

(Translation)

**Minutes of the 6th Meeting of
Housing, Planning and Lands Committee
the 6th Term Kwun Tong District Council**

Date: 18 March 2021 (Thursday)

Time: 9:41 a.m. – 12:03 p.m.

Venue: Conference Room, Kwun Tong District Office,
Unit 05-07, 20/F Millennium City 6, 392 Kwun Tong Road,
Kwun Tong, Kowloon

<u>Present</u>	<u>Arrival Time</u>	<u>Leaving Time</u>
Mr CHENG Keng-ieong (Chairman)	9:41 a.m.	12:03 p.m.
Mr FUNG Ka-lung (Vice-chairman)	9:41 a.m.	12:03 p.m.
Mr CHAN Chris Ka-yin	9:42 a.m.	12:03 p.m.
Mr CHAN Man-kin	9:41 a.m.	12:03 p.m.
Mr CHAN Yik-shun Eason	10:07 a.m.	12:03 p.m.
Mr CHAN Yiu-hung, Jimmy	9:41 a.m.	12:03 p.m.
Mr CHEUNG Man-fung	9:41 a.m.	12:03 p.m.
Mr CHEUNG Pui-kong	9:49 a.m.	12:03 p.m.
Mr CHOY Chak-hung	9:44 a.m.	12:03 p.m.
Ms FU Pik-chun	9:41 a.m.	10:50 a.m.
Mr HSU Yau-wai	9:41 a.m.	12:03 p.m.
Mr HUNG Chun-hin	9:41 a.m.	10:30 a.m.
Mr IP Tsz-kit	9:41 a.m.	12:03 p.m.
Mr KAN Ming-tung, MH	9:41 a.m.	12:03 p.m.
Mr KUNG Chun-ki	9:41 a.m.	12:03 p.m.
Ms LAI Po-kwai	9:41 a.m.	12:03 p.m.
Mr LAM Wai	9:41 a.m.	12:03 p.m.
Mr LEE Kwan-chak	9:44 a.m.	12:03 p.m.
Ms LEUNG Jannelle Rosalynne	9:59 a.m.	12:03 p.m.
Mr LEUNG Tang-fung	9:58 a.m.	12:03 p.m.
Ms LI Wing-shan	9:41 a.m.	12:03 p.m.
Mr LUI Tung-hai, MH	9:41 a.m.	12:03 p.m.
Mr MOK Kin-shing	9:41 a.m.	12:03 p.m.
Mr NGAN Man-yu	9:41 a.m.	12:03 p.m.
Mr PANG Chi-sang	9:42 a.m.	12:03 p.m.
Mr SO Koon-chung Kevin	9:41 a.m.	12:03 p.m.
Mr TAM Siu-cheuk	9:55 a.m.	12:03 p.m.

Mr TANG Wai-man Raymond	9:41 a.m.	12:03 p.m.
Ms TSE Suk-chun	9:41 a.m.	12:03 p.m.
Mr WAN Ka-him	9:57 a.m.	12:03 p.m.
Mr WANG Wai-lun	9:41 a.m.	12:03 p.m.
Mr WONG Chi-ken	9:45 a.m.	12:03 p.m.
Ms WONG Ka-ying	9:41 a.m.	12:03 p.m.
Mr WONG Kai-ming	9:41 a.m.	12:03 p.m.
Miss WONG Ching-yi, May (Secretary)	Executive Officer (District Council)(3), Kwun Tong District Office	

In Attendance

Miss CHOI Gi-lam, Britney	Assistant District Officer (Kwun Tong)1
Mr KO Chor-que, Keith	Acting Senior Executive Officer (District Council), Kwun Tong District Office
Miss TAM Yuen-shan, Dilys	Senior Housing Manager/Kowloon East 1, Housing Department
Mr CHAN Wai-lam, William	Senior Town Planner/Kowloon 4, Planning Department
Ms LI Ching-yi, Cherry	Senior Estate Surveyor/Kwun Tong (District Lands Office, Kowloon East), Lands Department

In Attendance by Invitation

Mr FUNG Ping-tak, Julian	Person-in-charge, Support Homeless People Action Group, Live in Kwun Tong	Item II
Ms Regin CHAU	Outreaching Supervisor, Christian Concern for the Homeless Association	
Ms Olivia CHAN	Senior Outreaching Officer, Christian Concern for the Homeless Association	
Ms CHEUNG Suk-ling, Cindy	Senior Transport Officer/Kwun Tong 1, Transport Department	
Miss YIP Lai-ching	Acting Assistant District Social Welfare Officer (Kwun Tong)2, Social Welfare Department	Items II and III

Absent

Mr BUX Sheik Anthony

Mr LI Wai-lam William

Ms LEUNG Yik-ting Edith

Mr OR Chong-shing Wilson, MH

Mr LI Ka-tat

Opening Remarks

The Chairman welcomed the attendees to the 6th meeting of the Housing, Planning and Lands Committee (“HPLC”) under the 6th Term Kwun Tong District Council (“KTDC”).

I. Confirmation of Minutes

2. Members had no further comments or amendments and the minutes of the last meeting were confirmed.

II. Improvement Suggestions on Implementation of Homeless-friendly Policy at Kwun Tong Ferry Pier (KTDC HPLC Paper No. 1/2021)

3. The Chairman said that the Secretariat had received two letters on improvement suggestions on implementation of a homeless-friendly policy at Kwun Tong Ferry Pier submitted by the Person-in-charge of the Support Homeless People Action Group, Live in Kwun Tong, before the meeting. The letters were tabled for Members’ reference.

4. The Person-in-charge, Support Homeless People Action Group, Live in Kwun Tong, presented the letters.

5. Christian Concern for the Homeless Association (“CCHA”) added that CCHA had progressively relayed the importance and urgency of the formulation and implementation of a homeless-friendly policy to district councils (“DCs”) and departments concerned since 2010. CCHA revealed that cases of street sleepers involved complications, namely indulging behaviour, family backgrounds and mental health issues. One of the service options under the homeless-friendly policy proposed by the association was to provide integrated support

residential services. Currently, the association was funded by the Social Welfare Department (“SWD”) and could provide free residence to the homeless for six weeks. The association suggested that two to three years of free residence be provided to street sleepers under the integrated support residential services. Drug addiction treatment agencies could be invited to provide counselling services and referral services, and medical officers could be arranged to visit the hostel to provide support to street sleepers with mental illness. In addition, citing the example of making movable and extendable homes for street sleepers by CCHA, the association suggested that more flexible means should be adopted in solving the problems faced by street sleepers. The association also pointed out that many street sleepers required the intervention and counselling of social workers to help them leave their homeless life and reintegrate into society. CCHA enquired about the dates of the previous interdepartmental joint clearance operations conducted at Kwun Tong Ferry Pier. Furthermore, Mr WONG Hung, Associate Professor, had been commissioned by the Sham Shui Po District Council (“SSPDC”) to compile the Report on the Study of Street Sleepers in Sham Shui Po District. Interested Members could also refer to the report.

6. Members raised views and enquiries as follows:

6.1 Mr CHOY Chak-hung hoped CCHA would introduce the following two items for Members’ reference: (i) the details of the homeless-friendly policy proposed by the association; and (ii) the outcome of the discussion on the issue of street sleepers at SSPDC. He said that he had participated in services for street sleepers for over 20 years and he understood each street sleeper had his/her own different needs. The Government had to draw up a flexible policy to solve relevant problems. In addition, he asked the Chairman whether the purpose of the above agenda item was to discuss how to deal with the problem of street sleepers at Kwun Tong Ferry Pier or to take votes on the position of KTDC. He said that the situation of street sleepers at Kwun Tong Ferry Pier had developed from erecting temporary structures by street sleepers for living in at the initial stage to having electricity supplied to the erected structures at present. However, the pier was located at a public space. It was hoped that Members would consider how KTDC should handle complaints received on the issue of street sleepers at Kwun Tong Ferry Pier.

6.2 Mr MOK Kin-shing said that many members of the public and organisations were concerned about the issue of street sleepers, and he himself was also concerned about it. He agreed to the views of CCHA and hoped the Government would provide comprehensive integrated services to street sleepers in future to achieve inclusive life among

different types of people in society and harmonious life among different strata in the community. He enquired: (i) whether SWD could play a supportive role in the provision of integrated services for supporting street sleepers; and (ii) when the Transport Department (“TD”) or the District Lands Office had carried out interdepartmental joint clearance operations at Kwun Tong Ferry Pier in the past six months. Such information would help Members judge whether clearance operations were conducted too frequently at the location or whether there were unfriendly actions against street sleepers.

7. TD thanked Members’ for their enquiries and responded as follows:

7.1 Interdepartmental Joint Clearance Operations at Kwun Tong Ferry Pier: since 2018, 12 interdepartmental joint clearance operations had been conducted. The details were as follows: (i) three clearance operations had been conducted in March, November and December respectively in 2018; (ii) five clearance operations had been conducted in January, March, July, September and December respectively in 2019; and (iii) four clearance operations had been conducted in March, June, July and October respectively in 2020. The date of the last clearance operation in 2020 had been 12 October 2020.

7.2 Flexible Arrangements Adopted by TD for Clearance Operations: previously, the department had repeatedly suspended clearance operations in response to requests of street sleepers or relevant organisations on grounds such as weather factors and more time had been required by street sleepers to pack their personal belongings. After conducting the clearance operation in October 2020, the department had continued to receive complaints from the public. Therefore, another clearance operation had been arranged on 9 December 2020. The said operation had been changed to be conducted before the Lunar New Year at the request of an organisation. However, since the weather had turned cold and rainy before the Lunar New Year, and on top of the fact that the end of the Lunar Year had been approaching, the department had cancelled the clearance operation originally scheduled before the Lunar New Year and rescheduled it for 17 March 2021. Given the understanding that the issue concerned would be discussed at the present meeting, the said operation had been further suspended.

- 7.3 Complaints Received on Problems of Street Sleepers at Kwun Tong Ferry Pier: around 19 complaints had been received in 2018 and the number had risen to a near double of 35 in 2019. Then, in 2020, 48 complaints had been received. Comparing to the number in 2019, the number in 2020 had risen by almost 40%. Details of the complaints had mainly included: (i) Kwun Tong Ferry Pier was classified as unleased government land and unlawful erected structures were found occupying the land; (ii) structures erected by street sleepers had an impact on the hygiene of the pier and they even emitted a peculiar smell, affecting other members of the public who were using the pier; and (iii) there were worries that cooking by street sleepers inside their erected wooden structures would easily give rise to a fire.
- 7.4 Impacts of Unlawful Erected Structures at Kwun Tong Ferry Pier: the department indicated that at present, four berths were provided at Kwun Tong Ferry Pier for boarding/alighting passengers and for loading/unloading goods by vessels. Currently, unlawful structures at Kwun Tong Ferry Pier made it more difficult for the public to use the two berths near the sea, and one of the remaining two berths was used by licensed ferries for boarding/alighting passengers travelling between Kwun Tong and Sai Wan Ho every day. More passengers queued up for ferries after work in the evening. However, passengers were unable to queue inside the pier as there were erected structures and they often had to queue outside the pier. That caused inconvenience to the public and those who had to use the pier. On the other hand, the department was not only concerned about the use of the pier by the public, but also whether the living environment of street sleepers was safe and hygienic, as well as whether the existing structures posed a danger.
- 7.5 Present and Past Situations of Street Sleepers at Kwun Tong Ferry Pier: early in 2017, only a few scattering street sleepers had been found staying in temporary structures erected with canvas and cardboards, constituting a situation of “setting up in the morning and dismantling in the evening”. As at the present, there were already 16 to 17 unlawful structures erected with wood at Kwun Tong Ferry Pier and some of the unlawful structures even had partitions inside. During the enforcement of clearance operations, the department had also found toilets in those unlawful structures. The ground of the pier had also been gouged through to install drainage pipes leading to the sea for directly discharging excretes. During the department’s demolition of unlawful structures, many rats and

cockroaches had been found underneath the cardboards and the hygiene condition had been poor. In addition, abstraction of electricity had once appeared in Kwun Tong Ferry Pier, leading to short circuits and power interruptions of electrical installations. As a result, the location had turned into complete darkness in the evening. Apart from being concerned about the personal safety of the homeless at the pier, the department was also very much concerned that ferry passengers might easily encounter accidents when they had to access the staircase leading to the shore for boarding/alighting the ferry under inadequate illumination arising from a power shortage inside the pier in the evening.

7.6 Implementation of Clearance Operations: the department understood that “street sleepers” were a complicated social issue. A humane approach was adopted to handle street sleepers and coordinate the clearance operations as far as possible during the implementation of the operations. If a request for assistance was received from a street sleeper, his/her request would also be immediately referred to the relevant department for follow-up actions. Around two weeks before each clearance operation, the department would post a notice announcing the date of the clearance operation to facilitate street sleepers’ reserving time for packing their personal belongings. However, on the day of the clearance operation, only a few street sleepers were willing to move their belongings out of the pier and the belongings of most street sleepers remained untouched. Under those circumstances, the department would still adopt an accommodating and tolerating attitude to wait for each street sleeper to pack his/her belongings.

8. SWD thanked Members for their enquiries and indicated that both the Integrated Family Service Centres and Integrated Services Teams for Street Sleepers would provide welfare services for the homeless. In response to different needs of each street sleeper, SWD would, if necessary, cooperate with non-governmental organisations (“NGOs”) to provide emergency relief fund, actual assistance, job counselling and arrangements of short-term or long-term residential services, depending on the status of each case.

9. The District Lands Office thanked Members for their enquiries and said that Kwun Tong Ferry Pier was under TD’s purview. The District Lands Office would work in coordination with TD’s operations.

10. CCHA said that Mr WONG Hung, Associate Professor, had conducted a census on the homeless in the whole territory in 2015 and published a survey report in 2016. Six

recommendations on the homeless-friendly policy had been made in the report, namely: (i) to introduce integrated support residential services; (ii) to increase the number of subsidised places and extend the period of subsidised dormitory residence to one year or longer; (iii) to draw up a special housing policy and build temporary or alternate forms of housing, such as the modular social housing under the transitional housing project “Nam Cheong 220”; (iv) to pay attention to the physical needs of the homeless by providing mobile clinics with medical officers on duty. The Salvation Army and St. James’ Settlement were also currently providing such services; (v) the Government should regularly (annually/biennially) conduct a census on the homeless in the whole territory to enable organisations to have more accurate information on the situation of the homeless; and (vi) the Government should draw up an all-rounded policy for the homeless. CCHA quoted Taiwan as an example, saying that large storage bags were provided to the homeless for keeping their personal items and considered that the homeless were also willing to make a change to minimise nuisances caused to society. CCHA hoped the Government would draw up a policy to achieve uniformity of services in all districts so that an inclusive society could be built and that the labelling effect on the homeless could be eliminated.

11. Members raised follow-up views and enquiries as follows:

11.1 Mr MOK Kin-shing had no objection to the content of the homeless-friendly policy, but he said that the policy should be implemented progressively. He hoped the Kwun Tong District Office (“KTDO”), SWD and the departments concerned would note the views of Members and the organisation so that the problem of street sleepers in Kwun Tong could be handled in a more friendly approach. He considered that in the long run, the homeless-friendly policy, proposed by Mr WONG Hung, Associate Professor, would require different people in the overall society to treat one another, including street sleepers, in a friendly manner.

11.2 Mr TAM Siu-cheuk agreed with Mr CHOY Chak-hung and Mr MOK Kin-shing that KTDC should target the relevant district policy. He enquired whether votes should be taken to indicate KTDC’s position in respect of the proposed short-term policy in the paper, i.e. “to improve the living environment of street sleepers, government departments should suspend the enforcement of the Land (Miscellaneous Provisions) Ordinance and allow the provision of mobile electric generators and removable modular housing, as well as to reduce the frequency of clearances for floor cleaning”.

12. The Chairman replied that the said paper outlined the organisation's views and was not a motion paper, so there was no need to take votes to indicate KTDC's position.
13. Members raised follow-up views and enquiries as follows:
- 13.1 Mr TAM Siu-cheuk enquired whether the purpose of the agenda item in question was discussing the paper, the policy or the methods for dealing with street sleepers at Kwun Tong Ferry Pier. He said that if there was only discussion and no follow-up action, it would waste the time of the organisations for attending the meeting.
- 13.2 Mr CHOY Chak-hung said that the Chairman had ruled that the paper concerned was a discussion paper and asked the Chairman to continue with the discussion.
14. SWD responded that the District Social Welfare Office would continue to collaborate with CCHA in respect of welfare needs of street sleepers at Kwun Tong Ferry Pier to provide appropriate services. As to the proposals on the welfare of street sleepers, SWD would also take appropriate follow-up actions.
15. The Chairman said that Members should have no objection to the content of CCHA's homeless-friendly policy. Rehousing street sleepers was surely a long-term target and Members also supported building alternate forms of housing, such as the modular housing. The Chairman said that street sleepers often reflected that the waiting time for placement at subsidised hostels was long or that the duration of stay at those hostels was rather short. He hoped SWD would take note of such a problem and conduct a review. As to the frequency of interdepartmental joint clearance operations conducted at Kwun Tong Ferry Pier, there was a difference in the organisation's and TD's remarks. However, the department should also adopt flexibility when receiving a request for delaying the date of clearance from street sleepers or organisations. The Chairman said that representatives of the organisations could relay to KTDC in case of any problems in future.
16. The Person-in-charge of the Support Homeless People Action Group, Live in Kwun Tong, said that it had been mentioned in TD's response that since 2018, 12 clearance operations had been conducted, i.e. four times a year or once every three months, which had been quite frequent. He said that street sleepers did not require to have the priority to move into public housing. Besides, their problem would remain unsolved after moving into free hostels since after the expiry of their residence, they still had to sleep in streets. He considered that the Government should adopt a people-oriented attitude by providing temporary or intermediate residence to street sleepers as a transitional arrangement for them

while they waited for public housing. Professional social workers should also be arranged to provide counselling, show concern and care for the underprivileged with a view to solving the said social problem and helping street sleepers to reintegrate into society. He requested Members to take votes on whether they agreed to the improvement suggestions on the homeless-friendly policy at Kwun Tong Ferry Pier outlined in the paper.

17. The Chairman reiterated that no voting would be taken at the present meeting and that a conclusion would be drawn after Members raised their enquiries and the departments gave their responses.

18. Mr CHOY Chak-hung said that departments had failed to give an account of the present progress of the implementation of the six recommendations on the homeless-friendly policy. He hoped HPLC would write to the Government to enquire about the follow-ups of those recommendations. In addition, he was disappointed with the responses of SWD and said that the department had failed to reply to the enquiry about the number of street sleepers in Kwun Tong presently, and how the department would help street sleepers in collaboration with NGOs. He requested HPLC to write to the Kwun Tong District Social Welfare Office to enquire what kind of measures would be adopted by the department to solve the problem of the homeless in Kwun Tong District. He considered the issue of street sleepers a complicated one and a dilemma would often occur when being handled. For example, the weather had been cold a few years before, but TD had to conduct a clearance operation at Kwun Tong Ferry Pier. KTDC had also had a heated discussion over the matter.

19. SWD said that since the last interdepartmental joint clearance operation in October 2020, the department had repeatedly (including the operations on 6 November 2020, 4 December 2020 and 8 January 2021) visited street sleepers at Kwun Tong Ferry Pier to remind them that clearance operations would soon take place. The department had also encouraged them to use services of SWD or other NGOs to help them break away from street sleeping.

20. CCHA said that the association had contacted 26 homeless persons from 2019 to 2020, and 28 from 2020 to 2021. 14 and 9 of them respectively had been newly contacted cases. CCHA said that although no voting could be taken at the present meeting, the association still hoped services could be provided in the district to improve the life of the homeless. CCHA understood that clearances were necessary, but it queried whether it was appropriate for the department to adopt an expelling manner towards street sleepers. It also said that when street sleepers knew there was a need to clear the site, most of them were very cooperative and packed their personal belongings in advance. CCHA hoped to hold regular meetings with DCs in the territory or departments concerned to discuss or review the suggestions on the homeless-friendly policy with a view to optimising or improving the relevant services.

21. In respect of CCHA's saying that the department had adopted an expelling manner in the course of conducting clearance operations, the Senior Transport Officer/Kwun Tong 1 of TD clarified that she had participated in each clearance operation and no expelling or unfriendly manner had been adopted towards street sleepers. They also understood that street sleepers had their own difficulties, and therefore adopted a tolerating and patient attitude to wait for them to finish packing their personal belongings before demolishing those temporary erected structures. The department only hoped street sleepers would cooperate and work together with the department to enable clearance operations to be conducted smoothly.

22. The Chairman accepted Mr CHOY Chak-hung's advice and said that Mr WONG Hung, Associate Professor, had proposed six recommendations on the homeless-friendly policy for a few years. He hoped HPLC would write to the department concerned to enquire about the progress of the implementation of those six recommendations to indicate KTDC's concern. Regarding interdepartmental joint clearance operations at Kwun Tong Ferry Pier, the Chairman said that should the organisation come across any problems in future, they could also contact Members of KTDC and KTDC would be willing to render assistance.

23. Members noted the paper.

(Post-meeting note: the Secretariat wrote to SWD on 14 April 2021 and received a reply letter on 3 May. The reply letter was forwarded to Members.)

III. Problem of "Refuse Flats" at Public Rental Housing, Home Ownership Scheme and Tenants Purchase Scheme Estates in Kwun Tong District (KTDC HPLC Paper No. 2/2021)

24. The Chairman said that the Secretariat had received a letter on "refuse flats" at public rental housing ("PRH"), Home Ownership Scheme ("HOS") and Tenants Purchase Scheme ("TPS") estates in Kwun Tong District submitted by Mr Raymond TANG before the meeting. The Food and Environmental Hygiene Department ("FEHD") and the Housing Department ("HD") had given their written response on the said item. Members could refer to the letters tabled.

25. Mr Raymond TANG presented the letter.

26. HD responded that no definition had been given to "refuse flats", but the department would, through the Marking Scheme for Estate Management Enforcement in Public Housing

Estates (“Marking Scheme”), give seven demerit points to a tenant of a rental flat for committing inappropriate behaviour by accumulating a large quantity of refuse or junk, emitting an unpleasant smell and causing hygiene nuisances. The department would monitor the situation through routine inspections or views reflected by residents. Even when no unpleasant smell was produced, the department would still follow up on the relevant tenant. If a tenant accumulated a large quantity of refuse or junk in his/her flat due to mental health problems, the department would refer the case to SWD and would not deal with every case through the Marking Scheme mandatorily. The department would also relay Mr Raymond TANG’s views to HD for reviewing the existing way of dealing with “refuse flats” and whether a definition should be given to it.

27. SWD responded that the department had received cases of tenants accumulating junk referred by HD or other institutions. Some of those cases had been satisfactorily resolved. The department would continue to maintain close collaboration with HD and provide counselling to the tenants. Upon consent of the tenants, HD would assist them in clearing the junk. In addition, SWD would follow up on the cases with psychiatric doctors and nurses, as well as institutions providing community mental health support services, such as the Integrated Community Centres for Mental Wellness.

28. Members raised views and enquiries as follows:

28.1 Mr CHEUNG Man-fung said that he had referred the “refuse flat” case at Hiu Lai Court to SWD for follow-up actions. However, since the flat was an HOS flat instead of a PRH flat, it was not subject to the regulation of the Marking Scheme. Moreover, the tenant was a street sleeper who was difficult to be contacted, and thus SWD was unable to render assistance. In respect of the above situation, he enquired what suggestions SWD could make to help the tenant of the flat and nearby residents to solve the “refuse flat” problem.

28.2 Mr CHAN Man-kin said that if a “refuse flat” problem appeared in PRH, HD could deal with it through the Marking Scheme and had the right to enter the flat to take follow-up actions. However, both HD and SWD would not be able to regulate or enter a flat to follow up on a “refuse flat” problem if it appeared in private properties in TPS and HOS estates. Since owners’ corporations could not make interventions either, the problem continued to worsen. He cited some previous cases as examples to illustrate that government departments had only sprayed disinfectants on the door frames of “refuse flats” and claimed that no entry could be made to the flats for follow-up actions. He hoped different government

departments would review the relevant policy in respect of the said situation, or authorisation could be given to departments to enter the flats under relevant ordinances.

28.3 Mr WONG Chi-ken said that the “refuse flat” problem had also been found in housing estates in his constituency, but HD had failed to handle it effectively and caused an impact on nearby residents’ life. He said that he had once handled a “refuse flat” case in which the flat had become a mouse den. Although the problem had been repeatedly relayed to HD and the estate office, HD had claimed that only rat poison could be placed in the corridor and that no entry could be made to the flat to deal with the problem. He queried whether HD had handled the “refuse flat” problem seriously and why no action under the Marking Scheme had been taken to regulate the behaviour of the tenant.

28.4 Mr IP Tsz-kit reflected that a tenant placed junk or burnt materials outside a flat at Tak Tin Estate, which was a TPS estate, causing an impact on nearby residents. However, HD had said that corridors were public places, and therefore they could not follow up on and handle the problem, making the problem remain unsolved. He enquired what actions HD would take when a tenant engaged in behaviour causing disturbances to others outside his/her flat.

29. HD thanked Members for their enquiries and responded as follows:

29.1 Handling Improper Behaviour of Tenants at PRH: HD would regulate improper behaviour of tenants at PRH through the Marking Scheme. Previously, there had been tenants whose tenancies had been terminated and their flats recovered due to accumulation of 16 demerit points. The department would obtain more details of the case from Mr WONG Chi-ken after the meeting to review whether the strength of enforcing the Marking Scheme was inadequate.

29.2 Disturbance in Corridors of TPS Estates: corridors of TPS estates were under the management of owners’ corporations. If a disturbance found in a corridor was related to a tenant, the management company under the department and the owners’ corporation would collaborate with each other and take follow-up actions. In addition, the Marking Scheme also covered 14 types of improper behaviour inside a flat at a TPS estate. HD would contact Mr IP Tsz-kit after the meeting to follow up on the case

mentioned by him.

30. SWD suggested in their response that the Member could contact the relevant Integrated Family Service Centre to learn about the progress of the case at Hiu Lai Court and discuss what assistance could be rendered to the tenant.

31. Members raised follow-up views and enquiries as follows:

31.1 Mr WONG Chi-ken considered that HD had failed to provide estate offices with clear guidelines on the enforcement of the Marking Scheme. He said that some cases had been relayed to the department and the department had been informed that junk accumulation had been found in the flats and that hygiene nuisances had been caused to nearby residents. However, the department had not enforced the Marking Scheme and had delayed in handling those cases. He enquired whether HD would provide clear guidelines to estate offices, e.g. upon receiving a certain number of complaints, the Marking Scheme could be enforced. He said that an estate office had once hired a cleaning company to help tenants clear their junk, but he considered that action is an involuntary last resort. HD should not use the department's resources to help tenants fulfill their duty of cleaning their flats, and the Marking Scheme should be enforced to deal with the "refuse flat" problem.

31.2 Mr WONG Kai-ming considered that nowadays people had a high demand for material possessions, and therefore the problem of junk accumulation at flats was very common and was not confined to public housing. He opined that in contrast to adopting a compulsory approach to deal with such cases, the Government should enhance publicity education through different media channels to appeal to the public to tidy up their flats to avoid causing nuisances to their neighbours.

31.3 Mr Raymond TANG said that a fire had broken out in a flat at Sau Wo House, Sau Mau Ping Estate on 2 March. The tenant of the flat had unfortunately died because junk had blocked the means of access of the flat and the deceased could not escape. Afterwards, Mr Raymond TANG had asked the security guards at ten buildings of his constituency whether there were residents with suspected scavenging habits or fondness of collection in their buildings. The security guards of nine buildings had said that two to three flats had been found being in such a condition. HD mentioned in the paper that among the public housing estates in Kwun

Tong District, only a few cases that had been handled were still under regular monitoring. Regarding that, he considered that HD was too lenient in the enforcement of the Marking Scheme and that “refuse flats” might not necessarily emit an unpleasant smell or give rise to vermin. He said that 70% of residents in Kwun Tong were living in public housing estates and more public housing would be completed in future. It was believed that there would be more and more “refuse flats”. He suggested HD use Kwun Tong as a trial location to strictly enforce the Marking Scheme to deal with the “refuse flat” problem and then promote the experience to all the 18 districts in the territory.

32. HD thanked Members for their views and responded as follows:

32.1 Publicity Enhancement: HD would relay Member’s views to the department to enhance the relevant publicity education.

32.2 Follow-up of Cases: regarding the case mentioned by Mr WONG Chi-ken, if the tenant had committed improper behaviour, HD would surely enforce the Marking Scheme. In addition, HD would provide other feasible assistance as far as possible, depending on the status of each individual case.

32.3 Guidelines on Enforcement of Marking Scheme: when dealing with any improper behaviour where the warning system was applicable, HD would initially issue written warning to a first offender according to the enforcement guidelines of the Marking Scheme. If the tenant failed to rectify his/her improper behaviour before the deadline after receiving the warning or resumed the behaviour later on, HD would directly give demerit points to him/her without further warning. In respect of the case mentioned by the Member, HD would look into the enforcement of the Marking Scheme.

32.4 Fire Case at Sau Wo House, Sau Mau Ping Estate: before the fire, HD had entered the flat involved in the accident and no junk had then been found blocking the means of access in the flat. As far as HD knew, the elderly person had often had contact with neighbours and district organisations. HD said that unless materials stored by a tenant caused nuisances to neighbours or complaints were received from other residents, it would be difficult for HD to take follow-up actions against the quantity of materials stored in the tenant’s flat. HD understood Members’ concern about large

quantities of junk were accumulated in certain flats, and would relay the issue to the management officers of the relevant estates for follow-up actions.

33. The Chairman said that though there were differences in HD's and Members' definitions of a "refuse flat", it was believed that the problem of "refuse flats" did exist in individual housing estates. He hoped the representative of HD would relay to the department the importance attached to the "refuse flat" problem by KTDC, as well as the urgent need of dealing with the problem. The Chairman said that Mr Raymond TANG could contact HD on the said issue or raise it again at meetings of KTDC for discussion.

34. Members noted the paper.

IV. Enquiries on the Conversion of Plan No. A/K14/786 to Transitional Housing (KTDC HPLC Paper No. 3/2021)

35. The Chairman said that the Secretariat had received a letter on enquiries on the conversion of plan no. A/K14/786 to transitional housing from Mr Chris CHAN before the meeting. In respect of the said item, the Transport and Housing Bureau ("THB") and the Planning Department ("PlanD") had given their written responses. Members could refer to the letters tabled.

36. Mr Chris CHAN presented the letter.

37. PlanD responded that: (i) the planning application of plan no. A/K14/786 had no relation with THB's transitional housing project. The planning application of plan no. A/K14/786 was to convert an industrial building mainly for the purpose of operating hotels, commercial and service trades, and would be decided by the Town Planning Board ("TPB") as to whether the proposed usage would be approved. On the contrary, the transitional housing project would be discussed by THB with the owners separately; and (ii) as to the actions to be taken after the completion of the transitional housing project, the service operator would examine which items would need to be demolished in the future before completion of the works and reserve funds for demolition.

38. Mr Chris CHAN enquired: (i) if the cost for demolition would be borne by the owners or service operator; (ii) upon completion of a project, if decorations would be removed before handing over the property; and (iii) what impacts would be brought to the adjacent traffic during the works period and upon completion of the said project.

39. PlanD thanked Members for their enquiries and responded as follows:
- 39.1 Cost for Demolition: the service operator would examine which items would need to be demolished and reserve the funds required for demolition.
- 39.2 Impacts on Traffic: the transitional housing project was managed by the Task Force on Transitional Housing under THB and was different from the planning application of TPB. Planning applications of TPB were required to conduct public consultations according to the Town Planning Ordinance while THB had its own mechanism to conduct consultations on projects under its purview. As to whether a service operator should submit a traffic impact assessment report for a transitional housing project, it would also depend on the requirement of THB.
40. The Chairman enquired whether the planning application of plan no. A/K14/786 and the transitional housing project had separate assessment reports on traffic impacts.
41. PlanD responded that the applicant of the planning application of plan no. A/K14/786 had submitted an assessment report on traffic impacts and the report had been handed over to TD for examination. The views of TD would be submitted to TPB for consideration. For the transitional housing project, the department revealed that they had to enquire with THB whether an assessment report had been submitted.
42. The Chairman asked if Mr Chris CHAN had any other matters that required follow-ups through HPLC.
43. Mr Chris CHAN responded that no further matter required follow-ups through HPLC, but he hoped TD would take note of the said transitional housing project. He expressed dissatisfaction over THB's failure to consult Members on the project at meetings of KTDC and hoped the bureau would consult KTDC first before drawing up planning in the future.
44. The Chairman said that the service operator of the transitional housing project was being invited to attend the next meeting of HPLC to present the project details and that HPLC would continue to follow up the project.
45. Members noted the paper.

V. **Requesting Discussion on Suggestions on Improving Living Conditions of Residents of Sub-divided Units in Kwun Tong District for Protection of Residents' Interests**
(KTDC HPLC Paper No. 4/2021)

46. The Chairman said that the Secretariat had received a letter requesting discussion on suggestions to improve living conditions of residents of sub-divided units in Kwun Tong District for protection of residents' interests from the Vice-chairman before the meeting. THB had given its written response. Members could refer to the letter tabled.

47. The Vice-chairman presented the paper.

48. The Chairman said that HPLC had engaged the Felizberta Lo Padilla Tong School of Social Sciences, Caritas Institute of Higher Education, to conduct a study on "sub-divided units in Kwun Tong District" the current year. The report would soon be completed, and it was hoped that it could be submitted to the Task Force for the Study on Tenancy Control of Sub-divided Units under THB as soon as possible. The Chairman reiterated that the highlights of the recommendations would include the following aspects: priority in tenancy renewal, notice periods for rent increases and formulation of a practical standard tenancy agreement. HPLC hoped THB would reconsider whether the above recommendations were feasible.

49. Members noted the paper.

VI. **Progress Report of Public Housing Projects under the Housing Department**
(KTDC HPLC Paper No. 5/2021)

50. HD presented the paper.

51. HD gave the following replies to Members' enquiries raised at the 5th HPLC meeting:

51.1 Covered Footpath at Wang Chiu Road Public Housing Development Phase 2: the department had provided a safe pedestrian link to connect Wang Chiu Road and Kwun Tong Road under the project. The department would also maintain the existing pedestrian network with a view to minimising the impact and ensuring that the pedestrian link would be compliant with the Government's requirement.

- 51.2 Numbers of Public Rental Housing Flats in Progress Report of Public Housing Projects: during the processes of formulating the detailed designs, the numbers of flats would be adjusted. HD would give timely reports on the numbers of flats under the agenda item on the progress report of public housing projects.
- 51.3 Balloting Arrangements for Car Parking Spaces for Private Cars at Lei Yue Mun Public Housing Development Phase 4 (“Lei Yue Mun Phase 4”): the ballots for car parking spaces for private cars at Lei Yue Mun Phase 1 to Phase 4 would be drawn as a whole and the balloting exercise would be undertaken by the estate office.
- 51.4 Balloting Arrangements for Car Parking Spaces at Lei Yue Mun Estate: since the completion date of Lei Yue Mun Phase 4 would fall in 2024 to 2025, detailed balloting arrangements for car parking spaces would be announced in due course.
52. Members raised views and enquiries as follows:
- 52.1 Ms TSE Suk-chun hoped the numbers of types of flats under various projects could be set out in the paper to enable the adjacent social welfare organisations to decide on their service directions. In addition, she was concerned about the arrangements for car parking spaces at the car parks of Lei Yue Mun Estate. She remarked that there had been a previous case in which a tenant at Yau Lai Estate had been accorded the second priority in both of his/her applications for the Housing Authority’s monthly rented car parking spaces at Yau Lai Estate and Yau Chui Court. As a result, the person had had a chance to possess two parking spaces, which had been unfair to other applicants. She said that she had lodged a complaint to the Office of the Ombudsman and HD had eventually required through an administrative means that each tenant could only hold one monthly rented car parking space. She suggested that HD should stipulate in Lei Yue Mun Estate’s deed of mutual covenant that only one parking space in the car parks could be held by each tenant to avoid repeating the same mistake.
- 52.2 Mr LEE Kwan-chak enquired if the commencing time of work at the site of Wang Chiu Road could be delayed on Saturday mornings to avoid causing noise nuisances to residents at Richland Gardens during that period and allowing them more time for rest.

53. HD thanked Members for their enquiries and responded as follows:

53.1 Numbers of Various Types of Public Housing Flats: the numbers of various types of flats could only be disclosed after the tendering procedures were completed and the tendering procedures of most of the projects had not yet been completed. The department would make a timely announcement on the numbers of flats.

53.2 Arrangements for Car Parking Spaces at Car Park of Lei Yue Mun Phase 4: in view of the case at Yau Lai Estate and the Member's suggestion on the provisions of the deed of mutual covenant, the department would relay the opinions to relevant officers for improving the situation.

53.3 Commencing Time of Work at Wang Chiu Road Site: the contractor would conduct works from 7 a.m. to 7 p.m. according to the Noise Control Ordinance of the Environmental Protection Department ("EPD"). If works were to be conducted beyond the above period, a special application had to be submitted. The department would check whether works at the site were conducted beyond the approved period after the meeting.

54. Members raised follow-up views and enquiries as follows:

54.1 Mr WAN Ka-him indicated that complaints on noise emitted from the site had been received from residents repeatedly and that he had suggested the construction company delay the commencing time of work. The company had promised him that work processes emitting higher levels of noise would be delayed to later time of a day. He said that he had repeatedly raised his request on delaying the commencing time of work on Saturdays at different meetings, but no improvement had been made. He expressed discontent and remarked that it was unacceptable for site works to disturb residents' rest on Saturday mornings.

54.2 Mr LEE Kwan-chak said that he knew the requirements of the Noise Control Ordinance, but he hoped the department would show sympathy to the public and delay the commencing time of work procedures emitting high levels of noise to avoid affecting residents' rest.

54.3 Ms LAI Po-kwai remarked that residents at Ping Shek Estate were also disturbed by noise of the construction site of Wang Chiu Road. She hoped the department would adopt a special measure by adjusting the

work commencing time on Saturdays.

55. HD thanked Members for their enquiries and responded as follows:

55.1 Noise of Works: the resident site team would closely monitor the measurement results of the noise emitted from the site and the contractor would implement measures to reduce the noise as appropriate. At present, piling works were being conducted at the site. Acoustic barriers and dust boards had been put up to avoid impacts on the nearby residents.

55.2 Delaying Commencing Time of Works on Saturdays: the representative of HD would relay the suggestion to the relevant officer to see whether such an arrangement was feasible.

56. The Chairman requested HD to pay attention to Members' complaints lodged against the noise of works and hoped the department's contractor would not only observe the approved working hours under the Noise Control Ordinance, but also show sympathy to the public and allow the nearby residents more time for rest on Saturday mornings.

57. Members noted the paper.

VII. HPLC Financial Statement
(KTDC HPLC Paper No. 6/2021)

58. The Secretary presented the paper.

59. Members raised views and enquiries as follows:

59.1 Mr WAN Ka-him remarked that obstacles had been encountered by various DCs in implementing the disinfection project. In response, the Home Affairs Department ("HAD") had issued a press release to indicate that, in principle, buildings with rateable values below a certain amount could be financed to conduct disinfection and the Housing Working Group had no objection to conducting fogging disinfection according to the above principle. However, so far, the project had not yet been launched in Kwun Tong District. He enquired whether KTDO could actually implement the project concerned in Kwun Tong District.

60. KTDO responded that since the 2020-21 financial year was drawing to a close, it would be difficult to implement any fogging disinfection project. It was suggested that a similar project be explored in the next financial year, and details of the project should be determined according to HAD's guidelines and principle to see if the project would be feasible.

61. The Chairman said that when the fogging disinfection project had initially been formulated, consideration had been given to the optimisation of public funds, including only partially subsidising buildings and processing applications according to HAD's guidelines and principle. The Chairman asked the Secretariat to write to HAD under the name of HPLC to enquire why the committee could still not launch the fogging disinfection project even when it had met the relevant conditions. It was also hoped that in case similar situations happened in the future, or when HAD required more time for making decisions, it would inform KTDC as soon as possible to enable Members to further study whether launching the project was feasible.

62. Members endorsed the paper.

(Post-meeting note: the Secretariat wrote to HAD on 4 May 2021 and received a reply letter on 7 May. The reply letter was forwarded to Members.)

VIII. Any Other Business

Compensation to Workers in Cleaning Trade for Working Overtime at Public Housing Estates during Epidemic

63. The Chairman said that the Secretariat had received a letter on compensation to workers in the cleaning trade for working overtime at public housing estates during the epidemic from Mr Eason CHAN before the meeting. Members could refer to the letter tabled.

64. Mr Eason CHAN presented the paper.

65. The Vice-chairman remarked that confirmed cases of COVID-19 had been found in Po Tat Estate, causing a huge increase in the workload and the number of working hours of the cleaning workers. Therefore, he agreed to Mr Eason CHAN's suggestion and hoped the department concerned would provide subsidies for wages and anti-epidemic materials to the cleaning workers.

66. HD thanked Members for their views and for the hard work of the cleaning workers during the epidemic. The department responded that the number of cleaning workers at each public housing estate was determined according to the situation of each estate. During the epidemic, property service contractors also reviewed the actual situations of their estates for making appropriate deployment of manpower to handle cleaning work. Besides, contractors hired additional manpower as and when necessary to deal with extra cleaning and disinfection work. And the department paid additional cleaning fees to contractors according to the provisions of contracts having regard to the number of additional working hours of their cleaning workers. In addition, in respect of anti-epidemic materials, the department had requested contractors to ensure adequate materials were provided to their officers according to the provisions of contracts. Furthermore, since the beginning of the epidemic, additional masks had been provided to cleaning workers.

67. Members raised views and enquiries as follows:

67.1 Mr Eason CHAN pointed out that in addition to overtime work, the workload of cleaning workers under their scope of job duties had also expanded during the epidemic, e.g. more frequent cleaning had to be performed at lifts every day. Yet, there had been no increase in their wages. In addition, since COVID-19 had not been covered by any labour insurance policy, once a cleaning worker was confirmed with the disease, he/she would receive no compensation. It was obvious that the protection for cleaning workers to work under the epidemic was inadequate. To protect the interests of cleaning workers, he hoped the department concerned would provide compensation to them for the increase in their workload and inadequate protection.

68. HD responded that the views of Mr Eason CHAN would be relayed to the department and that great importance had been attached to whether contractors had observed the terms and conditions of contracts and adopted measures to protect their officers.

69. The Chairman said that Members also appreciated the contributions and hard work of cleaning workers under the epidemic. He asked the Secretariat to write to HD under the name of HPLC to relay Mr Eason CHAN's views, hoping that HD would fully consider the contributions of cleaning workers under the epidemic when making pay adjustments in the future to show gratitude for their contributions.

70. Members noted the paper.

(Post-meeting note: the Secretariat wrote to HD on 26 March 2021 and received a reply letter

on 19 April. The reply letter was forwarded to Members.)

Public Housing Developments at Tak Tin Street and Ping Tin Street, Lam Tin

71. The Chairman said that Members had expressed concern over the public housing developments at Tak Tin Street and Ping Tin Street, Lam Tin, at the 9th meeting of the Full Council (“FC”) under KTDC. The Secretariat had earlier invited HD to attend a meeting in respect of the said item, but HD had indicated that no other information could be added for the time being after it had provided the written reply at the 9th FC meeting. Thus, HD did not attend the present meeting.

72. Members raised views and enquiries as follows:

72.1 Mr IP Tsz-kit said that HD should not regard the written reply provided at the 9th FC meeting as a full explanation. He expressed regret over HD’s not attending HPLC meetings for detailed discussion on the public housing developments at Tak Tin Street and Ping Tin Street, Lam Tin. He made the following enquiries to HD: (i) if the project would continue to be implemented; and (ii) neither HD’s reply letter dated 2 July 2020 nor the written reply provided at the 9th FC meeting had mentioned whether the adjacent schools had been consulted on the said project. He hoped to learn about the present status of the consultation. He also indicated that residents were worried that there would not be inadequate community facilities upon completion of the project. He hoped the Chairman would invite HD to attend a meeting again on the item concerned for a follow-up purpose.

72.2 Mr CHAN Man-kin opined that HD should explain whether the public housing developments at Tak Tin Street and Ping Tin Street, Lam Tin, would be implemented. If there was an intention to continue with the implementation of the above project, HD should attend HPLC meetings to give an account of the project details. He suggested writing to HD to point out that tenders could only be invited after the project was discussed at KTDC. In addition, he enquired, presently, before the commencement of works for a public housing development project, whether HD would contact the district councilor of the relevant constituency or persons-in-charge of estates in the vicinity, or form a liaison group with them. He expressed dissatisfaction to HD for not contacting him before the commencement of works and during the works at the site of Pik Wan Road, Yau Tong.

72.3 Mr Eason CHAN hoped the Chairman would help to lodge enquiries with HD as to whether the public housing developments at Tak Tin Street and Ping Tin Street, Lam Tin, would be implemented. He said that he had raised objection against the project at the previous meeting. He hoped to learn about the present status of the project.

72.4 Mr KAN Ming-tung hoped HD would attend a meeting of HPLC to explain the situation when the latest information on the public housing developments at Tak Tin Street and Ping Tin Street, Lam Tin, was available.

73. The Chairman remarked that HD did not mention anything about the consultation on the public housing developments at Tak Tin Street and Ping Tin Street, Lam Tin, in their reply letter to HPLC and the written reply provided at the 9th FC meeting. He opined that HD had the responsibility to attend meetings to give accounts of the progress of the project. The Chairman reiterated that KTDC had not given its consent to the above project, and would write to HD again to invite the relevant team to attend a meeting to present the details of the project. The Chairman said that HPLC would continue to follow up the said item.

(Post-meeting note: the Secretariat wrote to HD on 26 March 2021 and received a reply letter on 20 April. The reply letter was forwarded to Members.)

IX. Date of Next Meeting

74. The meeting was adjourned at 12:03 p.m.

75. The next meeting was scheduled to be held on 20 May 2021.

The minutes of the meeting were confirmed on 20 May 2021.

Kwun Tong District Council Secretariat
May 2021