

**Minutes of the Fourth Meeting of the
Seventh Term Central and Western District Council
Hong Kong Special Administrative Region**

Date: 4 July 2024 (Thursday)

Time: 10:00 am

Venue: Central and Western District Council Conference Room
14/F, Harbour Building
38 Pier Road, Central, Hong Kong

Present:

Chairman

Mr LEUNG Chee-kay, David, JP

District Officer (Central and Western)

Members

Dr WONG Sin-man, Mandy

Mr NG Yin

Mr LUI Hung-pan

Mr LEE Chi-hang, Sidney, MH

Mr QIU Song-qing, MH

Ms JIN Ling, MH

Mr SHIH Jan Noel

Mr WU Man-hin

Dr ZHANG Zong

Ms CHEUNG Ka-yan

Dr CHAN Kin-keung, Eugene, SBS, BBS, JP

Dr FUNG Kar-leung

Mr YOUNG Chit-on, Jeremy

Mr YEUNG Hoi-wing

Mr YEUNG Hok-ming, MH

Mr YIP Wing-shing, SBS, BBS, MH, JP

Mr IP Yik-nam, JP

Ms CHIU Wah-kuen, MH

Mr LAU Tin-ching

Mr LAW Kam-fai

Item 2

Mr CHEUNG Tsz-hing

Professional Officer 1-3 / Joint Office 1,
Buildings Department

Mr LEUNG Wai-kwong, Philip

Senior Engineer / Technical Support Unit (1),
Water Supplies Department

Item 3

Mr SO Kai-ho, Nelson

Assistant Secretary (Harbour) 1,
Development Bureau

Ms WU Wing-yue, Phoebe

Senior Engineer (Harbour) 1,
Development Bureau

Item 4

Mr SO Kai-ho, Nelson

Assistant Secretary (Harbour) 1,
Development Bureau

Ms WU Wing-yue, Phoebe

Senior Engineer (Harbour) 1,
Development Bureau

Mr WONG Chun-kin, Tommy

Chief Engineer / South 3,
Civil Engineering and Development Department

Mr WONG Ka-hei, Daniel

Senior Executive Officer (District Management),
Central and Western District Office

Mr WONG Ka-chun, Tommy

Executive Officer (District Management) 1,
Central and Western District Office

Item 5

Ms SAM Fung-mei, Esther

Senior Manager (Hong Kong West),
Leisure and Cultural Services Department

Ms CHAU Kwan-wai, Yvonne

Manager (Hong Kong West),
Marketing, Programme & District Activities,
Leisure and Cultural Services Department

In attendance:

Mr LAW Kwok-hoi

Deputy District Commander (Central District),
Hong Kong Police Force

Ms HUNG Yat-la

Police Community Relations Officer (Central District),
Hong Kong Police Force

Mr LEUNG Lincoln

District Commander (Western District),
Hong Kong Police Force

Mr WAN Fu-kwan

Police Community Relations Officer (Western District),
Hong Kong Police Force

Mr WONG Chun-kin, Tommy

Chief Engineer / South 3,
Civil Engineering and Development Department

Mr PAU Chung-on

District Environmental Hygiene Superintendent
(Central/Western),

Mr TSE Yuk-sing

Food and Environmental Hygiene Department
Health Inspector (Cleansing Special Duties)

Ms LEE Suk-han

Ms LO Man-nin, Patty

Ms YEUNG Min-jing, Anna

Miss LIU Yuen-ting, Katherine

Secretary

Ms CHEUNG Kwok-ying, Sherry

Central/Western,

Food and Environmental Hygiene Department

Chief Leisure Manager (Hong Kong West),

Leisure and Cultural Services Department

District Leisure Manager (Central & Western).

Leisure and Cultural Services Department

Chief Transport Officer / Hong Kong,

Transport Department

Assistant District Officer (Central and Western),

Central and Western District Office

Senior Executive Officer (District Council),

Central and Western District Office

Item 1: Confirmation of the minutes of the third meeting of the Central and Western District Council (C&WDC) held on 9 May 2024

(10:01 am)

1. The Chairman said that the Secretariat had emailed the draft minutes of the third meeting of the C&WDC to Members. As Members did not have any comments on the draft minutes, the Chairman announced that the minutes were confirmed.

Discussion items

Item 2: Matters relating to the handling of water seepage cases
(C&WDC Paper No. 32/2024)

(10:01 am to 10:45 am)

2. The Chairman welcomed Mr CHEUNG Tsz-hing, Professional Officer 1-3 / Joint Office 1, Buildings Department (BD), and Mr LEUNG Wai-kwong, Philip, Senior Engineer / Technical Support Unit (1), Water Supplies Department. The paper was submitted by Mr YEUNG Hok-ming, Mr YEUNG Hoi-wing, Mr IP Yik-nam, Mr LAU Tin-ching, Mr SHIH Jan Noel, and Ms CHEUNG Ka-yan with nothing to add. The Chairman welcomed questions and discussions on the paper.

3. Mr YEUNG Hok-ming cited statistics from the Joint Office for Investigation of Water Seepage Complaints (JO). He said that the number of applications made to court for warrants to effect entry into premises was zero in 2023, whereas the number of water seepage complaints was 1 888 and the number of cases with the source of water seepage successfully identified reduced from over 300 to 107, projecting a worrying picture. His ward office received a large number of water seepage complaints and reports, many of which were no longer under investigation because the moisture content was below 35%, or the relevant parties were uncooperative and thus prolonged the investigation. He thought that if various parties actively cooperated in conducting tests to identify the source and Nuisance Notices could be issued as soon as possible, water seepage problems might be smoothly solved. He said that some affected residents resorted to loss adjusters and surveyors to identify the source quickly and solving the seepage problem with the aid of advanced leak detection methods. He enquired whether the JO adopted any advanced technology to help identify the source of water seepage, such as infrared thermography.

4. Mr CHEUNG Tsz-hing responded that, according to the Public Health and Municipal Services Ordinance (Cap. 132), if the incident premises did not cooperate in the investigation process, the JO might apply to the court for warrants to effect entry into the premises. But with extensive publicity in recent years, households generally became more cooperative now. Therefore, no cases in 2023 necessitated the application of warrants. Regarding cases with moisture content below 35%, he explained that, based on previous experiences, it was more difficult to identify the source of water seepage when the moisture content was below 35%.

Considering the effective use of resources, the JO would terminate the investigation of those cases. But if the affected person subsequently filed another report with the moisture content equal to or exceeding 35%, the JO would restart the investigation. Concerning the method of investigation, he said that the JO would have to satisfy the standard of proof of “beyond reasonable doubt” in criminal litigation in prosecuting non-compliant households. On the contrary, loss adjusters would simply have to satisfy the standard of proof in civil litigation when determining which party had presented a more plausible case. Thus, the JO and loss adjusters would adopt different approaches of investigation and standards of proof. Regarding the application of new technologies, he mentioned that the JO had applied advanced testing technologies, such as infrared thermography and microwave tomography, in different pilot districts since June 2018, one of which was the Central and Western District (C&W District). However, in cases where these advanced technologies could not be effectively applied (such as small seepage area, spalling of concrete ceilings or blockage by tile finishes or other facilities on the ceiling), conventional methods would be carried out. The JO would continue monitoring the effectiveness of these advanced testing technologies and identifying the source of water seepage using these technologies.

5. Mr IP Yik-nam said that it often took years to process a water seepage case. Failure to identify the source of the seepage after the time-consuming process would even trigger disputes between households and brought hardship to them. He hoped that the JO would step up its efforts in identifying the seepage source. He also expressed concern over the decline in the number of cases with the source of water seepage successfully identified between 2019 and 2023 amid the rise in the number of water seepage reports received. In 2019, there were about 20% of the cases that were with the source successfully identified, as opposed to only 5% in 2023. The number of Nuisance Notices issued during the period also shrank. He hoped that the JO would explain how difficult it was in identifying the source and how cases might be handled, and would furnish the statistics obtained in the pilot application of the advanced technologies. He enquired about the number of applications made to court for warrants to effect entry into premises in the past year.

6. Mr CHEUNG Tsz-hing responded that the JO would normally complete the investigation within 90 working days after receiving a water seepage report. Nevertheless, it would take longer time to process more complicated cases, such as those involving subdivided flats and uncooperative owners or occupants. In terms of the success rate, he said that 1 888 reports were received in 2023 and 498 cases were put under investigation. Seepage stopped during the investigation of 266 cases. The source of water seepage had been successfully identified in 107 cases. Besides, he said that he did not have in hand relevant statistics on the pilot application of advanced testing technologies and applications made to court for warrants. He would furnish the information after the meeting.

[Post-meeting note: The JO furnished the relevant statistics on 5 August 2024.]

7. Mr YEUNG Hoi-wing thought that the statistics furnished by the JO were paradoxical. Although the JO had started to apply advanced technologies since 2018, the number of cases with the source of water seepage successfully identified had been shrinking since

2019. He was doubtful about the effectiveness of the technologies and asked whether the JO had conducted any relevant review. He thought it was unacceptable that no data could be furnished six years after applying the advanced technologies. He said that there were similar technologies that were highly advanced and commonly applied, while the colour water test was relatively rudimentary. He hoped that the JO could introduce more advanced testing technologies into the investigation process as soon as possible. He thought that dividing investigation into three stages, namely detecting moisture content, performing colour water test and applying advanced technologies, had prolonged the process. He suggested applying advanced technologies earlier to resolve the issue more efficiently.

8. Mr CHEUNG Tsz-hing responded that since September 2023, the JO had implemented a new set of investigation procedures in four pilot districts. After completion of Stage I investigation, Stage II and Stage III investigations were carried out in parallel. It was expected that the time for completing the investigation would then be shortened from 90 working days to about 60 working days. The JO would continue to optimise and streamline its work procedures to expedite the handling of water seepage cases. Currently, however, the C&W District was not a pilot district.

9. Ms JIN Ling reflected that her ward office had received many water seepage complaints and requests for assistance, mainly involving prolonged investigation and cases being excluded from investigation. She pointed out that prolonged investigation had seriously disturbed the residents. She raised the following questions: (i) whether the JO had any measures, mechanisms or procedures that would comfort the residents; (ii) regarding the cases with moisture content below 35%, whether there were preventive or simple measures to lower the moisture content; (iii) why the advanced technologies were not applied in Stage I, such as performing tests earlier in the complainant's flat to expedite the process; and (iv) whether the JO and relevant departments had stepped up promotion and education, for instance, teaching residents how to inspect pipes in their flats so as to discover water seepage as soon as possible.

10. Mr CHEUNG Tsz-hing responded that the JO had implemented a series of measures to improve the work flow, including setting up the Hong Kong, Kowloon, New Territories East and New Territories West Regional JOs to strengthen the communication between the Food and Environmental Hygiene Department (FEHD) and the BD. They were responsible for (i) enhancing the handling mechanism of water seepage complaints in an effort to effectively monitor relevant follow-up actions; and (ii) streamlining the operation procedures by reducing the requisite number of visits to the premises for an entry warrant application and by standardising the documentation required. The JO would continue to streamline the work flow and procedures to expedite the processing of accumulated cases. Based on the JO's experiences, he reiterated that it was difficult to identify the source of water seepage in cases with moisture content below 35%. For the time being, the JO would continue to adhere to the current practice considering the resources available. Regarding the early application of advanced technologies, he said that Stage II and Stage III investigations were carried out in parallel in the four pilot districts with a view to shortening the processing time. Regarding publicity, the JO set up the Water Seepage Resource Centre and the Customer Service Team in 2022 in an effort to assist the public in finding out the reasons of water seepage in buildings, as

well as to suggest possible means of testing, maintenance and dispute resolution. Besides, the JO had also prepared a set of downloadable pamphlets for the public to familiarise themselves with how to inspect water seepage on their own.

11. Ms CHEUNG Ka-yan enquired about the effectiveness of applying the new set of investigation procedures in the four pilot districts and the time for applying the same in the C&W District. She further enquired about the application of advanced technologies in the C&W District, and its effectiveness and outcome. She pointed out that water seepage in some cases stopped midway through investigation as the flat upstairs was temporarily vacant, bringing the investigation to a halt. The whole investigation would have to be restarted afterwards. She asked whether the JO had improved the relevant procedures. She mentioned that members of the public very often could not identify the source of water seepage when seeking assistance from the JO, but loss adjusters could instead do so quickly. She hoped to know their difference, and whether the JO would introduce more advanced technologies to help the public resolve water seepage problems.

12. Mr CHEUNG Tsz-hing responded that it was not until September last year that the JO started implementing the new set of investigation procedures in the four pilot districts, relevant data was thus not available at the moment but would be furnished after the meeting. Moreover, the advanced technologies had been applied in the C&W District since 2019. For cases where water seepage stopped midway through investigation, he said that if the complainant subsequently filed another report with the moisture content equal to or exceeding 35%, the JO would restart the investigation. As for why loss adjusters could identify the source of water seepage more quickly, he reiterated that the JO approached a case from the criminal perspective for that no Nuisance Notice would be issued unless it had been proven beyond reasonable doubt that the flat upstairs had caused water seepage in the flat downstairs. In contrast, the standard of proof in civil litigation was simply for the judge to determine which party had presented a more plausible case upon considering expert evidence. The standards of proof were different.

[Post-meeting note: The JO furnished the relevant statistics on 5 August 2024.]

13. Mr NG Yin enquired whether there was a mechanism to notify complainants when the JO could not identify the source of water seepage. He also noted that the JO would refer some cases to consultancy firms for follow-up. He enquired about the cost of engaging a consultancy firm each time and whether there was a limit on the number of times a complainant could use the service.

14. Mr CHEUNG Tsz-hing responded that the JO would notify complainants and respondents of the investigation result in writing within 90 working days irrespective of whether the source of water seepage had been identified. He pointed out that if a consultancy firm was engaged to investigate the source of water seepage, the cost of investigation would be about \$5,000 per flat, depending on the testing method. He also said that as long as the moisture content reached 35%, the JO would start an investigation.

15. Dr FUNG Kar-leung said that he had received quite a number of water seepage

complaints from residents. With his flat also affected by water seepage, he tried in vain to report the case to the JO via the hotline. Calls had remained unanswered for a long time. He asked whether the JO would from time to time reply incoming calls. He also pointed out that buildings in the C&W District were relatively old and water seepage problems were on the rise. Apart from relying on residents to call the JO directly, he asked whether the JO would strengthen communication between residents and property management companies so that the public would familiarise themselves with the respective duties of the JO and the BD.

16. Mr CHEUNG Tsz-hing responded that calls could not be answered if the hotline was too busy. He said that calls directly made to the officer in charge of the case, whether missed calls or voice messages, would be replied by the staff of the JO as soon as possible. He pointed out that the JO had set up a publicity unit to promote the JO's duties to residents and property management companies. The Water Seepage Resource Centre and the Customer Service Team in Sham Shui Po had been open to the public, where promotional activities would be held regularly, such as talks for property management companies. The public could thus familiarise themselves with the JO's duties and related information including the processing time and procedures of investigating a case.

17. Mr LAU Tin-ching pointed out the number of water seepage reports had been increasing in recent years. The number of cases excluded from investigation in 2023 was a double of that in 2019, whereas the number of cases investigated and with the source of water seepage successfully identified had been shrinking. He thought that such a picture would worry the public. In particular, those requesting for assistance would feel helpless. He suggested that the JO disseminated promotional flyers to notify the public of the alternative means they might use in cases where the JO could not assist. For instance, requesting assistance from loss adjusters and claiming for civil damages. He also suggested that the JO should provide free legal advice service to assist the public in understanding relevant legal procedures and knowing the estimated costs.

18. Mr CHEUNG Tsz-hing said that he would refer the suggestions to relevant departments. He responded that pamphlets printed with QR codes for accessing information about legal advice and mediation service would be attached to each letter sent to complainants for their reference.

19. Dr WONG Sin-man, Mandy pointed out quite some members of the public reflected that they had waited for more than three months after being notified of the commencement of investigation from the JO, but no staff had ever come to their flats to test the moisture content. She thought that keeping a record of the time spent on investigation was very important. There was no information available on the number of cases that had been investigated for more than a year. As a result, the JO could not effectively assess the efficiency of investigation to improve the processing of cases strategically. She suggested keeping a record of relevant figures so that the public might grasp the JO's progress in handling cases, thus enhancing the transparency of investigation. She also pointed out that in cases where investigation was terminated, water seepage problems might still exist despite the temporary cessation of water seepage for certain reasons. In such cases, she suggested that complainants should still be reminded to continue

with inspection and arrange for repair in the notice issued to them. She further enquired about the progress of applying the new set of investigation procedures in the pilot districts and was keen to know if there was any schedule for a comprehensive review and a territory-wide application.

20. Mr CHEUNG Tsz-hing responded that the JO would normally contact the complainant within six working days after receiving a water seepage report, and make an appointment with the complainant to visit the incident flat for investigation. Members were welcomed to refer cases with excessively long waiting time to the JO for follow-up. He said that the JO currently did not keep a record of the time spent on investigation, and would refer the relevant suggestion to the JO. He also pointed out that the notice informing complainants of the termination of investigation had already specified that they might contact the JO again for follow-up upon discovering any change of circumstances concerning the water seepage. He responded that the JO was still reviewing the effectiveness of the pilot districts programme and had no schedule for the next phase at the moment.

21. Mr LEE Chi-hang, Sidney thought that the FEHD lacked resources and manpower to handle tens of thousands of water seepage cases. Although the JO had engaged consultancy firms to take over some investigation duties, due to high cost, the effect of such practice remained nominal in reducing the huge caseload. He suggested that the government should allocate more resources to the FEHD so as to reduce its reliance on contractors and promote the efficiency of investigation. He also pointed out that, based on legal procedures and case law, the burden of proof in a water seepage action rested upon the complainant. If the JO could not provide the investigation report, the complainant would not be able to bring an effective claim. He suggested setting up a designated organisation similar to the Small Claims Tribunal to handle water seepage matters with a view to streamlining relevant procedures and thus lowering the legal costs so that the public could claim for damages more easily.

22. Mr CHEUNG Tsz-hing said that he would refer to the FEHD the suggestions that more manpower should be allocated. He said that currently the Small Claims Tribunal dealt with monetary claims not exceeding \$75,000, whereas the Lands Tribunal also dealt with legal disputes involving building management, including water seepage cases. The Building Management Mediation Co-ordinator's Office set up in the Lands Tribunal helped streamline the processing of relevant cases and encourage parties to resolve their differences by mediation so that such cases could be disposed of in a more expeditious and effective manner.

23. Mr YEUNG Hok-ming said that it was a waste of resources for that investigation reports published by the JO were solely for criminal prosecution and could not be used as evidence by the complainants in any claim for damages, which could only be brought after commissioning a loss adjuster's report separately. He thought that the government should evaluate the policies from the residents' perspective.

24. Mr CHEUNG Tsz-hing responded that the JO was considering providing complainants and respondents with water seepage investigation reports free of charge with a view to resolving disputes through non-litigation means, including mediation.

25. As Members did not have any further comment, the Chairman declared closure of this discussion item.

Item 3: Re-introduction of food trucks at the harbourfront

(C&WDC Paper No. 31/2024)

(10:45 am to 11:28 am)

26. The Chairman welcomed Mr SO Kai-ho, Nelson, Assistant Secretary (Harbour) 1, Development Bureau (DEVB) and Ms WU Wing-yue, Phoebe, Senior Engineer (Harbour) 1, DEVB. The document was submitted by Ms CHEUNG Ka-yan, Mr YEUNG Hok-ming, Mr IP Yik-nam, Mr LAU Tin-ching, and Mr SHIH Jan Noel with nothing to add. The Chairman welcomed questions and discussions on the paper.

27. Mr YEUNG Hok-ming thought that the requirements of the food truck scheme introduced by the DEVB in the past were too stringent, ranging from food truck specifications, business hours, locations to food types. As a result, many food truck operators had suffered losses. With the current policy relaxed to better align with Hong Kong's culture of mega events, he suggested that the DEVB should allow more flexibility in the business hours and locations of food trucks, and loosen restrictions on food types. He thought that it would help rejuvenate the food truck market and attract more operators, and he hoped the DEVB might explore the possibility of offering different cuisines during mega events so as to enhance Hong Kong's image as an events and a culinary capital.

28. Mr SO Kai-ho, Nelson responded that what Mr YEUNG Hok-ming mentioned should be the Food Truck Pilot Scheme implemented by another bureau some years ago, with the objective of promoting food trucks as a tourism project. The DEVB was currently following up on the proposal made to the 2024-25 Budget to introduce commercial facilities such as dining, retail and entertainment at suitable locations at the harbourfront on a trial basis, aiming at further enhancing the harbourfront based on the notion of "connect first, enhance afterwards," with a view to providing the public with a diverse and joyous visiting experience at the harbourfront. Based on the paper previously submitted, the DEVB was planning to introduce smart specialty vending facilities at the harbourfront on both sides of the Victoria Harbour in mid-2024 as a short-term measure to promote the development of the aforesaid commercial facilities. Besides, space and facilities had also been reserved for providing special food and beverages at the harbourfront sites that were currently under construction, such as the open space at Eastern Street, Sai Ying Pun. The DEVB would continue collecting Members' views on harbourfront development with a view to implementing the right policies at the right place and time.

29. Mr YOUNG Chit-on, Jeremy thought that after the pandemic, the government had to try new business models. He suggested that the government should be more flexible in issuing temporary licences so that businesses could bear their own risks and respond to market demands flexibly. He pointed out that the government was mainly responsible for stabilising the market, whereas the market creating demands. The government should not interfere with and restrict

the operation of businesses, and should instead provide them with greater flexibility in selecting locations and business hours of their food trucks, and in providing a wide range of products and services, such as setting up an interchange that would connect different delivery outlets. He stressed that despite the multiple failures experienced by a business venture, it would be considered a success if it had succeeded once. The government should allow enterprises to freely explore business opportunities whereas their business performance should be monitored by media and the general public.

30. Mr SO Kai-ho, Nelson responded that harbourfront sites in the C&W District were either managed by the government or operated by private organisations, such as the observation wheel site and the harbourfront space in Central. The DEVB endeavoured to introduce more innovative elements into the harbourfront sites in the C&W District. For instance, there had already been shops selling refreshments in the observation wheel site, which were all examples of the market mechanism aiming at satisfying market and public demands with creativity. The DEVB was happy to learn that operators of harbourfront venues had introduced different business models and commercial elements to further revitalise the harbourfront. The DEVB would continue to encourage such practice. Regarding Members' suggestion on setting up delivery outlets in harbourfront venues, Mr SO Kai-ho, Nelson pointed out that the DEVB and the Harbourfront Commission had set up delivery outlets with dining tables and chairs at Belcher Bay Promenade when it was open in 2020 for the public to dine outdoors, in response to the surging demand for outdoor sites under the pandemic while social distancing measures were in force. The DEVB would continue to innovatively introduce commercial facilities including dining, retail and entertainment at the harbourfront with reference to previous experiences.

31. Mr LEE Chi-hang, Sidney thought that the food truck scheme was introduced initially for revitalising tourist attractions and generating market opportunities for the food and beverage businesses. But the requirement that food trucks had to be mobile had increased the cost and uncertainty of operation. He suggested replacing food trucks with light refreshment kiosks or stalls in more popular tourist attractions, which could be let by open tender every year or six months in an effort to avoid prolonged occupation of the space by the same operator and lower the operational cost. He thought that it would be able to revitalise tourist attractions while keeping them innovative.

32. Mr SO Kai-ho, Nelson responded that the previous Food Truck Pilot Scheme was implemented with the main objective of promoting tourism, whereas the new policy introduced by the DEVB aimed at further revitalising the harbourfront to provide visitors with a more diverse and joyous experience, in which food trucks were one of the possible food and beverage facilities to be provided. The DEVB would consider views from Members and stakeholders in short, middle and long-term policy-making, including exploring the possibility of setting up pop-up mobile facilities providing light refreshments.

33. Mr LUI Hung-pan thought that the food truck policy was simply a transitional and an alternative solution. He suggested that the government should reconsider how to develop tourism. He mentioned that Sheung Wan Gala Point, which had gathered a wide variety of cuisines in a way similar to wholesale markets and gourmet streets overseas, was appealing to

many visitors in the past. He thought that there should be an area that could bring together different food stalls in Hong Kong, which would be way more appealing to visitors than food trucks. He also hoped that the government would reconsider relevant policies.

34. Mr SO Kai-ho, Nelson pointed out that the DEVB primarily focused on how to better utilise harbourfront sites to introduce more commercial elements including food and beverages. He would relay Members' views on developing tourism to relevant bureaux as they fell within the policy areas of other bureaux.

35. Regarding Members' views on flexibility and diversity of the food and beverage services, Ms WU Wing-yue, Phoebe said that the DEVB had to consider a set of prerequisites including the availability of electricity, water supply and sewage facilities before exploring the possibility of introducing food and beverages at the harbourfront. Currently, the DEVB was reviewing the locations that would be suitable for introducing food and beverage facilities at the harbourfront on both sides of the Victoria Harbour. Besides, the flow of visitors was an important factor. When selecting locations, the DEVB would consider the aforesaid factors and thus set up suitable facilities, including light refreshment kiosks, mobile food and beverage facilities, and bazaar stalls.

36. Ms JIN Ling mentioned that the previous Food Truck Pilot Scheme was aiming at promoting tourism. The government's stringent regulation of food trucks, such as stipulating the use of Euro IV and V vehicles, had inevitably increased the operational cost and led to a rise in food prices. The Pilot Scheme turned out to be not very successful. The present discussion focused on how to introduce food and beverages at the harbourfront, encompassing various operation models such as light refreshment kiosks, food trucks and itinerant hawkers. She thought that the advantage of food trucks lay in their mobility, which could change locations flexibly with regard to the nature of occasions and the flow of visitors. To develop food trucks in a sustainable manner, the government had to enhance the regulatory model and encourage innovative practice. For instance, the appearance of food trucks operated in the C&W District might resemble that of trams to showcase the district's distinctive East-meet-West culture. If fully leveraged, the innovative feature and high mobility of food trucks would appeal to visitors and the general public. Otherwise, high operational cost and stringent regulation of food trucks might put the business at a disadvantage.

37. Mr SO Kai-ho, Nelson responded that innovation and flexibility were two factors of harbourfront development that aligned with the overall direction of "making every section special" advocated by the DEVB's Harbour Office and the Harbourfront Commission. The DEVB hoped that every section of the harbourfront could be distinctive so as to attract the public to visit and use the facilities, and to find all sections innovative. The provision of food and beverage facilities, which could largely be divided into fixed and mobile, were subject to a range of factors including the flow of visitors and the circumstances for conducting businesses in a particular section. The DEVB would refer to previous experiences such as the Food Truck Pilot Scheme, and work with relevant departments in identifying the suitable operation model for organising the right event at the right harbourfront venue with a view to enhancing the overall visitors' experience at the harbourfront.

38. Mr LAU Tin-ching said that there were no contradictions between the food truck schemes introduced at present and in the past, both aiming at enhancing visitors' experience at the harbourfront. He said that food trucks were appealing in a distinctive way and could not be replaced by food stalls completely. He also hoped that food trucks could move along the harbourfront so that visitors might follow them around, thus enhancing tourists' experience in Hong Kong. Besides, some existing regulations of food trucks, such as prohibiting real flame cooking, permitting reheating only, and prohibiting the use of glass containers, had undermined the appeal of food trucks. Therefore, he suggested that the government should provide food truck operators with more freedom. He also said that the cost of operating food trucks was very high, which comprised the cost of maintaining the truck, fee of government licences, and venue rental. He suggested that the government should loosen its grip on some regulations to lower the operational cost so that more enterprises might be attracted to the food truck market, hence providing visitors with enhanced services and cuisines.

39. Mr SO Kai-ho, Nelson responded that the DEVB would look into and consider Members' suggestions. He added that the DEVB's Harbour Office would adopt a range of measures when introducing commercial facilities such as food and beverages at the harbourfront. In the short run, the DEVB would introduce smart specialty vending facilities at some harbourfront locations on both sides of the Victoria Harbour, and hoped to set up pop-up mobile facilities that provided light refreshments. Besides, the government had organised night markets comprising food and beverage stalls at multiple harbourfront venues. With reference to these experiences, the DEVB would enhance the diversity of the harbourfront.

40. Mr SHIH Jan Noel said that food trucks could coexist with mobile and fixed food and beverage facilities to provide visitors and residents with more options. He pointed out that food truck regulations overseas were less stringent so that operators could prepare a wider variety of cuisines apart from the popular ones such as hot dogs and tacos, to further appeal to customers. He thought that local food trucks were not successful because of the lack of supporting facilities such as adequate seating for dining. He hoped that the DEVB could provide more supporting facilities so that an enhanced customers' experience could be provided. Furthermore, he enquired about the specifications of the aforesaid mobile food and beverage facilities, including the availability of power and the possibility of on-site cooking. He hoped that the DEVB might consider implementing the food truck scheme and introducing mobile and fixed food and beverage facilities simultaneously to further diversify the harbourfront.

41. Mr SO Kai-ho, Nelson responded that the DEVB would refer to the Food Truck Pilot Scheme and work with relevant departments to explore the appropriate operation model and implement various measures to promote the development of food and beverage businesses at the harbourfront with a view to enhancing visitors' experience.

42. Ms WU Wing-yue, Phoebe responded that the DEVB had been open to what mobile food and beverage facilities might be set up and how they might be complemented. The DEVB would further communicate with relevant departments to diversify food and beverage services provided at the harbourfront while ensuring safety.

43. Mr YIP Wing-shing suggested that the government should fully utilise existing resources such as technology, including solar energy generation, when considering converting some of the food trucks into delivery outlets of food purchased online. In line with the development of low-altitude economy, this measure would enable visitors to dine easily in the vicinity of tourist attractions, thus enhancing their visiting experience and generating more business opportunities for enterprises.

44. Mr SO Kai-ho, Nelson understood the Member's view on encouraging the city's development through developing low-altitude economy. He also said that the DEVB would try to introduce special food and beverage elements more flexibly to meet visitors' needs.

45. Mr IP Yik-nam suggested developing a new landmark that would gather restaurants and small bars at the government property near the Outlying Islands Ferry Pier situated on the C&W District Promenade with a view to promoting the tourism and economy of the district. He also pointed out that there had been complaints about noise nuisance and troubles caused by drunken customers in Lan Kwai Fong, Central. Relocating some restaurants and bars to the government property near the Pier might alleviate these problems.

46. Mr SO Kai-ho, Nelson agreed to developing food and beverage facilities at the harbourfront so as to further utilise resources. He added that the C&W District Promenade was very suitable for developing commercial elements because it was proximate to the central business district, with good accessibility, and in the vicinity of commercial, cultural and entertainment facilities. For instance, there were shops that provided food and beverage services during events in the observation wheel site and the harbourfront site in Central, attracting a large number of visitors. He said that the government would learn from these experiences and consider Members' views when exploring how to better revitalise harbourfront venues in the C&W District.

47. Dr FUNG Kar-leung mentioned that there were many signature traditional snacks in Hong Kong, such as stinky tofu, faux shark's fin soup, pork skin and fish balls. As the DEVB tightened its grip on hawkers, these traditional snacks gradually became extinct. He thought that while promoting the city's culinary tourism, the government should place more emphasis on traditional snacks with local characteristics to attract foreign visitors. Apart from traditional snacks, food and beverages appealing to foreign visitors such as barbecue and beer might be introduced to enrich the overall experience.

48. Mr SO Kai-ho, Nelson said that the DEVB would look into how food and beverages might be introduced into suitable harbourfront sites, including selling local snacks and setting up pop-up mobile facilities providing light refreshments, in an effort to diversify the use of the harbourfront.

49. As Members did not have any further comment, the Chairman declared closure of this discussion item.

Item 4: Request for providing a continuous Central and Western District Promenade by constructing boardwalks at New Praya, Kennedy Town and Hong Kong-Macau Ferry Terminal, Sheung Wan

(C&WDC Paper No. 30/2024)

(11:28 am to 12:05 pm)

50. The Chairman welcomed Mr SO Kai-ho, Nelson, Assistant Secretary (Harbour) 1, DEVB, Ms WU Wing-yue, Phoebe, Senior Engineer (Harbour) 1, DEVB, Mr WONG Chun-kin, Tommy, Chief Engineer / South 3, Civil Engineering and Development Department, Mr WONG Ka-hei, Daniel, Senior Executive Officer (District Management), Central and Western District Office (C&WDO), and Mr WONG Ka-chun, Tommy, Executive Officer (District Management) 1, C&WDO. The paper was submitted by Mr LAU Tin-ching, Mr IP Yik-nam, Mr YEUNG Hok-ming, Mr YEUNG Hoi-wing, Mr SHIH Jan Noel, and Ms CHEUNG Ka-yan with nothing to add. The Chairman welcomed questions and discussions on the paper.

51. Mr YEUNG Hok-ming pointed out that the government and members of the public shared the hope for a continuous C&W District Promenade. Cadogan Street Promenade under the C&WDO had recently been completed and open to the public. However, pedestrians still had to walk on the roadway between The Merton and Cadogan Street, posing a safety hazard. Besides, there had been gatherings of photo-taking visitors on the road section in front of The Merton, which were very dangerous. He suggested constructing boardwalks between The Merton and the harbourfront at Cadogan Street so as to minimise vehicle-pedestrian conflicts as soon as possible. Furthermore, he expressed concern over the dangerous act that some members of the public had damaged the fencing surrounding the precinct of the vacant pier and trespassed onto the area for fishing.

52. Mr YEUNG Hok-ming said that members of the public jogging from Central to Sai Wan along the harbourfront inevitably had to cross a road section at the ground level of Shun Tak Centre. While a large number of coaches would pass through that section, the adjacent footpath was narrow, posing a danger to joggers. He suggested that the government should consider constructing boardwalks in the vicinity of Hong Kong-Macau Ferry Terminal after amending the Protection of the Harbour Ordinance (PHO) so as to divert the public from the dangerous road section. Despite the DEVB's response that there was no current plan to develop that privately owned site into a promenade, Mr YEUNG Hok-ming thought that it would also be beneficial to Shun Tak Centre if that site formed part of the promenade to be developed. Shun Tak Centre would no longer have to allocate so much manpower to manage that road section in the future, lowering its operational cost. Thus, he hoped that relevant departments might adopt a people-oriented approach and negotiate with the owners of Shun Tak Centre with a view to providing a continuous harbourfront.

53. Mr WONG Ka-hei, Daniel responded that the C&WDO had been discussing with the Transport Department (TD) and the Highways Department (HyD) on setting up pedestrian crossing facility between The Merton and Cadogan Street Promenade. By now, the TD had submitted the design of the pedestrian crossing for the C&WDO and the HyD to look into relevant details so as to construct it as soon as possible. In response to cases of trespass onto

the pier for fishing, the C&WDO had arranged that the precinct be guarded by security round the clock, and would instruct them to patrol more frequently. Besides, the C&WDO and the Works Section of the Home Affairs Department would explore how to strengthen the fencing and step up cooperation with the police to carry out public education and publicity work through various channels in order to eradicate similar trespasses.

54. Mr SO Kai-ho, Nelson said that the DEVB agreed with Members on providing a continuous and accessible promenade for the public. After years of efforts of various departments, most of the harbourfront sites in the C&W District had been conjoined. Although some individual sections could not be developed into a promenade due to various reasons, pedestrian walkway facilities had been constructed in those sections accordingly. With more harbourfront sites opening in the future, it was believed that more residents in the C&W District would be able to enjoy the harbourfront. The DEVB would continue to explore more options to enhance harbourfront facilities. Concerning the road section at Shun Tak Centre, the DEVB remained open to discuss the matter with the owners. If the owners intended to enhance the footpath next to the road section, the DEVB would be happy to explore feasible solutions with them.

55. Mr IP Yik-nam agreed with Mr YEUNG Hok-ming on the issue concerning the road section at Shun Tak Centre, which linked up Central and Sai Wan and was important to the cohesion of the community and the economic interest of whole society. However, members of the public had to make a detour to travel from Sheung Wan to Central, either by passing through the mall and returning to the ground level via a footbridge, or by dangerously crossing a road section with heavy traffic at the ground level of Shun Tak Centre. As the footpath in that road section was narrow, many pedestrians would cross the roadway directly for convenience, which was very dangerous. He hoped that minor works at the harbourfront might be handled more flexibly after the PHO had been amended. He suggested that the DEVB might consider constructing boardwalks alongside the harbourfront at the periphery of the ferry terminal. Despite involving reconstructing or altering some of the facilities there, it is believed that the construction would bring economic benefits to the whole C&W District Promenade in the long run.

56. Mr SO Kai-ho, Nelson said that the government had set out the proposed legislative framework in amending the PHO. One of the strategic directions was to facilitate in a reasonable manner works involving reclamations which would strengthen the harbour functions, improve harbourfront connectivity or help people better enjoy the harbourfront. The construction of boardwalks fell within the prescribed list of harbour enhancement works under the proposed framework. At the moment, the DEVB sought to obtain support from the general public, stakeholders and Members for the amendment bill of the PHO, and would look into the feasibility of implementing relevant harbour enhancement works afterwards. On the other hand, the government would continue to discuss with the owners of Shun Tak Centre on enhancing the footpath at the ground level.

57. Mr LUI Hung-pan pointed out that Members had been striving for a continuous C&W District Promenade for many years. While the newly completed Cadogan Street Promenade

had benefitted residents, the problem of the Shun Tak Centre section remained unresolved for a long time. He hoped that the government could be result-oriented in carrying out the relevant enhancement works as soon as possible. Acknowledging that policy amendment took time, he suggested carrying out interim measures at this stage. For instance, designating a traffic lane in the Shun Tak Centre road section for pedestrian access only during non-peak hours. He hoped that the DEVB might consider whether it was feasible.

58. Mr SO Kai-ho, Nelson responded that the DEVB kept an open mind on how to improve pedestrian accessibility in the vicinity of Shun Tak Centre and would look into the feasibility of various proposals, including the one made by the Member.

59. Mr YEUNG Hoi-wing said that three locations were key to a continuous C&W District Promenade. Apart from the cargo working area of the Western Wholesale Food Market, Shek Tong Tsui, the remaining two locations were the Hong Kong-Macau Ferry Terminal, Sheung Wan and the harbourfront in front of The Merton. Gatherings of photo-taking visitors outside The Merton became less serious after the police and Care Teams had appealed to visitors for some time. However, boardwalks should still be constructed between Belcher Bay Promenade and the newly completed Cadogan Street Promenade in order to solve the problem in the long run and develop a more continuous harbourfront. He enquired whether there was a plan for redeveloping the vacant pier in front of Cadogan Street Promenade and the adjacent site in the future.

60. Mr SO Kai-ho, Nelson responded that since the pier in front of Cadogan Street Promenade was a marine frontage, developing it would trigger the application of the PHO. The current version of the PHO stipulated that all reclamations in the harbour were subject to the “presumption against reclamation” that could only be rebutted by establishing an “overriding public need.” Hence, unless the PHO had been amended, there was no long-term plan for developing the pier at the moment. Apart from the aforesaid works which might benefit from the legislative amendments and thus be implemented in the C&W District, the government would explore the possibility of enhancing other harbourfront sites, including the one adjacent to Cadogan Street Promenade, which would be used for reprovisioning Belcher Bay Promenade in the future. Relevant details were also raised in the paper submitted to the previous C&WDC meeting. The DEVB would continue to relay relevant comments to various departments for follow-up.

61. Ms CHEUNG Ka-yan pointed out that while joggers along the harbourfront had to pass through a section underneath Shun Tak Centre, that section was often blocked by pillars of the building. They forced joggers to the roadway and thus posed a danger. She would like to know how the DEVB and Shun Tak Centre would handle this situation and ensure an accessible harbourfront before boardwalks were constructed.

62. Mr SO Kai-ho, Nelson responded that, based on the information available, the Lands Department (LandsD) had discussed with the owners of Shun Tak Centre last year. The DEVB would continue to follow up on the matter after the meeting and relay Members’ views to the LandsD and other relevant departments.

63. Mr SHIH Jan Noel said that he understood that construction of boardwalks at the Kennedy Town harbourfront could not be started unless the PHO had been amended. He would like to see if the DEVB would conduct preliminary study on various aspects of the works, including completion time, materials and methods.

64. Mr SO Kai-ho, Nelson added that when briefing stakeholders on the amendments to the PHO at meetings of the Legislative Council (LegCo) and the Harbourfront Commission, the DEVB had set out for reference some examples of harbour enhancement works that might benefit from the legislative amendments, in an effort to illustrate how the legislative amendments would offer greater flexibility in considering various ways to enhance the harbourfront. The examples included constructing boardwalks at New Praya, Kennedy Town. Information such as the timetable and scale of works would depend on the progress and outcome of amending the PHO. The government could only conduct further study on how to construct boardwalks at the location afterwards. If the works were to be implemented in the future, the DEVB would consult stakeholders to look into how to do so in a timely fashion. At the moment, the DEVB's priority was to obtain public support for the legislative amendments.

65. Dr WONG Sin-man, Mandy raised three comments. First, developing the vacant pier in front of Cadogan Street Promenade triggered the application of the PHO, which concerned the integration of planning and development. She had previously conducted site inspection at the pier with the police. She pointed out that multiple government departments were relevant to managing the adjacent road section. The DEVB might take the lead to also consider the adjacent site when planning for development and to change its land use so that the overall harbourfront development could be planned in a more consistent manner. Secondly, constructing boardwalks in front of The Merton, Kennedy Town was not a reclamation, affecting marine ecology to a relatively small extent. These factors might be specified when taking forward the legislative amendments to the PHO so as to better facilitate the construction of boardwalks. Thirdly, the connectivity of the C&W District Promenade had been an issue for over a decade. Although the legislative amendments sought to tighten the total duration limit for each non-permanent reclamation to a maximum of seven years subject to a one-time extension for a period of not more than one year, she worried that such requirement was not deterrent enough as reclamation proponents would not be penalised for failing to do so. She hoped that works in the C&W District could be carried out as scheduled.

66. Mr SO Kai-ho, Nelson responded that relevant departments had briefed the C&WDC on the preliminary plan of the Kau Yi Chau Artificial Islands project, and its impact on harbourfront development when discussing the item during the last meeting. He had nothing to add. Site planning in Kennedy Town had been completed with designated land uses by the Planning Department many years ago after discussions in the district and with various stakeholders. Till now, the land use of harbourfront sites had remained unchanged. The construction of boardwalks at New Praya, Kennedy Town was merely an example of the works that might benefit from the legislative amendments for reference. Whether involving reclamations or not, departments implementing harbour enhancement works had to review whether relevant statutory requirements had been satisfied, and carry out relevant procedures

such as public consultation and feasibility study in the future. Subject to the outcome of the legislative amendments, some harbour enhancement works would have to be planned thoroughly afterwards.

67. Mr WU Man-hin pointed out that the DEVB and the Harbour Office had proposed to the LegCo Panel on Development to amend the PHO, which might benefit the construction of boardwalks at New Praya, Kennedy Town. He suggested that the government should take this opportunity to explore how to enhance the harbourfront in a more in-depth way. Apart from boardwalks, he supported works that would facilitate new water sports. Due to venue constraints and the lack of ancillary facilities for safety, the general public might only experience sports, such as water-skiing, at an elementary level. He hoped that after the PHO had been amended, more ancillary facilities including speedboat berth and maintenance base that favoured the development of a wider range of new sports such as high-altitude cable-skiing and wakeboarding might be set up while enhancing the harbourfront. It would enable more members of the public to develop the habit of exercising and unleash new possibility in developing sports tourism, thus promoting Hong Kong's liveability.

68. Mr SO Kai-ho, Nelson pointed out that the objective of amending the PHO was to lay a foundation for exploring possibilities of harbourfront development. The DEVB would continue to look into the enhancement of harbourfront facilities to improve the connectivity of the C&W District harbourfront.

69. Mr YIP Wing-shing said that, as discussed during the Fifth Term C&WDC, Shun Tak Centre was the only building that was blocking a continuous promenade. There had been suggestions that a bridge be constructed there to solve the problem. As the parking space at the ground level of Shun Tak Centre belonged to a government site, he hoped that government departments might step up communication with Shun Tak Centre to explore the possible ways to provide a continuous promenade.

70. Mr SO Kai-ho, Nelson said that the DEVB would follow up with relevant departments on the communication with the owners of Shun Tak Centre. Further information would be furnished once available.

71. As Members did not have any further comments, the Chairman declared closure of this discussion item.

Item 5: Request for setting up a tramway museum in the Western District to promote the century-old means of transport

(C&WDC Paper No. 35/2024)

(12:05 pm to 12:15 pm)

72. The Chairman welcomed Ms SAM Fung-mei, Esther, Senior Manager (Hong Kong West), Leisure and Cultural Services Department (LCSD), Ms CHAU Kwan-wai, Yvonne, Manager (Hong Kong West), Marketing, Programme and District Activities, LCSD to the

meeting. The Chairman said that the paper was submitted by all Members of the C&WDC and welcomed questions and discussions on the paper.

73. Mr YOUNG Chit-on, Jeremy said that Members agreed that the Hong Kong Tramways was a highly historical landmark in Hong Kong, so he hoped that it might continue to serve more visitors and members of the public as a means of transport. But he was disappointed that government departments did not make any relevant promise in their written replies. He added that there were only two transport museums in the city, namely the Hong Kong Railway Museum in Tai Po and the Hong Kong Maritime Museum in Central. He supported setting up a tramway museum, and agreed that facilities might also be set up in the Hong Kong International Airport for exhibiting information about local transport.

74. Ms SAM Fung-mei, Esther said that the government was looking into the plan of setting up a new museum and implementing the 10-year development blueprint for arts and cultural facilities introduced in the Policy Address by enhancing and building more cultural facilities. The number of museums (including those under planning) was expected to increase from 15 to 20. The LCSD had received quite many suggestions on the theme of the new museum and would put on record the C&WDC's suggestion on the theme of tramway, which would be taken into account when reviewing proposals for the new museum.

75. Ms JIN Ling pointed out that the Hong Kong Tramways served some 200 000 passengers per day, thus having both historical and practical significance in Hong Kong. She further raised that while museums normally collected exhibits of the past only, the Tramways had been serving the city from the past to present, so she urged the LCSD to set up a tramway museum. She added that people nowadays were interested in in-depth cultural tourism. Given that the tramway museum might incorporate advanced technology and artificial intelligence, an innovative tourist attraction could be developed. She suggested that the LCSD might line up the tramway museum and other tourist attractions in the C&W District, including Dr Sun Yat-sen Museum, Tai Kwun and Flagstaff House Museum of Tea Ware, to create more informative itineraries. She also thought that the tramway museum was a place of history education, and suggested that the LCSD should gather stakeholders, such as schools, and individuals and organisations in the community to promote the history of the Tramways and Hong Kong. She suggested that visitors' interactive experience in the tramway museum might be enriched with the aid of new technology such as virtual reality and augmented reality. She also suggested that the LCSD should develop "tramway-plus" economy. Provided that the Tramways was a cultural icon, a wide variety of merchandise might be created, ranging from stationery, necessities, souvenirs to toys, thus establishing an industry chain that would generate significant economic benefit to society. Other than a fixed tramway museum, she also suggested setting up a mobile one based on the existing TramOramic Tour.

76. Ms SAM Fung-mei, Esther said that she would relay the Member's views to relevant departments for consideration and further study.

77. Mr NG Yin said that Members largely hoped for a tramway museum and agreed to setting up a mobile one. While understanding that the government had to be very prudent in

making decisions on the allocation of resources, he believed that setting up a mobile museum would require relatively less resources and thus be more feasible. He hoped that the government would consider this option. Besides, he learnt that the number of museums in Hong Kong would increase from 15 to 20, he enquired whether there were organisations other than the C&WDC that had suggested setting up a tramway museum, and whether there were any other suggestions that concerned the C&W District.

78. Ms SAM Fung-mei, Esther responded that currently only the C&WDC had suggested setting up a tramway museum. The LCSD would put on record the suggestion, which would be taken into account with other suggested themes when reviewing proposals for the new museum.

79. As Members did not have any further comment, the Chairman declared closure of this discussion item.

Item 6: Reports on meetings of the committees and the working groups under C&WDC
(C&WDC Paper No. 37/2024)

(12:15 pm)

80. The Chairman asked Members to take note of the paper. As Members did not have any further comment, the Chairman declared closure of this discussion item.

Item 7: Any other business

(12:15 pm to 12:16 pm)

81. The Chairman said that the terms of office of two working groups (WGs) under the C&WDC, namely the WG on Concern over Development of the C&W District Harbourfront and the WG on Concern over Urban Renewal concluded on 31 August 2024. The Chairman thanked the chairmen of the two WGs, namely Mr NG Yin and Dr ZHANG Zong, and all members of the WGs for advising on harbourfront development and urban renewal. The two WGs would still meet before the end of August. By September, relevant topics might be followed up at the meetings of the C&WDC and its committees.

82. Members did not raise any other item.

Item 8: Date of the next meeting

(12:16 pm to 12:17 pm)

83. The Chairman said that the next meeting would be held on 5 September 2024. The paper submission deadline for government departments and Members would be 21 August 2024.

The minutes were confirmed on 5 September 2024

Chairman: Mr LEUNG Chee-kay, David, JP

Secretary: Miss TANG Chui-kwan, Constance

C&WDC Secretariat
September 2024