

## Minutes of the Eleventh Meeting of the Eastern District Council

Date : 28 November 2017 (Tuesday)  
Time : 2:30 p.m.  
Venue : Eastern District Council Conference Room

<u>Present</u>	<u>Time of Arrival</u> <u>(p.m.)</u>	<u>Time of Departure</u> <u>(p.m.)</u>
Mr TING Kong-ho, Eddie	2:30	end of meeting
Mr WONG Chi-chung, Dominic	2:30	end of meeting
Mr WONG Chun-sing, Patrick	2:30	5:15
Mr WONG Kwok-hing, BBS, MH	2:30	5:40
Mr KU Kwai-yiu	2:40	5:15
Mr HO Ngai-kam, Stanley	2:30	end of meeting
Ms LI Chun-chau	2:30	5:30
Mr LEE Chun-keung	2:30	end of meeting
Mr LAM Sum-lim	2:30	end of meeting
Mr LAM Kei-tung, George	2:30	end of meeting
Mr SHIU Ka-fai	2:30	end of meeting
Mr HUNG Lin-cham	2:30	end of meeting
Mr CHUI Chi-kin	3:00	5:15
Mr CHEUNG Kwok-cheong, Howard	2:38	5:15
Mr LEUNG Siu-sun, Patrick	2:30	5:15
Mr LEUNG Kwok-hung, David	2:30	end of meeting
Ms LEUNG Wing-man, Bonnie	3:10	5:15
Mr HUI Lam-hing	2:30	end of meeting
Mr HUI Ching-on	2:30	5:20
Mr KWOK Wai-keung, Aron, JP	2:30	5:20
Mr MAK Tak-ching	2:30	5:15
Mr WONG Kin-pan, BBS, MH, JP (Chairman)	2:30	end of meeting
Mr WONG Kin-hing	2:30	4:30
Mr YEUNG Sze-chun	2:30	end of meeting
Dr CHIU Ka-yin, Andrew	2:30	5:15
Mr CHIU Chi-keung, BBS (Vice-chairman)	2:30	end of meeting
Mr LAU Hing-yeung	2:30	end of meeting
Ms CHOY So-yuk, BBS, JP	2:35	4:30
Mr CHENG Chi-sing	2:30	end of meeting
Mr CHENG Tat-hung	2:30	3:00
Mr LAI Chi-keong, Joseph	2:30	5:15
Mr NGAN Chun-lim, MH	2:30	end of meeting
Mr LO Wing-kwan, Frankie, MH	3:10	end of meeting
Mr KUNG Pak-cheung, MH	2:30	5:20

### **Absent with Apologies**

Ms LAM Chui-lin, Alice, MH (absent with consent)

### **In Regular Attendance (Government Representatives)**

Ms TENG Yu-yan, Anne, JP	District Officer (Eastern), Eastern District Office
Mr CHUI Cheuk-yin, Matthew	Assistant District Officer (Eastern) 2, Eastern District Office
Ms CHOW Hung	Deputy District Commander (Eastern District) (Atg.), Hong Kong Police Force
Mr LAM Kin-tat	Police Community Relations Officer (Eastern District) (Atg.), Hong Kong Police Force
Miss CHAN Wai-lin, Rose	Senior Housing Manager (Hong Kong Island and Islands 1), Housing Department
Mr HO Kwan-hang, Albert	Chief Transport Officer/Hong Kong, Transport Department
Mr SUM Siu-hin	District Environmental Hygiene Superintendent (Eastern), Food and Environmental Hygiene Department
Mr LUK Chi-kwong	Chief Leisure Manager (Hong Kong East), Leisure and Cultural Services Department
Ms TAM Shiu-mei	District Leisure Manager (Eastern), Leisure and Cultural Services Department
Mr LAU Wai-lun, Eddie	Senior Liaison Officer (1), Eastern District Office
Ms WONG Sze-man, Queenie	Senior Liaison Officer (2), Eastern District Office
Ms KONG Kei-kei, Hayley	Senior Executive Officer (District Management), Eastern District Office

### **In Attendance by Invitation (Representatives from the Government and Organisations)**

Mr TONG Chi-keung, Donald, JP	Permanent Secretary for the Environment/Director of Environmental Protection
Mr Joe FONG	Principal Environmental Protection Officer (Regional South), Environmental Protection Department
Miss CHEUNG Wai-ping, Clara	Senior Environmental Protection Officer (Regional South)2, Environmental Protection Department

### **Secretary**

Miss WAH Pui-ye, Vivian	Senior Executive Officer (District Council), Eastern District Office
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**Opening Remarks**

The Chairman welcomed Councillors and government representatives, in particular Mr Donald TONG, JP, Permanent Secretary for the Environment (PSE), Mr Joe FONG, Principal Environmental Protection Officer (Regional South), and Miss Clara CHEUNG, Senior Environmental Protection Officer (Regional South)2 of the Environmental Protection Department (EPD) to the meeting. He also welcomed Ms CHOW Hung, Acting Deputy District Commander (Eastern District) of the Hong Kong Police Force (HKPF), who attended the meeting on behalf of Mr Rupert DOVER, District Commander (Eastern District). He also extended his welcome to Mr LAM Kin-tat, Acting Police Community Relations Officer (Eastern District) and Miss Rose CHAN, Senior Housing Manager (Hong Kong Island and Islands 1) of the Housing Department, who attended the meeting on behalf of Mrs Helen CHEUNG, Chief Manager/Management (Hong Kong Island and Islands).

2. The Chairman reminded Councillors to declare interests where necessary in accordance with Order 48 of the Standing Orders of the Eastern District Council (EDC).

**I. Confirmation of Minutes of the Tenth Eastern District Council Meeting**

3. The above draft minutes were confirmed without amendments.

**II. Permanent Secretary for the Environment/Director of Environmental Protection to Meet Eastern District Council Members**

4. Mr Donald TONG, PSE/Director of Environmental Protection (DEP), briefed Councillors on the work of the Environment Bureau (ENB).

5. A Councillor declared interest as follows:

<u>Councillor</u>	<u>Interest declared</u>
Dr Andrew CHIU	Member of Chartered Institute of Housing

6. 21 Councillors expressed their views and raised enquiries as summarised below:

(a) Mr Stanley HO pointed out that the residents in Heng Fa Chuen had been affected by traffic noise nuisance for 30 years. Despite that the related retrofitting noise barrier works had been included as a public works project in 2012, it was still pending submission for approval so far. He urged the Government to expedite the implementation of the above works. He said that given the substantial number of outstanding noise barriers retrofitting works in the territory with their expenditure ranging from several hundreds of millions of dollars to exceeding \$1 billion, the Government should consider streamlining the arrangement for separate processing of funding approval of works projects according to their expenditure level so as to expedite the implementation of works projects.

(b) Mr LEE Chun-keung expressed support for various waste reduction programmes of the ENB on behalf of Ms CHOY So-yuk, and suggested that

## Action

the Government should step up its promotional efforts. On light pollution, he enquired whether prosecution would be instituted against light nuisance caused by external lighting installations. He also expressed concern about noise nuisance arising from the operation of MTR trains on an elevated viaduct section between Heng Fa Chuen Station and Chai Wan Station. Apart from noise generated by running trains, the conduct of maintenance works at midnight had also caused noise nuisance to nearby residents. He urged the EPD to strengthen monitoring. As for the disposal of food waste, as residents and commercial tenants often lacked knowledge of source separation of food waste, he hoped that the EPD could step up the dissemination of relevant information to the public.

- (c) Mr KU Kwai-yiu expressed concerns about the recycling of glass and waste paper. On the promotion of electric vehicles (EVs), he said that problems had occurred several times since the commencement of service of the electric buses by Citybus and New World First Bus in December 2015. He considered that to tie in with the Government's long-term policy objective of promoting the use of zero-emission buses across the territory, the ENB, in subsidising the procurement of electric buses, should also ensure the safety of these buses operated by franchised bus companies.
- (d) Mr WONG Kwok-hing said that as an initiative of the 2016 Policy Address, the Charter on External Lighting was launched to promote reduction in light pollution through voluntary participation. Nevertheless, the effectiveness of the measure was questionable. For instance, a department store in Causeway Bay had recently installed a giant video wall causing light pollution. Despite that he had urged the Government to introduce legislation to regulate light pollution in the past, the proposal was not adopted. Furthermore, he had followed up the noise nuisance problem in Heng Fa Chuen with the Councillor of the local constituency but the retrofitting noise barrier works had yet to commence so far. He urged the bureau to help expedite the works. Besides, he welcomed the proposal in the 2017 Policy Address to increase the number of paid paternity leaves to five days, and hoped that the relevant bureau would follow up its implementation as soon as possible and further explore the feasibility of increasing the number of paid paternity leaves to seven days thereafter.
- (e) Mr Patrick WONG said that the Government planned to implement the municipal solid waste (MSW) charging in 2019 but the operation concerns as expressed by property management companies (PMCs) and owners' corporations (OCs), etc had yet to be fully addressed. He urged the ENB to step up its support measures and brief stakeholders in detail. He hoped that the ENB could set up a telephone hotline to facilitate enquiries of the public or relevant stakeholders as and when necessary. Besides, as some waste disposed in the three-coloured recycling bins was not recyclable, he hoped that the ENB could step up publicity and education work. He also suggested that the ENB should promote the development of the recycling industry to enable effective recovery of waste.
- (f) Mr Dominic WONG said that in view of the exhaustion of the landfill, it was necessary to tackle the problem of disposal of solid waste. He commented

## Action

that the public generally was not fully aware of the implementation details of MSW charging. He suggested that the ENB should step up the publicity efforts to enable stakeholders to have a better understanding on the implementation details. As regards the recovery work, he hoped that the ENB could step up its efforts in promoting the treatment and recovery of food waste as an effort for upholding Hong Kong's eco-responsibility at the international level.

- (g) Mr Eddie TING supported the Government's imposition of a levy for achieving waste reduction at source, and said that the plastic shopping bag (PSB) charging or MSW charging was conducive to raising environmental awareness among the general public. However, he opined that the Government lacked comprehensive planning on environmental issues. For instance, it was reported that a school had requested its school lunch supplier to dispose of food waste in an environmentally-friendly manner, but it was subsequently revealed that the meal boxes including the food waste had been dumped at a landfill direct. He also enquired whether the levy collected under the MSW charging scheme would be utilised for purpose of environmental protection. He hoped that the ENB could make comprehensive planning on environmental policies and measures.
- (h) Mr LAM Sum-lim said that the materials used for the noise barriers along the Shau Kei Wan section of Island Eastern Corridor was not able to reduce noise effectively. He hoped that the ENB could examine the noise mitigation performance of the materials concerned. Besides, under the Noise Control Ordinance, there was currently no specific regulatory level imposed on noise nuisance arising from hawking activities, etc. He opined that the ENB should consider introducing measures to reduce such noise nuisance. As for the development of EVs, he enquired whether a timetable had been drawn up for phasing out diesel vehicles in Hong Kong in the long run. He also expressed concern as to whether the Government would require use of paper bags to substitute for plastic ones.
- (i) Mr CHUI Chi-kin commented that the environmental initiatives in Hong Kong had been progressing slowly, and the related policies were often not implemented. Among others, there was not much green element adopted in new government buildings. The Government did not take the lead in the installation of solar panels, etc to promote the development of new energy sources. There was also a lack of incentive for other institutions such as power companies to develop or introduce new energy sources. He considered that the Government should play an active role on areas such as development of new energy sources and waste reduction at source in order to take forward environmental initiatives.
- (j) Mr Howard CHEUNG said that the site in the vicinity of the Woodside Biodiversity Education Centre (hereinafter referred to as the "Woodside site") had all along been reserved for educational purposes. In fact, local residents had opposed to the construction of a school at this site and requested the Government to rezone it as "Green Space". He said that the Education Bureau (EDB) was conducting an updated analysis of the technical feasibility of the implementation of a school construction project at the lot. He hoped

## Action

that the EPD could convey the importance of reserving this site for conservation purposes to the EDB.

- (k) Mr Patrick LEUNG acknowledged the importance of clean recycling. He cited the example of the three-coloured recycling bins where the public often failed to properly clean the plastic bottles before recycling. He considered that it was imperative for the Government to educate the public about clean recycling. As regards the treatment of food waste, pending completion of the first food waste treatment centre, he suggested that the ENB should step up efforts in reducing waste at source and consider promoting the treatment of food waste at district level such as in schools and housing estates to alleviate the problem of exhaustion of landfill space. Besides, he opined that while the Government was encouraging the public to reduce use of PSBs through imposing of levy, the MSW charging would inevitably add to the use of PSBs. He hoped that the Government could strike a proper balance to reduce the use of PSBs.
- (l) Ms Bonnie LEUNG expressed concern over the Woodside site. She pointed out that on the one hand, the Government was promoting environmental protection. On the other hand, the existing green belt was being eliminated. Noting that the EDB was carrying out an updated analysis of the technical feasibility of the Woodside, she hoped that the ENB would relay the views for not affecting the existing green belt. In addition, she said that OCs, owners' committees or PMCs played a vital role in promoting environmental initiatives in private residential estates. Currently, some individual residential estates could implement several recycling programmes while some just installed three-coloured recycling bins. As far as the MSW charging was concerned, she suggested that the ENB should step up its efforts in educating relevant stakeholders and residents to avoid confusion in implementation at the initial stage.
- (m) Mr HUI Lam-hing said that public rental housing (PRH) estates and Home Ownership Scheme estates of the Hing Tung constituency was situated at the mid-level. As the slope was in close proximity to the carriageway, the residents had been suffering from persistent noise nuisance arising from heavy vehicles using Yiu Hing Road. He hoped that the ENB could implement noise mitigation measures so that the residents could enjoy a quiet living environment.
- (n) Mr Aron KWOK said that the community expected that the Government would put in place a coherent plan with formulation of the course of action upon the implementation of MSW charging in 2019 so as to enable the public's progressive implementation of the environmental initiative. Although the impact of Hong Kong on global climate or environment might not be substantial, it was hoped that Hong Kong's implementation of environmental initiatives could bring about changes. He also opined that more innovative ideas should be applied to environmental initiatives to make Hong Kong a liveable city.
- (o) Mr MAK Tak-ching enquired about the expected benefits of the waste-to-energy conversion undertaken by the Organic Resources Recovery Centre at Lantau Island and whether a review on its effectiveness would be

## Action

conducted to consider further improvement and enhancement. Besides, among various Community Green Stations (CGS), the Eastern CGS had performed well, he considered that the relevant experience could be shared with other districts for reference. He added that there were many old buildings in Sai Wan Ho and the residents would have difficulties in implementing MSW charging and the possibility for some of them to dispose of household waste into public dust bins would not be ruled out. He asked the Government whether a pilot scheme would be implemented in the Eastern District and enquired about the experience of the existing pilot schemes.

- (p) Dr Andrew CHIU expressed concern on the policy of promoting development of EVs. The utilisation rate of EVs had dropped since the imposition of a cap on tax concession for EVs. Nevertheless, given that major cities worldwide had been encouraging the development of EVs, he hoped that the Government could implement long-term policies to promote the development of EVs. On waste paper recycling, Hong Kong's recycling trade had faced difficulties since the Mainland had tightened relevant requirements. As such, he suggested that the ENB should implement necessary measures to assist the trade in upgrading operation standards. On the introduction of MSW charging in 2019, the Government had yet to give operation details. He opined that law enforcement alone was not sufficient to address the issue effectively. Stepping up public education, promotion of waste reduction at source as well as provision of support for PMCs and owners' organisations of large- and small-scale residential estates and single block buildings was also important. On food waste recovery, he suggested that the Government should deploy additional resources for setting up recycling centres in various districts as well as providing incentives to encourage collection of food waste by the public and large-scale residential estates. He further pointed out that the Government had a responsibility to promote environmental protection and should step up its efforts in promoting public participation.
- (q) Mr YEUNG Sze-chun said that the environmental standard of Hong Kong was relatively low with various bureaux and departments operating independently. He considered that the ENB should strengthen the coordination so as to promote the development of a green city. On CGSs, various districts had implemented projects that involved basic level of environmental concepts. He hoped that the ENB could upgrade the overall environmental standards and step up its study on the application of technologies. As for the MSW charging, he pointed out that the EPD should explore specific details for the smooth operation of the scheme. Besides, he enquired whether there were relatively innovative methods to deal with waste. Furthermore, he suggested that the Government could put forward different waste treatment technologies and measures for public discussion.

## Action

- (r) Mr Joseph LAI said that local recyclers had faced substantial difficulties upon the Mainland's suspension of import of waste paper. He enquired about the measures that the Government would take to support the trade, e.g. whether to offer assistance on aspects such as land allocation for recycling plants and taxation. Regarding glass bottle recycling, the tall design of the recycling bins rendered the disposed glass bottles prone to breaking and posed danger to recycling workers. He suggested that the ENB should modify the design of recycling bins. He was also concerned about the deteriorating air quality in Hong Kong. Smog from the Mainland sometimes affected the territory. He hoped that the ENB could consider implementing appropriate measures to address this problem.
- (s) Mr NGAN Chun-lim considered that the Government should step up publicity on environmental policies and measures for continued promotion of the relevant work. In particular, the Government should step up publicity and public education on the solid waste charging in 2019 so as to enable members of the public to understand specific arrangements of the scheme and to avoid environmental hygiene nuisances arising from the dumping of household waste on streets.
- (t) The Vice-chairman said that the substitution of EVs for petrol ones was a development trend of environmental protection. However, the shortage of EV chargers hindered such development. There was often inadequate co-ordination between the power companies and car parks which impeded the progress of retrofitting of chargers. He hoped that the ENB could assist in enhancing coordination on this area. On the treatment of food waste, he opined that there could be more efforts in reducing household food waste. He added that in spite of the effectiveness of the food waste recycling initiative in Heng Fa Chuen, the programme had eventually ended owing to resource problem. He hoped that the Government could implement measures to facilitate the treatment of food waste in residential estates as soon as possible.
- (u) The Chairman hoped that the Government could conserve the Woodside site. There was a lack of green belts on Hong Kong Island. The Woodside was not only located in proximity to the Woodside Biodiversity Education Centre but also adjoined the fresh water service reservoir in Tai Tam and Aberdeen which had the potential to be transformed into an eco-tourism attraction. He suggested that the Government should explore the feasibility of rezoning this site as "Country Park" in the long term. Regarding a cleaner harbour, there was room for improving the water quality of Shau Kei Wan Typhoon Shelter. The number of marine water tests conducted at the location concerned had been reduced in the past two years. He hoped that there would be further improvement to the water quality of Shau Kei Wan Typhoon Shelter. As for the Eastern CGS scheme, he noted that glass bottles were currently not accepted for recycling. He asked the EPD to follow up on the provision of glass bottle collection service in the community.

7. Mr Donald TONG, PSE/DEP, thanked Councillors for their valuable views. With various issues raised by members, he would respond in a concise manner:



## Action

- (a) The Government had drawn up comprehensive plans to tackle different environmental issues such as air quality as well as waste reduction and recycling, and formulated corresponding development blueprints. Nevertheless, owing to the impact of some environmental measures such as sewage or food waste treatment facilities on individual areas or residents, the ENB faced challenges in implementing the blueprints. Notwithstanding this, the Government would continue to spare no effort in taking forward the blueprints and implementing various measures.
- (b) The EPD had been maintaining liaison and co-operation with relevant departments in dealing with different environmental issues, and had also explored the feasibility of the application of innovative technologies. For instance, under the smart city project, the feasibility of introducing multiple functions in the lampposts such as monitoring of illegal dumping of construction waste and collection of air quality data, etc was explored. In tandem with the provision of new food waste treatment facilities, the Government had also examined the feasibility of conducting food waste and sewage sludge anaerobic co-digestion at the existing sewage treatment plants with a view to upgrading Hong Kong's capability in treating food waste. The trial facility with a maximum daily treatment capacity of 50 tonnes of food waste was targeted for completion in 2019. Subject to the outcome of the trial, the Government would consider extending the arrangement to other suitable sewage treatment plants for treatment of further food waste which in turned could upgrade Hong Kong's capability in treating food waste.
- (c) The substitution of EVs for conventional vehicles was conducive to improving roadside air quality. After thorough consideration of a host of factors, including the Government's established public transport-oriented policy, the latest technological development of EVs and the rapid growth in the number of electric private cars (e-PCs) in recent years, the Government had decided to cap the first registration tax (FRT) concession for e-PCs at \$97,500 for the period from 1 April 2017 to 31 March 2018. The Government was reviewing the FRT arrangements for EVs in subsequent years.

On the provision of EV chargers, the Government encouraged private establishment to install EV chargers for their own public parking spaces, and e-PC owners should conduct routine EV charging at their residences or workplaces. Currently, parking spaces provided with EC chargers accounted for 7 per cent of the parking spaces available for public use in the government car parks and their daily utilisation rate was still low.

- (d) Regarding the installation of noise barriers, as retrofitting of noise barriers on the existing carriageways was public works, their implementation and priority, etc. had to be determined in accordance with the existing resources allocation mechanism under the Public Works Programme. Currently, projects for 22 road sections were pending approval, including individual road sections of Island Eastern Corridor. The ENB was aware of public needs and would make every effort to seek funding approval from the Finance Committee of the Legislative Council (LegCo) with a view to taking forward the associated works. Currently, the adoption of low noise materials for paving local roads

## Action

could reduce noise level by a maximum of three decibels. The ENB, in collaboration with the Highways Department (HyD), was exploring the feasibility of adopting a new material for paving local roads. If the performance was demonstrated to be effective, the material could be used for paving roads so as to reduce noise nuisance caused to the public.

- (e) To address the issue of light nuisance, having considered the views collected from the public engagement exercise, the Task Force on External Lighting (the Task Force) submitted a report to the Government in April 2015. According to the report, the responses collected during the engagement exercise reflected a wide spectrum of opinions across various sectors of the community, ranging from recommending regulation through legislation to objection to any form of regulation (including voluntary measures). In view of this, the Task Force recommended the Government to adopt a multi-pronged approach in dealing with problems arising from external lighting installations. The Government adopted the recommendations and launched the Charter on External Lighting in 2016. Currently, there were 4 800 signatories on the Charter list, including the department store installed with video walls in Causeway Bay. The ENB had proactively approached the company concerned to convey the concerns on light nuisance expressed by various sectors. The company had already signed up to the Charter with respect to its video walls. The Government would continue to closely monitor the situation. The ENB would assess the effectiveness of the Charter in 2018-19.
- (f) On the MSW charging, the ENB attached great importance to publicity and education work. The EPD had planned to set up an outreach team to progressively provide on-site guidance for residents and PMCs across 18 districts and assist them in the implementation of proper separation and clean recycling, as well as help the residents prepare for the implementation of MSW charging and other waste reduction initiatives. Besides, the EPD was planning for the establishment of a Municipal Solid Waste Reduction Office which would subsume all relevant resources on MSW charging in the EPD and coordinate the preparation, implementation, enforcement and review of the MSW charging in conjunction with other relevant departments. To facilitate different sectors in implementing waste charging, the Government would also prepare best practice guidelines for stakeholders' reference.
- (g) Provision of three-colour waste separation bins was one of the measures to reduce waste and increase recovery quantity. However, recycling activities were not limited to the use of recycling bins. The EPD would continue to review its effectiveness and implement enhancement arrangement accordingly.
- (h) To facilitate various sectors of the community to prepare for the future implementation of MSW charging, the Environment and Conservation Fund (ECF) had funded non-profit-making organisations and bodies to carry out the "Community Involvement Projects for Waste Reduction Through Quantity-based Municipal Solid Waste Charging" so as to enable different stakeholders to gain experience of different modes of quantity-based charging and their implementation arrangements in real settings. Individual bodies in the Eastern District had also participated and feedback from the participants

## Action

was positive. The EPD encouraged more residential estates/buildings to carry out the trial scheme with ECF funding so as to be better prepared for the implementation of MSW charging in 2019.

- (i) In April 2017, the Government had entered into the post-2018 Scheme of Control Agreements (SCAs) with the two power companies. Under the new SCAs, the existing incentive schemes in relation to promotion of energy efficiency and conservation (EE&C) and development of renewable energy (RE) would be expanded with new elements introduced. Financial incentives would be provided to the power companies upon achievement of the relevant targets so as to encourage further promotion of EE&C and RE. On the development of RE, the Feed-in Tariff would be introduced under the new SCAs. The Government was liaising with the power companies on the scheme details and would announce the arrangement later on.
- (j) On glass recycling, the recovered glass bottles, after properly crushed, could be used for producing suitable construction materials such as eco-pavers. Besides, recycled glass materials would be used as fill for other applications (such as reclamation works and earthwork, including site formation, backfill and sub-base) in certain public works.
- (k) As far as RE was concerned, the Government had stipulated that wherever reasonably practicable, various government departments were required to consider adopting RE technologies (including solar power) for all new government buildings. The ENB had also set targets in respect of adoption of RE in government buildings.
- (l) As for the Woodside site, the EPD would liaise and convey Councillors' views to EDB accordingly.

8. The Chairman thanked Mr Donald TONG, PSE/DEP, and his colleagues for attending the meeting and invited them to note Councillors' views.

(Post-meeting note: The EPD had conveyed relevant views on the Woodside site to the EDB after the meeting.)

### **III. Discussion on the 2017 Policy Address**

9. The Chairman said that the 2017 Policy Address delivered on 11 October 2017 had been distributed to Councillors.

10. Nine Councillors expressed views and raised enquiries as summarised below:

- (a) Mr KU Kwai-yiu pointed out that paragraph 136 of the Policy Address stated the protection of the interests and well-being of women as well as unleashing their potential in the labour force. However, he expressed disappointment that no specific support measures were proposed. Some women had to quit their jobs to take care of their children, and after several years, their skills might not meet the job market requirements. He suggested that the Government could

## Action

consider measures to help them re-enter the labour market. On education, the Chief Executive (CE) had owed her supporters an explanation for not carrying out her pledge in the CE's election manifesto on the shelving of the Territory-wide System Assessment Test for Primary 3. He urged the CE to deliver her promise. Besides, he said that an increase in the number of flats under the Green Form Subsidised Home Ownership Scheme (GSH) would have limited effect in addressing the housing problem. He suggested to tackle the problem at root by controlling the daily quota of 150 one-way permit holders. He opined that the challenges of the supply of land and housing could be dealt with in the long term when Hong Kong had a full control in its population policy. Besides, he hoped that the Government could open up airwaves for expanding the internet station development so that the public would have more choices.

- (b) Mr Dominic WONG reflected that the public generally supported the Policy Address. Among others, the Policy Address responded to the housing issue which was a matter of great public concern with a focus on home ownership and implementation of measures to meet the housing demand of Hong Kong people. He cited that in most cases, parents of a typical family had to pay for their children's education expenses on top of home mortgage payment and hoped that the Government could introduce measures so that these families could have sufficient financial resources to meet daily expenses after paying for home mortgage. On healthcare, consideration could be given to the conduct of genetic screening to facilitate front-line paramedics' early detection of potential at-risk individuals including those with a higher risk of stroke for provision of timely preventive treatment.
- (c) Mr Patrick LEUNG pointed out that the Policy Address had paid scant attention to address deep-rooted conflicts. Apart from the proposed two-tiered profits tax system that benefited the enterprises, issues such as the by-election and its timetable, the introduction of a universal retirement protection scheme and the legislation on standard working hours, etc. had not been mentioned. He could not share that the Policy Address was conducive to addressing deep-rooted conflicts. He was also concerned that the Government was not empowered to approve and issue the 150 one-way permits making the accurate control of population policy and assessment on the demand for PRH difficult. On child care services, the provision of additional places in subsidised standalone child care centres was still far from adequate.
- (d) Mr CHUI Chi-kin expressed disappointment with the CE's first Policy Address. The Policy Address benefited enterprises. The rate of corporate profits tax applicable to the first \$2 million of profits of a corporation would be lowered to 8.25 per cent, which was close to be even lower than the salaries tax. The proposed measures for the benefit of the grassroots were only piecemeal hand-outs. For instance, under the Working Family Allowance scheme, the eligible monthly allowance for a low income four-person household with a monthly income up to \$19,000 and a total monthly working hours of 192 hours would increase from \$2,600 to \$3,200. This did not embrace the new fiscal philosophy as promulgated during her election. As for the housing issue, the Policy Address did not put forward measures to increase

## Action

the PRH supply to shorten the current waiting time at 4.7 years. Instead, only the conversion of 4 800 PRH units in Fo Tan into a GSH project had been proposed which would not necessarily shorten the PRH waiting time.

- (e) Mr Joseph LAI pointed out that the Policy Address had not mapped out a strategic plan on policies relating to well-being of people such as housing and elderly care. It still took years to wait for the allocation of PRH units and elderly home places. Moreover, there was no mention of constitutional affairs and issues on different areas such as the request to reactivate the constitutional reform, the withdrawal of the “August 31<sup>st</sup> decision”, extending the applicability of the Prevention of Bribery Ordinance, the formulation of an archives law, the cessation of the study on housing development in the periphery of country parks, facilitation measures for redevelopment of industrial buildings, the abolition of the small house concessionary rights in the New Territories, etc. The Policy Address had merely focused on piecemeal hand-outs, e.g. provision of a monthly subsidy amounting to 25 per cent of the actual public transport expenses in excess of \$400, which was disappointing. It was necessary for the Government to step up its efforts in dealing with social conflicts and livelihood issues for building a more harmonious community.
- (f) Mr YEUNG Sze-chun said that the community concerns about education, career pursuit and home ownership of young people, and their participation in politics as well as public policy discussion and debate shed light on the current situation faced by the youths. On the facilitation of business start-up run by young people and development of their creativity, in addition to providing more resources, the Government should consider other ancillary measures, e.g. introducing a policy change to the existing spoon-fed education in early schooling so as to stimulate the creativity of young people and help develop their entrepreneurial mindset. On encouraging young people’s participation in politics as well as public policy discussion and debate, he welcomed the Government’s initiative to enhance young people’s role in discussion and debate on public policies. Nevertheless, he hoped that further opportunity would be provided to allow them to fully express their opinions at various levels or committees, including at district level.
- (g) Mr Eddie TING opined that while the Policy Address had responded to the public needs, there was still inadequacy. On the livelihood issue, the Fujian Scheme put forward by the previous term of the Government was targeted to be launched in 2018, under which the Old Age Allowance (OAA) would be disbursed to eligible elderly persons residing in Fujian. Nevertheless, only the OAA was covered by the Fujian Scheme and Guangdong Scheme. He suggested that the Government should increase the benefit to a level on par with those provided to the elderly in Hong Kong and include the Old Age Living Allowance under both schemes. Besides, with the huge surplus, he urged the Government to lower the eligible age for the Elderly Dental Assistance Programme from 70 to 65.
- (h) Dr Andrew CHIU expressed regret that in CE’ first Policy Address, there was no devolution of power with regard to municipal services and return of the power to regulate municipal affairs to the people. Since the dissolution of the

## Action

two elected municipal councils in 2000, the then Government had promised to delegate the power to various District Councils (DCs). There was, however, no statutory enhancement to the functions, roles and positions of the DCs so far. The Government had the obligation to promptly fulfil its promise of returning the power to regulate municipal affairs to the people. He expressed regret that the Policy Address had not mentioned the enhancement of the functions of DCs or a plan to review relevant provisions of the District Councils Ordinance. Paragraph 27 of the Policy Address started with: “[o]n district administration, we will adopt a ‘bottom-up’ approach and propose improvement measures after listening to the views of the District Councils and local communities regarding their long-standing concerns”. He pointed out that the CE seemingly attached great importance to local views but the underlying mindset was to maintain DCs’ district consultative role. There was no intention to enhance the autonomy of DCs, and the role of a local council, which was supposed to be underpinned by empowerment of civil society and autonomy in community planning, remained belittled and neglected. He strongly urged the Government to expeditiously conduct a comprehensive review and amend the District Councils Ordinance to devolve power with regard to municipal affairs and return the power to regulate municipal affairs to the people.

- (i) The Chairman said that the CE’s inaugural Policy Address was proactive, and had covered the livelihood issue of public concern at great length. The elderly and low-income families would benefit from the Policy Address with the provision of various welfare allowances. The Government also earmarked an allocation of \$5 billion. About \$3 billion of which would be utilised for the implementation of the Operation Building Bright 2.0 to subsidise property owners in need to conduct necessary building inspection and maintenance works under the Mandatory Building Inspection Scheme, and the remaining allocation of about \$2 billion would be used to subsidise owners of old composite buildings to upgrade fire prevention standards in compliance with the Fire Safety (Buildings) Ordinance. These examples demonstrated that the Government’s intention to step up its efforts in addressing the livelihood issue. He hoped that the Government would continue to introduce various measures focusing on the livelihood and community needs as well as provision of residential homes and benefits for the elderly.

11. The Chairman concluded that the Secretariat would relay Councillors’ views on the Policy Address to the Office of the Chief Executive for reference.

#### **IV. Support for Implementing the Co-location Arrangement at the Hong Kong Section of the Guangzhou-Shenzhen-Hong Kong Express Rail Link**

(EDC Paper No. 59/17)

12. The Chairman invited Mr HUNG Lin-cham to brief the meeting on EDC Paper No. 59/17.

13. Councillors noted the consolidated response provided by the Department of Justice,

## Action

the Transport and Housing Bureau (THB) and the Security Bureau.

14. 26 Councillors expressed their views and raised enquiries as summarised below:

- (a) Mr Joseph LAI felt saddened by the proposed motion. The co-location did not have the public mandate and the Government had been proceeding arbitrarily on the matter. The EDC, as an elected body representing the public, had been reduced to an insignificant advocate in support of the Government's co-location arrangement. From the conception of the co-location to the recent signing of the "Co-operation Arrangement between the Mainland and the Hong Kong Special Administrative Region on the Establishment of the Port at the West Kowloon Station of the Guangzhou-Shenzhen-Hong Kong Express Rail Link for Implementing Co-location Arrangement" (Co-operation Arrangement), there was so far no territory-wide or district consultation made since the matter was brought up in July 2017. Pending implementation of the Co-operation Arrangement, the motion was being put forward at the Council. The Government had not yet conducted any consultation on the co-location arrangement pertaining to the important principles of "one country, two systems" and "river water not intruding into well water" and it was ironic for the matter to be raised under the guise of the Council.
- (b) Mr NGAN Chun-lim supported the proposal of co-location which would bring many benefits to Hong Kong. Under this arrangement, passengers needed not undergo clearance procedures on the Mainland, thus maximising the economic benefits of the Guangzhou-Shenzhen-Hong Kong Express Rail Link (XRL). Besides, the XRL would enable the seamless connection with the national high-speed rail network, which was conducive to enhancing the competitiveness of Hong Kong, as well as, enabling Hong Kong people to capitalise on the opportunities brought about by the XRL. He also pointed out that Hong Kong was an inalienable part of China, which was a principle of utmost importance.
- (c) Mr Aron KWOK said that the co-location could maximise the benefits of the XRL. Article 1 of the Basic Law (BL) stated that "[t]he Hong Kong Special Administrative Region is an inalienable part of the People's Republic of China", whereas Article 7 of the BL stipulated that "[t]he land and natural resources within the Hong Kong Special Administrative Region shall be State property". The allegation that co-location was a "cession of territory" was a complete disregard of the BL. In fact, the issue had been dragged on for some time because of filibusters at the LegCo. Other LegCo Member had also pointed out at the LegCo that the opposition camp had organised quite a number of XRL tours. There was hence no point in requiring passengers to take the trouble to interchange at the Shenzhen North Station. Looking ahead to the future economic development, there would not be many opportunities for people moving higher on the social ladder in Hong Kong. The country's huge market could provide the next generation with opportunities to sharpen their skills and realise their potentials. Hence, taking steps to build a fully integrated high-speed rail network would be an important commitment and responsibility to the next generation, as well as providing Hong Kong people a

## Action

room for development in the future.

- (d) Mr MAK Tak-ching opined that supporting the proposed co-location of the XRL was political toadyism. Article 18 of the BL stipulated that “[n]ational laws shall not be applied in the Hong Kong Special Administrative Region except for those listed in Annex III to this Law”; whereas Article 22 of the BL stated that “[a]ll offices set up in the Hong Kong Special Administrative Region by departments of the Central Government, or by provinces, autonomous regions, or municipalities directly under the Central Government, and the personnel of these offices shall abide by the laws of the Region”. The presence of Mainland officers taking law enforcement action at the arrival and departure halls of the XRL terminus in West Kowloon would undermine the BL. There remained no solid legal basis of the proposed co-location. The Announcement in Public Interest (API) stressed that the proposal of co-location was conducive to making the XRL more convenient with a journey time of 48 minutes from Hong Kong to Guangzhou. However, as the Guangzhou South Station was remote from the city centre, passengers heading to the urban area of Guangzhou still had to interchange to other modes of transport.
- (e) Dr Andrew CHIU commented that the co-location arrangement of the XRL absolutely violated the established principles of public administration. His political party considered that the proposal involved major constitutional issues, and a lack of extensive consultation was unacceptable. As regards the implementation of the “one country, two systems”, Hong Kong had retained a common law system. The implementation of co-location within Hong Kong would entail a number of major issues and hence, different proposals had been put forward by the community. Government officials often did not attend community forums. They only participated in forums organised by certain political parties. Apparently, the existing proposal was a “hard-line policy” to be enforced by the Mainland and this aroused concern that the prevailing principles of public administration had been obliterated. He expressed a total objection to the co-location arrangement given the presence of legal problem concerned. He continued that the nature of the WKS and the Shenzhen Bay Port were different. After all, the latter was located outside Hong Kong.
- (f) Mr LAU Hing-yeung said that the high-speed rail network in the Mainland was fully connected. Given the rapid economic development of the Mainland, instead of constant bickering, Hong Kong should capitalise on its competitive edge and seize such opportunities as the Guangdong-Hong Kong-Macao Bay Area development so that it could integrate into the overall country development. Some individuals in the community expressed concern about the implementation of co-location within Hong Kong. As previously stated by a Councillor, Hong Kong was an inalienable part of China. Besides, the Shenzhen Bay Port had set a precedent for the adoption of this arrangement. He added that it was inevitable that the development of the society would entail making of choices. While the community stakeholders might have different views, the majority supported the proposal of co-location of the XRL.



## Action

- (f) Ms Bonnie LEUNG objected to the proposed implementation of co-location at the Hong Kong Section of the XRL. While a Councillor said that the existing proposal would enhance the convenience and efficiency of the XRL, the option of implementing co-location arrangement at Futian put forward by the “Co-location” Concern Group and the expert group would also bring convenience to passengers without jeopardising the “one country, two systems” and the BL. She also said that despite of the claim of having listened to public opinion, neither government officials nor Councillors of individual political parties had attended community forums. After brutally passing the motion at the LegCo, an attempt was now made to brutally pass this motion at the Council without paying heed to public opinion. Before the official implementation of co-location, there was already the incident of the alleged abduction of booksellers of a bookstore in Causeway Bay where Mainland officials crossed the boundary to take law enforcement actions in Hong Kong. She believed that similar incidents would likely occur if Mainland laws were enforced in the WKS upon the “cession of territory” under the co-location arrangement. If the motion was passed today, the “one country, two systems” would be jeopardised. If someday in the near future the “one country, two systems” existed in name only, Councillors in support of the motion today would have played a part in obliterating the “one country, two systems”.
- (h) Mr David LEUNG supported the proposal of co-location. Given the keen competition between Hong Kong and Mainland cities, the proposed implementation of the co-location in Shenzhen would require the XLR to stop therein, thereby preventing the XRL from unleashing its full benefits. With the Hong Kong’s law enforcement officers now performing duties in designated areas at the Shenzhen Bay Port, arrangement for the Mainland officers to undertake law enforcement duties within designated areas in Hong Kong could similarly apply. Under the existing proposal, Hong Kong or Mainland residents were only required to complete clearance procedures at the WKS without a need to transit at Futian or other locations in the Mainland for undergoing customs formalities. Considerable time would be saved. Targeted for commissioning in the third quarter of 2018, the XRL was conducive to strengthening the liaison with the Mainland. He asked Councillors to bear in mind that this was a livelihood issue and should not be politicised or be regarded as a conspiracy. A Councillor commented that the XRL trains could reach Guangzhou South only. As a matter of fact, the development of a place required good transportation planning. The proposal was conducive to connecting Hong Kong with the transport network on the Mainland.
- (i) Mr Patrick LEUNG objected to the proposed implementation of co-location at the Hong Kong Section of the XRL. Under the BL, the laws in force in Hong Kong, including the common law should be maintained. The arrangements for enforcing Mainland laws at the WKS would be highly detrimental to the BL. The Government paper revealed that the majority of people departing from the WKS were estimated to be short-haul passengers heading to Guangzhou or Shenzhen whereas there would be a small number of long-haul passengers. As long-haul departures from Shenzhen far outnumbered those from Hong Kong, it would be normal for long-haul passengers to transit at

## Action

Shenzhen South. The provision of Boundary Crossing Facilities (BCF) at Futian and Shenzhen North along the short-haul route would be sufficient to accommodate the needs of short-haul passengers. The claim of implementing co-location at the WKS for linking with the fully-connected high-speed rail network was deluding.

- (j) Mr Howard CHEUNG said that the co-location had totally violated the BL. Article 18 of the BL stated that “[n]ational laws shall not be applied in the Hong Kong Special Administrative Region except for those listed in Annex III to this Law”. The basis of the BL provisions pertaining to co-location was highly controversial. The interpretation of Article 20 or Article 7 did not provide the solid legal basis. The proposal of co-location or the motion set out in the paper had attempted to legitimise the arrangement, which was totally detrimental to the implementation of the “one country, two systems”. The CE had signed the Co-operation Arrangement with the Governor of Guangdong Province for kick-starting the so-called “Three-step Process”. Nevertheless, the Government had failed to give an account of details of the Co-operation Arrangement in response to public demand, and no consultation was conducted. This was unacceptable. He objected to the motion as set out in the paper.
- (k) Mr CHUI Chi-kin said that the Government’s reply to the paper stated that “[s]ubsequent to obtaining the endorsement of the CE in Council in taking forward the ‘Three-step Process’ proposal, the HKSAR Government made an announcement in the same afternoon so as to facilitate discussions in the community with a view to listening to the views from various sectors”. However, the Government had neither organised consultation sessions nor arranged officials to attend today’s EDC meeting. It was difficult to share the Government’s claim of listening to the views from various sectors. He expressed dissatisfaction on such arrangement. He also said that the Government in the past promoted the proposal of the Three-runway System by stressing its necessity for future development, and this time, the Government emphasised on a need of XRL’s construction owing to its competitiveness. While the Government previously stated that the XRL project would be completed within budget, there was serious cost overruns and clarifications on some claims associated with the project were still pending. On the co-location proposal, the BL was supposed to safeguard the implementation of the “one country, two systems”. The Government had now taken forward the proposal according to its own need. Separately, he envisaged that there would not be a significant increase in the time required for completing customs and immigration formalities if the BCF was provided in the Mainland.
- (l) Mr HUNG Lin-cham pointed out that for the benefit of the long-term development of Hong Kong and the well-being of the next generation, Hong Kong should no longer rest on its laurels and should seize the opportunities arising from the development of the Mainland, and the XRL was among those projects that would be conducive to the development of Hong Kong. To maximise the economic benefits of the XRL, the co-location arrangement was necessary and should not be a cause of contention. He hoped that individual political parties could refrain from politicising the issue and thereby,

## Action

disregarding the development of Hong Kong. He was aware that some people had certain concerns over the XRL arrangements. He urged the Government to continue its works in enhancing the public understanding on the related arrangements

- (m) Mr SHIU Ka-fai stated that some Councillors were concerned about the effectiveness of the XRL. He recalled that the society had similar doubts raised in the past on the construction of the West Rail Line (WRL) and its effectiveness. However, the existing patronage of the WRL had demonstrated its proven effectiveness. He considered that the XRL could inject impetus to the Hong Kong's economy. Apart from facilitating the access of people to the Mainland, it also strengthened the connection between the Mainland and Hong Kong. As regards the legal issue, mechanism such as judicial review was in place to deal with related matters under the judicial system of Hong Kong. On the public opinion, as an elected Councillor, he considered that public opinion represented by DC Members should not be disregarded.
- (n) Mr George LAM reflected the views collected from local residents in his constituency. As holder of a Master's degree in statistics, he was confident that the findings of his opinion survey had a sound basis. The findings showed that 90 per cent of the respondents were in support of the co-location arrangement and agreed that the proposal was conducive to Hong Kong's development and would benefit the public as well.
- (o) Mr LAM Sum-lim declared that he was a practitioner of the tourism industry. He disagreed to some Councillors' comments that there would not be much time wasted if BCF was provided at Futian. He pointed out that it would be difficult to deal with customs and immigration formalities as well as security check of about 600 passengers simultaneously within half an hour. He also pointed out that Guangzhou South and Shenzhen North were the major transit points of the entire XRL system, whereby transit passengers could take trains from Guangdong Province to other provinces.
- (p) Mr HUI Lam-hing supported the co-location proposal. Regarding the issue of cost overruns of the XRL mentioned by some Councillors, he considered this could be attributed to the filibusters which had led to repeated delays to the XRL works and increased costs. The XRL could propel Hong Kong's economy and merited implementation. He added that opposition parties were free to leave Hong Kong if they disagreed.
- (q) Mr LEE Chun-keung said that the argument on the co-location proposal had taken a long time. Following the passage of the motion moved by the Government at the LegCo for taking forward co-location in accordance with the "Three-step Process", today's discussion at the Council enabled the elected Councillors to reflect the views collected from respective local constituencies. He said that irrespective of whether it was the Government's policy or the laws of Hong Kong, consideration on taking forward the proposal should depend on whether it would benefit the public or cause them nuisance. Generally speaking, point-to-point routes could bring the greatest convenience to the public. Assuming that Futian was designated as a customs checkpoint,

## Action

passengers had to take the next train if all formalities could not be completed in time. Hence, the co-location proposal was the most practicable and convenient option after thorough deliberation.

- (r) Ms LI Chun-chau supported the co-location proposal. She had carried out an extensive consultation in the district and the majority of respondents supported the proposal. With the rapid development of the Mainland, Hong Kong should not rest on its laurels and should make necessary arrangement and get well-prepared for the sake of future development. She believed that under the co-location arrangement, the XRL was able to provide the most convenient services and bring huge economic benefits to Hong Kong's economy in the future. She hence supported this proposal.
- (s) Mr KU Kwai-yiu agreed that a proposal bringing about more convenience to the public should unlikely be objected to. However, the crux of the issue was that the public had not been consulted on this arrangement which involved the enforcement of Mainland laws instead of Hong Kong laws within Hong Kong. Under the principle of "one country, two systems", Mainland laws supposedly should not be applied in Hong Kong. According to the existing proposal, it was uncertain as to whether the HKPF could render assistance to passengers arrested at the control point, and there were matters to be worried. He did not mean to object to the proposal of co-location but it was necessary for such arrangement to be lawful, fair and reasonable. He did not understand why a control point had to be set up in the city centre of Hong Kong instead of other alternative places. He also considered that it was not very useful to discuss the motion at the Council.
- (t) Mr WONG Kwok-hing supported the early implementation of co-location and the motion as set out in the paper. The co-location had been mooted for many years. Upon funding approval by the LegCo, 97 per cent of the construction works had been completed. He opined that opposition parties and some Councillors should be reprimanded on two matter. The first was a false report made to the Police about the alleged abduction and torture of a local democrat with 21 staples punched into his legs by Mainland law enforcement agents (hereinafter referred to as the "21 staples incident") in an attempt to create panic. He also condemned opposition Councillors for publicly displaying banners with wordings "cession offered in co-location deal" with the use of public money. The allegation of "cession of territory" was obviously unfounded. There was hearsay that Councillors of opposition parties would "stage a show" later. He said that they might as well openly declare that upon implementation of the co-location, they would not take the XRL for the rest of their life and that their ward offices would not organise XRL tours anymore.
- (u) Mr Patrick WONG said that the proposed motion was obviously a document advocating political stance. Its proposer stated that the Council should stay away from politics but had acted otherwise. A Councillor made a generalisation that the co-location was in compliance with the BL because Article 1 of the BL stated that "Hong Kong is an inalienable part of China". This interpretation was dangerous. Article 18 of the BL provided that "[n]ational laws shall not be applied in the Hong Kong Special Administrative

## Action

Region except for those listed in Annex III to this Law”; while Article 19 stipulated that “[t]he Hong Kong Special Administrative Region shall be vested with independent judicial power”. The Government so far had not yet invoked any applicable provisions of the BL to support the implementation of co-location in Hong Kong was not contravening the BL. On the other hand, upon the signing of the Co-operation Arrangement on 18 November 2017, the Government would not announce any details of its provisions until approval had been granted by the Standing Committee of the National People’s Congress. It was difficult to accept such a consultation process that was inconsistent with the practice. If this was not a presentation of political stance nor a rubber stamp, they were deceiving themselves as well as others.

- (v) Mr Dominic WONG supported the proposed implementation of co-location at the Hong Kong Section of the XRL. As an elected Councillor, he had the obligation to reflect views of local residents, and most of them supported the proposal. He criticised the opposition parties’ comments for the enforcement of Mainland laws in the WKS to be a contravention to the BL ridiculous. The Constitution of the People’s Republic of China was the root of the BL. Given that the BL was a constituent part of the laws of China, the issue of enforcing Mainland laws within Hong Kong did not exist. In addition, the implementation of co-location would bring benefits to economic development and the next generation of Hong Kong, and could enhance the connection between Hong Kong and the Mainland, Europe as well as South Asia, etc.
- (w) Mr Eddie TING supported the proposed implementation of co-location at the Hong Kong Section of the XRL. On legality, with the established precedent of Shenzhen Bay, the related proposal did not contravene the BL. On reasonableness, the majority of respondents, either in the Public Opinion Programme conducted by the University of Hong Kong or various public opinion surveys in the community, supported the proposal. All these were a form of consultation. Besides, the journey time from the WKS to the Guangzhou Station was 48 minutes. As compared with other existing modes of transport with a journey time of two to three hours, the XRL was more convenient. He expressed sympathy with the opposition parties in that they did not have a thorough understanding of the Mainland. He hoped that fellow Councillors could pay a visit to the Mainland upon commissioning of the XRL.
- (x) Mr Frankie LO said that the proposal of co-location was not a scourge and there was no reason for undue worries. He opined that the grounds for objecting the proposal were absurd and double standards had been applied and the opposition had disregarded BL. If everyone in Hong Kong followed the BL in future, people could live in peace and harmony. He considered that the narrow-minded objectors were frogs in a well.
- (y) The Vice-chairman supported the motion as set out in the paper. In the past, there were objections against such infrastructural projects as the MTR and WRL in Hong Kong. However, if there was no MTR or WRL today, it would cause a great deal of inconvenience to commuters. Currently, there were various reasons for objecting the implementation of co-location at the Hong Kong Section of the XRL. For instance, the “21 staples incident” was used as

## Action

a tactic to create panic. Indeed, the XRL was conducive to the development of Hong Kong. If co-location was to be implemented in Shenzhen, Hong Kong would be marginalised, thereby doing a disservice to the next generation.

- (z) The Chairman said that the API had already described the benefits brought by the XRL to Hong Kong as a whole. As a matter of fact, trains departing from the WKS could not only reach Guangzhou South but also Shanghai and Beijing. He asked objectors to stop misleading the public. The comprehensive high-speed rail network in China would bring enormous benefits to the economic development of Hong Kong. The Guangdong-Hong Kong-Macao Bay Area development, etc would be conducive to Hong Kong's economic prosperity in the future and the XRL could bring convenience and benefit the entire territory and the next generation. With a continuous growth in population in Hong Kong, there would be little room for young people to move up the social ladder. With the co-location opening up more opportunities for young people, in particular the next generation, he supported the proposal of co-location of the XRL.

15. Dr Andrew CHIU made the following statement on behalf of Mr Joseph LAI, Mr Patrick LEUNG, Mr Howard CHEUNG, Mr MAK Tak-ching, Mr KU Kwai-yiu, Mr Patrick WONG, Ms Bonnie LEUNG, Mr CHENG Tat-hung and Mr CHUI Chi-kin:

The co-location arrangement at the West Kowloon Station undermines the rule of law in Hong Kong; the EDC Chairman applies double standards in dealing with the motion as set out in this EDC Paper:

“We, 10 Councillors in the minority faction of the Eastern District Council (EDC), express our grave dissatisfaction and regret that the Chairman of the EDC has granted approval for discussion of this motion at the Full Council meeting.

According to the established practice of the EDC over the years, motions put forward by Councillors will only be tabled for discussion at the committees under the EDC. In the past, Councillors in the minority faction have sought to put forward their motions at the Full Council meeting, which were referred to other relevant committees eventually. Such a discriminatory arrangement of agenda items is absolutely a practice of double standards. We hereby express our grave dissatisfaction and regret!

Owing to the existing unfair system of the Legislative Council where the majority oppresses the minority, the majority faction has already passed a non-binding motion proposed by the Government. Recently, the Government of the Hong Kong Special Administrative Region (HKSAR) has signed the ‘Co-operation Arrangement between the Mainland and the Hong Kong Special Administrative Region on the Establishment of the Port at the West Kowloon Station of the Guangzhou-Shenzhen-Hong Kong Express Rail Link for Implementing Co-location Arrangement’ with the People’s Government of Guangdong Province. This arrangement had now become a fait accompli. In our opinion, the real intention of this paper is that Councillors in the majority faction will again relegate this Council to a platform to flatter the Central Government and the HKSAR Government, whereby all-out support is provided without going through any formal public

## Action

consultation. This is even worse than a rubber stamp! They have failed to live up to the roles for representation of public opinion!

The 10 Councillors in the minority faction of the EDC unanimously consider that the co-location arrangement of the Guangzhou-Shenzhen-Hong Kong Express Rail Link is a major constitutional issue pertaining to the implementation of the “one country, two systems” and preservation of the territory’s tradition of rule of law. The related arrangement will hence only be fair, reasonable and lawful provided that there is a comprehensive and extensive public consultation! Only in this way can procedural justice and the established principles of public administration be upheld!

In the light of the Chairman’s unfair treatment, and to strongly protest against his approval of the paper for discussion, after reading this statement, I, Andrew CHIU, will walk out of the meeting in protest with Mr Joseph LAI, Mr Patrick LEUNG, Mr Howard CHEUNG, Mr MAK Tak-ching, Mr KU Kwai-yiu, Mr Patrick WONG, Ms Bonnie LEUNG, Mr CHENG Tat-hung and Mr CHUI Chi-kin.”

16. In response, the Chairman pointed out that the statement made by the 10 Councillors was untrue. In fact, the Council had discussed at past meetings motions proposed by the above Councillors, including a paper put forward by Mr KU Kwai-yiu concerning the safety of mini-storage facilities at the EDC meeting on 5 July 2016. He thereby refuted the untrue statement made by the above Councillors alleging his application of double standards in dealing with the motion. He made the above statement to fellow Councillors as a record of the true facts.

17. After making the statement, nine Councillors walked out of the conference room. Councillors present proceeded to deal with the motion as set out in the paper, and agreed to vote by open ballot. The voting results were as follows:

### Motion

“That this Council supports the proposed implementation of co-location at the Hong Kong Section of the Guangzhou-Shenzhen-Hong Kong Express Rail Link (XRL) so as to unleash its benefit to the greatest extent, enable Hong Kong to enjoy the opportunities brought by the XRL and enhance Hong Kong’s competitiveness in the interest of the overall benefits and long-term development of Hong Kong.”

Movers: Mr HUNG Lin-cham, Mr CHIU Chi-keung  
Seconders: Mr WONG Kin-pan, Mr KUNG Pak-cheung,  
Mr LAM Sum-lim, Ms CHOY So-yuk,  
Mr CHENG Chi-sing, Mr Eddie TING,  
Mr LAU Hing-yeung, Mr NGAN Chun-lim,  
Mr Dominic WONG, Mr WONG Kwok-hing,  
Mr Aron KWOK, Mr David LEUNG,  
Mr Stanley HO, Mr HUI Lam-hing,  
Mr George LAM, Mr Frankie LO,  
Mr SHIU Ka-fai, Mr LEE Chun-keung,  
Mr WONG Kin-hing, Mr YEUNG Sze-chun,  
Ms LI Chun-chau, Mr HUI Ching-on

## Action

- Results
- 21 votes in favour (Mr WONG Kin-pan, Mr CHIU Chi-keung, Mr Eddie TING, Mr Dominic WONG, Mr WONG Kwok-hing, Ms LI Chun-chau, Mr LEE Chun-keung, Mr LAM Sum-lim, Mr George LAM, Mr SHIU Ka-fai, Mr HUNG Lin-cham, Mr David LEUNG, Mr HUI Lam-hing, Mr HUI Ching-on, Mr Aron KWOK, Mr YEUNG Sze-chun, Mr LAU Hing-yeung, Mr CHENG Chi-sing, Mr NGAN Chun-lim, Mr Frankie LO, Mr KUNG Pak-cheung)
  - No objection
  - No abstention
- (The motion was passed.)

18. The Chairman concluded that the Secretariat would relay the motion to relevant government departments accordingly.

(Post-meeting note: The motion was relayed to the THB on 5 December 2017.)

## **V. Information Items**

### Chairman's Report on the Discussion Items of the Regular Meeting

19. The Chairman reported that the reporting items for October 2017 had been set out in the report of the Chairman/Vice-chairman, which mainly included the Action Plan for Enhancing Drinking Water Safety in Hong Kong and various measures proposed in the 2017 Policy Address. The next regular meeting was scheduled for 21 December 2017. Councillors might forward their enquiries or views to the Chairman or Vice-chairman for relaying at the regular meeting in December.

## **VI. Establishment of Committees under Eastern District Council (2018-19)** (EDC Paper No. 60/17)

20. The Secretary briefed the meeting on EDC Paper No. 60/17.

21. After discussion, Councillors endorsed the establishment of six committees and three working groups under the EDC for 2018-2019 as well as their terms of reference and administrative arrangements.

22. Councillors noted that the six committees and three working groups under the EDC



## Action

for 2018-2019 would successively hold their first meetings commencing from 2:30 p.m. on 2 January 2018 (Tuesday) to elect their respective Chairpersons and Vice-chairpersons. The Secretariat would later invite nominations from Councillors.

### **VII. Financial Position of Eastern District Council Funds**

(EDC Paper No. 61/17)

23. The Secretary briefed the meeting on EDC Paper No. 61/17.

24. Councillors noted the financial position of the above funds.

### **VIII. Report on the Eleventh Meeting of District Facilities Management Committee**

(EDC Paper No. 62/17)

25. Councillors noted the above report and endorsed the funding applications under item V in the paper.

### **IX. Report on the Tenth Meeting of Culture, Leisure, Community Building and Services Committee**

(EDC Paper No. 63/17)

26. Councillors noted the above report.

### **X. Report on the Tenth Meeting of Traffic and Transport Committee**

(EDC Paper No. 64/17)

27. Councillors noted the above report.

### **XI. Report on the Eleventh Meeting of Food, Environment and Hygiene Committee**

(EDC Paper No. 65/17)

28. Councillors noted the above report.

### **XII. Report on the Tenth Meeting of the Planning, Works and Housing Committee**

(EDC Paper No. 66/17)

29. Councillors noted the above report.

### **XIII. Report on the Tenth Meeting of the Vetting Committee**

(EDC Paper No. 67/17)

30. Councillors noted the above report.

**XIV. Report on the Tenth Meeting of Task Group on Festival Celebrations**  
(EDC Paper No. 68/17)

31. Councillors noted the above report.

**XV. Report on the Eighth Meeting of the Task Group on Publicity about the Work of Eastern District Council**  
(EDC Paper No. 69/17)

32. Councillors noted the above report.

**XVI. Any Other Business**

(A) 2018 Meeting Schedules of Eastern District Council and its Committees

33. Councillors noted and approved the 2018 meeting schedules.

(B) Joint Operation at the Footbridge across Tong Shui Road in North Point

34. The Chairman said that at its meeting on 26 September 2017, the EDC had endorsed the details and timetable of the joint clearance operation to be conducted by the departments concerned on 23 November for removal of the unauthorised structures erected by street sleepers at the footbridge across Tong Shui Road in North Point. Ms Hayley KONG of the Secretariat of the Eastern District Management Committee reported on the latest progress.

35. Councillors noted that the departments concerned had conducted the joint clearance operation on 23 November 2017 for removal of the unauthorised structures erected by street sleepers at the footbridge across Tong Shui Road in North Point. During the joint operation, the District Lands Office, Hong Kong East of the Lands Department had taken possession of and removed the above unauthorised structures according to the Land (Miscellaneous Provisions) Ordinance (Cap. 28), and the Food and Environmental Hygiene Department had seized unclaimed articles at the scene that might cause obstruction to its sweeping work according to the Public Health and Municipal Services Ordinance (Cap. 132). Afterwards, the HyD had carried out structural inspection and would partially fence off the works area as necessary for maintenance of the footbridge. Moreover, social workers would continue their follow-up work to address the welfare needs of street sleepers with provision of appropriate welfare services. The Chairman thanked the Eastern District Office for co-ordinating interdepartmental efforts in this joint clearance operation which helped improve the environmental hygiene and safeguard the well-being of the community.

(C) Duty Visit related to DC Work

36. The Chairman said that at the last meeting, the preliminary proposal for a duty visit to Qingdao tentatively scheduled for either March or August 2018 was raised. According to the guidelines of the Home Affairs Department (HAD), each Councillor would be provided with a maximum provision of \$10,000 in each term to cover expenses incurred for duty visits. Any expenses incurred in excess of \$10,000 should be borne by the Councillor personally.

## Action

Expenses under \$10,000 would be reimbursed based on the actual costs. He said that further details of the duty visit would be worked out. Councillors were welcome to express their views on the duty visit.

37. Two Councillors expressed their views on the subject as summarised below:

- (a) Mr NGAN Chun-lim suggested that basic requirements such as provision of hotel single rooms could be stipulated in the invitation to quotation so as to ensure that travel agencies would not offer an unreasonably low price in an attempt to lower the bidden price at the expense of service quality and hence, not able to meet the basic needs.
- (b) Mr Frankie LO suggested setting off on weekdays such as Friday so as to fully utilise Saturday and Sunday of the week.

38. The Chairman replied that the arrangement such as departure date would have to depend on whether the receiving organisations or units could make the arrangement. Pending the working out of a visit proposal, the Council would discuss related arrangements at its upcoming meeting on 30 January 2018. If necessary, the arrangements might be confirmed by way of circulation of papers so that the Secretariat could proceed with procurement matters in a timely manner. District Officer (Eastern) supplemented that to ensure proper utilisation of public fund, apart from considering the areas to be studied and their benefits to the DC work when working out the visit arrangement, as an established practice, the procurement would be conducted in accordance with the Government's Stores and Procurement Regulations, and invitation of quotation would be made following the principle of open and fair competition. Among others, the procurement would also have to conform to those eligible expenditure items such as economy class air ticket as stipulated in the HAD's guidelines.

## **XVII. Date of the Next Meeting**

39. The meeting was adjourned at 5:45 p.m. The Twelfth EDC meeting would be held at 2:30 p.m. on 30 January 2018 (Tuesday).

Eastern District Council Secretariat  
January 2018