due to placement of goods outside the shops would become serious. If the uniformed staff of the HKPF monitored at the site, the shop owners would stop placing goods outside their shops because they were worried about being sued. He hoped that the deterrent effect would be heightened after the implementation of the new ordinance.

144. Land Ex/C 3 of the DLO responded that the DLO would take targeted law enforcement actions against the structures occupying the government land illegally in accordance with the Land (Miscellaneous Provisions) Ordinance (Chapter 28). The DLO would need to post a notice and give the persons concerned reasonable time to stop occupying the government land. Regarding the shop extensions at the said locations, there was no structure which occupied the government land according to the relevant laws and regulations. The DLO undertook to actively participate in the

joint operations under the District-led Actions Scheme and tie in with the actions taken in accordance with the relevant laws and regulations.

145. The views, enquiries and suggestions of the Vice Chairman, Mr KOO Yueng-pong, Ms LAM Yuen-pun, Phyllis, Mr KOT Siu-yuen and Mr LAM Fook-chuen were summarised as follows:

- (1) this was the first year that the TWDC launched the District-led Actions Scheme. This Scheme had already been implemented and several departments had participated in the Scheme. Members of the district also enquired at a meeting earlier as to whether the departments concerned could override the legislation and take law enforcement actions. However, in his response given earlier, the representative from the DLO failed to indicate the actions that could be taken at the location concerned. It was hoped that the departments concerned would consider overriding the ordinance and taking law enforcement actions;
- (2) currently, the situation at Lo Tak Court was improved whereas the situation was very serious at San Tsuen Street, Chuen Lung Street and Ho Pui Street. It was believed that the FEHD and HKPF had taken certain actions but the problem had not been solved yet. It was hoped that the departments concerned would take actions and handle the problem seriously;
- (3) as there was not adequate space for the shops to unload goods at the unloading area of Yeung Uk Road Market during peak hours, the shops concerned would unload goods at Ho Pui Street during peak hours in the morning. A notion of unstated tolerance to the above practice was developed within the FEHD and HKPF. The representative from the FEHD responded earlier that prosecution would be brought to the vehicles which were stopped and unloaded goods. In that case, there would be no place available for unloading goods. It was hoped that the departments concerned would not take law enforcement actions when the vehicles were unloading goods. On the other hand, it would be acceptable when the HKPF or FEHD instituted prosecution against the vehicles which stayed after unloading goods;
- (4) some members of the public complained that shop extensions of the fruit shops at Chuen Lung Street near Shiu Wo Street by placement of goods were common. As many people waited at the mini-bus stop in the said location during rush hours, it was difficult for the pedestrians to walk through. It was hoped that the departments concerned would enhance the law enforcement actions;
- (5) the problem of shop extensions had persisted for many years and it remained a tough nut to crack. As the FEHD mentioned that patrol could be enhanced, enquiry was raised on whether there was sufficient manpower and the number of staff members who handled the work concerned in Tsuen Wan district at present. It was learnt from the photos provided by Members that the whole street was handled by one staff member of the FEHD only. It was opined that it was not powerful enough when law

enforcement work or actions should be taken where necessary. Moreover, it was found in the news footage that several staff members of the FEHD caught one unlicensed hawker with joint effort. Enquiry was raised on whether there was any problem in the FEHD's establishment and the details of the entry and recruitment status of the posts concerned; and whether manpower could be increased in order to strengthen the efforts to handle the said matter;

- (6) as shown in the photos concerned, it was believed that the goods vehicle in the photo was unloading goods. However, the crates regularly placed on the ground on ordinary days and the goods placed in the street for sale should not be regarded as the goods unloaded from the goods vehicle; and
- (7) it was agreed that there was problem in the establishment. It was opined that the effectiveness of law enforcement would be hampered if only one staff member of the FEHD was on duty. It was hoped that besides the FEHD, the HKPF would also strengthen the law enforcement work. It was also believed that compared to the presence of the FEHD staff only at the scene, maintaining the presence of two uniformed officers of the HKPF at the scene would be more effective. It was enquired whether the HKPF could discuss with the FEHD and enhance patrol at the locations concerned.

146. Sr Health Insp(Hawker) of the FEHD responded that on the establishment, there were currently about 90 staff members who were responsible for the morning and night sessions respectively in the teams for handling the matter concerned in Tsuen Wan district. Generally, the FEHD would arrange two teams of staff members to conduct patrol at the three streets above on a daily basis. After patrol, some staff members would stay and observe at the said streets. If it took too long for loading and unloading goods from the vehicles or other unlawful behaviours were found, the staff members would notify the FEHD's control centre via the mobile radio system of the FEHD, so as to arrange manpower for support. Hence, there was not only one staff member who was arranged to handle the matter alone for the whole street. In addition, the FEHD would review its manpower regularly and requested the headquarters for support if necessary.

147. The Chairman said that the problem concerned had persisted for many years. He opined that at present stage, the problem could only be addressed under the existing mechanism. After the implementation of the new ordinance of fixed penalty, the EHAC would observe the effectiveness of the new ordinance before conducting a review and giving its views. Moreover, the DLO had explained that the new ordinance of fixed penalty had nothing to do with it. It could be seen that the DLO could only take law enforcement action under limited strength. He considered that the shop extensions could only be handled under the joint effort of the FEHD and HKPF for the time being.

VIII Item 7: Objection to Advance the Flight Departure Time at 6 o'clock in Early Morning

(EHAC Paper No. 19/16-17)

148. The Chairman said that the Airport Authority (AA) and Civil Aviation Department (CAD) had submitted written replies on the captioned matter prior to this meeting for Members' perusal.

149. Mr TAM Hoi-pong introduced the paper and expressed regret and anger at the CAD's and AA's failure to send representatives to attend this meeting.

150. The Chairman said that as the CAD and AA had not sent representatives to join this meeting, Members' enquiries were not to be responded by these two departments. He proposed that the Members concerned could continue to make supplementary remarks for record purpose and for the EHAC's consideration of the solutions to the matter concerned.

151. The views, enquiries and suggestions of Mr NG Hin-lung, Norris and Mr TAM Hoi-pong were summarised as follows:

- (1) regret was expressed at the CAD's and AA's failure to send representatives to attend this meeting. It was opined that the level of decibel given in the CAD's written reply was not the answer to the question about the time issue addressed by the Member in the paper;
- (2) besides Ma Wan, the residential areas in the vicinity of Sham Tseng and Tsing Lung Tau were also affected by the aircraft noise. In particular, the aircraft noise generated in small hours by the aircrafts which flew over the residential areas before landing at the North Runway had brought about the greatest impact to the residents;
- (3) according to the figures on aircrafts landing from the southwest announced by the CAD, the number of landing aircrafts was on the surge over the years, but there was a gradual decrease in the number of aircrafts that successfully landed from the southwest;
- (4) someone had put forth a proposal on mitigation of aircraft noise, for example, by increasing the landing gradient, so that the flight altitude of aircraft would be higher and the aircraft's height above the ground would be elevated. As a result, the aircraft noise would be reduced. Currently, this proposal was still under study, but the departments concerned proposed an earlier operating time for the two runways and from hearsay, the departure time would be advanced. It was considered that despite the existing unresolved problem, the departments concerned continued to aggravate the problem and lengthen the affected period of time. At present, the flights landed frequently from 5:00 a.m. onwards. Despite the fact that the airport operated around the clock, the residents needed to rest. It was hoped that the AA or CAD not only explored measures to increase the passenger and cargo traffic, but also addressed the impact to the residents brought by the aircraft noise;

- (5) regret was expressed again at the AA's and CAD's failure to send representatives to join this meeting. Furthermore, it was opined that currently, the CAD also failed to monitor the AA;
- (6) there were mainly two mistakes in the written reply submitted by the AA. The first mistake was found in the second paragraph of the above written reply. The AA mentioned that the operating time was advanced to before 8:00 a.m. for enhancing the efficiency of maintenance for the two runways. However, the runway system concerned was currently in operation at 7:00 a.m. and the two runways were in operation all at once from 7:00 a.m. to 8:00 a.m. It was not understood why the said mistake would be made. The second mistake was found in the second paragraph of the above written reply. The AA mentioned that attempts would be made for the flights to land from the southwest in small hours, so that these flights did not fly over the vicinity of Sham Tseng, Tsing Lung Tau and Belvedere Garden. However, according to the relevant records, most of the arrival flights had mainly used the flight path crossing over Tsuen Wan and Sham Tseng in summer, and the arrangements mentioned in the said written reply were never adopted. It was considered that the above written reply was deceptive to Members;
- (7) the arrival flights flying over Tsuen Wan and Sham Tseng as early as 5:00 a.m. to 6:00 a.m. However, it was considered that the crux of the problem was about the difference of engine power in aircraft landing and aircraft take-off. When the aircraft was landing, the engine would reach 30% of its horsepower only. On the other hand, when the aircraft was taking off, the engine would reach 100% of its horsepower. If the departure time was advanced to 6:00 a.m., an extremely loud noise would be generated by the aircrafts flying over Ma Wan. It was worrisome; and
- (8) the owner's committee of Park Island had also raised objection to the advance of flight departure time to 6:00 a.m. in writing. Members would not give up and would propose this agenda item again in two months. It was hoped that the Chairman, and the Vice Chairman who was concurrently the district councillor of Sham Tseng, would exert pressure on the CAD and AA to give response on the enquiries concerned.

152. The Chairman stated that as both the CAD and AA did not send representatives to join this meeting, the departments were unable to give response to Members' enquiries. He proposed that the EHAC should express strong dissatisfaction and regret at the CAD's and AA's failure to send representatives to attend this meeting in writing. Moreover, the said matter would be included under the item of matter of arising for follow-up, so it was not necessary for the Members concerned to propose the agenda item again at the next EHAC meeting. However, as to whether the departments would send representatives to attend the EHAC meeting and how the forthcoming situation would develop, it depended on how these concerns were addressed by the said departments. By that time, the EHAC would make decision on the new corresponding solutions.

153. Mr WONG Wai-kit said that in its written reply, the AA mentioned that the two-runway system operated from 8:00 a.m. to 1:30 a.m. However, according to the Members concerned, the two-runway system operated as early as at 7:00 a.m. He proposed that a request should be delivered to the AA for making clarification on this matter if the EHAC decided to write to the AA.

154. The Chairman said that in the letter to the CAD and AA, the EHAC would request these two departments to give response to Members' enquiries and to send representatives to attend the EHAC meeting to answer Members' enquiries. In addition, Members were reminded that the EHAC would not be able to solve each and every issue due to its terms of reference. In some cases, perseverance was required for yielding the effective outcomes. He opined that it was reasonable to strive for the rights for the residents of their respective constituencies, but Members would do better to set achievable goals for the EHAC. The EHAC would certainly provide assistance as far as possible, but if assistance could not be drawn from the LegCo for certain cases, not to mention at the level of District Council (DC). The EHAC was confident in solving problems at district level but it was difficult for the EHAC to solve territory-wide major issues or individual cases, such as the construction of noise barrier at the flyover to address the noise problem at City Point. He reminded that sometimes, the issues would not be solved if far too much pressure was put in the course of time. The EHAC would endeavour to tie in with Members' work but the EHAC needed time and room to act accordingly. It was hoped that Members would understand this.

(Post-meeting note: The EHAC had requested the CAD and AA to give response to Members' enquiries in writing on 22 August 2016.)

(Note: Mr MAN Yu-ming joined the meeting at 6:05 p.m.)

IX Item 8: Work Report on Environmental Hygiene in Tsuen Wan District
(EHAC Paper No. 20/16-17)

155. The Chairman welcomed the following government representatives who specially joined the meeting, including:

- (1) Mr KO Po-wai, Senior Health Inspector(Environmental Hygiene)² (Sr Health Insp(Env Hygiene)²) of the Joint Office (JO)/FEHD;
- (2) Mr LEUNG Chun-wai, Professional Officer 1 (Professional Offr 1/Joint Office 2) of the JO/BD; and
- (3) Miss TONG Sze-yin, Engineer/Customer Services (Inspection) NTW (Engr/Customer Services (Inspection) NTW) of the WSD.

156. The Chairman asked the representatives from the JO to report on the latest situation of handling the water seepage in buildings in the district.

157. Professional Offr 1/Joint Office 2 of the JO/BD reported as follows:

- (1) as at May 2016, the JO had received a total of 1 058 reports on water seepage in Tsuen Wan district, in which 571 cases were processed. Among the processed cases, 240 cases were screened out and 331 cases were concluded. Among the concluded cases, the water seepage ceased during investigation amounted to 50 cases; the source of water seepage was identified for 149 cases; and the source of water seepage could not be identified for 132 cases. The JO had instituted prosecution for five cases; and
- (2) if the staff of the JO were rejected from entering and inspecting the flat concerned during investigation, the JO would apply to the court for a “Warrant to Effect Entry into Premises” under the law so as to enter the flat to carry out investigation and testing. The JO had issued a total of 14 “Notices of Intention to Apply for Warrant of Entry”, and applied to the Tsuen Wan Magistrates’ Courts for “Warrant to Effect Entry into Premises” for seven cases among all.

158. The views, enquiries and suggestions of Mr Li Hung-por and Ms LAM Yuen-pun, Phyllis were summarised as follows:

- (1) it might cause confrontation to enter the flat in question by application for a warrant. It was enquired whether the departments concerned had such difficulties in the past;
- (2) upon receipt of complaint, the staff of the JO would carry out a preliminary test on moisture content and then attempt to conduct a colour test in the flat on the upper floor. It was enquired whether the JO would notify the complainant in writing when carrying out the above two procedures or the JO would only notify the complainant when the result of the colour test was available. The complainant might need to get the notification letter concerned as a proof to show the insurance company that there was water seepage in the flat. It was hoped that the JO would issue a letter to the complainant. Also, occupants of the flats relayed that they had never received any notification letter when the JO carried out the above two procedures. Enquiry was raised on whether the JO could issue a letter to the complainant after carrying out the test on moisture content; and
- (3) the situation of water dripping from air conditioners within private housing estates had been referred to the management office or security staff of the private housing estate concerned but it was not entertained. It was enquired whether the FEHD could provide assistance in this regard.

(Note: Mr TAM Hoi-pong left the meeting at 6:10 p.m.)

159. The Chairman said that the focus of discussion was the water seepage problem handled by the JO. And, the FEHD was responsible for the water dripping from air-conditioners. He proposed that the FEHD might give response later.

160. Sr Health Insp(Env Hygiene)² of the JO/FEHD responded as follows:

- (1) before the execution of the warrant, the occupant of the flat concerned would be notified in writing of the date of execution and the time for making arrangements in the flat. If the occupant of the flat wished to carry out the test on an alternative date, the FEHD would make arrangement for this as far as possible. On the day of execution of the warrant, the FEHD and HKPF would jointly execute the warrant concerned. No major confrontation had occurred so far;
- (2) upon receipt of complaint, the staff of the FEHD would visit and take measurement on the moisture content in the complainant's flat. If water seepage was confirmed, the FEHD would conduct investigation and colour test in the flat under complaint. If the problem with the pipes of the flat under complaint was not ascertained and the source of water seepage was not identified, the FEHD would refer the case to the BD for carrying out Stage III professional investigation. The FEHD would notify the complainant in writing when the result of the colour test was available or the case concerned was referred to the BD for follow-up actions. Generally, the staff of the BD would notify the complainant in writing after the professional investigation was completed by the staff of the BD; and
- (3) if the complainant wished to obtain a proof after the measurement of moisture content, the FEHD could issue a letter concerned upon request even though it was not a normal procedure of the FEHD.

161. The Chairman invited Members to raise enquiries on the Work Report on Environmental Hygiene in Tsuen Wan District.

162. The suggestions, views and enquiries of Mr NG Hin-lung, Norris, Mr LAM Faat-kang and Mr KOT Siu-yuen were summarised as follows:

- (1) regarding the hygienic problem of footbridges managed by the HyD, the middle part of the footbridge from Tsuen Wan MTR Station to Discovery Park extended to another footbridge straddling the Railway Depot to Route Twisk, i.e. the pedestrian subway near Cheung Pei Shan Road. Many morning walkers did morning exercises around Route Twisk and Fu Yung Shan via this footbridge. The public relayed earlier that the hygienic condition of the said footbridge was unsatisfactory. It was also noted that the HyD would only conduct cleansing once every three months. It was not satisfying. Moreover, the on-site inspection was conducted at the location concerned and many cigarette butts and suspected urine stains were found. It was noted that the HyD had taken actions immediately. But it was hoped that the HyD would pay attention to the hygienic problem of footbridges at relatively secluded locations, so that the pedestrians could use the footbridges in a better hygienic condition;
- (2) regarding Tsuen Fung Footbridge off the TWDO and TWDC and the staircases from Tsuen Fung Footbridge to Castle Peak Road, it was doubted that no repair works had been conducted for the said staircases since it was

completed up till present. The stainless steel parts of the staircases were covered with stains. Upon receiving complaint, the on-site inspection was conducted at the location concerned and the case was referred to the FEHD for follow-up actions. However, the FEHD could only cleanse the road surface but not the stains on the stainless steel parts. Moreover, stains still remained after the mosaic tiles on the parapets outside the TWDO had been removed and the parapets had been refurbished with paint. It was hoped that the departments concerned would follow up the matter so as to avoid bringing adverse impact to the environment; and

- (3) it was found that the refuse which was floated ashore had accumulated at the coastal beaches in the rural areas in Tsuen Wan which were not under the management of the LCSO. It was thought that the staff of the FEHD had missed out these coastal beaches, so routine cleansing work was not arranged for these coastal beaches. Although the FEHD took actions immediately after the said situation was reported to the FEHD, it was opined that the only solution was to include these coastal beaches in the routine cleansing work conducted by the FEHD when refuse was floated ashore frequently.

163. The Chairman reminded Members that the captioned agenda item was about the Work Report on Environmental Hygiene in Tsuen Wan District submitted by the FEHD. The issue of footbridges of the HyD might go above and beyond FEHD's duty, but the EHAC would still record and handle the matters and the FEHD might provide assistance or make referral as appropriate. He suggested that the FEHD could give response in accordance with its terms of reference.

164. Ch Health Insp 1 of the FEHD responded as follows:

- (1) regarding the problem of water dripping from air-conditioners, the FEHD had been handling this problem in accordance with the relevant laws and regulations. If water dripped from the air-conditioner of a flat, the FEHD would handle the case after receiving the relevant complaint. If the water dripping from air-conditioner was confirmed after the staff of the FEHD arrived at the scene, a Nuisance Notice would be issued to the occupant or owner of the flat concerned who was required to complete the repair works within three days upon receipt of the Nuisance Notice. The FEHD would check the repair status in three days. It was an offence if the occupant or owner of the flat failed to comply with the request on repair works and the FEHD would institute prosecution accordingly. Besides, the FEHD would also handle the cases within private housing estates; and
- (2) regarding the ungazetted beaches, the FEHD's daily routine cleansing work had already covered these beaches including the Anglers' Beach next to Sham Tseng. As Members also mentioned earlier that there were still two to three ungazetted beaches around the place, he would conduct inspections at these beaches the next day and hoped that these beaches would be covered by the daily routine cleansing work. Moreover, the FEHD had

also found that there were large quantities of marine refuse and had referred this to the Marine Department (MD) for follow-up actions, with a view to reducing marine refuse and minimising the quantities of refuse being floated ashore. It would also facilitate the beach cleansing work carried out by the FEHD and LCSD.

(Note: Mr CHAN Chun-chung, Jones left the meeting at 6:20 p.m.)

165. The Chairman said that the EHAC would convey Members' views on the issues going above and beyond FEHD's duty to the relevant departments.

X Item 9: Work Report on Environmental Pollution Control in Tsuen Wan District (April to May 2016)
(EHAC Paper No. 21/16-17)

166. Senior Environmental Protection Officer(Regional West)² of the EPD reported the EPD's work on environmental pollution control.

XI Item 10: Maintenance Projects of Minor Environmental Improvement Programme in 2016/17
(EHAC Paper No. 22/16-17)

167. Senior Inspector of Works (Sr Insp of Works) of the TWDO introduced the paper.

168. The suggestions, views and enquiries of the Vice Chairman and Mr KOT Siu-yuen were summarised as follows:

- (1) support was given to the maintenance works of the rainshelter at Fuk Loi Estate because this rainshelter connected with the covered passageway of Fuk Loi Estate and the footbridge network of the HyD. It was hoped that the matter concerned would be handled and improved as soon as possible. Moreover, the HyD was thanked for conducting several works projects earlier including the connection of water mains and the enhancement of volume of water discharged at the footbridge concerned; and
- (2) many residents of the district reflected that the indication of direction on the map of the directory board of Sham Tseng was confusing. As the map in question was North-up, visitors would find it confusing when they saw the beach right in front of them while the map indicated that the beach was behind the village. The said problem had not been raised in the past in order to save public money on erection of a new directory board. However, due to the maintenance works as currently required, he would liaise with Sr Insp of Works of the TWDO to see whether the indication of direction on the map could be improved in due course.

169. Sr Insp of Works of the TWDO responded that the maintenance works for the directory board of Sham Tseng was required because the plastic plate on its surface was cracked. As for the issue on the indication of direction on the map mentioned

by Members, he could discuss with the Members concerned after the meeting to see if the said issue could also be dealt with under this maintenance project.

170. The EHAC approved the following maintenance project:

	<u>Maintenance Project</u>	<u>Estimated Amount (\$)</u>
(1)	Maintenance Works for Directory Board of Sham Tseng, Tsuen Wan, Rainshelter at Tsuen King Circuit and Fuk Loi Estate and Three Welcome Signs at Cheung Shan Estate, Sha Tsui Road and Castle Peak Road	150,000.00

XII Item 11: Progress Report on Minor Environmental Improvement Programme and Maintenance Projects in 2016/17
(EHAC Paper No. 23/16-17)

171. Sr Insp of Works of the TWDO briefed Members on the progress of the projects. He also mentioned that the consultations and ground investigations of some projects were expected to be completed and tendering for these projects would be arranged in July 2016.

172. The Chairman stated that the progress of the projects concerned was steady.

XIII Item 12: Work Progress Report of Working Groups under Environmental and Health Affairs Committee

(A) Monitoring Group on Environmental Protection and Green Community

173. The Secretary reported that the Monitoring Group on Environmental Protection and Green Community would convene a meeting as soon as possible and discuss the work plan for the current year.

(B) Monitoring Group on Public Health and Food Safety

174. The Chairman reported that the Monitoring Group on Public Health and Food Safety would convene a meeting as soon as possible and discuss the work plan for the current year.

(C) Task Force on Environmental Pollution and Improvement

175. The Secretary reported that the Task Force on Environmental Pollution and Improvement would convene a meeting as soon as possible and discuss the work plan for the current year.

XI Item 13: Any Other Business

176. The Chairman said that as informed by the TWDC earlier, the EPD would provide each DC with funding of up to \$200,000 to extend the Community Participation Programme in Environmental Protection in Collaboration with District Councils (the “Programme”) with the theme of “Community Waste Less Action -

Waste Not, Re-Use More, Clean Recycling” for implementation in 2016/17. The values of “use less, waste less, clean recycling” would be promoted among members of the public at the district level and encourage them to practise green living through appropriate promotional activities co-organised with the district organisations. He proposed that the Monitoring Group on Environmental Protection and Green Community should follow up the matters of the funding concerned by adopting the arrangement of the last DC term. Members agreed to the proposal.

177. The suggestions, views and enquiries of Mr KOO Yeung-pong and Mr LAM Faat-kang were summarised as follows:

- (1) it was hoped that the EHAC would be concerned about the growing trend of street performance. Recently, a youth band presented performances in the vicinity of Lo Tak Court at night. Also, a band always performed songs with amplifier near Tsuen Wan Plaza lately. During daytime, a band even performed songs with African drum;
- (2) regarding the area beneath the footbridge between Clague Garden Estate and the carpark, part of this area was government land under DLO’s management. The location was weedy and in an unfavourable hygienic condition. Even worse, there were snakes at Clague Garden Estate. Moreover, the FEHD was appreciated for its assistance provided for the problem of breeding of mosquitoes on 27 June 2016 and it was hoped that the departments concerned would pay attention to the said matters; and
- (3) the residents complained that polyurethane foam granules drifted into their flats from the construction site of the new Caritas Community Centre opposite New Territories South Regional Headquarters of the HKPF. It was enquired whether it was due to the construction works currently in progress and it was hoped that the EPD would provide assistance for this.

178. The Chairman said that as the issues raised under the item of Any Other Business would not be discussed at the moment, it was hoped that the departments concerned would provide assistance after taking note of the relevant views. The Members concerned could also liaise with the departments concerned individually after the meeting for follow-up work and submit agenda items at the next EHAC meeting for discussion if necessary.

(A) Information Papers

179. Members noted the contents of the following information papers:

- (1) Financial Statement of the Funds Allocated to Environmental and Health Affairs Committee as at 21 June 2016 (EHAC Paper No. 24/16-17);
- (2) Odour Prediction Assessment at the Riviera Gardens and Tsuen Wan Slaughter House (April to May 2016) (EHAC Paper No. 25/16-17, submitted by the EPD);
- (3) Work Report on the Problem of Sea Water Pollution of the Rambler Channel, Tsuen Wan (April to May 2016)

- (EHAC Paper No. 26/16-17, submitted by the EPD); and
- (4) Noise Monitoring Result of MTR Tsuen Wan Depot (April to May 2016)
(EHAC Paper No. 27/16-17, submitted by the EPD).

XIV Adjournment of Meeting

180. The Chairman reminded Members that the next meeting was scheduled at 2:30 p.m. on 1 September 2016 (Thursday) and the deadline for submission of paper was 17 August 2016.

181. There being no other business, the meeting was adjourned at 6:35 p.m.

Tsuen Wan District Council Secretariat
23 August 2016