

(Translation)

Minutes of the 14th Meeting of
Environment, Health and Climate Change Committee (5/22-23)

Date: 15 December 2022 (Thursday)

Time: 2:30 p.m.

Venue: Main Conference Room, Tsuen Wan District Office

Present:

Mr KOT Siu-yuen, MH (Chairman)

Mr MAN Yu-ming, MH

Mr CHAN Sung-ip, BBS, MH

Mr LUK Ling-chung, Antonio

Government Representatives

Mr LEE Soeng-him, Sean Assistant District Officer (Tsuen Wan),
Tsuen Wan District Office

Miss LEUNG Mee-sze Chief Health Inspector (Tsuen Wan) 1,
Food and Environmental Hygiene
Department

Miss WONG Wan-yi Senior Health Inspector (Cleansing &
Pest Control) Tsuen Wan 2, Food and
Environmental Hygiene Department

Mr LAM Ming-chi, Ryan Deputy District Leisure Manager
(Tsuen Wan) 2, Leisure and Cultural
Services Department

Ms WONG Fong, Fanny Senior Environmental Protection
Officer (Regional West) 2,
Environmental Protection Department

Mr HO Kit-ming Engineer/Tsuen Kwai 2, Drainage
Services Department

Mr FAN Chin-wai, Joseph Engineer/14 (West), Civil Engineering
and Development Department

Mr KAN King-ming, Victor Housing Manager/Wong Tai Sin,
Tsing Yi & Tsuen Wan 8, Housing
Department

Mr LAI Chi-hang
Administrative Assistant/Lands
(Acting), District Lands Office, Tsuen
Wan and Kwai Tsing

Tsuen Wan District Council Secretariat Representatives

Mr LIM Kuen
Senior Executive Officer (District
Council), Tsuen Wan District Office

Miss LEUNG Wai-ching, Clementine
Executive Officer (District Council)1,
(Secretary) Tsuen Wan District Office

Mr NG Cheuk-pong, James
Executive Officer (District Council)4,
Tsuen Wan District Office

Attendance by Invitation:

For discussion of item 2

Mr TSUI Ka-kim, Kim
Senior Building Surveyor/D5,
Buildings Department

Absent:

Mr YAU Kam-ping, BBS, MH
Mr WONG Ka-wa
Mr LAU Cheuk-yu

The Meeting

I Opening Remarks and Introduction

The Chairman welcomed the Members and representatives from government departments to the 14th meeting of the Environment, Health and Climate Change Committee (EHCCC) and introduced:

- (1) Miss WONG Wan-yi, Senior Health Inspector (Cleansing & Pest Control) Tsuen Wan 2 (SHI(C&PC)TW2), Food and Environmental Hygiene Department (FEHD), who replaced Mr YUEN Chiu-kit to attend the meeting; and
- (2) Mr LAI Chi-hang, Administrative Assistant/Lands (Acting) (AA/Lands (Atg.)), District Lands Office, Tsuen Wan and Kwai Tsing (DLO), who attended this meeting on behalf of Mr YU Hok-chi, Raymond.

2. The Chairman stated that according to section 28 of the Tsuen Wan District

Council Standing Orders (the “Standing Orders”), unless otherwise agreed by the Chairman, Member(s) could have up to 2 minutes to introduce a paper, and each Member who submitted a paper might make supplementary remarks once. Such a Member could choose to speak after the responses from the representative(s) of government department(s) or make concluding remarks before the end of discussion of the agenda item for up to 2 minutes each time. For each agenda item, except the Member(s) who submitted the paper, Members could only speak once at the meeting. The Chairman would confirm the number of speakers before the discussion. Each Member might speak up to 2 minutes if five or fewer Members spoke on the agenda item and up to 1.5 minutes if more than five Members spoke on the agenda item. The representative(s) from the department(s) concerned might speak up to 2 minutes twice.

II Item 1: Confirmation of Minutes of the 13th Meeting held on 20.10.2022

3. The Chairman stated that the Secretariat did not receive any proposed amendment before the meeting. The minutes of the meeting were unanimously confirmed by Members without amendment.

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

(A) Paragraphs 5 to 16 of the Minutes of the Meeting held on 20 October 2022: Request for Addressing the Odour Problem of Tsuen Wan Harbourfront Expeditiously

4. The Chairman stated that the representatives from the departments responsible for giving responses were:

- (1) Mr HO Kit-ming, Engineer/Tsuen Kwai 2 (E/TK2), Drainage Services Department (DSD);
- (2) Mr TSUI Ka-kim, Kim, Senior Building Surveyor/D5 (SBS/D5), Buildings Department (BD);
- (3) Ms WONG Fong, Fanny, Senior Environmental Protection Officer (Regional West) 2 (SEPO(RW)2), Environmental Protection Department (EPD);
- (4) Miss LEUNG Mee-sze, Chief Health Inspector (Tsuen Wan) 1 (CHI(TW)1), FEHD; and
- (5) Miss WONG Wan-yi, SHI(C&PC)TW2, FEHD.

Besides, the written reply of the BD was tabled at the meeting.

5. E/TK2 of the DSD responded that the DSD had always been concerned about the odour problem of Tsuen Wan harbourfront, and had adopted multi-pronged measures at the major stormwater drains in the district to reduce odour that probably originated from

the drainage system. The progress of these measures was as follows:

- (1) the DSD would clean the three box culverts at Tai Chung Road, Tai Ho Road and Ma Tau Pa Road with high-pressure jet cleaners on a regular basis, and had completed the clean-up in September 2022. The next clean-up was scheduled for January 2023;
- (2) the DSD would continue to adjust and refine the formula of odour control hydrogel (hydrogel) in collaboration with a team from the Hong Kong University of Science and Technology. At the current stage, the study focused on adjusting the dosage and application strategy of the reformulated hydrogel at Tsuen Wan harbourfront with a view to further alleviating the odour problem caused by the existence of hydrogen sulfide and volatile organic compounds there;
- (3) the DSD was constructing additional dry weather flow interceptors (DWFIs) in five rural locations in Tsuen Wan. The works had gradually commenced in the third quarter of 2020. The construction of a DWFI at San Tsuen had been completed, and the remaining projects were expected to be progressively completed in 2023; and
- (4) the DSD would construct a newly designed DWFI in the lower reaches from the box culverts at Ma Tau Pa Road and Tai Ho Road. The DSD was conducting site investigations for the project and selecting a site for installing the DWFI, and would carry out the detailed work immediately after finalising a project site.

6. SEPO(RW)2 of the EPD responded that the EPD had conducted a total of 122 inspections of the sources of pollution in the district in September and October 2022, during which two cases of foul water pipe misconnection in buildings and five cases of misconnection involving stormwater drains and public sewers had been identified. These cases had been referred to the BD and DSD for follow-up.

7. SBS/D5 of the BD responded that the BD was currently following up on a total of 39 cases of foul water pipe misconnection in buildings. Among those cases, rectification works had been completed in five cases and had commenced in 10 cases, and one case was under investigation. The BD had also issued repair orders or removal orders in 21 cases and was preparing the repair orders or removal orders in two cases.

8. CHI(TW)1 of the FEHD responded that the FEHD's contractors would clear

drains in the district on a regular basis. If the FEHD's staff found blockage of drains in public places during routine inspections, they would make arrangements for clearance with contractors. If the contractors were unable to clear the blocked drains, the FEHD would refer the cases to the DSD and Highways Department (HyD) for follow-up. In the past three months, the FEHD had referred three cases of drain blockage to the DSD and HyD for follow-up.

9. The views and enquiries of Members were summarised as follows:

- (1) he did not understand why the BD had not been invited to attend the on-site inspection on 30 September 2022, and opined that the role of the BD was weakened. He held that the cases of foul water pipe misconnection in buildings handled by the BD were the source of the odour problem at Tsuen Wan harbourfront, and the odour problem should be tackled at source. He enquired whether the Government intended to further propel the construction programme of newly designed DWFIs by strengthening the DSD's role. He pointed out that the construction of a newly designed DWFI would worry residents of City Point and cause conflicts among housing estates. Besides, he enquired of the Chairman whether it had come to his knowledge beforehand that the BD was not invited to attend the on-site inspection concerned, and whether the Tsuen Wan District Office (TWDO) had notified the Chairman of the arrangements of the on-site inspection in advance. He opined that even if the Chairman learnt from the TWDO before the on-site inspection that the BD was not on the invitation list, he should have suggested including representatives of the BD in the list of participants of the on-site inspection. He also enquired why the TWDO had not invited the BD to join the on-site inspection (Mr LUK Ling-chung, Antonio);
- (2) he understood that foul water pipe misconnection in buildings might be the source of the odour problem at Tsuen Wan harbourfront. He enquired of the BD about the follow-up work after the issuance of repair orders or removal orders, and opined that it was crucial to properly complete rectification works. He was worried that the slow progress of rectification works would lead to the failure to effectively solve the odour problem at Tsuen Wan harbourfront (Mr MAN Yu-ming); and
- (3) he noted that the DSD would clean the three box culverts at Tai Chung Road, Tai Ho Road and Ma Tau Pa Road with high-pressure jet cleaners. He hoped that the DSD would clean the box culverts more frequently. Besides, he hoped that the BD would issue a greater number of repair orders or removal

orders or impose heavier penalties on the offences concerned (the Chairman).

10. Assistant District Officer (Tsuen Wan) (ADO(TW)) of the TWDO responded that as the objective of the on-site inspection on 30 September 2022 was to observe the construction works of the DWFI, only the departments involved in the construction of the DWFI had been invited to attend the on-site inspection. So, this approach did not imply that the TWDO was unclear or uninformed about the duties of various departments concerning the odour problem at Tsuen Wan harbourfront. As to the arrangements of future on-site inspections, the TWDO or the Secretariat would communicate with a Members' representative and discuss which departments should be invited with the representative before an on-site inspection. The TWDO would then send invitations to representatives of the departments concerned accordingly.

11. SBS/D5 of the BD responded that among the 39 cases of foul water pipe misconnection in buildings, the rectification works of five cases had been completed and repair orders or removal orders had been issued in 21 cases. There was an increase in referrals received by the BD year on year. Last year, the BD had to handle about 20 cases. The BD indicated that in general, a minimum of one year was required to complete a case. After issuing repair orders or removal orders, the BD would give owners about four months to rectify the problem of foul water pipe misconnection. Before the rectification works, owners should take care of a range of preparatory work such as convening general meetings, raising funds, applying for subsidies from the Urban Renewal Authority and selecting contractors. If owners applied for deferring the compliance dates of the orders on the grounds that they required more time to carry out the said preparatory work, the BD might approve their applications after deliberating over the respective reasons. In case any owners refused to address the problem, the BD would issue warning letters to and instigate prosecution against them, or would arrange rectification works with contractors. If such owners refused to allow the BD's contractors to carry out the works, it might be necessary for the BD to apply to the court for a warrant.

12. Mr LUK Ling-chung, Antonio pointed out that during the on-site inspection on 30 September 2022, the participants had not only inspected the construction works of the DWFI but also the situation concerning the odour problem at Tsuen Wan harbourfront. He hoped that another on-site inspection would be arranged and representatives from the BD and FEHD would be invited to participate in that on-site inspection.

13. The Chairman noted the proposal. He stated that the objectives of the on-site inspection on 30 September 2022 were to inspect the proposed location for constructing the DWFI outside City Point and visit the site where a DWFI was constructed in Kowloon Bay. In his opinion, it was appropriate to only invite representatives from the DSD and EPD to attend the on-site inspection. Moreover, he pointed out that if Members had views on the odour problem at Tsuen Wan harbourfront, foul water pipe misconnection in buildings or other matters concerning on-site inspections, they could submit agenda items for discussion at subsequent meetings. The EHCCC would cease to discuss the captioned item under the Matters Arising from the Minutes of the Previous Meeting.

IV Item 3: Ways to Properly Handle the Problem of Environmental Nuisance Caused by Recycling Stores

(EHCCC Paper No. 36/22-23)

14. The Chairman stated that the paper was submitted by Mr LUK Ling-chung, Antonio. The representatives from the departments responsible for giving responses were:

- (1) Mr LEE Soeng-him, Sean, ADO(TW), TWDO;
- (2) Mr LAI Chi-hang, AA/Lands (Atg.), DLO;
- (3) Ms WONG Fong, Fanny, SEPO(RW)2, EPD;
- (4) Miss LEUNG Mee-sze, CHI(TW)1, FEHD; and
- (5) Miss WONG Wan-yi, SHI(C&PC)TW2, FEHD.

Besides, the written replies of the HyD, the Hong Kong Police Force, the Lands Department and the Transport Department (TD) were tabled at the meeting.

15. Mr LUK Ling-chung, Antonio introduced the paper. He added that the location concerned actually fell on the periphery of the town centre, and people seemed to be reluctant to use the pavement in question. It was most outrageous that the operator of the recycling store in question even illegally occupied a bus stop for placing recyclables, hindering the boarding and alighting activities of buses. Also, a local resident had conveyed to him that he/she had suffered from foot injuries after accidentally stepping on scrap metal at the said location. He noted that at the EHCCC meeting held in June 2020, the TWDO had indicated that it would coordinate joint enforcement operations continuously with a view to maintaining environmental hygiene in the district and the EPD had also stated that it would step up its education, publicity and law enforcement work targeted at the recycling stores concerned. He enquired about the specific work carried out by the government departments in the past

two years.

16. The Chairman stated that he had received residents' complaints and media enquiries on those recycling stores and the problem of street obstruction they caused. He was very concerned about the captioned item, and hoped that the departments concerned would give responses accordingly.

17. ADO(TW) of the TWDO responded that the TWDO would coordinate the departments concerned to regularly organise joint operations against the problem of shop front extensions through the District-led Actions Scheme. During the regular joint operations, actions would be taken against environmental nuisances which were caused by the recycling stores mentioned in the paper. The joint operations would be conducted about three times a month at present. In fact, the TWDO had already identified shops which had frequently brought about nuisances to the public in the district, and would review whether nuisances were caused by these shops during irregular operations every month. The TWDO would review whether the frequency of future operations should be increased, and would discuss with the departments concerned whether the strategies of operations should be readjusted to enhance the deterrence.

18. AA/Lands (Atg.) of the DLO responded that the DLO would participate in the inter-departmental joint operations coordinated by the TWDO. If platforms illegally constructed on unallocated government land outside any shops were identified, the DLO would take enforcement actions and remove the illegal platforms pursuant to section 6 of the Land (Miscellaneous Provisions) Ordinance (Cap. 28).

19. SEPO(RW)2 of the EPD responded that the recycling industry was regulated by the existing environmental laws, including the Air Pollution Control Ordinance, the Noise Control Ordinance, the Water Pollution Control Ordinance and the Waste Disposal Ordinance, as well as their associated regulations. The EPD had been concerned about the operation of recycling stores in the district at all times. Apart from conducting inspections in response to individual complaints, the EPD had also participated in the inter-departmental joint operations coordinated by the TWDO to inspect a number of recycling stores in the district and adopt an approach attaching equal weight to education and law enforcement in order to achieve greater synergy. The EPD had not identified any recycling stores that had caused environmental pollution or were in breach of the environmental laws during inspections so far.

Having said that, it would still regularly remind persons-in-charge of recycling stores during inspections that they should be more careful with their daily operation to avoid polluting the environment. The EPD would continue to monitor the operation of recycling stores in the district and take enforcement actions if any breach of the environmental laws was identified. Also, the EPD would continue to communicate with the industry, encouraging them to adopt good recycling practices.

20. CHI(TW)1 of the FEHD responded that obstruction caused to pedestrians and vehicles by recyclers who illegally occupied public places during their operation was a street management problem, which fell within the purview of multiple government departments. The FEHD had all along been participating in the inter-departmental joint operations coordinated by the TWDO. The FEHD's top priority was to maintain environmental hygiene. In addition to participating in the inter-departmental joint operations, the FEHD's staff had also conducted impromptu inspections to step up the efforts to monitor whether recyclers placed miscellaneous articles in public places and whether street cleaning was hampered or places were fouled by recyclables. Between January and October 2022, the FEHD had issued a total of 59 Notices to Remove Obstruction to recyclers for hindering street sweeping during their recycling activities in public places, and a total of 15 fixed penalty notices to recyclers for street obstruction caused by their recycling activities. Moreover, the FEHD had instructed cleansing service contractors to step up their cleaning work at the streets near the recycling stores, including cleaning roads regularly and carrying out special street sweeping or cleaning. The contractors would also use high-pressure water jets to thoroughly remove stains on roads depending on the road conditions.

21. The views and enquiries of Members were summarised as follows:

- (1) he pointed out that there had always been complaints against recycling stores. He understood that the FEHD was responsible for managing pavements, whereas matters associated with carriageways fell within the purview of the HyD, the Police and the TD. He held that it would be difficult for the FEHD to post notices against street obstruction on pavements since the locations where such notices should be posted were not fixed. He also pointed out that apart from recyclers, operators of shops at street markets would illegally place items on carriageways as well. He considered that the special operations against street obstruction caused by operators of shops at street markets were very effective. He also enquired whether it was necessary to amend the laws, strengthen enforcement actions or increase penalties to

tackle the serious problem of environmental nuisances caused by recycling stores. While agreeing that recycling stores had an existence value, he hoped that the Government would find a solution to the dilemma having regard to the three principles of compassion, reasonableness and legality (Mr CHAN Sung-ip);

- (2) he pointed out the environmental nuisances caused by the recycling stores at Luen Yan Street, such as fouling the pavements and placing recyclables at the bus stops near the stores which adversely affected passengers using those bus stops. In his opinion, the joint operations of various departments failed to solve the problem at root. He held that the EPD should re-examine the related legislation as there might be inadequacy. He supported environmental protection work. Yet, he considered that it would put the cart before the horse if the work of the recycling industry would bring about environmental nuisances. He enquired of the EPD whether it would consider developing a regulatory framework and relocating recycling stores to the periphery of industrial areas far away from residential premises, or exploring the feasibility of carrying out the disassembling work at rear lanes (Mr LUK Ling-chung, Antonio);
- (3) he supported the work of the recycling industry. In his opinion, despite the concerted efforts made by multiple government departments, the reason for the failure to solve the problem of environmental nuisances at root was that considerable time was required to solve it. He enquired whether there were suitable locations in the district for relocating recycling stores. He hoped that restrictions would be imposed on the locations where recycling stores could be set up. For example, recycling stores should not operate at locations with a higher pedestrian flow in urban areas. He had found that some elders would transport recyclables with hand carts from public housing estates to recyclers operating in urban areas, and the transportation process was very dangerous. He had also found that some recyclers would arrange for vehicles to visit public housing estates for collecting recyclables. Although this practice should be encouraged, it probably required coordination with the Housing Department. He pointed out that environmental nuisances caused by the recycling industry had been troubling Tsuen Wan residents for many years. Similar problems also arose in other areas such as To Kwa Wan and Wan Chai. He hoped that the EPD would not only support the development of the recycling industry, but it would also examine approaches to effectively regulate recyclers to ensure that the

operation of the industry would not cause nuisances to people. The EPD should also put forward corresponding measures to solve the problem, e.g. setting up mobile recycling stations (Mr MAN Yu-ming); and

- (4) he pointed out that recycling stores in the industrial area on Sha Tsui Road had also caused environmental nuisances apart from those on Yeung Uk Road. Although the operator of one of those recycling stores did not place items on the street, other kinds of environmental nuisances were caused due to the accumulation of recyclables inside the store. He had also found that a large number of items belonging to another recycling store on Sha Tsui Road were placed on the street, causing great disturbance to residents. He enquired whether the departments concerned could provide more information on the Government's current adjustments to the penalties against street obstruction (the Chairman).

22. ADO(TW) of the TWDO responded that the TWDO had all along been coordinating joint operations to combat shop front extensions. The current-term Government might be studying adjustments to the penalties, and the relevant details should be announced by the departments concerned. The TWDO would work to enhance the deterrence with the aid of the refined tools of prosecution at that time. The operating cost of recyclers in the district might increase due to heavier penalties, thereby driving them to improve their current mode of operation.

23. SEPO(RW)2 of the EPD responded that the EPD would continue to communicate with the industry and promote good recycling practices. Moreover, the EPD would convey Members' suggestions to the sections concerned.

V Item 4: Information Papers

- (1) Work Report on Environmental Hygiene in Tsuen Wan District
(EHCCC Paper No. 42/22-23)

24. The views and enquiries of Members were summarised as follows:

- (1) he noted that the Deputy Chief Secretary for Administration had indicated that glue traps would not be ruled out as an anti-rodent means. However, he hoped that the use of glue traps in Tsuen Wan district would be avoided as far as possible. It was because he was worried that other animals such as cats and dogs living in the community would step on glue traps accidentally and sustain injuries. Moreover, he learnt that in recent days, people entering public markets were no longer required to use the "LeaveHomeSafe" mobile

application. He had visited some shop operators in public markets, and they said that their business had been poor in the past year. In his opinion, it would take some time for the business of public markets to recover. Currently, some people might be unaware that the “LeaveHomeSafe” mobile application was not required to enter public market buildings anymore. He hoped that the FEHD would step up its publicity on the said arrangement and beautify the environment of public markets. For example, decorations should be set up at markets during the Chinese New Year (Mr LUK Ling-chung, Antonio); and

- (2) he considered that it was still necessary to use glue traps at certain places in the district with a view to enhancing the effectiveness of the anti-rodent work. He hoped that the FEHD would continue to strengthen its anti-rodent work (the Chairman).

25. CHI(TW)1 of the FEHD responded that the FEHD would convey Members’ suggestions to the sections concerned.

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

- (1) Publicity and Anti-Marine Littering Operation in Tsuen Wan District (January 2021 - November 2022)
(EHCCC Paper No. 37/22-23);
- (2) Work Report on Environmental Pollution Control in Tsuen Wan District (1 September 2022 to 31 October 2022)
(EHCCC Paper No. 38/22-23);
- (3) Odour Prediction Assessment at the Riviera Gardens and Tsuen Wan Slaughter House (September to October 2022)
(EHCCC Paper No. 39/22-23);
- (4) Work Report on the Problem of Sea Water Pollution of the Rambler Channel, Tsuen Wan (September to October 2022)
(EHCCC Paper No. 40/22-23);
- (5) Noise Monitoring Result of MTR Tsuen Wan Depot (September 2022 to October 2022)
(EHCCC Paper No. 41/22-23); and
- (6) Aircraft Noise Data Collected from Dedicated Monitoring Stations in Tsuen Wan District during August 2022 to September 2022
(EHCCC Paper No. 43/22-23).

VI Adjournment of Meeting

27. The Chairman reminded Members that the next meeting was scheduled for 16 February 2023 (Thursday) and the deadline for submission of papers was 1 February 2023 (Wednesday).

Tsuen Wan District Council Secretariat

11 January 2023