

(Translation)

Minutes of the 6<sup>th</sup> Meeting of  
Environmental and Health Affairs Committee (4/16-17)

Date : 3 November 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 KOO Yeung-pong, MH  
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  
Mr TSE Wing-hong

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
Mr AU YEUNG Wai-ming, Arthur	Deputy District Leisure Manager(Tsuen Wan)2, 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, Kowloon & New Territories South 2, Drainage Services Department
Mr TSE Man-hong	Engineer/Tsuen Kwai 1, Kowloon &

Mr CHONG Kwok-wai	New Territories South 2, Drainage Services Department District Engineer/Tsuen Wan, Highways Department
Mr LI Pui-sang	Contract Project Coordinator/2 (NTW), Civil Engineering and Development Department
Miss SIU Wai-yin, Florence	Town Planner/Tsuen Wan 3, Planning Department
Mr CHENG Chi-hung	Housing Manager/TTI, Housing Department
Mr KONG Tak-shing	Senior Land Executive/Control 2 (District Lands Office, Tsuen Wan and Kwai Tsing), Lands Department
Mr TSE Hing-chit	Administrative Assistant/Lands (District Lands Office, Tsuen Wan and Kwai Tsing), Lands Department
Mr YUNG Chi-wai	Senior Inspector of Works, Tsuen Wan District Office
Mr LEE Shing-fai, Henry	Executive Officer (Development), 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 Nelson (Secretary)	Executive Officer (District Council)1, Tsuen Wan District Office

Attendance by Invitation:

For discussion of items 2A, 2B and 2H

Mr IP Ho-ming, Benson	Acting Chief Inspector of Police (Operations 1) (Tsuen Wan), Hong Kong Police Force
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For discussion of item 2D

Mr YU Kam-cheung, Simon	Building Services Engineer/Tsuen Wan, Architectural Services Department
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For discussion of item 2E

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

Mr SZETO Wai-tun	Engineer/NTW (Distribution 1), Water Supplies Department
Mr LO Chi-hang, Robo	Senior Resident Engineer, AECOM

Mr LAM Kong-keung, Paul

Resident Engineer, AECOM

For discussion of item 3

Ms Joyce CHOW

Project Manager, Policy for Sustainability Lab of Faculty of Social Sciences, the University of Hong Kong (Programme Director of the Public Engagement)

Ms Neve LEUNG

Assistant Secretary for the Environment(Sustainable Development)2, Environment Bureau (Secretariat of the Council for Sustainable Development)

For discussion of item 6

Mr KO Po-wai

Senior Health Inspector(Environmental Hygiene)3/Joint Office, Food and Environmental Hygiene Department Professional Officer 1/Joint Office 2, Buildings Department Engineer/Customer Services (Inspection) NTW, Water Supplies Department

Mr LEUNG Chun-wai

Miss TONG Sze-yin

Absent:

Member

Mr TIEN Puk-sun, Michael, BBS, JP

Action

The Meeting

I Opening Remarks and Introduction

The Chairman welcomed the Members and representatives from the government departments to the 6<sup>th</sup> meeting of the Environmental and Health Affairs Committee (EHAC), and introduced Miss SIU Wai-yin, Florence, Town Planner/Tsuen Wan 3 of the Planning Department (PD), who replaced Mr CHEUNG Ho-wing, Louis, Town Planner/Tsuen Wan 2 of the PD to attend the meeting.

2. The Chairman reminded Members that according to section 15(3) of the Tsuen Wan District Council Standing Orders (the “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 5th Meeting held on 1.9.2016

3. The minutes of the previous meeting were unanimously confirmed by Members without amendment.

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

4. The Chairman said that agenda item 2D would be firstly discussed at the request of the departments concerned.

(D) Paragraph 18 to 21 of Minutes of the Meeting held on 1 September 2016: Request to Improve the Environment of the Waiting Area of the Minibus Terminus in Sai Lau Kok Multi-storey Carpark

5. The Chairman welcomed Mr YU Kam-cheung, Simon, Building Services Engineer/Tsuen Wan (Bldg Services Engr/Tsuen Wan) of the Architectural Services Department (ArchSD) who specially joined the meeting.

6. The Chairman asked the representative from the ArchSD to report on the latest situation.

7. Bldg Services Engr/Tsuen Wan of the ArchSD reported that the ArchSD had submitted the cost estimation of the works to the Tsuen Wan District Office (TWDO) and would make funding application after receiving the application concerned. The TWDO was currently coordinating with other departments for implementation of the works.

8. Senior Inspector of Works (Sr Insp of Works) of the TWDO said the Transport Department (TD) and Government Property Agency (GPA) indicated in their replies that the physical location for installation of fan was not under their management. Therefore, the installation works was not followed up by any department for the time being.

9. The views, enquiries and suggestions of Mr TAM Hoi-pong and Mr LO Siu-kit were summarised as follows:

- (1) it was enquired whether the said location was most likely under the management of the TD and GPA;
- (2) it was enquired whether the departments refused to follow up the works concerned partly due to the commitment on undertaking the repair and maintenance work as well as the expenses of the fan in future;
- (3) it was hoped that the works concerned would be completed as soon as possible;
- (4) the ArchSD should be held responsible for making it clear that which department was responsible for the management of the said location; and
- (5) the GPA ought to follow up the works in the government buildings.

10. Bldg Services Engr/Tsuen Wan of the ArchSD responded that although its work had already been completed, the ArchSD would study which department should be responsible for the management of the said location at Members' request.

11. The Chairman said that the EHAC would write to the Transport and Housing

Bureau and the Financial Services and the Treasury Bureau to express dissatisfaction with the approach taken by the TD and GPA in handling the matter concerned, and to request the two policy bureaux to make clarification on which department should be responsible for the said location.

(A) Paragraph 4 to 17 of Minutes of the Meeting held on 1 September 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 and (H) Paragraph 55 to 59 of Minutes of the Meeting held on 1 September 2016: Strongly Request the Government Departments to Strengthen the Joint Law Enforcement Actions Against the Black Spots of Shop Extensions

12. The Chairman said that the captioned matters (A) and (H) under the matters arising from the minutes of the previous meeting would be jointly discussed because they fell within the same scope.

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

- (1) Mr IP Ho-ming, Benson, Acting Chief Inspector of Police (Operations 1) (Tsuen Wan) (Atg CIP (OPS 1) (Tsuen Wan)) of the Hong Kong Police Force (HKPF); and
- (2) Mr CHAN Kwok-hung, Chief Health Inspector 1 (Ch Health Insp 1) of the Food and Environmental Hygiene Department (FEHD).

14. Ch Health Insp 1 of the FEHD reported that during September and October 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 issued 39 Notices to Remove Obstruction at Tak Wah Street during the said period. However, no immediate legal action could be taken due to insufficiency of site evidence. After the Fixed Penalty (Public Cleanliness and Obstruction) Ordinance came into effect, the FEHD instituted prosecutions against shop extensions by issuing a total of 78 Fixed Penalty Notices in Tsuen Wan district during 24 September 2016 and 2 November 2016.

15. Atg CIP (OPS 1) (Tsuen Wan) of the HKPF reported that the Police would deploy two police officers to participate in each joint operation to prevent crime or disruption to public safety. Moreover, in the meantime, one police sergeant and four to six police officers would institute prosecutions on traffic offences at the scene, with a view to reducing the pedestrian flow and improving the street obstructions.

16. The views, enquiries and suggestions of Mr LO Siu-kit and the Vice Chairman were summarised as follows:

- (1) the departments concerned failed to follow up the proposal made by Members at the last EHAC meeting, i.e. to inform district councillors of the constituencies before the joint operations, so that they could observe the duties of various departments in the joint operations;

- (2) it was unlikely that violent incidents would occur as the FEHD could only issue the Notice to Remove Obstruction in the joint operations. Therefore, the two police officers assigned by the Police could carry out the law enforcement work and institute prosecution against illegal parking, so as to resolve the problem of street obstruction;
- (3) it could be learnt from the photos submitted by the FEHD at the meeting that all the joint operations of the departments were conducted in the morning. Also, the roadsides of the locations concerned were designated as prohibited zones from 7:00 a.m. to 7:00 p.m. Hence, enquiry was raised on the reasons for the failure of the Police to conduct law enforcement work against illegal parking at the locations concerned;
- (4) a pallet truck was found at the roadside in the photos submitted by the FEHD at the meeting. However, the departments concerned had failed to take immediate actions; and
- (5) after the implementation of the Fixed Penalty (Public Cleanliness and Obstruction) Ordinance, observation was made and it was found that improvement had been made for road obstruction at Chuen Lung Street, San Tsuen Street and Ho Pui Street. Therefore, recognition was given to the FEHD for its efforts and enquiry was raised on the geographical distribution of the Notices to Remove Obstruction issued by the FEHD.

(Note: Ms LAM, Lam Nixie joined the meeting at 2:40 p.m. Mr WONG Ka-wa joined the meeting at 2:45 p.m.)

17. Atg CIP (OPS 1) (Tsuen Wan) of the HKPF responded that the Police did not only assign the police officers to participate in the joint operations, but also deployed manpower to implement traffic enforcement measures at the scene. The figures on law enforcement would be provided after the meeting for Members' reference. Moreover, if obstacles causing serious traffic congestion were found on the road in the joint operations, the Police could directly request the FEHD to remove the articles, and the FEHD could take actions without having to wait for four hours after attaching the Notice to Remove Obstruction.

18. Ch Health Insp 1 of the FEHD responded that the three streets above were included in the District-led Actions Scheme (DAS), which was coordinated by the TWDO and participated by the FEHD, HKPF and District Lands Office (DLO). Also, the district councillors of the constituencies were thanked for their assistance during the period of publicity for the DAS. From 24 September 2016 to 2 November 2016, a total of 20 Fixed Penalty Notices were issued at Chuen Lung Street, San Tsuen Street, Ho Pui Street and Yi Pei Square and the remaining 58 Fixed Penalty Notices were issued in other places in Tsuen Wan including Lo Tak Court, Shiu Wo Street, Hoi Pa Street, Tak Wah Street, Ham Tin Street, Tso Kung Square and Tai Pei Square. The FEHD would continue to work in collaboration with various departments, so as to further improve the environmental hygiene in Tsuen Wan district.

(Note: Mr CHAN Chun-chung, Jones joined the meeting at 2:52 p.m.)

19. The views, enquiries and suggestions of the Hon CHAN Han-pan, Ben, Mr WONG Ka-wa and Mr NG Hin-lung, Norris were summarised as follows:

- (1) the residents in Tsuen Wan district relayed that the situations of the streets were improved. The FEHD was commended for its efforts. Also, it was hoped that the FEHD and other departments would continue to take law enforcement actions, so that continuous improvements could be made for the situation;
- (2) it was opined that at the initial stage upon implementation of the legislation, the requests for making improvements could be made through giving advice to the shops and the issuance of the Fixed Penalty Notice should be minimised;
- (3) a controversial case was found at Yi Pei Square. The victim was served a summons, even though he/she was about to push away the trolley containing the goods for delivery which was placed outside the shop temporarily. Then, the victim became agitated. It was hoped that the FEHD would be mindful of the original intent of the legislation and the standard of enforcement;
- (4) although significant improvements had been made for some areas, the situations of Ho Pui Street, Heung Wo Street and Shiu Wo Street remained unsatisfactory;
- (5) it was enquired whether the HKPF would contact the FEHD or DLO for follow-up actions if obstacles causing serious traffic congestion were found on the roads;
- (6) members of the public often lined up for the minibus routes to Cheung Shan and Tsing Lung Tau at the minibus stops at Hoi Pa Street. As part of the waiting zone for members of the public was occupied with the goods and platforms placed by the shops, it was hoped that the FEHD would take follow-up actions; and
- (7) it was hoped that the DLO would follow up the situation that the structures of some shops at Hoi Pa Street extended to the street or occupied the government land.

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

- (1) the FEHD would request its front-line staff to pay attention to the standard of enforcement for the situation concerned;
- (2) Heung Wo Street and Shiu Wo Street were covered in the areas of inspections. The FEHD would continue to enhance the inspections and law enforcement work;
- (3) Hoi Pa Street was also one of the target locations of the law enforcement work during the above period. The FEHD would continue to enhance the law enforcement actions in the areas concerned; and
- (4) if the Police invoked section 32(1) of the Summary Offences Ordinance

(Chapter 228), the FEHD could arrange to remove the articles by its staff immediately without having to attach a notice and wait for four hours.

21. The views, enquiries and suggestions of Mr LO Siu-kit and Mr NG Hin-lung, Norris were summarised as follows:

- (1) the DLO, HKPF and TWDO were thanked for carrying out the preparatory work before the Fixed Penalty (Public Cleanliness and Obstruction) Ordinance came into effect on 24 September 2016, so that the law enforcement actions were conducted very smoothly without disruptions on 24 September 2016;
- (2) it was suggested that the Police could improve the problem of shop extensions at Tak Wah Street by adopting the approach of removing the obstacles on the roads for Ho Pui Street, Chuen Lung Street and San Tsuen Street;
- (3) it was hoped that various departments would inform Members before conducting the joint operations, so that Members could make observations at the scene; and
- (4) it was enquired how the DLO would handle the structures of the shops that extended to the street.

22. Administrative Assistant/Lands (District Lands Office, Tsuen Wan and Kwai Tsing) (Adm Asst/Lands) of the DLO responded that he noted that the structures of the shops at Hoi Pa Street extended to the street. Currently, the DLO was studying with the departments concerned as to whether there were unauthorised building works or unlawful occupation of government land at Hoi Pa Street. Referral would be made to the Buildings Department (BD) for further actions if there were unauthorised building works.

(Note: Mr TSE Wing-hong and Ms CHOW Chin-tung joined the meeting at 3:05 p.m.)

23. Atg CIP (OPS 1) (Tsuen Wan) of the HKPF responded that a police officer of a designated rank should be at the scene if section 32(1) of the Summary Offences Ordinance (Chapter 228) was invoked. In this connection, a police sergeant, together with other police officers, were deployed to conduct traffic control at the scene, so that the corresponding actions could be taken if serious road congestion was caused by the obstacles on the roads at the scene. The figures on law enforcement actions would be submitted after the meeting for Members' reference.

24. The Chairman said he requested the DLO to make it clear that which department should be responsible for the extensions of shop structures at Hoi Pa Street before the next EHAC meeting. The captioned agenda item had been discussed for years. He hoped that after the implementation of the new legislation, the Police would take law enforcement actions more proactively and work together with various departments in order to improve the environmental hygiene and problem

of shop extensions in Tsuen Wan district.

(B) Paragraph 22 to 25 of Minutes of the Meeting held on 1 September 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”

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

- (1) under the assistance of the FEHD and the Police, the recycling work for the renovation works area of the Concord Square was completed. In August 2016, the FEHD and the Police, with the cooperation of the management office, had deployed their staff to clear the access of the Concord Square which was occupied during the repair works in 2015. The walkway around the Concord Square was in a satisfactory condition;
- (2) after the Fixed Penalty (Public Cleanliness and Obstruction) Ordinance came into effect, the occupation of walkway by the shops at the streets nearby was resolved; and
- (3) further discussion on the captioned matter under the matters arising from the minutes of the previous meeting was no longer required.

26. The Chairman agreed that the captioned matter under the matters arising from the minutes of the previous meeting would be removed from the agenda of the next EHAC meeting.

(C) Paragraph 26 to 28 of Minutes of the Meeting held on 1 September 2016: Request for Taking Operation against the Easy-mount Frames on the Two Bridges of Fou Wah Centre, Citistore and Chung On Street

27. 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.

28. Ch Health Insp 1 of the FEHD reported that during September and October 2016, the FEHD had carried out inspections from time to time at the bridges outside Fou Wah Centre and Tsuen Fung Centre and around the walkway in Chung On Street, so as to combat the obstructions caused by the retractable advertising banners. Seven prosecutions were instituted and 52 and 58 retractable advertising banners were removed respectively. Subject to the circumstances for evidence gathering, the FEHD combated the obstruction caused by the easy-mount frames at the said locations through taking surprise operations and manning at the scene. Hence, there was an increase in the number of prosecutions.

29. Mr LO Siu-kit said he considered that the situation was improved significantly. He also suggested that the FEHD should enhance the unscheduled inspections, so as to prevent the recurrence of the obstruction caused by the easy-mount frames at the

said locations.

(E) Paragraph 36 to 39 of Minutes of the Meeting held on 1 September 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

30. 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, and Mr TAI Moon-kwong, Daniel, Senior Environmental Protection Officer(Regional West)2 (Sr Env Protection Offr(Regional W)2) of the Environmental Protection Department (EPD) would give response to Members' enquiries on behalf of the EPD. Besides, the MD had submitted a written reply on the captioned matter prior to the meeting for Members' perusal and Sr Asst Shipping Master/Cargo Handling (2) of the MD was asked to report on the latest situation.

31. Sr Asst Shipping Master/Cargo Handling (2) of the MD responded as follows:
- (1) the MD had conducted an on-site inspection together with the EPD and made proposal on noise mitigation to the operator of berth no. 27. The operator also expressed his willingness to cooperate;
  - (2) the MD discussed the feasible measures with the operators from time to time, say, to load and unload cargoes by lifting and to avoid dumping cargoes directly from goods vehicle, in order to improve the noise situation;
  - (3) the MD always distributed the Cargo Handling Manuals printed by the EPD and Ship Operation Guidelines on Noise Prevention printed by the MD to operators and goods vehicle drivers in the district;
  - (4) the operator of the berth concerned had purchased new equipment. 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 plastic tyres 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 that were placed on the container stuffing machine into a container on the goods collection tractor slowly, in order to reduce the noise during operation;
  - (5) the staff of the MD would bring along the noise metres during patrol. If the noise volume was found exceeding the control threshold, the staff of the MD would issue a warning to the operators concerned immediately. Besides, the operators were always reminded to conduct measures to minimise the noise and dust, say, to place tyres on the ground, reduce the speed of the crane as far as possible and sprinkle water at the scene from time to time, etc.; and
  - (6) during the operating hours of the Public Cargo Working Area (PCWA) concerned, if the residents would like to lodge any complaints of noise,

they could call the duty inspectors of the Rambler Channel PCWA at 2614 1914, so that the duty inspectors could conduct the follow-up work.

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

- (1) no complaint of noise had been received from members of the public since the implementation of the new measures on 26 September 2016;
- (2) some members of the public complained that the operators still worked on Sundays. Although the operators had already shortened the operating hours as mentioned by the MD, he hoped that the MD would conduct a study on adding the terms in the contract to forbid the operation of the PCWA concerned on Sundays;
- (3) enquiry was raised on whether the 24-hour video and audio recording equipment could be installed at the PCWA concerned, so that the operators would be alerted and the EPD would be able to draw reference when handling the noise nuisance; and
- (4) it was hoped that the MD would provide the patrol timetable and number of warnings given.

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

- (1) according to the Port Control (Cargo Working Areas) Ordinance (Chapter 81) and Berth Licence Agreement, except the specified closing periods (from 5:00 p.m. on the day preceding the first day of Lunar New Year to 12:00 noon on the third day of Lunar New Year), the daily operating hours of the PCWA concerned was from 7:00 a.m. to 9:00 p.m. Thus, the MD could not forbid the operators from working on Sundays;
- (2) after negotiating, the operators had undertaken to shorten the operating hours to 9:00 a.m. - 12:00 noon on Sundays;
- (3) the MD had to consider whether resources were available for installing the 24-hour video and audio recording equipment at the PCWA concerned and study the technical feasibility with the Electrical and Mechanical Services Department; and
- (4) the staff of the MD would carry out and take records of noise measurements during patrol.

34. Sr Env Protection Offr(Regional W)2 of the EPD responded that as the PCWA concerned was under the MD's management, the EPD would not be able to assist in installing the video and audio recording equipment.

35. The Chairman stated that the EHAC would express its aspiration of amendment of the legislation to the Legislative Council in writing, so as to minimise the noise impact on the residents.

(F) Paragraph 40 to 45 of Minutes of the Meeting held on 1 September 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

36. The Chairman welcomed Mr TSE Hing-chit, Adm Asst/Lands of the DLO and Mr KONG Tak-shing, Senior Land Executive/Control 2 (District Lands Office, Tsuen Wan and Kwai Tsing) (Sr Land Ex/Control 2) of the DLO who specially joined the meeting.

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

38. The Acting Chairman asked Sr Land Ex/Control 2 of the DLO to report on the latest situation.

39. Sr Land Ex/Control 2 of the DLO reported that the DLO would consider adding the appropriate regulations in the Conditions of Grant after the EPD completed the study on the views collected.

40. Sr Env Protection Offr(Regional W)2 of the EPD said that the EPD was currently discussing and studying the views solicited from the meetings earlier with other departments and would conduct consultation again when further recommendations or proposals were available.

41. The Chairman resumed the chair.

(G) Paragraph 46 to 54 of Minutes of the Meeting held on 1 September 2016: 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

42. The Chairman welcomed the representatives from the Water Supplies Department (WSD) and consultant company who specially joined the meeting, including:

- (1) Mr SZETO Wai-tun, Engineer/NTW (Distribution 1);
- (2) Mr LO Chi-hang, Robo, Senior Resident Engineer of AECOM; and
- (3) Mr LAM Kong-keung, Paul, Resident Engineer of AECOM.

Moreover, the WSD had submitted a written reply on the captioned matter prior to the meeting for Members' perusal.

43. The representative from the WSD made supplementary remarks as follows:  
(1) there was no direct correlation between the years of service of the water mains and the probability of burst; and

- (2) the WSD had an established mechanism for monitoring the quality of works undertaken by the contractors and making assessment on the effectiveness after completion of works. The WSD could draw reference from these information when tendering in future.

(I) Paragraph 60 to 61 of Minutes of the Meeting held on 1 September 2016: Objection to Advance the Flight Departure Time at 6 o'clock in Early Morning

44. The Chairman said that the Civil Aviation Department and Airport Authority failed to send representatives to join this meeting and had submitted written replies on the captioned matter prior to the meeting for Members' perusal.

(J) Paragraph 81 to 85 of Minutes of the Meeting held on 1 September 2016: Strongly Request for Paying Serious Attention to and Addressing the Refuse Accumulation Problem at Lo Tak Court Carpark and Returning a "Clean and Quiet" Community to the Residents

45. The Chairman asked Ch Health Insp 1 of the FEHD to report on the latest situation.

46. Ch Health Insp 1 of the FEHD said that the Tsuen Wan District Environmental Hygiene Office had all along been liaising with its Headquarters, with a view to providing additional resources to enhance the frequencies of inspections and prosecutions. Since August 2016 till present, the FEHD had instituted a total of nine prosecutions at Lo Tak Court Carpark. The current situation was improved significantly and no accumulation of refuse was found. The FEHD would continue to strive to improve the environmental hygiene.

47. Mr KOT Siu-yuen said he agreed that environmental improvement was made. The noise problem relayed by members of the public was also improved and the contractor no longer used the tipper lorry for refuse collection in the morning. However, as the refuse problem still remained, the FEHD was requested to provide the photos taken before and after the operations or law enforcement work for Members' reference.

48. Ch Health Insp 1 of the FEHD said that the FEHD would provide the photos as required at the next EHAC meeting.

(K) Paragraph 86 to 90 of Minutes of the Meeting held on 1 September 2016: Request the Departments Concerned to Pay Serious Attention to the Environmental Hygiene Problems under the Flyover at Tsuen Wan Road near Clague Garden Estate

49. The Chairman asked Sr Land Ex/Control 2 of the DLO to report on the latest situation.

50. Adm Asst/Lands of the DLO reported that the Vegetation Contract Management Team of the DLO had conducted the clearance work earlier, but it was unsatisfactory. The Vegetation Contract Management Team was requested to carry out the clearance

work again. After the clearance work, some areas were in satisfactory conditions at present and the works would be completed within this week. Besides, the DLO had informed the WSD to handle the refuse and plants in the area which was allocated to the WSD on a temporary land grant.

51. Mr KOO Yeung-pong said that the Vegetation Contract Management Team of the DLO did not clear the refuse such as fallen leaves but just piled them up, making the environment even more favourable for proliferation of mosquitoes. He requested the DLO to complete the clearance work before the rain season in 2017 as soon as possible.

52. Adm Asst/Lands of the DLO responded that owing to the inconvenient transport link and large amount of refuse including fallen leaves at the captioned location, the contractor was unable to complete the clearance work in one go. The DLO had instructed the contractor to complete the works within one or two weeks.

(L) Paragraph 37 to 43 of Minutes of the Meeting held on 4 September 2015: Follow-up Report on Effectiveness of Installation of Large Plastic Sheets in Prevention of Odour at Tai Ho Road, Tai Chung Road and Ma Tau Pa Road by Drainage Services Department

53. The Chairman drew Members' attention to the written reply of the Drainage Services Department (DSD) and asked Mr CHU Man-kit, Engineer/Tsuen Kwai 2, Kowloon & New Territories South 2 of the DSD to report on the latest situation.

54. Engineer/Tsuen Kwai 2, Kowloon & New Territories South 2 of the DSD reported that the large plastic sheets were installed at the box culverts of Ma Tau Pa Road, Tai Ho Road and Tai Chung Road by the DSD in January 2015, May 2015 and August 2015 respectively for carrying out the tests on effectiveness of the large plastic sheets in prevention of odour emissions at outfalls. The DSD had regularly conducted monitoring and assessment on the odour, durability of the plastic sheets, impact on the discharge of water and the appearance of the plastic sheets in 2015.

55. The DSD had not received any complaint about odour and negative feedback on the appearance of the plastic sheets from members of the public in 2015. In addition, the DSD found that the capacity for discharge of water of the stormwater drains during the last two rain seasons was not affected. As for the durability of the plastic sheets, the transparent plastic sheets in use were initially susceptible to dirt and frequent replacement was required. The DSD was currently conducting a test on another type of green plastic sheets at Tai Ho Road and hoped that these plastic sheets would be more durable.

56. The Chairman raised enquiries on whether scientific data were available for assessment of the odour problem; whether the staff who undertook the smell tests for the DSD had attained professional qualifications; as well as the criteria and frequency

of the smell tests conducted. He hoped that the DSD would provide the data on the smell tests.

57. Engineer/Tsuen Kwai 2, Kowloon & New Territories South 2 of the DSD responded that the staff of the DSD would be assigned to conduct the smell tests at the locations concerned on a biweekly basis. The smell tests would be taken by the same officer in order to ensure the objectivity. When there was odour, the DSD would arrange the contractor to conduct the cleansing work as soon as possible and carry out the smell test again subsequently. The DSD would arrange follow-up work as and when necessary. The DSD would provide the data on the smell tests after the meeting for Members' reference.

58. The Chairman asked Sr Env Protection Offr(Regional W)2 of the EPD to make supplementary remarks.

59. Sr Env Protection Offr(Regional W)2 of the EPD responded that the EPD would take actions together with the DSD and BD when misconnections of drainage pipes were found. At present, the problem of misconnections was mainly found in the old buildings in Tsuen Wan district. The EPD and BD would continue to undertake the follow-up work. It was hoped that the odour problem would be improved after the dry weather flow interceptors were installed in urban and rural areas of Tsuen Wan.

60. The Chairman hoped that the EPD and DSD would follow up and resolve the odour problem, so that the number of complaints would not increase substantially after the completion of the new buildings nearby.

(Note: Mr CHUNG Wai-ping joined the meeting at 3:55 p.m.)

IV Item 3: Public Engagement on Promotion of Sustainable Consumption of Biological Resources of the Council for Sustainable Development  
(EHAC Paper No. 44/16-17)

61. The Chairman welcomed the representatives from the department and the University of Hong Kong (HKU) who specially joined the meeting, including:

- (1) Ms Neve LEUNG, Assistant Secretary for the Environment(Sustainable Development)2 (AS for the Env(Sustainable Dev)2) of the Environment Bureau (ENB) (Secretariat of the Council for Sustainable Development); and
- (2) Ms Joyce CHOW, Project Manager, Policy for Sustainability Lab of Faculty of Social Sciences (Programme Director of the Public Engagement) of the HKU.

62. Project Manager of the HKU introduced the paper.

63. The views, enquiries and suggestions of Mr CHENG Chit-pun, Mr LI Hung-por, Mr NG Hin-lung, Norris, Ms LAM Yuen-pun, Phyllis, Mr LAM Faat-kang, Mr

WONG Ka-wa, Mr TAM Hoi-pong, Mr TSE Wing-hong, the Chairman and Mr CHUNG Wai-ping were summarised as follows:

- (1) support was given to the promotion of sustainable consumption of biological resources;
- (2) it was suggested that concrete policies or proposals on the channels of participation, instead of a hollow concept should be put forward, so that the promotion work would be more effective and convincing;
- (3) dissatisfaction was expressed at the Government for submission of the captioned paper to the EHAC in a hasty manner without adequate preparation;
- (4) it was enquired whether the departments would set up an action team to promote the fundamental concepts of sustainability in secondary and primary schools persistently, which would be conducive to the implementation of the publicity work and balancing the interests of various stakeholders in the long run;
- (5) the promotion of sustainable consumption of biological resources should be carried out on various fronts including secondary and primary education as early as possible;
- (6) enquiry was raised on the initiatives for encouraging the catering outlets and shop owners in Tsuen Wan district to take part in the promotion of the Sustainable Seafood Movement;
- (7) although the majority of the general public agreed that environmental awareness should be enhanced, there were difficulties in practice. For example, members of the public would purchase the seafood at the lowest price as they were unable to verify the places of origin of the seafood;
- (8) it was not a mandatory requirement for the shop owners to state the places of origin and aquaculture practices of the products under the existing framework. Also, the departments did not set up a relevant checking system and would only take further actions according to the Trade Descriptions Ordinance (Chapter 362) upon receipt of complaint. Members of the public were unable to support the promotion of sustainable consumption of biological resources without the corresponding measures;
- (9) it was suggested that consumption of endangered species should be criminalised and the source should be identified in order to induce a change in the mindset and habit of the general public at source;
- (10) it was suggested that a regulatory control should be exercised in accordance with the mechanism under the Convention on International Trade in Endangered Species of Wild Fauna and Flora;
- (11) taking the Green Card Reward Programme in South Korea as an example, despite the fact that the Programme was effective in engaging members of the public, they participated in the Programme not necessarily because they recognised the importance of sustainable development. To the contrary, it encouraged spending which went against the principle of less consumption of the Earth's resources;
- (12) reference could be drawn from the measures of food miles implemented in

Australia. The manufacturers were required to specify on the package the delivery distance from the place of origin to the consumers. Also, public views on the implementation of food miles should be sought during the consultation of the captioned matter;

- (13) as the benchmark for the trade varied from country to country, the trade would not support the programme if it was implemented without a reasonable legal regime;
  - (14) due to the difference in local cultures, the measures feasible for other places might not be suitable for Hong Kong. Consideration should be taken for making compensation for the parties with vested interests;
  - (15) it was enquired what the district councillors could do to assist in encouraging public participation at the district level, besides collecting the public engagement questionnaires;
  - (16) it was suggested that members of the public could be encouraged to build a lifestyle of sustainable development in their daily lives, for example, they could get a discount after ordering less rice at fast food restaurants;
  - (17) it was suggested that the concept of sustainable consumption of biological resources could firstly be promoted among consumers. The business sector would have a higher motivation to tie in with the concept after it gained popularity;
  - (18) it was suggested that the promotion of the idea of sustainable consumption of biological resources could be carried out by categories, so that Members could assist in the promotion and it would be easier for the general public to understand the ideas;
  - (19) compared to the written form of publicity, it would be more effective to promote the environmentally friendly concepts such as vegetarian diet from the health perspective and disseminate the concept of reduced consumption of endangered species across different strata;
  - (20) it was opined that the department aimed to solicit EHAC's views only. Members were not invited to assist in encouraging public engagement;
  - (21) a huge amount of paper would be consumed during election. It was hoped that the Government would review the actual needs in order to reduce consumption; and
  - (22) it was hoped that various departments would coordinate with the contractors, for example, by adding appropriate terms in the contract, so that the contractors would handle the yard waste in accordance with the Guidelines on Yard Waste Reduction and Treatment for lessening the burden on landfills.
64. AS for the Env(Sustainable Dev)2 of the ENB responded as follows:
- (1) given that the sustainable consumption of biological resources was probably a relatively new concept in Hong Kong community and the general public might know very little about it, the Council for Sustainable Development commenced the public engagement, which aimed at taking the first step to promote the said concept to various stakeholders. It was

also hoped that the concept would be disseminated in the district through Members so as to induce responses and discussions for more proposals and ideas, from which the Council for Sustainable Development would draw reference when formulating policy recommendations; and

- (2) various views from Members were noted and appreciated. Upon expiry of the views collection period, the Policy for Sustainability Lab of Faculty of Social Sciences of the HKU would consolidate the views and conduct analysis for drawing reference and making policy recommendations to the Administration by the Council for Sustainable Development.

65. Project Manager of the HKU responded as follows:

- (1) it was noted that Members attached importance on the long-term education for the next generation and general public;
- (2) the concept of “Consume Wisely to Conserve our Biological Resources” consisted of two levels, namely the public’s consumption culture and pattern as well as making smart choices; and
- (3) the consultation period lasted until 15 November 2016. She hoped that Members would help enhance the publicity and encourage the localities to complete the questionnaires, so as to facilitate the Government to take considerations on the policy.

66. The Chairman suggested that the department concerned should invite the EHAC for discussion of the captioned matter as early as possible, so that Members would have more time to assist in the publicity work. He agreed with Members’ suggestions that consultation on the policy should be conducted. He also considered that the general public was discouraged from completing the questionnaire due to the design of the questionnaire. There were too many questions in the questionnaire. Members of the public would make no attempt to complete them. He added that although the EHAC was supportive of the direction of sustainable development, he hoped that the allocation of resources and arrangement of consultation would be improved.

(Note: Mr WONG Ka-wa left the meeting at 4:43 p.m. The Hon CHAN Han-pan, Ben left the meeting at 4:46 p.m.)

V Item 4: Strongly Request the Drainage Services Department to Implement the Works for Covering the Nullah at Chiu Tam Path As Soon As Possible  
(EHAC Paper No. 45/16-17)

67. The Chairman said that the captioned paper was submitted by Mr TIEN Puk-sun, Michael and Mr CHENG Chit-pun, and welcomed Mr TSE Man-hong, Engineer/Tsuen Kwai 1, Kowloon & New Territories South 2 of the DSD who specially joined the meeting.

68. Mr CHENG Chit-pun introduced the paper.

69. Engineer/Tsuen Kwai 1, Kowloon & New Territories South 2 of the DSD responded as follows:

- (1) the works for covering the nullah at Chiu Tam Path had already been included in the project of the ecological park at Tso Kung Tam Valley of the LCSD. Therefore, the design of works for covering the nullah should complement and integrate with the overall planning and design of the said ecological park;
- (2) the DSD would continue to monitor the odour of the nullah concerned and enhance cleansing as and when necessary, so as to reduce the impact on the residents nearby; and
- (3) the DSD would request the LCSD to prepare a Drainage Impact Assessment report during the planning stage of construction works for the ecological park. Moreover, the works of Tsuen Wan Drainage Tunnel had been completed in 2013 and one of the intakes was located next to the existing river at Tso Kung Tam. In heavy rain, some stormwater would be diverted to the Drainage Tunnel and the quantity of stormwater flowing into the nullah at Chiu Tam Path would be reduced. According to the present observation, the works for covering the nullah at Chiu Tam Path was technically feasible in principle.

70. The views, enquiries and suggestions of Mr LI Hung-por, Mr CHENG Chit-pun, Mr CHUNG Wai-ping and Mr KOO Yeung-pong were summarised as follows:

- (1) the proposal of covering the nullah at Chiu Tam Path had been made years ago. It was enquired whether not until the LCSD commenced the works of the ecological park at Tso Kung Tam Valley did the DSD start the works for covering the nullah;
- (2) enquiry was raised on the reason for the DSD to wait for the LCSD to carry out the works of the ecological park at Tso Kung Tam Valley and dissatisfaction was expressed at the DSD's failure to draw up a timetable for completion of works;
- (3) the odour problem could be solved and the usable space could be expanded by covering the nullah. It was favourable to the residents. The DSD should consider according priority to completion of the works for covering the nullah;
- (4) after completion of the works for covering the nullah, not only would the odour be eliminated, but also the residents' health would be improved. Moreover, the LCSD should take up the study on the use of the space on the nullah decking;
- (5) it was worried that the reduction in water flowing into the nullah would make the odour of the nullah even stronger. The odour problem would become more serious due to the lack of rainwater which helped dilute the polluted water discharged from the squatters nearby;
- (6) enquiry was raised on whether the works for covering the nullah and the works of the ecological park could be carried out separately; and the DSD's role in the works of the ecological park undertaken by the LCSD;

- (7) dissatisfaction was expressed at the DSD for shuffling off its undertaking of the past onto the LCSD. Also, it was enquired whether the LCSD would cover the nullah at Chiu Tam Path under the project of the ecological park at Tso Kung Tam Valley;
- (8) the DSD should firstly complete the works for covering the nullah and then the LCSD should consider keeping pace with the project of the ecological park at Tso Kung Tam Valley;
- (9) it was enquired whether the DSD and LCSD determined to cover the nullah at Chiu Tam Path;
- (10) the DSD was requested to actively follow up the works for covering the nullah at Chiu Tam Path;
- (11) the DSD's agreement on the views of covering the nullah at Chiu Tam Path was noted. It was hoped that the LCSD would submit the design and timetable of the ecological park at Tso Kung Tam Valley as soon as possible; and
- (12) enquiry was raised on the DSD's short-term measures to ease the intensity of odour.

71. Engineer/Tsuen Kwai 1, Kowloon & New Territories South 2 of the DSD responded as follows:

- (1) the DSD had already taken into consideration the impact on the water quantity of the existing rivers when the Drainage Tunnel was constructed. Therefore, the stormwater would only be diverted to the Drainage Tunnel when the water surface of the rivers reached a certain level in heavy rain;
- (2) as the works area for covering the nullah lay within the works area of the ecological park and the space on the nullah decking should benefit in use for the ecological park after the nullah was covered, the LCSD was currently reviewing the details and timetable of the project. The works for covering the nullah should keep pace with the overall plan of the ecological park;
- (3) as the space on the nullah decking would be used by the LCSD and the design of the works for covering the nullah would be influenced by the use of the said space, the DSD should firstly discuss with the LCSD to confirm the design of the ecological park and use of the space on the nullah decking in future;
- (4) the LCSD was currently reviewing the details and timetable of the project; and
- (5) at present, the DSD would enhance the cleansing work and explore other short-term measures to ease the odour problem and report to Members at the next meeting.

72. Deputy District Leisure Manager(Tsuen Wan)2 of the LCSD responded that the LCSD was currently reviewing the scope and proposed facilities of the project of the ecological park with the relevant departments. The works for covering the nullah was also included in the proposal.

73. The Chairman stated that any matters concerning the ecological park should be referred to the relevant committees for follow-ups. He asked the DSD to report to Members on the short-term measures to ease the odour problem at the next meeting.

VI Item 5: Request the Highways Department to Explain the Reasons in Detail for Implementation of the Strengthening Works for the Blocks on Footpaths by Application of Glue Without Conducting any Consultation and How the Repair and Maintenance of the Footpaths in Tsuen Wan District were Enhanced and Improved so as to Further Ensure the Safety of the General Public  
(EHAC Paper No. 46/16-17)

74. The Chairman said that as the captioned agenda item was raised by him, he asked the Vice Chairman to take over the chair temporarily.

75. Mr CHOW Ping-tim introduced the paper.

76. The Acting Chairman said that the Highways Department (HyD) did not send any representative to attend the meeting. The written reply of the HyD was tabled at the meeting.

77. The views, enquiries and suggestions of Mr CHUNG Wai-ping, Mr LAM Faat-kang, Mr NG Hin-lung, Norris, Mr KOO Yeung-pong and Ms LAM Yuen-pun, Phyllis were summarised as follows:

- (1) it was opined that as the land lot under the captioned agenda item was selected for the pilot scheme, the attempt to beautify the road surface should be made from the aesthetic perspective and district councillors of the constituencies should be consulted;
- (2) it was worried that similar situation would occur in other areas in Tsuen Wan. For example, Chung On Street at first looked very beautiful after the application of coloured sand between the red slabs on the footpath; however, the pigment was washed away, soiling the area around the footpath at present;
- (3) it was agreed that the works should be conducted in the districts of a higher risk and a greater chance of occurrence of bricks hurling incident. Nevertheless, the Government should seriously consider whether the works should be implemented in other places;
- (4) it was considered that the cost of application of glue on the roads was higher. It was hoped that the HyD would consider enhancing the maintenance of the road sections concerned;
- (5) as the use of blocks was to facilitate the underground repair works originally, it was enquired whether the HyD had changed its practice;
- (6) as the application of glue between the blocks would reduce the permeability and fail to replenish the underground water, the road would be more susceptible to cave-ins;
- (7) it was enquired whether the road section concerned was a trial site and whether similar schemes would be implemented in other areas in Tsuen

Wan; and

- (8) it was agreed that the sand between the blocks would be washed away by cleansing and the application of glue between the blocks could improve the unevenness of the road surface, so as to ensure the safety of the pedestrians. It was opined that a review could be conducted after observing the effectiveness of the works concerned.

78. District Engineer/Tsuen Wan of the HyD responded that he would relay Members' views to the Repair Section and take follow-up actions after the meeting.

79. The views, enquiries and suggestions of Mr CHOW Ping-tim, the Hon CHAN Han-pan, Ben, Ms LAM Yuen-pun, Phyllis and Mr TAM Hoi-pong were summarised as follows:

- (1) dissatisfaction was expressed at the written reply submitted by the Repair Section of the HyD and its failure to send representatives to attend this meeting;
- (2) the Repair Section was originally requested to give response on the views concerned in verbal; however, there was still no response before the submission of paper;
- (3) according to the HyD, the soiled areas would be handled. However, the high-pressure water jets were ineffective in cleansing the stains on road surface;
- (4) the district councillors of the constituencies should be consulted even though it was a pilot scheme. Also, it was requested that the reasons for selecting Wing Shun Street should be explained;
- (5) it was requested that an on-site inspection should be conducted with the HyD and the HyD should send representatives to attend the next meeting;
- (6) dissatisfaction was expressed at the HyD's failure to consult the district councillors before implementing the pilot scheme. Also, attention would be drawn as to whether similar schemes would be carried out in other places in Tsuen Wan;
- (7) the increase in the costs of underground repair works conducted by the government departments and relevant public utilities due to the application of glue would finally be passed onto consumers;
- (8) the HyD was requested to make clarification on the reasons for the application of glue between slabs. It was enquired whether public safety or reduced frequency of repairs was taken into consideration;
- (9) it was hoped that the HyD would give an account on the test results of the application of glue between slabs;
- (10) it was found that the places in other districts were soiled because the glue between the slabs on footpaths was washed away by stormwater on rainy days. Therefore, objection was raised against the application of glue between slabs by the HyD;
- (11) the gaps between slabs had a drainage function. The application of glue between slabs might possibly lead to the problem of slight flooding; and

(12) the HyD was criticised for the application of glue at the road section concerned and its failure to consult the district councillors.

80. The Acting Chairman expressed his regret at the HyD's failure to send representatives to attend the meeting. He said that the EHAC could make arrangements to conduct on-site inspection with the HyD, and would write to the Director of Highways to express dissatisfaction at the HyD's failure to send representatives to attend the meeting.

81. The Chairman resumed the chair.

VII Item 6: Work Report on Environmental Hygiene in Tsuen Wan District  
(EHAC Paper No. 47/16-17)

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

- (1) Mr KO Po-wai, Senior Health Inspector(Environmental Hygiene)<sup>3</sup> 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 of the WSD.

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

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

- (1) as at the end of September 2016, the JO had received a total of 1 911 reports on water seepage in Tsuen Wan district, in which 1 191 cases were processed. Among the processed cases, 474 cases were screened out and 717 cases were concluded. Among the concluded cases, the water seepage ceased during investigation amounted to 120 cases; the source of water seepage was identified for 364 cases; and the source of water seepage could not be identified for 233 cases. The JO had instituted prosecution for six 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 29 "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 nine cases among all.

85. Ch Health Insp 1 of the FEHD introduced the Work Report on Environmental Hygiene in Tsuen Wan District.

86. The views, enquiries and suggestions of Mr LAM Faat-kang, Mr NG Hin-lung, Norris, Mr TSE Wing-hong and Ms LUI Dik-ming were summarised as follows:

- (1) regarding the clearance of banners that were displayed without permission, the complaints from members of the public were relayed to the Lands Department (LandsD) and FEHD. According to the FEHD, it would take three or four days to verify whether display of banners was permitted at the location concerned with the LandsD. Currently, some people displayed banners without permission during the said verification period. It was hoped that the LandsD and FEHD would work in coordination to review the channels of information exchange and take immediate actions upon receipt of complaints from members of the public;
- (2) enquiry was raised on the relevant penalties if the loophole of unauthorised display of banners was plugged and the offenders were identified;
- (3) it was considered that the deterrence effect was limited because the FEHD only charged the clearance costs from the people who displayed banners without permission;
- (4) the unauthorised display of bills and posters, which was also detrimental to the cityscape, was found at bus stops or on lamp posts as well. According to the FEHD, the bus companies were responsible for clearance of these publicity materials. However, the bus companies often failed to do so immediately. It was hoped that the departments concerned would expedite the process of clearance of these publicity materials; and
- (5) enquiry was raised on the FEHD's solutions to the problem of dog fouling at present.

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

- (1) the FEHD and LandsD had all along been working together to implement the Management Scheme for the Display of Roadside Non-commercial Publicity Materials, in which the FEHD was responsible for the clearance work. As the clearance work involved recovering removal costs from the beneficiaries of the publicity materials, the staff of the FEHD could only carry out the clearance work after the relevant information were verified by the staff of the LandsD at the site. Therefore, it would take some time to conduct the clearance work;
- (2) during the election period in July 2016, the FEHD and LandsD conducted the clearance operations of banners on a daily basis, except Tuesdays. The FEHD would endeavour to make arrangements for clearance operations during weekends or holidays;
- (3) the FEHD was willing to work in collaboration with the LandsD and draw reference from the approach adopted during the election period, so as to shorten the verification time;
- (4) the FEHD would only charge the removal costs when handling the non-commercial banners that were displayed without permission. The display of commercial banners was in breach of section 104 of the Public Health and Municipal Services Ordinance and the FEHD could institute

- prosecution against the beneficiaries on the banners;
- (5) the FEHD was also responsible for the clearance operations for the bus stops on public footpaths; and
  - (6) the FEHD could issue a Fixed Penalty Notice of \$1,500 to any person who allowed his/her dog to foul any public place without clean-up pursuant to the Fixed Penalty (Public Cleanliness and Obstruction) Ordinance. However, as collection of evidence was involved and there were difficulties in adducing evidence and instituting prosecution, the FEHD had already enhanced the publicity and constructed more facilities including dog latrines in order to improve the environmental hygiene.

88. The views, enquiries and suggestions of Ms LAM, Lam Nixie, the Vice Chairman, Mr NG Hin-lung, Norris and Mr LAM Faat-kang were summarised as follows:

- (1) the situation of dog fouling was more serious in Sham Tseng area. Under the existing legislation, it was unable to institute prosecution against the owner who allowed his/her dog which was not kept on a leash to foul any public place. Despite conducting over 140 operations in the past, the plainclothes officers and uniformed enforcement officers still failed to institute prosecution;
- (2) although currently there was only one team of plainclothes officers who tackled the problem of dog fouling over the territory, it was hoped that the Tsuen Wan District Environmental Hygiene Office would strive for arranging the plainclothes officers to take law enforcement actions in Sham Tseng area. It would achieve a deterrent effect among members of the public after prosecution was instituted;
- (3) dog fouling in Tsuen Wan including Sham Tseng area was found every day. The Tsuen Wan District Environmental Hygiene Office had made an attempt to assign the plainclothes officers to take law enforcement actions but there was still no successful prosecution. Enquiry was raised on the reasons why the FEHD failed to institute prosecution. Also, it was hoped that the FEHD would take practicable actions to resolve the said problem;
- (4) the phenomenon of dog fouling was more commonly found when compared to spitting in Sham Tseng and Tsing Lung Tau areas. Dogs fouling public places were also witnessed. The reasons for the failure to institute prosecution by the FEHD could hardly be understood;
- (5) it was hoped that clarification would be made as to whether prosecution could not be brought to the owner who allowed his/her dog which was not kept on a leash to foul any public place. If the dog was aggressive, the situation would be aggravated;
- (6) it was understood that it would take time to handle the unauthorised display of non-commercial banners through departments' efforts. It was hoped that the two departments would identify the common situations and reach a consensus, so as to speed up the law enforcement procedures;
- (7) it was hoped that the LandsD would provide the FEHD with the

information on the locations of display of banners under permission in order to shorten the verification time, so that the FEHD could remove the banners immediately;

- (8) enquiry was raised on which legislation the FEHD would invoke to institute prosecution against the unauthorised display of non-commercial banners; and
- (9) it was suggested that a review should be conducted on the legislation in relation to unauthorised display of commercial and non-commercial banners and heavier penalties should be imposed on repeated offenders.

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

- (1) regarding the unauthorised display of non-commercial banners, the FEHD would liaise with its contractors to conduct irregular clearance operations on a weekly basis after verifying the information with the DLO via email;
- (2) the absence of beneficiary of non-commercial banners caused difficulties in adducing evidence. As a result, prosecution could not be instituted pursuant to section 104 of the Public Health and Municipal Services Ordinance (Chapter 132) and only the removal expenses could be charged;
- (3) Members' concern was noted. The FEHD would discuss the work arrangements with the DLO to strengthen the clearance operations; and
- (4) although there were certain difficulties in taking law enforcement actions against dog fouling under the existing legislation, the FEHD would adopt different approaches in bringing prosecution. The FEHD did not only take the law enforcement actions, but also enhanced the publicity. It was hoped that the problem would be resolved by adopting this two-pronged approach.

90. Adm Asst/Lands of the DLO responded as follows:

- (1) the DLO exercised its function in respect of the display of non-commercial banners through granting permission for the display at designated locations in accordance with the guidelines;
- (2) the DLO would verify whether the beneficiaries of the non-commercial banners and contents in display were in compliance with the guidelines as and when necessary;
- (3) the DLO had no power to approve the display of non-commercial banners at the non-designated locations. Therefore, the FEHD could clear the non-commercial banners displayed at the non-designated locations without permission beyond DLO's verification; and
- (4) the DLO had already provided the FEHD with the information on the non-commercial banners displayed at the designated locations under permission. The FEHD had already got sufficient information for taking actions.

91. The Chairman said he hoped that the FEHD could improve the arrangements of the operations and suggested that a Special Committee should be set up to handle the unauthorised display of banners of late. Besides, the problem of dog fouling had

persisted for years but the legislation lagged behind the times. He suggested that the portable video recording equipment should be provided or technologies such as genetics should be applied to assist in law enforcement. He also suggested that Members who had interest could liaise with the FEHD after the meeting and take part in the operations against dog fouling conducted by the plainclothes officers.

92. Ch Health Insp 1 of the FEHD responded that the Management Scheme for the Display of Roadside Non-commercial Publicity Materials was implemented through co-ordination between the FEHD and DLO. However, the DLO's responses differed from the working guidelines formulated by the two departments as well as the practices adopted in other districts. Also, the FEHD had never received the information on the non-commercial banners displayed at the designated locations under permission as stated by the DLO. The Tsuen Wan District Environmental Hygiene Office would seek advice from its Headquarters to ensure that the clearance process was on the right track.

VIII Item 7: Work Report on Environmental Pollution Control in Tsuen Wan District (August to September 2016)

(EHAC Paper No. 48/16-17)

93. Sr Env Protection Offr(Regional W)2 of the EPD reported the EPD's work on environmental pollution control.

94. Mr LAM Faat-kang said that as it was autumn, members of the public might be affected by the noise problem of MTR Tsuen Wan Depot. He hoped that the EPD would pay attention to and provide information on this.

95. The Chairman asked Member to refer to the Noise Monitoring Result of MTR Tsuen Wan Depot (EHAC Paper No. 54/16-17).

IX Item 8: Maintenance Projects of Minor Environmental Improvement Programme in 2016/17

(EHAC Paper No. 49/16-17)

96. Sr Insp of Works of the TWDO introduced the paper.

97. The EHAC approved the following maintenance project:

<u>Maintenance Project</u>	<u>Estimated Amount (\$)</u>
(1) Repair to Directional Sign and Mileage Sign along Catchwater between Shing Mun Reservoir and Route Twisk, Tsuen Wan	80,000.00

X Item 9: Progress Report on Minor Environmental Improvement Programme and Maintenance Projects in 2016/17

(EHAC Paper No. 50/16-17)

98. Sr Insp of Works of the TWDO briefed Members on the progress of the projects and added that the tendering work for the new project item 4 (Construction of Rainshelter at Wing Shun Street near Riviera Plaza and Elevated Walkway, Tsuen Wan) and new project item 11 (Extension of Rainshelter at Hoi Pa Street near Wing Lung House and Wing Tai House, Tsuen Wan) would be conducted in November 2016.

99. The views, enquiries and suggestions of the Vice Chairman and Mr TAM Hoi-pong were summarised as follows:

- (1) when the tendering procedures would be completed and when the works would commence for the new project item 6 (Extension of Rainshelter at Castle Peak Road - Sham Tseng near Rhine Garden and Bus Stop, Tsuen Wan);
- (2) whether the indication of direction on the map of information board in Sham Tseng could be adjusted in the maintenance project item 1 (Maintenance of Information Board in Sham Tseng, Rainshelters in Tsuen King Circuit and Fuk Loi Estate and Three Welcome Signs at Cheung Shan Estate, Sha Tsui Road and Castle Peak Road, Tsuen Wan); and
- (3) which department was responsible for the area of the benches in the new project item 14 (Provision of Benches at Sai Lau Kok Road near Tsuen Wan Multi-storey Carpark Building and Lamp Post W2535, Tsuen Wan) and the time required for tendering.

100. Sr Insp of Works of the TWDO responded as follows:

- (1) the tendering work for the new project item 6 was completed. After completing the administrative procedures, a contract would be entered as soon as possible. It was expected that the works would commence in November 2016;
- (2) regarding the maintenance project item 1, the TWDO had already entered a contract with the contractor. The adjustment of the indication of direction on the map was included in this project;
- (3) the area of the benches was managed by the HyD. The TWDO had already consulted the views from the HyD and TD and the works would commence if no objection was received after a notice was put up; and
- (4) it generally took one to two months to proceed the tender exercise until the contract was entered.

101. Sr Insp of Works of the TWDO proposed that if the balance of the funding for the new projects under Minor Environmental Improvement Programme in the district was insufficient for implementation of a new project, the balance should be transferred to the maintenance projects for better use of the funding of Minor Environmental Improvement Programme.

102. The EHAC unanimously agreed to the said proposal.

XI Item 10: Application for Funds for Community Participation Initiative on Environmental Protection Projects Co-organised by Monitoring Group on Environmental Protection and Green Community and Local Organisation  
(EHAC Paper No. 57/16-17)

103. The Secretary introduced the paper and said that the Chairman, Mr MAN Yu-ming, Ms LAM Yuen-pun, Phyllis, the Hon CHAN Han-pan, Ben, Mr KOO Yeung-pong, Mr TAM Hoi-pong, Mr WONG Ka-wa, Mr WONG Wai-kit and Mr LAM Kwok-on were the Members of the Monitoring Group on Environmental Protection and Green Community, so as to indicate that they had made declaration of their membership.

104. As the Chairman had made declaration of interest, the Vice Chairman would take over the chair temporarily.

105. The Acting Chairman asked if any Members needed to make declaration of other interest immediately. Mr MAN Yu-ming made declaration of his appointment as the President of the Tsuen Wan Youth Association. Ms LAM Yuen-pun, Phyllis made declaration of her appointment as the Vice President of the Tsuen Wan Youth Association. Mr CHOW Ping-tim made declaration of his appointment as the President of the Residents Association of Tsuen Wan Hoi Bun District. The Acting Chairman permitted that the Members who were concurrently the Members of the Monitoring Group on Environmental Protection and Green Community and the Members who had declared an interest to remain in the meeting as observers but the Members could not speak or vote on the matter in accordance with section 48(12) of the Standing Orders.

106. The EHAC approved the funding applications as follows:

<u>Activity</u>	<u>Applicant Organiser/ Co-organiser</u>	<u>Amount Approved (\$)</u>
(1) Community Green Workshop Programme	Tsuen Wan Youth Association	100,000.00
(2) Save Resources & Love Our Home cum Green Carnival	Residents Association of Tsuen Wan Hoi Bun District	50,000.00

XII Item 11: Work Progress Report of Working Groups under Environmental and Health Affairs Committee

(A) Monitoring Group on Environmental Protection and Green Community

107. The Secretary reported that the Monitoring Group on Environmental Protection and Green Community had held its second meeting on 31 October 2016 and followed up the details of activities and financial budget for the current year. The Monitoring

Group approved an earmarked funding of \$50,000 which was allocated by the Community Participation Programme in Environmental Protection in Collaboration with District Councils of the EPD for co-organising the “Save Resources & Love Our Home cum Green Carnival” with the Residents Association of Tsuen Wan Hoi Bun District. This activity would be held on 1 January and 22 January 2017. It was aimed to raise concern on environmental protection and enhance awareness of “use less” among the residents of Tsuen Wan district with the theme “Cherish and Reuse Domestic Resources, Enhance Environmental Education and Love Our Home”, so as to build an environmentally friendly city together. Moreover, the Monitoring Group approved an earmarked funding of \$100,000 which was allocated by the Community Participation Programme in Environmental Protection in Collaboration with District Councils of the EPD for co-organising the “Community Green Workshop Programme” with the Tsuen Wan Youth Association. This activity, which would be held during December 2016 and January 2017, aimed to develop environmental awareness of the residents through the workshops, book-swaps and exhibitions and promote environmental protection activities in the district.

(B) Monitoring Group on Public Health and Food Safety

108. The Chairman reported that the Monitoring Group on Public Health and Food Safety had held its first meeting on 7 October 2016 and discussed the details of activities and financial budget for the current year. The Monitoring Group approved a funding of \$176,000 which was earmarked for co-organising the “Health Promotional Project 2016” with the Residents Association of Tsuen Wan Hoi Bun District. This activity consisted of two parts, namely the District Services Programme cum Carnival which would be held during November and December 2016 and the Prevention against Virus Infection and Learning More about Healthy Diet cum Gala in Tsuen Wan District which would be held in January 2017. This activity aimed to enhance the concern about the deadly viruses of the century among the residents in Tsuen Wan district and raise their awareness on healthy diet, so as to build a healthy community hand in hand.

(C) Task Force on Environmental Pollution and Improvement

109. Mr LO Siu-kit reported that the “Buildings Cleaning Programme in Tsuen Wan District” would be held during December 2016 and January 2017. It was hoped that the living environment of the residents and hygienic condition in the district would be improved by carrying out cleansing work for the public places (including roof tops, light wells and staircases) of about eight private buildings in Tsuen Wan district as proposed by the FEHD. Besides, the “Rear Lane Improvement Works” would be held during December 2016 and January 2017. It was hoped that the importance of maintaining environmental hygiene would be instilled in the residents of Tsuen Wan district by conducting improvement works at the four rear lanes as proposed by the FEHD.

XIII Item 12: Any Other Business

(A) Information Papers

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

- (1) Financial Statement of the Funds Allocated to Environmental and Health Affairs Committee as at 19 October 2016  
(EHAC Paper No. 51/16-17);
- (2) Odour Prediction Assessment at the Riviera Gardens and Tsuen Wan Slaughter House (August to September 2016)  
(EHAC Paper No. 52/16-17, submitted by the EPD);
- (3) Work Report on the Problem of Sea Water Pollution of the Rambler Channel, Tsuen Wan (August to September 2016 )  
(EHAC Paper No. 53/16-17, submitted by the EPD);
- (4) Noise Monitoring Result of MTR Tsuen Wan Depot (August to September 2016)  
(EHAC Paper No. 54/16-17, submitted by the EPD);
- (5) Brief on the 2017 Lunar New Year Fair in Tsuen Wan District  
(EHAC Paper No. 55/16-17, submitted by the FEHD); and
- (6) Tsuen Wan District Year-end Cleaning Programme 2017  
(EHAC Paper No. 56/16-17, submitted by the FEHD).

#### XIV Adjournment of Meeting

111. The Chairman reminded Members that the next meeting was scheduled at 2:30 p.m. on 5 January 2017 (Thursday) and the deadline for submission of paper was 16 December 2016.

112. There being no other business, the meeting was adjourned at 6:00 p.m.

Tsuen Wan District Council Secretariat

28 November 2016